

## 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.

1167. *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.

*1168 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.

*1169 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 LI-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.

*1157. 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.

*1158 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.

*1159 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.

*11510 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.

*11511. 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.

**AW fl ff, -**

**f(S)**

*Jay Liberman*  
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: *n* **I)**  
**At-, £**  
CITY CLERK

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 quorwn was present thereat. L.L. \_\_\_\_\_ £

VJ-CITY CLERK

APPROVED ▲ = )

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



## **ORDINANCE NO. 4698**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, AMENDING CHAPTER 28 OF THE CODE OF THE CITY OF CHANDLER BY ADOPTING THE 2015 EDITION OF THE INTERNATIONAL FIRE CODE AS AMENDED AND ESTABLISHING A PENALTY FOR THE VIOLATION THEREOF AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Chapter 28 of the Code of the City of Chandler provides that the City of Chandler, Arizona has adopted the 2012 edition of the International Fire Code, subject to specified amendments thereto as set forth in Chapter 28 of the Code of the City of Chandler; and

WHEREAS, the City of Chandler Fire Department recommends that the City of Chandler adopt the 2015 edition of the International Fire Code and to clarify and amend the exception provisions to the International Fire Code that are presently set forth in Chapter 28 of the Code of the City of Chandler; and

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

**SECTION 1:** That certain code designated as the International Fire Code, 2015 Edition, published by the International Code Council, one (1) paper copy and one (1) electronic copy which shall remain on file in the office of the City Clerk, is hereby adopted by reference with the additions, insertions, deletions and changes set forth herein and is hereby declared to be a public record.

**SECTION 2:** That, effective July 1, 2016, Chapter 28 of the Code of the City of Chandler is hereby deleted in its entirety and replaced with a new Chapter 28 to read as follows:

### **Chapter 28 - FIRE PREVENTION.**

#### **28-1. - International Fire Code adopted.**

The City Council of Chandler adopts by reference the International Fire Code, 2015 edition and incorporates it herein as if fully set out in this Chapter 28 with the additions, insertions, deletions and changes set forth herein. The term "code" without further description when used in the portions of the International Fire Code which are not amended and in this Chapter 28 shall mean the 2015 edition of the International Fire Code 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, including, but not limited to, the International Building Code, which have been adopted by the City, such references shall be to the version of the publications as amended by the City.

#### **28-2. - Jurisdiction.**

*Section 101.1* of the code is hereby deleted in its entirety and replaced by a new Section 101.1 to read as follows:

*101.1 Title.* These regulations shall be known as the City of Chandler Fire Code, hereinafter referred as this or the "code." The terms "City" and "City of Chandler" are used interchangeably in this code.

**28-3. - Appointment of fire code official.**

*Section 103.2* of the code is hereby deleted in its entirety and replaced with a new Section 103.2 to read as follows:

*103.2 Appointment.* The City Fire Chief has designated and appointed the City Fire Marshal to act as the fire code official.

**28-4. - Permits required.**

*Section 105.1.1* of the code is hereby deleted in its entirety and replaced with a new Section 105.1.1 to read as follows:

*105.1.1 Permits required.* Permits required by this code shall be obtained from the fire code official prior to engaging in any of the activities, operations, practices or functions requiring a permit. Permit fees, if any, shall be adopted by the City by resolution and shall be paid prior to issuance of the permit.

**28-5. - Hazardous materials.**

*Section 105.6.21* of the code is hereby deleted in its entirety and replaced with a new Section 105.6.21 to read as follows:

*105.6.21 Hazardous materials.* An operational permit is required to store, transport on site, dispense, use or handle hazardous materials in excess of the amounts listed in Table 105.6.21. The Hazardous Materials Management Plan (HMMP) and Hazardous Materials Inventory Statement (HMIS) to be submitted in conjunction with the operating permit shall be updated and submitted to the fire code official for approval annually.

**28-6. - Open burning.**

*Section 105.6.32* of the code is hereby deleted in its entirety and replaced with a new Section 105.6.32 to read as follows:

*105.6.32 Open burning.* An operational permit is required for the kindling or maintenance of an open fire or a fire on any public street, alley, road or other public or private ground. Instructions and stipulations of the permit shall be adhered to. An applicant for any open burning permit under this section shall establish compliance with the permitting requirements of the Maricopa County Department of Air Pollution Control prior to being issued an open burning permit by the fire code official.

*Exception:* Recreational fires.

**28-7. - Fire protection equipment.**

*Section 105.6* of the code is hereby further amended by adding a new section 105.6.49 entitled "Fire protection equipment" to read as follows:

*105.6.49 Fire protection equipment.* In addition to obtaining a City of Chandler privilege tax license, and the appropriate Arizona State Contractor's License, an operational permit is required for any person, corporation, partnership or other entity engaged in the primary business of selling, servicing or installing portable fire extinguishers, fire alarms and fire detection equipment or fixed fire-extinguishing equipment within the City of Chandler.

**28-8. - Self-inspection.**

*Section 106* of the code is hereby amended by adding a new Section 106.5 entitled "Self-inspection" to read as follows:

*106.5 Self-inspection.* The fire code official is hereby authorized to establish procedures regarding inspections of business, commercial and industrial facilities within the City. Any owner or occupant of a business, commercial or industrial facility who fails to perform a self-inspection as requested by the fire code official in accordance with the procedures established may be charged the cost for the fire code official, or his/her designee, to perform such inspection.

**28-9. - Board of Appeals.**

*Sections 108.1 and 108.3* of the Code are hereby deleted in their entirety. Section 108.1 is replaced with a new Section 108.1 entitled "Appeals to Chandler Board of Appeals" to read as follows:

*108.1 Appeals to Chandler Board of Appeals.* The Chandler Board of Appeals shall hear and decide appeals of orders, decisions, or determination made by the fire code official relative to the application and interpretation of this code.

**28-10. - Enforcement and Violations.**

*Section 109.1* of the code, shall be deleted in its entirety and replaced with a new Section 109.1 to read as follows:

*109.1 Unlawful acts.* It shall be unlawful for a person, firm, or corporation to erect, construct, alter, repair, remove, demolish or utilize a building, occupancy, premises, or system regulated by this code, or cause same to be done, in conflict with or in violation of any of the provisions of this code. Each day that a violation continues after notice of violation, in accordance with Section 109.3, has been served shall be deemed a separate offense.

**28-11. - Civil & Criminal Penalties.**

*Sections 109.4 and 109.4.1* of the code are hereby deleted in their entirety and the penalties and civil remedies are set forth below in Section 3 of this ordinance.

**28-12. - Fire re-inspection fee and council action.**

*Section 113* of the code is hereby amended by adding a new Section 113.6 entitled "Fire re-inspection fee" and a new Section 113.7 entitled "Council action" to read as follows:

*113.6 Fire re-inspectionfee.* Facilities that are re-inspected to ensure that a code violation has been properly addressed may be assessed a re-inspection fee. A re-inspection fee may be assessed for the second re-inspection for the same violation.

*113.7 7 Council action.* All fees identified in this code shall be adopted by the City Council by resolution.

**28-13. - Expense recovery.**

*Section 304* of the code is hereby amended by adding new Sections 304.4 entitled "Expense recovery" to read as follows:

*304.4 Expense recovery.* Any owner, operator, occupant or other person responsible for property, who fails to correct a violation of Section 304 within fifteen (15) days of the fire code official issuing an order or notice which is served pursuant to the provisions of Section 109.3, shall be charged for any costs incurred by the City of Chandler in responding to any fire at the subject property while the violation continues to exist. The provisions of this Section are for the purpose of reimbursing the City of Chandler's costs and shall be in addition to any penalties that may apply. The fire code official shall keep or cause to be kept an itemized account of the expenses involved in responding to each fire, including personnel, equipment and administrative costs, as well as the costs incurred by other fire departments responding to calls within the City of Chandler, due to City of Chandler fire crews being unavailable for service as a result of said fire. The collection and appeal provisions set forth in Section 108 and Chapter 26 of the Code of the City of Chandler, shall apply to this Section 304.4

**28-14. - Open Flames.**

*Section 308* of the code is hereby amended by adding section 308.1.1.1 entitled "Sky Lanterns" to read as follows:

*308.1.1.1 Sky Lanterns.* The lighting of, and the release of, sky lanterns or any other devices designed to carry an open flame shall be prohibited.

**28-15. - Dimensions.**

*Section 503.2.1* of the code is hereby amended to read as follows:

*503.2.1 Dimensions.* Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm), exclusive of shoulders, except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 15 feet (4572 mm).

**28-16. - Premises identification.**

*Section 505.1* of the code is hereby deleted in its entirety and replaced with a new Section 505.1 to read as follows:

*505.1 Address numbers.* Approved numbers or addresses shall be placed on all new or existing buildings within the City in accordance with criteria specified in the latest version of the Street Naming and Addressing Procedures adopted by the City of Chandler, three (3) copies of which are on file in the Office of the City Clerk. Properties annexed into the City shall display only a city-assigned premises identification number. Said number shall be permanently affixed to all premises within thirty (30) days of notification of the City of the new address. No building address shall be

changed except in the manner prescribed in the City of Chandler Street Naming and Addressing Procedures.

**28-17. - Emergency responder radio communication.**

*Section 510.1 and 510.4.1.2* of the code are hereby amended to read as follows:

*510.1 Emergency responder radio communications.* Buildings shall have approved radio coverage for emergency responders within the building based upon the existing coverage levels of the public safety communication systems of the jurisdiction at the exterior of the building. The requirements of this Section 510 shall apply to all buildings and structures located in the City that satisfy any of the following characteristics:

1. Buildings or structures that are more than three (3) stories above ground level;
2. Buildings or structures totaling forty-five thousand (45,000) square feet or more on any single floor;
3. Buildings or structures that include a basement or other subterranean space totaling two hundred fifty (250) square feet or more; or
4. Buildings or structures that the fire code official has determined to have been constructed in a manner or with materials likely to limit the ability of emergency response personnel to effectively use radio communication while within that building or structure.

*Exception.* The requirements set forth in this Section 510.1 shall not apply to the following:

1. U occupancies and R3 occupancies that are single family detached residences;
2. Buildings and structures utilizing only wood framing; and
3. Buildings and structures that are less than thirty-five (35) feet above ground level and do not utilize any metal framing or metal roofing.

*510.4.1.2 Minimum signal strength out of the building.*

In keeping with applicable engineering practice specific to the architecture of the regional digital radio communications network, standardized Delivered Audio Quality (DAQ) measurements are specified to verify acceptable levels of signal strength exiting the building.

**28-18. - Fire extinguishing system installations.**

*Section 903* of the code 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.

### **28-19. - Specific Building Area Hazards.**

*Section 903.2.11* of the code is hereby amended to read as follows:

*Section 903.2.11* 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.

### **28-20. - Fire Department Connections.**

*Section 912.2* of the code is hereby amended to read as follows:

*Section 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."

### **28-21. - Electronic filing.**

*Section 5001.5* of the code is hereby amended by adding a new Section 5001.5.3 entitled "Electronic filing" to read as follows:

*5001.5.3. Electronic filing.* The fire code official is hereby authorized to establish procedures requiring the electronic filing of HMMP and HMIS. An approved HMMP and/or HMIS must remain on site.

### **28-22. - Fireworks Preemption.**

*Section 5601.1* of the code is hereby amended by deleting Exception 9 in its entirety and adding new Exceptions 9 and 10 to read as follows:

*Exception 9.* Items preempted by federal or state regulations.

*Exception 10.* The possession, manufacture, storage, handling, sale and use of fireworks in accordance with other City ordinances.

### **28-23. - Appendices.**

This code is hereby further amended by deleting Appendix A, J and M in their entirety and specifying that Appendix E, F, G and H are included for informational purposes only and is not

adopted by the City as part of this code. All other Appendices set forth in this code are hereby adopted as part of this code.

Appendix L of the code is hereby deleted in its entirety and replaced with a new Appendix L to read as follows:

Breathing air replenishment system.

"Breathing air replacement system" to read as follows:

*LJOJ. Breathing air replenishment systems.*

*LJOJ.1. General.* A breathing air replenishment system (BAR System) is a complete, self-contained high pressure breathing air replenishment system consisting of a fire department air connection panel, remote air fill panels and high pressure interconnected piping, permanently installed with a structure, allowing fire department personnel to replenish empty self-contained breathing apparatus cylinders within close proximity to the location of the incident requiring emergency response, thus reducing the amount of travel distance, time and support personnel needed at an emergency incident.

*LJOJ.2. Applicability.* The requirements of this Section 915 shall apply to all buildings and structures to include expansions, alterations, and modifications meeting the specifications set forth in Section 915.3.

*LJOJ.3. Buildings and structures requiring BAR System.* A BAR System shall be installed in buildings and structures located in the City meeting either of the following criteria:

1. Buildings and structures seventy-five (75) feet in height or more above grade or which are otherwise characterized as high rise buildings; and
2. Underground buildings and structures, or components thereof, totaling ten thousand (10,000) square feet or more that are either more than two (2) floors below grade or more than thirty (30) feet below grade.

*LJOJ.4. Plans.* Two (2) sets of engineered stamped design drawings of the BAR System shall be submitted to the City building official and the fire code official. The plans shall include equipment/component drawings, system calculations, and manufacturer's technical product data, to include all piping, fittings, valves, gauges, cabinets, locking devices, hangers, supports and all other system components as may be necessary to install the BAR System. The installation of the BAR System shall not commence until the plans therefore have been approved. A fee for plan review and inspection shall be adopted by the City by resolution and shall be paid prior to plan review.

*LJOJ.5. Contractor qualifications.* The BAR system shall be installed, tested and maintained by a contractor with the appropriate Arizona Registrar of Contractors license classification.

Any contractor responsible for installation, testing, or maintenance of a BAR system shall also have a Chandler Fire Department operational permit for Fire Protection Contractors pursuant to Section 105.6.48.

*LJOJ.6. BAR System requirements.* The BAR System shall allow fire department personnel to simultaneously replenish four (4), forty-five (45) cubic foot self-contained breathing apparatus cylinders at any one (1) time; two (2) at three thousand (3,000) psi and two (2) at four thousand five



hundred (4,500) psi. Fire department personnel shall be able to connect into the BAR System's fire department air connection panel from a mobile air support apparatus thereby providing a constant source of breathing air supplied directly from the air support apparatus to the system's remote air fill panels.

*LJ0J. 7. BAR System components.* The BAR System shall consist of the following minimum components:

1. Fire department air connection panel;
2. Remote air fill panels;
3. Interconnected piping; and
4. Low pressure monitoring switches and alarm.

*LJ0J.8. Fire department air connection panel.* A fire department air connection panel shall be installed on the exterior of the building or within a remote monument at a location approved by the fire code official and shall be interconnected to the building's interior remote air fill panels. The fill inlet and associated components of the air connection panel shall be contained in a lockable, weather tight enclosure.

The exterior fire department connection panel shall contain all of the necessary gauges, isolation valves, pressure relief valves, pressure regulating valves, check valves, tubing, fittings, supports, connectors, adapters and other necessary components as may be required to allow the fire departments mobile air unit to connect and augment the system with a constant source of breathing air.

The fire department air connection panel shall be installed in an area protected from physical damage. The panel shall be locked at all times, unless in use by fire department personnel. The locking mechanism for the panel cover shall be contained in an approved key box installed at a location approved by the fire code official. The key to unlocking the cover shall be stored in the approved key box.

*LJ0J.9. Remote air fill panels.* Unless otherwise approved by the fire code official, the remote air fill panels shall be installed in the above grade portion of applicable structures in stairwells commencing on the third floor above grade level and every other floor above grade level thereafter. Unless otherwise approved by the fire code official, the remote air fill panels shall be installed in the below grade portion of applicable structures in stairwells, or other areas of ingress or egress approved by the fire code official, commencing on the third floor below ground level and every other floor below grade level thereafter or, if there are less than three (3) floors below ground level, the lowest floor.

The remote air fill panels shall contain all of the necessary gauges, isolation valves, pressure relief valves, pressure regulating valves, check valves, tubing, fittings, supports, connectors, adapters and other necessary components as may be required to allow firefighters and other first responders to safely and reliably replenish a minimum of two (2) forty-five (45) cubic feet breathing air cylinders simultaneously.

*LJ0J.10. Piping, valves and fittings.* Unless otherwise approved by the fire code official, all piping, valves and fitting shall be compatible and support a minimum working pressure of five thousand (5,000) psi with a safety factor of 4 to 1.

Piping shall be supported at not less than five-foot intervals. The entire system shall be protected by a minimum of two-hour rated fire wall that protects the system from possible damage.

When piping must pass through a fire rated or solid material, the piping shall be protected by a sleeve that is at least three (3) times the pipe diameter. Both ends of the sleeve shall be filled with an approved fire stop.

*LJOJ.11. Low pressure monitoring and alarm.* When not being utilized by fire department personnel, the BAR System shall maintain a constant pressure of at least four thousand five hundred (4,500) psi. An alarm or monitoring system capable of detecting, and that is set to detect, a pressure drop of one thousand (1,000) psi shall be included and maintained with the BAR System. A building or structure owner, or his or her designee, shall notify the fire department of any alarm signaling a loss of pressure to the system and of any scheduled test of the system to be conducted by the owner of the building or structure. Unless otherwise approved by the fire code official, the low pressure alarm shall be tied into the fire and smoke alarm system for the building or structure.

*Ll 01.12. Markings and record keeping.* The fire department air connection panel and the remote air fill panels shall be clearly identified by means of permanently installed signage stating FIREFIGHTER AIR SYSTEM in minimum one and one-half (1½) inch letters and be located where plainly visible. The owner and/or occupant of the building or structure shall keep the area in and around the fire department air connection panel and the remote air fill panels free of objects that may block use of these panels.

*Ll 01.13. Initial testing requirements.* When fabrication, assembly and installation of the Bar System is complete, the entire system shall be tested in accordance with the following:

1. The system shall be inspected for leaks by pneumatically pressure testing the system to five thousand (5,000) psi using oil-free, dry air. An approved solution shall be used on each joint and fitting in the system. All leaks or failure to maintain five thousand (5,000) psi pneumatic pressure shall be documented by the system installer and forwarded to the system manufacturer for inspection, repair and/or replacement.
2. Upon successful completion of the five thousand (5,000) psi pressure testing, the entire system shall be pneumatically pressure tested to one and one-half (1 1/2) times the working pressure (seven thousand five hundred (7,500) psi) using oil free, dry air for at least one (1) hour. All leaks or failure to maintain seven thousand five hundred (7,500) psi pneumatic pressure shall be documented by the system installer and forwarded to the system manufacturer for inspection, repair and/or replacement.
3. Upon successful completion of the seven thousand five hundred (7,500) psi pressure testing, the entire system shall be retested for a period of twenty-four (24) hours. All leaks or failure to maintain five thousand (5,000) psi pneumatic pressure shall be documented by the system installer and forwarded to the system manufacturer for inspection, repair and/or replacement.

*LOJO.14. On-going testing and maintenance requirements.* Breathing air samples from the BAR System shall be taken by an independent, qualified entity on an annual basis and shall be analyzed by an accredited testing laboratory in the manner specified in NFPA 1989, Section 5.3. Testing pursuant to this Section and Section 915.13 shall also be required after the BAR System is utilized or upon determination by the fire code official that contamination of the air in the BAR System may be contaminated. The BAR System shall otherwise be tested and maintained in accordance with NFPA Standards and manufacturer specifications.

*LJOJ.15. Inspection and record keeping.* Records of all maintenance and testing of the BAR System shall be kept on-site for a minimum of three (3) years and be available to fire department

personnel upon request. Fire department personnel shall either in conjunction with a fire inspection of the building or structure or, after providing reasonable notice to the owner or occupant of the building or structure, or his or her designee, have the right to enter onto the property to inspect the BAR System and the records relating to the maintenance and testing of that system.

**SECTION 3: Penalties.**

**28-24. - Criminal penalties.** Except violations of IFC Subsections 503.4 and 507.5.4, persons (or legal entities included in the definitions of "person" in Section 202) who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of a Class 1 misdemeanor punishable by a fine not exceeding two thousand five hundred dollars (\$2,500.00) or twenty thousand dollars (\$20,000.00) if a legal entity, by imprisonment for a term not exceeding six (6) months, or by probation for a term not exceeding three (3) years, or by any combination thereof. Violations of IFC Subsections 503.4 and 507.5.4 shall be punishable as civil infractions under the Chandler City Code Subsection 1-8.7.

- a. The imposition of a criminal penalty does not prevent suspension or revocation of a license, permit or franchise or other administrative sanctions.
- b. The imposition of criminal penalties does not prevent enforcement and any enforcement available under Section 28-25.

**28-25. - Abatement of violations.** In addition to the imposition of the penalties herein described, the fire code official is authorized to institute appropriate action by injunctive or other equitable remedies, including pursuant to Section 110 of this code, Chapter 26 of the Chandler Code, or state law, to prevent unlawful construction or to restrain, correct or abate a violation; or to prevent illegal occupancy of a structure or premises; or to stop an illegal act, conduct of business or occupancy of a structure on or about any premises.

- a. The imposition of any remedy in Section 28-25 does not prevent suspension or revocation of a license, permit or franchise or other administrative sanctions.
- b. The imposition of any remedy in Section 28-25 does not prevent criminal enforcement options.

**28-26. - Abatement expenses.** To the extent that the responsible person does not comply with the terms of any abatement order received, the City may seek recovery of its expenses in abating the violation cited, including, without limitation, those expenses associated with orders issued pursuant to this code, or the procedures set forth in state law or Chapter 26 of the Chandler Code.

**28-27. - Provisions deemed continuation of existing ordinances.** The provisions of this code, insofar as they are substantially the same as legislation previously adopted by the City relating to the same subject matter, shall be construed as restatements and continuations thereof and not as new enactments.

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



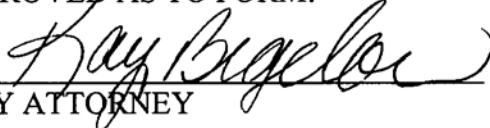
  
MAYOR

CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Ordinance No. 4698 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.