



**CITY OF SCOTTSDALE AMENDMENTS  
TO THE INTERNATIONAL BUILDING CODE,  
2012 EDITION**

**ORDINANCE 4059**

## ORDINANCE NO. 4059

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA, AMENDING CHAPTER 31, ARTICLE III OF THE SCOTTSDALE REVISED CODE, RELATING TO THE BUILDING CODE, BY ADOPTING THE 2012 EDITION OF THE "INTERNATIONAL BUILDING CODE" AND APPENDICES G, I & J, AND "CITY OF SCOTTSDALE AMENDMENTS TO THE 2012 INTERNATIONAL BUILDING CODE."

BE IT ORDAINED by the Mayor and City Council of the City of Scottsdale, Arizona, as follows:

Section 1. Section 31-31(1) of the Scottsdale Revised Code is hereby repealed and replaced by a new Section 31-31(1), which shall read as follows:

### **Sec. 31-31. Adoption.**

The following documents are adopted by reference and shall be the building code of the city. Three (3) copies of each shall at all times remain in the office of the city clerk and be open to inspection.

(1) The International Building Code, 2012 Edition, including appendices **G, I & J** as published by the International Code Council, Inc., and the City of Scottsdale Amendments to the International Building Code, 2012 Edition, declared public records by Resolution No. 9256 of the City of Scottsdale, are hereby referred to, adopted and made a part hereof as if fully set out in this ordinance.

Section 2. Section 31-32(a) **Amendments** of the Scottsdale Revised Code is hereby repealed and replaced by a new Section 31-32(a), which shall read **as specified in that certain document entitled "City of Scottsdale Amendments to the 2012 International Building Code," declared to be a public record by Resolution No. 9256 of the City of Scottsdale, and hereby referred to, adopted and made a part hereof as if fully set out in this Ordinance.**

Section 3. Any person found guilty of violating this Ordinance shall, in addition to any other applicable penalty, is subject to the following:

**105.6 Suspension or revocation.** The building official is authorized to suspend or revoke a permit issued under the provisions of this code wherever the permit is issued in error or on the basis of incorrect, inaccurate or incomplete information, or in violation of any ordinance or regulation or any of the provisions of this code.

**111.4 Revocation.** The building official is authorized to, in writing, suspend or revoke a certificate of occupancy or completion issued under the provisions of this code wherever the certificate is issued in error, or on the basis of incorrect information supplied, or where it is determined that the building or structure or portion thereof is in violation of any ordinance or regulation or any of the provisions of this code.

**114.4 Violation penalties.** Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this code, shall be subject to penalties as prescribed by law.

Section 4. The repeal of any provision of the Scottsdale Revised Code effectuated by this Ordinance does not affect the rights and duties that matured or penalties that were incurred and proceedings that were begun before the effective date of this Ordinance.

Section 5. If any section, subsection, sentence, clause, phrase or portion of this ordinance or any part of these amendments to the Building Codes adopted herein by reference is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdictions, such decision shall not affect the validity of the remaining portions thereof. If there is any conflict or inconsistency between the provisions of this ordinance, the more restrictive provisions apply.

Section 6. The effective date of this ordinance shall be **January 07, 2013.**

PASSED AND ADOPTED BY THE Council of the City of Scottsdale, Maricopa County, Arizona this 4th day of December, 2012

ATTEST:

CITY OF SCOTTSDALE,  
a municipal corporation

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Carolyn Jagger  
City Clerk

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W.J. "Jim" Lane  
Mayor

APPROVED AS TO FORM:  
OFFICE OF THE CITY ATTORNEY

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Bruce Washburn, City Attorney  
By Joe Padilla, Senior Assistant City Attorney

**CHAPTER 1**  
**SCOPE AND ADMINISTRATION**  
**PART 1 – SCOPE AND APPLICATION**  
**SECTION 101 - GENERAL**

**[A] 101.1 Title.**

These regulations shall be known as the Building Code of **City of Scottsdale**, hereinafter referred to as “this code.”

**[A] 101.2 Scope.**

The provisions of this code shall apply to the construction, alteration, relocation, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures.

**Exception:** Detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories above grade plane in height with a separate means of egress and their accessory structures shall comply with the International Residential Code.

**[A] 101.2.1 Appendices.**

Provisions in the appendices shall not apply unless specifically adopted.

The following appendices are adopted:

Appendix G – Flood Resistant Construction

*Appendix G – Flood-Resistant Construction is amended by the following:*

**SECTION G105 - VARIANCES**

**G105.1 General.**

The Flood Plain Board shall hear and decide requests for variances as outlined in 104.10.2. The Flood Plain Board shall base its determination on technical justifications, and has the right to attach such conditions to variances as it deems necessary to further the purposes and objectives of this appendix and Section 1612. Any appeal of the building officials decision shall go to the Flood Plain Board for resolution.

**G105.6 Considerations.**

In reviewing applications for variances, the Flood Plain Board shall consider all technical evaluations, all relevant factors, all other portions of this appendix and the following:

*FPN: items 1 thru 10 remain unchanged.*

**G105.7 Conditions for issuance.**

Variances shall only be issued by the Flood Plain Board upon:

*FPN: items 1 thru 5 remain unchanged.*

**Appendix I – Patio Covers**

**Appendix J – Grading**

*Section J103.2 Exemptions is amended by the following:*

01. Grading in an isolated, self-contained area, provided there is no danger to the public, and that such grading will not adversely affect adjoining properties, and does not involve

the import or export of material. These requirements shall apply to both commercial and residential property and enforceable by any building, public works, code enforcement or drainage city official or inspector.

**[A] 101.3 Intent.**

The purpose of this code is to establish the minimum requirements to safeguard the public health, safety and general welfare through structural strength, means of egress facilities, stability, sanitation, adequate light and ventilation, energy conservation, and safety to life and property from fire and other hazards attributed to the built environment and to provide safety to fire fighters and emergency responders during emergency operations.

**[A] 101.4 Referenced codes.**

The other codes listed in Sections 101.4.1 through 101.4.8 and referenced elsewhere in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference.

**[A] 101.4.1 Gas.**

The provisions of the International Fuel Gas Code shall apply to the installation of gas piping from the point of delivery, gas appliances and related accessories as covered in this code. These requirements apply to gas piping systems extending from the point of delivery to the inlet connections of appliances and the installation and operation of residential and commercial gas appliances and related accessories.

Chapter 1, Section 101.2 Scope, Sections 101.2.1 through 101.2.5, and Section 101.3 of the IFGC is retained. The remaining portions of Chapter 1 – Administration is deleted and replaced with Chapter 1 of the IBC as amended and adopted in Scottsdale Revised Code, Chapter 31, Article III.

**101.3 Appendices**

**The following appendices are adopted.**

01. Appendix A – Sizing And Capacities Of Gas Piping
02. Appendix B – Sizing Of Venting Systems Serving Appliances Equipped With Draft Hoods, Category I Appliances, And Appliances Listed For Use With Type B Vents

*Section 503.6.4 Gas Vent Terminations is revised by adding the following exception:*

**503.6.4 Gas vent terminations.**

A gas vent shall terminate in accordance with one of the following:

01. Gas vents that are 12 inches (305 mm) or less in size and located not less than 4 feet (1219 mm) from a vertical wall or similar obstruction shall terminate above the roof in accordance with Figure 503.6.4.

**Exception:** For one and two family dwellings with roof slopes of 6/12 or less, Type B or BW gas vents 8 inches (204 mm) in size or smaller shall be permitted to terminate 12 inches (305 mm) above the roof, and at not less than 4 feet (1219 mm) from a vertical wall or similar obstruction.

**[A] 101.4.2 Mechanical.**

The provisions of the International Mechanical Code as amended and adopted in the Scottsdale Revised Code, Chapter 31, Article VI shall apply to the installation,

alterations, repairs and replacement of mechanical systems, including equipment, appliances, fixtures, fittings and/or appurtenances, including ventilating, heating, cooling, air-conditioning and refrigeration systems, incinerators and other energy-related systems.

**[A] 101.4.3 Plumbing.**

The provisions of the Plumbing Code as amended and adopted in the Scottsdale Revised Code, Chapter 31, Article VII shall apply to the installation, alteration, repair and replacement of plumbing systems, including equipment, appliances, fixtures, fittings and appurtenances, and where connected to a water or sewage system and all aspects of a medical gas system. The provisions of the Plumbing Code as amended and adopted in the Scottsdale Revised Code, Chapter 31, Article VII and the Maricopa County Health Department shall apply to private sewage disposal systems.

**101.4.3.1 Special Inspections**

All Medical Gases and/or Oxygen System installations per chapter 12 of the International Plumbing Code as amended and adopted in Scottsdale Revised Code, Chapter 31, Article VII, shall require special inspections.

**[A] 101.4.4 Property maintenance.**

The provisions of this code shall apply to all existing residential and nonresidential structures and all existing premises and constitute minimum requirements and standards for premises, structures, equipment and facilities for light, ventilation, space, heating, cooling, sanitation, protection from the elements, life safety, safety from fire and other hazards, and for safe and sanitary maintenance; the responsibility of owners, operators and occupants; the occupancy of existing structures and premises, and for administration, enforcement and penalties. The International Property Maintenance code is amended as follows:

*Chapter 1 – ADMINISTRATION – of the International Property Maintenance Code is amended as follows:*

*Section 101 – GENERAL is amended with the following:*

**SECTION 101 - GENERAL**

**101.1 Title.**

These regulations shall be known as the International Property Maintenance Code of the city of Scottsdale, hereinafter referred to as “this code.”

*Section 103 is amended with the following:*

**SECTION 103 – PROPERTY MAINTENANCE INSPECTION**

**103.1 General.**

Property maintenance inspection may be performed by any city of Scottsdale enforcement officer whether a building official, fire official, code enforcement personal or police officer of the city of Scottsdale. The executive official in charge thereof shall be known as the building official. All reference in this code to the *code official* shall be struck and substituted with *building official*.

**103.5 Fees**

The fees for activities and services performed by the department in carrying out its responsibilities under this code shall be as indicated in the following schedule:

Chapter 46 of Scottsdale Revised Code Section 46-141.

*Section 108 – UNSAFE STRUCTURES AND EQUIPMENT is amended with the following:*

## **SECTION 108 – UNSAFE STRUCTURES AND EQUIPMENT**

### **108.1.2 Unsafe equipment.**

Unsafe equipment includes any boiler, heating equipment, *cooling equipment*, elevator, moving stairway, electrical wiring or device, flammable liquid containers or other equipment on the premises or within the structure which is in such disrepair or condition that such equipment is a hazard to life, health, property or safety of the public or occupants of the premises or structure.

### **108.1.3 Structure unfit for human occupancy.**

A structure is unfit for human occupancy whenever the code official finds that such structure is unsafe, unlawful or, because of the degree to which the structure is in disrepair or lacks maintenance, is insanitary, vermin or rat infested, contains filth and contamination, or lacks ventilation, illumination, sanitary or heating and *cooling* facilities or other essential equipment required by this code, or because the location of the structure constitutes a hazard to the occupants of the structure or to the public.

*Section 111 Means of Appeal is amended by the following:*

**Section 111 – MEANS OF APPEAL** - of the Property Maintenance Code is deleted in its entirety and replaced with section 112 – Board of Appeals - of Chapter 1 of the IBC as adopted in Scottsdale Revised Code, Chapter 31, Article III

*Section 602 – HEATING FACILITIES is amended by the following:*

## **SECTION 602 – HEATING AND COOLING FACILITIES**

*Section 602.1 is deleted and replaced with the following:*

### **602.1 Facilities required**

Heating and cooling facilities shall be provided in structures as required by this section.

*Section 602.2 is deleted and replaced with the following:*

### **602.2 Residential occupancies**

Dwellings shall be provided with heating and cooling facilities as stated in section 602.2.1 & 602.2.2.

#### **602.2.1 Heating**

Interior spaces intended for human occupancy shall be provided with active or passive heating facilities capable of maintaining a room temperature of 68°F (20°C) in all habitable rooms, bathrooms and toilet rooms based on the winter outdoor design temperature of 34°F (01°C) for Phoenix locality, indicated in Appendix D of the International Plumbing Code. Cooking appliances shall not be used to provide space heating to meet the requirements of this section.

**Exception:** Interior spaces where the primary purpose is not associated with human comfort.

### **602.2.2 Cooling**

Interior spaces intended for human occupancy shall be provided with cooling facilities capable of maintaining a room temperature of 85°F (29°C) in all habitable rooms, bathrooms and toilet rooms based on the summer outdoor design temperature of 107°F for Phoenix locality, indicated in Appendix D of the International Plumbing Code.

**Exception:** Interior spaces where the primary purpose is not associated with human comfort.

*Section 602.3 is deleted and replaced with the following:*

### **602.3 Heating & Cooling Supply**

Every owner and/or operator of any building who rents, leases or lets one or more dwelling units or sleeping units on terms, either expressed or implied, shall comply with section 602.

**Exception:** Interior spaces where the primary purpose is not associated with human comfort.

*Section 602.6 is added as follows:*

### **602.6 Maintenance**

All heating and cooling equipment shall be maintained in good working order so the requirements of Section 602.2.1 & 602.2.2 are met.

### **[A] 101.4.5 Fire prevention.**

The provisions of the International Fire Code as amended and adopted in the Scottsdale Revised Code, Chapter 36, Article II shall apply to matters affecting or relating to structures, processes and premises from the hazard of fire and explosion arising from the storage, handling or use of structures, materials or devices; from conditions hazardous to life, property or public welfare in the occupancy of structures or premises; and from the construction, extension, repair, alteration or removal of fire suppression, automatic sprinkler systems and alarm systems or fire hazards in the structure or on the premises from occupancy or operation.

### **[A] 101.4.6 Energy.**

The provisions of the International Energy Conservation Code shall apply to all matters governing the design and construction of buildings for energy efficiency.

*Section C404.7.3 (commercial) is amended by adding the following exception:*

Exception #2: Pools and spas equipped with a dual speed or variable speed pool motor.

*Section R403.9.3 (residential) is amended by adding the following exception:*

Exception #2: Pools and spas equipped with a dual speed or variable speed pool motor.

*Section 101.4.7 Bleachers is added as follows:*

### **101.4.7 Bleachers**

The provisions of the latest addition of ICC 300 shall apply to bleachers, folding and telescopic seating, and grandstands and shall be considered part of this code.



*Section 101.4.8 Existing Buildings is added as follows:*

**101.4.8 Existing Buildings.**

The provisions of the International Existing Building Code shall apply to the repair, alteration, change of occupancy and relocation of existing buildings.

*Section 101.4.9 Electrical is added as follows:*

**101.4.9 Electrical**

All references in this code to ICC Electric Code shall be struck and replaced with National Electric Code as amended and adopted in the Scottsdale Revised Code, Chapter 31, Article IV.

**101.4.9.1 Special Inspections**

When, in the opinion of the Building Official, a complex electrical installations exist (such as those listed below), special inspections shall be required.

- a. Lightning Protection Systems
- b. Extensive grounding grid installations
- c, any electrical installation that cannot be visually inspected at the time of installation do to the type of construction

**SECTION 102 – APPLICABILITY**

**[A] 102.1 General.**

Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable. Where, in any specific case, different sections of this code specify different materials, methods of construction or other requirements, the most restrictive shall govern.

**[A] 102.2 Other laws.**

The provisions of this code shall not be deemed to nullify any provisions of local, state or federal law.

**[A] 102.3 Application of references.**

References to chapter or section numbers, or to provisions not specifically identified by number, shall be construed to refer to such chapter, section or provision of this code.

**[A] 102.4 Referenced codes and standards.**

The codes and standards referenced in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference and as further regulated in Sections 102.4.1 thru 102.4.3.

**[A] 102.4.1 Conflicts.**

Where conflicts occur between provisions of this code and referenced codes and standards, the provisions of this code shall apply.

**[A] 102.4.2 Provisions in referenced codes and standards.**

Where the extent of the reference to a referenced code or standard includes subject matter that is within the scope of this code or the International Codes listed in Section 101.4, the provisions of this code or the International Codes listed in Section 101.4, as applicable, shall take precedence over the provisions in the referenced code or standard.

### **102.4.3 Green Building Program.**

Provisions of the Scottsdale Green Building Rating Checklist shall apply as long as the project is enrolled in the program.

### **[A] 102.5 Partial invalidity.**

In the event that any part or provision of this code is held to be illegal or void, this shall not have the effect of making void or illegal any of the other parts or provisions.

### **[A] 102.6 Existing structures.**

The legal occupancy of any structure existing on the date of adoption of this code shall be permitted to continue without change, except as is specifically covered in this code, the International Property Maintenance Code or the International Fire Code, or as is deemed necessary by the building official for the general safety and welfare of the occupants and the public.

#### **102.6.1 Additions, alterations or repairs.**

Additions, alterations or repairs to any structure shall conform to the requirements for a new structure without requiring the existing structure to comply with all of the requirements of this code, unless otherwise stated. Additions, alterations or repairs shall not cause an existing structure to become unsafe or adversely affect the performance of the building.

##### **102.6.1.1 Commercial & Multi-family.**

When, within a twelve (12) month period, additions, alterations, or repairs exceed fifty (50) percent of the valuation of the structure (as determined by the latest ICC Building Valuation table) the entire building shall be made to conform to the requirements for new buildings.

## **PART 2 – ADMINISTRATION AND ENFORCEMENT**

### **SECTION 103 – DEPARTMENT OF BUILDING SAFETY**

#### **[A] 103.1 Creation of enforcement agency.**

The Department of Building Safety is hereby created and the official in charge thereof shall be known as the building official.

#### **[A] 103.2 Appointment.**

The building official shall be appointed by the chief appointing authority of the jurisdiction.

#### **[A] 103.3 Deputies.**

In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the appointing authority, the building official shall have the authority to appoint a deputy building official, the related technical officers, inspectors, plan examiners and other employees. Such employees shall have powers as delegated by the building official. For the maintenance of existing properties, see the International Property Maintenance Code.

### **SECTION 104 – DUTIES AND POWERS OF BUILDING OFFICIAL**

#### **[A] 104.1 General.**

The building official is hereby authorized and directed to enforce the provisions of this code. The building official shall have the authority to render interpretations of this code and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations,

policies and procedures shall be in compliance with the intent and purpose of this code and shall not have the effect of waiving requirements specifically provided for in this code.

**[A] 104.2 Applications and permits.**

The building official shall receive applications, review construction documents and issue permits for the erection, and alteration, demolition and moving of buildings and structures, inspect the premises for which such permits have been issued and enforce compliance with the provisions of this code.

**[A] 104.3 Notices and orders.**

The building official shall issue all necessary notices or orders to ensure compliance with this code.

**[A] 104.4 Inspections.**

The building official shall make all of the required inspections, or the building official shall have the authority to accept reports of inspection by approved agencies or individuals. Reports of such inspections shall be in writing and be certified by a responsible officer of such approved agency or by the responsible individual. The building official is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise, subject to the approval of the appointing authority.

**[A] 104.5 Identification.**

The building official or duly appointed representative shall carry proper identification when inspecting structures or premises in the performance of duties under this code.

**[A] 104.6 Right of entry.**

Where it is necessary to make an inspection to enforce the provisions of this code, or where the building official has reasonable cause to believe that there exists in a structure or upon a premises a condition which is contrary to or in violation of this code which makes the structure or premises unsafe, dangerous or hazardous, the building official is authorized to enter the structure or premises at reasonable times to inspect or to perform the duties imposed by this code, provided that if such structure or premises be occupied that credentials be presented to the occupant and entry requested. If such structure or premises is unoccupied, the building official shall first make a reasonable effort to locate the owner or other person having charge or control of the structure or premises and request entry. If entry is refused, the building official shall have recourse to the remedies provided by law to secure entry.

**[A] 104.7 Department records.**

The building official shall keep official records of applications received, permits and certificates issued, fees collected, reports of inspections, and notices and orders issued. Such records shall be retained in the official records for the period required for retention of public records.

**[A] 104.8 Liability.**

The building official, member of the board of appeals or employee charged with the enforcement of this code, while acting for the jurisdiction in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered liable personally and is hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties. Any suit instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by legal representative of the jurisdiction until the final termination of the

proceedings. The building official or any subordinate shall not be liable for cost in any action, suit or proceeding that is instituted in pursuance of the provisions of this code.

**[A] 104.9 Approved materials and equipment.**

Materials, equipment and devices approved by the building official shall be constructed and installed in accordance with such approval.

**[A] 104.9.1 Used materials and equipment.**

The use of used materials which meet the requirements of this code for new materials is permitted. Used equipment and devices shall not be reused unless approved by the building official.

**[A] 104.10 Modifications.**

Wherever there are practical difficulties involved in carrying out the provisions of this code, the building official shall have the authority to grant modifications for individual cases, upon application of the owner or owner's representative, provided the building official shall first find that special individual reason makes the strict letter of this code impractical and the modification is in compliance with the intent and purpose of this code and that such modification does not lessen health, accessibility, life and fire safety, or structural requirements. The details of action granting modifications shall be recorded and entered in the files of the department of building safety.

**[A] 104.10.1 Flood hazard areas.**

The building official shall not grant modifications to any provision required in flood hazard areas as established by Section 1612.3 unless a determination has been made that:

01. A showing of good and sufficient cause that the unique characteristics of the size, configuration or topography of the site render the elevation standards of Section 1612 inappropriate.
02. A determination that failure to grant the variance would result in exceptional hardship by rendering the lot undevelopable.
03. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, cause fraud on or victimization of the public, or conflict with existing laws or ordinances.
04. A determination that the variance is the minimum necessary to afford relief, considering the flood hazard.
05. Submission to the applicant of written notice specifying the difference between the design flood elevation and the elevation to which the building is to be built, stating that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced floor elevation, and stating that construction below the design flood elevation increases risks to life and property.

**104.10.2 Staff Variance Procedure.** Requests for a variance of code requirements shall be made in writing on a form provided by the building official. The applicant is responsible for providing all information, calculations, or other data necessary to substantiate each request for a variance. The building official shall approve, approve with stipulations, or deny such applications based upon the substantiating data submitted and the building official's determination that the variance does or does not result in substantial compliance with the intent of this code. In deciding each case, the building official may consider or require alternative methods or systems to be used in

compensation for the particular code provision to be modified. The details of any action granting variances shall be recorded and entered in the files of the department.

**104.10.3 Appeals.** Any person dissatisfied with a formal order, decision, or determination made by the building official may request a hearing by the Flood Control Board. Appeals shall be made in writing on a form provided by the Stormwater Manager and shall be accompanied by a non-refundable fee as set forth in Chapter 46, Article 141 of the Scottsdale Revised Code. The fee shall be equal to the fee required for any appeal before the Building Advisory Board of Appeals.

**[A] 104.11 Alternative materials, design and methods of construction and equipment.**

The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided that any such alternative has been approved. An alternative material, design or method of construction shall be approved where the building official finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability and safety.

**[A] 104.11.1 Research reports.**

Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in this code, shall consist of valid research reports from approved sources.

**[A] 104.11.2 Tests.**

Whenever there is insufficient evidence of compliance with the provisions of this code, or evidence that a material or method does not conform to the requirements of this code, or in order to substantiate claims for alternative materials or methods, the building official shall have the authority to require tests as evidence of compliance to be made at no expense to the jurisdiction. Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the building official shall approve the testing procedures. Tests shall be performed by an approved agency. Reports of such tests shall be retained by the building official for the period required for retention of public records.

**SECTION 105 – PERMITS**

**[A] 105.1 Required.**

Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit.

*Sections 105.1.1 and 105.1.2 are deleted. See Section 117 – Registered Facilities*

**[A] 105.2 Work exempt from permit.**

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

**Building:**

01. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area is not greater than 200 square feet (18.6m<sup>2</sup>).

02. Fences not over 3 feet (0.9144m) high. Fences and walls shall comply with requirements of the zoning ordinance, and all requirements of the Scottsdale Revised Code.
03. Oil derricks.
04. Retaining walls that are not over 3 foot (0.9144m) in height measured from the bottom of the footing to the top of the wall which will not redirect the flow of runoff water and/or does not support a surcharge or impounding Class I, II or IIIA liquids.
05. Water tanks supported directly on grade if the capacity is not greater than 5,000 gallons (18,925L) and the ratio of height to diameter or width is not greater than 2:1.
06. Sidewalks and driveways not more than 30 inches (762mm) above adjacent grade, and not over any basement or story below and are not part of an accessible route.
07. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
08. Temporary motion picture, television and theater stage sets and scenery.
09. Prefabricated swimming pools accessory to a Group R-3 occupancy that are less than 24 inches (610mm) deep, are not greater than 5,000 gallons (18,925L) and are installed entirely above ground.
10. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.
11. Swings and other playground equipment accessory to detached one- and two-family dwellings.
12. Window awnings in Group R-3 and U occupancies, supported by an exterior wall that do not project more than 54 inches (1372mm) from the exterior wall and do not require additional support.
13. Nonfixed and movable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches (1753mm) in height.

**Electrical:**

01. Repairs and maintenance: Minor repair work, including the connection of approved portable electrical equipment to approved permanently installed receptacles.  
Installation or replacement of equipment such as lamps and of electric utilization equipment approved for connection to suitable permanently installed receptacles. Replacement of flush or snap switches, fuses, lamp sockets, and receptacles, and other minor maintenance and repair work, such as replacing worn cords and tightening connections on a wiring device.
02. Radio and television transmitting stations: The provisions of this code shall not apply to electrical equipment used for radio and television transmissions, but **do** apply to equipment and wiring for a power supply and the installations of towers and antennas.
03. Temporary testing systems: A permit shall not be required for the installation of any temporary system required for the testing or servicing of electrical equipment or apparatus.

**Gas:**

01. Portable heating appliance.
02. Replacement of any minor component of an appliance or equipment that does not alter approval of such appliance or equipment or make such appliance or equipment unsafe.

## **Mechanical:**

The provisions of the Mechanical Code as amended and adopted in the Scottsdale Revised Code, Chapter 31, Article VI shall apply.

01. Portable heating appliance;
02. Portable ventilation equipment;
03. Portable cooling unit;
04. Steam, hot or chilled water piping within any heating or cooling equipment regulated by this code.
05. The replacement of any minor part that does not alter the approval of equipment or an appliance or make such equipment or appliance unsafe;
06. Portable evaporative cooler;
07. Self-contained refrigeration systems that contain 10 pounds (4.5 kg) or less of refrigerant, or that are actuated by motors of 1 horsepower (0.75 kW) or less; and
08. Portable-fuel-cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.

## **Plumbing:**

The provisions of the Plumbing Code as amended and adopted in the Scottsdale Revised Code, Chapter 31, Article VII shall apply.

01. The stopping of leaks in drains, water, soil, waste or vent pipe provided, however, that if any concealed trap, drainpipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work and a permit shall be obtained and inspection made as provided in this code.
02. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.

### **[A] 105.2.1 Emergency repairs.**

Where equipment replacements and repairs must be performed in an emergency situation, the permit application shall be submitted within the next working business day to the building official.

### **[A] 105.2.2 Repairs.**

Application or notice to the building official is not required for ordinary repairs to structures, replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles. Such repairs shall not include the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or load-bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the egress requirements; nor shall ordinary repairs include addition to, alteration of, replacement or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electric wiring or mechanical or other work affecting public health or general safety.

**[A] 105.2.3 Public service agencies.**

A permit shall not be required for the installation, alteration or repair of generation, transmission, distribution or metering or other related equipment that is under the ownership and control of public service agencies by established right.

**[A] 105.3 Application for permit.**

To obtain a permit, the applicant shall first file an application therefor in writing on a form furnished by the department of building safety for that purpose. Such application shall:

01. Identify and describe the work to be covered by the permit for which application is made.
02. Describe the land on which the proposed work is to be done by legal description, street address or similar description that will readily identify and definitely locate the proposed building or work.
03. Indicate the use and occupancy for which the proposed work is intended.
04. Be accompanied by construction documents and other information as required in Section 107.
05. State the valuation of the proposed work.
06. Be signed by the applicant, or the applicant's authorized agent.
07. Give such other data and information as required by the building official.

**[A] 105.3.1 Action on application.**

The building official shall examine or cause to be examined applications for permits and amendments thereto within a reasonable time after filing. If the application or the construction documents do not conform to the requirements of pertinent laws, the building official shall reject such application in writing, stating the reasons therefor. If the building official is satisfied that the proposed work conforms to the requirements of this code and laws and ordinances applicable thereto, the building official shall issue a permit therefor as soon as practicable.

**[A] 105.3.2 Time limitation of application.**

An application for a permit for any proposed work shall be deemed to have been abandoned 180 days after the date of last completed review for correction or approval, unless such application has been pursued in good faith or a permit has been issued; except that the building official is authorized to grant one or more extensions of time for additional periods not exceeding 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

**[A] 105.4 Validity of permit.**

The issuance or granting of a permit shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or of any other ordinance of the jurisdiction. Permits presuming to give authority to violate or cancel the provisions of this code or other ordinances of the jurisdiction shall not be valid. The issuance of a permit based on construction documents and other data shall not prevent the building official from requiring the correction of errors in the construction documents and other data. The building official is also authorized to prevent occupancy or use of a structure where in violation of this code or of any other ordinances of this jurisdiction.



**[A] 105.5 Expiration.**

Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

*105.5 Expiration is amended by adding the following:*

**105.5.1 Reactivation**

Any person, firm or corporation holding an expired permit may request the reactivation of the permit. Permit reactivation requests made up to **90 days** after the expiration date may be reactivated at no charge by the Building Official due to justifiable cause. Permit reactivation requests made 91 or more days from the expiration date shall be charged a fee based on the requirements of Section 105.5.2.2. The applicant shall purchase a minimum fee building permit and schedule an inspection of the property to determine which condition – 1 thru 4 - applies.

All reactivation requests shall be made to the Building Official, in writing, and justifiable cause demonstrated. The Building Official may deny any request for permit reactivation for just cause.

**105.5.2 Foreclosed Residential Properties**

When a property under construction is foreclosed and resold, the permit and the permit applicant are no longer valid. New property owners who want to reactivate the original permit shall comply with the following:

**105.5.2.1 Change of Records**

To obtain and reactivate the existing permit, the applicant shall first file a change of record form which shall be obtained from the city Records department. Such form shall be completed with new ownership and contractor information and shall be submitted to the city, accompanied by proof of current ownership. This can be either a copy of the recorded warranty deed or schedule A & B of current title report. A fee equal to the permit extension fee shown on the most current city fee sheet shall apply.

**105.5.2.2 Stages of Construction**

Before the city will reactivate a permit on a foreclosed property or an expired permit, the new applicant shall purchase a minimum fee building permit and schedule an inspection of the property to determine which of the following conditions apply.

**105.5.2.2.1 Condition 1.**

The structure has received **approvals** for all inspections **UNDERSLAB** (003, 004, 005, 006, 007 – and 010 if required). This structure shall be considered **25%** complete. The permit reactivation fee shall be **75%** of the full fee normally charged on the most current fee sheet.

**105.5.2.2.2 Condition 2.**

The structure has received **approvals** for all inspections thru the **ROOF DECK/STRAP & SHEAR** (014). This structure shall be considered **50%**

complete. The permit reactivation fee shall be **50%** of the fee normally charged on the most current fee sheet.

#### **105.5.2.2.3 Condition 3.**

The structure has received **approvals** for all inspections up to the **FINAL** inspections, but has not received **approvals** for the **FINAL** inspections (026, 027, 028, 029, 030, 031, 043, 045). This structure shall be considered **75%** complete. The permit reactivation fee shall be 25% of the full fee normally charged on the most current fee sheet.

#### **105.5.2.2.4 Condition 4.**

The structure has all required inspections approved but needs a **Certificate of Occupancy** issued. A certificate of occupancy permit shall be issued, and a final inspection of the property conducted. Once the property is found in compliance, a **Certificate of Occupancy** shall be issued.

#### **105.5.2.3 Fees**

Fee's normally charged are the fee's in effect at the time the application is submitted for a permit reactivation on a foreclosed structure. The permit shall be calculated at full fee, and then the proper Condition applied.

#### **105.5.2.4 Appropriate Codes**

Should an application be submitted for permit reactivation on either a foreclosed structure or expired permit after new codes have been adopted, the work shall be allowed to be completed under the version of the code in place at the time the original permit was obtained provided not more than 365 day have passed. Expired permit for structures or foreclosed on property under construction sitting dormant for more than 365 days shall meet the requirements of the most currently adopted code. A new plan submittal showing the current code requirements shall be submitted for review and, once approved, a new permit issued. All fee's shall be paid based on the most current city fee sheet.

#### **105.5.2.5 Approved Plans**

Requests for copies of the city approved plans shall be made in writing and accompanied with a notarized letter from the Architect and/or Engineer of record authorizing the city to release a copy of the plans to the applicant.

#### **[A] 105.6 Suspension or revocation.**

The building official is authorized to suspend or revoke a permit issued under the provisions of this code wherever the permit is issued in error or on the basis of incorrect, inaccurate or incomplete information, or in violation of any ordinance or regulation or any of the provisions of this code.

#### **[A] 105.7 Placement of permit.**

The building permit jobcard shall be kept on the site of the work, in a location visible from the street, until the completion of the project.

### **SECTION 106 – FLOOR AND ROOF DESIGN LOADS**

#### **[A] 106.1 Live loads posted.**

Where the live loads for which each floor or portion thereof of a commercial or industrial building is or has been designed to exceed 50psf (2.40kN/m<sup>2</sup>), such design live loads shall be

conspicuously posted by the owner in that part of each story in which they apply, using durable signs. It shall be unlawful to remove or deface such notices.

**[A] 106.2 Issuance of certificate of occupancy.**

A certificate of occupancy required by Section 111 shall not be issued until the floor load signs, required by Section 106.1, have been installed.

**[A] 106.3 Restrictions on loading.**

It shall be unlawful to place, or cause or permit to be placed, on any floor or roof of a building, structure or portion thereof, a load greater than is permitted by this code.

**SECTION 107 – SUBMITTAL DOCUMENTS**

**[A] 107.1 General.**

Submittal documents consisting of construction documents, statement of special inspections, geotechnical report and other data shall be submitted in two or more sets with each permit application. The construction documents shall be prepared by a registered design professional where required by the statutes of the jurisdiction in which the project is to be constructed. Where special conditions exist, the building official is authorized to require additional construction documents to be prepared by a registered design professional.

**Exception:** The building official is authorized to waive the submission of construction documents and other data not required to be prepared by a registered design professional if it is found that the nature of the work applied for is such that review of construction documents is not necessary to obtain compliance with this code.

**[A] 107.2 Construction documents.**

Construction documents shall be in accordance with Sections 107.2.1 through 107.2.6.

Manufacturer's installation instructions, as required by this code, shall be available on the job site at the time of inspection.

**[A] 107.2.1 Information on construction documents.**

Construction documents shall be dimensioned and drawn upon suitable material. Electronic media documents are permitted to be submitted when approved by the building official. Electronic submittals shall be made in the .dwf format, except attached documents may be submitted in a .pdf format. Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and relevant laws, ordinances, rules and regulations, as determined by the building official.

Plans shall include building code data on the cover sheet or site plan, a declaration of building code data which is separate from planning, zoning and other non-building code data consisting of a listing of the following:

01. The applicable city of Scottsdale construction codes for the project;
02. The number of buildings proposed;
03. The occupancy groups, occupancy separation fire ratings or non-separated uses;
04. Construction types;
05. Proposed floor area and allowable floor area calculations or unlimited area;
06. Proposed height and number of stories and allowable height and number of stories;

07. Fire sprinkler classifications;
08. Status and uses;
09. Occupant load(s) of rooms and number of exits per story;
10. Live loads for each floor or portion thereof of a commercial or industrial building that is or has been designed to exceed 50psf (2.40kN/m<sup>2</sup>);
11. And any information on any variance approved for the building(s);
12. Supporting data, calculations, dimensioned site plans indicating required yards, imaginary and actual property lines, etc. shall be included.
13. Plans shall indicate how required structural- and fire- resistive integrity will be maintained where penetrations will be made for electrical, mechanical, plumbing and communication conduits, pipes and similar systems.
14. Plans shall include an exiting plan which shows the common path of travel from the most remote point in rooms, proposed exit paths, travel dimensions and exit access travel distances, and accessible egress.
15. The architectural site plan or a separate site plan shall include accessible routes from accessible parking spaces and passenger loading zones to the various entrances and exits of the building(s), including slopes at grade changes along the accessible route (i.e. 1:50, 1:20, 1:12).
16. When detached dwellings submitted per section 101.2, exception, all braced wall lines shall be identified on the construction documents and all pertinent information including, but not limited to, bracing methods, location and length of braced wall panels, foundation requirements of braced wall panels at top and bottom shall be provided.

**[A] 107.2.2 Fire protection system shop drawings.**

The provisions of the Fire Code as amended and adopted in the Scottsdale Revised Code, Chapter 36, Article II shall apply.

**[A] 107.2.3 Means of egress.**

The construction documents shall show in sufficient detail the location, construction, size and character of all portions of the means of egress including the path of the exit discharge to the public way in compliance with the provisions of this code. In other than occupancies in Groups R-2, R-3, and I-1, the construction documents shall designate the number of occupants to be accommodated on every floor, and in all rooms and spaces.

**[A] 107.2.4 Exterior wall envelope.**

Construction documents for all buildings shall describe the exterior wall envelope in sufficient detail to determine compliance with this code. The construction documents shall provide details of the exterior wall envelope as required, including flashing, intersections with dissimilar materials, corners, end details, control joints, intersections at roof, eaves or parapets, means of drainage, water-resistive membrane and details around openings.

The construction documents shall include manufacturer's installation instructions that provide supporting documentation that the proposed penetration and opening details described in the construction documents maintain the weather resistance of the exterior

wall envelope. The supporting documentation shall fully describe the exterior wall system which was tested, where applicable, as well as the test procedure used.

**[A] 107.2.5 Site plan.**

The construction documents submitted with the application for permit shall be accompanied by a site plan showing to scale the size and location of new construction and existing structures on the site, distances from lot lines, the established street grades and the proposed finished grades and, as applicable, flood hazard areas, floodways, and design flood elevations; and it shall be drawn in accordance with an accurate boundary line survey. In the case of demolition, the site plan shall show construction to be demolished and the location and size of existing structures and construction that are to remain on the site or plot. The building official is authorized to waive or modify the requirement for a site plan when the application for permit is for alteration or repair or when otherwise warranted.

The site plan shall include accessible routes from accessible parking spaces and passenger loading zones to the various entrances and exits of the building(s), including slopes at grade changes along the accessible route (i.e. 1:50, 1:20, 1:12).

**[A] 107.2.5.1 Design flood elevations.**

Where design flood elevations are not specified, they shall be established in accordance with Section 1612.3.1.

For buildings and structures located in whole or in part in flood hazard areas as established by Table R301.2(1), construction documents shall include:

01. Delineation of flood hazard areas, floodway boundaries and flood zones and the design flood elevation, as appropriate;
02. The elevation of the proposed lowest floor, including basement; in areas of shallow flooding (AO zones), the height of the proposed lowest floor, including basement, above the highest adjacent grade; and
03. The elevation of the bottom of the lowest horizontal structural member in coastal high hazard areas (V Zone); and
04. If design flood elevations are not included on the community's Flood Insurance Rate Map (FIRM), the building official and the applicant shall obtain and reasonably utilize any design flood elevation and floodway data available from other sources.

**107.2.6 Standard Plans.**

As used in this code, the term "standard plan" means a single family residential construction plan used two or more times in a given subdivision. A standard plan may include optional features that are ancillary to the base plan. Subsequent to approval, all plan modifications involving options or revisions shall be submitted for review. All changes shall be clearly identified by the use of clouded symbols, deltas, or other appropriate means. The review fee will be charged hourly in accordance with Chapter 46 of Scottsdale Revised Code. If changes involve extensive modifications or, in the building officials' judgment, are not adequately defined, the revised plans will be charged a full plan check fee.

**[A] 107.3 Examination of documents.**

The building official shall examine or cause to be examined the accompanying submittal documents and shall ascertain by such examinations whether the construction indicated and

described is in accordance with the requirements of this code and other pertinent laws or ordinances.

**[A] 107.3.1 Approval of construction documents.**

When the building official issues a permit, the construction documents shall be approved, in writing or by stamp, as "Reviewed for Code Compliance." One set of construction documents so reviewed shall be retained by the building official. The other set shall be returned to the applicant, shall be kept at the site of work and shall be open to inspection by the building official or a duly authorized representative.

**[A] 107.3.2 Previous approvals.**

This code shall not require changes in the construction documents, construction or designated occupancy of a structure for which a lawful permit has been heretofore issued or otherwise lawfully authorized, and the construction of which has been pursued in good faith within 180 days after the effective date of this code and has not been abandoned.

**[A] 107.3.3 Phased approval.**

In commercial construction and building Type R-1 and R-2, the building official is authorized to issue a permit for the construction of foundations or any other part of a building or structure before the construction documents for the whole building or structure have been submitted, provided that adequate information and detailed statements have been filed complying with pertinent requirements of this code. The holder of such permit for the foundation or other parts of a building or structure shall proceed at the holder's own risk with the building operation and without assurance that a permit for the entire structure will be granted.

**[A] 107.3.4 Design professional in responsible charge.**

When it is required that documents be prepared by a registered design professional, the building official shall be authorized to require the owner to engage and designate on the building permit application a registered design professional who shall act as the registered design professional in responsible charge. If the circumstances require, the owner shall designate a substitute registered design professional in responsible charge who shall perform the duties required of the original registered design professional in responsible charge. The building official shall be notified in writing by the owner if the registered design professional in responsible charge is changed or is unable to continue to perform the duties.

The registered design professional in responsible charge shall be responsible for reviewing and coordinating submittal documents prepared by others, including phased and deferred submittal items, for compatibility with the design of the building.

**[A] 107.3.4.1 Deferred submittals.**

For the purposes of this section, deferred submittals are defined as those portions of the design that are not submitted at the time of the application and that are to be submitted to the building official within a specified period.

Deferral of any submittal items shall have the prior approval of the building official. The registered design professional in responsible charge shall list the deferred submittals on the construction documents for review by the building official.

Documents for deferred submittal items shall be submitted to the registered design professional in responsible charge who shall review them and forward

them to the building official with a notation indicating that the deferred submittal documents have been reviewed and found to be in general conformance to the design of the building. The deferred submittal items shall not be installed until the deferred submittal documents have been approved by the building official.

**[A] 107.4 Amended construction documents.**

Work shall be installed in accordance with the approved construction documents, and any changes made during construction that are not in compliance with the approved construction documents shall be resubmitted for approval as an amended set of construction documents.

**[A] 107.5 Retention of construction documents.**

One set of approved construction documents shall be retained by the building official for a period of not less than 180 days from date of completion of the permitted work, or as required by state or local laws.

**107.6 Green Building Program.** For residential projects enrolled in the city of Scottsdale residential Green Building Program, plans shall include applicable provisions of the residential Green Building Program Checklist. Commercial projects shall follow the requirements of the International Green Construction Code as amended and adopted in Scottsdale Revised Code, Chapter 31, Article V.

**SECTION 108 – TEMPORARY STRUCTURES AND USES**

**[A] 108.1 General.**

The building official is authorized to issue a permit for temporary structures and temporary uses. Such permits shall be limited as to time of service, but shall not be permitted for more than 180 days. The building official is authorized to grant extensions for demonstrated cause. Tents and other membrane structures shall comply with sections 3102 or 3103.

**[A] 108.2 Conformance.**

Temporary structures and uses shall conform to the structural strength, fire safety, means of egress, accessibility, light, ventilation and sanitary requirements of this code as necessary to ensure public health, safety and general welfare.

**[A] 108.3 Temporary power.**

The building official is authorized to give permission to temporarily supply and use power in part of an electric installation before such installation has been fully completed and the final certificate of completion has been issued. The part covered by the temporary certificate shall comply with the requirements specified for temporary lighting, heat or power in NFPA 70.

**[A] 108.4 Termination of approval.**

The building official is authorized to terminate such permit for a temporary structure or use and to order the temporary structure or use to be discontinued.

**SECTION 109 – FEES**

**[A] 109.1 Payment of fees.**

A permit shall not be valid until the fees prescribed by law have been paid, nor shall an amendment to a permit be released until the additional fee, if any, has been paid.

**[A] 109.2 Schedule of permit fees.**

On buildings, structures, electrical, gas, mechanical, and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the

schedule as established by the City of Scottsdale and specified in Scottsdale Revised Code, Chapter 46, Article VII.

**[A] 109.3 Building permit valuations.**

The review fee will be charged in accordance with Scottsdale Revised Code, Chapter 46, Article VII.

The applicant for a permit shall provide an estimated permit value at time of application. Permit valuations shall include total value of work, including materials and labor, for which the permit is being issued, such as electrical, gas, mechanical, plumbing equipment and permanent systems. If, in the opinion of the building official, the valuation is underestimated on the application, the permit shall be denied, unless the applicant can show detailed estimates to meet the approval of the building official. Final building permit valuation shall be set by the building official.

**[A] 109.4 Work commencing before permit issuance.**

Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to a fee not less than twice the amount of the required permit fee. If a Notice to Comply/Stop Work Order is issued for work that would have been a “no fee” permit, the fine shall be based on regular permit fees (e.g. no-fee equals \$78.00, doubled. Fine is \$156.00). Work commencing due to an emergency is exempt from penalties providing a permit is obtained at the beginning of the next business day.

**[A] 109.5 Related fees.**

The payment of the fee for the construction, alteration, removal or demolition for work done in connection to or concurrently with the work authorized by a building permit shall not relieve the applicant or holder of the permit from the payment of other fees that are prescribed by law.

**[A] 109.6 Refunds.**

The building official may authorize refunding of any fee paid hereunder which is erroneously paid or collected.

The building official may authorize refunding of not more than 80 percent of the permit fee paid when **no work** has been done under the permit issued in accordance with this code. No refund shall be made once an (any) inspection has been conducted under the permit.

The building official may authorize refunding of not more than 80 percent of the plan review fee paid when the application of a permit for which a plan review fee has been paid is withdrawn or canceled **before** any plan reviewing has taken place. No refund shall be made once a plan has been reviewed and the paperwork processed.

The building official shall not authorize the refunding of any fee paid except on written application by the original permittee **not more than** 180 days after the date of the fee payment.

## **SECTION 110 – INSPECTIONS**

**[A] 110.1 General.**

Construction or work for which a permit is required shall be subject to inspection by the building official and such construction or work shall remain accessible and exposed for inspection purposes until approved. Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the jurisdiction shall not be valid. It shall be the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purposes. Neither the building official nor the jurisdiction shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.



**[A] 110.2 Preliminary inspection.**

Before issuing a permit, the building official is authorized to examine or cause to be examined buildings, structures and sites for which an application has been filed.

**[A] 110.3 Required inspections.**

The building official, upon notification, shall make the inspections set forth in Sections 110.3.1 through 110.3.10.

**[A] 110.3.1 Footing and foundation inspection.**

Footing and foundation inspections shall be made after excavations for footings are complete and any required reinforcing steel is in place. For concrete foundations, any required forms shall be in place prior to inspection. Materials for the foundation shall be on the job, except where concrete is ready mixed in accordance with ASTM C 94, the concrete need not be on the job.

**[A] 110.3.2 Concrete slab and under-floor inspection.**

Concrete slab and under-floor inspections shall be made after in-slab or under-floor reinforcing steel and building service equipment, conduit, piping accessories and other ancillary equipment items are in place, but before any concrete is placed or floor sheathing installed, including the subfloor.

**[A] 110.3.3 Lowest floor elevation.**

In flood hazard areas, upon placement of the lowest floor, including the basement, and prior to further vertical construction, the elevation certification required in Section 1612.5 shall be submitted to the building official.

**[A] 110.3.4 Frame inspection.**

Framing inspections shall be made after the roof deck or sheathing, all framing, fireblocking and bracing are in place and pipes, chimneys and vents to be concealed are complete and the rough electrical, plumbing, heating wires, pipes and ducts are approved.

**[A] 110.3.5 Lath and gypsum board inspection.**

Lath and gypsum board inspections shall be made after lathing and gypsum board, interior and exterior, is in place, but before any plastering is applied or gypsum board joints and fasteners are taped and finished.

Exception: Gypsum board that is not part of a fire-resistance-rated assembly or a shear assembly.

**[A] 110.3.6 Fire- and smoke-resistant penetrations.**

Protection of joints and penetrations in fire-resistance-rated assemblies, smoke barriers and smoke partitions shall not be concealed from view until inspected and approved.

**[A] 110.3.7 Energy efficiency inspections.**

Inspections shall be made to determine compliance with Chapter 13 and shall include, but not be limited to, inspections for: envelope insulation R- and U-values, fenestration U-value, duct system R-value, and HVAC and water-heating equipment efficiency.

**[A] 110.3.8 Other inspections.**

In addition to the inspections specified in Sections 110.3.1 through 110.3.7, the building official is authorized to make or require other inspections of any construction work to

ascertain compliance with the provisions of this code and other laws that are enforced by the department of building safety. A complete list of inspections required by the city of Scottsdale is published on the city website and on job cards.

**[A] 110.3.9 Special inspections.**

For special inspections, see Chapter 17.

**[A] 110.3.10 Final inspection.**

The final inspection shall be made after all work required by the approved plans and building permit is completed.

**[A] 110.3.10.1 Flood hazard documentation.**

If located in a flood hazard area, documentation of the elevation of the lowest floor as required in Section 1612.5 shall be submitted to the building official prior to the final inspection.

**[A] 110.4 Inspection agencies.**

The building official is authorized to accept reports of approved inspection agencies, provided such agencies satisfy the requirements as to qualifications and reliability.

**[A] 110.5 Inspection requests.**

It shall be the duty of the holder of the building permit or their duly authorized agent to notify the building official when work is ready for inspection. It shall be the duty of the permit holder to provide access to and means for inspections of such work that are required by this code.

**[A] 110.6 Approval required.**

Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the building official. The building official, upon notification, shall make the requested inspections and shall either indicate the portion of the construction that is satisfactory as completed, or notify the permit holder or his or her agent wherein the same fails to comply with this code. Any portions that do not comply shall be corrected and such portion shall not be covered or concealed until authorized by the building official.

**SECTION 111 – CERTIFICATE OF OCCUPANCY**

**[A] 111.1 Use and occupancy.**

No building or structure shall be used or occupied, and no change in the existing occupancy classification of a building or structure or portion thereof shall be made, until the building official has issued a certificate of occupancy therefor as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction.

**Exception:** Certificates of occupancy are not required for work exempt from permits under Section 105.2.

**[A] 111.2 Certificate issued.**

After the building official inspects the building or structure and finds no violations of the provisions of this code or other laws that are enforced by the department of building safety, the building official shall issue a certificate of occupancy that contains the following:

01. The building permit number.
02. The address of the structure.
03. The name and address of the owner.

04. A description of that portion of the structure for which the certificate is issued.
05. A statement that the described portion of the structure has been inspected for compliance with the requirements of this code for the occupancy and division of occupancy and the use for which the proposed occupancy is classified.
06. The name of the building official.
07. The edition of the code under which the permit was issued.
08. The use and occupancy, in accordance with the provisions of Chapter 3.
09. The type of construction as defined in Chapter 6.
10. The design occupant load.
11. If an automatic sprinkler system is provided, whether the sprinkler system is required.
12. Any special stipulations and conditions of the building permit.

*Section 111.3 Temporary Occupancy is amended to read as follows:*

**[A] 111.3 Temporary occupancy.**

The building official is authorized to issue a temporary certificate of occupancy for a building or structure as outlined in Sections 111.3.1.

**111.3.1 Commercial Occupancy.** If the building official finds no substantial hazard will result from occupancy of any commercial building or portion thereof before the same is completed, a temporary certificate of occupancy may be issued for the use of a portion or portions of a building or structure prior to the completion of the entire building or structure provided the applicant agrees to the following stipulations:

01. When construction is complete, final inspection shall be requested and a certificate of occupancy issued.
02. The applicant will state in writing the length of time the temporary certificate of occupancy is required. The length of time shall not exceed 180 days. The temporary certificate of occupancy will expire at the end of the time period stated in writing, at which time the power will be de-energized. The building official may extend the temporary certificate of occupancy one time upon written request by the permittee or applicant, showing that circumstances beyond the control of the permittee or applicant, have prevented the completion of the project. Any extensions beyond the first will be taken on a case by case bases. The applicant must show the building official substantial proof the project was unable to be completed within the requested time frame.
03. It is the responsibility of the applicant to complete any required work prior to the expiration date of the temporary certificate of occupancy and request a final inspection.
04. The building official may request the utility company to de-energize power, if required work is not completed on or before the expiration date of the temporary certificate of occupancy. This includes occupying the structure after the temporary certificate of occupancy has expired. The city of Scottsdale reserves the right to lien any property in violations of the provisions of this contract.
05. Neither the City of Scottsdale nor the utility company will be held liable for any damages or delays, for de-energization of power.

**111.3.1.1 Single Family Residential.**

At the discretion of the building official, a temporary certificate of occupancy may be issued for a single family residential occupancy once the applicant provides justifiable cause. If approved, stipulations 1, 3, 4 & 5 in Section 110.3.1 shall apply. The temporary certificate of occupancy shall be valid for not more than 90 days.

### **111.3.2 Applicant**

The applicant shall be the owner or authorized agent. If the owner is not available to provide signature on the application for temporary certificate of occupancy, then the owner shall provide a letter on company letterhead or notarized letter of authorization stating the name of person authorized to act on owner's or company's behalf. Refunds will be paid only to the owner/company listed on the application. Should information on the application change during the course of construction, it is the responsibility of the applicant to inform the city of Scottsdale of such changes so that records may be kept current.

### **113.3.3 Deposit**

For each Temporary Certificate of Occupancy issued, there will be required a refundable cash deposit, paid to the city of Scottsdale to assure compliance to code and ordinance requirements. The amount of the cash deposit will be the same as the sum total of all permits issued to the project which includes foundation, building, electrical, mechanical and plumbing permit fees as specified in Scottsdale Revised Code, Chapter 46, Article VII, or one thousand dollars (\$1,000.00), whichever is greater. Within 30 day of the issuance of the final certificate of occupancy, the deposit will be refunded less a \$200.00 administrative processing fee.

### **[A] 111.4 Revocation.**

The building official is authorized to, in writing, suspend or revoke a certificate of occupancy or completion issued under the provisions of this code wherever the certificate is issued in error, or on the basis of incorrect information supplied, or where it is determined that the building or structure or portion thereof is in violation of any ordinance or regulation or any of the provisions of this code.

## **SECTION 112 – SERVICE UTILITIES**

### **[A] 112.1 Connection of service utilities.**

No person shall make connections from a utility, source of energy, fuel or power to any building or system that is regulated by this code for which a permit is required, until released by the building official.

### **[A] 112.2 Temporary connection.**

The building official shall have the authority to authorize the temporary connection of the building or system to the utility source of energy, fuel or power.

#### **112.2.1 Temporary Electrical Clearance**

During construction, the Building Official may allow temporary electrical power for the purpose of providing construction lighting or for providing power to test equipment provided that the applicant agrees to the following stipulations: that:

01. This clearance will not be construed as permission to occupy or use the premises in any other way than to complete construction and performance tests.
02. When construction is complete, final inspections shall be requested and a certificate of occupancy issued.

03. The applicant will state in writing the length of time the temporary power is required. The temporary electrical clearance will expire at the end of the time period stated in writing, at which time the power will be de-energized. The building inspection manager may extend the time upon written request by the permittee or applicant, showing that circumstances beyond the control of the permittee or applicant have prevented the completion of the project.
04. It is the responsibility of the applicant to complete any required work prior to the expiration date of the temporary electrical clearance and call for required inspections.
05. The building inspection manager may request the utility company to de-energize power at any time, when in the opinion of the building inspection manager, the energized system is used for purposes other than stated above. This includes occupying the structure under temporary power without a valid certificate of occupancy. The city of Scottsdale reserves the right to lien any property in violations of the provisions of this contract.
06. Neither the City of Scottsdale nor the utility company will be held liable for any damages caused by the de-energization of power for the reasons stated.

#### **112.2.2 Applicant**

The applicant shall be the owner or authorized agent. If the owner is not available to provide signature on the application for temporary electrical clearance, then the owner shall provide a letter on company letterhead or notarized letter of authorization stating the name of person authorized to act on owner's or company's behalf. Refunds will be paid only to the owner/company listed on the application. Should information on the application change during the course of construction, it is the responsibility of the applicant to inform the city of Scottsdale of such changes so that records may be kept current.

#### **112.2.3 Deposit**

For each Temporary Electrical Clearance issued, there will be required a refundable cash deposit. paid to the City of Scottsdale to assure the building is not occupied when power is being provided by a temporary electrical clearance. Should the project become occupied, the deposit shall be forfeited and the power de-energized. The amount of the cash deposit will be the same as the sum total of all permits issued to the project which includes foundation, building, electrical, mechanical and plumbing permit fees as specified in Scottsdale Revised Code, Chapter 46, Article VII, or one thousand dollars (\$1,000.00), whichever is greater. Within 30 day of the issuance of the final certificate of occupancy or the cancelation of the temporary power the deposit will be refunded less a \$200.00 administrative processing fee.

#### **112.3 LOCK OUT/TAG OUT SAFETY PROGRAM**

Prior to the approval of temporary power in any form on a construction site, a letter containing the following information shall be on site at the time of the temporary power inspection. The letter shall be from the contractor or property owner and shall include:

01. Address and permit number
02. Description of equipment being energized
03. The name and phone number of a responsible party or parties.
04. What method of safety is to be implemented on the project to ensure the safety of personnel on the site.

05. Acknowledgment that the safety plan implemented will be maintained and monitored by the responsible parties.

The letter shall be distributed to all trade personnel and posted on site. The letter shall notify all trade personnel working on site of the electrical system becoming energized, and what method of safety is being employed. Trade personnel shall acknowledge the receipt of the letter by signing a copy of the letter, which will be kept in the construction office, or other convenient place on site.

An original signed and dated letter shall be retained by the city of Scottsdale until the project is accepted and under a Certificate of Occupancy.

**[A] 112.4 Authority to disconnect service utilities.**

The building official shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code and the referenced codes and standards set forth in Section 101.4 in case of emergency where necessary to eliminate an immediate hazard to life or property or when such utility connection has been made without the approval required by Section 112.1 or 112.2. The building official shall notify the serving utility, and wherever possible the owner and occupant of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnecting, the owner or occupant of the building, structure or service system shall be notified in writing, as soon as practical thereafter.

## **SECTION 113 – BOARD OF APPEALS**

**[A] 113.1 General.**

In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The board of appeals shall be appointed by the applicable governing authority and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business.

**[A] 113.2 Limitations on authority.**

An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed. The board shall have no authority to waive requirements of this code, or authority relative to interpretation of the administrative provisions of this code. Appeal cases appearing before the Building Advisory Board of Appeals shall be property specific and relate to projects having a building or fire permit, pending permit application or a written violation notice.

**[A] 113.3 Qualifications.**

The board of appeals shall consist of members who are qualified by experience and training to pass on matters pertaining to building construction and are not employees of the jurisdiction.

## **SECTION 114 – VIOLATIONS**

**[A] 114.1 Unlawful acts.**

It shall be unlawful for any person, firm or corporation to erect, construct, alter, extend, repair, move, remove, demolish or occupy any building, structure or equipment regulated by this code, or cause same to be done, in conflict with or in violation of any of the provisions of this code.

**[A] 114.2 Notice of violation.**

The building official is authorized to serve a notice of violation or order on the person responsible for the erection, construction, alteration, extension, repair, moving, removal, demolition or occupancy of a building or structure in violation of the provisions of this code, or in violation of a permit or certificate issued under the provisions of this code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

**[A] 114.3 Prosecution of violation.**

If the notice of violation is not complied with promptly, the building official is authorized to request the legal counsel of the jurisdiction to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the building or structure in violation of the provisions of this code or of the order or direction made pursuant thereto.

**[A] 114.4 Violation penalties.**

Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this code, shall be subject to penalties as prescribed by law as a Class One Misdemeanor.

**SECTION 115 – STOP WORK ORDER**

**[A] 115.1 Authority.**

Whenever the building official finds any work regulated by this code being performed in a manner either contrary to the provisions of this code or dangerous or unsafe, the building official is authorized to issue a stop work order.

**[A] 115.2 Issuance.**

The stop work order shall be in writing and shall be given to the owner of the property involved, or to the owner's agent, or to the person doing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order, and the conditions under which the cited work will be permitted to resume.

**[A] 115.3 Unlawful continuance.**

Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties as prescribed by law.

**SECTION 116 - CONSTRUCTION ACTIVITY**

**116.1 Working Hours.**

All building construction activity and associated work shall be restricted to the hours stated herein. Construction hours are distinguished between "summer hours" and "winter hours". Construction activity shall include any work requiring the use of manually operated or power assisted tools or equipment and vehicles used to excavate, erect or deliver materials associated with construction.

**116.1.1 Summer hours.**

Summer hours shall begin April 1st and shall be in effect thru October 31st. No work shall commence prior to 6:00am nor continue after 7:00pm Monday thru Friday. Work on Saturday and Sunday shall be restricted to 7:00am thru 7:00pm. Sunday work shall only be conducted when the applicant demonstrates, in writing, justifiable cause for this work.

### **116.1.2 Winter Hours**

The remaining portion of the year, not designated as summer hours, shall be winter hours. No work shall commence prior to 7:00am nor continue after 5:00pm Monday thru Friday. Work on Saturday and Sunday shall be restricted to 8:00am thru 5:00pm. Sunday work shall only be conducted when the applicant demonstrates, in writing, justifiable cause for this work.

The city of Scottsdale may establish other times as necessary based on the geographical location of the jobsite in relation to surrounding occupancies building and structures.

*FPN: this ordinance is not intended to restrict the homeowner from working on Sunday. However, starting and stopping times do apply.*

### **116.1.3 Variances.**

The building official may upon written request grant a variance from these times if justifiable cause can be demonstrated that work must be done outside the prescribed time period (e.g. pouring concrete during “summer hours”). A variance shall not be granted based solely on convenience (e.g. traffic). A variance shall not be granted for any work that can be completed during daytime construction hours (e.g. demolition).

The variance shall state the permit number, address, type of work, time period of the work and the duration of the variance.

The building official shall receive any request for variance at least seven (7) days before the work by the variance is done. Variances shall not be granted for more than 30 days at a time. If a longer timeframe is necessary, additional application shall be made for those occurrences.

The applicant requesting the variance shall be responsible for notifying the adjacent property owners of intended work and duration of time. Proof of this notification shall be presented to the building official prior to granting the variance from established work times.

### **116.1.4 Stop Work**

Should it be determined that construction activity is being conducted outside the prescribed constructions hours stated in 116.1.1 and 116.1.2 without first receiving approval to do so through the variance process, any city enforcement officer whether a building official, public works inspector, code enforcement personnel or police officer shall have the authority to order all work stopped, and the site vacated. The building official shall issue a “stop work” order at the first opportunity. No further work shall be conducted outside the prescribed times until proper variances is applied for, notifications have been put in place, and the variance approved. Work conducted in violation of Section 116 shall be subject to the penalties described in Scottsdale Revised Code, Chapter 31, Section 31-33 – Violations.

## **116.2 Dust, Dirt And Debris Control.**

It shall be the responsibility of the property owner, the owner’s appointed representative or contractor to control dust, dirt or debris created by construction in accordance with this section.

Provisions shall be made to keep the public way and all adjoining properties free of construction dirt, dust and debris created by workers or construction related vehicles. Dust may be controlled by providing a water truck during any portion of construction when dust is created, to keep all dirt sufficiently wet in order to minimize airborne dust. Dirt that has fallen into the public way or onto any adjacent property shall be immediately swept clean. Construction debris such



as trash or scrap building materials, being blown or deposited into the public way or onto any adjacent property shall be immediately removed. An area on the construction site shall be provided where debris such as trash or scrap building materials can be stored until such material can be safely removed from the site.

When a complaint is received by the city regarding dirt, dust or debris associated with a construction site, any city enforcement officer whether a building official, public works inspector, code enforcement personnel or police officer shall have the authority to notify the property owner, appointed representative or contractor of the violation and issue a compliance notice stating the time period that the dirt, dust or debris must be removed. Non-compliance will result in the suspension of all construction permits and a halt of all work at the construction site until the notice is complied with. The city shall not be held responsible for construction delays caused by non-compliance with these requirements.”

### **116.3 Noise**

The city desires establish minimum requirements for construction noise and regulate same when work outlined in Section 101.2 is located seven hundred fifty (750) feet or less from a residential occupancy (as defined in Section 116.3.1.4).

**Exception:** If the building official finds that noise is limited or non-existent, the building official may waive the requirements of Section 116.3.

#### **116.3.1 Definitions**

**116.3.1.1 Construction work:** shall be work outlined in section 101.2 and shall include:

01. grading, excavation and backfilling including the import/export of fill material;
02. loading or unloading construction equipment or materials or the idling of construction related trucks.

**Exception 1:** Termite pre-treatment.

**Exception 2:** Any landscaping work for which a permit is not required.

*FPN: Work hours in Section 116.1 shall apply.*

**116.3.1.2 Construction noise:** shall be any noise created by activities defined in 116.3.1.1 Construction work and audible at any residential occupancy seven hundred fifty (750) feet or less of the construction site. The following shall be regarded as construction noise and subject to the requirements of Section 116.3.

*FPN: 2-way radios used to communicate on the jobsite shall not be regulated by this code.*

01. Back-up alarm on construction or construction delivery vehicles;  
*(Using flagman in place of backup alarms as allowed by OSHA Standards 29 CFR 1926.601(b)(4)(i) & 1926.601(b)(4)(ii) is an acceptable alternative)*
02. Equipment such as generators or concrete pumps;
03. Amplified sounds generated by portable or stationary devices.

**116.3.1.3 Construction Hours:** Construction hours are defined as summer hours (section 116.1.1) and winter hours (section 116.1.2). Work performed during the hours stated in 116.1.1 and 116.1.2 shall comply with Section 116.3.

**116.3.1.4 Residential Occupancy:** any occupancy defined as single or multi-family; hotels; motels; apartments; nursing homes; retirement homes; assisted living; or any similar occupancy.

### **116.3.2 Notice to affected neighborhoods:**

The owner of the property where the construction is being conducted or a duly appointed representative may be required to have one or more neighborhood meetings to discuss noise mitigation strategies. Neighborhood notification can be either door-to-door or thru an HOA. The information discussed with the neighborhood shall include, but is not limited to:

01. what the neighbors can expect;
02. construction schedules (including length of construction and anticipated completion date)
03. the kind of noise expected to be generated and the noise levels;
04. the names and phone numbers of jobsite contacts who can address complaints immediately.

### **116.3.3 Noise Mitigation plan submittal**

The information agreed to in the neighborhood meeting(s), shall be incorporated into the noise mitigation plan and submitted to the Building Official for approval prior to the issuance of any permit(s).

The plan shall include but not be limited to the following:

01. Project name and address
02. The name and phone number of a responsible person(s) who is authorized to respond and take immediate corrective action on any noise complaints.
03. Anticipated date of job completion (adjusted as the job progresses).
04. Anticipated date of concrete pours (adjusted as the job progresses).
05. Location and type of sound barriers if required or used
06. Noise mitigation strategies (i.e. use of smart alarms in lieu of back-up beepers)
07. Identify methods to keep affected persons updated and informed.
08. Identify work that may be performed outside authorized times.
09. Identify Sunday as a quiet day.

### **116.3.4 Applicant Responsibilities**

Once the plan is approved, and the permit issued, the permit holder shall be responsible for:

01. Notifying the building official and affected persons immediately of any delays or changes in schedules.
02. Make application for any variances for work to be done outside of authorized times. (See section 116.1.3)
03. Make adjustments in noise mitigation plan as needed in consultation with, or at the direction of, the building official .

The permit holder, and/or the site superintendent/foreman is responsible for the actions of subcontractors.

### **116.3.5 Limitations on Construction Work**

Unless construction work is otherwise exempt from the provisions of this Section 116.3, it shall be unlawful for any person, firm or corporation to perform construction work within the city limits in violation of the restrictions set forth in Section 116.3.

### **116.3.6 Exemptions**

The restrictions on construction work in Section 116.3 shall not apply to persons, firms or corporations performing construction work that is necessary to:

01. protect the health, safety or welfare of persons or property in an emergency,
02. complete public works projects necessary to further interest of the public or,
03. maintain or restore utilities, cable or phone service.

#### **116.4 Stop Work Orders; Violations**

In addition to any other remedy set forth in this code, the building official may order construction work being performed outside established hours or exceeding noise levels established for the jobsite to be stopped immediately. It is unlawful to perform work in violation of a stop work order issued pursuant to this section.

#### **116.5 Penalties**

Any person, firm or corporation who violates a provision of Sections 116.1, 116.2 or 116.3 is subject to the penalties outlined in Scottsdale Revised Code, Section 31-33.

### **SECTION 117 – REGISTERED FACILITIES**

#### **117.1 Definition.**

For the purpose of this code, a registered facility is a firm, corporation, or political entity engaged in manufacturing, processing, or servicing which requires specialized facilities, utilities, and equipment to the extent that the facility maintains full-time personnel for the operation and maintenance of such facilities, utilities, and equipment and when such facility has complied with all the provisions of this section. A registered facility shall include industrial plants and health care facilities involved in the aforementioned activities. A registered facility shall not include retail operations.

#### **117.2 Scope.**

Registered facilities are exempt from Section 105 permits, for work regulated by this code when such work is minor in nature, does not increase the floor area, height, exiting, or change the occupancy use, and is performed on existing buildings, structures, and associated utilities. This exemption is limited to buildings owned and/or leased, and under the direct control of the holder of the registration. The facility registration is not transferable and shall not be construed to waive any other provisions of this code. All work performed at a registered facility by the registered design professional shall be done in compliance with the codes and ordinances currently adopted by the jurisdiction.

The valuation of all work shall include costs for labor and material for architectural, structural, electrical, plumbing, and mechanical work. Contractor's profit should not be omitted.

#### **117.3 Qualifications.**

In addition to meeting the general definitions above, a registered facility shall have in its employ an architect/engineer registered in the State of Arizona who shall be responsible for complying with the substantive provisions of this code.

#### **117.4 Application and Fee.**

Anyone applying for Registered Facility status shall file an application, along with an application fee, with the Building Official. The fee shall be Four Thousand dollars (\$4000.00) per calendar year. Any application received between April 1<sup>st</sup> thru June 30<sup>th</sup>, shall be charged a fee of Three Thousand dollars (\$3000.00); Any application received between July 1<sup>st</sup> thru September 30<sup>th</sup>, shall be charged a fee of Two Thousand dollars (\$2000.00); Any application received between October 1<sup>st</sup> and December 31<sup>st</sup>, shall be charged a fee of One Thousand dollars (\$1000,00). All Registered Facility's expire on December 31<sup>st</sup> of the calendar year as per section 117.5. If the application is disapproved, the fee shall be refunded. The applicant may appeal such decision to the Building Advisory Board of Appeals.

### **117.5 Registration Renewal.**

Renewals are made each year by the completion of a new application form and the payment of the appropriate fee on January 1<sup>st</sup>, or the first business day after January 1<sup>st</sup>, of the new year. Any work performed without a registration or a city issued permit shall be a violation of this code.

### **117.6 Validity of Registration.**

Registration shall be valid only as long as the registered design professional remains in the employ of the applicant in an active and full time capacity. If the registered design professional should leave the employ of the applicant, the registration shall be suspended until another registered design professional is assigned the responsibility for work done under the registration. The registrant shall notify the building official immediately and call for inspection of any work in progress in accordance with Section 305. Before any new work commences while registration is invalid or suspended, permit and inspections shall be obtained pursuant to this chapter.

### **117.7 Revocation of Registration.**

The building official may suspend or revoke a registration when the registrant fails to comply with any of the registration responsibilities or for violation of any provision of this code. When the building official deems that the registration shall be suspended or revoked, the registrant will be notified in writing by certified mail at least seven days prior to suspension or revocation. The registrant may appeal to the Building Advisory Board of Appeals within 10 days after notice of suspension or revocation.

### **117.8 Work Report and Inspections.**

A report of all work done under the facility registration shall be prepared by the registered design professional and submitted monthly to the building official together with plans and valuation of alterations to facilities covered under the code. The report shall be signed and sealed by the registrant and submitted even during months of inactivity. The registered design professional shall make arrangements with the Building Official for quarterly inspections for work done under the registration. The Building Official has the authority to reject work or request corrections for any work found to be in violation of adopted codes or ordinances.

### **117.9 Plans.**

Plans submitted pursuant to this section may be reviewed and inspection of the work conducted by the building official or authorized representatives as set forth in this code, provided, however, that work may proceed without inspection pursuant to this section. The registrant may request a plan review or inspection of any work performed under this section without payment of additional plan review or inspection fees.

**Exception:** Work reports need not be submitted for the following:

01. Installation of machines, equipment, and processes related to production or testing;
02. Repair of electrical, plumbing, or mechanical systems;
03. Movable cases, counters, and partitions not over 5 feet 9 inches high.

## **SECTION 118 – FIRE DAMAGED PROPERTY**

### **118.1 Assessment Required.**

When the structural components of buildings have been subjected to fire, it is the responsibility of the owner to acquire an assessment of structural damage from a registered engineer or architect. The city cannot provide an assessment of fire damaged property.

In every instance, a building permit shall be required when building components, including electrical, plumbing, and mechanical systems are replaced. Plans shall be submitted for all structural and non-structural building components that are refurbished.

Structural calculations, including engineered truss design by an approved manufacturer, shall be required for all structural replacements or modifications. All truss designs shall be keyed to the roof framing plan. The owner may be required to furnish calculations to substantiate the adequacy of charred or damaged structural framing. In computing the effective section modulus, the charred wood and 1/4 inch depth below the char shall be discounted. In addition, testing may be required to determine the adequacy and structural strength for damaged structural elements.

The provisions of Section 102.6 shall apply to any fire damaged structure

## **SECTION 119 – OFFICE OF MANUFACTURED HOUSING (A.R.S. TITLE 41, Chap.16, Art.2)**

### **119.1 General.**

The Office of Manufactured Housing of the State Department of Building and Fire Safety maintains standards of quality and safety for manufactured homes, factory-built buildings, mobile homes, recreational vehicles, accessory structures and installation of manufactured and mobile homes, factory-built buildings and accessory structures

### **119.2 AGREEMENTS**

The Office of Manufactured Housing establishes agreements with local enforcement agencies to enforce the installation standards in their jurisdiction. The City of Scottsdale has no such agreement, therefore the state office enforces the installation standards which includes all utility connections.

### **119.3 MINIMUM STANDARDS.**

Local enforcement agencies must recognize the minimum standards of the State as equal to any nationally accepted or locally adopted building code standard. No local enforcement agency may require any unit which has been certified in accordance with State statutes to be subjected to :

01. Local inspections for determining compliance.
02. Fees for any services that are covered by State standards.

The aforementioned shall not preclude the enforcement of local codes and ordinances governing requirements for zoning, maximum areas, fire separations, site development and on-site utility terminals.

### **119.4 DOCUMENT SUBMITTAL**

The following documentation shall be submitted for the installation of a manufactured building:

01. Plans and all other documentation required to resolve all planning and zoning, and civil engineering issues.
02. Architectural plan indicating location of all buildings (new and existing) on the property, the location of utilities, septic systems, drives, etc., and the occupancy and use of the buildings.
03. Water meter calculation for the property.
04. Electrical calculation for each service on the property.
05. Fire sprinkler plans.

## **SECTION 120 – PROTECTION FOR SHAFTS, PITS AND EXCAVATIONS**

### **120.1 Protection Required.**

Every person owning or having charge of land upon which is located any abandoned swimming pool or any abandoned mining shaft, test hole, well, pit, or similar excavation which exceeds six (6) feet in any lateral dimension and three (3) feet in depth shall cover, fence securely, or provide some equivalent protection for the hazard and keep it so protected.

### **120.2 Enclosure required in Chapter 31.**

The enclosure required in Chapter 31 for swimming pools shall be considered to meet the requirements for minimum equivalent protection.

## **SECTION 121 – UNSAFE STRUCTURES AND EQUIPMENT**

### **[A] 121.1 Conditions.**

Structures or existing equipment that are or hereafter become unsafe, insanitary or deficient because of inadequate means of egress facilities, inadequate light and ventilation, or which constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or that involve illegal or improper occupancy or inadequate maintenance, shall be deemed an unsafe condition. Unsafe structures shall be taken down and removed or made safe, as the building official deems necessary and as provided for in this section. A vacant structure that is not secured against entry shall be deemed unsafe.

### **[A] 121.2 Record.**

The building official shall cause a report to be filed on an unsafe condition. The report shall state the occupancy of the structure and the nature of the unsafe condition.

### **[A] 121.3 Notice.**

If an unsafe condition is found, the building official shall serve on the owner, agent or person in control of the structure, a written notice that describes the condition deemed unsafe and specifies the required repairs or improvements to be made to abate the unsafe condition, or that requires the unsafe structure to be demolished within a stipulated time. Such notice shall require the person thus notified to declare immediately to the building official acceptance or rejection of the terms of the order.

### **[A] 121.4 Method of service.**

Such notice shall be deemed properly served if a copy thereof is (a) delivered to the owner personally; (b) sent by certified or registered mail addressed to the owner at the last known address with the return receipt requested; or (c) delivered in any other manner as prescribed by local law. If the certified or registered letter is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice. Service of such notice in the foregoing manner upon the owner's agent or upon the person responsible for the structure shall constitute service of notice upon the owner.

### **[A] 121.5 Restoration.**

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.

## **Chapter 2 – DEFINITIONS**

*Chapter 2 is amended by adding the following:*

**FIREPLACE** means a built in place masonry hearth and fire chamber or a factory-built appliance, designed to burn solid fuel or to accommodate gas or electric log insert or similar device, and which is intended for occasional recreational or aesthetic use, not for cooking, heating, or industrial processes.

**RESIDENTIAL CARE/ASSISTED LIVING FACILITIES.** A building or part thereof housing persons, on a 24-hour basis, who because of age, mental disability or other reasons, live in a supervised residential environment which provides personal care services. The occupants are capable of responding to an emergency situation without physical assistance from staff. When the occupancy is 5 or fewer persons, the structure shall comply with R310.5. When the occupancy is no fewer than 6 nor more than 10 persons, the structure shall comply with 310.6. All occupancies greater than 10 persons, the structure shall comply with 308.3.

**SOLID FUEL** includes but is not limited to wood, coal, or other nongaseous or non-liquid fuels, including those fuels defined by the Maricopa County Air Pollution Control Officer as “inappropriate fuel” to burn in residential wood-burning devices.

**SWIMMING POOLS.** Any structure intended for swimming, recreational bathing or wading that contains water over 24 inches (610mm) deep. This includes in-ground, above-ground and on-ground pools; hot tubs; spas and fixed-in-place wading pools. This includes in-ground, above-ground and on-ground pools; hot tubs; spas and fixed-in-place wading pools. Swimming pools shall be a minimum of 24 inches (609 mm) from the property line, wall, fence or barrier.

**TEMPORARY TENT:** a membrane structure, enclosed on 3 or more sides, erected for less than 180 days.

**TEMPORARY CANOPY:** a membrane structure, open on 2 or more sides, erected for less than 180 days.

**WOODSTOVE** means a solid-fuel burning heating appliance including a pellet stove, which is either freestanding or designed to be inserted into a fireplace.

### **Chapter 3 – USE AND OCCUPANCY CLASSIFICATIONS**

*Chapter 3 is amended as follows:*

#### **Section 308.3 Group I-1.**

This occupancy shall include buildings, structures or portions thereof for more than 10 persons who reside on a 24 hour basis in a supervised environment and receive custodial care. The persons receiving care are capable of self-preservation. This group shall include, but not be limited to, the following:

Alcohol and drug centers

Assisted living facilities

Congregate care facilities

Convalescent facilities

Group homes

Halfway houses

Residential board and custodial care facilities

Social rehabilitation facilities

**308.3.1 Five or fewer persons receiving care.**

A facility such as the above with five or fewer persons receiving such care shall be classified as Group R-3 and comply with R310.5.

**308.3.2 Six to ten persons receiving care.**

A facility such as above, housing not fewer than six and not more than ten (10) persons receiving such care, shall be classified as Group R-4 and comply with R310.6.

**Section 310 Residential Group R.**

*Section 310.2 is amended by adding the following:*

**Section 310.2 Definitions.**

The following terms are defined in Chapter 2:

BOARDING HOUSE.

CONGREGATE LIVING FACILITIES.

DORMITORY.

GROUP HOME.

PERSONAL CARE SERVICE.

RESIDENTIAL CARE/ASSISTED LIVING FACILITIES.

TRANSIENT.

*Section 310.5.1 is amended by the following:*

**Section 310.5.1 Care/Assisted Living Occupancies within a dwelling.**

Care/assisted living occupancies in new construction for five or fewer persons receiving care that are within a single-family dwelling are permitted to comply with the International Residential Code provided an automatic sprinkler system is installed in accordance with Section 903.3.1.3 or with Section P2904 of the International Residential Code.

Care/assisted living occupancies in existing structures with five or fewer persons, excluding staff, shall meet the following requirements:

- a. Interconnected smoke detectors shall be installed in all livable areas in accordance with City of Scottsdale building code.
- b. Posted evacuation map and emergency procedures, per fire department.
- c. Portable fire extinguishers in accordance with the provisions of the Fire Code as amended and adopted in the Scottsdale Revised Code, Chapter 36, Article II shall apply.

**310.6 Residential Group R-4.**

This occupancy shall include buildings, structures or portions thereof for more than five but not more than ten (10) persons, excluding staff, who reside on a 24-hour basis in a supervised residential environment and receive custodial care. The persons receiving care are capable of self-preservation. This group shall include, but not be limited to, the following:

Alcohol and drug centers

Assisted living facilities

Congregate care facilities



Convalescent facilities

Group homes

Halfway houses

Residential board and custodial care facilities

Social rehabilitation facilities

Group R-4 occupancies shall meet the requirements for construction as defined for Group R-3, except as otherwise provided for in this code, or shall comply with the International Residential Code.

## **Chapter 4 – MOTOR-VEHICLE-RELATED OCCUPANCIES**

*Section 406.3.4 is amended by adding the following:*

*(this amendment was moved from section 508.4 in the 2006 IBC)*

### **406.3.4 Separation.**

4. Carports for other than single family residential use which are open on all sides and constructed entirely of noncombustible materials, except for an approved fascia, shall not exceed three thousand (3,000) square feet and shall be located no closer than three (3) feet to an adjacent property line nor closer than six (6) feet to the furthest projecting element of a building or structure. The edge of the carport roof shall be used to measure the distance to property lines, buildings, and projecting elements of buildings or structures."

## **Chapter 6 – TYPES OF CONSTRUCTION**

*Note "d" of Table 601 is stricken*

## **Chapter 7 – FIRE AND SMOKE PROTECTION FEATURES**

*Section 705.11, Parapets, is amended by adding exception 7 as follows :*

7. Two-hour fire-resistive exterior wall constructed entirely of non-combustible materials in a building equipped with an approved automatic sprinkler system. The wall shall terminate at the underside of roof sheathing and the entire building shall be provided with noncombustible roof covering."

## **Chapter 9 - FIRE PROTECTION SYSTEMS**

*All sections of Chapter 9 except sections 909.20 and 909.21 are deleted and replaced with the following:*

The provisions of this chapter shall specify where fire protection systems are required and shall apply to the design, installation and operation of fire protection systems and shall be installed as required by Chapter 9 of the International Fire Code as amended and adopted in the Scottsdale Revised Code, Chapter 36, Article II.

## **Chapter 10 – MEANS OF EGRESS**

*Chapter 10 is amended as follows:*

### **1004.3 Posting of occupant load.**

Every room or space that is an assembly occupancy shall have the occupant load of the room or space posted in a conspicuous place, near the main exit or exit access doorway from the room or space. The sign shall be printed in letters not less than three-quarter (3/4) inch high on a contrasting background and read: "Maximum Occupant Load \_\_\_\_ People". Posted signs shall

be maintained by the owner or authorized agent. The number of people occupying the room shall not exceed the maximum occupant load as posted on the sign.

*1028.10.1.2 amended to read:*

**1028.10.1.2 Seating at table – aisle accessway length.** (moved from 1014.4.3.3)

The length of travel along the aisle accessway shall not exceed 30 feet (9144 mm) from any seat to the path of egress travel.

## **Chapter 11 - ACCESSIBILITY**

*Chapter 11 is amended as follows:*

### **1101.2 Design.**

Buildings and facilities shall be designed and constructed to be accessible in accordance with this code and ICC A117.1, and the "Arizonans with Disabilities Act" (Arizona Revised Statutes, Title 41, Chapter 9, Article 8), and the "Arizonans with Disabilities Act Implementing Rules" (Arizona Administrative Code, Title 10, Chapter 3, Article 4), which rules incorporate the federal "2010 Americans with Disabilities Act Standards for Accessible Design," and shall apply to new construction and alterations.

*Section 1107 General exceptions is amended by adding the following:*

#### **1107.7.6 Condominium Projects.**

Type A units are required to be designed, but not required to be constructed, unless requested. When no Type A units are requested, units shall be constructed as a Type B unit.

## **Chapter 12 – TEMPERATURE CONTROL**

*Section 1204.1 is amended as follows:*

### **1204.1 Equipment and systems.**

Interior spaces intended for human occupancy shall be provided with heating per Section 1204.1.1 and cooling per Section 1204.1.2.

#### **1204.1.1 Heating**

Interior spaces intended for human occupancy shall be provided with active or passive heating facilities capable of maintaining a room temperature of 68°F (20°C) in all habitable rooms, bathrooms and toilet rooms based on the winter outdoor design temperature of 34°F (01°C) for Phoenix locality, indicated in Appendix D of the International Plumbing Code. Cooking appliances shall not be used to provide space heating to meet the requirements of this section.

**Exception:** Space heating systems are not required for interior spaces where the primary purpose of the space is not associated with human comfort.

#### **1204.1.2 Cooling**

Interior spaces intended for human occupancy shall be provided with cooling facilities capable of maintaining a room temperature of 85°F (29°C) in all habitable rooms, bathrooms and toilet rooms based on the summer outdoor design temperature of 107°F (42°C) for Phoenix locality, indicated in Appendix D of the International Plumbing Code.

**Exception:** Space cooling systems are not required for interior spaces where the primary purpose of the space is not associated with human comfort.

### **1204.1.3 Maintenance**

All heating and cooling equipment shall be maintained in good working order so the requirements of Section 1204 for heating and cooling are met.

## **CHAPTER 16 – STRUCTURAL DESIGN**

*Section 1612.3 is amended as follows:*

### **1612.3 Establishment of flood hazard areas.**

The city is a participant in the National Flood Insurance Program (NFIP). The special flood hazard areas and the parts of those areas which are designated as regulatory floodways are identified and delineated by the federal emergency management agency (FEMA) in an engineering report titled "Flood Insurance Study, Scottsdale, Arizona" with accompanying flood insurance rate maps (FIRM) and flood hazard boundary maps (FHBM). Such studies and maps are prepared for communities participating in the NFIP. The first study and maps for Scottsdale were dated June 1972, and there have been several revisions. See Chapter 37 of the Scottsdale Revised Code on the requirements and regulations pertaining to the use and development of land in the city which will minimize the occurrence of losses, hazards and conditions adversely affecting the public health, safety and general welfare which might result from flooding caused by the surface runoff of rainfall.

*Section 1612.3.1 is amended to read as follows:*

#### **1612.3.1 Design flood elevations.**

Where design flood elevations are not included in the flood hazard areas established in Scottsdale Revised Code, Chapter 37 – Floodplain and Stormwater Regulation, or where floodways are not designated, the building official is authorized to require the applicant to:

## **Chapter 18 – SOILS AND FOUNDATIONS**

*Section 1803.5.3 is revised to read:*

### **1803.5.3 Expansive soil.**

In areas likely to have expansive soil, the building official shall require soil tests to determine where such soils do exist. When expansive soil is identified, a soils report shall be required.

*Table 1806.2 is revised to read:*

### **TABLE 1806.2 PRESUMPTIVE LOAD-BEARING VALUES**

Vertical Foundation Pressure for Class 4 materials shall be 1500psf.

*Section 1809.4 is amended to read:*

### **1809.4 Depth and width of footings.**

The minimum depth of footings below the undisturbed ground surface shall be 18 inches (457 mm). Where applicable, the requirements of Section 1809.5 shall also be satisfied. The minimum width of footings shall be 16 inches (407 mm) for foundation walls and 24 inches (610 mm) for isolated columns.

*TABLE 1809.7 is amended by adding footnote "h" as follows:*

- 4     **h.** Isolated columns carrying loads in excess of 750 lb's shall be supported on minimum square feet of footing, with minimum width of 24 inches. Maximum bearing pressure from service loads shall not exceed 1500 psf unless recommended by the soils report.

## Chapter 21 - MASONRY

*Chapter 21 is amended by adding the following:*

### **2114 CLEAN BURNING FIREPLACES.**

#### **2114.1 Purpose.**

The purpose of this Standard is to regulate fireplaces, woodstoves, or other solid-fuel burning devices to reduce the amount of air pollution caused by particulate matter and carbon monoxide.

The effective date of the regulations and prohibitions set forth in this Standard shall take effect on December 31, 1998.

#### **2114.2 Definitions**

The following terms are defined in Chapter 2:

**FIREPLACE**

**SOLID FUEL**

**WOODSTOVE**

#### **2114.3 Installation Restrictions:**

##### **2114.3.1 Effective Date**

a). On or after the effective date, no person, firm or corporation shall construct or install a fireplace or a woodstove, and the Building Official shall not approve or issue a permit to construct or install a fireplace or a woodstove, unless the fireplace or woodstove complies with one of the following:

1. A fireplace which has a permanently installed gas or electric log insert.
2. A fireplace, woodstove, or other solid-fuel burning appliance which has been certified by the United States Environmental Protection Agency as conforming to 40 Code of Federal Regulations Part 60, Subpart AAA as in effect on July 1, 1990.
3. A fireplace, woodstove or other solid-fuel burning appliance which has been tested and listed by a nationally recognized testing agency to meet performance standards equivalent to those adopted by 40 Code of Federal Regulations part 60, Subpart AAA as in effect on July 1, 1990.
4. A fireplace, woodstove or other solid-fuel burning appliance which has been determined by the Maricopa County Air Pollution Control Officer to meet performance standards equivalent to those adopted by 40 Code of Federal Regulations part 60, Subpart AAA as in effect on July 1, 1990.
5. A fireplace which has a permanently installed woodstove insert which complies with subparagraphs 2, 3, or 4 above.

b) The following installations are not regulated by this Standard and are not prohibited by this Standard:

1. Furnace, boilers, incinerators, kilns, and other similar space heating or industrial process equipment.
2. Cook-stoves, barbecue grills, and similar appliances designed primarily for cooking.

3. Fire pits, and other outdoor fireplaces.

#### **2114.4 Fireplace or Woodstove Alterations Prohibited:**

- a) On or after the effective date, no person, firm or corporation shall alter or remove a gas or electric log insert or a woodstove insert from a fireplace for purposes of converting the fireplace to directly burn wood or other solid fuel.
- b) On or after the effective date, no person, firm or corporation shall alter a fireplace, woodstove or other solid fuel burning appliance in any manner that would void its certification or operational compliance with the provisions of this Standard.

#### **2114.5 Permits Required:**

In addition to the provisions and restrictions of this Standard, construction, installation or alteration of all fireplaces, woodstoves and other gas, electric or solid-fuel burning appliances and equipment shall be done in compliance with provisions of the Scottsdale building code and shall be subject to the permits and inspections required by the code.

### **Chapter 23 – WOOD**

*Chapter 23 is amended as follows:*

#### **2308.9.2 Framing details.**

Studs shall be placed with their wide dimension perpendicular to the wall. Not less than three studs shall be installed at each corner of an exterior wall.

**Exception:** At corners, two studs are permitted, provided wood spacers or backup cleats of 3/8-inch-thick (9.5 mm) wood structural panel, 3/8-inch (9.5 mm) Type M “Exterior Glue” particleboard, 1-inch-thick (25 mm) lumber or other approved devices that will serve as an adequate backing for the attachment of facing materials are used. Where fire-resistance ratings or shear values are involved, wood spacers, backup cleats or other devices shall not be used unless specifically approved for such use.

Bearing and all exterior frame walls shall have a framing anchor/tie down connecting every other stud to top and bottom plates, unless wall is sheathed with structural paneling which extends from the top plate to the bottom plate with nailing per Table 2304.9.1. Framing anchors, mechanical fasteners and/or structural sheathing shall be installed to provide continuous ties from the roof to the foundation system.

### **Chapter 24 – GLASS AND GLAZING**

*Section 2403.2 Glass supports is amended by adding the following:*

#### **2403.2 Glass supports.**

Where one or more sides of any pane of glass are not firmly supported, or are subjected to unusual load conditions, detailed construction documents, detailed shop drawings and analysis or test data assuring safe performance for the specific installation shall be prepared by a registered design professional.

The following thicknesses of fully tempered glass may be used in butt-glazed, vertical fixed glass windows, when supported by two edges, without further justification:

- 60 inch (1524 mm) span or less - 1/4 inch thick
- 80 inch (2032 mm) span or less - 5/16 inch thick
- 96 inch (2438 mm) span or less - 3/8 inch thick

Heat strengthened glass is not allowed for butt-glazed installations.

## Chapter 25 – GYPSUM BOARD AND PLASTER

*Section 2512.1.2 Weep screeds is amended by adding the following exception:*

### **2512.1.2 Weep screeds.**

**Exception:** Paved areas under covered patios or other overhangs that are thirty-six (36) inches (914 mm) or more horizontally from the edge of the roof need not maintain a 2 inch (51 mm) clearance. The clearance may be only as large as necessary for the weep screed to perform as intended.

## Chapter 29 – PLUMBING

*Chapter 29 is amended as follows:*

### **[P] 2901.1 Scope.**

The provisions of this chapter and the Plumbing Code as amended and adopted in the Scottsdale Revised Code, Chapter 31, Article VII shall govern the erection, installation, alteration, repairs, relocation, replacement, addition to, use or maintenance of plumbing equipment and systems. Toilet and bathing rooms shall be constructed in accordance with Section 1210. Plumbing systems and equipment shall be constructed, installed and maintained in accordance with the Plumbing Code as amended and adopted in the Scottsdale Revised Code, Chapter 31, Article VII. Private sewage disposal systems shall conform to the Plumbing Code as amended and adopted in the Scottsdale Revised Code, Chapter 31, Article VII and the requirements of the Maricopa County Health Department.

### **Table 2902.1 Minimum Number of Required Plumbing Fixtures**

*Table 2902.1 Minimum Number of Required Plumbing Fixtures - Note g is amended to read as follows:*

Note g. For Group B or M tenant improvement projects 3500 sq. ft. or less, service sinks shall not be required.

*Section 2902 is amended by adding the following:*

### **[P] 2902.5 Drinking Fountains**

#### **2902.5.1 Restaurants.**

Where water is served in restaurants, drinking fountains shall not be required.

## Chapter 31 – SPECIAL CONSTRUCTION

*Section 3102 is amended to read:*

### **SECTION 3102 – TENTS AND OTHER MEMBRANE STRUCTURES ERECTED FOR 180 DAYS OR LONGER**

#### **3102.1 General.**

The provisions of Sections 3102.1 through 3102.8 shall apply to air-supported, air-inflated, membrane-covered cable and membrane-covered frame structures, collectively known as membrane structures, erected for a period of 180 days or longer. Tents and other membrane structures erected for a period of 180 days or longer shall comply with applicable section of this code and the International Fire Code. Tents and other membrane structures erected for less than 180 days shall comply with section 3103. Membrane structures covering water storage facilities, water clarifiers, water treatment plants, sewage treatment plants, greenhouses and similar facilities not used for human occupancy, are required to meet only the requirements of Sections 3102.3.1 and 3102.7. Membrane structures erected on a building, balcony, deck or other structure for any period of time shall comply with this section.

*Section 3103 is amended to read:*

## **SECTION 3103 – TEMPORARY STRUCTURES, TENTS AND OTHER MEMBRANE STRUCTURES ERECTED FOR LESS THAN 180 DAYS**

### **3103.1 General.**

The provisions of Sections 3103.1 through 3103.4 shall apply to tents and other membrane structures erected for a period of less than 180 days. Tents and other membrane structures erected for a period of less than 180 days shall comply with the International Fire Code. Tents and other membrane structures erected for a longer period of time shall comply with section 3102.

#### **3103.1.1 Permit required.**

Temporary structures that cover an area greater than 200 square feet (18.58 m<sup>2</sup>), including connecting areas or spaces with a common means of egress or entrance which are used or intended to be used for the gathering together of 10 or more persons, shall not be erected, operated or maintained for any purpose without obtaining a permit from the building official.

### **3103.2 Definitions**

The following terms are defined in Chapter 2:

**Temporary Tent; Temporary Canopy**

### **3103.3 Construction documents.**

A permit application and construction documents shall be submitted for each installation of a temporary structures, temporary tents or other membrane structure. The construction documents shall consist of:

- a) a site plan indicating the size and location of the temporary structure(s), handicap parking and accessible routes.
- b) information delineating the means of egress system – a floor plan showing exit locations; exit pathways and exit width – and the occupant load.
- c) information describing any electrical, mechanical or plumbing use
- d) an affidavit of flame resistance treatment.
- e) bleacher plans (complying with ICC300)
- f) a floor plan showing accessible seating and exit pathways

### **3103.4 Location.**

Temporary structures shall be located in accordance with the requirements of Table 602 based on the fire-resistance rating of the exterior walls for the proposed type of construction.

### **3103.5 Means of egress.**

Temporary structures shall conform to the means of egress requirements of Chapter 10 and shall have a maximum exit access travel distance of 100 feet (30,480 mm).

### **3103.6 Canopies (Residential)**

#### **3103.6.1 Rental Canopies.**

Rental canopies that are used for small gatherings intended for residential use on private property shall not be subject to the above requirements provided all the following requirements are met:

- (a) the canopy is not in excess of 400 square feet (max occupant load of 26 with tables and chairs; or 57 when unfixed chairs only)
- (b) the canopy is open on two or more sides
- (c) the canopy is removed within seven (7) days of initial installation
- (d) any electrical, mechanical or plumbing installations shall be permitted and inspected
- (e) the canopy has flame resistance as required by the International Fire Code.
- (f) this is not a waiver of city Fire or Zoning requirements.

**3103.6.2 Privately Purchased Canopies**

Privately purchased tents and canopies from a commercial retailer that does not exceed 200 (18.58 m<sup>2</sup>) square feet are exempt from the requirements of Section 3103.

*Section 3109 Swimming Pool Enclosures, is deleted.*

**Chapter 33 – SAFEGUARDS DURING CONSTRUCTION**

*Section 3303.1 Construction Documents is revised to read:*

**3303.1 Construction documents.**

Construction documents and a schedule for demolition must be submitted when required by the building official. Where such information is required, no work shall be done until such construction documents or schedule, or both, are approved..

As used in this code, the term "demolition" means the removal of a building or structure, or any portion thereof. Demolition work includes interior demolition prior to or incidental to remodeling or renovation work.

A demolition permit shall be obtained from the Building Official prior to beginning any interior or exterior demolition of any building or structure. The fee for a demolition permit shall be as set forth in Fees for each permit shall be paid as set forth in Scottsdale Revised Code Chapter 46, Article VII.

**Exception:** Demolition work may be included as part of the work authorized by any building permit provided no demolition work begins prior to obtaining said building permit.

Exterior demolition work shall be adequately kept wet as demolition progresses to minimize dust. All debris shall be entirely removed from the lot after demolition. Any excavation remaining after debris removal shall be completely filled or protected as required by this code.

The use of public property and the protection of pedestrians and the general public during demolition shall be as specified in Section 3306. Demolition sites shall be kept secured from public entry at all times."

**3303.1.1 Asbestos**

Prior to issuing a demolition permit for public, commercial or industrial building, apartment complexes of greater than four (4) units, two (2) or more residential homes (this also includes two or more livable structures on a single property), or any single family residential home built prior to 1990, a permit shall first be obtained and an inspection completed by Maricopa County for asbestos. A copy of the certificate of inspection from Maricopa County shall accompany the application for demolition permit.