

ORDINANCE NO. 07-686

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CHINO VALLEY, COUNTY OF YAVAPAI, ARIZONA, ADOPTING THE “2006 INTERNATIONAL CODE COUNCIL CODES (INCLUDING THE 2006 INTERNATIONAL BUILDING CODE, 2006 INTERNATIONAL RESIDENTIAL CODE, 2006 INTERNATIONAL FUEL GAS CODE, 2006 INTERNATIONAL MECHANICAL CODE, AND 2006 INTERNATIONAL PLUMBING CODE) AND 2005 NATIONAL ELECTRICAL CODE,” BY REFERENCE, AND AMENDING CHINO VALLEY CODE OF ORDINANCES CHAPTER 150, SECTIONS 150.001–ADOPTION OF INTERNATIONAL CODE COUNCIL CODES, 150.002–CONFORMANCE WITH ZONING ORDINANCE, AND 150.004–ELECTRICAL CODE.

WHEREAS, the Council desires to adopt the most current international building codes to protect the health and safety of the Town; and

WHEREAS, the City of Prescott, Town of Prescott Valley and Yavapai County are all adopting the 2006 International Code Council Codes and the 2005 National Electrical Code; and

WHEREAS, in the spirit of regional cooperation, the Town of Chino Valley desires to be consistent with those jurisdictions;

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Common Council of the Town of Chino Valley, County of Yavapai, Arizona, as follows:

**Section 1.** That certain document known as the “2006 International Code Council Codes and 2005 National Electrical Code,” three copies of which are on file in the office of the Town Clerk of the Town of Chino Valley, Yavapai County, Arizona, which document was made a public record by Resolution No. 07-834 of the Town of Chino Valley, Arizona, is hereby referred to, adopted and made a part hereof as if fully set out in this Ordinance.

**Section 2.** Chapter 150–Building Regulations; Construction, Sections 150.001–Adoption Of International Code Council Codes, 150.002–Conformance With Zoning Ordinance, and 150.004–Electrical Code are hereby amended as follows:

CHAPTER 150 BUILDING REGULATIONS; CONSTRUCTION

**§ 150.001 ADOPTION OF INTERNATIONAL CODE COUNCIL CODES.**

(A) *International Building Code.*

(1) That certain code entitled International Building Code, ~~2005~~2006 edition, with appendices “C”, “I” and “J”, as adopted by the International Code Council, is hereby adopted as the Building Code of the town and made a part of this chapter, the same as though said code and appendices were specifically set forth in full herein; and at least 3 copies of the code shall be filed in the office of the Clerk and Planning and Building Department and be kept available for public use and inspection.

(2) Amendments to that certain code entitled International Building Code, 2006 edition, as

adopted by ~~Ord. 04-570~~ Ordinance No. 07-689, are hereby made part of this chapter the same as though amendments to the code were specifically set forth in full herein. At least 3 copies of the amendments to the code shall be filed in the offices of the Clerk and Planning and Building Department and kept available for public use and inspection.

(B) *International Residential Code.*

(1) That certain code entitled International Residential Code, ~~2005~~2006 edition, with appendices "A", "B", "C", "G", "H", "J" and "L", as adopted by the International Code Council, is hereby adopted as the Residential Code of the town and made a part of this chapter, the same as though the code and appendices were specifically set forth in full herein; and at least 3 copies of the code shall be filed in the office of the Clerk and Planning and Building Department and be kept available for public use and inspection.

(2) Amendments to that certain code entitled International Residential Code, 2006 edition, as adopted by ~~Ord. 04-570~~ Ordinance No. 07-689, are hereby made part of this chapter the same as though amendments to the code were specifically set forth in full herein. At least 3 copies of the amendments to the code shall be filed in the offices of the Clerk and Planning and Building Department and kept available for public use and inspection.

(C) *International Fuel Gas Code.*

(1) That certain code entitled International Fuel Gas Code, ~~2005~~2006 edition, as adopted by the International Code Council, is hereby adopted as the Fuel Gas Code of the town and made a part of this chapter, the same as though the code and appendices were specifically set forth in full herein; and at least 3 copies of the code shall be filed in the office of the Clerk and Planning and Building Department and be kept available for public use and inspection.

(2) Amendments to that certain code entitled International Fuel Gas Code, 2006 edition, as adopted by ~~Ord. 04-570~~ Ordinance No. 07-689, are hereby made part of this chapter the same as though amendments to the code were specifically set forth in full herein. At least 3 copies of the amendments to the code shall be filed in the office of the Clerk and Planning and Building Department and kept available for public use and inspection.

(D) *International Mechanical Code.*

(1) That certain code entitled International Mechanical Code, ~~2005~~2006 edition, with appendix "A", as adopted by the International Code Council, is hereby adopted as the Mechanical Code of the town and made a part of this chapter, the same as though the code and appendix were specifically set forth in full herein; and at least 3 copies of the code shall be filed in the office of the Clerk and Planning and Building Department and be kept available for public use and inspection.

(2) Amendments to that certain code entitled International Mechanical Code, 2006 edition, as adopted by ~~Ord. 04-570~~ Ordinance No. 07-689, are hereby made part of this chapter the same as though amendments to the code were specifically set forth in full herein. At least 3 copies of the amendments to the code shall be filed in the office of the Clerk and Planning and Building Department and kept available for public use and inspection.

(E) *International Plumbing Code.*

(1) That certain code entitled International Plumbing Code, ~~2005~~2006 edition, with appendices "E" and "F", as adopted by the International Code Council, is hereby adopted as the Plumbing Code of the town and made a part of this chapter, the same as though said code and appendices were specifically set forth in full herein; and at least 3 copies of the code shall be filed in

the office of the Clerk and Planning and Building Department and be kept available for public use and inspection.

(2) Amendments to that certain code entitled International Plumbing Code, 2006 edition, as adopted by ~~Ord. 04-579~~ Ordinance No. 07-689, are hereby made part of this chapter the same as though amendments to the code were specifically set forth in full herein. At least 3 copies of the amendments to the code shall be filed in the office of the Clerk and Planning and Building Department and kept available for public use and inspection.

#### **§ 150.002 CONFORMANCE WITH ZONING ORDINANCE.**

Whenever a building permit is issued to any person or entity and a building inspection performed, the building must conform to the provisions of the zoning ordinance (ALSO REFERRED TO AS THE "UNIFIED DEVELOPMENT ORDINANCE" WHICH WAS ADOPTED BY REFERENCE AND MADE A PART OF THIS CODE IN SECTION 154.01) of the town in addition to the provisions of this chapter. It shall be the responsibility of the person or entity to whom the permit is issued to comply with the provisions of the zoning ordinance and this chapter, and any damage resulting from the lack of conformity to the zoning ordinance and this chapter shall be chargeable to the person or entity.

#### **§ 150.004 ELECTRICAL CODE.**

The certain code entitled "National Electrical Code", ~~2002~~2005 edition, is hereby adopted as the Electrical Code of the town and made a part of this chapter, the same as though the code were specifically set forth in full herein; and at least 3 copies of the code shall be filed in the office of the Clerk and Planning and Building Department and be kept available for public use and inspection.

**Section 3.** All other sections of the Town Code, other ordinances, and parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed on the effective date of this Ordinance.

**Section 4.** Any person found guilty of violating any provision of this Building Code shall be deemed guilty of a class 3 misdemeanor. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such hereunder.

**Section 5.** The amendment of these sections of the Town code do not affect the rights and duties that have matured and/or the penalties that were incurred hereunder and /or any proceedings that were begun before the effective date of this Ordinance.

**Section 6.** If any section, subsection, sentence, clause, phrase, or portion of this Ordinance or any part of the Building Code adopted herein by reference, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

**Section 7.** The provisions of this ordinance shall become operative and in force on July 1, 2007.

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Chino Valley, Arizona, this 10<sup>th</sup> day of May, 2007.

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Karen Fann, Mayor

ATTEST:

APPROVED AS TO FORM:

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Jami C. Lewis, Town Clerk

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Musgrove Drutz & Kack, PC  
Town Attorney