

ORDINANCE #07-08

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, AMENDING CHAPTER 15.04 OF THE SURPRISE MUNICIPAL CODE, AND IN ORDER TO ADOPT THE INTERNATIONAL BUILDING CODE 2006, INTERNATIONAL FIRE CODE 2006, INTERNATIONAL RESIDENTIAL CODE 2006, INTERNATIONAL MECHANICAL CODE 2006, INTERNATIONAL PLUMBING CODE 2006, INTERNATIONAL FUEL GAS CODE 2006, INTERNATIONAL ELECTRIC CODE 2006, INTERNATIONAL ENERGY CONSERVATION CODE 2006, INTERNATIONAL EXISTING BUILDINGS CODE 2006, INTERNATIONAL PROPERTY MAINTENANCE CODE 2006, AND THE AMENDMENTS USED TO REGULATE CONSTRUCTION WITHIN THE CITY.

WHEREAS, the Mayor and Council deem it necessary, in order to protect the public health, safety and welfare and public and private property, to adopt certain rules and regulations controlling the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use and maintenance of heating, cooling, ventilating, process piping, refrigerator systems, incinerator or other heat-producing appliance and to adopt certain rules and regulations to regulate the erection, construction, enlargement, alteration, repair, moving, removal, and demolition, conversion, occupancy, equipment, use, height, area and maintenance of all buildings, structures, or premises, and;

WHEREAS, in 2004 the Mayor and City Council adopted the 2003 set of International Codes, and;

WHEREAS, the 2006 set of International Codes is meant to replace the 2003 series previously adopted by the Mayor and City Council, and;

WHEREAS, City staff has reviewed these International Codes and has recommended the following amendments, and;

WHEREAS, this family of codes has been supported by organizations such as the Arizona Building Officials, Inc., National Association of Homebuilders, FEMA and the American Institute of Architects, and;

WHEREAS, the codes and amendments being adopted herein were made public records by Resolution # 07-39, and;

WHEREAS, the city desires to amend the city Code by deleting the amendment language from the Code and providing those International Code amendments as separate documents, and;

WHEREAS, Arizona Revised Statute §9-802 allows a municipality to enact the provisions of a code or public record by reference without having to publish the entire code or public record.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Surprise that:

Section 1. The following codes and appendices as published by the International Code Council, 2006 edition, and the amendments to those codes, as contained in this Ordinance # 07-08, are hereby adopted as amended and declared to be public records by this Ordinance #07-08. At least three (3) copies of each Code and its corresponding amendments, if any, shall be filed in the City Clerk's office and kept available for public use and inspection.

- A. International Building Code, including Appendix C.
- B. International Residential Code
- C. International Electrical Code
- D. International Mechanical Code
- E. International Plumbing Code
- F. International Fuel Gas Code
- G. International Energy Conservation Code
- H. International Property Maintenance Code
- I. International Existing Buildings Code
- J. International Fire Code

Section 2. The following changes are made to the Surprise Municipal Code, Chapter 15:

15.04.010 Construction Codes.

The following 2006 codes, appendices as published by the International Code Council and amendments to those codes are hereby adopted by the city to regulate construction and the improvement of structures within the territorial limits of the city, and are incorporated in this section by reference as though they had been fully and completely set forth in this section. At least three (3) copies of each shall be filed in the City Clerk's office and kept available for public use and inspection:

- A. The International Building Code, including Appendix C 2003, as published by the International Code Council;
- B. The International Residential Code 2003, as published by the International Code Council;
- C. The International Fire Code 2003, as published by the International Code Council;
- D. The International Electric Code 2003, as published by the International Code Council;

- E. ~~The International Mechanical Code 2003, as published by the International Code Council;~~
- F. ~~The International Property Maintenance Code 2003, as published by the International Code Council;~~
- G. ~~The state International Plumbing Code;~~
- H. ~~International Fuel Gas Code;~~
- I. ~~International Energy Conservation Code;~~
- J. ~~International Existing Buildings Code;~~
- K. ~~The code amendments which were made a public record by Resolutions No. 04-109 and~~

~~No. 04-155 and the amendments promulgated by Ord. No. 06-02.~~

State Law Reference - Adoption by Reference, A.R.S. § 9-801 et seq.

Deletion of Sections 1 through Section 8 of Chapter 15.04 in its entirety. These amendments, as below will be adopted by Council, as below and kept as separate documents.

Section 3. The International Building Code 2006 amendments are adopted as follows:

1. Chapter 1, ADMINISTRATION

- a. 101.1, insert the words "City of Surprise" as the name of jurisdiction. Also add: "The fees and administrative provisions of Chapter 1 of this code shall apply to all the adopted technical codes. Where there is a conflict between these provisions and those of another technical code, these provisions shall apply. Where there is an administrative provision contained in another technical code and not in this code, then the administrative provision of the technical code shall apply."
- b. 101.4, delete the text of the section, and replace with the following language: "Referenced codes. The other codes listed in 101.4.1 through 101.4.7 and referenced elsewhere in this code shall be considered part of the requirements of this code to the prescribed extent of each reference. If another code is referenced elsewhere in this code and has not been adopted, then that section shall be considered invalid."

- c. 105.3.2, delete the text of the section and replace with the following language: "An application for a permit for any proposed work shall be deemed to have been abandoned 30 days after the date of issuance notification, unless such application has been pursued in good faith or a permit has been issued; except that the Building Official is authorized to grant one extension of time for an additional period of 30 days. The extension shall be requested in writing prior to the expiration of the application, and justifiable cause demonstrated. To reinstate an application after expiration, a full new plan review fee shall be assessed, except as approved by the Building Official."
- d. 105.5, delete the text of the section and replace with the following language: "Every permit issued shall become invalid unless the work authorized by such permit is commenced and required inspection(s) are requested by the permittee and approved by the Building Official within 90 days after its issuance, or if more than 180 days elapses between approval of required inspection(s). The Building Official shall be authorized to grant one extension of time for a period not to exceed 180 days. Permits shall not be extended more than once and all requests for extension shall be in writing prior to the expiration of the permit, and justifiable cause demonstrated. In order to renew action on a permit after expiration, a new full permit fee shall be paid based on the current fee schedule adopted by the City, except as approved by the Building Official."
- e. 108.3, add the following paragraph: "For purposes of determining valuations, the most current building valuation data as published by the International Code Council in Building Safety Journal magazine, as such data is published from time to time, shall be used, as applicable. The valuation for any shell-only building shall be permitted to be reduced by 20%."
- f. 108.4, add the following paragraph: "This fee shall be equal to the amount of the permit fee required by the adopted fee schedule, except as approved by the Building Official. The payment of such fee shall not exempt an applicant from all other provisions of either this code or other requirements nor from the penalty prescribed by law."

- g. 108.6, delete the text of the section and replace with the following language: "The Building Official shall be permitted to authorize refunding of a fee paid hereunder which was erroneously paid or collected. The Building Official shall be permitted to authorize refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code. The Building Official shall be permitted to authorize refunding of not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any examination time has been expended. The Building Official shall be authorized to waive the plan review fee for an expired permit for which no additional plan review is required. The Building Official shall not be permitted to authorize refunding of any permit fee paid except upon written application filed by the original permittee not later than 180 days after the date of fee payment."

2. Chapter 2, DEFINITIONS

- a. 201.3, delete the text of the section, and replace with the following: "When terms are not defined in this code and are defined in another adopted code, such terms shall have the meanings ascribed to them in those codes."
- b. 201.4, delete the text of the section and replace with the following language: "Where terms are not defined through the methods authorized by this section, such terms shall have ordinarily accepted meanings such as the context implies. Webster's Third New International Dictionary of the English Language, Unabridged, shall be considered as providing ordinarily accepted meanings."

3. Chapter 3, USE AND OCCUPANCY CLASSIFICATION

- a. 308.2 Group I-1, delete the text of the section and replace with the following language: "This occupancy shall include buildings, structures, or parts thereof housing more than 10 persons, on a 24-hour basis, who because of age, mental disability or other reasons, live in a residential environment that provides supervisory care services. The occupants are capable of responding to an emergency situation without physical assistance from staff. This group shall include, but not be limited to the following:

- Residential board and care facilities
- Assisted living centers
- Halfway houses
- Group homes

Congregate care facilities
Social rehabilitation facilities
Alcohol and drug abuse centers
Convalescent facilities

A facility such as the above with 10 or fewer persons shall be classified as A Group R-4 Condition 1 or shall comply with the International Residential Code in accordance with 101.2 where the building is in compliance with Section 421 of this code."

- b. 308.3, Group I-2, delete the text of the section and replace with the following language: "This occupancy shall include buildings or structures used for medical, surgical, psychiatric, nursing, custodial, personal, or directed care on a 24-hour basis of more than five (5) persons who are not capable of self-preservation by responding to an emergency situation without physical assistance from staff. This group shall include, but not be limited to the following:

Hospitals
Nursing homes (both intermediate care and skilled nursing facilities)
Mental hospitals
Detoxification facilities

A facility such as the above with five or fewer persons shall be classified as group R-3 or shall comply with the International Residential Code in accordance with 101.2.

This occupancy shall also include buildings and structures used for assisted living homes providing supervisory, personal, or directed care on a 24-hour basis to more than 10 persons who are not capable of self-preservation by responding to an emergency situation without physical assistance from staff. A facility such as the above with 10 or fewer persons shall be classified as R-4 Condition 2."

- c. 310.1, Group R-4, delete the text of the section, and replace with the following language: "Residential occupancies shall include buildings arranged for occupancy as residential care/assisted living homes including not more than 10 occupants, excluding staff.

310.1.1, Condition 1. This occupancy condition shall include facilities licensed to provide supervisory care services, in which occupants are capable of self-preservation by responding to an emergency situation without physical assistance from staff. Condition 1 facilities housing more than 10 persons shall be classified as a Group I-1.

310.1.2, Condition 2. This occupancy condition shall include facilities licensed to provide personal or directed care services, in which occupants are incapable of self-preservation by responding to an emergency situation without physical assistance from staff. Condition 2 facilities housing more than 10 persons shall be classified as Group I-2.

R-4 occupancies shall meet the requirements for construction as defined in Group R-3 except as otherwise provided for in this code and Section 421 or shall comply with the International Residential Code in accordance with 101.2, where the building is in compliance with Section 421 of this code.

- d. 310.2, Definitions, delete the definition for Personal Care Service and replace with the following:

Personal Care Service. Assistance with activities of daily living that can be performed by persons without professional skills or professional training and includes the coordination or provision of intermittent nursing services and the administration of medications and treatments.

Delete the definition for Residential Care/Assisted Living Facility, and replace with the following:

Residential Care/Assisted Living Home. A building or part thereof housing a maximum of 10 persons, excluding staff, on a 24-hour basis, who because of age, mental disability or other reasons, live in a supervised residential environment which provides supervisory, personal or directed care services. This classification shall include, but not be limited to, the following: residential board and care facilities, assisted living homes, halfway houses, group homes, congregate care facilities, social rehabilitation facilities, alcohol and drug abuse centers and convalescent facilities.

Add the following definitions:

Supervisory Care Service. General supervision, including daily awareness of resident functioning and continuing needs.

Directed Care Services. Care of residents, including personal care services, who are incapable of recognizing danger, summoning assistance, expressing need or making basic care decisions.

4. Chapter 4, SPECIAL DETAILED REQUIREMENTS BASED ON USE AND OCCUPANCY

a. Add a new Section 421 Residential Care/Assisted Living Homes, as follows:

421.1 Applicability. The provisions of this section shall apply to a building or part thereof housing not more than 10 persons, excluding staff, on a 24-hour basis, who because of age, mental disability or other reasons, live in a supervised residential environment, which provides licensed care services. Except as specifically required by this division, R-4 occupancies shall meet all applicable provisions of Group R-3.

421.2 General. Buildings or portions of buildings classified as R-4 occupancies shall meet all the applicable provisions of Group R-3, may be constructed of any materials allowed by this code, shall not exceed two stories in height nor be located above the second story in any building and shall not exceed 2000 square feet above the first story, except as provided in Section 506.

421.3 Special Provision. R-4 occupancies having more than 2000 square feet of floor area above the first floor shall be of not less than one-hour fire-resistive construction throughout.

421.3.1 Mixed Uses. R-4 occupancies shall be separated from other occupancies as provided in Table 508.3.3.

421.4 Access and Means of Egress Facilities.

421.4.1 Accessibility. R-4 occupancies shall be provided with at least one accessible route per the Arizonans with Disabilities Act.

Exception: Existing buildings shall comply with Section 3409. Bathing and toilet facilities need not be made accessible, but shall be provided with grab bars in accordance with ICC/ANSI A117.1.

421.4.2 Exits

421.4.2.1 Number of Exits. Every story, basement or portion thereof shall have not less than two exits.

Exception: Basements and stories above the first floor containing no sleeping rooms used by residents may have one means of egress as provided in Chapter 10.

421.4.2.2 Distance to Exits. The maximum travel distance shall comply with Section 1016, except that the maximum travel distance from the center point of any sleeping room to an exit shall not exceed 75 feet.

421.4.2.3 Emergency Exit Illumination. In the event of a power failure, exit illumination shall be automatically provided from an emergency system powered by storage batteries or an onsite generator set installed in accordance with the International Electric Code.

421.4.2.4 Emergency Escape and Rescue. R-4 occupancies shall comply with the requirements of Section 1026, except that Exception 1 to 1026.1 does not apply to R-4 occupancies.

421.4.2.5 Delayed Egress Locks. In R-4 Condition 2 occupancies, delayed egress locks shall be permitted in accordance with 1008.1.3.4 and 1008.1.8.6, items 1, 2, 4, 5 and 6.

421.5 Smoke Detectors and Sprinkler Systems

421.5.1 All habitable rooms and hallways and R-4 occupancies shall be provided with smoke alarms installed in accordance with 907.2.10.

421.5.2 Sprinkler Systems. R-4 occupancies shall be provided with a sprinkler system installed in accordance with 903.3.1.3. Sprinkler systems installed under this section shall be installed throughout, including attached garages, and in Condition 2 facilities, shall include concealed spaces of or containing combustible materials. Such systems may not contain unsupervised valves between the domestic water riser control valve and the sprinklers. In R-2 Condition 2 occupancies, such systems shall contain water flow switches electrically supervised by an approved supervising station, and shall sound an audible signal at a constantly attended location.

5. Chapter 5, GENERAL BUILDING HEIGHTS AND AREAS

- a. Add a new Section 509 Location On Property.

509.1 General. Buildings shall adjoin or have access to a public way or yard on not less than one side. Required yards shall be permanently maintained.

For the purpose of this section, the center line of an adjoining public way shall be considered an adjacent property line (see also Section 1206)

Required yards and all sewer and water services shall be on the same property as the building, and no building or sewer or water service shall be built across a recorded property line, except in accordance with the following provisions:

1. Utility Easements. A modification request if required to approve the provision of private sewer or water services to a lot or building site when such service is located within a permanent, nonrevocable private utility easement duly-recorded with the Maricopa County Recorder for all the properties involved.
2. Lot Combinations. Where two or more adjacent lots or parcels are owned by the same person or persons, such lots or parcels shall be combined into a single building site by platting or replatting such lots or parcels into a single lot, or shall be combined by recording with the Maricopa County Recorder a permanent, nonrevocable lot combination agreement in a form approved by the Building Official for all of the lots or parcels involved. In addition, the property owner shall provide evidence that all of the lots or parcels combined are taxed and assessed by the Maricopa County Assessor as a single tax parcel.
3. Integrated Developments with Multiple Owners. As a modification to the building code, the Building Official may approve a permanent agreement between multiple property owners for purposes of considering two or more separately owned properties as one building site for purposes of this code. Such agreement shall stipulate the reasons for the lot consolidation and the permanent requirements of prohibitions necessary to fully comply with this code as if all improvements were located on the same single lot.
4. Open Space Easements. As a modification to the building code, the Building Official may approve a permanent open space, nonbuilding easement on one property for purposes of providing yard areas or open space sufficient to satisfy building code setback or egress requirements on the adjacent property.

5. Agreement Conditions. Agreements proposed or required under this section shall be permanent and binding on all property owners, their heirs and assigns. The agreements shall be in writing, shall be approved by the Building Official and shall be recorded with the Maricopa County Recorder for all the properties involved. The agreements shall be enforceable by the Building Official and by each of the property owners, their heirs and assigns. The agreements shall require physical modifications of any structures to fully comply with all applicable code requirements prior to alteration or expiration of the agreement. Alteration of the agreements or any condition or provision therein, or expiration or elimination of any such agreement, is prohibited except with the prior written approval of the Building Official. The Building Official shall have authority to revoke any agreement for noncompliance with any of its provisions, and thereafter to require the property owners to individually make search of their properties physically and fully compliant with all applicable code requirements without benefit of the agreement conditions. The Building Official shall not initiate or negotiate any such agreement, but shall consider agreements offered jointly by adjacent property owners.

6. Chapter 9, FIRE PROTECTION SYSTEMS

- a. 901.1, add the following paragraph: "Wherever the words "Building Official" appear in Sections 901 through 911 they shall be deleted and the words "Fire Chief" shall be inserted in lieu thereof. Code sections preceded by [F] shall be considered to be maintained and administered under the International Fire Code. Where there is a conflict regarding fire suppression systems and/or alarms between this code and the Fire Code, the Fire Code shall prevail."
- b. 901.5, delete the last sentence and replace with the following language: "It shall be unlawful to use, occupy, or furnish any portion of a structure until the fire protection systems of the structure have been tested and approved."
- c. 903.2, delete the text of the section, retaining the exception, and replace with the following language: "Except as otherwise exempted by the Fire Chief, including cases of minor repair, minor additions, changes in occupancy and low fire load, a complete automatic sprinkler system shall be installed throughout all new buildings and structures regulated by this code."

7. Chapter 10, MEANS OF EGRESS

- a. 1008.1.2, delete the text of Exception 4 and replace with the following language: "Doors within or serving a single dwelling unit in Groups R-2 and R-3, as applicable in 101.2, and R-4."

8. Chapter 11, ACCESSIBILITY

- a. 1101.1, delete the text of the section and replace with the following language: "The provisions of this chapter and the Arizona Revised Statutes (ARS) Section 41-1492 through 41-1492.12 shall control the design and construction of facilities for accessibility to physically disabled persons."
- b. 1101.2, delete the text of the section and replace with the following language: "Buildings and facilities shall be designed and constructed to be accessible in accordance with this code, ICC A117.1, and in accordance with the provisions of the State of Arizona Attorney General Administrative Rules R-10-3-401 through R-10-3-404, whichever standard provides the greater degree of accessibility. This dual-reference provision shall apply in all cases where ICC A117.1 is referenced in this chapter."
- c. 1103.2.4, add the following sentences: "Home occupations as defined in the Surprise Municipal Code are not required to be accessible. For all other combinations of businesses in Group R occupancies, the business portion shall be accessible and shall include a minimum of one accessible toilet room and an accessible route from the business portion to the accessible toilet room, accessible parking space and public sidewalk."
- d. 1103.2.6, add the following sentences: "The public portions of temporary sales offices/trailers are required to be accessible. There shall be accessible parking and an accessible route from the accessible parking aisle to the sales office/trailer and throughout the public portion of the sales office/trailer, including the design center. Accessible toilet rooms shall be provided according to this code."
- e. 1109.2, add the following sentence: "A paraphernalia shelf, mounted 48" maximum above the finished floor, shall be provided at all accessible toilets."

Exceptions: 4. deleted

- f. 1109.2.2, add the following sentence: "A baby changing station shall not be located within a water closet compartment."
- g. 1109.3, delete exception, add new exceptions:
 - 1. Manufacturing process sinks
 - 2. Commercial sinks in kitchens, other than hand sinks.

9. Chapter 12, INTERIOR ENVIRONMENT

- a. 1207.1, add the following at the end of the sentence: "and buildings as described in 1207.4."
- b. 1207.4, (new), add the following section: 1207.4 Sound Attenuation. In order to achieve an interior noise level of 45 decibels in areas within the noise contours described in A.R.S. Section 28-8461, paragraph 8, subdivision (a), (b) or (c), as applicable, the following types of construction shall comply with the provisions of this section and 207.4.1:
 - 1. All new development and construction of portions of buildings where the public is received;
 - 2. Office areas;
 - 3. Where normal noise level is low for first occupancy;
If the gross floor area of a structure or project is expanded by less than 50%, the requirements of this section apply only to the area of expansion. If the gross floor area of a structure or project is expanded by 50% or more, the requirements of this section apply to the entire structure.

Exception. Ancillary buildings used in agricultural land use are not subject to the construction standards contained herein.

1207.4.1 Certification. A certified statement by a licensed architect or engineer, certifying that the building achieves the requirement of a maximum interior noise level of 45 decibels is required for all construction. The certified statement shall include documentation supporting the statement.

10. Chapter 16, STRUCTURAL DESIGN

a. Table 1607.1, revise item 28 to read as follows:

OCCUPANCY OR USE	UNIFORM (psf)	CONCENTRATED (lbs.)
28. Residential One- and two-family dwellings Habitable attics and sleeping areas	40	

11. Chapter 29, PLUMBING SYSTEMS

a. Table 2902.1, revise items #2 and #6 to read as follows:

TABLE 2902.1
MINIMUM NUMBER OF REQUIRED PLUMBING FACILITIES^a

No.	CLASSIFICATION	USE GROUP	DESCRIPTION	WATER CLOSETS (SEE SECTION 419.2 OF THE INTERNATIONAL PLUMBING CODE FOR URINALS)		LAVATORIES		BATHTUBS OR SHOWERS	DRINKING FOUNTAINS (SEE SECTION 410.1 OF THE INTERNATIONAL PLUMBING CODE)	OTHER
				MALE	FEMALE	MALE	FEMALE			
2	Business (see Sections 2902.2, 2902.4, 2902.4.1 and 2902.6)	B	Buildings for the transaction of business, professional services, other services involving merchandise, office buildings, banks, light industrial and similar uses	1 per 25 for the first 50 and 1 per 50 for the remainder exceeding 50		1 per 40 for the first 50 and 1 per 80 for the remainder exceeding 50		—	1 per 100	—
6	Mercantile (see Section 2902.2, 2902.5 and 2902.6)	M	Retail stores, service stations, shops, salesrooms, markets and shopping centers	1 per 500		1 per 750		—	1 per 1,000	—

b. 2902.2, add Exception # 4, as follows:

4. "Separate facilities shall not be required in business occupancies in which the maximum occupant load is 25 or less, if a rational analysis indicates that a unisex facility is sufficient, subject to the approval of the Building Official."

12. Chapter 31, SPECIAL CONSTRUCTION

a. 3109, delete in its entirety.

Section 4. The International Residential Code 2006 amendments are adopted as follows:

1. Chapter 1, ADMINISTRATION

- a. R101.1, insert the words "City of Surprise" as the name of jurisdiction.
- b. R102.5, add the following sentence at the end of the section: "The provisions of appendices G (as amended), H and K (as amended) are hereby adopted."
- c. R105.2, delete the words "24 inches (610mm)" in sub-paragraph Building: #7 and replace with "18 inches (454 mm)."
- d. R105.3.2, delete the text of the section and replace with the following language: "An application for a permit for any proposed work shall be deemed to have been abandoned 30 days after the date of issuance notification, unless such application has been pursued in good faith or a permit has been issued; except that the Building Official is authorized to grant one extension of time for an additional period of 30 days. The extension shall be requested in writing prior to the expiration of the application, and justifiable cause demonstrated. To reinstate an application after expiration, a full new plan review fee shall be assessed, except as approved by the Building Official."

- e. R105.5, delete the text of the section and replace with the following language: "Every permit issued shall become invalid unless the work authorized by such permit is commenced and required inspection(s) are requested by the permittee and approved by the Building Official within 30 days after its issuance, or if more than 60 days elapses between approval of required inspection(s). The Building Official shall be authorized to grant one extension of time for a period not to exceed 60 days. Permits shall not be extended more than once and all requests for extensions shall be in writing prior to the expiration of the permit, and justifiable cause demonstrated. In order to renew action on a permit after expiration, a new full permit fee shall be paid based on the current fee schedule adopted by the City, except as approved by the Building Official."
- f. R108.2, delete the text of the section and replace with the following language: "Building permit fees shall be established by City Council from time to time by resolution."
- g. R110.1, delete the text of the section, retaining the exception, and replace with the following language: "No building or structure shall be used, occupied or furnished in whole or in part, and no change in the existing occupancy classification of a building or structure or portion thereof shall be made until the Building Official has inspected the building or structure and finds no violations of the provisions of this code or other ordinances of the jurisdiction. Upon written request of the original permittee and after payment of any prescribed fees, the Building Official shall issue a certificate of occupancy as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Certificates presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the jurisdiction shall not be valid."

2. Chapter 2, DEFINITIONS

- a. R201.4, delete the text of the section and replace with the following language: "Where terms are not defined through the methods authorized by this section, such terms shall have ordinarily accepted meanings such as the context implies. Webster's Third New International Dictionary of the English Language, Unabridged, shall be considered as providing ordinarily accepted meanings."

3. Chapter 3, BUILDING PLANNING

- a. Table R301.2(1), insert the following design criteria: "Roof Snow Load: 0; Wind speed: 90 mph, Exposure B (unless otherwise designated by the Building Official); Seismic Design Category: B; Weathering: NEGLIGIBLE; Frost Line Depth: 12"; Termite: MODERATE TO HEAVY; Decay: NONE TO SLIGHT; Winter Design Temperature: 34 degrees F; Flood Hazards: Date of entry into National Flood Insurance Program – June 28, 1974."
- b. Table R301.5, change the live load limit for sleeping rooms from 30 to 40
- c. R302.1, add exception #4: "When the wall is at 5' or greater to the property line, with no attic vents or gable end vents, a maximum of 18" unprotected eave overhang is permitted."
- d. R309.1, delete the text of the section and replace with the following language: "Openings from a private garage directly into a room used for sleeping purposes shall not be permitted. Other openings between the garage and residence shall be equipped with solid wood doors not less than 1³/₈ inch (35 mm) in thickness, solid or honeycomb core steel doors not less than 1³/₈ inches (35 mm) thick, or 20-minute fire-rated doors. Doors providing opening protection shall be maintained self-closing and self-latching."
- e. Section R313, revise the title of the Section to read:
SMOKE ALARMS, HEAT DETECTION, AND CARBON MONOXIDE DETECTION
- f. R313.2 Location, item 2. Add the following sentence: "In such locations, a combination smoke alarm/carbon monoxide detector listed for interconnection with the other smoke alarms shall be installed."
- g. R313.2.1, Alterations, repairs, and additions, delete the text of the section and replace with the following language: "When alterations, repairs, or additions requiring a permit occur, ..., the individual dwelling unit shall be equipped with smoke alarms and carbon monoxide detection located as required for new dwellings:..." (no other changes)

- h. R313.3, Add a new section, "Heat detection. In an enclosed garages attached to a residence, or in detached garages where habitable space is provided, a UL-listed heat detector shall be interconnected with the household smoke alarm system"
- i. R313.4, re-number 313.3, Power source, delete the text of the section and replace with the following language: " In new construction, the required smoke alarms, carbon monoxide detectors, and heat detectors, shall receive their primary power..." (no other changes)

4. Chapter 13, GENERAL MECHANICAL SYSTEM REQUIREMENTS

- a. M1307.3, delete the text of the section and replace with the following language: "Appliances having an ignition source shall be elevated such that the source of ignition is not less than 18 inches (457 mm) above the floor in garages. For the purpose of this section, rooms or spaces that are not part of the living space of a dwelling unit and that communicate with a private garage through openings shall be considered to be part of the private garage."

Exception: Clothes dryers installed in private garages."

5. Chapter 24, FUEL GAS

- a. 2415.9, delete the text of the section and the subsection, and replace with the following language: "Underground piping systems shall be installed a minimum depth of 12 inches below grade for metal piping and 18 inches for plastic piping."

6. Chapter 29, WATER SUPPLY AND DISTRIBUTION

- a. P2903.4, delete the text of the section and replace with the following language: "Maximum static pressure for water distribution piping shall be 80 psi (551 kPa). An approved pressure-reducing valve conforming to ASSE 1003 shall be installed on the domestic water branch main or riser at the connection to the water-service pipe."

7. Chapter 36, BRANCH CIRCUITS AND FEEDER REQUIREMENTS

- a. E3603.2, delete the text of the section, retain the exception, and replace with the following language: "A minimum of two 20-ampere-rated branch circuits shall be provided to serve receptacles located in the kitchen, pantry, breakfast area and dining area. The kitchen countertop receptacles shall be served by a minimum of two 20-ampere-rated branch circuits, either or both of which shall also be permitted to supply other receptacle outlets in the kitchen, pantry, breakfast area and dining area, including receptacle outlets for refrigeration appliances. Dishwasher and garbage disposer shall be permitted to be on the same 20-ampere branch circuit."

8. Appendix G, SWIMMING POOLS, SPAS AND HOT TUBS

- a. AG 102, delete the definition for "Swimming Pool" and replace with: "Any structure intended for swimming or recreational bathing that contains water over 18 inches (457 mm) deep at any point and, other than hot tubs and spas is wider than 8 feet (2400 mm) at any point. This includes in-ground, above ground and on-ground swimming pools and, other than the width, hot tubs and spas."
- b. AG 105.2, add the following sentences to sub-paragraph #1: "Any decorative design work on a barrier located entirely on the subject parcel, and on the side away from the swimming pool, such as protrusions, indentations or cutouts or other fixed or movable, attached or unattached objects within twenty-four inches of the pool barrier, which render the barrier easily climbable are prohibited. The wall fence or barrier shall be at least 20 inches from the water's edge."
- c. AG 105.2, delete the text of sub-paragraph #6 and replace with the following language: "Chain link fencing shall not be used as a barrier."
- d. AG 105.2, add the following subsection 8.3 to sub-paragraph #8: "8.3 All pedestrian access gates and other access gates shall have a sign attached to both sides of the gate stating the following: *"Protect Your Children, Keep Gates Closed."* Details of minimum sign size, letter type and color and other specifications of the sign shall be provided by the Building Safety Department."

- e. AG 105.2, delete the text of subsection 9.1 of sub-paragraph #9 and replace with the following language: "The pool will be protected by a motorized safety cover which requires the operation of a key switch which meets the American Society of Testing Materials standard 13-89 and which does not require manual operation other than the use of a key switch; or"
- f. AG 105.2, add the following subsections to sub-paragraph #9:
 - 9.4 Add the Self-closing and self latching devices installed on all doors with direct access to the pool area, with the release mechanism located a minimum of fifty-four inches above the floor.
- g. AG105.2, add the following sub-paragraph #11:
 - 11. Pet doors which provide direct access to the pool area are prohibited."
Exception: Pet doors fitted with a permanent barrier in compliance with AG105.2, Item 2.
- h. AG 105.2, add the following sub-paragraph #12:
 - 12. "Windows with access to the pool areas will be protected in the following ways:
 - 1. Emergency escape or rescue windows from sleeping areas with access to the swimming pool will be equipped with a latching device not less than fifty-four inches above the floor.
 - 2. All other openable windows with similar access will also be equipped with a latching device not less than fifty-four inches above the floor or shall be equipped with key lock device that prevents opening the window more than four inches."
- i. AG 105.6 (new), add the following section:

AG105.6 Retroactivity. The owner of every dwelling with an existing swimming pool or spa which was constructed prior to the effective date of this Appendix G (amended) and to which this Appendix would otherwise apply, must comply with this Appendix not later than one year after the effective date of this Appendix.

j. AG 105.7 (new), add the following section:

AG105.7 Duty to comply. Every person who owns, rents, occupies or controls a dwelling with a swimming pool or spa, to which this Appendix G (amended) applies, shall comply with all provisions of this Appendix at all times.

AG105.7.1 No person shall construct or install a swimming pool or spa to which this Appendix applies in a manner, which is not in compliance with this Appendix. No person shall remove, alter, disable, render inoperable, or change, either temporarily or permanently, any device or structure installed or constructed in accordance with this Appendix, in such a manner that the device or structure or the barrier to which it is attached or of which it is a part, is no longer in compliance with this Appendix.

AG105.7.2 Every person who contracts to build a swimming pool or spa to which this Appendix applies, or who contracts to sell, lease, or rent a dwelling with a swimming pool or spa to which this Appendix applies, shall, at the time of executing the contract, give to the buyer, lessee, or renter, a copy of this Appendix.

k. AG 105.8 (new), add the following section:

AG105.8 Violation and Penalties. Every person who violates any provision of this Appendix G (amended) is guilty of a misdemeanor, and upon conviction shall be punished by imprisonment for up to six months, or by a fine of not more than two thousand five hundred dollars, or by both such fine and imprisonment.

9. Appendix K, SOUND TRANSMISSION

a. AK102.2 (new), add the following section:

AK102.2. Sound Attenuation. In order to achieve an interior noise level of 45 decibels, all residences shall be constructed using the following minimum construction standards:

1. Exterior wall penetrations by pipe ducts or conduits shall be sealed.
2. Mail boxes shall not be used through the door or wall.

3. Windows shall have 2 panes of glass and a sound

transmission rating of STC-22. All operable windows shall be weather stripped and air tight in accordance with ASTM E-283-84-T Standard. Perimeter window frames shall be sealed.

4. All exterior side hinge doors shall be solid core wood or insulated hollow metal, at least 1 ¾ inches thick and fully weather stripped. All exterior doors other than side hinge doors shall be solid wood, foam filled fiberglass or metal construction.
5. Fireplaces shall be provided with well fitting dampers.
6. Exterior walls shall achieve a minimum overall thermal resistance rating of 19.
7. All roof spaces shall achieve a minimum overall thermal resistance rating of 30.

AK102.2.1 Certification. A certified statement by a licensed architect or engineer certifying that the residence achieves the requirement of a maximum interior noise level of 45 decibels is required for all construction. The certified statement shall include documentation supporting the statement.

Exception. Construction outside the areas designated as having a day-night average sound level 65 decibels or higher as determined by the use of the 1988 noise contour lines developed by the Maricopa County Association of Governments that complies with the construction standards of Section 1206.4.1 shall be deemed to have achieved the interior noise level of 45 decibels, and shall not require the certified statement."

Section 5. The International Electrical Code 2006 amendments are adopted as follows:

1. Chapter 1, SCOPE
 - a. Section 101.1, insert the words "City of Surprise" for the name of the jurisdiction.
2. Chapter 2, DEFINITIONS
 - a. 201.4, delete the text of the section and replace with the following language: "Where terms are not defined through the methods authorized by this chapter, such terms shall have ordinarily accepted meanings such as the context implies. Webster's Third New International Dictionary of the English Language, Unabridged, shall be considered as providing ordinarily accepted meanings."

3. Chapter 4, PERMITS AND FEES

- a. 402.5, delete the text of the section and replace with the following language: "An application for a permit for any proposed work shall be deemed to have been abandoned 30 days after the date of issuance notification, unless such application has been pursued in good faith or a permit has been issued; except that the Building Official is authorized to grant one extension of time for an additional period of 30 days. The extension shall be requested in writing prior to the expiration of the application, and justifiable cause demonstrated. To reinstate an application after expiration, a full new plan review fee shall be assessed, except as approved by the Building Official."
- b. 403.2, delete the text of the section and replace with the following language: "Every permit issued shall become invalid unless the work authorized by such permit is commenced and required inspection(s) are requested by the permittee and approved by the Building Official within 90 days after its issuance, or if more than 180 days elapses between approval of required inspection(s). The Building Official shall be authorized to grant one extension of time for a period not to exceed 180 days. Permits shall not be extended more than once and all requests for extensions shall be in writing prior to the expiration of the permit, and justifiable cause demonstrated. In order to renew action on a permit after expiration, a new full permit fee shall be paid based on the current fee schedule adopted by the City, except as approved by the Building Official."
- c. 404.2, delete the text of the section and replace with the following language: "A fee for each permit shall be paid as required, in accordance with the schedule as established by the City of Surprise."

d. 404.5, delete the text of the section and replace with the following language: "The Building Official shall be permitted to authorize refunding of a fee paid hereunder which was erroneously paid or collected. The Building Official shall be permitted to authorize refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code. The Building Official shall be permitted to authorize refunding of not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any examination or administration time has been expended. The Building Official shall not be permitted to authorize refunding of any permit fee paid except upon written application filed by the original permittee not later than 180 after the date of fee payment."

4. Chapter 11, MEANS OF APPEAL, delete in its entirety.

5. Chapter 12, ELECTRICAL PROVISIONS

a. 1202.1.1, add the following sentence: "NFPA 70, 2005 Edition, is adopted by reference, and is hereby amended as follows:"

1. Chapter 2, WIRING AND PROTECTION

a. 210.8, delete the text of the section and replace with the following language:

210.8 Ground-Fault Circuit-Interrupter Protection for Personnel.

(A) All occupancies. All 125-volt, single-phase, 15- and 20-ampere receptacles installed in the locations specified in (1) through (9) shall have ground-fault circuit-interruptor protection for personnel:

(1) Bathrooms

(2) Garages, and also accessory buildings that have a floor located at or below grade level not intended as habitable rooms and limited to storage areas, work areas, and areas of similar use.

Exception No 1 to (2): Receptacles that are not readily accessible.

Exception No 2 to (2): A single receptacle or duplex receptacle for two appliances dedicated for each appliance that, in normal use, is not easily moved from one place to another and that is cord- and plug connected in accordance with 44.7 (A)(6), (A)(7), or (A)(8).

Receptacle installed under the exception to 210.8 (A)(2) shall not be considered as meeting the requirements of 210.52(G).

(3) Outdoors

Exception to (3): Receptacles that are not readily accessible and are supplied from a dedicated branch circuit for electric snow melting or deicing equipment shall be permitted to be installed in accordance with 426.28.

(4) Crawl Spaces – At Or Below Grade Level

(5) Unfinished Basements – for purposes of this section, unfinished basements are defined as portions or areas of the basement not intended as habitable rooms and limited

to storage areas, work areas, and the like.

Exception No. 1 to (5): Receptacles that are not readily accessible.

Exception No. 2 to (5): A single receptacle or a duplex receptacle for two appliances dedicated for each appliance that, in normal use, is not easily moved from one place to another and that is cord-and plug-connected in accordance with 400.7(A)(6), (A)(7), or (A)(8).

Exception No. 3 to (5): A receptacle supplying only a permanently installed fire alarm or burglar alarm system shall not be required to have ground-fault circuit-interrupter protection for personnel.

(6) Kitchens – for the purpose of this section, a kitchen is an area with a sink and permanent facilities for food preparation and cooking.

(a) Dwelling units – where the receptacles are installed to serve countertop surfaces

(b) Commercial and institutional kitchens.

(7) Sinks – where the receptacles are installed with 1.8m (6 ft.) of the outside edge of the sink.

Exception No. 1 to (6) and (7): Receptacles that are not readily accessible.

Exception No. 2 to (6) and (7): A single receptacle or a duplex receptacle for two appliances dedicated for each appliance that, in normal use, is not easily moved from one place to another and that is cord-and plug-connected in accordance with 400.7(A)(6), (A)(7), or (A)(8).

(8) Boathouses

(9) Indoors:

(a) Damp locations

(b) Wet locations

Exception No. 1 to (9): Receptacles that are not readily accessible.

Exception No. 2 to (9): A single receptacle or a duplex receptacle for two appliances dedicated for each appliance that, in normal use, is not easily moved from one place to another and that is cord-and plug-connected in accordance with 400.7(A)(6), (A)(7), or (A)(8).

(10) Boat Hoists. Ground-fault circuit-interruptor protection for personnel shall be provided for outlets that supply boat hoists installed in dwelling unit locations and supplied by 125-volt, 5- and 20-ampere branch circuits.

b. 250.118, delete the text of the section and replace with the following language:

250.118. Types of Equipment Grounding Conductors. The equipment grounding conductor run with or enclosing the circuit conductors shall be one or more or a combination of the following:

(1) A copper, aluminum or copper-clad aluminum conductor. This conductor shall be solid or stranded; insulated, covered or bare; and in the form of a wire or a busbar of any shape.

(2) Rigid metal conduit

(3) Intermediate metal conduit

(4) Electrical metallic tubing with an additional equipment grounding conductor

(5) Listed flexible metal conduit with an additional equipment grounding conductor, and meeting all of the following conditions:

a. The conduit is terminated in fittings listed for grounding

- b. The combined length of flexible metal conduit and liquidtight flexible metal conduit in the ground return path does not exceed 1.8m (6 ft.) for feeders and 15m (50 ft.) for branch circuits.
- (6) Listed liquidtight flexible metal conduit meeting all of the following conditions:
 - (No changes)
- (7) Listed liquidtight flexible metal conduit with an additional equipment grounding conductor and meeting all of the following conditions:
 - a. The conduit is terminated in fittings listed for grounding
 - b. The combined length of liquidtight flexible metal conduit and flexible metal conduit in the same ground return path does not exceed 15m (50 ft.) for branch circuits and 1.5m (6 ft.) for feeders.
 - c. The additional equipment grounding conductor is terminated at each termination or junction point.
- (8) Flexible metallic tubing where the tubing is terminated in fittings listed for grounding and meeting the following conditions:
 - a. The circuit conductors contained in the tubing are protected by overcurrent devices rated at 20A or less.
 - b. The combined length of flexible metallic conduit and flexible metallic tubing and liquidtight flexible metal conduit in the same ground return path does not exceed 1.8m (6 ft.).
- (9) Armor of Type AC cable with an additional equipment grounding conductor and as provided in 320.108.
- (10) The copper sheath of mineral-insulated, metal sheathed cable.
- (11) Type MC cable where listed and identified for grounding in accordance with the following:
 - (No changes)
- (12) Cable trays, as permitted in Sections 392.3(C) and 392.7.
- (13) Cablebus framework, as permitted in Section 370.3.
- (14) Other listed electrically continuous metal raceways and listed auxiliary gutters.
- (15) Surface metal raceways listed for grounding.

2. Chapter 3, WIRING METHODS AND MATERIALS

- a. 312.5, delete the text of the section and replace with the following language:

312.5, "Cabinets, Cutout Boxes, and Meter Socket Enclosures. Conductors entering enclosures within the scope of this article shall be protected from abrasion and shall comply with 312.5 (A) through (C)."

"Exception: For one- and two-family dwellings, cables with entirely non-metallic sheaths shall be permitted to enter the back of a surface-mounted enclosure through one or more non-flexible raceways not more than 75 mm (3 in.) in diameter, and not less than 75 mm (3 in.) and not more than 600 mm (24 in.) in length, provided all of the following conditions are met:

- a. Each cable is fastened within 200 mm (8 in.), measured along the sheath of the outer end of the raceway.
- b. The raceway extends directly in to an enclosed wall space.
- c. A fitting is provided on each end of the raceway to protect the cable(s) from abrasion.
- d. The raceway is sealed or plugged using approved means so as to prevent access to the enclosure through the raceway.
- e. The cable sheath is continuous through the raceway and extends into the enclosure beyond the fitting not less than 50 mm (2 in.).
- f. The raceway, if greater than 12 inches (300 mm), is fastened at its outer end in accordance with the applicable article.
- g. The raceway shall be permitted to be filled to 60 percent of its total cross-sectional area, and 310.15(2)(a) adjustment factors need not apply to this condition."

- b 334.10, delete the text of the section and replace with the following language:

334.10 "Uses Permitted. Type NM, Type NMC, and Type NMS cables shall be permitted to be used in the following:

- i. One- and two- family dwellings
- ii. Multifamily dwellings permitted to be of Types III, IV, and V construction
- iii. Other dwelling unit accessory buildings and structures in accordance with 334.10 (1) and (2)

FPN No.1: Types of building construction and occupancy classification in NFPA 220-1999, *Standard on Types of Building Construction*, or the applicable building code, or both.

FPN No. 2: See Annex E for determination of building types [NFPA 220, Table 3-1].

- iv. Cable trays in structures permitted to be Types III, IV, and V or where the cables are identified for the use.
FPN: See 310.10 for temperature limitation of conductors.

(A) Type NM. Type NM cable shall be permitted as follows:

- (1) For both exposed and concealed work in normally dry locations
- (2) To be installed or fished in air voids in masonry block or tile walls

(B) Type NMC. Type NMC cable shall be permitted as follows:

- (1) For both exposed and concealed work in dry moist, damp, or corrosive locations.
- (2) In inside and outside walls of masonry block or tile
- (3) In a shallow chase in masonry, concrete or adobe protected against nails or screws by a steel plate at least 1.59 mm (1/16") thick and covered with plaster, adobe, or similar finish.

(C) Type NMS. Type NMS cable shall be permitted as follows:

- (1) For both exposed and concealed work in normally dry locations
- (2) To be installed or fished in air voids in masonry block or tile walls."

- c. 334.12, replace the text of the section with the following language:
334.12. "Uses not permitted.

(A) Types NM, NMC, and NMS. Types NM, NMC, and NMS cables shall not be used as follows:

- (1) In any dwelling or structure not specifically permitted in 334.10(1), (2), and (3)
- (2) As service-entrance cables
- (3) In hoistways or on elevators or escalators
- (4) Embedded in poured cement, concrete, or aggregate.

(B) Types NM and NMS. Types NM and NMS cables shall not be used under the following conditions or in the following locations:

- (1) Where exposed to corrosive fumes or vapors
- (2) Where embedded in masonry, concrete, adobe, fill, or plaster
- (3) In a shallow chase in masonry, concrete or adobe and covered with plaster, adobe, or similar finish.
- (4) Where exposed or subject to excessive moisture or dampness."

d. 1202.2, delete.

Section 6. The International Mechanical Code 2006 amendments are adopted as follows:

1. Chapter 1, ADMINISTRATION

- a. 101.1, insert the words "City of Surprise" as the name of jurisdiction.
- b. 106.4.3, delete the text of the section and replace with the following language: "Every permit issued shall become invalid unless the work authorized by such permit is commenced and required inspection(s) are requested by the permittee and approved by the Building Official within 90 days after its issuance, or if more than 180 days elapses between approval of required inspection(s). The Building Official shall be authorized to grant one extension of time for a period not to exceed 180 days. Permits shall not be extended more than once and all requests for extension shall be in writing prior to the expiration of the permit, and justifiable cause demonstrated. In order to renew action on a permit after expiration, a new full permit fee shall be paid based on the current fee schedule adopted by the City, except as approved by the Building Official."

- d. 106.4.4, delete the text of the section and replace with the following language: "An application for a permit for any proposed work shall be deemed to have been abandoned 30 days after the date of issuance notification, unless such application has been pursued in good faith or a permit has been issued; except that the Building Official is authorized to grant one extension of time for an additional period of 30 days. The extension shall be requested in writing prior to the expiration of the application, and justifiable cause demonstrated. To reinstate an application after expiration, a full new plan review fee shall be assessed, except as approved by the Building Official."
- e. 106.5.2, delete the text of the section and replace with the following language: "A fee for each permit shall be paid as required, in accordance with the schedule as established by the City of Surprise."
- f. 106.5.3, delete the text of the section and replace with the following language: "The Building Official shall be permitted to authorize refunding of a fee paid hereunder which was erroneously paid or collected. The Building Official shall be permitted to authorize refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code. The Building Official shall be permitted to authorize refunding of not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any examination time has been expended. The Building Official shall not be permitted to authorize refunding of any fee paid except upon written application filed by the original permittee not later than 180 after the date of fee payment."
- g. 108.4, delete.
- h. 108.5, delete the last sentence and replace with the following language: "Any person who shall continue any work on the system after having been served by a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable for a fine as established by the City of Surprise."
- i. 109, delete.

2. Chapter 2, DEFINITIONS

- a. 201.4, delete the text of the section and replace with the following language: "Where terms are not defined through the methods authorized by this chapter, such terms shall have ordinarily accepted meanings such as the context implies. Webster's Third New International Dictionary of the English Language, Unabridged, shall be considered as providing ordinarily accepted meanings."

3. Chapter 3, GENERAL REGULATIONS

304.3, delete the text of the section and replace with the following language: "Equipment and appliances having an ignition source and located in hazardous locations and public garages, private garages, repair garages, automotive services stations and parking garages shall be elevated such that the source of ignition is not less than 18 inches (457 mm) above the floor surface on which the equipment or appliance rests. Such equipment and appliances shall not be installed in Group H occupancies or control areas where open use, handling or dispensing of combustible, flammable or explosive materials occurs. For the purpose of this section, rooms or spaces that are not part of the living space of a dwelling unit and that communicate directly with a private garage through openings shall be considered to be part of the private garage."

Exception: "Clothes dryers installed in private garages."

4. Chapter 9, SPECIFIC APPLIANCES, FIREPLACES AND SOLID FUEL BURNING EQUIPMENT

- a. 901.5 (new), add the following section:

901.5 Fireplace and Wood Stove Prohibition. All fireplaces and solid fuel-burning appliances, including conversions or alterations, are prohibited, unless it conforms to one of the following:

1. A fireplace that has a permanently installed gas or electric log insert.
2. A fireplace or solid fuel burning appliance that, the Building Official determines is used solely for:
 - a) cooking;
 - b) heating;
 - c) outdoor use; or
 - d) industrial use.
3. A fireplace, a wood stove or any other solid fuel burning appliance that is any of the following:

- a) Certified by the United States environmental protection agency as in compliance with 40 Code of Federal Regulations part 60, subpart AAA in effect on July 1, 1990;
- b) A wood stove tested and listed by a nationally recognized testing agency to meet performance standards equivalent to those in 40 Code of Federal Regulations part 60, subpart AAA in effect on July 1, 1990;
- c) Determined by the county air quality control officer to meet performance standards equivalent to those in 40 Code of Federal Regulations part 60, subpart AAA in effect on July 1, 1990; or a fireplace that has a permanently installed wood stove insert that complies with 3 a), b) or c) of this section.

Section 7. The International Plumbing Code 2006 amendments are adopted as follows:

1. Chapter 1, ADMINISTRATION

- a. 101.1, insert the words "City of Surprise" as the name of jurisdiction.
- b. 106.5.3 delete the text of the section and replace with the following language: "Every permit issued shall become invalid unless the work authorized by such permit is commenced and required inspection(s) are requested by the permittee and approved by the Building Official within 90 days after its issuance, or if more than 180 days elapses between approval of required inspection(s). The Building Official shall be authorized to grant one extension of time for a period not to exceed 180 days. Permits shall not be extended more than once and all requests for extension shall be in writing. In order to renew action on a permit after expiration, a new full permit fee shall be paid based on the current fee schedule adopted by the City, except as approved by the Building Official."
- c. 108.4, delete.
- d. 108.5, delete the last sentence and replace with the following language: "Any person who shall continue any work on the system after having been served by a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable for a fine as established by the City of Surprise."

e. 109, delete.

2. Chapter 2, DEFINITIONS

a. 201.4, delete the text of the section and replace with the following language: "Where terms are not defined through the methods authorized by this chapter, such terms shall have ordinarily accepted meanings such as the context implies. Webster's Third New International Dictionary of the English Language, Unabridged, shall be considered as providing ordinarily accepted meanings."

3. Chapter 4, FIXTURES, FAUCETS AND FIXTURE FITTINGS

a. 410.1, Drinking Fountains, delete the last sentence and replace with the following language: "In other occupancies, where drinking fountains are required, bottle water dispensers or water coolers shall be permitted to be substituted."

4. Chapter 6, WATER SUPPLY AND DISTRIBUTION

a. 604.8, delete the text of the section and replace with the following language: "An approved water-pressure reducing valve conforming to ASSE 1003 with strainer shall be installed to reduce the pressure in the building water distribution piping to 80 psi (552 kPa) static or less. (Retain Exception and Subsections.)"

5. Chapter 12, SPECIAL PIPING AND STORAGE SYSTEMS

a. 1202, Medical Gases. Add a new section, as follows:

1202.1.1. Level 3 Dental Facilities. Vacuum piping installed under an on-grade floor shall be installed in compliance with recommendations and drawings prepared by a registered design professional and contained within the dental equipment manufacturer's specifications and details, and with the otherwise applicable provisions of NFPA 99C – 2005. All drawings and specifications shall be sufficiently comprehensive as to provide prescriptive installation criteria. Special inspection in accordance with IBC Section 1704.1 shall be provided.

Section 8. The International Fuel Gas Code 2006 amendments are adopted as follows:

1. Chapter 1, ADMINISTRATION

- a. 101.1, insert the words "City of Surprise" as the name of jurisdiction.
- b. 106.4.3, delete the text of the section and replace with the following language: "Every permit issued shall become invalid unless the work authorized by such permit is commenced and required inspection(s) are requested by the permittee and approved by the Building Official within 90 days after its issuance, or if more than 180 days elapses between approval of required inspection(s). The Building Official shall be authorized to grant one extension of time for a period not to exceed 180 days. Permits shall not be extended more than once and all requests for extension shall be in writing. In order to renew action on a permit after expiration, a new full permit fee shall be paid based on the current fee schedule adopted by the City, except as approved by the Building Official."
- c. 108.4, delete.
- d. 108.5, delete the last sentence and replace with the following language: "Any person who shall continue any work on the system after having been served by a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable for a fine as established by the City of Surprise."
- e. 109, delete.

2. Chapter 2, DEFINITIONS

- a. 201.4, delete the text of the section and replace with the following language: "Where terms are not defined through the methods authorized by this chapter, such terms shall have ordinarily accepted meanings such as the context implies. Webster's Third New International Dictionary of the English Language, Unabridged, shall be considered as providing ordinarily accepted meanings."

Section 9. The International Energy Conservation Code 2006 amendments are adopted as follows:

1. Chapter 1, ADMINISTRATION

- a. 101.1, insert the words "City of Surprise" as the name of jurisdiction.

Section 10. The International Property Maintenance Code 2006 amendments are adopted as follows:

1. Chapter 1, ADMINISTRATION

- a. 101.1, insert the words "City of Surprise" as the name of jurisdiction.
- b. 101.3, delete the last sentence.
- c. 102.3, delete.
- d. 102.4, delete the word "insanitary" and replace with "unsanitary."
- e. 103.2, delete the words "of this jurisdiction."
- f. 103.4, delete the words "while acting for the jurisdiction."
- g. 103.5, delete the text of the section and replace with the following language: "The fees for services and activities performed by the department in carrying out its responsibilities under this code shall be as provided in the adopted codes and fee schedule of the jurisdiction."
- h. 106.4, delete
- i. 106.5, delete "herein prescribed" after the word "penalties". Delete "legal officer" and replace with "Community Development Director, or his delegate." Delete the words "of the jurisdiction" after the word "delegate."
- j. 107.2, add the words "or premise" after the word "structure."
- k. 107.5, add the words "or premise" after the word "structure."
- l. 109.5, delete the words "legal counsel of the jurisdiction" and replace with "Community Development Director, or delegate."
- m. 110.4, delete
- n. 111.2, through 111.8, delete.

2. Chapter 2, Definitions

- a. 202, (new) add the following section, "Animal Waste: Waste from stables, kennels, pet pens, chicken coops, veterinary establishments and others of a similar nature and household pet waste."

- b. 202, (new) add the following section, "Attractive Nuisance: A condition, instrumentality, machine or other agency which is dangerous and which may reasonably be expected to attract any person."
- c. 202, (new) add the following section, "Automotive Fluid: Gasoline, diesel fuel, and any other motor fuel, oil, grease, antifreeze or transmission fluid."
- d. 202, (new) add the following section, "Blight or Blighted: Unsightly conditions of a building, structure, accessory building fence, landscaping or property characterized by neglect, lack of maintenance, damage or any other similar conditions of disrepair, or deterioration. Examples include but are not limited to the accumulation of debris, wood, scrap iron or other metal, boxes paper, vehicle parts, tires, inoperable equipment or vehicles, discarded appliances or any items that may harbor insect or vermin infestation or create a fire hazard; landscaping that is overgrown, dead or damaged; fences that are broken, rotted, damaged or leaning; buildings or structures exhibiting general disrepair or dilapidation including but not limited to deteriorated shingles, peeling paint, broken doors or windows or any other evidence of neglect or lack of maintenance."
- e. 202, (new) add the following section, "Debris: Substance or material of little or no apparent value, including but not limited to deteriorated lumber, old newspapers, cardboard material, scrap metal, vehicle parts, discarded furniture parts, stoves sinks, cabinets, household fixtures, refrigerators, broken or neglected equipment, or the scattered remains of items."
- f. 202, (new) add the following section, "Deterioration: The lowering of quality of the condition of a building, structure or parts thereof including but not limited to holes, breaks rot, crumbling, cracking, peeling, rusting or any other evidence of physical decay or neglect or lack of maintenance."
- g. 202, (new) add the following section, "Vehicle: Every device by which any person or property is or may be transported or drawn, including but not limited to automobiles, motor homes, travel trailers, utility trailers, or watercraft. Devices moved by human power or used exclusively upon stationary rails or tracks are exempt."

- h. 202, (new) add the following section, "Yard Sale: Means and includes garage sales, carport sales or similar types of sales on the seller's own premises, involving the sale of used or second hand tangible personal property customarily found in and about the residence, and not including property acquired for resale and not for personal use."

3. Chapter 3, GENERAL REQUIREMENTS

- a. 302.1, add the following sentence: "No person shall allow the accumulation of items such as, but not limited to, bottles, glass, cans, pieces of scrap wood, metal, metal articles, paper, plastic, boxes, tires, vehicle parts or other such materials or items in unsheltered areas of private property."
- b. 302.1.1, delete paragraph section 302.1.1 and replace with 302.25, add the following section: "Items in Public View. No person shall place and/or store furniture, except furniture designed and placed for outdoor use, household equipment, appliances, construction or landscape material, debris or any similar materials that cause a blighted condition."
- c. 302.4, Weeds, insert the number "6 inches" where indicated.
- d. 302.4.1, delete paragraph section 302.4.1 and replace with 302.17, add the following section: "Trees, Shrubs and Plants. No owner or occupant of any property shall allow or permit any trees, shrubs, or other plant growth on the property to impede, obstruct or interfere with the free passage upon any public street, sidewalk or alleyway; or obstruct the visibility of drivers; or interfere with any traffic control device, sign or street lighting. Tree limbs must be maintained to hang no lower than thirteen (13) feet above any public street or alleyway and seven (7) feet above any public sidewalk. Trees below eight (8) feet, shrubs or other plant growth must be maintained clear from any public sidewalk."
- e. 302.5, delete
- f. 302.8, Add the following sentence to the exception: "Such vehicles can be stored in a carport if the vehicle is covered with a properly maintained vehicle cover made exclusively for covering vehicles."

- g. 302.8.1, delete paragraph section 302.8.1 and replace with 302.16, add the following section: "Vehicles for Sale. No person shall park or permit to be parked any vehicle for the purpose of sale upon any property or vacant property except where the sale of a vehicle is customary and incidental to the principal use of the property."
- h. 302.8.2, delete paragraph section 302.8.2 and replace with 302.15, add the following section: "Display Vehicles for Sale from Residence. The display of one (1) vehicle for sale is permitted at a residence when the vehicle is titled to the owner or occupant of the property, is parked on an improved parking surface and is not being sold in connection with an automobile sales business. No more than three (3) vehicles may be displayed for sale at the same residence within a twelve (12) month period, and only one vehicle may be displayed for sale at one (1) time."
- i. 302.8.3, delete paragraph section 302.8.3 and replace with 302.11, add the following section: "Vehicle Repairs within Any Residential Zoned District. Any vehicle undergoing repair must be titled to the owner or occupant of the property."
- j. 302.9, delete
- k. 302.10, add the following section: "Animal Droppings/Waste. Animal waste such as, but not limited to, manure and droppings shall be removed from kennels, pens, stables, yards and other enclosures at least twice weekly and from the property at least once each week, or more frequently if conditions so necessitate."
- l. 302.12, (new) add the following section: "Parking Surfaces. Vehicles must be parked upon a surface which is improved for parking by concrete, asphalt, gravel or other similar means."
- m. 302.13, (new) add the following section: "Open Holes. Any hole, well, excavation, pit, cistern, septic tank or ditch which is not guarded at all times must be covered by a securely locked covering which is capable, at its weakest point, of bearing a minimum weight of four hundred pounds without collapse, or shall be fully covered by one or more plates of steel with a thickness of not less than one-half inch, or reinforced concrete of similar strength, each of which plates or covers shall weigh not less than two hundred pounds. The provisions of this code shall not apply to swimming pools, spas, stock tanks, drainage or irrigation ditches."

- n. 302.14, (new) add the following section: "Noxious Odors. The emission of noxious odors and other noxious exhalations, including, but not limited to, smoke, soot, dust, fumes or other gases is prohibited."
- o. 302.18, (new) add the following section "Construction Equipment. The storing or leaving of any construction or farm machinery or equipment in public view is prohibited, except where permitted by the city zoning regulation."
- p. 302.19, (new) add the following section, "Clothes Line. No person shall place or hang any rag, towel, bedding, clothing or any other similar item on a fence, tree, rope, or other object which is not designed, constructed and used for the sole purpose of hanging clothes."
- q. 302.20, (new) add the following section, "Obstruction Emergency Access. Any condition which could hamper or obstruct the passage of police, paramedic, ambulance, fire fighting or other public safety functions, into, out of or within the vicinity of any building or structure capable of being occupied by humans is prohibited."
- r. 302.21, (new) add the following section, "Abandonment or Placement on Another's Property. No person shall cause, allow, suffer or permit personal property which he owns, leases, rents or controls to be abandoned on a public right-of-way, street, alley or highway, or on any public or private real property within the city."
- s. 302.22, (new) add the following section, Yard Sales. Yard sales are permitted for no more than three (3) events per calendar year and can last seventy-two (72) hours or less at the same residence or street address."
- t. 302.23, (new) add the following section, "Stagnant Water. All property shall be maintained to prevent the accumulation of stagnant water that may cause a hazardous or unhealthy condition or breed insects."

- u. 302.24; (new) add the following section, "Automotive Liquids. Every owner or occupant who controls or has the right to control any property in the city shall keep and maintain the property free of automotive liquids unless the liquids are stored or used in a manner which does not contribute to blight and are limited to a quantity which is reasonable for a lawful activity conducted on the property. Disposal of automotive liquids into storm drains, on any property or in any trash containers is prohibited."
- v. 303.1, delete the words "Swimming pools shall be maintained in a clean and sanitary condition, and in good repair" and replace with "No person shall allow any swimming pool, architectural pool, pond or spa to remain or be maintained in a condition that may breed insects or result in insect or other infestation, is polluted or stagnant, or creates a blighting condition."
- w. 304.1, delete the text of this section and replace with the following: "All exterior surfaces of any buildings or structures including but not limited to fences, walls, or roofs, or appurtenances including but not limited to windows, window frames, window screens, doors, door frames, canopies, awnings, cornices, porches, stairways, railings or similar items shall be properly maintained and shall not otherwise present a blighted or deteriorated appearance."
- x. 304.4, delete
- y. 304.5, delete
- z. 304.6, delete
- aa. 304.7, add "roof coverings shall be substantially free from broken, rotted, split or curled materials and shall not otherwise present a deteriorated or blighted appearance. All materials shall be uniform, compatible and consistent with the design thereof." after the last sentence."
- bb. 304.14, delete
- cc. 307.1. add the following at the end of the sentence: "..., discarded construction materials and/or construction waste, when such conditions create a blighting condition, or may harbor infestations or are likely to become a hazard to the public health or safety."
- dd. 307.2, add the words "and garbage" after the words "dispose of all rubbish."
- ee. 307.2.1, delete

- ff. 307.3, add the following sentence: "Disposal of garbage and rubbish" before the sentence "No person shall place any waste materials, trash, weeds or other accumulation of debris upon any public or private property not owned or under the control of such person."
- gg. 307.3.1, delete numbers "307.3.1" and replace with "307.4", add the words "or occupant" after the words "the owner."
- hh 308.1, add the words "and exterior property" after the words "All structures."
- ii. Add a new Section 309, DANGEROUS BUILDINGS"
 - 1. 309, (new) add the following section, "General. Any building, structure or equipment which has any or all of the conditions of defects hereafter described shall be deemed to be a dangerous building, provided that such conditions or defects exist to the extent that the life, health, property or safety of the public or its occupants is endangered."
 - 2. 309.1, (new) add the following section, "Structurally Unsound or Abandoned. Whenever any building or structure which is partially destroyed, structurally unsound, left in a state of partial construction or abandoned is prohibited."
 - 3. 309.2, (new) add the following section, "Egress. Whenever any building or structure which has any or all of the conditions of defects any door, aisle, passageway, stairway or other means of exit is not of sufficient width or size or is not so arranged as to provide safe and adequate means of exit in case of fire or panic."
 - 4. 309.3, (new) add the following section, "Walking Surfaces. Whenever the walking surface of any aisle, passageway, stairway or other means of exit is so warped, worn, loose, torn or otherwise unsafe as to not provide safe and adequate means of exit in case of fire or panic."

5. 309.4, (new) add the following section, "Compromised Structural Strength. Whenever any portion thereof has been damaged by fire, earthquake, wind, flood or by any other cause, to such an extent that the structural strength or stability thereof is materially less than it was before such catastrophe and is less than the minimum requirements of the building code for new buildings of similar structure, purpose or location."
6. 309.5, (new) add the following section, "Failure of Member or Appurtenance. Whenever any portion or member or appurtenance thereof is likely to fail, or to become detached or dislodged, or to collapse and thereby injure persons or damage property."
7. 309.6, (new) add the following section, "Anchorage of Appurtenances or Ornamentation. Whenever any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof is not of sufficient strength or stability, or is not so anchored, attached or fastened in place so as to be capable of resisting a wind pressure of on half of that specified in the building code for new buildings of similar structure, purpose or location without exceeding the working stress permitted in the building code for such buildings."
8. 309.7, (new) add the following section, "Resistance to Winds or Earthquakes. Whenever any portion thereof has wracked buckled or settled to such an extent that walls or other structural portions have materially less resistance to winds or earthquakes than is required in the case of similar new construction."
9. 309.8, (new) add the following section, "Partial or Complete Collapse. Whenever the building or structure, or any portion thereof, because of:
 - a. Dilapidation, deterioration or decay,
 - b. Faulty construction,
 - c. The removal, movement or instability of any portion of the ground necessary for the purpose of supporting such building,
 - d. The deterioration, decay or inadequacy of its foundation, or
 - e. Any other cause, is likely to partially or completely collapse."
10. 309.9, (new) add the following section, "Failure of Exterior Walls or Vertical Members. Whenever the exterior walls or other vertical structural members list, lean or buckle to such an extent that a plumb line passing through the center of gravity does not fall inside the middle one-third of the base."

11. 309.10, (new) add the following section. "Construction or Maintenance of Building Violations. Whenever any building or structure has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building or structure provided by the building regulations of the City of Surprise, as specified in the building code or of any law or ordinance of this state relating to the condition, location or structure of buildings."
12. 309.11, (new) add the following section, "Unsanitary Building or Structure. Whenever a building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, air or sanitation facilities, or otherwise, is determined by the code official to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease."
13. 309.12, (new) add the following section, "Fire Hazard. Whenever any building or structure, because of obsolescence, dilapidation condition, deterioration, damage, inadequate exits, lack of sufficient fire-resistive construction, faulty electric wire, gas connections or heating apparatus, or other cause, is determined by the code official to be a fire hazard."
14. 309.13, (new) add the following section, "Building Abandonment/Failure to Remove Demolition Debris. Whenever any portion of a building or structure remains on a site after the demolition or destruction of the building or structure or whenever any building or structure is abandoned for a period in excess of six months so as to constitute such building or portion thereof an attractive nuisance or hazard to the public."

Section 11. The International Existing Building Code 2006 amendments are adopted as follows:

1. Chapter 1, Administration

- a. 101.1, insert the words "City of Surprise" as the name of jurisdiction.
- b. 101.2, insert the words "when approved by the Building Official" at the end of the sentence.
- c. 112, Means of Appeal, delete in its entirety.

Section 12. The International Fire Code 2006 is hereby amended as follows:

The following appendices of the International Fire Code, 2006 Edition, are hereby adopted in their entirety.

- a. Appendix B - Fire-Flow Requirements for Buildings
- b. Appendix C - Fire Hydrant Location and Distribution
- c. Appendix D - Fire Apparatus Access Roads
- d. Appendix E - Hazard Categories
- e. Appendix F - Hazard Ranking
- f. Appendix G - Cryogenic Fluids, Weight and Volume Equivalents

The International Fire Code, 2006 Edition is hereby amended as follows:

The following Appendices of the International Fire Code, 2006 Edition, are hereby adopted in their entirety.

- a. Appendix B - Fire-Flow Requirements for Buildings
- b. Appendix C - Fire Hydrant Location and Distribution
- c. Appendix D - Fire Apparatus Access Roads
- d. Appendix E - Hazard Categories
- e. Appendix F - Hazard Ranking

Appendix G - Cryogenic Fluids, Weight and Volume Equivalents

Chapter 1 ADMINISTRATION

Section 101.1, delete and replace with the following language:

101.1 Title. This code shall be known as the City of Surprise Fire Code, and may be cited as such and will be referred to herein as "this code."

Section 102.3, delete and replace with the following language:

102.3 Change of use or occupancy. No change shall be made in the use or occupancy of any structure that would place the structure in a different division of the same group or occupancy or in a different group of occupancies, unless made to comply with the requirements of this code and the international building code. Subject to the approval of the Fire Chief, the use or occupancy of an existing structure shall be permitted to be changed and the structure allowed to be occupied for purposes in other groups without conforming to all the requirements of this code and the international building code for those groups, provided the new or proposed use is less hazardous, based on life and fire risk, than the existing use. All changes of occupancy shall be coordinated with the Fire Marshal prior to issuance of a temporary or permanent certificate of occupancy. All references to the International Existing Building Code are hereby deleted.

Section 102.4, delete and replace with the following language:

102.4 Application of building code. The design and construction of new structures shall comply with the International Building Code; and any alterations, additions, changes in use or changes in structures required by this code, which are within the scope of the International Building Code, shall be made in accordance therewith.

Section 102.5, delete and replace with the following language:

102.5 Historic buildings. The provisions of this code relating to the construction, alteration, repair, enlargement, restoration, relocation or moving of buildings or structures shall not be mandatory for existing buildings or structures identified and classified by the state or local jurisdiction as historic buildings when such buildings or structures do not constitute a distinct hazard to life or property. Fire protection in designated historic buildings and structures shall be provided in accordance with an approved fire protection plan.

Section 102.9, delete and replace with the following language:

102.9 Conflicting provisions. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable. Where this code conflicts with any Surprise Municipal Code provision or other provisions of local law, the more restrictive shall apply.

Section 102.10 Add the follow language:

102.10 Re-submittals. When resubmitting plans for review, the revised plans shall be submitted in accordance the Arizona State Board of Technical Registration. In addition, the revised plans shall include the revision date; each revision shall be indicated by a clouded area and a delta. A response letter addressing each item on the revision shall accompany the re-submittal.

Section 104.6, delete and replace with the following language:

104.6 Official records. The fire department shall keep official records as required by Sections 104.6.1 through 104.6.4. Such official records shall be retained for not less than the time period established in the Fire Chief's records retention schedule.

Section 104.8, add the following language as a second paragraph:

Requests for a modification of code requirements shall be made in writing on a form provided by the Fire Department. The applicant is responsible for providing all information, calculations and other data necessary to substantiate each request for a modification. The Fire Chief shall approve, approve with stipulations or deny such application, based upon the substantiating data submitted and the Fire Chief's determination that the modification does or does not result in substantial compliance

with the intent of the code. In deciding each case, the Fire Chief may consider or require alternative methods or systems to be used in compensation for the particular code provision to be modified.

Section 104.10, delete and replace with the following language:

104.10 Investigations. The Fire Department shall investigate or cause to be investigated the cause, origin and circumstance of each and every fire occurring in the jurisdiction involving loss of life or injury to a person or destruction or damage to property, and if it appears to the Fire Investigator that such fire is of suspicious origin, the Fire Investigator shall notify the appropriate law enforcement agency and shall secure the site until the law enforcement agency takes control of the site. Then, the Fire Investigator shall continue to pursue the investigation to its conclusion. Information that could be related to trade secrets or processes shall not be made part of the public record unless directed by a court of law.

Section 104.10.1, delete and replace with the following language:

104.10.1 Police Department. It shall be the duty of the Police Department, at the time of any fire, to place ropes or guards across all streets, lanes or alleys on which shall be situated any building on fire, and at such other points as are deemed expedient and necessary. Any person entering within the line indicated by such ropes or guards and refusing to go outside such lines when directed to do so by any police officer or officer of the Fire Chief shall be guilty of a class one misdemeanor.

Section 104.12 is hereby added and shall read as follows:

104.12 Fees. The Fire Chief shall be permitted to reduce or waive any and all fire related fees for permits, plan reviews, inspections and operational services, which are established from time to time by resolution of the City Council, for just cause on the basis of a case-by-case review of the circumstances surrounding a request for fee reduction or fee waiver, provided to the Fire Chief in writing.

Section 104.12.1. is hereby added and shall read as follows:

104.12.1 Payment of fees. A permit shall not be valid until the fees have been paid. Nor shall an amendment or extension of a permit be valid until the additional fees, if any, have been paid.

Every permit shall become invalid unless the work authorized by the permit is commenced, inspections are conducted and approval issued by the Fire Chief within 30 days after issuance of the permit.

Section 104.12.2 is hereby added and shall read as follows:

104.12.2 Refunds. The Fire Chief shall be permitted to authorize refunding of a fee paid hereunder, which was erroneously paid or collected. The Fire Chief shall be permitted to authorize refunding of not more than 80 percent of the permit fee paid

when no work has been done under a permit issued in accordance with this code. The Fire Chief shall be permitted to authorize refunding of not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any examination or administration time has been expended. The Fire Chief shall be authorized to waive the plan review fee for an expired permit for which no additional plan review is required. The Fire Chief shall not be permitted to authorize refunding of any permit fee paid except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

Section 105.1.1, add the following language as a second paragraph:

It shall be unlawful for any person, firm or corporation to use a building or premises or engage in any activities for which a permit is determined to be required, by the Fire Chief, under this code, without first having obtained such permit.

Section 105.1.4 is hereby added and shall read as follows:

105.1.4 Operating without a permit. Any person, company, firm, corporation or entity operating in violation of section 105.6 or 105.7 shall be subject to double permit fees. All operations and/or work shall cease until required permits are obtained and inspections completed.

Section 105.2, delete and replace with the following language.

105.2 Application. Application for a permit required by this code shall be made to the fire department in such form and detail as prescribed by the Fire Chief no later than 30 days prior to date of the event. Applications for permits shall be accompanied by such plans as prescribed by the Fire Chief.

Section 105.2.2, delete and replace with the following language:

105.2.2 Inspection Required. Before a new operational permit is approved, the Fire Chief shall inspect the vehicles, buildings, devices, premises, storage space or area to be used to determine compliance with this code or any operational constraints required.

Section 105.2.2.2 is hereby added to read as follows:

105.2.2.2 Tests and inspections. Permits shall be subject to tests and inspections as required by this code and the Fire Chief. The permit fee shall include all primary tests or inspections and one re-test or re-inspection. An additional fee of \$150.00 shall be paid for each additional re-test or re-inspection.

Section 105.2.3, delete and replace with the following language:

105.2.3 Time limitation of application. An application for a permit for any proposed work or operation shall be deemed to have been abandoned six months after the date of filing, unless such application has been diligently prosecuted or a permit shall have been issued; except that the fire code official is authorized to grant one more extensions of time for additional periods not exceeding 30 days each if there is reasonable cause.

Section 105.3.1 delete and replace with the following language:

105.3.1 Expiration.

An operational permit shall remain in effect until reissued, renewed, or revoked or for such a period of time as specified in the permit. Construction permits shall automatically become invalid unless the work authorized by such permit is commenced within 90 days after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of 30 days after the time the work is commenced. Before such work recommences, a new permit shall be first obtained and the fee to recommence work, if any, shall be one-half the amount required for a new permit for such work, provided no changes have been made or will be made in the original construction documents for such work, and provided further that such suspension or abandonment has not exceeded one year. Permits are not transferable and any change in occupancy, operation, tenancy or ownership shall require that a new permit be issued.

Section 105.3.8 is hereby added to read as follows:

105.3.8 Operating without a permit. In addition to other remedies provided by law, any person, company, firm, corporation or entity operating in violation of section 105.1.1 shall be subject to a double permit fee. All work shall cease until the required permits are obtained and inspections completed.

It shall be unlawful for any person to continue any work after having been served with a stop work order, except such work as that person is directed to perform by the Fire Chief, in order to remove a violation or unsafe condition.

Section 105.6.2, delete and replace with the following language:

105.6.2 Amusement buildings. An operational permit is required to operate a special amusement building. Plans shall be submitted to the Fire Chief and approved 30 days before the opening of the building or structure to the public.

Section 105.6.3, delete and replace with the following language:

105.6.3 Aviation facilities. An operational permit is required to use a Group H or Group S occupancy for aircraft servicing or repair, the operation of aircraft fuel-servicing vehicles and to self refuel an owner-operated aircraft. Additional permits required by other sections of this code include, but are not limited to, hot work, hazardous materials and flammable or combustible finishes.

Section 105.6.24 is hereby added to read as follows:

105.6.24.1 Hot work permits. Operational permits are required to be filled out by the responsible party for the site, structure, occupancy or property prior to the hot work operation. Hot work permits must be kept on file for 90 days and be made available to the Fire Chief.

Section 105.6.43, delete and replace with the following language:

105.6.43 Temporary membrane structures, tents and canopies. An operational permit is required to operate an air-supported temporary membrane structure or a tent having an area in excess of 200 square feet, or a canopy used for an occupancy in excess of 400 square feet.

Exception: Tents used exclusively for recreational camping purposes.

Section 105.6.48 is hereby added to read as follows:

105.6.48 Trade shows and exhibits in buildings or structures. An operational permit is required to operate a trade show or exhibit in a building or structure.

Section 106.2, delete and replace with the following language:

106.2 Inspections. The Fire Chief is authorized to conduct such inspections as are deemed necessary to determine the extent of compliance with the provisions of this code and to approve reports of inspection by approved agencies or individuals. All reports of such inspections shall be prepared and submitted in writing for review and approval. Inspection reports shall be certified by a responsible officer of such approved agency or by the responsible individual. The Fire Chief is authorized to engage such expert opinion as deemed necessary to report upon unusual, detailed or complex technical issues subject to the approval of the governing body. A completed inspection shall not be construed to be an approval of a violation or to cancel the provisions of this code or of any other codes or ordinances of the City of Surprise. Inspections presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the jurisdiction shall not be valid.

Section 106.2.1 is hereby added to read as follows:

106.2.1 Inspection requests. It shall be the duty of the person doing the work authorized by a permit to notify the Fire Chief that such work is ready for inspection. The Fire Chief is authorized to require that every request for inspection be made not less than 72 hours in advance of the desired inspection date. In the case of cancellation of inspection received by 8:00 a.m. on the day of inspection, an extra fee will not be assessed.

Section 106.3, delete and replace with the following language:

106.3 Access for inspection. All work or operations requiring a permit by this code shall be subject to inspection by the Fire Prevention Personnel and such work shall remain accessible and exposed for inspection purposes until approved in writing. It shall be the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purposes. Whenever any such work is covered or concealed without first being inspected, the Fire Chief shall have the authority to require that such work be exposed for inspection. Neither the Fire Chief nor the City of Surprise shall be liable for any expense entailed in the removal or replacement of any material to allow for inspection.

Section 108.4 is hereby added to read as follows:

108.4 Administrative appeal. Whenever a violation of this code is suspected and the applicant wishes to appeal the decision of the staff because the code or the rules legally adopted thereunder have been incorrectly interpreted or an equivalent method of protection or safety is proposed, the applicant may file an appeal with the board of appeals.

Section 109.2.3, delete and replace with the following language:

109.2.3 Prosecution of violations. If the notice of violation is not complied with promptly (24 hours) the Fire Chief is authorized to issue a citation, requesting the City Attorney to institute the appropriate legal proceedings at law or in equity to restrain correct or abate such violation or to require removal or termination of the unlawful occupancy of the structure in violation of the provisions of this code or of the order or direction made pursuant thereto.

Section 109.3, delete and replace with the following language:

109.3 Violation penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the Fire Chief, or of a permit or certificate used under provisions of this code, shall be guilty of a class 1 misdemeanor. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Chapter 2, DEFINITIONS.

Section 202, the following definitions are hereby added or amended as follows:

ATTENDANT. A person knowledgeable in the use of portable fire extinguishers, whose duty it is to maintain fire safety measures during public or private events, as prescribed.

AUTHORITY HAVING JURISDICTION. The City of Surprise Fire Chief or his designated representative.

CHIEF OF THE DIVISION OF FIRE PREVENTION. The Fire Marshal.

COMMERCIAL OCCUPANCY. Any building that falls under the International Building Code occupancy classification of A, B, E, F, H, I, M, R-1, R-2, S and U, except private garages, carports and R-3 accessory structures.

CORPORATION LEGAL COUNSEL. The City Attorney.

DEPARTMENT OF FIRE PREVENTION. The Fire Marshal's office.

DRIVE LENGTH. The measurement from the entrance of the drive to the structure.

FIRE CODE OFFICIAL. The Fire Chief or his designee.

GRADE. The degree of inclination of a slope, road or other surface (see slope).

HORIZONTAL (YARD) STANDPIPE. Approved water supply piping that extends the source of potable water to remote locations around the exterior of a structure.

HOSE LAY. The extension of a hand held fire hose as it is extended from fire apparatus 200 feet around the perimeter of the structure. If the hose lay is more than 200 feet from the road to all portions of the exterior, an Operational Platform is required.

MODIFIED (Mod.) NFPA 13D, In addition to NFPA 13D, sprinkler system protection, sprinkler heads shall be installed in enclosed patios and porches, hidden spaces, spaces under egress stairways and in garages. A one-inch domestic water meter is required.

MODIFIED (Mod.) NFPA 13R RESIDENTIAL FIRE SPRINKLER SYSTEM. In addition to NFPA 13R, sprinkler system protection, sprinkler heads shall be installed in enclosed patios and porches, hidden spaces, spaces under egress stairways and in garages. A one-inch domestic water meter is required.

OCCUPANCY CLASSIFICATION. This definition shall be amended as follows:

Group I-1, delete the text of the section and replace with the following language:

Group I-1. This occupancy shall include buildings, structures, or parts thereof housing more than 10 persons, on a 24-hour basis, who because of age, mental disability or other reasons, live in a residential environment that provides supervisory care services. The occupants are capable of responding to an emergency situation without physical assistance from staff. This group shall include, but not be limited to the following:

1. Residential board and care facilities
2. Assisted living centers
3. Halfway houses
4. Group homes
5. Congregate care facilities
6. Social rehabilitation facilities

7. Alcohol and drug abuse centers
8. Convalescent facilities

A facility such as the above with 10 or fewer persons shall be classified as a Group R-4 Condition 1 or shall comply with the *International Residential Code* in accordance with Section 101.2 of the *International Building Code* where the building is in compliance with Section 421 of the *International Building Code*.”

GROUP I-2, delete the text of the section and replace with the following language:

Group I-2. This occupancy shall include buildings or structures used for medical, surgical, psychiatric, nursing, custodial, personal or directed care on a 24-hour basis of more than five persons who are not capable of self-preservation by responding to an emergency situation without physical assistance from staff. This group shall include, but not be limited to the following:

1. Hospitals
2. Nursing Homes
3. Mental hospitals
4. Detoxification facilities

A facility such as the above with five or fewer persons shall be classified as Group R-3 or shall comply with the *International Residential Code*, in accordance with *International Building Code* Section 101.2.

This occupancy shall also include buildings or structures used for assisted living homes providing supervisory, personal or directed care on a 24-hour basis to more than 10 persons who are not capable of self-preservation by responding to an emergency situation without physical assistance from staff. A facility such as the above with 10 or fewer persons shall be classified as R-4 Condition 2.

GROUP R-4, delete the text of the section and replace with the following language:

R-4 Residential occupancies shall include buildings arranged for occupancy as residential care/assisted living homes, including not more than 10 occupants, excluding staff.

Condition 1. This occupancy condition includes facilities licensed to provide supervisory care services, in which occupants are capable of self-preservation by responding to an emergency without physical assistance from staff. Condition 1 facilities housing more than 10 persons shall be classified as Group I-1.

Condition 2. This occupancy classification shall include facilities licensed to provide personal or directed care services, in which occupants are incapable of self-

preservation by responding to an emergency without physical assistance from staff. Condition 2 facilities housing more than 10 persons shall be classified as Group I-2.

R-4 occupancies shall meet the requirements for construction as defined in Group R-3 except as otherwise provided for in this code, and International Building Code Section 421, or shall comply with the International Residential Code, in accordance with International Building Code Section 101.2, where the building is in compliance with International Building Code Section 421.

PAVED SURFACE. A surface of concrete, asphalt, pavers, or other material designed to support fire apparatus in excess of 75,000 pounds GVW under any weather condition.

PERMANENT ALL WEATHER SURFACE (PAWS). A road surface made up of approved materials compacted to 90% with side containment, and capable of supporting fire apparatus vehicles in excess of 75,000 pound gross vehicle weight (GVW) under any weather condition. The permanent all weather surface shall be maintained by the property owner for intended use by the fire department.

SLOPE. The ground, road or other surface that forms a natural or artificial incline. The percentage of slope is determined by dividing the rise by the horizontal run multiplied by 100 [% slope = (Rise/Run) X 100].

STREET VALVE. An ON/OFF valve located in the street used to control the flow of water to a fire hydrant.

TEMPORARY ALL WEATHER SURFACE (TAWS). A road surface made up of AB or other approved materials compacted to 90% and capable of supporting fire apparatus vehicles in excess of 75,000 pound gross vehicle weight (GVW) under any weather condition. The temporary all weather surface shall be maintained by the builder for intended use by the fire department during the construction process.

TURNING RADII. 2002 AASHTO WB-50 Scale.

UNLAWFUL. A violation of this code, which may be punished by a civil penalty or a criminal penalty, however no person may be punished for the same offense by both a civil and criminal penalty.

Chapter 3, GENERAL PRECAUTIONS AGAINST FIRE

Section 308.3.1, delete and replace with the following language:

308.3.1 Open-flame cooking devices. All Charcoal burners, LP gas burners and other open-flame cooking devices shall not be operated on combustible balconies or within 10 feet (3048 mm) of combustible construction.

Exceptions: One- and two-family dwellings.

Section 308.3.1.1, delete.

Section 308.3.6.1 is hereby added to read as follows:

308.3.6.1 Audience control. The audience shall be at least 30 feet away from the closest projection of an open flame device. Audience control shall be established by use of a physical barrier which can be easily moved or removed in the event of an emergency and shall remain in place throughout the entire performance.

Section 308.3.6.2 is hereby added to read as follows:

308.3.6.2 Attendant. Flame Effects before an Audience. Performances shall be attended by a person knowledgeable in the proper use of fire extinguishers. Each attendant will watch over no more than two (2) active flame devices. Attendants shall remain at the performance until all flames are extinguished and attendant is dismissed.

Section 308.3.6.3 is hereby added to read as follows:

308.3.6.3 Fire extinguishers. Approved fire extinguishing equipment shall be readily available for use during the performance. Portable fire extinguishers shall be provided at a minimum of one 20BC fire extinguisher for every 4 simultaneous devices.

Section 308.3.6.4 is hereby added to read as follows:

308.3.6.4 Clearance from combustibles. A 30-foot clearance from all combustibles shall be maintained in all directions.

Section 308.6 is hereby added to read as follows:

308.6 Flaming food and beverage preparation. The preparation of flaming foods or beverages in places of assembly and drinking or dining establishments shall be in accordance with Section 308.6.1 through 308.6.5.

Section 308.6.1 is hereby added to read as follows:

308.6.1 Dispensing. Flammable or combustible liquids used in the preparation of flaming foods or beverages shall be dispensed from one of the following:

A one (1) ounce (29.6 ml) container or a container not exceeding one (1) quart (946.5 ml) capacity with a controlled-pouring device that will limit the flow to a one (1) ounce (29.6 ml) serving.

Section 308.6.2 is hereby added to read as follows:

308.6.2 Containers not in use. Containers shall be secured in an approved manner to prevent spillage when not in use.

Section 311.2.2, delete the Exceptions.

Section 313.1, add "or Section 314" to the end of Exception #2.

Add Section 316 – HEAT-PRODUCING APPLIANCES

Section 316.1 is hereby added to read as follows:

316.1 General. Heating appliances shall be installed and maintained in accordance with their listing and the Building, Electrical and Mechanical codes. Clearance from combustible material shall be maintained as set forth in the Building and Mechanical codes and the product listing.

Section 316.2 is hereby added to read as follows:

316.2 Clothes dryers. Lint traps on clothes dryers shall be inspected as often as necessary in order to prevent excessive accumulations of lint build-up.

Exception: Clothes dryers within private dwelling units of Group R Occupancies.

Chapter 4, EMERGENCY PLANNING AND PREPAREDNESS

Section 403.1, add the following language as a second paragraph:

There shall be trained crowd managers or crowd manager supervisors at a ratio of one crowd manager/supervisor for every 250 occupants, unless otherwise approved by the Fire Chief.

Chapter 5, FIRE SERVICE FEATURES

Section 501.3, delete and replace with the following language:

501.3 Construction documents. Construction documents requiring a Fire Department Permit shall include, but not be limited to proposed fire apparatus access, location of fire lanes, means of egress, fire flow testing, hydraulic calculations for fire hydrants and fire protection systems, alarm systems, hazardous occupancies & hazardous materials, interior finishes, smoke control systems, and construction documents specifying interior finish and fire resistance rated construction shall be submitted to the Fire Chief for review and approval prior to construction. The Site Plan shall show all fire hydrants, Fire Department Connections and related underground piping. Upon completion of construction and prior to issuance of a Certificate of Occupancy, a copy of finished drawings (As Built) shall be provided to the fire department in an electronic format, acceptable by the Fire Chief.

Section 503.1.1, delete and replace with the following language:

503.1.1 Buildings and facilities. Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to:

Within 200 feet of all portions of the facility or all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.

Within 200 feet of the center of the furthest room on the second floor or level from the access road for buildings with two or more floors. Travel shall be measured along normal pedestrian routes. One flight of stairs shall count as 30 feet.

Exceptions: The Fire Chief is authorized to increase the dimension of 200 feet where:

1. Fire apparatus access roads cannot be installed due to location on property, topography, waterways, non-negotiable grades or other similar conditions, and an approved alternative means of fire protection is provided.
2. There are not more than two Group R-3 or Group U occupancies.

Section 503.2.4, add to following language:

503.2.4 Turning radii. The required turning radius for fire access roadways shall be in accordance with 2002 AASHTO WB-50 Scale.

Section 503.2.5, delete and replace with the following language:

503.2.5 Dead end fire apparatus access. Dead end fire apparatus access roads in excess of 200 feet (45 720 mm) in length shall be provided with an approved area for turning fire apparatus around. Dead-end fire apparatus access roads located between buildings shall have a 10-foot setback from the edge of the access road to the structures on each side of the road.

Section 503.3, delete and replace with the following language:

503.3 Marking. Where required by the Fire Chief, approved signs with red curb markings or other approved notices shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. Signs, notices and red curb markings shall be maintained in a clean and legible condition at all times, and be replaced or repaired when necessary to provide adequate visibility. All signage to be consistent with the requirements in the "Surprise Fire Department Emergency Access Details" book.

In lieu of signs, the top and face of curb shall be painted red and marked "NO PARKING FIRE LANE" in 4 inch white block letters on the top and vertical face of the curb and spaced 80 feet on center.

503.3.1 is hereby added to read as follows:

503.3.1 Maintenance. The person(s) in possession of the premises on and into which a fire apparatus access roadway is required shall be solely responsible for the maintenance of such roadways and all required signs. No owner, manager or other person(s) in charge of premises served by a required fire apparatus access roadway shall abandon or close the fire apparatus roadway or any part thereof without permission of the Fire Chief. The person(s) in possession of the premises shall be responsible for ensuring that fire apparatus roadways are clear at all times.

Section 503.4, delete and replace with the following language:

503.4 Obstruction of fire apparatus access roads. Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. For the purposes of this section, parking is defined as stopped vehicles with no driver occupying the driver's position. Other occupants of the vehicle do not count as the driver. The minimum widths and clearances established in Section 503.2.1 shall be maintained at all times. The person in possession of the premises shall be responsible to ensure that fire apparatus access roadways are unobstructed at all times.

Section 503.6, delete and replace with the following language:

503.6 Security gates. Separate FD Permit required. Plans to install security gates across fire apparatus access roads shall be submitted to the Fire Chief for review. When security gates are approved all means of emergency operation shall be provided and maintained. All gates to be consistent with the requirements in the "Surprise Fire Department Emergency Access" book.

Gates across fire apparatus access roads at gated communities and where required by the Fire Chief shall be electronic and shall be provided with approved preemption equipment, controls, electronic Knox key switch and manual release mechanism.

Existing gates at main entry points to gated communities shall upgrade the gates to include preemption equipment within one year of the effective date of this code.

Exception: When the gate is removed from the entry point.

503.6.1 is hereby added to read as follows:

503.6.1 Clear width. Clear width of the roadway shall be minimum of 20 feet clear width at all entrances. Exit roadways shall be a minimum of 16 feet clear width at all exits, unless otherwise approved by the Fire Chief.

503.6.2 is hereby added to read as follows:

503.6.2 Divided entrance. Sub-Divisions may have a divided entrance and exit. The entrance side shall have a clearance of 20 feet clear width, the exit side shall have a 16 feet clear width. Gates shall be sized to match the opening.

503.6.3 is hereby added to read as follows:

503.6.3 Gates. Gates shall be designed so that the access roadway or turning radius (WB50) shall not be obstructed by the operation of the gate. Minimum set back from the public streets shall be a distance determined by the City Engineer and allow the emergency vehicle the ability to safely operate the lock box or panel. Turning radius from the public street shall be WB50.

503.6.4 is hereby added to read as follows:

503.6.4 Access controls. Access controls shall be exterior to the gate and located for activation by the vehicle operator without leaving the vehicle. The height of the lock box/control panel shall be 66 inches, measured from the finished grade line of the street.

503.6.6 is hereby added to read as follows:

503.6.6 Traffic preemption. Traffic Preemption opening devices (TOMAR) shall be installed on all motorized gates and gated communities that secure private streets or roadways.

503.6.7 is hereby added to read as follows:

503.6.7 Gate timing. Gates must fully open within 15 seconds of activation and remain in the open position until closed by operation of the electrical control device.

503.6.8 is hereby added to read as follows:

503.6.8 Control pedestal. The control pedestal must be identified with a minimum 6-inch by 10-inch sign with red letters on a white background. This sign must be securely fastened to the pedestal and legible from the approaching vehicle. Fire Department access gates shall fail safe (open) in the event of a power failure.

503.6.9 is hereby added to read as follows:

503.6.9 Secondary access. Secondary "Exit Only" gates shall be set up for Fire Department emergency access. Exit only gates, which are not motorized, shall be installed per the fire department standard detail. Exit Only Gates shall have a minimum clearance of 20 feet clear width and be posted with a sign that states "Caution Gate Opens Out." The ground shall be painted with a 5 inch yellow strip showing the depth of the gate swing.

503.6.10 is hereby added to read as follows:

503.6.10 Pre-emption device. Operation of the gate shall be by pre-emption device and/or key-switch.

Section 503.7 is hereby added to read as follows:

503.7 Graphic directories. Approved graphic directories shall be provided at all driveway entrances for all multiple dwelling developments, mobile home parks, or when required by the Fire Chief. Such directories shall be illuminated and conform to the City of Surprise design standards, and be approved by the Fire Chief.

Existing facilities shall provide illuminated graphic directories within one year of the effective date of this code.

Section 503.8 is hereby added to read as follows:

503.8 Fire station and hydrant access. It is unlawful to cause any obstruction to be placed within 10 feet of the entrance to any fire station or other place where fire apparatus is stored or with 15 feet of any fire hydrants.

Section 505.1, delete and replace with the following language:

505.1 Address numbers. New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position so that the number is plainly legible and visible from the street or road fronting the property.

Commercial and Residential address numbers shall be located on the building at a point closest to the street as approved by the Fire Chief.

Commercial address numbers shall be Contrasting in color, tenant space numbers or letters shall be in contrasting color, 4 inches in height, 1 inch in width, and shall be displayed above the front door and on rear door so that the number is plainly legible and visible from the street or road fronting the property. See Table 1 for commercial building addressing.

Table 1 Commercial addressing

Table 1

0 to 50 feet, numbers shall be 9 inches in height, 2-inches in width.
51 to 100 feet, numbers shall be 12 inches in height, 3-inches in width.
101 feet or more, numbers shall be 15 inches in height, 4-inches in width.

Residential numbers shall be located on the residence in a contrasting color and shall be 4 inches in height, ½ inch in width, and shall be displayed on front and rear access doors so that the number is plainly legible and visible from the street or road fronting the property.

Residential (one and two family units) numbers shall be located on the residence at the closest point to the roadway so that the number is plainly legible and visible from the street or road fronting the property.

Residential (Multi-family units) Apartment numbers shall be color contrasting and located on the unit at the closest point to the roadway so that the number is plainly legible and visible from the street or road fronting the property. See Table 2 for residential application.

Table 2 Residential Multi-family Addressing

Table 2

0 to 50 feet, numbers shall be 4 inches in height.
More than 50 feet numbers shall be 6 inches in height.

Apartment Numbers & Corridor Numbers. Apartment numbers are to be a minimum seven (7) inches in height with a one (1) inch brush stroke with contrasting background. Corridor numbers are to be a minimum of four (4) inches in height with a five-eigh (5/8) inch brush stroke with contrasting background. See Table 2.1 for example.

Table 2.1

301 – 310	3 rd Floor
201 – 210	2 nd Floor
101 – 110	1 st Floor

Section 506.1.2 is hereby added to read as follows:

506.1.2 Location. A minimum of one recessed key box is required for each occupancy, Additional boxes may be required depending on occupancy and the physical structure.

Otherwise: A full set of keys to open all doors inside and outside the structure, to include the fire alarm panel, shall be labeled for use and placed inside the key box. Key boxes shall be mounted no higher than 60 inches above finished grade. Key boxes shall be located on the left side of the entrance, or as approved by the Fire Chief.

Exception: If whole complex is serviced by one master key, one box is sufficient. This box must be located on the left side of the main entrance, or as approved by the Fire Chief.

506.1.3 Knox box. The lock box (Knox Box) padlock or key switch, must be an approved model utilized by the Fire Department. Authorized Knox Box forms are

available at City of Surprise Fire Prevention Office, Monday through Friday 8:00 am to 5:00 pm.

Section 508.1, delete and replace with the following language:

508.1 Required water supply. An approved water supply capable of supplying the required fire flow for fire protection shall be provided to premises upon which facilities, building or portions of buildings are hereafter constructed or moved into or within the jurisdiction. Where property is subdivided with or without the creation of public or private streets for the express purpose of providing said subdivided parcels for sale or otherwise permitting separate and/or individual development to occur, an approved water supply capable of supplying the projected fire flow for fire protection shall be provided and extended to serve directly any and all subdivided properties. The projected fire flow will be based on the greatest potential demand posed by any type of occupancy allowed by zoning laws on the proposed property. Required water supply shall not be interrupted, for any reason, without prior approval of the fire chief.

Section 508.4, delete and replace with the following language:

508.4 Water supply test. The Fire Chief shall be notified of all water supply tests, and the results of those tests. The Fire Chief or his designee shall review all documentation prior to final approval of the water supply system.

Section 508.4.1 is hereby added to read as follows:

508.4.1 Flow Test Documentation. It is the responsibility of Developers/Builders to submit fire flow test data to the City Planner and the Fire Department. Detailed test result data shall be provided to the fire department in an electronic format, acceptable by the Fire Chief.

Use the following tables and references:

1. Use Table B105.1 2006 IFC for Fire Flow and Duration for buildings.
2. Use Table C105.1 2006 IFC for Number and Distribution of Fire Hydrants.
3. Use IFC Section B105.2 Buildings other than one- and two family dwellings.

Section 508.4.2 is hereby added to read as follows:

508.4.2 Certificate of occupancy. Certificate of occupancy for any structure shall not be issued prior to final approval of the water supply system by the Fire Chief.

Section 508.5.1, delete and replace with the following language:

508.5.1 Where required. Where the most remote portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 150 feet from a hydrant on a fire apparatus access road, as measured by fire apparatus driving

around the exterior of the facility or building, on-site fire hydrants and mains capable of supplying the required fire flow shall be provided where required by the Fire Chief.

Exception: For Group R-3 and Group U Occupancies, the distance requirement shall be 500 feet (122m).

Section 508.5.2, delete and replace with the following language:

508.5.2 Inspection, testing and maintenance. Fire hydrant systems shall be subject to periodic tests as required by the Fire Code Official. Fire hydrant systems shall be maintained in an operative condition at all times and shall be promptly repaired where defective.

The Fire Chief shall approve all additions, repairs, alterations and servicing of water supply and fire hydrants systems.

Section 508.5.2.1 is hereby added to read as follows:

508.5.2.1 Required installations. Fire hydrants installed as a result of any order or permit shall be spaced so that short hose lines can be utilized and so there are a sufficient number of fire hydrants within a reasonable distance to obtain the required fire flow as determined using Appendix B. In other than single-family residential areas, hydrants shall be spaced so that they are not more than 300 feet (91.5m) apart. For one- and two-family dwellings, hydrants shall be spaced so that they are not more than 500 feet (152.5m) apart and not more than 400 feet (122m) hose lay from the center of any structure. Hydrant spacing and hose lay requirements may be modified by the Fire Chief.

Private Fire Hydrants. All private fire hydrants (those not on the City of Surprise water system and/or located on private property) must be flushed and maintained annually in accordance with the American Water Works Association, Manual of Water Supply Practices, Installation Field Testing and Maintenance of Fire hydrants, AWWA M17. Selected hydrants, as determined by the Fire Chief, shall be tested to determine Available Fire Flow according to test procedures outlined in the American Water Works Association Manual of Water Supply Practices, Distribution System Requirements for Fire Protection, AWWA M31. Results of the testing shall be provided in an electronic format, acceptable to the Fire Chief.

Public Fire Hydrants. All public fire hydrants must be flushed and maintained annually in accordance with the American Water Works Association, Manual of Water Supply Practices, Installation Field Testing and Maintenance of Fire hydrants, AWWA M17. Selected hydrants, as determined by the Fire Chief, shall be tested to determine Available Fire Flow according to test procedures outlined in the American Water Works Association Manual of Water Supply Practices, Distribution System Requirements for Fire Protection, AWWA M31. Results of the testing shall be provided to the fire department in an electronic format, acceptable to the Fire Chief.

Fire Hydrants. All fire hydrants shall be in accordance with MAG standards for Dry Barrel Fire Hydrants, as defined by AWWA M17 and specified by the City of Surprise Water Services Department and Engineering Department. Fire Hydrants used in all applications shall have two 2½ inch outlets and one 4½ inch outlet. All outlets shall have National Standard Threads (NST).

Section 508.5.3, delete and replace with the following language:

508.5.3 Private fire service mains and water tanks. Private fire service mains and water tanks shall be periodically inspected, tested and maintained in accordance with NFPA 25; at the following intervals:

Private fire hydrants (all types):

1. Inspection annually and after each operation; flow test and service annually.
2. Fire service main piping: Inspection of exposed, annually; flow test every five (5) years.
3. Fire service main piping strainers: Inspection and maintenance after each use.
4. Fire hydrant systems. Plans and specifications for fire hydrant systems shall be submitted to the fire department for review and approval prior to construction. Plans and specifications for fire hydrant systems shall be submitted to the fire department for review and approval prior to City Council action on the final subdivision plat, or in the case of an individual building or structure, for review and approval prior to issuance of the building permit. The Fire Chief shall obtain the approval of the Engineering Department on the submitted plans and specifications.

Water service providers, whether municipal or private, shall submit a map identifying the location of fire hydrants within the service area of the water provider. The map required under this subsection shall be submitted on or before December 31, of each year, and shall be updated by the water service provider as new fire hydrants are installed. On May 31, of each subsequent year, a map identifying the location of the fire hydrants within the service area of the water provider shall be submitted to the Fire Chief. In the event a water service provider fails to submit the map required under subsection 5 of this section, the Fire Chief is authorized to prepare a map of the fire hydrant locations within the service area of water service provider, and charge the cost of preparation of the map to the water service provider, together with an administrative fee equal to 15 percent of the cost of preparation of the map.

A water service provider, whether municipal or private, having a portion of its service area in which no distribution or service lines are located, shall identify such areas on the map required by this subsection. Such areas shall be exempt from the requirements of Sections 508.1 through 508.4 and Appendix B and C until distribution or service lines are installed by the water service provider.

On or before December 31, of each year, each water service provider, whether municipal or private shall have prepared and filed with the fire department, a plan that:

Indicates sufficient hydrants on all streets within its water service area containing water utility distribution or service lines to comply with the requirements of International Fire Code, Appendix C-Fire Hydrant Locations and Distribution, including but not limited to Table C105.1 or

A five year Capital Improvement Plan indicating plans for the construction of sufficient hydrants on all streets within its water service area containing water utility distribution or service lines to comply with the requirements of 2003 International Fire Code, Appendix C- Fire Hydrant Locations and Distribution, including but not limited to Table C105.1 within five (5) years from the date of submission of the plan.

On or before January 10, of each year following submission of the plan, the Fire Chief shall file with the City Clerk, the Directors of Community Development, Water Services Dept., Engineering Dept. and the applicable water provider, a written notice indicating each water service provider who is not in compliance with the requirements of subsection 5 of this section. Upon filing of the written notice with the City Clerk, no building permit shall be issued within the service area of a water service provider who is not in compliance with the requirements of subsection 5 of this section.

A water service provider that believes a notice has been improperly issued under this section, may appeal the issuance of the notice to the City Manager, by filing a written notice of appeal to the City Manager within ten (10) days after filing of the Notice in subsection (6) with the City Clerk. The City Manager or his/her designee shall hold a hearing on the appeal within thirty (30) days after filing of the appeal.

Chapter 6, BUILDING SERVICES AND SYSTEMS

Section 605.10 is hereby added to read as follows:

605.10 electrical service shut off access. Where electrical service shut off controls are located inside a building, a door providing direct access from the exterior to the room containing such electrical shut off controls shall be provided, when required by the Fire Chief.

Chapter 8, INTERIOR FINISH, DECORATIVE MATERIALS AND FURNISHINGS

Section 807.4.3.1, delete Exceptions # 1 and # 2.

Section 807.4.4.1, delete Exceptions # 1 and # 2.

Chapter 9, FIRE PROTECTION SYSTEMS

Section 901.2.1, delete and replace with the following language:

901.2.1. Plans for fire sprinkler systems. Complete plans and hydraulic calculations for fire sprinkler system installation shall be submitted for review and approval prior to installation, modification or alteration. Plans shall be drawn to an indicated scale, on sheets of uniform size and shall show, as a minimum, the data required by NFPA 13,

2002 Edition, Chapter 6. Manufacturer's cut sheets for all equipment used shall be included with the original submittal. Water supply data for hydraulic calculations shall be based on 90 percent of the available water supply as determined by flow test information. An additional copy of these plans shall be submitted in an electronic format suitable to the Fire Chief.

Section 901.2.2 is hereby added to read as follows:

901.2.2 Plan submittals. Plan submittals shall be in accordance with the standard plan review format as provided by the Arizona Automatic Fire Alarm Association. Shop drawings shall accompany construction documents at the time of initial submittal.

Section 901.2.3 is hereby added to read as follows:

901.2.3 Plan certifications for fire sprinklers. All fire sprinkler plans submitted to the fire department for review and approval shall bear a review certification stamp and signature of an AZ Professional Design Registrant or Level III National Institute for the Certification of Engineering Technologies (NICET) in fire sprinkler systems.

Section 901.2.4 is hereby added to read as follows:

901.2.4 Plan certification for all other fire protection systems. Plan certification for all other fire protection systems shall be accompanied by a certification of competence when required. Shop drawings for all other fire protection systems shall accompany construction documents at the time of initial submittal.

Section 901.2.5 is hereby added to read as follows:

901.2.5 Plan certification for fire alarms and occupant notification. All fire alarm system plans submitted to the fire department for review and approval shall bear a review certification stamp and signature of an Arizona Professional Design Registrant or Level III National Institute for the Certification of Engineering Technologies (NICET) in Fire Alarm Systems. Plan certification for all fire alarm systems shall be accompanied by a certification of competence when required. Shop drawings shall accompany construction documents at the time of initial submittal.

Section 901.2.6 is hereby added to read as follows:

901.2.6 On site plans, specifications and permits. Fire department approved plans, specifications and permits shall be retained on the job site, and made available to the fire inspector on each inspection.

Section 901.4, delete and replace with the following language:

901.4 Installation. Fire protection systems shall be maintained in accordance with original installation standards for that system. Systems shall be extended, altered or augmented as necessary to maintain and continue protection whenever the building is

altered, remodeled or added to. Alterations to fire protection systems shall be done in accordance with applicable standards.

Section 901.4.1.2 is hereby added to read as follows:

901.4.1.2 Inspectors' test valve. The Inspectors' Test Valve shall be located on the end of the most distant sprinkler pipe on each story and shall be equipped with a readily accessible brass shutoff valve.

Section 901.6.3 is hereby added to read as follows:

901.6.3 Inspection, testing and maintenance. All fire and life safety systems including but not limited to: fire extinguishers, fire alarms, water supply and fire hydrant systems, backflow prevention devices, fire sprinklers and standpipes, chemical extinguishing systems and other types of automatic fire extinguishing systems. Basement pipe inlets and other fire-protection systems and appurtenances shall be inspected, tested and maintained on an annual basis, after each use or as often as required by the Fire Chief to ensure operability by nationally recognized standards. Test records and tags shall be retained on site by the occupant of the building and a copy mailed to the Surprise Fire Department, Fire Prevention Division. These systems shall be inspected, tested and maintained by a contractor holding a Certificate of Performance Card Permit issued by the Fire Chief.

Section 901.6.4 is hereby added to read as follows:

901.6.4 Performance examination. To perform work on fire and life safety systems in the City of Surprise, all contractors and/or service personnel must submit to and satisfactorily pass a performance examination. The examination will be provided by an outside agency approved by the Fire Chief. The cost of such examination shall be the responsibility of the individual(s) taking the examination. A fire department renewable fee of \$50.00 will be accessed annually.

Section 901.6.5 is hereby added to read as follows:

901.6.5 Contractors. Contractors and service personnel must obtain a Certificate of Performance Card from the Surprise Fire Department prior to working in the City of Surprise. The Fire Department will recognize a valid performance card from any Arizona jurisdiction.

Section 901.7, delete and replace with the following language:

901.7 Systems out of service. Where a required fire protection system is out of service, the Fire Chief shall be notified immediately, and where required by the Fire Chief, the building shall either be evacuated or approved fire watch or standby personnel shall be provided for all occupants until the fire protection system has been returned to service.

Where utilized, fire watches shall be provided with at least one approved means for communication with the fire department, and their only duty shall be to perform constant patrols of the protected premises and keep watch for fires.

A required fire sprinkler system or fire alarm system shall not be placed out of service for more than 8 hours in any one day without written authorization by the Fire Chief.

Section 901.8, add the following language:

901.8 Tampering with fire hydrants and street valves. It shall be unlawful for any person to remove, tamper with, disturb or otherwise vandalize in any manner, any fire hydrant or street valve required by this code. Any tampering with fire hydrants and street valves without prior approval from the Fire Chief shall be a class 1 misdemeanor.

Exception: By the water provider during times of repair, service, maintenance and testing.

Section 901.8.1, delete and replace with the following language:

901.8.1 Use of fire hydrants during construction. Use of fire hydrants for the purpose of site development must be approved by the Fire Chief. The contractor shall request, in writing, approval to attach appliances to fire hydrants. Fire hydrants shall be inspected prior to water-meter attachment, and during removal by the fire department.

Section 903.1.1, delete and replace with the following language:

903.1.1 Commercial development. All new commercial occupancies for which a building or construction permit is obtained shall be protected by a fully automatic sprinkler system. Installation of the sprinkler system shall be in accordance with the requirements of NFPA 13, 2002 Edition, unless otherwise approved by the Fire Chief.

Existing buildings, structures and occupancies will not require retrofitting with fire sprinkler systems to meet current code standards unless:

1. Building occupant load is increased without increasing square footage.
2. Occupancy classification is changed to a higher hazard level.
3. Structure fire resistance rating is decreased.
4. Work affects more than fifty percent (50%) of the existing building floor area.
5. Building addition increases the existing building floor area by more than fifty percent (50%).

Section 903.2 Exception list is added as follows:

Exceptions:

1. Detached gazebos, ramadas, restrooms, guardhouses, and equipment or storage buildings.

2. Detached non-combustible carports with covered parking not exceeding 15,000 square feet.
3. Detached non-combustible canopies used exclusively for automotive, motor fuel-dispensing. Canopies where vehicles are attended and in place on a temporary basis, for non-maintenance activities.
4. Detached non-combustible non-occupied water supply Booster Pump structures.

For the purposes of this section of this code "TEMPORARY" is defined as any period less than 8 hours in any 24 hour period.

NOTE: All elements of the structure with regard to property lines, set backs and zoning shall comply with Planning and Zoning guidelines.

Section 903.2.7.1 is hereby added to read as follows:

903.2.7.1 Group R, Division 2. All Group R Division 2 occupancies shall be required to install a Mod. NFPA 13R Residential Fire Sprinkler System. If any portion of a patio has livable space directly above the enclosed patio, the patio shall have sprinkler protection.

Section 903.2.7.2 is hereby added to read as follows:

903.2.7.2 Group R, Division 4. All Group R Division 4 occupancies having assisted living residents, exclusive of the care giver and their family, or day care, shall be required to install a Mod. NFPA 13D Residential Fire Sprinkler System throughout, including attached garages. If any portion of a patio or porch has livable space directly above the patio or porch, the patio or porch shall have sprinkler protection.

Such systems shall contain an electronically supervised valve located between the domestic water riser control valve and the sprinklers.

In R-4 Condition 2 facilities, such systems shall include concealed spaces containing combustible materials, and shall contain water flow switches electrically supervised by an approved Central Station, and shall sound an alarm at a constantly attended location inside the facility.

Minimum listed electronic components for alarms shall consist of an auto dialer and an interior horn and strobe connected to the fire riser flow switch.

Section 903.2.7.3 is hereby added to read as follows:

903.2.7.3 Group R, Division 3. A Mod. NFPA 13D Residential Fire Sprinkler System shall be installed in Group R, Division 3 occupancies. If any portion of a patio or porch has livable space directly above the patio or porch, the patio or porch shall have sprinkler protection.

Exception: Residential sprinklers may be omitted from Group R, Division 3 occupancies as long as the required fire flows in accordance with Appendix B Fire-Flow Requirements For Buildings and Table B105.1 Minimum Required Fire Flow and Flow Duration For Buildings are met.

Section 903.2.7.3.1 is hereby added to read as follows:

903.2.7.3.1 Group R, Division 3. Each builder, contractor or developer shall offer as an option, at the time of purchase, to each homebuyer, a residential fire sprinkler system.

Section 903.2.7.3.2 is hereby added to read as follows:

903.2.7.3.2 Comparative cost. The option shall include a comparative cost for installing a modified NFPA 13D automatic fire sprinkler system. This option shall be included on the builder, contractor or developer's list of options.

Section 903.2.7.3.3 is hereby added to read as follows:

903.2.7.3.3 Display an approved sample of a Mod. NFPA 13D Residential sprinkler system riser and two types of sprinkler heads (exposed and concealed). The builder, contractor or developer shall provide an approved NFPA 13D, 2002 Edition, automatic fire sprinkler system model in the sales office of each subdivision. A sprinkler system model is not required if show home/sales models have a sprinkler system installed.

Section 903.2.7.3.4 is hereby added to read as follows:

903.2.7.3.4 Educational materials. The builder, contractor or developer shall provide each home-buyer a copy of educational materials prepared by the Fire Department on residential fire sprinkler systems.

Section 903.2.7.3.5 is hereby added to read as follows:

903.2.7.3.5 Affidavit. A signed affidavit by the buyer indicating that this option was offered and refused shall be retained by the developer at his home office and available for inspection by the Fire Chief for a period of one year from the time of closure of the residence. A copy of the signed affidavit shall be attached to the application for permit.

Section 903.2.7.4 is added to read as follows:

903.2.7.4 Special Requirements for Group R-1 and R-2 occupancies. In Group R-1 and R-2 occupancies, sprinklers shall be installed in bathrooms, closet areas containing any electrical or mechanical equipment, foyers, and attached garages, accessible areas under interior stairs or landings, exterior balconies and covered patios or landings which have habitable space directly above the balconies, patio or porch. In living spaces, sprinklers shall be the concealed type. For the purpose of inspection, testing, or maintenance, there shall be provided, at the time of construction, an exterior access door on the side of the building next to the fire sprinkler riser of adequate size to allow for valves and gauges to be accessed, repaired and viewed from the exterior for testing and maintenance purposes. The dimensions of the access door will be dependent upon the design of the riser and system devices but shall, in no case, require that service

personnel must enter a private dwelling or garage to reach the riser for service and/or repair.

Section 903.2.7.5 is added to read as follows:

903.2.7.5 Special requirements for Group R-4 occupancies. R-4 occupancies, sprinklers shall be installed in bathrooms, closet areas containing any electrical or mechanical equipment, foyers, attached garages, and accessible areas under interior stairs or landings. State licensed facilities shall be equipped with an approved automatic sprinkler system in accordance with this code.

Section 903.2.14 is added to read as follows:

903.2.14 Special requirements for speculative warehouses. Speculative warehouses shall comply with this Chapter, Chapter 23, and NFPA 13. The minimum sprinkler design in speculative warehouses shall be based upon a minimum class IV commodity and maximum allowable storage height in the building. The system shall be hydraulically designed to protect the maximum possible clear height of storage without in-rack sprinklers and/or use an approved alternate design such as Early Suppression Fast Response (ESFR) sprinklers.

Section 903.3.7 the following is hereby added to section 903.3.7 as follows:

All signage to be consistent with the requirements in the "Surprise Fire Department Emergency Access Details" book.

Section 903.3.7.1 is hereby added to read as follows:

903.3.7.1 Fire department connection (FDC) piping. When a building or buildings are served by a single or multiple Fire Department Connections, the piping shall be arranged so that use of any Fire Department Connection will supply the entire building or buildings.

Section 903.3.8 is hereby added to read as follows:

903.3.8 Fire department connection (FDC) strobe. Where an FDC is located on the building a listed exterior horn/strobe device shall be provided above the FDC. If a remote FDC is approved a listed electronic horn strobe shall be installed as part of the fire department connection. Wiring for either strobe shall be connected to the alarm panel and shall activate upon sprinkler system flow. All signage shall be consistent with the requirements in the "Surprise Fire Department Emergency Access Details" book.

Section 903.4.1, delete Exception #2 and replace with the following language:

Backflow prevention device shutoff valves, located in the limited area sprinkler system supply piping, shall be locked in the open position. In occupancies required to be equipped with a fire alarm system, the backflow prevention valves shall be electrically

supervised by a tamper switch installed in accordance with NFPA 72, 2002 Edition, and separately annunciated.

Section 903.7 is added to read as follows:

903.7 Additions, alterations, or repairs. The provisions of this section are intended to provide a reasonable degree of safety for building additions, alterations, or repairs by requiring installation of an approved automatic sprinkler system. For purposes of the following automatic sprinkler system installation requirements, square footage and area calculations shall be calculated by adding together the total square footage and/or area affected by all building permits issued for a structure.

An approved automatic sprinkler system shall be installed throughout the entire structure or building, including all areas and all levels of all Group A, B, E, F, H, I, M, R-1, R-2, R-4 and S occupancies, when any one of the following apply:

1. Building occupant load is increased without increasing square footage.
2. Occupancy classification is changed to a higher hazard level.
3. Structure fire resistance rating is decreased.
4. Work affects more than fifty percent (50%) of the existing building floor area.
5. Building addition increases the existing building floor area by more than fifty percent (50%).

Note:

Occupancies as defined in this Code and the City of Surprise adopted Building Code. This Section is not intended to indicate all instances or circumstances where fire sprinkler systems are required; refer to this Code and the City of Surprise adopted Building Code for other requirements.

Section 906.1, delete Exception.

Section 906.2, delete Exception.

Section 907.2, delete and replace with the following language:

907.2 Where required-new buildings and structures. All commercial occupancies for which a building or construction permit is obtained shall be protected by a fully automatic fire alarm system. Installation of the fire alarm system shall be in accordance with the requirements of NFPA 72, 2002 Edition, unless otherwise approved by the Fire Chief. All fire alarms systems shall be addressable systems with Class-A wiring. Addressable devices in tenant spaces shall include tenant address or suite number. An approved fully automatic fire detection system shall be installed in accordance with the provisions of this code and NFPA 72, 2002 Edition,. Devices, combinations of devices, appliances and equipment shall comply with Section 907.1.2. The automatic fire detectors shall be smoke detectors, except that an approved alternative type of detector shall be installed in spaces such as boiler rooms, utilities rooms, bathrooms

and Janitor's closet with water heater and/or sink, where during normal operation, products of combustion are present in sufficient quantity to actuate a smoke detector.

Section 907.2.2 is hereby added to read as follows:

907.2.2 ADA horns and strobes. ADA horns and strobes shall be installed in accordance with their listing, and as approved by the Fire Chief.

Section 907.4.1, delete and replace with the following language:

Unless otherwise required by the Fire Chief, manual fire alarm boxes shall not be installed in occupancies where the building is equipped throughout with an approved automatic sprinkler system, the notification appliances will activate on sprinkler water flow.

Exception: One manual pull station shall be added at the FACP.

Section 907.15 delete and replace with the following language:

907.15 Monitoring. All supervised fire alarm systems and fire protection systems shall be monitored by a listed full service Central Station, providing all services in accordance with NFPA 72-8.2.2, 2002 Edition. Third party testing shall be required per NFPA 72-8.2.4, 2002 Edition, and documentation shall be provided to the fire department in a format, acceptable to the Fire Chief.

Section 912.2.1 is hereby amended with the following addition:

912.2.1 Visible location. The FDC shall be located on the main entrance side of the building or in a location approved by the Fire Chief. In addition a horn strobe shall be installed above the FDC in accordance with Section 903.3.8 of this document and the requirements in the "Surprise Fire Department Emergency Access Details" book.

Section 912.4, delete and replace with the following language:

912.4 Signs. A metal sign with raised letters at least 1 inch (25 mm) in size shall be mounted on all Fire Department Connections serving fire sprinklers or fire pump connections. Such signs shall read: AUTOMATIC SPRINKLERS or STANDPIPES or TEST CONNECTION or a combination thereof as applicable. All signage to be consistent with the requirements in the "Surprise Fire Department Emergency Access Details" book.

When a building is served by multiple Fire Department Connections, each connection shall be provided with an approved sign detailing the area of the building served by each connection.

Section 912.5, delete and replace with the following language:

Backflow Prevention. The potable water supply shall be protected against backflow. Backflow prevention assemblies are allowed to be installed as a portion of the automatic sprinkler system riser inside the building. Backflow prevention assemblies shall be U.L. 1469 Listed. Backflow prevention assemblies shall be installed in an orientation in accordance with its listing.

If an Exterior backflow prevention assembly is installed, in addition to the backflow assemblies on the sprinkler riser system, shutoff valves shall be locked in the open position. Backflow prevention device valves shall be electrically supervised by a tamper switch installed in accordance with NFPA 72. On all exterior backflow preventers a means shall be provided to accommodate measured forward flow testing of the backflow prevention device at the sprinkler system demand. It shall be the responsibility of the property owner to comply with state and local jurisdictional laws regarding testing of the backflow preventers. Forward flow test piping shall be sized the same as the backflow prevention assembly. Piping shall terminate to the building exterior and the terminal connection shall be a test header with a 2½ inch national standard thread outlet for each 250 gallons of system demand. A metal sign with raised letters at least 1 inch in size shall be mounted on all test headers. Such signs shall read: TEST CONNECTION or an approved alternative as applicable. Required water supply shall not be interrupted, for any reason, without prior approval of the fire chief. Section 907.2.24 is hereby added to read as follows:

Chapter 10, MEANS OF EGRESS

Section 1008.1.2, revise exception #3 to read as follows:

Doors within or serving a single dwelling unit in Groups R-2, R-3 and R-4 as applicable... (no other changes)

Section 1008.1.8.6, delete exception #3 and replace with the following language:

The door locks shall have the capability of being unlocked by a signal from the fire command center, except R-4 Condition 2 occupancies.

Section 1008.1.9, delete and replace with the following language:

1008.1.9 Panic and fire exit hardware. Where panic and fire exit hardware is installed, it shall comply with the following:

The actuating portion of the releasing device shall extend at least one-half of the door leaf width.

The maximum unlatching force shall not exceed 15 pounds (67 N).

Each door in a means of egress from a Group A or E occupancy, having an occupant load of 50 or more, and any Group H occupancy shall not be provided with a latch or lock unless it is panic hardware or fire exit hardware.

If balanced doors are used and panic hardware is required, the panic hardware shall be the push-pad type and the pad shall not extend more than one-half the width of the door measured from the latch side.

Section 1025.2, revise exceptions #1 and #2 to read:

In other than R-3 and R-4 occupancies... (no other changes)

In other than R-3 and R-4 occupancies... (no other changes)

Chapter 14, FIRE SAFETY DURING CONSTRUCTION AND DEMOLITION

Section 1410.3 is hereby added and shall read as follows:

1410.3 Access road signs. During construction, approved signs shall be located to direct emergency responders into and through the construction site.

Chapter 22, MOTOR FUEL-DISPENSING FACILITIES AND REPAIR GARAGES

Section 2208.3.2 is hereby added to read as follows:

2208.3.2 Vehicle impact protection. Vehicle impact protection for CNG gas storage containers, pumps and dispensers shall be provided in accordance with Section 2206.4. In other than R-3 and R-4 occupancies... (no other changes)

Chapter 26, WELDING AND OTHER HOT WORK

Section 2604.2.6, delete and replace with the following language:

2604.2.6 Fire extinguisher. A minimum of one portable fire extinguisher, complying with Section 906 and with a minimum 2-A:20-B:C rating, shall be readily accessible within 30 feet (9144 mm) of the location where hot work is performed and shall be accessible without climbing stairs or ladders.

Section 2604.2.6.1 is hereby added to read as follows:

2604.2.6.1 Fire Extinguisher Omission. Fire extinguishers may be omitted as approved by the Fire Chief.

Chapter 33, EXPLOSIVES AND FIREWORKS

Section 3308.11, delete and replace with the following language:

3308.11 Retail display and sale. It is unlawful to sell, use or possess for use consumer fireworks.

3308.12 Firework Display. Fireworks may only be possessed by a person having a valid shooters permit issued by the Fire Chief or any other Arizona fire department. Prior to entering City limits, fireworks shall be pre-squibbed.

1. The fire inspector and shooter or agent shall conduct a pre-site inspection.
2. All barriers, fencing and safety measures shall be in place.
3. The fire inspector will provide security for the display site.
4. Others will not be allowed into the display proximity.
5. The fire inspector and shooter will inspect the display site after the shoot.
6. Protective clothing shall be worn by all personnel inside the display proximity during the shoot.
7. Discharge of shell shall be straight (vertical) into the sky. Shells shall not be set less than 90 degrees vertical unless packaged that way from the manufacturer.
8. All other safety measures shall be followed for fireworks in the IFC Chapter 33 and NFPA 1123, NFPA 1124 and NFPA 1126, 2002 Edition.

Chapter 34, FLAMMABLE AND COMBUSTIBLE LIQUIDS

Section 3404.2.9.5.1, delete and replace with the following language:

3404.2.9.5.1 Locations where aboveground tanks are prohibited. Storage of Class I and II liquids in aboveground tanks outside of buildings is prohibited within the limits as established by the City of Surprise Fire Department.

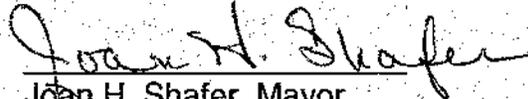
Chapter 38, LIQUEFIED PETROLEUM GAS (LP)

Section 3803.2.1.7, delete and replace with the following language:

3803.2.1.7 Use for food preparation. Listed and approved LP-gas commercial food service appliances shall be permitted to be used inside restaurants and in commercial food catering operations that are attended. No commercial food service appliances shall have more than two 10-oz non-refillable gas containers with a maximum water capacity of 1.08 lb. per container connected directly to the appliance at any time. Containers shall not be manifolded. The appliance fuel container(s) shall be an integral part of the listed, approved commercial food service device and shall be connected without the use of a hose.

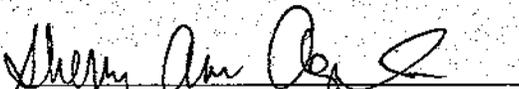
LPG containers shall be listed. Storage in restaurants and at food service locations of 10-oz LPG non-refillable containers shall be limited to no more than twenty-four containers.

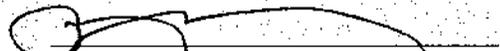
PASSED AND ADOPTED by the City Council of the City of Surprise, Arizona this
28 day of June, 2007.


Joan H. Shafer, Mayor

ATTEST:

APPROVED AS TO FORM:


Sherry Aguilar, City Clerk


Michael D. Bailey, City Attorney

Yeas: Mayor Shafer, Vice-Mayor Sullivan, Council Members: Bails, Foro and Johnson. Absent: Arismendez (1 vacancy - District 1)

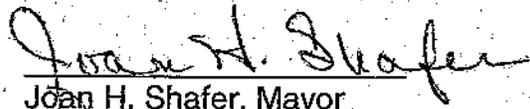
Nays: _____

ORDINANCE #07-08

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, AMENDING CHAPTER 15.04 OF THE SURPRISE MUNICIPAL CODE, AND IN ORDER TO ADOPT THE INTERNATIONAL BUILDING CODE 2006, INTERNATIONAL FIRE CODE 2006, INTERNATIONAL RESIDENTIAL CODE 2006, INTERNATIONAL MECHANICAL CODE 2006, INTERNATIONAL PLUMBING CODE 2006, INTERNATIONAL FUEL GAS CODE 2006, INTERNATIONAL ELECTRIC CODE 2006, INTERNATIONAL ENERGY CONSERVATION CODE 2006, INTERNATIONAL EXISTING BUILDINGS CODE 2006, INTERNATIONAL PROPERTY MAINTENANCE CODE 2006, AND THE AMENDMENTS USED TO REGULATE CONSTRUCTION WITHIN THE CITY.

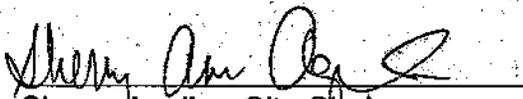
A copy of this ordinance is available at the City Clerk's Office

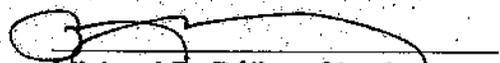
PASSED AND ADOPTED by the City Council of the City of Surprise, Arizona this
28 day of June, 2007.


Joan H. Shafer, Mayor

ATTEST:

APPROVED AS TO FORM:


Sherry Aguilar, City Clerk


Michael D. Bailey, City Attorney

Yeas: Mayor Shafer, Vice-Mayor Sullivan, Council Members: Bails, Foro and Johnson. Absent: Arismendez (1 vacancy -- District 1)

Nays: _____



DATE: 02/02/2007
RFLS No. 280

**SURPRISE CITY ATTORNEY
REQUEST FOR LEGAL SERVICES**

Please retain form with document throughout the entire process.

Contact Person Forrest Fielder
Ext. & Department Ext. 4314, Community Development

Contract Title: Ordinance 07-08 2006 International Building Codes

Date of Contract, Event/Performance: 07/01/2007

Description of Legal Services Requested: Requesting Legal Review of Ordinance 07-08, which amends Chapter 15.04 of the Surprise Municipal Code, in order to adopt the 2006 International Building Codes (IBC, IRC, IMC, IPC, IFGC, IEC, IECC, IEBC, IPMC).

Vendor Name, Address, & Phone: (if known) . . .

To Council? If Yes, Meeting Date: Yes, 03/08/2007

Summary

Julie, Forrest will be out of the office February 5 - 16. If you have any questions during this timeframe, call Mary Casagrande @ Ext. 4289. Also, the Fire Codes were sent, under separate cover by the Fire Department, for Legal review.

*****City Attorney's Office Use*****

Approved:

Jm Krueger
City Attorney's Office

5-8-7
Date

Comments:

Date: 5/8/07 Returned to: Mary Casagrande via Deannuel + emailed

#16



CITY OF SURPRISE
Main Agenda

June 28, 2007 @ 6:00:00 PM

+ Back Print

Council Meeting Date:	June 28, 2007	Contact Person:	Scott Chesney, Community Development
Submitting Department:	City Clerk	District:	Citywide
Staff Recommendations:	Approve		

Consent	x	Regular	Public Hearing	Report/Discussion
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Agenda Wording:

Consideration and action on Ordinance No. 07-08 - amending Chapter 15.04 of the Surprise Municipal Code, and in order to adopt the International Building Code 2006, International Fire Code 2006, International Residential Code 2006, International Mechanical Code 2006, International Plumbing Code 2006, International Fuel Gas Code 2006, International Electric Code 2006, International Energy Conservation Code 2006, International Existing Buildings Code 2006, International Property Maintenance Code 2006, and the amendments used to regulate construction within the city - (Final Reading)

Motion:

I move to approve the final reading of Ordinance No. 07-08.

Background:

Financial Impact Statement:

ATTACHMENTS:

Click to download

- [2006 Code Ordinance\Ord 07-08 2006 Intl Bldg Code #280-Legal Request for Services.pdf](#)
- [Ordinance](#)

Meeting Requirements:

Powerpoint Video White Board Other

Presentation Speaker Names (spelling and titles for TV captions):

Scott Chesney, Community Development Director

City Clerk's Office Only:

**Council Action:
Motion/Second**

Shafer _____
Elkins _____
Bails M _____
Sullivan _____
Arismendez _____
Johnson S _____
Foro _____

Results:

For 5 _____
Against 0 _____
Passed X _____ Final Reading
Failed _____
Continue _____
Tabled _____
Absent 1 (Arismendez)
Vacancy 1 (District 1)