

## ORDINANCE NO. 4700

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, AMENDING CHAPTER 29 OF THE CODE OF THE CITY OF CHANDLER BY ADOPTING THE 2015 EDITION OF THE INTERNATIONAL BUILDING CODE AS UPDATED AND AMENDED AND ADOPTING PREVIOUSLY ADOPTED CODES RELATING TO BUILDING REGULATIONS BY UPDATING THE PROVISIONS INCLUDED THEREIN AND ADDING A NEW ARTICLE TO CHAPTER 29 OF THE CODE OF THE CITY OF CHANDLER ENTITLED INTERNATIONAL SWIMMING POOL AND SPA CODE AND AMENDING SECTION 29-10 OF CHAPTER 29, CODE OF THE CITY OF CHANDLER, TO REFLECT THE ADOPTION AND AMENDMENT OF THE 2015 EDITION OF THE INTERNATIONAL SWIMMING POOL AND SPA CODE.

WHEREAS, Chapter 29 of the Code of the City of Chandler provides that the City of Chandler, Arizona has adopted the 2012 edition of the International Building Code, subject to specified amendments thereto as set forth in Chapter 29 of the Code of the City of Chandler; and

WHEREAS, the City of Chandler Development Services Division believes it to be prudent to adopt the 2015 edition of the International Building Code and to clarify and amend the provisions to the International Building Code that are presently set forth in Chapter 29 of the Code of the City of Chandler; and

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, 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 July 1, 2016, those documents identified below, one (1) paper copy and one (1) electronic copy of each which are 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, 2015 edition.
- B. National Electrical Code, 2014 edition.
- C. International Plumbing Code, 2015 edition.
- D. International Mechanical Code, 2015 edition.
- E. International Residential Code, 2015 edition.
- F. International Fuel Gas Code, 2015 edition.
- G. International Energy Conservation Code, 2015 edition.
- H. International Existing Building Code, 2015 edition.
- I. International Swimming Pool and Spa Code, 2015 edition.

SECTION 2: That, effective July 1, 2016, Article II of Chapter 29, Code of the City of Chandler is hereby deleted in its entirety and replaced with a new Article II of Chapter 29 to read as follows:

## **ARTICLE II. INTERNATIONAL BUILDING CODE.**

### **29-2. - International Building Code adopted.**

The City Council of Chandler adopts by reference the International Building Code, 2015 edition, ("IBC") and incorporates it herein as if fully set out in this Article II of Chapter 29 with the additions, insertions, deletions and changes set forth herein. The term "code" or "IBC" without further description when used in the portions of the IBC which are not amended and in this Article II of Chapter 29 shall mean the IBC as amended herein by the additions, insertions, deletions and changes set forth and adopted herein. Whenever the code refers to other publications of the International Code Council, which have been adopted by the City, such references shall be to the version of the publications as amended by the City.

29-2.1. Subsection 101.1 "Title" is hereby amended by inserting The City of Chandler, Arizona as Name of Jurisdiction.

29.2.3. Subsection 101.4.4 "Property Maintenance" is deleted in its entirety.

29-2.4. Subsection 102.2 "Other laws" is hereby amended by adding the following provisions to the end thereof:

Additionally, the building official will enforce the provisions of such other laws when mandated by state or federal law.

29-2.5. Subsection 102.6 "Existing Structures" is hereby amended by deleting reference to the International Property maintenance Code.

29-2.6. Subsection 102.6.2 "Buildings previously occupied" is hereby amended by deleting reference to the International Property maintenance Code.

29-2.7. Subsection 103.3 "Deputies" is hereby amended by deleting the last sentence thereof.

29-2.8. Subsection 105.1.1 "Annual permit" is hereby deleted in its entirety and replaced with a new subsection 105.1.1 as follows:

*105.1.1 Annual permit.* The building official is authorized to establish a policy outlining the scope of work and other restrictions for issuing an annual permit for alterations to a previously approved premise in lieu of requiring individual permits for each alteration.

29-2.9. Subsection 105.2 "Work exempt from permit" "Building" is hereby amended by deleting item 1 in its entirety and replacing it with a new item 1 as follows:

1. One-story detached accessory structures, provided that the floor area does not exceed 120 square feet (11.15 m<sup>2</sup>) and the height measured at the highest point does not exceed 7 feet (2134 mm).

29-2.10. Subsection 105.2 "Work exempt from permit" "Building" item 9 is hereby amended by replacing "24 inches (610mm)" with "18 inches (457mm)".

29-2.11. Subsection 105.2 "Work exempt from permit" is hereby amended by adding items to each work category as follows:

*Building:*

14. Replacement of a roof cover on Group R-3 or U occupancies 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:*

*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:*

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:*

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:*

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.

29-2-12. Subsection 109.2 "Schedule of Permit Fees" is hereby deleted in its entirety and replaced with a new Subsection 109.2 to read as follows:

*109.2. Permit Fees.* Permit fees, if any, shall be adopted by the City by resolution.

29-2-13. Section 111 "Certificate of Occupancy" is hereby amended by adding a new Subsection 111.5 to read as follows:

*111.5 Certificate of Completion.* A Certificate of Completion may be issued at completion of permitted work when:

- a. The work authorized does not change the scope of an existing certificate of occupancy or;
- b. the work authorized does not result in a building ready for occupancy.

A Certificate of Completion alone shall not authorize occupancy of a building.

29-2-14. Section 113, "Board of Appeals", Section 114, "Violations", and Section 115, "Stop Work Order" are hereby deleted in their entirety and Section numbers 113, 114 and 115 are hereby reserved.

29-2-15. Section 116 "Unsafe Structures and Equipment", is hereby amended by deleting Subsection 116.5 "Restoration" in its entirety and adding new subsections 116.5 through 116.11 to read as follows:

*116.5. Recordation of Notice.* If compliance with the notice is not satisfied within the time specified therein, and no appeal has been properly and timely filed, the building official shall file in the office of the county recorder a certificate describing the property and certifying (i) that the building is a dangerous building and (ii) that the owner has been so notified. Whenever the corrections ordered shall thereafter

have been completed, or the building demolished so that it no longer exists as an unsafe building on the property described in the certificate, the building official shall file a new certificate with the county recorder certifying that the building has been demolished or all required corrections have been made so that the building is no longer unsafe, whichever is appropriate.

*116.6 Repair, Vacation and Demolition.* The following standards shall be followed by the building official (and by the board of appeals if an appeal is taken) in ordering the repair, vacation or demolition of any unsafe building or structure:

1. Any building declared as an unsafe building under this code shall be made to comply with one (1) of the following:
  - (a) The building shall be repaired in accordance with this code; or
  - (b) The building shall be demolished at the option of the building owner; or
  - (c) If the building does not constitute an immediate danger to the life, limb, property or safety of the public it may be vacated, secured and maintained against entry.
2. The structure or equipment determined to be unsafe by the building official is permitted to be restored to a safe condition. To the extent that repairs, alterations or additions are made or a change of occupancy occurs during the restoration of the structure, such repairs, alterations, additions or change of occupancy shall comply with the requirements of Section 105.2.2 and Chapter 34.
3. If the building or structure is in such condition as to make it immediately dangerous to the life, limb, property or safety of the public or its occupants, it shall be ordered to be vacated.

*116.7. Notice to Vacate.* Every notice to vacate shall, in addition to being served as provided in subsection 116.3, be posted at or upon each exit of the building and shall be in substantially the following form:

DO NOT ENTER

UNSAFE TO OCCUPY

It is a misdemeanor to occupy this building, or to remove or deface this notice.

Building Official

..... of .....

Whenever such notice is posted, the building official shall include a notification thereof in the notice issued under subsection 116.3, reciting the emergency and specifying the conditions which necessitate the posting. No person shall remain in or enter any building which has been posted, except that entry may be made to repair, demolish or remove such building under permit. No person shall remove or deface any such notice after it is posted until the required

repairs, demolition or removal have been completed and a certificate of occupancy issued pursuant to the provisions of this code.

**116.8. Failure to Commence Work.** Whenever the repair or demolition is not commenced within thirty (30) days after any final notice or order issued under this code becomes effective:

1. The building official shall cause the building described in such notice and order to be vacated by posting at each entrance thereto a notice reading:

**DANGEROUS BUILDING**

**DO NOT OCCUPY**

It is a misdemeanor to occupy this building, or to remove or deface this notice.

Building Official

..... of .....

2. No person shall occupy any building which has been posted as specified in this section. No person shall remove or deface any such notice so posted until the repairs, demolition or removal ordered by the building official have been completed and a Certificate of Occupancy issued pursuant to the provisions of this code.

3. The building official may, in addition to any other remedy herein provided, cause the building to be repaired to the extent necessary to correct the conditions which render the building unsafe as set forth in the notice; or, if the notice required demolition, to cause the building to be sold and demolished or demolished and the materials, rubble and debris therefrom removed and the lot cleaned. Any such repair or demolition work shall be accomplished and the cost thereof paid and recovered in the manner hereinafter provided in this code. Any surplus realized from the sale of any such building, or from the demolition thereof, over and above the cost of demolition and of cleaning the lot, shall be paid over to the person or persons lawfully entitled thereto.

**116.9. Extension of Time to Perform Work.** Upon receipt of an application from the person required to conform to the notice and by agreement of such person to comply with the notice if allowed additional time, the building official may grant an extension of time, not to exceed an additional one hundred twenty (120) days, within which to complete said repair, rehabilitation or demolition, if the building official determines that such an extension of time will not create or perpetuate a situation imminently dangerous to life or property. The building official's authority to extend time is limited to the physical repair, rehabilitation or demolition of the premises and will not in any way affect the time to appeal the notice.

**116.10 Interference with Repair or Demolition Work Prohibited.** No person shall obstruct, impede or interfere with any officer, employee, contractor or authorized representative of this jurisdiction or with any person who owns or hold any estate or interest in any building which has been ordered repaired, vacated or

demolished under the provisions of this code; or with any person to whom such building has been lawfully sold pursuant to the provisions of this code, whenever such officer, employee, contractor or authorized representative of this jurisdiction, person having an interest or estate in such building or structure, or purchaser is engaged in the work of repairing, vacating and repairing, or demolishing any such building, pursuant to the provisions of this code, or in performing any necessary act preliminary to or incidental to such work or authorized or directed pursuant to this code.

*116.11. Abatement and Cost Recovery.* Unless timely appealed to the board of appeals, a notice issued pursuant to subsection 116.3 shall constitute a final abatement order. The failure to comply with the terms of such notice, in addition to constituting a violation of the Code of the City of Chandler, shall permit the City to institute the abatement and cost recovery provisions set forth in Section 26-11, Code of the City of Chandler.

29-2.16. Chapter 1 is hereby amended by adding a new Section 117 to read as follows:

*Section 117. Fireplaces.*

*117.1. Fireplace standards adopted.* Notwithstanding any code provision to the contrary, it shall be unlawful for anyone to construct, install, convert or alter any fireplace, stove or any other recreational or aesthetic solid fuel burning devise unless such device and its installation is certified by a nationally recognized testing agency as satisfying the requirements of 40 Code of Federal Regulations, Part 60, Subpart AAA as in effect on July 1, 1990.

29-2-17. Section 903 "Automatic Sprinkler Systems" is hereby amended by deleting Sections 903.2 through 903.2.10 in their entirety, reserving Section Number 903.2.10 and adding new Sections 903.2 through 903.2.9 to read as follows:

*903.2. Where required.* Subject to the exceptions set forth herein, approved automatic sprinkler systems shall be provided in the locations within the City described in this Section. Installation of fire sprinkler systems shall be performed by an Arizona licensed fire protection contractor.

*Exceptions:*

1) An automatic sprinkler system is not required for spaces or areas in telecommunications buildings used exclusively for telecommunications equipment, associated electrical power distribution equipment, batteries and standby engines, provided those spaces or areas are equipped throughout with an automatic smoke detection system in accordance with Section 907.2 and are separated from the remainder of the building by not less than 1-hour fire barriers constructed in accordance with Section 707 of the International Building Code or not less than 2-hour horizontal assemblies constructed in accordance with Section 711 of the International Building Code, or both.

2) An automatic sprinkler system is not required for buildings or structures which were constructed and in use prior to September 11, 1996 and for which a change in use or

occupancy of any structure has not occurred as set forth in Section 102.3. Any change in use or occupancy of these buildings shall refer to the 2015 International Existing Building Code to determine if fire sprinklers will be required with the change.

3) In addition to the general authority granted to the fire code official pursuant to Section 104.9, the fire code official shall have discretion to exempt other facilities from automatic sprinkler system requirements where the size, intended use, and extent of use of the facility does not warrant the installation of fire sprinklers and alternate methods to secure public safety are provided. Such other facilities may include, but are not limited to:

(1) Enclosed structures which are less than three thousand (3,000) square feet in size, at least fifty (50) percent open on the sides and used to protect humans, animals, or property from the sun or elements.

(2) Structures which are less than three hundred (300) square feet in size used to monitor access to a larger facility, site, or area.

(3) Structures temporarily used for a period not to exceed two (2) years for onsite storage or maintenance purposes provided that the structure is not used for Group A, E, F, H or I occupancies.

**903.2.1 Group A.** An automatic sprinkler system shall be provided throughout all buildings and all portions of all Group A occupancies.

**903.2.2 Group B** An automatic sprinkler system shall be provided throughout all buildings and all portions of all Group B occupancies.

**903.2.3 Group E.** An automatic sprinkler system shall be provided throughout all buildings and all portions of all Group E occupancies.

**903.2.4 Group F** An automatic sprinkler system shall be provided throughout all buildings and all portions of all Group F occupancies.

**903.2.5 Group H.** An automatic sprinkler system shall be provided throughout all buildings and all portions of all Group H occupancies.

**903.2.6 Group I.** An automatic sprinkler system shall be provided throughout all buildings and all portions of all Group I occupancies.

**903.2.7 Group M.** An automatic sprinkler system shall be provided throughout all buildings and all portions of all Group M occupancies.

**903.2.8 Group R.** Subject to the exceptions set forth herein, an automatic sprinkler system shall be provided throughout all buildings and all portions of all Group R occupancies.

**Exceptions:**

1. An automatic sprinkler system is not required for Group R-3 occupancies that are single family detached residences or multiplexes that contain less than three (3) dwelling units within the structure.

2. An automatic sprinkler system is not required for Group R-4 occupancies occupied by less than six (6) persons not related by blood, marriage or adoption.

903.2.9. *Group S.* An automatic sprinkler system shall be provided throughout all buildings and all portions of all Group S occupancies.

*Exception:* S-2, one story, grade level, open parking structures that are entirely open, except for structural columns, on all four sides.

29-2.18. Subsection 903.2.11 "Specific building areas and hazards" is hereby amended to read as follows:

In all occupancies, including all Group U occupancies larger than three thousand (3,000) square feet, an automatic sprinkler system shall be installed for building design or hazards in the locations set forth in sections 903.2.11.1 through 903.2.11.6.

29-2.19. Subsection 912.2 "Location" is hereby amended to read as follows:

912.2 *Location.* With respect to hydrants, driveways, buildings and landscaping, fire department connections shall be so located that fire apparatus and hose connected to supply the system will not obstruct access to the buildings for other apparatus. The location of fire department connections shall be located on private property six (6) to ten (10) feet behind curb (of street) at a permanent entrance to site or as otherwise approved by the fire chief."

29-2.20. Section 3109 "Swimming Pool Enclosures and Safety Devices" is hereby deleted in its entirety and replaced with a new section 3109.1 to read as follows:

3109.1 *General.* The design and construction of pools and spas shall comply with the International Swimming Pool and Spa Code.

SECTION 3. That, effective July 1, 2016, Article III of Chapter 29, Code of the City of Chandler is hereby deleted in its entirety and replaced with a new Article III of Chapter 29 to read as follows:

### **ARTICLE III. NATIONAL ELECTRICAL CODE**

29-3. - National Electrical Code adopted.

The City Council of Chandler adopts by reference the National Electrical Code, 2014 edition, ("NEC") and incorporates it herein as if fully set out in this Article III of Chapter 29 with the additions, insertions, deletions and changes set forth herein. The term "code" or "NEC" without further description when used in the portions of the NEC which are not amended and in this Article III of Chapter 29 shall mean the NEC as amended herein by the additions, insertions, deletions and changes set forth and adopted herein. Whenever the code refers to publications of the International Code Council, which have been adopted by the City, such references shall be to the version of the publications as amended by the City.

29-3.1 Section 690.47 (D) "Additional Auxiliary Electrodes for Array Grounding" is amended by deleting the words "and as close as practicable to the location of roof mounted PV arrays" from the first sentence.

**SECTION 4.** That, effective July 1, 2016, Article IV of Chapter 29, Code of the City of Chandler is hereby deleted in its entirety and replaced with a new Article IV of Chapter 29 to read as follows:

#### **ARTICLE IV. - INTERNATIONAL PLUMBING CODE**

**29-4. - International Plumbing Code adopted.**

The City Council of Chandler adopts by reference the International Plumbing Code, 2015 edition, ("IPC") and incorporates it herein as if fully set out in this Article IV of Chapter 29 with the additions, insertions, deletions and changes set forth herein. The term "code" or "IPC" without further description when used in the portions of the IPC which are not amended and in this Article IV of Chapter 29 shall mean the IPC as amended herein by the additions, insertions, deletions and changes set forth and adopted herein. Whenever the code refers to publications of the International Code Council, which have been adopted by the City, such references shall be to the version of the publications as amended by the City.

**29-4.1.** Subsection 101.1 "Title" is hereby amended by inserting The City of Chandler Arizona as Name of Jurisdiction.

**29-4.2.** Subsections 106.6.2 and 106.6.3 entitled "Fee schedule" and "Fee refunds", respectively, are hereby deleted in their entirety and replaced with new Subsections 106.6.2 and 106.6.3 to read as follows:

**106.6.2. *Fee schedule.*** Permit fees, if any, shall be adopted by the City by resolution.

**106.6.3. *Fee refunds.*** The building official is authorized to establish a refund policy.

**29-4.3.** Section 108 "Violations" and Section 109 "Means of Appeal", are hereby deleted in their entirety and Section numbers 108 and 109 are hereby reserved.

**29-4.4.** Section 410.4 "Substitutions" is amended by deleting the second sentence and replacing it with the following:

In all other occupancies where drinking fountains are required, water dispensers connected to the potable water system shall be permitted to be substituted for the first required fountain and any water dispenser shall be permitted to be substituted for not more than 50 percent of the required number of drinking fountains.

**29-4.5.** Section 1003.3.6 "Gravity grease interceptors and gravity grease interceptors with fats, oils, and greases disposal systems" is amended by deleting the first sentence and replacing it with the following:

All gravity grease interceptors shall be designed and installed in accordance with the City of Chandler Gravity Grease Interceptor Sizing Worksheet.

SECTION 5. That, effective July 1, 2016, Article V of Chapter 29, Code of the City of Chandler is hereby deleted in its entirety and replaced with a new Article V of Chapter 29 to read as follows:

#### **ARTICLE V. - INTERNATIONAL MECHANICAL CODE**

29-5. - International Mechanical Code adopted.

The City Council of Chandler adopts by reference the International Mechanical Code, 2015 edition, ("IMC") and incorporates it herein as if fully set out in this Article V of Chapter 29 with the additions, insertions, deletions and changes set forth herein. The term "code" or "IMC" without further description when used in the portions of the IMC which are not amended and in this Article V of Chapter 29 shall mean the IMC as amended herein by the additions, insertions, deletions and changes set forth and adopted herein. Whenever the code refers to publications of the International Code Council, which have been adopted by the City, such references shall be to the version of the publications as amended by the City.

29-5.1. Subsection 101.1 "Title" is hereby amended by inserting The City of Chandler, Arizona as Name of Jurisdiction

29-5.2. Subsections 106.5.2 "Fee schedule" and 106.5.3 "Fee refunds" respectively, are hereby deleted in their entirety and replaced with new Subsections 106.5.2 and 106.5.3 to read as follows:

*106.5.2. Fee schedule.* Permit fees, if any, shall be adopted by the City by resolution.

*106.5.3. Fee refunds.* The Building Official is authorized to establish a refund policy.

29-5.4. Section 108 "Violations" and Section 109 "Means of Appeal" are hereby deleted in their entirety and Section numbers 108 and 109 are hereby reserved.

SECTION 6. That, effective July 1, 2016, Article VI of Chapter 29, Code of the City of Chandler is hereby deleted in its entirety and replaced with a new Article VI of Chapter 29 to read as follows:

#### **ARTICLE VI. - INTERNATIONAL RESIDENTIAL CODE**

29-6. - International Residential Code adopted.

The City Council of Chandler adopts by reference the International Residential Code, 2015 edition, ("IRC") and incorporates it herein as if fully set out in this Article VI of Chapter 29 with the additions, insertions, deletions and changes set forth herein. The term "code" or "IRC" without further description when used in the portions of the IRC which are not amended and in this Article VI of Chapter 29 shall mean the IRC as amended herein by the additions, insertions, deletions and changes set forth and adopted herein. Whenever the code refers to other publications of the International Code Council, which have been adopted by the City, such references shall be to the version of the publications as amended by the City.

29-6.1. Subsection R101.1 "Title" is hereby amended by inserting The City of Chandler, Arizona as Name of Jurisdiction

29-6.2. Subsection R102.7 "Existing structures" is hereby amended by deleting reference to the International Property Maintenance Code.

29-6.3. Subsection 105.2 "Work exempt from permit" "Building" is hereby amended by deleting item 1 in its entirety and replacing it with a new item 1 as follows:

1. One-story detached accessory structures, provided that the floor area does not exceed 120 square feet (11.15 m<sup>2</sup>) and the height measured at the highest point does not exceed 7 feet (2134 mm).

29-6.4. Subsection 105.2 "Work exempt from permit" "Building" is hereby amended by deleting item 7 in its entirety and replacing it with a new item 7 as follows:

7. Prefabricated swimming pools that are less than 18 inches (457 mm) deep.

29-6.5. Subsection 105.2 "Work exempt from permit" is hereby amended by adding items to each work category as follows:

*Building:*

11. Replacement of a roof cover 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.
12. Special cases allowed by the Building Official for work of a similar nature and complexity as those items listed above.

*Gas:*

4. Replacement of gas water heating equipment 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 pool or spa heating equipment where the replacement equipment is of equal or lesser BTU capacity and is placed in the same location as the existing equipment.
6. Replacement of gas air-conditioning equipment, direct vent equipment, furnaces and log lighters where the replacement equipment is of equal or lesser BTU capacity and is placed in the same location as existing equipment.
7. Special cases as allowed by the Building Official for work of a similar nature and complexity as those items listed above.

*Mechanical:*

9. Replacement of evaporative coolers where the replacement equipment is of equal or lesser airflow (cfm) and is placed in the same location as the existing evaporative cooler.

10. Special cases as allowed by the Building Official, for work of a similar nature and complexity as those items listed above.

*Plumbing:*

3. Replacement of water conditioning or treating equipment 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 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 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.

29-6.6. Subsection R108.2 "Schedule of Permit Fees" is hereby deleted in its entirety and replaced with a new Subsection 108.2 to read as follows:

*108.2. Permit Fees.* Permit fees, if any, shall be adopted by the City by resolution.

29-6.7. Section R112 "Board of Appeals", Section R113 "Violations" and Section R114 "Stop Work Orders", are hereby deleted in their entirety and Section numbers R112, R113 and R114 are hereby reserved.

29-6.8. Subsection R313.2 "One- and two-family dwellings automatic fire systems" is hereby deleted in its entirety.

29-6.9. Subsection N1101.4. (R102.1.1) "Above code programs" is hereby amended by added a new Subsection N1101.4.1 as follows:

*N1101.4.1 RESNET testing & inspection protocol.* The Residential Energy Services Network (RESNET) Mortgage Industry National Home Energy Rating System Standards Protocol for third party testing and inspections, shall be deemed to meet the requirements of sections N1102.4.1.1, N1102.4.1.2 and N1103.3.2 and shall meet the following conditions:

1. Third party testing and inspections shall be completed by RESNET certified raters or rating field inspectors and shall be subject to RESNET quality assurance field review procedures.

2. Sampling in accordance with chapter 6 of the RESNET standards shall be performed by raters or rating field inspectors working under a RESNET accredited sampling provider.

3. Third party testing is required for the following items:

a. N1102.4.1.1-Building Envelope–Thermal and air barrier checklist

- b. N1102.4.1.2 - Testing - Air leakage rate
- c. N1103.3.2 – Sealing - Duct tightness
- 4. The other requirements identified as “mandatory” in Chapter 11 shall be met.
- 5. Alternate testing and inspection programs and protocols shall be allowed when approved by the Building official.

29-6.10. Section N1103.3.1 (R403.3.1) Insulation (Prescriptive) is hereby amended by deleting the exception in its entirety and replacing it with new exceptions to read as follows:

*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 16.
  - 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.

29-6.11. Subsection N1107.4 (R501.4) “Compliance” is hereby amended by deleting reference to the International Property Maintenance and International Private Sewage Disposal Codes.

SECTION 7. That, effective July 1, 2016, Article VII of Chapter 29, Code of the City of Chandler is hereby deleted in its entirety and replaced with a new Article VII of Chapter 29 to read as follows:

**ARTICLE VII. - INTERNATIONAL FUEL GAS CODE**

29-7. - International Fuel Gas Code adopted.

The City Council of Chandler adopts by reference the International Fuel Gas Code, 2015 edition, (“IFGC”) and incorporates it herein as if fully set out in this Article VII of Chapter 29 with the additions, insertions, deletions and changes set forth herein. The term “code” or “IFGC” without further description when used in the portions of the IFGC which are not amended and in this Article VII of Chapter 29 shall mean the IFGC as amended herein by

the additions, insertions, deletions and changes set forth and adopted herein. Whenever the code refers to other publications of the International Code Council, which have been adopted by the City, such references shall be to the version of the publications as amended by the City.

29-7.1. Subsection 101.1 "Title" is hereby amended by inserting The City of Chandler, Arizona as Name of Jurisdiction.

29-7.2. Subsections 106.6.2 and 106.6.3 entitled "Fee schedule" and "Fee refunds", respectively, are hereby deleted in their entirety and replaced with new Subsections 106.6.2 and 106.6.3 to read as follows:

*106.6.2. Fee schedule.* Permit fees, if any, shall be adopted by the City by resolution.

*106.6.3. Fee refunds.* The Building Official is authorized to establish a refund policy.

29-7.3 Section 108 "Violations" and Section 109 "Means of Appeal" are hereby deleted in their entirety and Section numbers 108 and 109 are hereby reserved.

SECTION 8. That, effective July 1, 2016, Article VIII of Chapter 29, Code of the City of Chandler is hereby deleted in its entirety and replaced with a new Article VIII of Chapter 29 to read as follows:

## **ARTICLE VIII. - INTERNATIONAL ENERGY CONSERVATION CODE**

29-8. - International Energy Conservation Code adopted.

The City Council of Chandler adopts by reference the International Energy Conservation Code, 2015 edition, ("IECC") and incorporates it herein as if fully set out in this Article VIII of Chapter 29 with the additions, insertions, deletions and changes set forth herein. The term "code" or "IECC" without further description when used in the portions of the IECC which are not amended and in this Article VIII of Chapter 29 shall mean the IECC as amended herein by the additions, insertions, deletions and changes set forth and adopted herein. Whenever the code refers to other publications of the International Code Council, which have been adopted by the City, such references shall be to the version of the publications as amended by the City.

29-8.1. Subsection C101.1 "Title" is hereby amended by inserting The City of Chandler, Arizona as Name of Jurisdiction

29-8.2. Subsection C101.2 "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 this code, regardless of height. Once defined as such on the submittal documents, all components of the Residential Provisions shall be followed.

29-8.3. Subsection C107.2 "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.

29-8.4. Section C108 "Stop Work Order" and Section C109 "Board of Appeals" are hereby deleted in their entirety and Section Numbers C108 and C109 are hereby reserved.

29-8.5. Subsection C501.4 "Compliance" is hereby amended by deleting reference to the International Property Maintenance and International Private Sewage Disposal Codes.

29-8.6. Subsection R101.1 "Title" is hereby amended by inserting The City of Chandler, Arizona as Name of Jurisdiction

29-8.7. Subsection 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 this code, regardless of height. Once defined as such on the submittal documents, all components of the Residential Provisions shall be followed.

29-8.8. Subsection R102.1.1 "Above code programs" is hereby amended by added a new Subsection R102.1.2. as follows:

*R102.1.2 RESNET testing & inspection protocol.* The Residential Energy Services Network (RESNET) Mortgage Industry National Home Energy Rating System Standards Protocol for third party testing and inspections shall be deemed to meet the requirements of sections R402.4.1, R402.4.1.2 and R403.3.2 and shall meet the following conditions:

1. Third party testing and inspections shall be completed by RESNET certified raters or rating field inspectors and shall be subject to RESNET quality assurance field review procedures.
2. Sampling in accordance with chapter 6 of the RESNET standards shall be performed by raters or rating field inspectors working under a RESNET accredited sampling provider.
3. Third party testing is required for the following items:
  - a. R402.4.1.1-Building Envelope–Thermal and air barrier checklist
  - b. R402.4.1.2 - Testing - Air leakage rate
  - c. R403.3.2 – Sealing - Duct tightness
4. The other requirements identified as "mandatory" in Chapter 4 shall be met.
5. Alternate testing and inspection programs and protocols shall be allowed when approved by the Building official.

29-8.9. Subsection R107.2 "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.

29-8.10. Section R108 "Stop Work Order" and Section R109 "Board of Appeals" are hereby deleted in their entirety and Section Numbers R108 and R109 are hereby reserved.

29-8.11. Subsection R403.3.1 "Insulation (Prescriptive)" is hereby amended by deleting the exception in its entirety and replacing it with new exceptions to read as follows:

*Exceptions:*

1. Ducts or portions thereof located completely inside the building thermal envelope.
2. Supply and return 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 16.
  - 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 R102.1.1, R401.2.1 or R405.
  - 2.5. Residential buildings with attic radiant barriers in accordance with ASTM C1313, installed in accordance with ASTM C1743.

29-8.12 Subsection R501.4 "Compliance" is hereby amended by deleting reference to the International Property Maintenance and International Private Sewage Disposal Codes.

SECTION 9. That, effective July 1, 2016, Article IX of Chapter 29, Code of the City of Chandler is hereby deleted in its entirety and replaced with a new Article IX of Chapter 29 to read as follows:

**ARTICLE IX. - INTERNATIONAL EXISTING BUILDING CODE**

29-9. - International Existing Building Code adopted.

The City Council of Chandler adopts by reference the International Existing Building Code, 2015 edition, ("IEBC") and incorporates it herein as if fully set out in this Article IX of Chapter 29 with the additions, insertions, deletions and changes set forth herein. The term "code" or "IEBC" without further description when used in the portions of the IEBC which are not amended and in this Article IX of Chapter 29 shall mean the IEBC as amended herein by the additions, insertions, deletions and changes set forth and adopted herein. Whenever the code refers to other publications of the International Code Council, which have been adopted by the City, such references shall be to the version of the publications as amended by the City.

29-9.1. Subsection 101.1 "Title" is hereby amended by inserting The City of Chandler Arizona as Name of Jurisdiction

29-9.2. Subsection 101.4.2 "Buildings previously occupied" is hereby amended by deleting reference to the International Property Maintenance Code.

29-9.3. Subsection 105.2 "Work exempt from permit" is hereby amended by adding items to each work category as follows:

*Building:*

7. 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.
8. Special cases allowed by the Building Official for work of a similar nature and complexity as those items listed above.

*Electrical:*

*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:*

3. Replacement of gas water heating equipment affixed to a Group R-3 or IRC 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 or IRC 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 or IRC 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:*

8. Replacement of evaporative coolers affixed to a Group R-3 or IRC 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:*

3. Replacement of water conditioning or treating equipment affixed to Group R-3 or IRC 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 or IRC 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 or IRC 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.

29-9.4. Subsection 108.2 "Schedule of Permit Fees" is hereby deleted in its entirety and replaced with a new Subsection 108.2 to read as follows:

*108.2. Permit Fees.* Permit fees, if any, shall be adopted by the City by resolution.

29-9.5. Section 112 "Board of Appeals", Section 113 "Violations", Section 114 "Stop Work Order", Section 116 "Emergency Measures" and Section 117 "Demolition" are hereby deleted in their entirety and Section numbers 112, 113, 114, 116 and 117 are hereby reserved.

29-9.6. Section 115 "Unsafe Buildings and Equipment", is hereby amended by deleting subsection 115.5 entitled "Restoration" in its entirety and adding new subsections 115.5 through 115.11 to read as follows:

*115.5. Recordation of Notice.* If compliance with the notice is not satisfied within the time specified therein, and no appeal has been properly and timely filed, the building official shall file in the office of the county recorder a certificate describing the property and certifying (i) that the building is a dangerous building and (ii) that the owner has been so notified. Whenever the corrections ordered shall thereafter have been completed, or the building demolished so that it no longer exists as an unsafe building on the property described in the certificate, the building official shall file a new certificate with the county recorder certifying that the building has been demolished or all required corrections have been made so that the building is no longer unsafe, whichever is appropriate.

*115.6 Repair, Vacation and Demolition.* The following standards shall be followed by the building official (and by the board of appeals if an appeal is taken) in ordering the repair, vacation or demolition of any unsafe building or structure:

1. Any building declared as an unsafe building under this code shall be made to comply with one (1) of the following:

- (a) The building shall be repaired in accordance with this code; or
- (b) The building shall be demolished at the option of the building owner; or
- (c) If the building does not constitute an immediate danger to the life, limb, property or safety of the public it may be vacated, secured and maintained against entry.

2. The structure or equipment determined to be unsafe by the building official is permitted to be restored to a safe condition. To the extent that repairs, alterations or additions are made or a change of occupancy occurs during the restoration of the structure, such repairs, alterations, additions or change of occupancy shall comply with the requirements of subsection 105.2.2.

3. If the building or structure is in such condition as to make it immediately dangerous to the life, limb, property or safety of the public or its occupants, it shall be ordered to be vacated.

**115.7. Notice to Vacate.** Every notice to vacate shall, in addition to being served as provided in subsection 115.3 be posted at or upon each exit of the building and shall be in substantially the following form:

DO NOT ENTER

UNSAFE TO OCCUPY

It is a misdemeanor to occupy this building, or to remove or deface this notice.

Building Official

..... of .....

Whenever such notice is posted, the building official shall include a notification thereof in the notice issued under subsection 115.3, reciting the emergency and specifying the conditions which necessitate the posting. No person shall remain in or enter any building which has been posted, except that entry may be made to repair, demolish or remove such building under permit. No person shall remove or deface any such notice after it is posted until the required repairs, demolition or removal have been completed and a certificate of occupancy issued pursuant to the provisions of this code.

**115.8. Failure to Commence Work.** Whenever the repair or demolition is not commenced within thirty (30) days after any final notice or order issued under this code becomes effective:

- 1. The building official shall cause the building described in such notice and order to be vacated by posting at each entrance thereto a notice reading:

DANGEROUS BUILDING

DO NOT OCCUPY

It is a misdemeanor to occupy this building, or to remove or deface this notice.

Building Official

..... of .....

2. No person shall occupy any building which has been posted as specified in this section. No person shall remove or deface any such notice so posted until the repairs, demolition or removal ordered by the building official have been completed and a Certificate of Occupancy issued pursuant to the provisions of this code.

3. The building official may, in addition to any other remedy herein provided, cause the building to be repaired to the extent necessary to correct the conditions which render the building unsafe as set forth in the notice; or, if the notice required demolition, to cause the building to be sold and demolished or demolished and the materials, rubble and debris therefrom removed and the lot cleaned. Any such repair or demolition work shall be accomplished and the cost thereof paid and recovered in the manner hereinafter provided in this code. Any surplus realized from the sale of any such building, or from the demolition thereof, over and above the cost of demolition and of cleaning the lot, shall be paid over to the person or persons lawfully entitled thereto.

*115.9. Extension of Time to Perform Work.* Upon receipt of an application from the person required to conform to the notice and by agreement of such person to comply with the notice if allowed additional time, the building official may grant an extension of time, not to exceed an additional one hundred twenty (120) days, within which to complete said repair, rehabilitation or demolition, if the building official determines that such an extension of time will not create or perpetuate a situation imminently dangerous to life or property. The building official's authority to extend time is limited to the physical repair, rehabilitation or demolition of the premises and will not in any way affect the time to appeal the notice.

*115.10. Interference with Repair or Demolition Work Prohibited.* No person shall obstruct, impede or interfere with any officer, employee, contractor or authorized representative of this jurisdiction or with any person who owns or hold any estate or interest in any building which has been ordered repaired, vacated or demolished under the provisions of this code; or with any person to whom such building has been lawfully sold pursuant to the provisions of this code, whenever such officer, employee, contractor or authorized representative of this jurisdiction, person having an interest or estate in such building or structure, or purchaser is engaged in the work of repairing, vacating and repairing, or demolishing any such building, pursuant to the provisions of this code, or in performing any necessary act preliminary to or incidental to such work or authorized or directed pursuant to this code.

*115.11. Abatement and Cost Recovery.* Unless timely appealed to the board of appeals, a notice issued pursuant to subsection 115.3 shall constitute a final abatement order. The failure to comply with the terms of such notice, in addition to constituting a violation of the Code of the City of Chandler, shall permit the City to

institute the abatement and cost recovery provisions set forth in Section 26-11, Code of the City of Chandler.

29-9.7. Chapter 1 "Scope and Administration" is hereby amended by adding a new Section 118 to read as follows:

*Section 118. Fireplaces.*

118.1. Fireplace standards adopted. Notwithstanding any code provision to the contrary, it shall be unlawful for anyone to construct, install, covert or alter any fireplace, stove or any other recreational or aesthetic solid fuel burning devise unless such devise and its installation is certified by a nationally recognized testing agency as satisfying the requirements of 40 Code of Federal Regulations, Part 60, Subpart AAA as in effect on July 1, 1990.

29-9.8. Subsection 302.2 "Additional codes" is hereby amended by deleting reference to the International Property Maintenance and International Private Sewage Disposal Codes.

29-9.9. Subsections 1301.2 "Conformance" and 1401.3.2 "Compliance with other codes" are hereby amended by deleting reference to the International Property Maintenance Code.

29-9.10. Subsection 1401.2 "Applicability" is hereby amended by inserting January 13, 1983.

SECTION 10. That, effective July 1, 2016, a new Article X is added to Chapter 29, Code of the City of Chandler, to read as follows:

**ARTICLE X. – International Swimming Pool and Spa Code**

29-10. - International Swimming Pool and Spa Code adopted.

The City Council of Chandler adopts by reference the International Swimming Pool and Spa Code, 2015 edition, ("ISPSC") and incorporates it herein as if fully set out in this Article X of Chapter 29 with the additions, insertions, deletions and changes set forth herein. The term "code" or "ISPSC" without further description when used in the portions of the ISPSC which are not amended and in this Article X of Chapter 29 shall mean the ISPSC as amended herein by the additions, insertions, deletions and changes set forth and adopted herein. Whenever the code refers to publications of the International Code Council, which have been adopted by the City, such references shall be to the version of the publications as amended by the City.

29-10.1. Subsection 101.1 "Title" is hereby amended by inserting The City of Chandler, Arizona as Name of Jurisdiction

29.10.2. Subsection 305.2.1 "Barrier height and clearances" paragraph 1 is hereby amended by deleting "48 inches (1219 mm)" in the first sentence and replacing it with "72 inches(mm)" and adding an exception to read as follows:

*Exception:* Barriers used between a pool and the primary dwelling or structure shall be not less than 48 inches (1219 mm) above grade.

29-10.3. Subsection 305.4 "Structure wall as a barrier" is hereby amended by adding new paragraphs 4 and 5 to read as follows:

4. Emergency escape or rescue windows from sleeping rooms which face within a swimming pool enclosure shall be equipped with a latching device located not less than fifty-four (54) inches above the floor. All other openable dwelling unit or guest room windows facing within a swimming pool enclosure shall be equipped with a screwed-in-place wire mesh screen, a keyed lock that prevents opening the window more than four (4) inches, or a latching device located not less than fifty-four (54) inches above the floor.

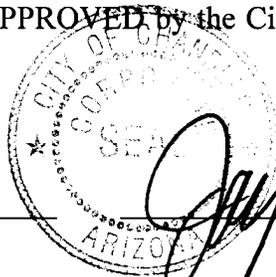
5. Pet doors shall be able to be rendered inoperable and impassable with a latching device inoperable by young children.

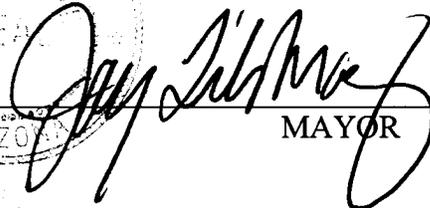
SECTION 11: Except as otherwise provided by law or ordinance, a person convicted of a violation of a code adopted by reference in Chapter 29, Code of the City of Chandler shall be guilty of a Class 1 misdemeanor. A Class 1 misdemeanor is punishable by a fine not exceeding two thousand five hundred dollars (\$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 14<sup>th</sup> day of April 2016.

ATTEST:

  
CITY CLERK

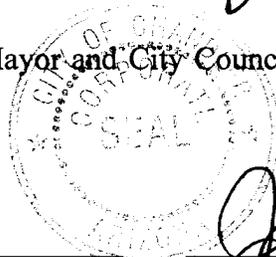


  
MAYOR

PASSED AND ADOPTED by the Mayor and City Council of the City of Chandler, Arizona, this 12<sup>th</sup> day of May 2016.

ATTEST:

  
CITY CLERK



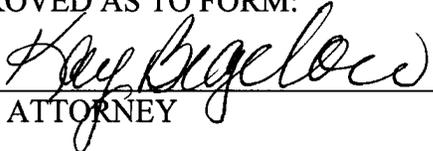
  
MAYOR

CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Ordinance No. 4700 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the 12<sup>th</sup> day of May 2016, and that a quorum was present thereat.

  
\_\_\_\_\_  
CITY CLERK

APPROVED AS TO FORM:

  
\_\_\_\_\_  
CITY ATTORNEY

PUBLISHED in the Arizona Republic on May 20, and May 27, 2016.