

ORDINANCE NO. 16-210

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF LITCHFIELD PARK, ARIZONA, AMENDING THE LITCHFIELD PARK CITY CODE, DECLARING THOSE DOCUMENTS ENTITLED “INTERNATIONAL BUILDING CODE, 2012 EDITION”, “INTERNATIONAL RESIDENTIAL CODE, 2012 EDITION”, “INTERNATIONAL MECHANICAL CODE, 2012 EDITION”, “INTERNATIONAL PLUMBING CODE, 2012 EDITION”, “INTERNATIONAL FIRE CODE, 2012 EDITION”, “INTERNATIONAL FUEL GAS CODE, 2012 EDITION”, “INTERNATIONAL ENERGY CONSERVATION CODE, 2012 EDITION” AND “CITY OF LITCHFIELD PARK AMENDMENTS TO THE 2012 INTERNATIONAL CODES, EFFECTIVE MAY 1, 2016” AS PUBLIC RECORDS; ADOPTING THE “INTERNATIONAL BUILDING CODE, 2012 EDITION”, “INTERNATIONAL RESIDENTIAL CODE, 2012 EDITION”, “INTERNATIONAL MECHANICAL CODE, 2012 EDITION”, “INTERNATIONAL PLUMBING CODE, 2012 EDITION”, “INTERNATIONAL FIRE CODE, 2012 EDITION”, “INTERNATIONAL FUEL GAS CODE, 2012 EDITION”, “INTERNATIONAL ENERGY CONSERVATION CODE, 2012 EDITION” AND “CITY OF LITCHFIELD PARK AMENDMENTS TO THE 2012 INTERNATIONAL CODES, EFFECTIVE MAY 1, 2016” BY REFERENCE; AND AMENDING CHAPTER 7 BUILDING, ARTICLE 7-1 BUILDING CODE, BY AMENDING SECTIONS 7-1-1 ADOPTION OF THE INTERNATIONAL BUILDING CODE, 2006 EDITION AND SECTION 7-1-3 ADOPTION OF THE INTERNATIONAL RESIDENTIAL CODE, 2006 EDITION, AND BY DELETING SECTION 7-1-6 ADOPTION OF ADOBE CODE; AND BY AMENDING ARTICLE 7-2 PLUMBING CODE, SECTION 7-2-1 ADOPTION OF INTERNATIONAL PLUMBING CODE, 2006 EDITION; ARTICLE 7-4 MECHANICAL CODE, SECTION 7-4-1 ADOPTION OF THE INTERNATIONAL MECHANICAL CODE, 2006 EDITION; ARTICLE 7-5 FIRE CODE, SECTIONS 7-5-1 ADOPTION OF THE INTERNATIONAL FIRE CODE, 2006 EDITION 7-5-2 AMENDMENTS TO THE INTERNATIONAL FIRE CODE, 2006 EDITION, AND 7-5-3 VIOLATION; PENALTY; ARTICLE 7-6 FUEL GAS CODE, SECTION 7-6-1 ADOPTION OF INTERNATIONAL FUEL GAS CODE, 2006 EDITION; ARTICLE 7-7 ENERGY CONSERVATION CODE; SECTION 7-7-1 ADOPTION OF INTERNATIONAL ENERGY CONSERVATION CODE, 2006 EDITION; AND ARTICLE 7-8 AMENDMENTS TO UNIFORM CODES, SECTION 7-8-1 ADOPTION OF AMENDMENTS TO UNIFORM CODES,

SECTION 7-8-2 CITY RELIANCE ON INFORMATION SUPPLIED BY MOVING IT TO ARTICLE 7-11, AND DELETING SECTION 7-8-3 VIOLATION; PENALTY; AND BY RENAMING ARTICLE 7-11 DEVELOPMENT FEES AND ADDING NEW SECTION 7-11-1 CITY RELIANCE ON INFORMATION SUPPLIED, ALL RELATED TO ADOPTING THE 2012 EDITIONS OF THE INTERNATIONAL CODES WITH AMENDMENTS THERETO; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR PENALTIES.

WHEREAS, those certain documents entitled “International Building Code, 2012 Edition”, “International Residential Code, 2012 Edition”, “International Mechanical Code, 2012 Edition”, “International Plumbing Code, 2012 Edition”, “International Fire Code, 2012 Edition”, “International Fuel Gas Code, 2012 Edition”, “International Energy Conservation Code, 2012 Edition” And “City of Litchfield Park Amendments to the 2012 International Codes, Effective May 1, 2016, three copies of each of which or one copy and one electronic copy of each of which are on file in the office of the City Clerk is hereby declared to be a public record and said copies are hereby ordered to remain on file with the City Clerk; and

WHEREAS, the City Council of the City of Litchfield Park, Maricopa County, Arizona desires to protect the public health and safety of its residents and ensure the safe construction and reconstruction of buildings located within the City; and

WHEREAS, pursuant to its Intergovernmental Agreement with the City of Goodyear, the City Council desires to adopt the International Fire Code, 2012 Edition consistent with the adoption by the City of Goodyear and provide for local amendments thereto;

NOW THEREFORE, BE IT ORDAINED by the Common Council of the City of Litchfield Park, Arizona, as follows:

Section I. In General.

The City Code of the City of Litchfield Park, Arizona is hereby amended by amending Chapter 7 Building, Article 7-1 Building Code, Sections 7-1-1 Adoption of the International Building Code, 2006 Edition and Section 7-1-3 Adoption of the International Residential Code, 2006 Edition to read as follows (deleted text appears in ~~strikeout~~; new text in ALL CAPS):

Section 7-1-1 Adoption of International Building Code, 200612 Edition

~~A.—~~ That certain code entitled “International Building Code, 200612 Edition,” ~~together with all the appendices thereto,~~ published by the International Code Council, is hereby adopted as the building code of the city of Litchfield Park, for regulating the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area and maintenance of all buildings or structures in the city, and made a part of this chapter the same as though said code was specifically set forth in full herein, except as the same is amended by the CITY OF Litchfield Park ~~2008~~ Amendments to the 2012 International Codes, EFFECTIVE MAY 1, 2016, ADOPTED PURSUANT TO SECTION 7-8-1 OF THIS CODE. At least three copies of said code OR ONE COPY AND ONE ELECTRONIC COPY ~~and appendices~~ shall be filed in the office of the city clerk and kept available for use and inspection.

~~B.— That certain document entitled “Litchfield Park 200815 Amendments to the 2012 International Codes” is hereby adopted as an amendment to the International Building Code, 2006 Edition, and this document is hereby referred to, adopted and made part of this chapter the same as though said document was specifically set forth in full herein; and at least three copies of said document shall be filed in the office of the city clerk and kept available for public use and inspection.~~

Section 7-1-3 Adoption of the International Residential Code, 200612 Edition

A.— That certain document entitled “International Residential Code, 200612 Edition,” together with ~~all~~ appendices B, C, G, H AND J thereto, published by the International Code Council, is hereby adopted for regulating erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area and maintenance of all R-3 occupancies in the city, and made a part of this chapter the same as though said code was specifically set forth in full herein, except as the same is amended by the CITY OF Litchfield Park ~~2008~~ Amendments to the 2012 International Codes, EFFECTIVE MAY 1, 2016, ADOPTED PURSUANT TO 7-8-1 OF THIS CODE. At least three copies of said code and appendices OR ONE COPY AND ONE ELECTRONIC COPY shall be filed in the office of the city clerk and kept available for use and inspection.

~~B.— That certain document entitled “Litchfield Park 2008 Amendments to the 2012 International Codes” is hereby adopted as an amendment to the International Residential Code, 2006 Edition, and this document is hereby referred to, adopted and made part of this chapter the same as though said document was specifically set forth in full herein; and at least three copies of said document shall be filed in the office of the city clerk and kept available for public use and inspection.~~

The City Code of the City of Litchfield Park, Arizona is hereby amended by amending Chapter 7 Building, Article 7-1 Building Code, by deleting Section 7-1-6 Adoption of Adobe Code in its entirety.

The City Code of the City of Litchfield Park, Arizona is hereby amended by amending Chapter 7 Building, Article 7-2 Plumbing Code, Section 7-2-1 Adoption of International Plumbing Code, 2006 Edition to read as follows (deleted text appears in ~~strikeout~~; new text in ALL CAPS):

Section 7-2-1 Adoption of International Plumbing Code, 200612 Edition

A. That certain code entitled “International Plumbing Code, 200612 Edition,” published by the International Code Council, is hereby adopted as the plumbing code of the city of Litchfield Park, for regulating the installation, alteration and maintenance of plumbing systems in the city, and made a part of this chapter the same as though said code was specifically set forth in full herein, except as the same is amended by the CITY OF Litchfield Park ~~2008~~ Amendments to the 2012 International Codes, EFFECTIVE MAY 1, 2016, ADOPTED PURSUANT TO SECTION 7-8-1 OF THIS CODE. At least three copies of said code OR ONE COPY AND ONE ELECTRONIC COPY ~~and appendices~~ shall be filed in the office of the city clerk and kept available for use and inspection.

~~B.— That certain document entitled “CITY OF Litchfield Park 200815 Amendments to the 2012 International Codes” is hereby adopted as an amendment to the International Building PLUMBING Code, 200612 Edition, and this document is hereby referred to,~~

~~adopted and made part of this chapter the same as though said document was specifically set forth in full herein; and at least three copies of said document shall be filed in the office of the city clerk and kept available for public use and inspection.~~

The City Code of the City of Litchfield Park, Arizona is hereby amended by amending Chapter 7 Building, Article 7-4 Mechanical Code, Section 7-4-1 Adoption of International Mechanical Code, 2006 Edition to read as follows (deleted text appears in ~~strikeout~~; new text in ALL CAPS):

Section 7-4-1 Adoption of the International Mechanical Code, 200612 Edition

A. That certain code entitled “International Mechanical Code, 200612 Edition,” ~~together with all appendices thereto,~~ published by the International Code Council, is hereby adopted as the mechanical code of the city of Litchfield Park, for regulating and controlling the design, construction, installation, qualities of materials, location, operation and maintenance or use of heating, ventilating, cooling, refrigeration systems, incinerators, and other miscellaneous heat-producing appliances within its jurisdiction, ~~and this code is hereby referred to, adopted and~~ made part of this chapter the same as though said code was specifically set forth in full herein, except as the same is amended by the CITY OF Litchfield Park 2008 Amendments to the 2012 International Codes, EFFECTIVE MAY 1, 2016, ADOPTED PURSUANT TO SECTION 7-8-1 OF THIS CODE. At least three copies of said code OR ONE COPY AND ONE ELECTRONIC COPY shall be filed in the office of the city clerk and kept available for public use and inspection.

~~B. That certain document entitled “CITY OF LITCHFIELD PARK 200815 Amendments to the 2012 International Mechanical Codes, 2006 Edition” is hereby adopted as an amendment to the International Mechanical Code, 200612 Edition, and this document is hereby referred to, adopted and made part of this chapter the same as though said document was specifically set forth in full herein; and at least three copies of said document shall be filed in the office of the city clerk and kept available for public use and inspection.~~

The City Code of the City of Litchfield Park, Arizona is hereby amended by amending Chapter 7 Building, Article 7-5 Fire Code, Sections 7-5-1 Adoption of the International Fire Code, 2006 Edition, 7-5-2 Amendments to the International Fire Code, 2006 Edition, and 7-5-3 Violation; Penalty, to read as follows (deleted text appears in ~~strikeout~~; new text in ALL CAPS):

Section 7-5-1 Adoption of the International Fire Code, 200612 Edition

That certain code entitled “International Fire Code, 200612 Edition,” published by the International Code Council, is hereby adopted as the fire code of the City of Litchfield Park, together with appendix ~~chapters B, D, E, F and G,~~ for regulating requirements for fire protection for construction in the city, and ~~this code is hereby referred to, adopted and~~ made part of this chapter the same as though said code was specifically set forth in full herein, except as the same is amended by the CITY OF Litchfield Park 2008 Amendments to the 2012 International Codes, EFFECTIVE MAY 1, 2016, ADOPTED PURSUANT TO SECTION 7-8-1 OF THIS CODE; and at least three copies OR ONE COPY AND ONE ELECTRONIC COPY of said code shall be filed in the office of the city clerk and kept available for public use and inspection.

~~**Section 7-5-2 Amendments to the International Fire Code, 20062012 Edition**~~

~~That certain document entitled “2012 CITY OF LITCHFIELD PARK 2015 Amendments to the 2012 International Fire Codes, 2006 Edition” is hereby adopted as an amendment to the International Fire Code, 200612 Edition, and is hereby referred to, adopted and made part of this chapter the same as though said document was specifically set forth in full herein; and at least three copies of said document shall be filed in the office of the city clerk and kept available for public use and inspection.~~

Section 7-5-3 Violation; Penalties

A. ~~Any person found guilty of violating any provision of this article shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not to exceed two thousand five hundred dollars or by imprisonment for a period not to exceed six months, or both such fine and imprisonment. Each day that a violation continues shall be a separate offense punishable as herein described.~~ PUNISHABLE AS SET FORTH IN SECTION 109.4 OF THE INTERNATIONAL FIRE CODE, 2012 EDITION, AS AMENDED BY THE CITY OF LITCHFIELD PARK AMENDMENTS TO THE 2012 INTERNATIONAL CODES, EFFECTIVE MAY 1, 2016.

B. The application of penalties contained in the fire code shall not be held to prevent the enforced removal of prohibited conditions, enforcement by injunction or by civil code enforcement pursuant to Chapter 9 of this code.

The City Code of the City of Litchfield Park, Arizona is hereby amended by amending Chapter 7 Building, Article 7-6 Fuel Gas Code, Section 7-6-1 Adoption of International Fuel Gas Code, 2006 Edition to read as follows (deleted text appears in ~~strikeout~~; new text in ALL CAPS):

Section 7-6-1 Adoption of International Fuel Gas Code, 200612 Edition

A.—~~That certain code entitled “International Fuel Gas Code, 200612 Edition,” together with all appendices thereto,~~ published by the International Code Council, is hereby adopted as the fuel code of the city of Litchfield Park, for regulating the installation, alteration and maintenance of natural gas systems in the city, and made a part of this chapter the same as though said code was specifically set forth in full herein, except as the same is amended by the CITY OF Litchfield Park 2008 Amendments to the 2012 International Codes, EFFECTIVE MAY 1, 2016, ADOPTED PURSUANT TO SECTION 7-8-1 OF THIS CODE. At least three copies OR ONE COPY AND ONE ELECTRONIC COPY of said code ~~and appendices~~ shall be filed in the office of the city clerk and kept available for use and inspection.

B.—~~That certain document entitled “CITY OF Litchfield Park 200815 Amendments to 2012 the International Codes” is hereby adopted as an amendment to the International Fuel Gas Code, 200612 Edition, and this document is hereby referred to, adopted and made part of this chapter the same as though said document was specifically set forth in full herein; and at least three copies of said document shall be filed in the office of the city clerk and kept available for public use and inspection.~~

The City Code of the City of Litchfield Park, Arizona is hereby amended by amending Chapter 7 Building, Article 7-1 Building Code, Article 7-7 Energy Conservation Code, Section 7-7-1 Adoption of International Energy Conservation Code, 2006 Edition; to read as follows (deleted text appears in ~~strikeout~~; new text in ALL CAPS):

Section 7-7-1 Adoption of International Energy Conservation Code, 200612 Edition

A.—That certain code entitled “International Energy Conservation Code, 200612 Edition,” ~~together with all appendices thereto,~~ published by the International Code Council, is hereby adopted as the energy conservation code of the city of Litchfield Park, for regulating the installation, alteration and maintenance of energy systems in the city, and made a part of this chapter the same as though said code was specifically set forth in full herein, except as the same is amended by the CITY OF Litchfield Park 2008 Amendments to the 2012 International Codes, EFFECTIVE MAY 1, 2016, ADOPTED PURSUANT TO SECTION 7-8-1 OF THIS CODE. At least three copies of said code and appendices shall be filed in the office of the city clerk and kept available for use and inspection.

~~B.—That certain document entitled “CITY OF Litchfield Park 200815 Amendments to the 2012 International Codes” is hereby adopted as an amendment to the International Energy Conservation Code, 200612 Edition, and this document is hereby referred to, adopted and made part of this chapter the same as though said document was specifically set forth in full herein; and at least three copies of said document shall be filed in the office of the city clerk and kept available for public use and inspection.~~

The City Code of the City of Litchfield Park, Arizona is hereby amended by amending Chapter 7 Building, Article 7-8 Amendments to Uniform Codes, Sections 7-8-1 Adoption of Amendments to Uniform Codes, deleting Section 7-8-2 City Reliance on Information Supplied from this Article and moving it to Article 7-11, as set forth below, and deleting Section 7-8-3 Violation; Penalty in its entirety to read as follows (deleted text appears in ~~strikeout~~; new text in ALL CAPS):

Article 7-8 Amendments to UniformINTERNATIONAL Codes

Section 7-8-1 Adoption of Amendments to ~~Uniform~~INTERNATIONAL Codes

A. That certain document known as the “City of Litchfield Park Amendments to 2012 ~~Uniform~~INTERNATIONAL Codes, EFFECTIVE MAY 1, 2016” three copies OR ONE COPY AND ONE ELECTRONIC COPY of which are on file with the city clerk, is hereby adopted by reference as though FULLY set forth in ~~full~~HEREIN.

~~B.—The building code of the city of Litchfield Park, adopted pursuant to Section 7-1-1 is further amended by amending Section 105.7 to read as follows:~~

~~105.7 Placement of Permit. The building permit or copy shall be posted in a front window on the site of the work, or if there is no front window in another conspicuous place, until the completion of the project.~~

The City Code of the City of Litchfield Park, Arizona is hereby amended by amending Chapter 7 Building, Article 7-8 Amendments to Uniform Codes BY deleting Section 7-8-2 City Reliance on Information Supplied from this Article and moving it to Article 7-11, as set forth below, and deleting Section 7-8-3 Violation; Penalty in its entirety.

The City Code of the City of Litchfield Park, Arizona is hereby amended by amending Chapter 7 Building, to rename Article 7-11 Development Fees (which was reserved for future use) to Duty to Provide Accurate Information; City Reliance and to add new Section 7-11-1 Duty to Provide Accurate

Information and City Reliance on Information Supplied to read as follows (deleted text appears in ~~strikeout~~; new text in ALL CAPS):

Article 7-11 ~~Development Fees~~DUTY TO PROVIDE ACCURATE INFORMATION; CITY RELIANCE

Section 7-11-1 DUTY TO PROVIDE ACCURATE INFORMATION AND CITY RELIANCE ON INFORMATION SUPPLIED

A. DUTY TO PROVIDE ACCURATE INFORMATION. ANY PERSON SEEKING A PERMIT OR APPROVAL FROM THE CITY SHALL SUBMIT ACCURATE INFORMATION TO THE CITY AND SHALL PROMPTLY NOTIFY THE CITY IN WRITING OF ANY INACCURACIES IN INFORMATION PREVIOUSLY SUBMITTED.

B. NO WARRANTY. THE CITY IN ISSUING A PERMIT OR APPROVAL IS NOT EXPRESSLY OR IMPLIEDLY WARRANTYING THE LOCATION OF PROPERTY LINES, ACCURACY OF PLANS, OR ANY OTHER INFORMATION SUPPLIED BY AN APPLICANT.

C. REVOCAION. IF THE CITY DISCOVERS A PERMIT OR APPROVAL WAS ISSUED IN RELIANCE ON INACCURATE INFORMATION SUPPLIED BY THE APPLICANT, AND THE PERMITTED OR APPROVED STRUCTURE, WORK OR USE IN FACT DOES NOT OR WILL NOT COMPLY WITH APPLICABLE CITY CODE(S), IN ADDITION TO THE GENERAL PROVISIONS SET FORTH IN ARTICLE 8-1, THE CITY RESERVES THE RIGHT TO REVOKE THE PERMIT OR APPROVAL, AND SHALL NOT BE LIABLE FOR ANY RESULTING COSTS OR INCONVENIENCE.

Section II. Providing for Repeal of Conflicting Ordinances.

All ordinances and parts of ordinances in conflict with the provisions of this Ordinance or any part of the Code adopted herein by reference are hereby repealed.

Section III. Providing for Severability.

If any section, subsection, sentence, clause, phrase or portion of this Ordinance or any part of the Code adopted herein by reference, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

Section IV: Providing for Penalties.

Any person found guilty of violating any provision of the technical codes adopted by this Ordinance shall be guilty of a misdemeanor or found responsible for a civil violation as set forth in the relevant code. Each day that a violation continues shall be a separate offense punishable as herein above described.

Section V. Effective Date

The provisions of this ordinance and the public record adopted herein shall become effective on May 1, 2016.

PASSED AND ADOPTED by the Common Council of the City of Litchfield Park, Arizona, this 16th day of March, 2016.



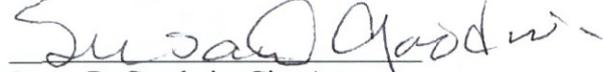
Thomas L. Schoaf, Mayor

ATTEST:



Carla Reece, City Clerk

APPROVED AS TO FORM:



Susan D. Goodwin, City Attorney