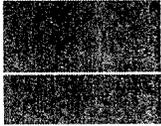


Add info # 6

JUN 13 2013



Fw: 2012 codes
Susan Moore to: CityClerkAgenda
Cc: David Bigos, Melanie Sala

06/13/2013 02:42 PM

----- Forwarded by Susan Moore/COC on 06/13/2013 02:42 PM -----

From: "Gordon Ray" <gordonray49@gmail.com>
To: <Mayor&Council@chandleraz.gov>
Date: 06/12/2013 07:57 PM
Subject: 2012 codes

FYI:

WE have been able to completely debunk every reason that the Gilbert town management had for passing the new 2012 codes into law.

Before you pass them, take a look at our web page "nonewcodes.com".

You are capable of governing yourselves.

Imagine if you could not purchase the new iPhone or the next year's car because your town's laws or codes are so restrictive they need to be re-written in order to *allow* you to purchase and make use of them. Now, hold that scowl on your brow and we will address this type of scenario again further on.

If the Gilbert Town Council passes the next set of International Code Council (ICC) construction codes you could be hearing the following phrases a lot more: You are in violation. That is unacceptable. You can't do that. You are forbidden.

You are forbidden to purchase a commercial oven. You are forbidden to use your choice of light bulb in any of your fixtures (except a lamp or two). You are forbidden to have an outlet from Home Depot that is not tamper-proof. You are even forbidden from wrapping two layers of insulation around your home at the same time. At any moment you could be in violation of a new Gilbert law and in jeopardy of losing your rights. Don't worry, though, because it is all for your own sake and good---at least that is what some out-of-state special interest group members are telling your Town Council members in order to encourage them to pass the International Construction Codes on the Town; codes which forbid Gilbert residents some very basic freedoms and choices.

Most of us don't think that International Organizations would be involved at a personal level in binding our Town under a bundle of non-local codes. What is worse is that some of our elected

council members might buy into these restricting codes if they do not hear from you. (In fact the Gilbert Town Council has passed the ICC codes on the Town in the past). But why would people from international organizations take a personal interest in Gilbert? A few Gilbert residents have raised the red flag on these intrusions on our choices and liberties, something that these organizations rarely have to deal with, and now these international bodies are being forced to pay attention.

Most towns and cities just pass these books of code as law onto their populace as if they were going out of style---and they are. In fact nearly every town and city in the state passes these codes every few years and they get worse and more restrictive every time. It is time to buck the standard of passing off our liberty like a used cigarette.

I personally would not sign a contract on a new home without having read that contract which legally binds me to its terms. I am under the impression that the town council members have this same attitude in regards to signing contracts that legally bind them as well. Yet by passing these international codes without reading and understanding them and their purpose, the council binds all Gilbert citizens into a contract of which neither the citizens nor the council they elected understand the terms. This to me would seem to be an improper use of the responsibilities entrusted to our elected officials.

This wonderful Town of Gilbert Arizona hosts the largest Constitution celebration in the entire nation, and your Town Council holds it up as a token of the Town's principles and undoubtedly as a proud label for themselves as council members. Unfortunately, for much of the council, this means very little in practice. Some council members lose courage when town management tells them that we need to pass these codes for the sake of the citizens. Others shrink when a Mr. So-and-So emails them from out of state telling them to help the Town's poor citizens out because they apparently don't know enough to help themselves.

One person, stating his name as "Jim" emailed the town council on June 3, 2013 in order to "correct" the misunderstanding that the Town might be getting from their constituents about the International Code Council (ICC). He states in part:

The International Code Council is a American non-profit organization.

If you were to open the a copy of the energy code, the IECC, you would see a diagram of the U.S., not Europe or South America, but of the U.S. This is an American code developed by government officials which could have also included your building official and inspectors...

The reason the city did not adopt the 2009 version of the code is because the home builders and the state legislature put a law in place four years ago that did not allow municipalities to adopt any newer building code during the Great Depression.

Jim argues that though light bulbs are restricted to compact fluorescent, LED, and incandescent you can still use less the bulbs you want to use in “lamps, desk lighting, piano lights, and so many more personal lighting devices”.

Jim is probably not aware, but we citizens can count. One resident, Nielsen R. reviewed the number of lamps that he had in his home versus permanent lighting such as lights in the ceiling. The ratio is 3:83. That means that these codes give us 3.6 percent freedom in what light bulbs we put in our homes. It follows that these codes restrict our freedom by 96.4 percent in this aspect!

Jim also adds:

Lastly how many items, products, services, processes is the city council experts on? I would guess very few because you allow for the experts of the city staff to do the research and provide you with the details. There is no way you as a council, or a CEO of a company, could know everything about everything... You rely on your building official and his or her staff to do the research and provide you with valid and relevant research. I believe your building official has done this and provided you with an important suggestion to upgrade to the 2012 I-Codes.

I want to thank you for your time to read this response in support of your building department and future homeowners in Gilbert who will have more durable and energy efficient homes because of these codes.

I would like to ask Jim what he thinks we elect council members for. Are they simply elected to vote how town management tells them to? Town management is not elected and therefore does not answer to the citizens of Gilbert. Our councilmembers are elected to represent their constituents and they are to answer to their constituents not to town management.

Before the revolutionary war began there was a sore issue for the colonists of taxation without representation. This was because the colonists did not have any elected members to Parliament and Parliament had implemented large tax on tea. This tax was levied without any say from the colonists. Similarly, the International Code Council has conjured up a more than 1000 page book of codes that is to be passed on us without any say or representation. The only difference is that we have a voice and a say on whether they are passed at all.

To add insult to injury the Town has been contacted personally by William D. Fay, the Executive Director of Energy Efficient Codes Coalition. Mr. Fay is located, not in Gilbert, but in Washington D.C.---you know, the place where they can't get things right. Fay writes:

---If you reject the 2012 IECC, homebuyers will simply pay much more in energy bills.

The new home will be more comfortable because of the efficiency improvements and data shows that it will have a higher resale value.

In other words, these codes are *for the sake of your constituents* . I wonder why Mr. Fay would take such a personal interest in Gilbert. What is the real reason he wants these codes to be passed by Town Council? I struggle to accept that he cares that deeply about Gilbert and how comfortable they are in their homes.

Gordon R., another concerned Gilbert citizen, wrote to town management asking why they would be pushing for the adoption of international construction codes. Kyle Mieras, the Town Manager responded with a list of reasons:

This list is not exhaustive, but gives you an idea of the importance/reasoning.

- *To be on same code cycle as the rest of Valley*
- *ISO ratings*
- *Fire Department accreditation*
- *To take advantage of new products/technology not recognized in current code*
- *To make buildings safer through the use of new products/technology*
- *To allow designers/contractors to take advantage of new prescriptive methods of building designs vs. requiring engineering*

The first reason that the Town Manager provides for adopting these international codes is to fall in line with the rest of the cities and towns around the state. The problem is that many of the towns and cities that we are trying to emulate are going bankrupt.

The second reason provided is ISO ratings. The ISO or Insurance Services office is a rating agency that was once widely used by Insurance companies to determine the insurability of a given entity, individual, or property. However, long-time resident, Gordon has debunked the myth that the town's or residents' ratings would suffer if the ICC codes are not adopted.

Many insurance companies do not even use ISO to determine rates, including companies such as State Farm and Western Mutual Insurance Group. The codes that are important to insurance ratings are life and safety codes (which Gilbert could create and adopt locally). Gordon R. called the ISO directly and spoke to the Customer Service, Public Protection and Building Code Effectiveness Grading Schedule departments. The first department had not even heard of the ICC codes. The second department had heard of the codes but had no bearing on a town's rating. And the last department said that the rating only applies to Town buildings and even then it only really looks at the natural catastrophic disasters such as floods, earthquakes and tornadoes, none of which is very common in Gilbert.

The last several reasons given by Mr. Mieras, in large part, have to do with taking advantage of new products and technology. That is how restrictive these codes are! They have to be re-written and re-adopted every two to four years because the codes do not recognize the new products and technology! Freedom would have allowed us to take advantage of new technology naturally. Once again, imagine if you could not purchase the new iPhone or the next year's car model because your town's code is so restrictive it needs to be re-written in order to *allow* you to purchase and make use of them!

Currently, the cost of permits and fees, in order to be able to pay for and enforce all of these codes, before ever breaking ground is as large as \$25,000! It does not have to be this way. If we as citizens of Gilbert think that we are smart enough to pick out the light bulbs and the outlets that we want in our homes, then it is time to email the Town Council at CouncilMembers@gilbertaz.gov and tell them that we want Gilbert to stop being hypocritical about celebrating freedom through Constitution Week and ask them to reject these international codes and replace them with local codes limited to health and life safety of Gilbert and specifically designed by Gilbert and for Gilbert. Gilbert should lead the way in the state and the nation as a government of the people, by the people, and for the people. We can lead the way in Gilbert when it comes to our freedoms!

Tamara & Quentin Gerbich
6870 S. Justin Way
Chandler, AZ 85249

May 20, 2013

To: May 20, 2013

To: Mayor Jay Tibshraeny

Vice Mayor Jack Sellers
Councilmember Rick Heumann
Councilmember Trinity Donovan
Councilmember Nora Ellen
Councilmember Kevin Hartke
Councilmember Jeff Weninger

City Planner Erik Swanson

Planning & Zoning Members

Bill Donaldson
Stephen Veitch
Matthew Pridemore
Phillip Ryan
Andrew Baron

Re: Better Horizons Behavioral Health Group Home, 2184 E. Firestone Drive, Chandler
Level 2 Special Use Permit Application

Mayor Tibshraeny, City Council Members, Planning and Zoning Department:

My husband and I are very concerned with the attempt of our neighbors to expand their current residential group home at 2184 E. Firestone Dr. from the current 5 beds to 6-10 beds. We have owned two different homes within Cooper Commons since 1999. We have always loved Chandler and decided to make this our home due to the lovely community as well as the elementary school being within walking distance for our children. With so many young children in the neighborhood, this is very disturbing that such a facility would even be allowed. When we purchased this home, we would have thought that since our HOA specifically calls for "no businesses" to be run from any residence that something like this could never happen. It should be noted, that the owner, Clarissa has not been forthcoming about the type of facility that she has been running. She had told a neighbor friend of mine, that she basically has an after care facility for mentally challenged adults. It is very troubling for me to realize that these patients are actually staying at the home overnight and for long periods of time.

The exterior of both the owners primary residence at 2204 E Firestone and their behavioral group home at 2184 E. Firestone are the two homes within the few blocks of Maracay homes that look the worst. Both homes need, paint, landscaping, window repairs, and they are constantly parking cars in front of the homes. It is my opinion that your home or car is often a direct reflection of how you conduct

yourself professionally as well. A couple weeks ago, I had the opportunity to tour the behavioral health home. I was very curious to see how they could possibly fit 5 beds, let alone, 6-10 in a 2992 square foot home. Please note, this home at 2184 E. Firestone does not have the correct square footage reflected on the tax records. It states that the home is 3359 square feet while it is actually only 2992 with the built in single car garage. I know this to be a fact, because I myself have the same model home without the bonus room (single car garage). My home is 2757 square foot. Mr. Telesphor Kamgaing purchased this home at a trustee sale on October 2010 for \$182,700 when the market was in free fall. While touring this home, I was glad to see that at least the interior of the home was in much better shape than the exterior. However, there were 2 beds in the Master Bedroom, 3 beds in the single care garage (bonus room), and another bed and office on opposite side of the home. It is my understanding that they can have up to 5 beds, however, during my tour, I definitely recalled seeing 6 beds. There were 3 men in the single car garage (bonus room) with no direct access to a bathroom. We were told that they use the bathroom clear across the other side of the home near the kitchen. There were two beds in master bedroom that the women were currently in. Those women had access to the master bathroom. There was another room that was set up as a table area and an office in a secondary bedroom. As I mentioned, I live in the same home. I have 2 kids and 2 dogs. Per their special use permit, it appears they are looking to double the occupancy. Without converting the home to bunk beds to house all of the new residence, I can't possibly understand how they could cram more beds into such a small space. I don't see how 6-10 unrelated persons could live under the same roof without an influx in the amount of crime and noise disturbances. There has already been an influx of police calls to this specific residence which prevents us as home owners from enjoying the benefits of living in South Chandler in an HOA neighborhood. Has Chandler somehow determined that running small prisons out of a residential neighborhood is somehow acceptable? The amount of cars, loud music, and visitors speeding past my home has increased exponentially. Some of the noise disturbances are coming directly from the employees that actually work at the residence. On another note, a few weeks ago I was walking my dog when I noticed that the sprinkler head was broken at the group home and water was flooding down the street. It took them over week to correct this problem. I guess with the large amount of income they are generating from this business, they do not see the urgency of taking care of problems that a residential home owner might consider important from either a financial aspect or conserving our resources.

As other neighbors may have mentioned, Better Horizon use to have a website to promote their facility. Due to the negative comments from a family member of a former patient at the facility. Those records have now been removed (not sure where those negative comments went!). During my tour, I was told by Mr. Telphor that if the patients wanted to leave the facility, then they could not stop them. I also asked Mr. Telphor, if the guests and or residence were searched for illegal substances or weapons before entering the home. The answer was yes, that they were searched. However, after the tour, I was at the home directly across the street and noticed that no search of baggage or persons was made when the resident was re-entering the home.

Some of these patients have also been seen walking the neighborhood. As a mother of elementary aged children, I no longer feel safe that my kids can even walk a block to a friends home as they would have to pass by this residence.

It is my understanding that the Special Use Permit application will be presented at the June 5th Planning and Zoning Meeting and forwarded to the Chandler City Council for a decision on June 27th. I would hope that the opinions of some of the actual residence of this community would convince you to deny this application. I do not believe for a minute that the welfare of these patients is of the highest priority for Better Horizon's. I see this as a money grab for them and a nuisance for homeowners that have to

face an increase in crime, fear and disgust. It is alarming to me that as residences, we were never told when this 5 bed Level 2 Behavioral Health Group Home was being approved. I ask you to put yourself in our position and to deny the increase in patients. If possible, we would like for them to leave all together. It seems our once beloved neighborhood has now become the "hot spot" for this type of activity. We have an elderly care facility two doors to the East of the Behavioral Health Facility and a new either elderly or adult facility trying to get a permit 3 or 4 doors to the West. That would make 3 facilities (non-owner occupied) businesses on the same street. With the number of commercial vacancies in the South Chandler area, there must be a better option than to have this type of facility within a residence neighborhood. As concerned citizens and neighbors, we would like to see actual owners (families) move into homes rather than businesses. I am a realtor and this will definitely affect the value of our homes. We would hope that you would treat this matter as if it were happening in your neighborhood.

Sincerely,

Tamara and Quentin Gerbich

Add Info #6
June 13, 2013



ESTABLISHED 1951

June 10, 2013

SENT VIA EMAIL

Dave Nakagawara
Building Official
Transportation and Development Department
City of Chandler
Mail Stop 401
Post Office Box 4008
Chandler, AZ 85244-4008

Re: Building Code Update

Dear Mr. Nakagawara:

Thank you very much for the opportunity to meet with you over the course of the past several months to discuss the 2012 building code adoption. The Home Builders Association of Central Arizona ("HBACA") is very appreciative of the City's effort to include the HBACA and other interested parties in the code adoption process and the willingness to engage in open and thoughtful dialogue regarding the code adoption and our proposed amendments.

From our first meeting in January 2013 through the public hearing at the Board of Appeals, the HBACA has consistently expressed concern about the increase in the cost of construction attributable to the 2012 codes, particularly the International Energy Conservation Code. However, we believe that the proposed amendments the City has included in the code adoption package will mitigate some of these concerns. Therefore, the HBACA supports the amendments as proposed in the adoption package.

On behalf of the home builders in Chandler, thank you again for the opportunity to meet and discuss the code adoption package. Please feel free to contact me directly with any questions or concerns.

Very truly yours,

A handwritten signature in black ink that reads "Jackson D. Moll". The signature is written in a cursive, flowing style.

Jackson D. Moll
Deputy Director of Municipal Affairs
Home Builders Association of Central Arizona



P.O. Box 52025
Phoenix, AZ 85072-2025
(602) 236-5900
www.srpnet.com

May 7, 2013

Dave Nakagawara, CBO, Building Official
Development Services – Mail Stop 401
The City of Chandler
P.O.Box 4008
Chandler, Arizona 85244-4008

RE: Adoption of the 2012 I Codes

Mr. Dave Nakagawara:

SRP supports your efforts to adopt the most recent edition of the Building and Energy Codes as well as your efforts to encourage design and building techniques that reduce energy consumption thereby saving Chandler's businesses and residents money. It makes good business sense for the City to encourage building practices that protect the infrastructure of Chandler. SRP's mission of providing reliable and reasonably priced electricity relies upon efforts such as this to assure our ability to meet future and current power demands.

Building Energy Codes are the most cost effective method of obtaining energy efficiency. SRP supports the adoption of the 2012 International Energy Conservation Code as a means to obtain reduced demand on your infrastructure and our generation facilities. The construction costs associated with building additional generation facilities will be born by all of us; all of us can contribute to postponing that work, allowing American ingenuity time to develop the next great energy generating resource. Currently SRP obtains power from many types of generation facilities: hydro, nuclear, natural gas, wind, geothermal, solar, landfill gas, biomass, and fuel cell technology. In 2012 we met 9% of power demand with sustainable resources.

SRP supports the right of the City to define their own future, and determine what is best for the City of Chandler. We believe that the ICC family of codes supports reasonable minimum standards for safe and energy efficient construction. Even small business owners, who often borrow money against their homes to start their businesses, can benefit from construction practices that banks and insurance companies recognize as safeguarding the health and welfare of the public.

During the past few years, SRP has introduced more than 25 energy efficiency programs that have supported a movement in the market resulting in better built, more energy efficient homes and businesses. We support and encourage your adoption of the 2012 IECC as a means to continue this trend, saving your residents and business money in the most cost effective way.

If we can be of any support, including providing training and additional code books, please let us know.

Sincerely,

A handwritten signature in black ink, appearing to read "Sharon Bonesteel", is written over a horizontal line.

Sharon Bonesteel, RA, CBO, CP
Senior Policy Analyst – Codes & Standards Initiative
Office 602-236-4498, Cell 602-814-7357





MEMORANDUM Transportation & Development Department – Memo No. TDA13-092

DATE: JUNE 13, 2013
TO: MAYOR AND COUNCIL
THRU: RICH DLUGAS, CITY MANAGER *RD*
MARSHA REED, ASSISTANT CITY MANAGER *MR*
R.J. ZEDER, TRANSPORTATION & DEVELOPMENT DIRECTOR *RJZ*
FROM: DAVE NAKAGAWARA, BUILDING OFFICIAL *DN*
SUBJECT: ORDINANCE NO. 4452, APPROVING ADOPTION OF AMENDMENTS AND CHANGES TO CHAPTER 29, CODE OF THE CITY OF CHANDLER

RECOMMENDATION: Staff recommends introduction and tentative approval of Ordinance No. 4452, adopting amendments and changes to Chapter 29, Code of the City of Chandler.

BACKGROUND/DISCUSSION: The 2012 editions of the International Code Council series of codes are being adopted in lieu of the current 2009 editions. The 2012 International Building Code, International Residential Code, International Mechanical Code, International Plumbing Code, International Energy Conservation Code, International Fuel Gas Code, and International Existing Building Code are replacing the older editions. In addition, this ordinance adopts the 2011 National Electrical Code.

The 2012 versions of the International Codes allow for more flexibility in design and construction (e.g. gray water systems) and address safety concerns for newer or growing technology such as photovoltaic solar power systems. The new International Energy Conservation Code has been reported to result in a 15% increase in energy efficiency when compared to the 2009 version of the energy code. Amendments are being proposed within the ordinance to create more flexibility for the builder or designer in complying with this code.

Chapter 29 of the City Code contains the building safety provisions. This chapter is being restructured and renumbered in addition to adopting the current 2012 codes.

Chapter 51 of the City Code addresses pretreatment of wastes prior to entering the wastewater system. It is being revised by referencing the most current version of the International Plumbing Code, the 2012 edition.

June 13, 2013

As with past code adoptions, these codes were sent to the Board of Appeals for review and comment at four public Board of Appeals meetings held this year. Participation and input has been received throughout the process by key stakeholder groups, such as the Homebuilders of Central Arizona (HBACA), Arizona Multihousing Association and the Salt River Project. The Board approved the adoption of these codes with amendments on May 17, 2013. Several Valley cities have already adopted the 2012 International Code Council Series. In addition, there has been a comprehensive review of the changes by staff.

FINANCIAL IMPLICATIONS: It is difficult to assess the financial impact associated with the adoption of the new building codes because there are so many different types of construction, occupancies, design choices, and code compliance paths. However, the 2012 International Energy Code will result in increases in construction costs averaging \$1500-\$2000 per home (for average new home construction) according to a 2012 study by the Pacific Northwest National Laboratory. The same study shows that the additional costs associated with the new code will be offset by annual savings in energy consumption with a simple payback period of three years for a typical case in the study.

PROPOSED MOTION: Move City Council tentatively approve Ordinance No. 4452, adopting the amendments and changes to Chapter 29, Code of the City of Chandler.

Attachments: Ordinance No. 4452

ORDINANCE NO. 4452

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, ADOPTING UPDATED VERSIONS OF PREVIOUSLY ADOPTED CODES RELATING TO BUILDING REGULATIONS PURSUANT TO CHAPTER 29, CODE OF THE CITY OF CHANDLER, AMENDING CHAPTER 29, CODE OF THE CITY OF CHANDLER, BY UPDATING THE PROVISIONS INCLUDED THEREIN AND AMENDING SECTION 51-25 OF CHAPTER 51, CODE OF THE CITY OF CHANDLER, TO REFLECT THE ADOPTION OF THE INTERNATIONAL PLUMBING CODE, 2012 EDITION.

WHEREAS, the City of Chandler believes it to be prudent to adopt the updated editions of certain codes previously adopted by reference and to otherwise update the provisions set forth in Chapters 29 and 51, 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, effective August 1, 2013, those documents identified below, three (3) copies of each to remain on file in the office of the City Clerk, each are hereby adopted by reference, with the additions, insertions, deletions and changes set forth herein and each are hereby declared to be a public record.

- A. International Building Code, 2012 edition.
- B. National Electrical Code, 2011 edition.
- C. International Plumbing Code, 2012 edition.
- D. International Mechanical Code, 2012 edition.
- E. International Residential Code, 2012 edition.
- F. International Fuel Gas Code, 2012 edition.
- G. International Energy Conservation Code, 2012 edition.
- H. International Existing Building Code, 2012 edition.
- I. 40 Code of Federal Regulations, Part 60, Subpart AAA as in effect on July 1, 1990.

SECTION 2: That, effective August 1, 2013, Article II of Chapter 29, Code of the City of Chandler is hereby amended to read as follows:

ARTICLE II. INTERNATIONAL BUILDING CODE.

29-2. International Building Code adopted.

That certain code designated and known as the "International Building Code," 2012 edition (IBC), inclusive of Appendix C thereto, three (3) copies of which are on file in the office of the

City Clerk, is hereby adopted by reference and made a part hereof as is fully set out in this Chapter with the additions, insertions, deletions and changes set forth herein.

Amend Section 29-2.4 to read as follows:

29-2.4. Section 105.2 of the IBC is hereby deleted in its entirety and replaced with a new Section 105.2 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.
2. Fences not over 6 feet high.
3. Oil derricks.
4. Retaining walls that are not over 4 feet 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 and the ratio of height to diameter or width does not exceed 2:1.
6. Sidewalks, decks and driveways not more than 30 inches 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 deep, do not exceed 5,000 gallons 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 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 in height.
14. Replacement of a roof cover of a R-3 occupancy where the replacement roof covering classification is equal to or greater than the existing roof covering classification and does not increase the loads 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, Overcurrent Devices and Equipment: A permit shall not be required for repair or replacement of motors, transformers, overcurrent devices or equipment affixed to a Group R-3 occupancy where the replaced or repaired equipment is of the same rating as the existing equipment, is placed in the same location as the existing equipment and is labeled as defined in this code.

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 affixed to a Group R-3 occupancy where the replacement equipment is of equal or lesser BTU capacity and is placed in the same location as the existing equipment.
4. Replacement of gas pool or spa heating equipment serving a Group R-3 occupancy where the replacement equipment is of equal or lesser BTU capacity and is placed in the same location as the existing equipment.
5. Replacement of gas air-conditioning equipment, direct vent equipment, furnaces and log lighters affixed to a Group R-3 occupancy where the replacement equipment is of equal or lesser BTU capacity and is placed in the same location as existing equipment.
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 or less of refrigerant and actuated by motors of 1 horsepower or less.

8. Replacement of evaporative coolers affixed to a Group R-3 occupancy where the replacement equipment is of equal or lesser airflow (cfm) and is placed in the same location as the existing evaporative cooler.
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 water conditioning or treating equipment affixed to Group R-3 occupancy where the replacement equipment is of equal or lesser treatment capacity and is placed in the same location as the existing equipment.
4. Replacement of solar pool and spa heating equipment serving a Group R-3 occupancy where the replacement equipment is of equal or lesser heating capacity and is placed in the same location as the existing equipment
5. Replacement of electric water heating equipment affixed to a Group R-3 occupancy where the replacement equipment is of equal or lesser amperage rating and is placed in the same location as the existing equipment.
6. Special cases as allowed by the Building Official for work of a similar nature and complexity as those items listed above.

Amend Section 29-2.10 to read as follows:

29-2.10. Subsection 1604.4 of the IBC, entitled "Analysis" is hereby amended by adding a new sentence to the end of the last paragraph of such subsection to read as follows:

Additionally, all buildings, structures and parts thereof shall be designed and constructed to resist the wind load effects of a three (3) second wind gust with a wind speed of ninety (90) miles per hour, exposure B.

SECTION 3. That, effective August 1, 2013, Article III of Chapter 29, Code of the City of Chandler, is hereby amended to read as follows:

ARTICLE III. NATIONAL ELECTRICAL CODE

29-3. National Electrical Code adopted.

That certain code designated and known as the "National Electrical Code," 2011 Edition (NEC), three (3) copies of which are on file in the office of the City Clerk, is hereby adopted by reference and made a part hereof as if fully set out in this Chapter.

SECTION 4. That, effective August 1, 2013, Article IV of Chapter 29, Code of the City of Chandler, is hereby amended to read as follows:

ARTICLE IV. INTERNATIONAL PLUMBING CODE.

29-4. International Plumbing Code adopted.

That certain code designated and known as the "International Plumbing Code," 2012 Edition (IPC), inclusive of Appendices B and E thereof, three (3) copies of which are on file in the office of the City Clerk, is hereby adopted by reference and made a part hereof as if fully set out in this Chapter with the additions, insertions, deletions and changes set forth herein.

SECTION 5. That, effective August 1, 2013, Article V of Chapter 29, Code of the City of Chandler, is hereby amended to read as follows:

ARTICLE V. INTERNATIONAL MECHANICAL CODE.

29-5. International Mechanical Code adopted.

That certain code designated and known as the "International Mechanical Code," 2012 Edition (IMC), three (3) copies of which are on file in the office of the City Clerk, is hereby adopted by reference and made a part hereof as if fully set out in this Chapter with the additions, insertions, deletions and changes set forth herein.

SECTION 6. That, effective August 1, 2013, Article VI of Chapter 29, Code of the City of Chandler, is hereby amended to read as follows:

ARTICLE VI. INTERNATIONAL RESIDENTIAL CODE.

29-6. International Residential Code adopted.

That certain code designated and known as the "International Residential Code," 2012 Edition (IRC), three (3) copies of which are on file in the office of the City Clerk, is hereby adopted by reference and made a part hereof as if fully set out in this Chapter with the additions, insertions, deletions and changes set forth herein.

Amend Section 29-6 by adding new Sections 29-6.4 through 29-6.7 as follows:

29.6.4 Chapter 11 of the IRC is amended by adding a new Section N1101.15.1 as follows:

N1101.15.1 Alternative approach for compliance. A Home Energy Rating System ("HERS") Index of 73 or less, confirmed in writing by a Residential Energy Services Network certified

energy rater may be used in place of the approach described in section N1101.15 above. Compliance may be demonstrated by use of sampling in accordance with Chapter 6 of the Mortgage Industry National Home Energy Rating Systems Standard as adopted by the Residential Energy Services Network.

29.6.5 Chapter 11 of the IRC is amended by adding a new Section N1101.17 to read as follows:

N1101.17 Testing. All mandatory compliance testing and inspections required by this chapter shall be conducted in accordance with Chapter 8 of the Mortgage Industry National Home Energy Rating Standards as adopted by the Residential Energy Services Network. Compliance with mandatory testing may be demonstrated through the use of sampling in accordance with Chapter 6 of the Mortgage Industry National Home Energy Rating Standards as adopted by the Residential Energy Services Network.

29.6.6 Section N1103.2.1 is hereby deleted in its entirety and replaced with a new Section N1103.2.1 to read as follows:

N1103.2.1 Insulation (Prescriptive). Supply ducts in attics shall be insulated to a minimum of R-8. Ducts in floor trusses shall be insulated to a minimum of R-6.

Exceptions:

1. Ducts or portions thereof located completely inside the building thermal envelope.
2. Supply ducts may be insulated to a minimum of R-6 when one or more of the following conditions are met:
 - 2.1. Minimum SEER rating of space heating/cooling system is increased to 15
 - 2.2. Maximum U-factor is decreased to 0.35 and maximum SHGC is decreased to 0.22 for all fenestration products.
 - 2.3. Wall cavity insulation minimum R-value is increased to R-19.
 - 2.4. Residential buildings that meet the requirements of sections N1103.1.1, N1101.15.1 or N1104.
 - 2.5 Residential buildings with attic radiant barriers in accordance with ASTM C1313, installed in accordance with ASTM C1743.

29.6.7 Section N1103.2.2.1 shall be deleted in its entirety.

SECTION 7. That, effective August 1, 2013, Article VII of Chapter 29, Code of the City of Chandler, is hereby amended to read as follows:

ARTICLE VII. INTERNATIONAL FUEL GAS CODE.

29-7. International Fuel Gas Code adopted.

That certain code designated and known as the "International Fuel Gas Code," 2012 Edition (IFGC), three (3) copies of which are on file in the office of the City Clerk, is hereby adopted by

reference and made a part hereof as if fully set out in this Chapter with the additions, insertions, deletions and changes set forth herein.

SECTION 8. That, effective August 1, 2013, Article VIII of Chapter 29, Code of the City of Chandler, is hereby amended to read as follows:

ARTICLE VIII. INTERNATIONAL ENERGY CONSERVATION CODE.

29-8. International Energy Conservation Code adopted.

That certain code designated and known as the "International Energy Conservation Code," 2012 Edition (IECC), three (3) copies of which are on file in the office of the City Clerk, is hereby adopted by reference and made a part hereof as if fully set out in this Chapter with the additions, insertions, deletions and changes set forth herein.

Amend Section 29-8 by deleting Section 29-8.1 and replacing it with the following:

29-8.1. Section C101.2 of the IECC, entitled "Scope" is hereby amended by adding the following sentence:

Group R-2 when defined as a Commercial Building by section C202, shall have the option of complying under the Residential Provisions of the code, regardless of height. Once defined as such on the submittal documents, all components of the Residential Provisions shall be followed.

Amend Section 29-8 by deleting Section 29-8.2 and replacing it with the following:

29-8.2 Section C107.2 of the IECC entitled "Schedule of permit fees" is hereby deleted in its entirety and replaced with a new Section C107.2 to read as follows:

C107.2. Schedule of permit fees. Permit fees, if any, shall be adopted by the City by resolution.

Amend Section 29-8 by adding Sections 29-8.3 through 29-8.10 as follows:

29-8.3 Section C108 entitled "Stop Work Order" and Section C109 entitled "Board of Appeals" of the IECC are hereby deleted in their entirety and Section Numbers C108 and C109 are hereby reserved.

29-8.4 Section R101.2 "Scope" is hereby amended by adding the following sentence:

Group R-2 when defined as a Commercial Building by section C202, shall have the option of complying under the Residential Provisions of the code, regardless of height. Once defined as such on the submittal documents, all components of the Residential Provisions shall be followed.

29-8.5 Section R107.2 of the IECC entitled "Schedule of permit fees" is hereby deleted in its entirety and replaced with a new Section R107.2 to read as follows:

R107.2. Schedule of permit fees. Permit fees, if any, shall be adopted by the City by resolution.

29-8.6 Section R108 entitled "Stop Work Order" and Section R109 entitled "Board of Appeals" of the IECC are hereby deleted in their entirety and Section Numbers R108 and R109 are hereby reserved.

29-8.7 Chapter 4 [RE] of the IECC is amended by adding a new Section R401.2.1 as follows:

R401.2.1 Alternative approach for compliance. A Home Energy Rating System ("HERS") Index of 73 or less, confirmed in writing by a Residential Energy Services Network certified energy rater may be used in place of the approach described in section R401.2 above. Compliance may be demonstrated by use of sampling in accordance with Chapter 6 of the Mortgage Industry National Home Energy Rating Systems Standard as adopted by the Residential Energy Services Network.

29-8.8 Chapter 4 [RE] of the IRC is amended by adding a new Section R401.4 to read as follows:

R401.4 Testing. All mandatory compliance testing and inspections required by this chapter shall be conducted in accordance with Chapter 8 of the Mortgage Industry National Home Energy Rating Standards as adopted by the Residential Energy Services Network. Compliance with mandatory testing may be demonstrated through the use of sampling in accordance with Chapter 6 of the Mortgage Industry National Home Energy Rating Standards as adopted by the Residential Energy Services Network.

29-8.9 Section R403.2.1 is hereby deleted in its entirety and replaced with a new Section R403.2.1 to read as follows:

R403.2.1 Insulation (Prescriptive). Supply ducts in attics shall be insulated to a minimum of R-8. Ducts in floor trusses shall be insulated to a minimum of R-6.

Exceptions:

1. Ducts or portions thereof located completely inside the building thermal envelope.
2. Supply ducts may be insulated to a minimum of R-6 when one or more of the following conditions are met:
 - 2.1. Minimum SEER rating of space heating/cooling system is increased to 15
 - 2.2. Maximum U-factor is decreased to 0.35 and maximum SHGC is decreased to 0.22 for all fenestration products.
 - 2.3. Wall cavity insulation minimum R-value is increased to R-19.
 - 2.4. Residential buildings that meet the requirements of sections R103.1.1, R401.2.1 or R404.
 - 2.5. Residential buildings with attic radiant barriers in accordance with ASTM C1313, installed in accordance with ASTM C1743.

29.8.10 Section R403.2.2.1 shall be deleted in its entirety.

SECTION 9: That, effective August 1, 2013, Article IX is of Chapter 29, Code of the City of Chandler, is hereby amended to read as follows:

ARTICLE IX. INTERNATIONAL EXISTING BUILDING CODE.

29-9. International Existing Building Code adopted.

That certain code designated and known as the "International Existing Building Code", 2012 Edition (IEBC), three copies of which are on file in the office of the City Clerk, is hereby adopted by reference and made a part hereof as if fully set out in this Chapter with the additions, insertions, deletions and changes set forth herein.

Amend Section 29-9.1 to read as follows:

29-9.1. Section 105.2 of the IEBC is hereby deleted in its entirety and replaced with a new Section 105.2 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.
2. Fences not over 6 feet high.
3. Oil derricks.
4. Retaining walls that are not over 4 feet 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 and the ratio of height to diameter or width does not exceed 2:1.
6. Sidewalks, decks and driveways not more than 30 inches 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 deep, do not exceed 5,000 gallons 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 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 in height.
14. Replacement of a roof cover of a R-3 occupancy where the replacement roof covering classification is equal to or greater than the existing roof covering classification and does not increase the loads 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, Overcurrent Devices and Equipment: A permit shall not be required for repair or replacement of motors, transformers, overcurrent devices or equipment affixed to a Group R-3 occupancy where the replaced or repaired equipment is of the same rating as the existing equipment, is placed in the same location as the existing equipment and is labeled as defined in this code.

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 affixed to a Group R-3 occupancy where the replacement equipment is of equal or lesser BTU capacity and is placed in the same location as the existing equipment.
4. Replacement of gas pool or spa heating equipment serving a Group R-3 occupancy where the replacement equipment is of equal or lesser BTU capacity and is placed in the same location as the existing equipment.
5. Replacement of gas air-conditioning equipment, direct vent equipment, furnaces and log lighters affixed to a Group R-3 occupancy where the replacement equipment is of equal or lesser BTU capacity and is placed in the same location as existing equipment.

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 or less of refrigerant and actuated by motors of 1 horsepower or less.
8. Replacement of evaporative coolers affixed to a Group R-3 occupancy where the replacement equipment is of equal or lesser airflow (cfm) and is placed in the same location as the existing evaporative cooler.
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 water conditioning or treating equipment affixed to Group R-3 occupancy where the replacement equipment is of equal or lesser treatment capacity and is placed in the same location as the existing equipment.
4. Replacement of solar pool and spa heating equipment serving a Group R-3 occupancy where the replacement equipment is of equal or lesser heating capacity and is placed in the same location as the existing equipment
5. Replacement of electric water heating equipment affixed to a Group R-3 occupancy where the replacement equipment is of equal or lesser amperage rating and is placed in the same location as the existing equipment.
6. Special cases as allowed by the Building Official for work of a similar nature and complexity as those items listed above.

SECTION 10. That, effective August 1, 2013, Section 51-25 of Chapter 51, Code of the City of Chandler is hereby amended to read as follows:

51-25. Enforcement responsibility for industrial/commercial interceptor/separator requirements.
It shall be the responsibility of the building official to enforce provisions relating to grease, sand

and oil interceptors as required in Chapter 10 of the 2012 International Plumbing Code, which has been adopted by reference pursuant to Section 29-4 of this Code.

INTRODUCED AND TENTATIVELY APPROVED by the City Council of the City of Chandler, Arizona, this ___ day of _____, 2013.

ATTEST:

CITY CLERK

MAYOR

PASSED AND ADOPTED by the City Council of the City of Chandler, Arizona this ____ day of _____, 2013.

ATTEST:

CITY CLERK

MAYOR

Approved as to form:

CITY ATTORNEY (KB)