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APR 26 2012

ORDINANCE NO. 4360

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, AMENDING SUBSECTION 29-2.4 OF SECTION 29-2 OF CHAPTER 29, CODE OF THE CITY OF CHANDLER TO EXPAND THE TYPES OF WORK EXEMPTED FROM BUILDING PERMIT REQUIREMENTS.

WHEREAS, the City of Chandler, through Ordinance No. 4303 adopted the International Building Code, 2009 Edition (IBC) by reference with the additions, insertions, deletions and changes set forth in Section 29-2 of Chapter 29, Code of the City of Chandler; and

WHEREAS, the City of Chandler wishes to further expand the type of work currently exempted from permitting requirements under the IBC as set forth in Subsection 105.2 of the IBC and amended by Subsection 29-2.4 of Section 29-2 of Chapter 29, Code of the City of Chandler.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Chandler, Arizona, as follows:

SECTION 1: That Subsection 29-2.4 of Section 29-2 of Chapter 29, Code of the City of Chandler, is hereby deleted in its entirety and replaced with a new Subsection 29-2.4 to read as follows:

29-2.4. Subsection 105.2 of the IBC is hereby amended to read as follows:

105.2 Work exempt from permit. Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following:

Building:

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet (11 m2).
2. Fences not over 6 feet (1829 mm) high.
3. Oil derricks.
4. Retaining walls that are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or IIIA liquids.
5. Water tanks supported directly on grade if the capacity does not exceed 5,000 gallons (18 925 L) and the ratio of height to diameter or width does not exceed 2:1.
6. Sidewalks, <u>decks</u>, and driveways not more than 30 inches (762 mm)

above adjacent grade, and not over any basement or story below and are not part of an accessible route.
7. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
8. Temporary motion picture, television and theater stage sets and scenery.
9. Prefabricated swimming pools accessory to a Group R-3 occupancy that are less than 24 inches (610 mm) deep, do not exceed 5,000 gallons (18925 L) and are installed entirely above ground.
10. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.
11. Swings and other playground equipment accessory to detached one-and two-family dwellings.
12. Window awnings supported by an exterior wall that do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support of Groups R-3 and U occupancies.
13. Nonfixed and movable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches (1753 mm) in height.
14. Replacement of roof covering for R-3 occupancies where the replacement roof covering classification is equal to or greater than the existing roof classification and does not increase the loads imposed upon the structural frame.
15. Special cases allowed by the Building Official, for work of a similar nature and complexity as those items listed above.

Electrical:

Repairs and maintenance: Minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles.

Radio and television transmitting stations: The provisions of this code shall not apply to electrical equipment used for radio and television transmissions, but do apply to equipment and wiring for a power supply and the installations of towers and antennas.

Temporary testing systems: A permit shall not be required for the installation of any temporary system required for the testing or servicing of electrical equipment or apparatus.

Motors, Components and Appliances: A permit shall not be required for repair or replacement of fixed motors, transformers, or fixed approved equipment for R-3 occupancies of the same type and rating in the same location.

Overcurrent Devices: A permit shall not be required for repair or replacement of any over-current devices for R-3 occupancies [of the required capacity] in the same location.

Special cases: A permit shall not be required for special cases allowed by the Building Official for work of a similar nature and complexity as those items listed above.

Gas:

1. Portable heating appliance.
2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.
3. Replacement of gas water heating equipment, where the equipment serves a dwelling unit, where the replacement equipment is of equal or lesser BTU capacity. [Gas utility notification is required.]
4. Replacement of gas pool or spa heating equipment, serving an individual dwelling unit where the replacement equipment is of equal or lesser BTU capacity. [Gas utility notification is required.]
5. Replacement of gas air-conditioning equipment, direct vent equipment, furnaces and log lighters, serving an individual dwelling unit where the replacement equipment is of equal or lesser BTU capacity. [Gas utility notification is required.]
6. Special cases as allowed by the Building Official for work of a similar nature and complexity as those items listed above.

Mechanical:

1. Portable heating appliance.
2. Portable ventilation equipment.
3. Portable cooling unit.
4. Steam, hot or chilled water piping within any heating or cooling equipment regulated by this code.
5. Replacement of any part that does not alter its approval or make it unsafe.
6. Portable evaporative cooler.
7. Self-contained refrigeration system containing 10 pounds (5 kg) or less of refrigerant and actuated by motors of 1 horsepower (746 W) or less.
8. Replacement of evaporative coolers serving an individual dwelling unit where the replacement equipment is of equal or lesser airflow (cfm).
9. Special cases as allowed by the Building Official, for work of a similar nature and complexity as those items listed above.

Plumbing:

1. The stopping of leaks in drains, water, soil, waste or vent pipe, provided, however, that if any concealed trap, drain pipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work and a permit shall be obtained and inspection made as provided in this code.
2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.
3. Replacement of potable water conditioning or treating equipment serving individual commercial tenant spaces and individual dwelling units, where the replacement equipment is of equal or lesser treatment capacity.
4. Replacement of solar pool and spa heating equipment serving an individual dwelling unit where the replacement equipment is of equal or lesser heating capacity.
5. Replacement of electric water heating equipment serving an individual dwelling unit where the replacement equipment is of equal or lesser amperage rating.
6. Special cases as allowed by the Building Official for work of a similar nature and complexity as those items listed above.

SECTION 2: Except as otherwise provided by law or ordinance, a person convicted of a violation of a code adopted by reference in Chapter 29, Code of the City of Chandler shall be guilty of a Class 1 misdemeanor. A Class 1 misdemeanor is punishable by a fine not exceeding two thousand five hundred dollars ($2,500.00), by imprisonment for a term not exceeding six (6) months, by probation for a term not exceeding three (3) years, or by any combination thereof. A Class 2 misdemeanor is punishable by a fine not exceeding seven hundred fifty dollars ($750.00), by imprisonment for a term not exceeding four (4) months, by probation for a term not exceeding two (2) years, or by any combination thereof. A Class 3 misdemeanor is punishable by a fine not exceeding five hundred dollars ($500.00), by imprisonment for a term not exceeding thirty (30) days, by probation for a term not exceeding one (1) year, or by any combination thereof. Except as otherwise provided by law or ordinance, with respect to violations of this Code that are continuous with respect to time, each day that the violation continues is a separate offense.

INTRODUCED AND TENTATIVELY APPROVED by the City Council of the City of Chandler, Arizona, this ___ day of _____, 2012.

ATTEST:

_____ _____

CITY CLERK MAYOR

PASSED AND ADOPTED by the City Council of the City of Chandler, Arizona this _____ day of _____, 2012.

ATTEST:

_____ _____

CITY CLERK MAYOR

Approved as to form:

_____

CITY ATTORNEY

CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Ordinance No. 4360 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the _____ day of _____, 2012, and that a quorum was present thereat.

_____

CITY CLERK

Published: