

**TOWN COUNCIL OF DEWEY-HUMBOLDT
STUDY SESSION MEETING NOTICE AND AGENDA**

Tuesday, September 10, 2019, 6:30 P.M.

**DEWEY-HUMBOLDT TOWN HALL
COUNCIL CHAMBERS
2735 S. HWY 69, SUITE 10
HUMBOLDT, ARIZONA 86329**

NOTICE OF MEETING OF THE DEWEY-HUMBOLDT TOWN COUNCIL

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the members of the Dewey-Humboldt Town Council and to the general public that the Town Council will hold a meeting open to the public on **Tuesday, September 10, 2019, at 6:30 p.m.**, at the **Dewey-Humboldt Town Hall Council Chambers, 2735 S. Highway 69, Suite 10, Humboldt, Arizona 86329.**

DEWEY-HUMBOLDT TOWN COUNCIL STUDY SESSION AGENDA

The issues that come before the Town Council are often challenging and potentially divisive. To make sure we benefit from the diverse views to be presented, the Council believes public meetings to be a safe place for people to speak, and asks that everyone refrain from clapping, heckling and any other expressions of approval or disapproval. Council may vote to go into Executive Session for legal advice regarding any matter on the open agenda pursuant to A.R.S. § 38-431.03(A)(3), which will be held immediately after the vote and will not be open to the public. Upon completion of the Executive Session, the Council may resume the meeting, open to the public, to address the remaining items on the agenda. Agenda items may be taken out of order. Please turn off all cell phones. Council Meetings are broadcast via live streaming video on the internet in both audio and visual formats. One or more members of the Council may attend either in person or by telephone, video or internet conferencing. **NOTICE TO PARENTS:** Parents and legal guardians have the right to consent before the Town of Dewey-Humboldt makes a video or voice recording of a minor child. A.R.S. § 1-602.A.9. Dewey-Humboldt Council Meetings are recorded and may be viewed on the Dewey-Humboldt website. If you permit your child to participate in the Council Meeting, a recording will be made. You may exercise your right not to consent by not permitting your child to participate or by submitting your request to the Town Clerk that your child not be recorded.

1. Call To Order.

2. Roll Call. Town Council Members Karen Brooks; Lynn Collins, John Hughes, Amy Lance, Mark McBrady, Vice Mayor Victoria Wendt and Mayor Terry Nolan.

Page **3. Study Session.** No legal action to be taken.

3 A. Presentation and discussion of the Humboldt Smelter and Iron King Mine Sites and Liabilities – presentation by Brian Beck, Brian Beck Consulting (from the June 19, 2019 Study Session and Special Meeting)

19 B. Town Manager update and discussion on the letter to the Environmental Protection Agency (EPA) regarding dust control at the Superfund site (from the June 18, 2019 Regular Meeting; Staff CC)

21 C. Overview and discussion of the proposed 2018 Building Codes, including: 2018 Dewey-Humboldt Administrative Code, 2018 International Building Code, 2018 International Residential One & Two Family Dwelling Code, 2018 International Plumbing Code, 2018 International Mechanical Code, 2018 International Fuel Gas Code, 2017 National Electrical Code, 2018 International Property Maintenance Code, 2019 Grading Ordinance, 2018 International Existing Building Code, 2018 International Swimming Pool and Spa Code, and 2006 International Energy Conservation Code (Staff CC)

105 D. Discussion of the Code Violation Complaint Policy and Complaint form, including complainant residency requirement, requiring the complainant to indicate how the violation impacts the complainant (smell, sight, safety, danger), the distance from the complainant to the problem, and if the problem is within the complainant's constant sight (24/7) (CAARF – Councilmember Brooks)

107 E. Discussion relating to updating Sections 153.221 and 153.222, Dewey-Humboldt

- Page **Code of Ordinances, Design and Development Standards, to be less restrictive on commercial uses, including allowing steel/metal buildings on commercially-zoned property along highway frontage** (CAARF – Councilmember Collins)
- 109 **F. Discussion relating to repealing redundant codes, Sections 153.215 through 153.220 and excessive codes, Sections 153.223 through 153.228, Dewey-Humboldt Code of Ordinances, Design and Development Standards** (CAARF – Councilmember Collins)
- 125 **G. Overview and discussion of the proposed Fiscal Year 2019/20 Accountability Agreement for agencies receiving funding from the Town** (Staff CC)
- 131 **H. Town Manager update and discussion on the Business License ordinance. Discussion may include a timeline of events that need to take place prior to implementation, statutory notice requirements, fees, and requirements to include in the ordinance** (Staff CC; from the July 2 and July 16, 2019 Regular Meetings)
- 133 **I. Town Manager update and discussion on the Peddlers License ordinance. Discussion may include a timeline of events that need to take place prior to implementation, statutory notice requirements, fees, and requirements to include in the ordinance** (Staff CC; from the July 2 and July 16, 2019 Regular Meetings)

4. Public Comment on Non-agendized Items

The Council wishes to hear from Citizens at each meeting. Those wishing to address the Council need not request permission or give notice in advance. For the official record, individuals are asked to state their name. Public comments may appear on any video or audio record of this meeting. Please direct your comments to the Council. Individuals may address the Council on any issue within its jurisdiction. According to the Arizona Open Meeting Law, Councilmembers may respond to criticism made by those who have addressed the public body, may ask Town staff to review a matter, or may ask that a matter be put on a future agenda; however, Councilmembers are forbidden from discussing or taking legal action on matters raised during Public Comment unless the matters are properly noticed for discussion and legal action. A 3 minute per speaker limit shall be imposed. Everyone is asked to please be courteous and silent while others are speaking.

5. Adjourn.

For Your Information:

Next Town Council Meeting: Tuesday, September 17, 2019 at 6:30 p.m.

Next Planning & Zoning Meeting: Thursday, October 3, 2019 at 6:00 p.m.

Next Town Council Work Session: Tuesday, October 8, 2019 at 6:30 p.m.

Persons with a disability may request reasonable accommodations by contacting the Town Hall at 632-7362 at least 24 hours in advance of the meeting.

Certification of Posting

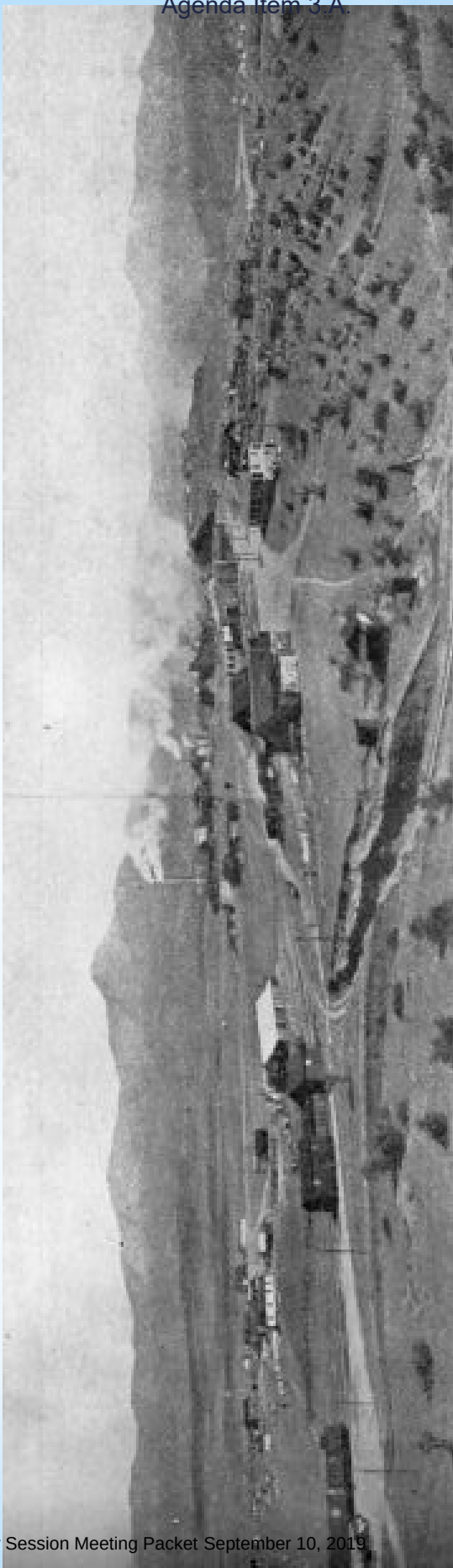
The undersigned hereby certifies that a copy of the attached notice was duly posted at the following locations: Dewey-Humboldt Town Hall, 2735 South Highway 69, Humboldt, Arizona, Chevron Station, 2735 South Highway 69, Humboldt, Arizona, Blue Ridge Market, Highway 69 and Kachina Drive, Dewey, Arizona, on the _____ of _____, 2019, at _____ a.m./p.m. in accordance with the statement filed by the Town of Dewey-Humboldt with the Town Clerk, Town of Dewey-Humboldt.

By: _____, Town Clerk's Office.

If you would like to receive Town Council agendas via email, please sign up at AgendaList@dhaz.gov and type Subscribe in the subject line, or call 928-632-7362 and speak with Tim Mattix, Town Clerk.

HUMBOLDT SMELTER ISSUES

Agenda Item 3.A.

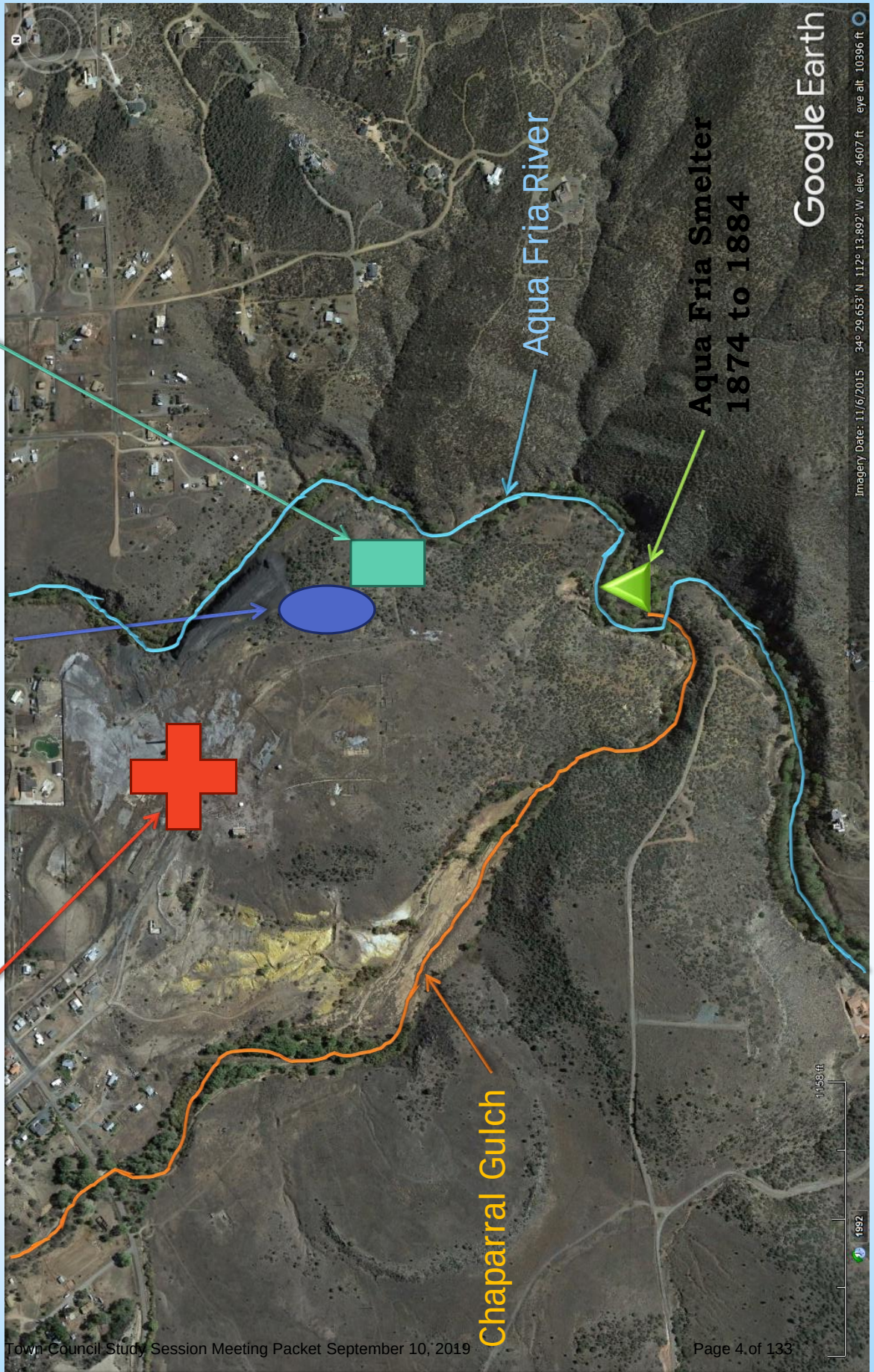


Presented by
Brian A. Beck, PG

**Consolidated Arizona Smelter
1914 to 1931**

**Arizona Smelting
1904 to 1907**
**Consolidated Arizona Smelter
1907 -1915**

**Val Verde Smelter
1899 to 1904**



What does a Smelter do?

The Smelter do several tasks:

- 1. Assay the ore/concentrate and determine the Ore type and grade**
Ore types were commonly blended to obtain best grade or best mixtures for the metal extraction (smelting)
- 2. The ore/concentrate would be roasted to reduce or remove Sulfur**
Roasting sulfide Ore was required so that oxygen reduction of metals would be efficient
- 3. The Ore type or mixture would define the flux mixture to be used**
Depending on the Ore Type, fluxes would be made up to obtain the highest extraction of the metals
- 4. The roasted ore would then be fluxed and smelted**

From the 1878 patent plat

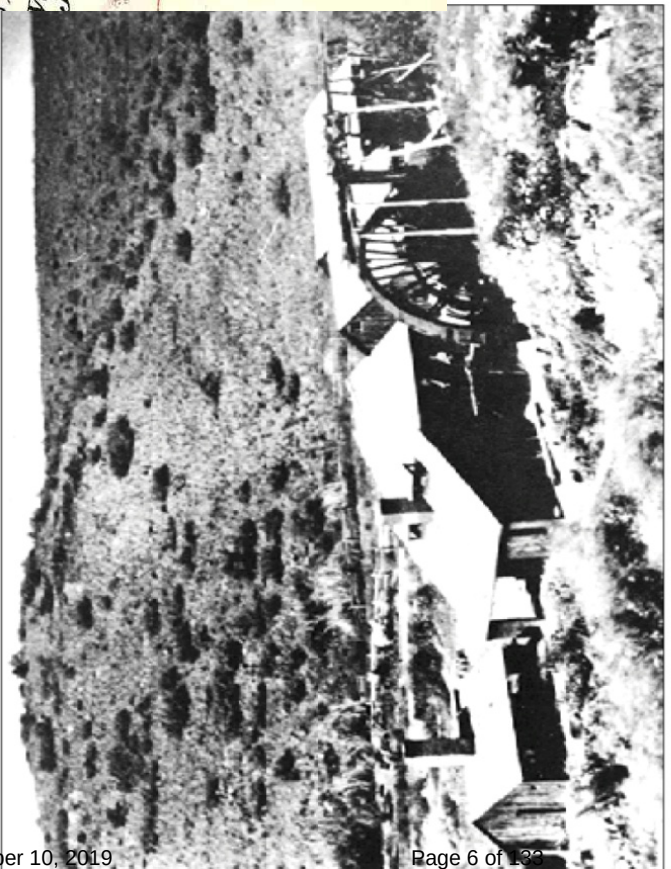
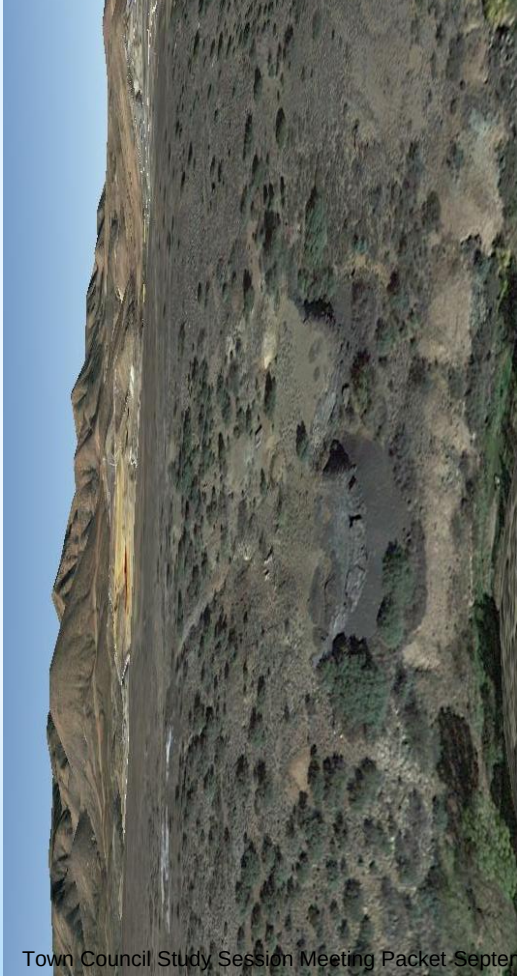
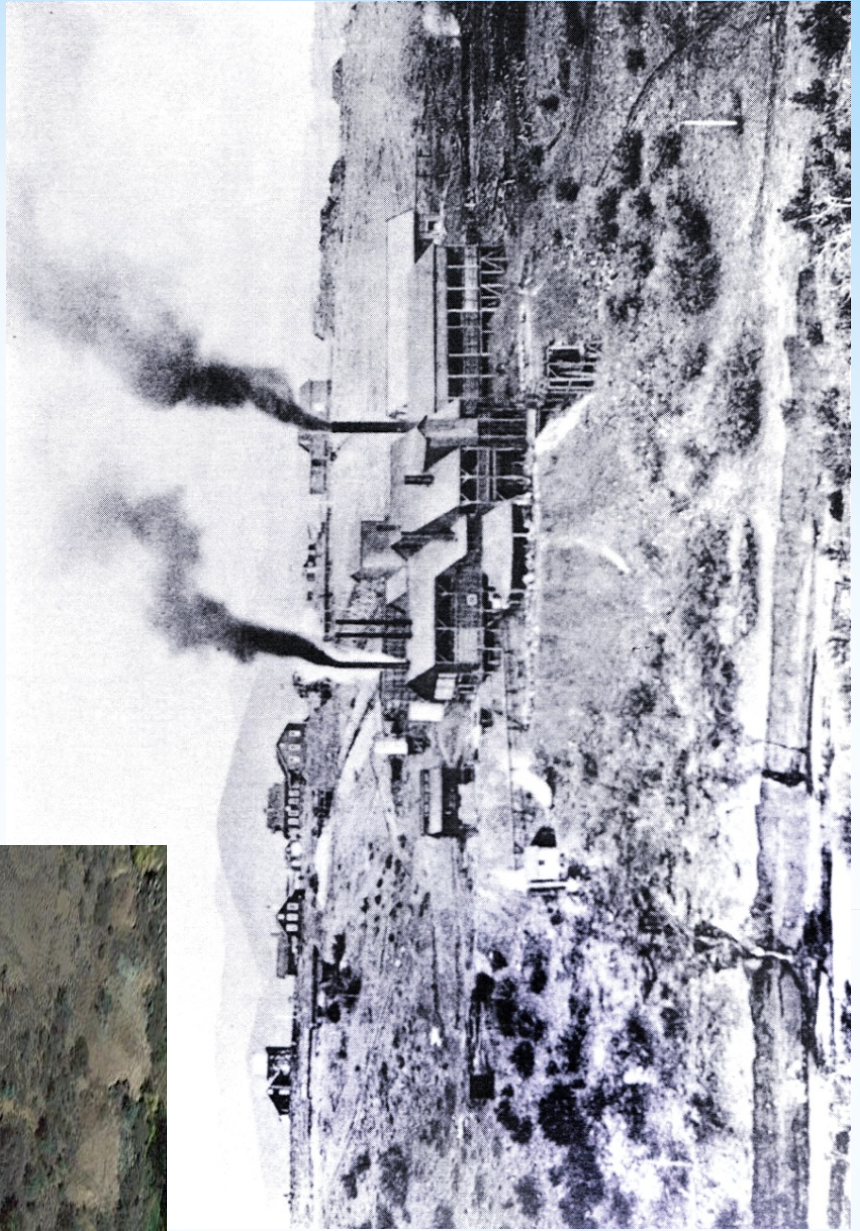


Figure 14. Ca. 1878 Photograph of Agua Fria Smelter, once located on the east side of the Humboldt Smelter Property (photograph courtesy of Sharlot Hall Museum).

Val Verde Smelter



West view of Val Verde Smelter Area



1906 Arizona Smelting



Figure 16. Ca. 1906 Photograph of Smelter and Mill, Humboldt (photograph courtesy of Sharlot

View to the southeast from approximately Butte St & 3rd Alley

Consolidated Arizona Smelter

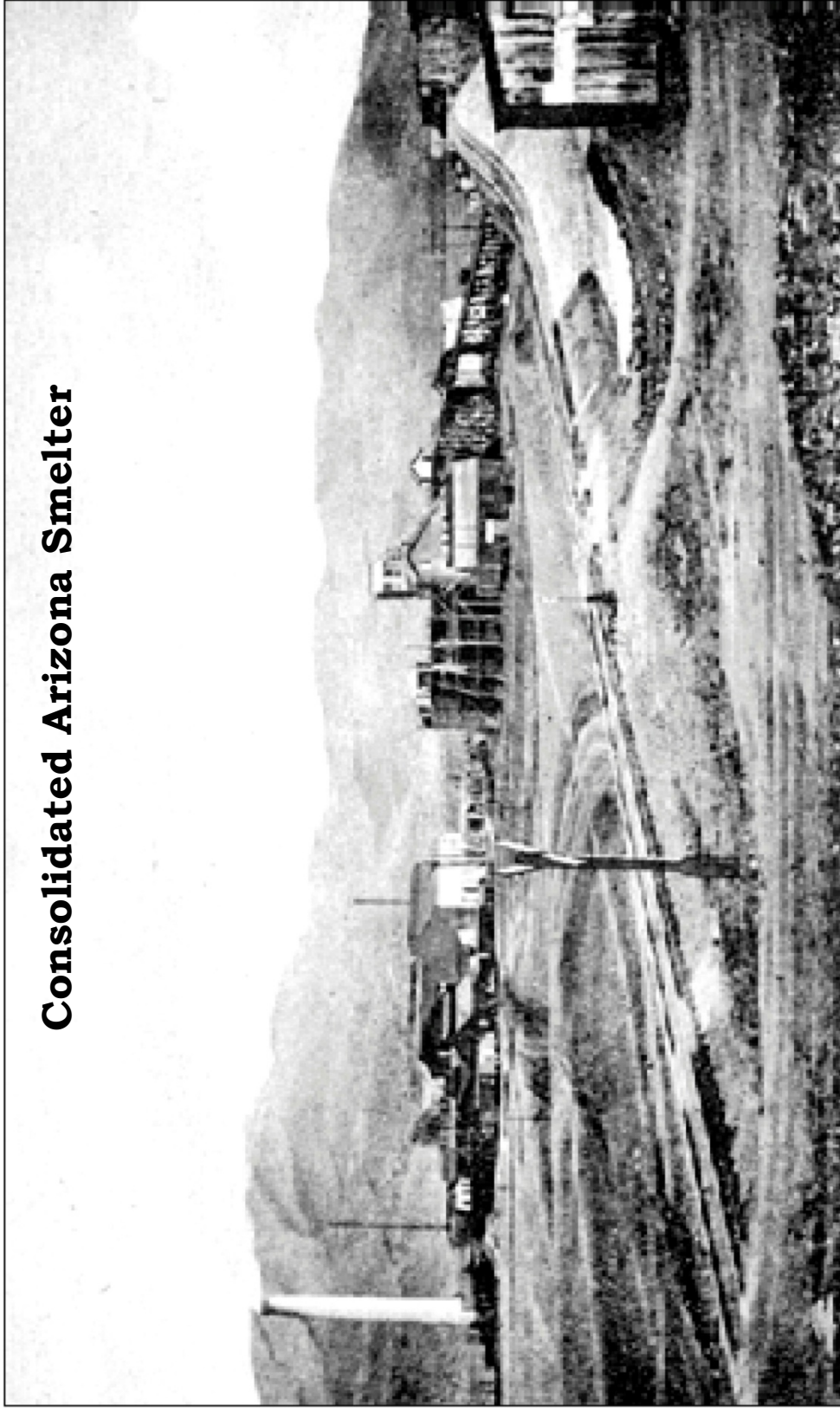
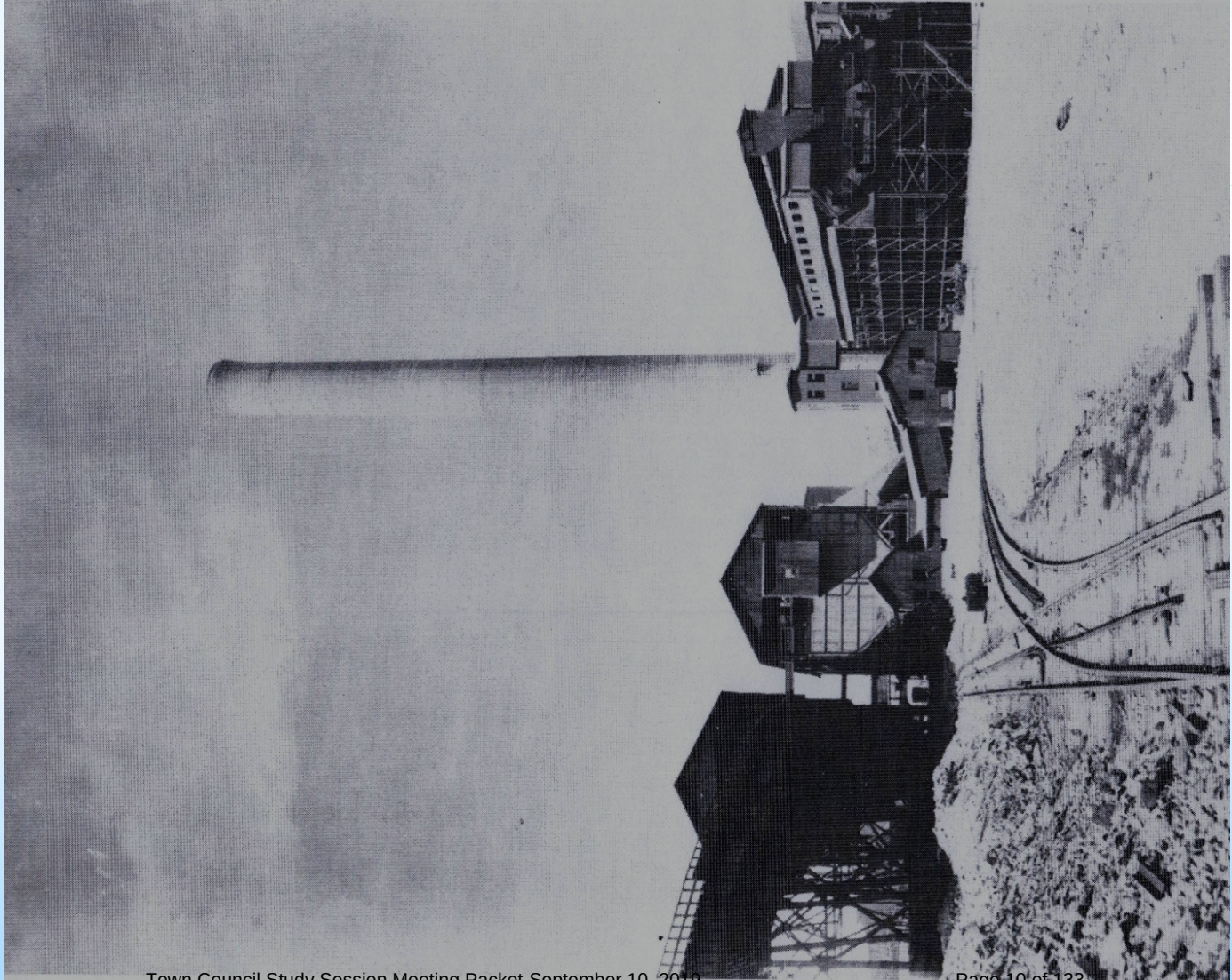


Figure 22. Ca. 1918 Postcard of Smelter and Sample Mill, Humboldt (image courtesy of Sharlot

View to the east from Main St. & 3rd St. This smelter was built after the Arizona Smelter closed in 1909. This smelter processed ores mainly from the Blue Bell and De Soto Mines.

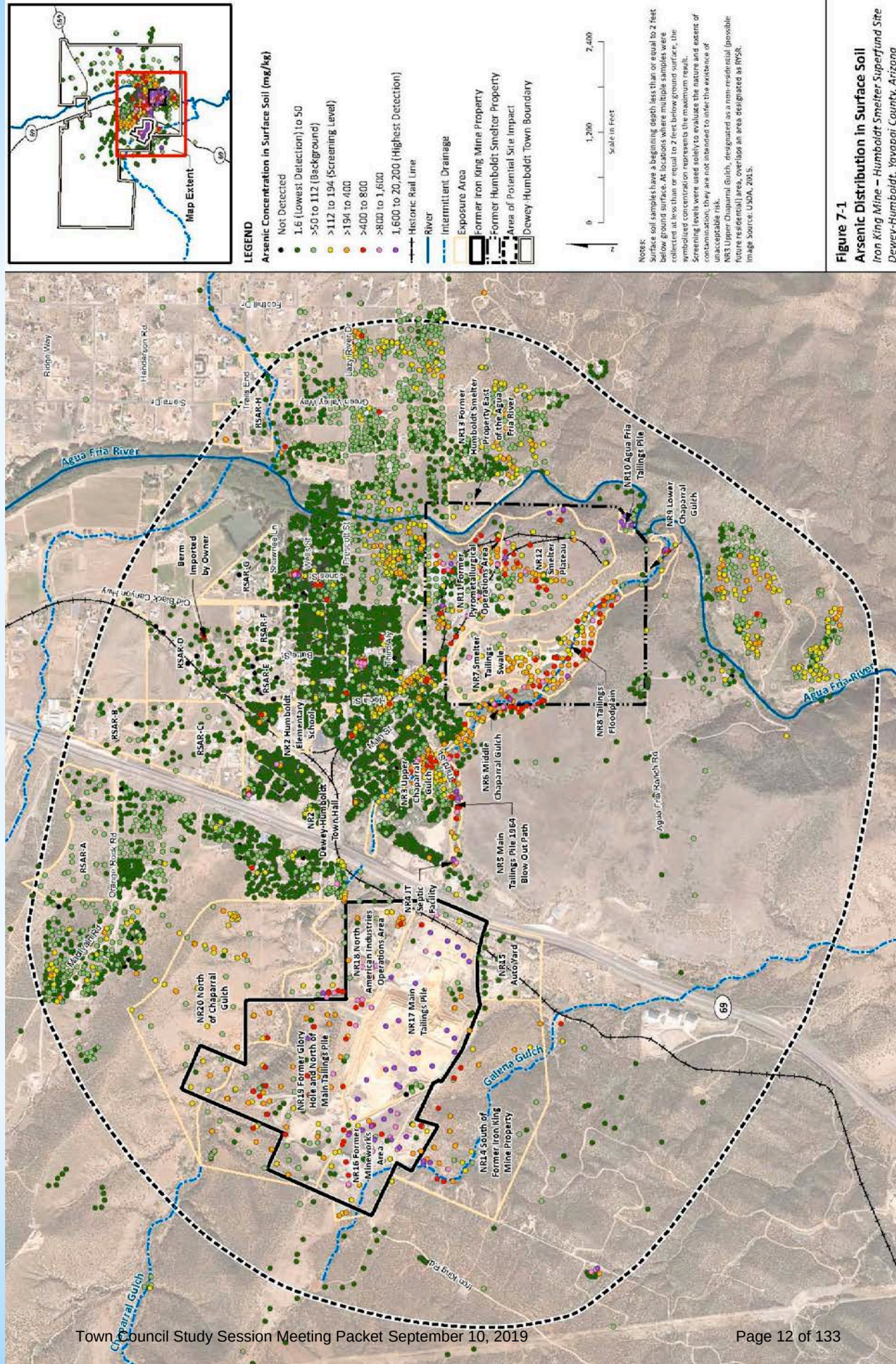
Only one shipment of ore from the Iron King Mine was processed by this smelter and was found not be suitable.

**Arizona Consolidated Smelter
View of the concentrator and
Roaster ca 1921**



What was the Source of the Power for the Smelters?

- **Aqua Fria Smelter**
Charcoal, Coal/Coke
- **Val Verde Smelter**
Coke and Bunker Oil
- **Arizona Smelter**
Coke and Bunker Oil
- **Arizona Consolidated Smelter**
Refined Heavy Oil



Detail of the Humboldt Smelter Site

There are 58 identified Properties that needed some sort of clean-up outside of the smelter and mine area.

50 have been mitigated, 8 have refused mitigation.

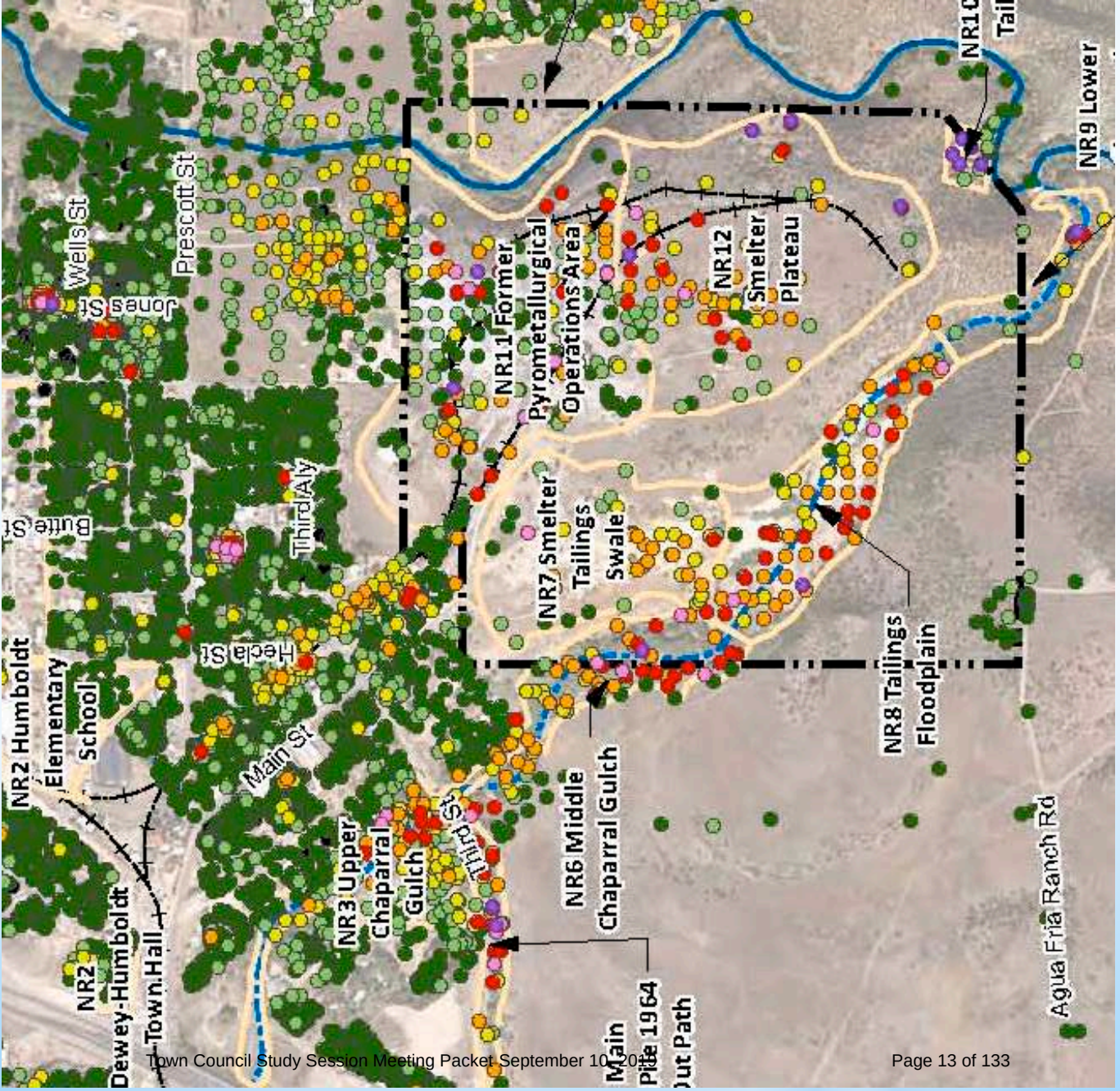
Non-smelter and mine impacts that have been found are:

- *Smelter/mine tailings used for house foundations and roads

- *Pb, As & Cu bearing paints used for Houses

- *Imported As bearing landscape materials

There are more than 20 other properties within the impacted area that were not Tested.



What are the Main Liability Issues for Impacts Outside of the Smelter and Mine Areas?

1) Dewey-Humboldt (DH)

- Issuing permits for construction within the impacted areas**
- DH doing road improvements**
- Utility companies doing work within the impacted areas**

The city not issuing warnings and guidelines on the impacted areas on how to handle impacted materials and protection of the personnel.

2) Property Owners

- Properties within the Impacted areas have the same issues with contractors doing work on the properties.**
- Properties that have had some EPA clean up need to do keep excavation to less than 1 foot.**

Disturbances in the Impact Area

- 1. Direct exposures to contractors, workers and residences.**
- 2. Ground disturbances leave new impacted materials at the surface.**
- 3. There are no directions on what to do with new exposed impacted materials.**
- 4. The EPA and ADEQ has not provide DH and residences with ways to handle newly exposed impacted materials.**
- 5. Sources for replacement materials has not been provided.**

The statement by EPA in 2015 that any disturbed should be place back into the ground is not keeping with the laws of the State of Arizona and the United States.

What is lacking for DH and Residences

- I. Detailed map(s) showing impacts block by block**
- II. Impact maps not only showing the surface but impacts to depths**
- III. Written guidelines, codes, and ordinances for conditions in the impacted areas**
- IV. DH to have a Blue-Stake person for the impact area**
- V. DH to have Environmental Program for workers and ability to Identify Impacted Materials**

SEARCH: Grant Opportunities Enter Keyword...

[HOME \(HTTPS://WWW.GRANTS.GOV/WEB/GRANTS/HOME.HTML\)](#) | [LEARN GRANTS \(HTTPS://WWW.GRANTS.GOV/WEB/GRANTS/LEARN-GRANTS.HTML\)](#) | [APPLICANTS \(HTTPS://WWW.GRANTS.GOV/WEB/GRANTS/APPLICANTS.HTML\)](#) | [SYSTEM-TO-SYSTEM \(HTTPS://WWW.GRANTS.GOV/WEB/GRANTS/SYSTEM-TO-SYSTEM.HTML\)](#) | [CONNECT \(HTTPS://WWW.GRANTS.GOV/WEB/GRANTS/CONNECT.HTML\)](#) | [SUPPORT \(HTTPS://WWW.GRANTS.GOV/WEB/GRANTS/SUPPORT.HTML\)](#) | [GRANTS.GOV \(Web/grants\) View Opportunity](#)

[SEARCH GRANTS \(HTTPS://WWW.GRANTS.GOV/WEB/GRANTS/SEARCH-GRANTS.HTML\)](#) | [GRANTORS \(HTTPS://WWW.GRANTS.GOV/WEB/GRANTS/GRANTORS.HTML\)](#) | [FORMS \(HTTPS://WWW.GRANTS.GOV/WEB/GRANTS/FORMS.HTML\)](#) | [CONNECT \(HTTPS://WWW.GRANTS.GOV/WEB/GRANTS/CONNECT.HTML\)](#) | [SUPPORT \(HTTPS://WWW.GRANTS.GOV/WEB/GRANTS/SUPPORT.HTML\)](#) | [GRANTS.GOV \(Web/grants\) View Opportunity](#)

VIEW GRANT OPPORTUNITY

CDC-RFA-TS20-2001
ATSDR's Partnership To Promote Local Efforts To Reduce Environmental Exposure
Department of Health and Human Services
Centers for Disease Control - ATSDR

Back | Link

Apply

Subscribe

SYNOPSIS | VERSION HISTORY | RELATED DOCUMENTS | PACKAGE

General Information | Print Synopsis Details

Document Type: Grants Notice
Funding Opportunity Number: CDC-RFA-TS20-2001
Funding Opportunity Title: ATSDR's Partnership to Promote Local Efforts To Reduce Environmental Exposure
Original Closing Date for Applications: Dec 15, 2019 Electronically submitted applications must be submitted no later than 11:59 p.m. ET on the listed application due date.
Current Closing Date for Applications: Dec 15, 2019 Electronically submitted applications must be submitted no later than 11:59 p.m. ET on the listed application due date.
Version: Synopsis 1
Posted Date: Aug 21, 2019
Last Updated Date: Aug 21, 2019
Archive Date: Jan 14, 2020
Estimated Total Program Funding: \$41,250,000
Award Ceiling: \$0
Award Floor: \$0
Expected Number of Awards: 25
CFDA Number(s): 93.136 -- Injury Prevention and Control Research and State and Community Based Programs
Cost Sharing or Matching Requirement: No

Eligible Applicants: City or township governments
Special district governments
Public and State controlled institutions of higher education
County governments
Native American tribal governments (other than Federally recognized tribal governments)
State governments
Native American tribal governments (Federally recognized)
Additional Information on Eligibility: Eligibility for funding under this announcement is limited by statute to States, or political subdivisions thereof.

Agency Name: Centers for Disease Control - ATSDR
Description: ATSDR seeks to build and sustain the capacity to evaluate exposures to hazardous waste across the country. Releases from hazardous waste sites are a major source of harmful exposures in homes, schools, workplaces, and communities. These exposures are often complex and may be difficult to identify and control. Hazardous waste sites may involve various toxic substances, exposure pathways, and health impacts. ATSDR's primary goal is to keep communities safe from harmful exposures and related diseases. To accomplish this goal, the agency works closely with partnering agencies to evaluate exposures at hazardous waste sites, educate communities, and seek new ways to better protect public health.
Link to Additional Information: See Related Documents
Director Contact Information: If you have difficulty accessing the full announcement electronically, please contact:
Trent LeCoulre
tlt1@cdc.gov
Grants Policy

Potential Grant Source

Filing deadline is

December 15, 2019

For the Non-Profit, but DH has
To fully support

<https://www.grants.gov/web/grants/view-opportunity.html?oppId=319835>



ARIZONA
COMMUNITY
FOUNDATION

Donor Login | Grantee Login

search



Giving Donors Professional Advisors Grants & Loans Scholarships Initiatives & Impact About

Current Grant Opportunities

Home » Grants & Loans » Current Grant Opportunities

SHARE f + PRINT

The Arizona Community Foundation awards grants through several competitive application processes each year, most of them online.

Who May Apply

Grants are made to 501(c)(3) nonprofit organizations, schools, faith-based organizations, Tribal entities and occasionally to government agencies. Grants are made statewide.

Ready to Begin Your Application?

If you would like to begin a new application or check the status of your submitted application, go to our online grants center.

ONLINE GRANTS CENTER »

Have questions about how to use the online portal? Refer to our Guide for Applicants, which shares how to sign in, update your profile, select an organization, update your organization, and start an application.

Current Grant Opportunities

Program	Actions
Arizona Foundation for Women	Show Description View Program PDF Apply!

Talk with Us

Our Grants Team is here to assist you:

Ashley Anderson
Lead Philanthropic Advisor,
Competitive Grants
602.682.2049

Email

Lynn Umphres
Lead Philanthropic Advisor,
Non-Competitive Grants
602.682.2042

Email

Potential Grant Source

For the Non-Profit, but DH
has to fully support



COUNCIL COMMUNICATION

Study Session Meeting Date: **September 10, 2019**

Agenda Item: **3.B.**

Submitted by: Edward L. Hanks, Jr., Town Manager

Subject:

Town Manager update and discussion on the letter to the Environmental Protection Agency (EPA) regarding dust control at the Superfund site.

Purpose:

To update the Council on the status of the letter to the EPA.

Background:

At the June 18, 2019, Regular Council Meeting, Council approved notifying the EPA of the need for dust control at the Superfund site.

Council and staff subsequently discussed consulting with an environmental attorney related to the Superfund site. Due to the nature of the letter regarding dust control, staff will consult with an environmental attorney to assist in drafting the letter.

The Town Attorney will assist in selecting the environmental attorney.

Financial Impact:

- Environmental Attorney: \$450/hourly
- Paralegal: \$150/hourly

The financial impact is based upon estimates received during the budget process. \$2,000 for EPA consulting fees was budgeted in the current fiscal year, account 10-416-5100.

Attachments:

None.

[Page intentionally left blank]



COUNCIL COMMUNICATION

Study Session Meeting Date: **September 10, 2019**

Agenda Item: **3.C.**

Submitted by: Don Roberts, Building Official, through Edward L. Hanks, Jr., Town Manager

Subject:

Overview and discussion of the proposed 2018 Building Codes, including: 2018 Dewey-Humboldt Administrative Code, 2018 International Building Code, 2018 International Residential One & Two Family Dwelling Code, 2018 International Plumbing Code, 2018 International Mechanical Code, 2018 International Fuel Gas Code, 2017 National Electrical Code, 2018 International Property Maintenance Code, 2019 Grading Ordinance, 2018 International Existing Building Code, 2018 International Swimming Pool and Spa Code, and 2006 International Energy Conservation Code.

Purpose:

To discuss and receive feedback from the Council on the proposed 2018 Building Codes ("2018 Codes").

Background:

The Town currently uses the 2012 versions of the International Building Codes, and the 2006 Electrical Code. Surrounding jurisdictions (Chino Valley, Prescott, Prescott Valley and Yavapai County) have updated to the 2018 Codes.

At tonight's meeting, staff will:

- Provide an overview of changes from the current codes to the 2018 Codes;
- Answer questions that Council may have about the proposed 2018 Codes; and,
- Seek feedback from Council on the proposed 2018 Codes.

Staff notes that the changes from the 2012-2018 Codes are not as drastic as previous code changes, such as when the Town went from the 2006 to 2012 Codes. Additionally, adopting the 2018 Codes will not change any zoning codes.

Copies of the 2018 codes were distributed to Council and posted to the Town's website on September 3, 2019, and are also attached to this Council Communication.

Financial Impact:

Anticipated cost to the Town is \$1,400 for the purchase of new code books.

Attachments:

Draft 2018 Codes.

Town of Dewey-Humboldt
P.O. Box 69
Humboldt, AZ 86329

Phone: 928-632-7362 | Fax: 928-632-7365

TOWN OF DEWEY-HUMBOLDT

DEVELOPMENT SERVICES



ORDINANCES ADOPTING 2018 INTERNATIONAL BUILDING CODES

FOR THE TOWN OF DEWEY-HUMBOLDT
OF YAVAPAI COUNTY

EFFECTIVE ?, 2019

**TOWN OF DEWEY-HUMBOLDT DEVELOPMENT SERVICES
ORDINANCES ADOPTING 2018 ADMINISTRATIVE AND TECHNICAL CODES**

TABLE OF CONTENTS

	PAGE
ORDINANCE 2019-1 DEWEY-HUMBOLDT ADMINISTRATIVE CODE 2018 Edition	1
ORDINANCE 2019-2 INTERNATIONAL BUILDING CODE 2018 Edition	20
ORDINANCE 2019-3 INTERNATIONAL RESIDENTIAL ONE & TWO FAMILY DWELLING CODE 2018 Edition	27
ORDINANCE 2019-4 INTERNATIONAL PLUMBING CODE 2018 Edition	37
ORDINANCE 2019-5 INTERNATIONAL MECHANICAL CODE 2018 Edition	41
ORDINANCE 2019-6 INTERNATIONAL FUEL GAS CODE 2018 Edition	45
ORDINANCE 2019-7 NATIONAL ELECTRICAL CODE 2011 Edition	48
ORDINANCE 2019-8 INTERNATIONAL PROPERTY MAINTENANCE CODE 2018 Edition	50
ORDINANCE 2019-9 DEWEY-HUMBOLDT GRADING ORDINANCE 2019 Edition	54
ORDINANCE 2019-10 INTERNATIONAL EXISTING BUILDING CODE 2018 Edition	68
ORDINANCE 2019-11 INTERNATIONAL SWIMMING POOL AND SPA CODE 2018 Edition	71
ORDINANCE 2019-12 INTERNATIONAL ENERGY CONSERVATION CODE 2006 Edition	78

ORDINANCE 2019-1

AN ORDINANCE OF THE TOWN OF DEWEY-HUMBOLDT OF YAVAPAI COUNTY, ARIZONA REPEALING ORDINANCE 2014-1 RELATING TO THE BUILDING CODES FOR THE AREAS OF DEWEY-HUMBOLDT AND PROVIDING FOR THE ADOPTION OF AN ADMINISTRATIVE CODE FOR THE MANAGEMENT, CONTROL, AND ENFORCEMENT OF TECHNICAL BUILDING AND OTHER CODES AND ORDINANCES, PERTAINING TO ALL ASPECTS OF CONSTRUCTION WITHIN THE AREAS OF DEWEY-HUMBOLDT PURSUANT TO ARIZONA REVISED STATUTES TITLE 11 CHAPTER 6, SECTIONS §11-801 THROUGH §11-866 AND §11-875.

THE TOWN OF DEWEY-HUMBOLDT OF YAVAPAI COUNTY, ARIZONA DOES ORDAIN AS FOLLOWS:

PART I ADOPTION

That Ordinance 2014-1 is hereby repealed in its entirety and a new administrative code pertaining to all aspects of construction is adopted to read as follows:

DEWEY-HUMBOLDT ADMINISTRATIVE BUILDING CODE

There is hereby adopted by reference, that certain document known as Chapter 1 Scope and Administration of the International Building Code, 2018 Edition, as published by the International Code Council. Said document is hereby amended and adopted as the Administrative Building Code for the areas of Dewey-Humboldt for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions, and terms of the various Technical Codes and Ordinances. Providing procedures for enforcement thereof; providing the severability of each and all conditions and terms of the Dewey-Humboldt Administrative Building Code are hereby referred to, adopted, and made a part hereof as set forth herein, excepting such portions as are hereinafter deleted, modified or amended.

CHAPTER 1 SCOPE AND ADMINISTRATION

SECTION 101 – GENERAL

SECTION 101.1 – Title is deleted in its entirety and revised to read as follows:

101.1 – Title. These regulations shall be known as the Dewey-Humboldt Administrative Building Code for the areas of Dewey-Humboldt, hereinafter referred to as "this code."

SECTION 101.2 – Scope is hereby amended by deletion of Exceptions and insertion of new Exceptions to read as follows:

101.2 – Scope.

Exceptions. Except as specifically limited or exempted, this code and the technical codes shall apply to all construction within the areas of Dewey-Humboldt:

1. Federal Land. Private development on Federal land shall not be exempted.
2. Indian Tribal Land.
3. Items pursuant to ARS §11-865.

A. The provisions of this article shall not be construed to apply to:

1. Construction or operation incidental to construction and repair to irrigation and drainage ditches or appurtenances thereto, of regularly constituted districts or reclamation districts, or to farming, dairying, agriculture, viticulture, horticulture or stock or poultry raising, or clearing or other work upon land in rural areas for fire prevention purposes.
 2. Devices used in manufacturing, processing or fabricating normally considered as involved in industry and construction, operation and maintenance of electric, gas or other public utility systems operated by public service corporations operating under a franchise or certificate of convenience and necessity.
- B.** Notwithstanding of this subsection A, of this section, the requirements of this article apply to the use or occupation of land or improvements by a person or entity consisting of or including changing, remanufacturing or treating human sewage or sludge for distribution or resale.
4. Live/work units complying with the requirements of the adopted Building Code as referenced herein shall be permitted to be built as detached one- and two-family dwellings or multiple single family dwellings (townhouses) in accordance with the adopted Residential Code as referenced herein.
 5. Owner-occupied lodging houses with five or fewer guestrooms shall be permitted to be constructed in accordance with the adopted Residential Code as referenced herein.
 6. 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 adopted Residential Code as referenced herein.

SECTION 101.2.1 – Appendices. Is hereby deleted in its entirety and revised to read as follows:

101.2.1 – Appendices. Provisions in the appendices shall not apply unless specifically adopted by ordinance for each referenced technical code.

SECTION 101.2.2 – Amendment. Is hereby added as an additional section to read as follows:

101.2.2 – Amendment. This document and the referenced technical codes may be amended from time to time. It may be amended by a simple motion of the Town Council, provided all state required legal advertising for amending a Building Code has been satisfied. The Chief Building Official or his designee may correct typographical errors and/or reformat this document without being considered an amendment.

SECTION 101.4 – Referenced codes is hereby deleted in its entirety and revised to read as follows:

101.4 – Referenced technical codes. The technical codes listed in Sections 101.4.1 through 101.4.13 and referenced elsewhere in this code and as adopted by Dewey-Humboldt shall be considered part of the requirements of this code to the prescribed extent of each such reference.

101.4.1 – Building Code. The provisions of the 2018 Edition of the *International Building Code* shall apply to the construction, alteration, relocation, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of buildings or structures or any appurtenances connected or attached to such buildings or structures.

101.4.2 – Electrical Code. The provisions of the 2017 Edition of the *National Electrical Code* shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto.

101.4.3 – Gas Code. The provisions of the 2018 Edition 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 regulations 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.

101.4.4 – Mechanical Code. The provisions of the 2018 Edition of the *International Mechanical Code* shall apply to the installation, alterations, repairs and replacement of mechanical systems, including equipment, appliances, fixtures, fittings and/or appurtenances, including ventilation, heating, cooling, air conditioning and refrigeration systems, incinerators and other energy-related systems.

101.4.5 Plumbing Code. The provisions of the 2018 Edition of the *International Plumbing Code* 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.

101.4.6 Property Maintenance Code. The provisions of the 2018 Edition of the *International Property Maintenance Code* shall apply to existing structures and premises, equipment and facilities: light, ventilation, space heating, sanitation, life and fire safety hazards; responsibilities of owners, operators and occupants; and occupancy of existing premises and structures. The provisions of the 2018 Edition of the *International Existing Building Code* shall apply to the repair, alteration, change of occupancy and relocation of existing buildings. The provisions of the 2018 Edition of the *International Property Maintenance Code* shall also apply to detached one-and two-family dwellings and multiple single-family dwellings (townhouses) and their accessory structures.

101.4.7 – Fire Protection (Fire Codes). The provisions of adopted fire codes as enforced by Central Arizona Fire and Medical Authority having approved authorization granted by the State of Arizona Office of the State Fire Marshall shall apply to matters affecting or relating to fire prevention. Such current regulations and ordinances shall apply to matter 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 construction, extension, repair, alteration or removal of fire suppression, automatic sprinkler systems and alarms systems or fire hazards in the structure or on the premises from occupancy or operation. These provisions as hereby amended for fire prevention shall also apply to detached one- and two – family dwelling and multiple single-family dwelling and their accessory structures.

101.4.8 – Energy Code. The provisions of the 2006 Edition of the “*International Energy Conservation Code*” as adopted by Dewey-Humboldt Ordinance 2008-1 and as amended on July 1, 2019 shall apply to all matters governing the design and construction of buildings for energy efficiency.

101.4.9 – Flood Control Code. The provisions of ordinances and regulations are applicable to the Yavapai County Flood Control District shall apply to all matters affecting flooding. All references as may be noted within the technical codes as adopted by Dewey-Humboldt Building Safety that pertain to flooding – flood control projects – flood resistant construction – flood hazard areas shall be controlled and regulated by the Yavapai County Flood Control District.

101.4.10 – Residential Code. The provisions of the 2018 Edition of the *International Residential Code for One-and Two-Family Dwellings* shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment use and occupancy, location, removal and demolition of detached one-and two family dwellings and multiple single-family dwellings (townhouses) and their accessory structures.

101.4.11 – Grading Code. The provisions of *Ordinance 2019-09 – Dewey-Humboldt Grading Ordinance* shall apply to excavation, grading, and earthwork construction, including fills, and embankments pertaining to all aspects of grading construction on private property.

101.4.12 – Existing Building Code. The provisions of the 2018 Edition of the *International Existing Building Code* shall apply to the repair, change of occupancy, and relocation of existing buildings and structures.

101.4.13 – Swimming Pool Code. The provisions of the 2018 Edition of the *“International Swimming Pool and Spa Code”* and ARS §36-1681 shall apply to the construction, alteration, movement, renovation, replacement, repair and maintenance of aquatic vessels.

SECTION 102 – APPLICABILITY AND DEFINITIONS

SECTION 102.4.1 – Conflicts is hereby amended by the addition of the following exception to read as follows:

102.4.1 – Conflicts.

Exception: Where enforcement of any code provision would violate the conditions of approved listings of equipment or material, the conditions of the listing and the manufacture's installation instructions of listed equipment or material may be considered by the building official.

SECTION 102.6 – Existing Structures is deleted in its entirety and revised to read as follows:

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 as is deemed necessary by the building official for the general safety and welfare of the occupants and the public.

SECTION 102.7 – Existing Building Systems is hereby added as a new section to read as follows:

102.7 – Existing Building Systems. Plumbing, fuel gas, mechanical or electrical systems lawfully in existence at the time of the adoption of this code shall be permitted to have their use and maintenance continued if the use, maintenance or repair is in accordance with the original design and no hazard to life, health or property is created by such existing systems.

SECTION 102.8 – Additions, Alterations or repairs is hereby added as a new section to read as follows:

102.8 – Additions, Alterations or Repairs. Additions, alterations or repairs to any structure or mechanical, plumbing, fuel gas or electrical systems shall conform to the requirements for a structure or system without requiring the existing structure or system to comply with all requirements of this code, unless otherwise stated. Additions, alterations or repairs shall not cause an existing structure or system to become unsafe, hazardous, overloaded or adversely affect the performance of the structure or system.

SECTION 102.9 – Historic Buildings is hereby added as a new section to read as follows:

102.9 – Historic Buildings. The provisions of this code relating to the construction, alteration, repair, enlargement, restoration, relocation or moving of buildings or structures shall not be mandatory for existing building or structures identified and classified by the state or local jurisdiction as historic buildings or as is deemed necessary by the building official for the general safety and welfare of the occupants and the public regarding any proposed construction, alteration, repair, enlargement, restoration, relocation or moving of buildings.

SECTION 102.10 – Change in Occupancy is hereby added as a new section to read as follows:

102.10 – Change in Occupancy. It shall be unlawful to make a change in the occupancy of any structure which will subject the structure to any special provisions of this code applicable to the new occupancy without approval. The building official shall certify that such structures meets the intent of the provisions of law governing building construction for the proposed new occupancy and that such a change of occupancy does not result in any hazard to the public health, safety or welfare.

SECTION 102.11 – Moved Buildings is hereby added as a new section to read as follows:

102.11 – Moved Buildings. Except as determined by section 102.7, plumbing, fuel gas, mechanical, or electrical systems that are a part of buildings or structures moved into or within the jurisdiction shall comply with provisions of this code for new installations.

SECTION 102.12 – Maintenance is hereby added as a new section to read as follows:

102.12 – Maintenance. Mechanical, Plumbing, Fuel Gas and Electrical systems, both existing and new, and parts thereof shall be maintained in proper operational condition in accordance with the original design and in a safe and sanitary condition. Devices or safeguards which are required by this code shall be maintained in compliance with the code edition under which they were installed. The owner or the owner's designated agent shall be responsible for maintenance of all systems. To determine compliance with this provision, the building official shall have the authority to require a system to be inspected.

SECTION 102.13 – Definitions is hereby added as a new section to read as follows:

102.13 – Definitions. For the purpose of this code, certain terms, phrases, words and their derivatives shall be construed as specified in this section. The definition within the specific adopted technical codes shall be construed to apply to that code. Where terms are not defined through the methods authorized by this section, such terms shall have the ordinarily accepted meaning such as the context implies. Webster's Third New International Dictionary of the English Language, Unabridged, shall be considered as providing ordinarily accepted meaning.

ADDITION – An extension or increase in floor area or height of a building or structure.

ADMINISTRATIVE BUILDING CODE – The Dewey-Humboldt Administrative Building Code as set forth within Ordinance 2019-1, as adopted by this Jurisdiction.

APPROVED – Acceptable to the building official or authority having jurisdiction.

APPROVED AGENCY – An established and recognized agency regularly engaged in conducting tests or furnishing inspection services, when such agency has been approved by the building official.

BASEMENT, UNFINISHED – An unheated portion or area not intended as a habitable space and limited to storage, housing of mechanical equipment, general work area or similar uses. If there is plumbing in this area, it will be limited to capped rough-in plumbing drains, floor drains, and water and drain lines serving mechanical equipment. There will be no other framing for interior walls other than as required for structural support. The area will not be insulated other than the ceiling/floor separation. The ceiling height may be as low as 6 feet 8 inches except under beams, girders, ducts or other obstructions where the clear height may be not less than 6 feet 4 inches. Heated spaces will be considered "finished" and constructed to comply with the applicable codes. Unfinished basements must also conform to Section E3901.9 and E3902.5 of the International Residential Code for minimal electrical requirements.

BEDROOM – A room intended for sleeping and noted on plans as such.

BUILDING – Any structure used or intended for supporting or sheltering any use or occupancy.

BUILDING CODE – The International Building Code as published by the International Code Council, as adopted by this jurisdiction.

BUILDING, EXISTING – Any building erected prior to the adoption of this code, or one for which a legal building permit has been issued.

BUILDING OFFICIAL – The officer or other designated authority charged with the administration and enforcement of this code, or duly authorized representative.

CARPORTS – A covered structure intended for parking of a vehicle that is open entirely on at least two sides.

CONDOMINIUM – Means real estate, portions of which are designated for separate ownership and the remainder of which is designated for common ownership solely by the owners of the separate portions. Real Estate is not a condominium unless the undivided interests in the common elements are vested in the unit owners.

COMMERCIAL PROJECTS – Any commercial buildings, industrial buildings, assembly buildings, and multi-family residential structures not defined as a townhouse greater than a duplex.

DETACHED BUILDING – A stand-alone structure that is separated from other structures on the same property without fire resistant constructed exterior walls with a physical separation that complies with the requirements of Section 503.1.2 and Table 602 of the Building Code and Section R302 of the Residential Code as referenced herein. No physical attachments to other structures on the same property are permitted.

ELECTRICAL CODE – The National Electrical Code published by the National Fire Protection Association, as adopted by this jurisdiction.

EXISTING BUILDING CODE – The International Existing Building Code, published by the International Code Council, as adopted by this jurisdiction.

FUEL GAS CODE – The International Fuel Gas Code, published by the International Code Council, as adopted by this jurisdiction.

GRADING – Any excavating, filling, or combination thereof for earthwork construction as covered within the grading ordinance as adopted by this jurisdiction.

JURISDICTION – The governmental unit that has adopted this code under due legislative authority.

MECHANICAL CODE – The International Mechanical Code published by the International Code Council, as adopted by this jurisdiction.

OCCUPANCY – The purpose for which a building, or part thereof, is used or intended to be used in compliance with adopted codes.

OWNER – Any person, agent, firm or corporation having a legal or equitable interest in the property.

PERMIT – An official document or certificate issued by the authority having jurisdiction which authorizes performance of a specified activity.

PERSON – An individual(s), heir(s), executor(s), administrator(s) or assign(s), and also includes a firm, partnership or corporation, its or their successor(s) or assign(s), or the agent(s) of any of the aforesaid.

PLUMBING CODE – The International Plumbing Code, published by the International Code Council, as adopted by this jurisdiction.

REPAIR – The reconstruction or renewal of any part of an existing building, structure or building service equipment for the purpose of its maintenance.

RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS – The International Residential Code for one- and two-family dwellings, published by the International Code Council, as adopted by this jurisdiction.

SHALL – The term, when used in this code, is construed as mandatory.

STRUCTURE – That which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner.

TECHNICAL CODES – Those codes adopted by this jurisdiction containing the provisions for design, construction, alteration, addition, repair, removal, demolition, use, location, occupancy and maintenance of all buildings and structures and building service equipment as herein defined.

TOWNHOUSE – A single-family dwelling unit constructed in a group of three or more attached units in which each unit extends from the foundation to roof and with a yard or public way (open space) on at least two sides. Such are not more than three stories above grade plane in height with a separate means of egress to each unit.

TRAILER (PARK MODEL) – A park trailer built on a single chassis, mounted on wheels and designed to be connected to utilities necessary for operation of installed fixtures and appliances and has a gross trailer area of not less than three hundred twenty (320) square feet and not more than four hundred (400) square feet when it is set up, and manufactured to comply with ANSI A119.5 standards, except that it does not include recreational vehicles, travel trailers, campers or fifth wheel trailers.

VALUATION or **VALUE** – The total estimated cost to replace, repair, build, or erect any building and its building service equipment in kind, based on current construction costs.

SECTION 102.14 – Guideline manuals is hereby added as a new section to read as follows:

102.14 – Guideline manuals. Guideline manuals as published by the International Code Council, Inc. and The National Fire Protection Association, Inc. as commentaries, handbooks, inspection guides, plan review guides, training manuals and other such reference publications may be used by the building official as guidance to provide alternative approaches to achieve compliance and interpretations of the technical codes.

SECTION 104 – DUTIES AND POWERS OF BUILDING OFFICIAL

SECTION 104.5 – Identification is hereby deleted in its entirety and revised to read as follows:

104.5 – Identification. The building official and appointed deputies shall carry proper identification when inspecting structures or premises in the performance of duties under this code.

SECTION 104.7 – Department records is hereby amended by the revision of the first sentence to read as follows:

104.7 – Department records. The building official shall have access to official records of applications received, permits and certificates issued, fees collected, reports of inspections, and notices and orders issued.

SECTION 104.10.1 – Flood Hazard Areas is hereby deleted in its entirety and revised to read as follows:

104.10.1 – Flood Hazard Areas. Flood Hazard Areas relating to all new construction of buildings, structures and portions of buildings and structures, including substantial improvement and restoration of substantial damage to buildings and structures shall be enforced and regulated by Yavapai County Flood Control District.

SECTION 105 – PERMITS

SECTION 105.1.1 – Annual permit is hereby deleted in its entirety.

SECTION 105.1.2 – Annual permit records is hereby deleted in its entirety.

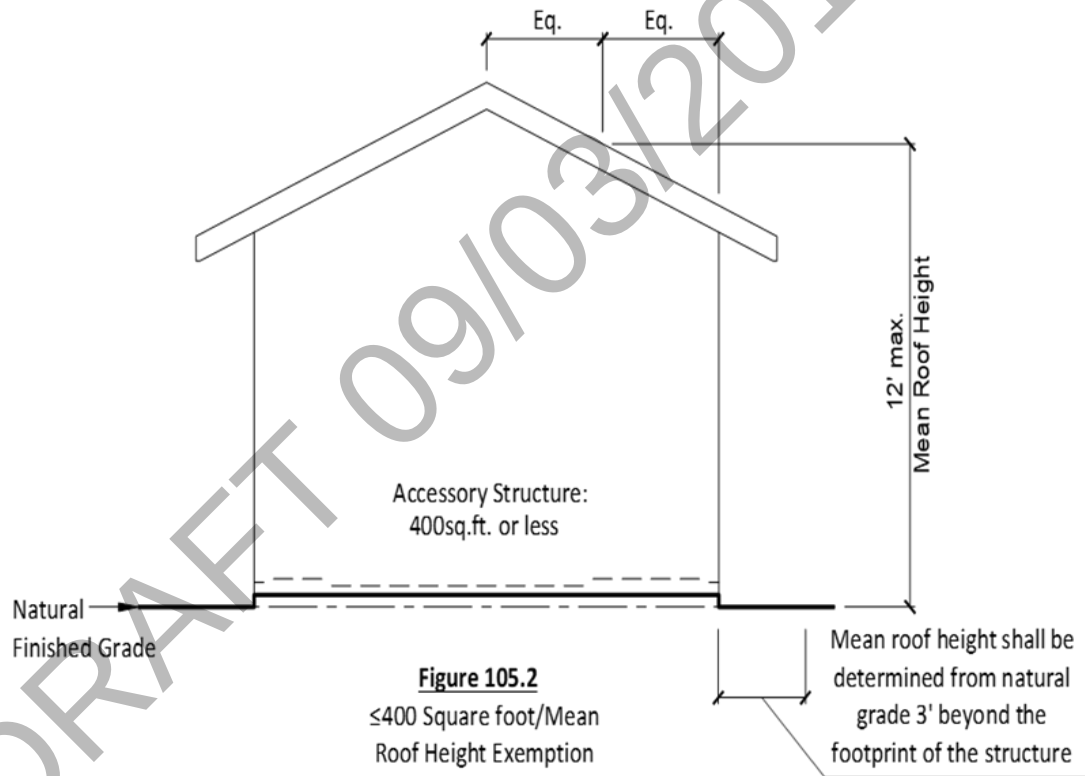
SECTION 105.2 – Work exempt from permit is hereby deleted in its entirety and amended to read as follows:

105.2 – Work exempt from permit. A permit shall not be required for the types of work in each of the separate classes of permits as listed below. Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in violation of the provisions of the technical codes or any other laws or ordinances of this jurisdiction. These exemptions do not apply to Commercial projects.

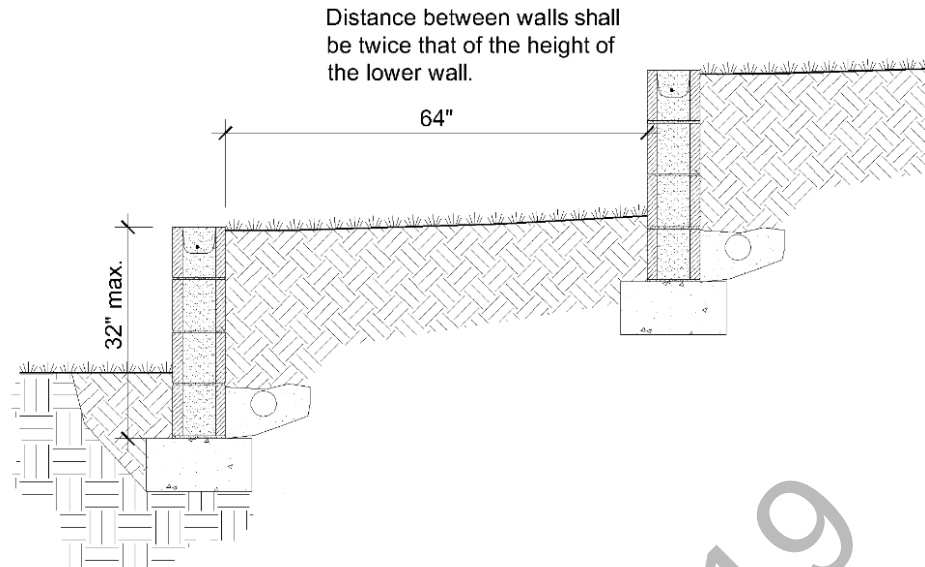
NOTE: Work exempt from a permit pursuant to this section shall apply ONLY to Building Safety. Other Dewey-Humboldt regulatory agencies may have permit requirements for these exemptions.

Building permits. A building permit shall not be required for the following:

1. One-story, **NON-HABITABLE** detached accessory buildings on residential properties used as tool and storage sheds, playhouses, animal shades, barns, and similar uses, provided the area does not exceed 400 square feet under roof and not to exceed a height of 12 feet from natural grade to the mean roof height. Detached accessory buildings SHALL NOT be considered or used as habitable space. UTILITY electrical only with a separate permit, "no mechanical systems or plumbing" permitted in a detached accessory building.



2. Free standing Masonry or Concrete walls not over four feet (4') high (measured from natural grade) on residential properties used as garden/privacy wall.
3. Fences not over six feet (6') high, not including masonry or concrete walls.
4. Oil derricks.
5. Movable cases, counters and partitions not over five feet nine inches (5'9") high.
6. Retaining walls, which are not over thirty-two inches (32") in height, measured from the top of the footing to the top of the wall. All retaining walls which support a surcharge or fill exceeding a maximum of 2 to 1 slope or impounding flammable liquids will require a building permit.



7. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons and the ratio of height to diameter or width does not exceed 2:1.
8. Uncovered Decks not exceeding 200 square feet (18.58 m²) in area, that are not more than 30 inches (762 mm) above grade at any point, are not attached to a dwelling and do not serve the exit door required by Section R311.4 of the International Residential Code.
9. Remodels (non-structural and no increase in square footage or plumbing, electrical, and mechanical) on residential properties. This includes painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
10. Temporary motion picture, television and theater stage sets and scenery where the public is not to attend.
11. Window awnings supported by an exterior wall of Group R, Division 3, and Group U Occupancies which do not project more than fifty-four inches (54") from the exterior wall and do not require additional support.
12. Portable swimming being less than 18 inches in water depth which are drained and filled daily and NOT connected to a circulation system when used as an accessory on single family residential property.
13. Membrane structures constructed for nursery or agricultural purposes and not including service systems on residential properties not to exceed 400 square feet.
14. Swings and other playground equipment accessory to detached one- and two-family dwellings.
15. Re-roofing (like for like no sheathing replacement and no more than two (2) layers) on residential properties.
16. Concrete flat work (driveways, walkways and pads) not be used in connection with a structural component on residential properties.
17. Nonfunctional, decorative windmills that do not exceed 25 feet.

Plumbing permits. A plumbing permit shall not be required for the following:

1. 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.
2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures, and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.

Electrical permits. An electrical permit shall not be required for the following:

1. Listed cord-and-plug connected temporary decorative lighting.
2. Reinstallation of attachment plug receptacles but not the outlets therefor.
3. Repair or replacement of fixed motors, transformers or fixed approved appliances of the same type and rating in the same location.
4. Replacement of branch circuit overcurrent devices of the required capacity in the same location.
5. Electrical wiring, devices, appliances, apparatus or equipment operating at less than 25 volts and not capable of supplying more than 50 watts of energy.
6. Minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles.
7. 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.
8. 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.
9. The wiring for temporary theater, motion picture or television stage sets where the public is not to attend.
10. Low-energy power, controls and signal circuit of Class II and Class III as defined in the Electrical Code.
11. Items as listed per **Article 90.2 SCOPE (B) Not Covered** in the 2017 National Electrical Code as adopted by the jurisdiction.

Mechanical permits. A mechanical permit shall not be required for the following:

1. A portable heating appliance.
2. Portable ventilation appliances and equipment.
3. A portable cooling unit.
4. Steam, hot water or chilled water piping within any heating or cooling equipment or appliances regulated by this code.
5. The replacement of any minor part that does not alter the approval of equipment or an appliance or make such equipment or appliance unsafe.
6. A portable evaporative cooler.
7. Self-contained refrigeration systems that contain 10 pounds (4.5kg) or less of refrigerant or that are actuated by motors of 1 horsepower (0.75 kW) or less.
8. Portable fuel cell appliances that are not connected to a fixed piping system and not interconnected to a power grid.

Fuel Gas permits. A fuel gas permit shall not be required for the following:

1. Any portable heating appliance.
2. Replacement of any minor part of equipment that does not alter approval of such equipment or make such equipment unsafe.

SECTION 105.3.2 – Time limitation of application is hereby deleted in its entirety and revised to read as follows:

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 filing and such application shall be expired. The building official is authorized to grant one (1) extension of time of up to 180 additional days. The extension shall be requested in writing and justifiable cause demonstrated.

SECTION 105.5 – Expiration is hereby deleted in its entirety and revised to read as follows:

105.5 – Expiration. Every permit issued shall become invalid unless the work authorized by such permit has commenced within 180 days after its issuance and a valid inspection or subsequent valid inspection as detailed by Section 110 is obtained every 180 days thereafter. The building official is authorized to grant up to one (1) extension of time for a period of not more than 180 days. All requests for extensions shall be in writing prior to permit expiration and with justifiable cause demonstrated. Every permit issued shall become invalid within two and one-half (2 1/2) years from the issued date **including** all extensions of time. An expired permit shall only be renewed once provided no changes have been made or will be made in the original issued construction documents and the renewal application is submitted within one (1) year of the expiration date.

SECTION 105.7 – Placement of permit is hereby amended by insertion of a new sentence at the end of this section to read as follows:

105.7 – Placement of permit. The issued premise identification placard (orange card) shall be conspicuously posted on site and be maintained until the completion of the project.

SECTION 105.8 – Responsibility is hereby added as a new section to read as follows:

105.8 – Responsibility. It shall be the duty of every person who performs work for the installation or repair of building, structure, electrical, fuel gas, mechanical or plumbing systems for which this code is applicable, to comply with this code.

SECTION 107 – SUBMITTAL DOCUMENTS

SECTION 107.1 – General hereby amended by deletion of the first paragraph in its entirety and revised to read as follows:

107.1 – General. Submittal documents consisting of construction documents, plans, specifications, engineering calculations, diagrams, geotechnical soil reports, statements of special inspections, and other data shall be submitted in two (2) or more sets with each permit application. The construction documents for all disciplines shall be prepared by an Arizona licensed registrant when the building is regulated by the rules and regulations of the Arizona State Board of Technical Registration to require sealed plans by a qualified licensed registrant. The building official may require the applicant submitting construction documents to demonstrate that state law does not require that the documents be prepared by an Arizona licensed registrant. Where special conditions exist, the building official is authorized to require construction documents to be prepared by an Arizona licensed registrant.

SECTION 107.2.1 – Information on construction documents is hereby deleted in its entirety and revised to read as follows:

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 prior approval is obtained from the building official. 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.

SECTION 107.2.2 – Fire protection system shop drawings is hereby deleted in its entirety and revised to read as follows:

Section 107.2.2 – Fire Protection Shop Drawings. Shop drawings for the fire protection system(s) shall be submitted to the Authority Having Jurisdiction (AHJ) as determined by section 101.4.7 "Fire Protection (Fire Codes)" of this code for review and shall be approved by the AHJ prior to the start of system installation. The building official shall receive official notification of such approval prior to continued inspections of work in areas where fire protection system(s) are required.

SECTION 107.2.6 – Site plan is deleted in its entirety and revised to read as follows:

107.2.6 – Site plan. The construction documents submitted with the application for a permit shall be accompanied by a site plan drawn to a defined scale showing the size and locations of all new construction and existing structures on the site, distances from all lot lines, the existing (native) and proposed final grade contour intervals, building pad elevations, finished floor elevations, drainage flow directions, utility line locations (water, gas, sewer, septic, and electrical) and cut and fill amounts of any grading. In the case of demolition, the 8 ½" x 11" plot plan shall show structure(s) to be demolished and the location and size of existing structure(s) to remain on the property. 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.

SECTION 107.2.5.1 – Design flood elevations is hereby deleted in its entirety.

SECTION 107.2.5.2 – Manufacturer's Installation Instructions is hereby added as a new section to read as follows:

107.2.5.2 – Manufacturer's Installation Instructions. Manufacturer's Installation Instructions, as required by this code, shall be available on the job site at the time of inspection.

SECTION 107.3.3 – Phased approval is hereby deleted in its entirety.

SECTION 107.3.4.1 – Deferred submittals is hereby amended by addition to the 1st paragraph to read as follows:

107.3.4.1 – Deferred submittals. Deferred submittals of this code shall apply to all buildings, **EXCEPT** detached one- and two-family dwellings and their accessory structures as defined under the provisions of the International Residential Code as adopted by this jurisdiction.

SECTION 109 – Fees is hereby deleted in its entirety and revised to read as follows:

SECTION 109 – FEES

109.1 – Payment of fees. Fees shall be assessed in accordance with the provisions of this section or shall be as set forth in the fee schedule adopted by this jurisdiction.

109.2 – Schedule of permit fees. Pursuant to ARS §11—863-C, valuations shall be assigned, and fees shall be assessed in accordance with the current valuation and fee schedule recommended and approved by the Dewey-Humboldt Town Council.

The value to be used in computing the building permit fee and building plan review fee shall be the total value of all construction work for which the permit is issued as well as all finish work, painting, roofing, electrical, plumbing, heating, air-conditioning, elevators, fire-extinguishing systems and other permanent equipment.

109.3 – Plan review fees. When submittal documents are required by Section 107, a deposit shall be paid at the time documents are submitted for plan review. Said deposit shall be as shown in the Valuation and Fee Schedule adopted by the Dewey-Humboldt Town Council.

The plan review fees for electrical, mechanical and plumbing work shall be as shown in the Valuation and Fee Schedule adopted by the Dewey-Humboldt Town Council.

The plan review fee for grading work shall be as shown in the Valuation and Fee Schedule adopted by the Dewey-Humboldt Town Council.

The plan review fees specified in this section are separate fees from the permit fees specified in Section 109 and are in addition to the permit fees.

When submittal documents are incomplete or changed so as to require additional plan review or when the project involves deferred submittal items as defined in Section 107.3.4.1, an additional

plan review fee shall be charged at the rate shown in the Valuation and Fee Schedule adopted by the Dewey-Humboldt Town Council.

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 established by the building official that shall be in addition to the required permit fees.

109.5 – Investigation. Whenever work for which a permit is required by this code has been commenced without first obtaining a permit, a special investigation may be made prior to a permit being issued for such work.

Exception: Repairs performed in an emergency situation where the application was submitted the next business day.

109.5.1 – Investigation Permit Fee. An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee required by this code. The minimum investigation fee shall be the same as the minimum fee set forth in the Valuation and Fee Schedule adopted by Dewey-Humboldt Town Council. The payment of such investigation fee shall not exempt an applicant from compliance with all other provisions of either this code; the technical codes, and from the penalty prescribed by law.

109.6 – 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.

109.7 – Fee Refunds

The building official may authorize refunding of a fee paid hereunder, which was erroneously paid or collected.

The building official may authorize refunding the greater of \$25.00 or 25% of the building permit fee paid when no work and no inspections have been done under a permit issued in accordance with this code.

The building official may authorize refunding the greater of \$10.00 or 25% of plumbing, electrical, and mechanical fees paid when no work and no inspections have been done under a permit issued in accordance with this code.

The building official may authorize refunding a plan review fee for a permit withdrawn after a deposit fee has been paid at the greater of the per-hour charge rate (minimum of one hour) or the calculated plan review fee. No refund of plan review fees is authorized once plan review on a plan has begun.

The building official shall not authorize the refunding of any fee paid except upon written application filed by the original applicant no later than 180 days after the date of fee payment. The time limit for a request for refund shall be extended in conjunction with an application/approved permit extension for permits with no construction begun, not to exceed one (1) year.

SECTION 110 – Inspections is deleted in its entirety and revised to read as follows:

SECTION 110 – INSPECTIONS

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 survey of the property, as done by an Arizona licensed surveyor may be required by the building official to verify that buildings, structures and related features are located in accordance with the approved plans.

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

110.3 – Required inspections. The building official, upon notification, shall make the inspections set forth in Sections 110.3.1 through 110.3.15.

110.3.1 – Footing. Footing inspection shall be made after excavations for footings are complete and any required reinforcing steel is in place. For concrete footings, any required forms shall be in place prior to inspection. As required by ACI standards, all vertical steel shall be tied in place at the time of footing inspection.

110.3.2 – Stem wall/grout. Stem wall inspections of masonry or formed concrete walls, shall be made prior to any grout or concrete being placed after the masonry units and required forms are completed and any required reinforcing steel installed, including the installation of any required framing attachments, which shall be secured to the un-grouted masonry units or concrete wall forms.

110.3.3 – Reinforced masonry, insulating concrete form (ICF) and conventionally formed concrete wall inspection. Reinforced masonry walls, insulating concrete form (ICF) walls and conventionally formed concrete walls shall be inspected after plumbing, mechanical and electrical systems embedded within the walls, and reinforcing steel are in place and prior to placement of grout or concrete. Inspection shall verify the correct size, location, spacing and lapping of reinforcing. For masonry walls, inspection shall also verify that the location of grout cleanouts and size of grout spaces comply with the requirements of this code.

110.3.4 – 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 sub floor. Residential building concrete slab inspections shall include the garage floor.

110.3.5 – Floodplain inspections. For construction in areas prone to flooding, as determined by the Yavapai County Flood Control District, upon placement of the lowest floor, including the basement, and prior to further vertical construction, the building official shall require submission of documentation, prepared and sealed by a registered design professional, of the elevation of the lowest floor, including the basement.

110.3.6 – Plumbing, mechanical, gas and electrical systems inspection. Rough inspection of plumbing, mechanical, gas and electrical systems shall be made prior to covering or concealment, before fixtures or appliances are set or installed, and prior to slab grade inspection, or at the time of rough-in inspection prior to insulation.

Exception: Back-filling of ground-source heat pump loop systems tested in accordance with Sections M2105.1 of the 2018 International Residential Code and 1208.1 of the 2018 International Mechanical Code prior to inspection shall be permitted.

110.3.7 – Roof nailing and exterior braced wall panels. Roof nailing and exterior braced wall panel inspection shall be made after the roof deck sheathing, exterior wall sheathing, and required wall framing attachments are in place and prior to the installation of the roofing material and exterior wall covering. All required wall framing attachments to the foundation and stem wall systems shall be in place.

110.3.8 – Framing and exterior lath. Framing inspection shall be made after all framing, fire-blocking, windows, and bracing are in place and pipes, chimneys and vents to be concealed are complete and the rough electrical, plumbing, heating, wiring, pipes and ducts are installed. All penetrations through the floor and through the top plate into the attic must be sealed and exterior lath is installed and roof completely dried in with either the roofing material or approved roofing paper. The exterior lath inspection, for stucco wall covering, shall be made at this time.

110.3.9 – Water-resistive and/or air barrier. A water-resistive barrier and/or air barrier inspection shall be performed after all flashings, windows and barriers are installed prior to the installation of any exterior wall covering.

110.3.10 – Insulation inspection. Insulation inspection shall be made after frame and exterior lath inspection and all rough plumbing, mechanical, gas, and electrical systems are approved and prior to covering or concealment. Blown or sprayed roof/ceiling insulation may be verified before final inspection with markers affixed to the trusses or joists and marked with the insulation thickness by one inch (1") high numbers. A minimum of one (1) marker provided for each 300 square feet of area with numbers to face the attic access opening. In lieu of an insulation inspection, a certification from the insulation installer may be submitted.

110.3.11 – Gypsum board. An inspection shall be made of the gypsum board, interior and exterior, before any joints and fasteners are taped and finished.

110.3.12 – Fire-resistant penetrations and fire-resistance-rated construction inspection. Protection of joints and penetrations in fire-resistance-rated assemblies shall not be concealed from view until inspected and approved. Where fire-resistance-rated construction is required between dwelling units or due to location on property, the building official shall require an inspection of such construction after all lathing and/or wallboard is in place, but before any plaster is applied, or before wall board joints and fasteners are taped and finished.

110.3.13 – Special inspections. For special inspections, see Section 1704 of the 2018 International Building Code.

110.3.14 – Other inspections. In addition to the inspections specified above 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.

110.3.15 – Final inspection. Final inspection shall be made after the permitted work is completed and prior to occupancy.

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.

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.

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 perform the requested inspection 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.

110.7 – Re-inspection. A re-inspection fee may be assessed for each inspection or re-inspection when such portion of work for which inspection is called is not complete or when corrections called for are not made.

This section is not to be interpreted as requiring re-inspection fees the first time a job is rejected for failure to comply with the requirements of the technical codes, but as controlling the practice of calling for inspections before the job is ready for such inspection or re-inspection.

Re-inspection fees may be assessed:

- When the inspection record card is not posted or otherwise available on the work site.
- When the approved plans are not readily available to the inspector.
- For failure to provide access on the date for which inspection is requested.
- For deviating from approved plans thereby requiring the approval of the building official.

To obtain a re-inspection, the applicant shall pay the re-inspection fee as set forth in the fee schedule adopted by this jurisdiction.

In instances where re-inspection fees have been assessed, additional inspection of the work will not be performed until the required fees have been paid.

SECTION 111 – CERTIFICATE OF OCCUPANCY

SECTION 111.1 – Certificate issued is hereby amended by addition of an “Exception” to read as follows:

111.1 – Certificate issued.

Exception: Certificates of occupancies are not required for work exempt from permits under Section 105.2 of this code on residential remodels, additions, and accessory buildings or structures on residential properties being used for non-habitable residential purposes. Certificates of completion shall be issued on permits issued as a Shell Building. Certificates of completion shall not authorize occupancy.

SECTION 113 – Board of appeals is hereby deleted in its entirety and revised to read as follows:

SECTION 113 – BOARD OF APPEALS

113.1 – General. In order to hear and decide appeals of order, decisions or determinations, made by the building official relative to the application and interpretation of the technical code, there is hereby created the Building Safety Advisory and Appeals Board, pursuant to ARS §11-862.

113.3 – Members of Board. Members of the Board of Adjustment shall be residents of Dewey-Humboldt and shall include representatives in the following areas, to the extent that qualified representatives are available and willing to serve:

- An architect duly licensed in the State of Arizona.
- A professional engineer duly licensed in the State of Arizona.

- A general contractor duly licensed in the State of Arizona.
- A person representing the public and is a resident of Dewey-Humboldt
- A person duly licensed in the State of Arizona in the electrical, mechanical or plumbing trades.
- Additional who may be engaged in the construction design or development industry.
- The building official shall be an ex officio member and shall act as Secretary to the board, but shall have no vote upon any matters before the board.

113.4 – Duties of Building Safety Advisory and Appeals Board.

1. The Advisory and Appeals Board shall hear and decide appeals of order, decisions or determinations made by the building official relative to the application and interpretation of the technical code, including suitability of alternative materials and methods of construction, effectiveness, efficiency, responsiveness, ethics, fees, revenues, budgets, staffing equipment, code content, geographic coverage, coordination with other units of governments, and any other matters of concern to the board.
2. Findings and decisions of the board shall be binding upon the building official and appealing party subject to appeal to the Town Council.
3. The board shall act as technical advisory in the formation and acceptance of adopting Building Codes and Ordinances in the County.

113.5 – Limitation of Authority. The Advisory and Appeals Board shall have no authority relative to interpretation of the administrative provisions of this code or the administrative provisions of the technical codes nor shall the Board be empowered to waive requirements of either this code or the technical codes.

SECTION 114 – Violations is hereby deleted in its entirety and revised to read as follows:

SECTION 114 – Violations. Violations shall be handled through Section 205 and 206 of the Dewey-Humboldt Planning and Zoning Ordinance.

114.1 – Violations. It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building, structure or building service equipment, or cause or permit the same to be done in violation of this code and the technical codes. A violation is punishable as a Class 2 Misdemeanor.

114.2 – Continuing Violation. When there is argument to the orders issued by the building official and the violation is not abated according to the orders issued by the building official, the building official may refer the matter to the Dewey-Humboldt Hearing Officer for a hearing and the imposition of penalties and sanctions. The Hearing Officer shall hear and rule on building violations and impose sanctions as authorized by ARS §11-866 and ARS §11-815.

114.3 – Appeals. The decision of the Hearing Officer may be appealed to the Dewey-Humboldt Board of Adjustment in accordance with ARS §11-815.

114.6 – Penalties. Pursuant to ARS §11-815 and ARS §11-866 the Hearing Officer shall have the authority to impose the following penalties and sanctions:

1. Each day's continuance of a building code violation shall be deemed a separate offense.
2. The maximum penalty for each offense shall be:
 - A. Pursuant to ARS §13-802-b, seven hundred fifty dollars (\$750.00) for an individual;
 - B. Pursuant to ARS §13-803-1-3, ten thousand dollars (\$10,000.00) for any corporation, association, labor union or other legal entity.

The imposition of penalties on any person under this ordinance shall not relieve such persons from the responsibility of correcting prohibited conditions or removing prohibited structures or improvements and shall not prevent the enforced correction or removal of such violations.

If any structure is erected, constructed, reconstructed, altered, maintained or used in violation of this Ordinance, the Dewey-Humboldt Town Council, the Dewey-Humboldt Attorney, the building official, or any adjacent or neighboring property owner who is especially damaged by the violation may institute an injunction, mandamus, abatement, or any appropriate action proceeding to prevent, abate, or remove the violation.

In the event, the County deems it necessary to institute proceedings to abate a violation it shall be entitled to recover its costs of abatement including attorney fees.

The conviction of any person, firm or corporation hereunder shall not relieve such person from the responsibility to correct such violation nor prevent the enforcement, correction or removal thereof.

DRAFT 09/03/2019

PART II FINDINGS AND DECLARATION

The Town of Dewey-Humboldt of Yavapai County, Arizona specifically and expressly finds and declares that the nature and uniqueness of the climate, terrain, and location does necessitate and demand specific amendments to the International Administrative Building Code, 2018 edition, which are stated in this ordinance.

The provisions of this ordinance and the code it incorporates are hereby declared to be severable, and if any section, sentence, clause or phrase of this ordinance shall, for any reason, be held to be invalid or unconstitutional, such decisions shall not affect the remaining sections, sentences, clauses or phrases of this ordinance, but they shall remain in effect, it being the legislative intent that this ordinance shall stand notwithstanding the validity of any part thereof.

PART III EFFECTIVE DATE

This ordinance shall take effect and be in force on the _____ day of _____ 2019.

Presented by:

Don Roberts,
Building Official

Approved and adopted by the Town Council on the _____ day of _____ 2019.

Mayor Nolan

ORDINANCE 2019-2

AN ORDINANCE OF THE DEWEY-HUMBOLDT OF YAVAPAI COUNTY, ARIZONA REPEALING ORDINANCE 2014-2 RELATING TO THE BUILDING CODE FOR THE AREAS OF DEWEY-HUMBOLDT IN ITS ENTIRETY AND PROVIDING FOR THE ADOPTION OF THE INTERNATIONAL BUILDING CODE, 2019 EDITION.

THE TOWN OF DEWEY-HUMBOLDT OF YAVAPAI COUNTY, ARIZONA DOES ORDAIN AS FOLLOWS:

Dewey-Humboldt Ordinance 2014-2 is hereby repealed in its entirety and replaced with the following:

PART I ADOPTION

INTERNATIONAL BUILDING CODE, 2018 EDITION, ADOPTED BY REFERENCE

There is hereby adopted by reference, that certain document known as the International Building Code, 2018 Edition, including Appendixes C, E, G, H, I, and N as published by the International Code Council. Said document is hereby amended and adopted as the Building Code for the areas of Dewey-Humboldt providing for the regulation of the erection, construction, enlargement, alteration, repair, moving, demolition, conversion, occupancy, use heightened area of all building and structures within this county and each and all such regulations, provisions, penalties, conditions and terms of the International Building Code, 2018 Edition, including Appendixes C, E, G, H, I and N are hereby referred to, adopted, and made a part hereof as set forth herein, excepting such portions as are hereinafter deleted, modified or amended.

At least three (3) copies of the aforesaid code and amendments shall be filed in the office of the Town Council for public use.

CHAPTER 1 ADMINISTRATION

SECTION 101 – GENERAL

SECTION 101.1 – Title is amended by the insertion of “Dewey-Humboldt.”

SECTIONS 101.2 through Section 116 are amended by deletion in their entirety and replaced with the requirements of the Dewey-Humboldt Administrative Building Code, as adopted and as may be amended from time to time.

CHAPTER 2 DEFINITIONS

SECTION 201 – GENERAL

SECTION 201.3 Terms defined in other codes are hereby amended as follows: Where terms are not defined in this code, such terms shall have the meanings ascribed in other code publications of the International Residential Code and the most recent Dewey-Humboldt Administrative Building Code. In the event there is a conflict between the aforementioned codes, the Dewey-Humboldt Administrative Building Code is superior.

SECTION 201.4 – Terms not defined is deleted in its entirety and amended to read as follows:

201.4 – Terms not defined. Where terms are not defined through the methods authorized by this Chapter, such terms shall have ordinarily accepted meanings such as the context implies. Webster's Third New International Dictionary of the English Language, Unabridged, shall be considered as providing ordinarily accepted meanings.

SECTION 202 – DEFINITIONS is hereby amended by addition or revision of the following words and terms:

ADULT DAY HEALTH CARE FACILITY. A facility providing adult day health services during a portion of a continuous twenty-four hour period for compensation on a regular basis for five or more adults not related to the proprietor (As defined by Arizona Department of Health Services).

ASSISTED LIVING CENTER. An assisted living facility that provides resident rooms or residential units to eleven or more residents (as defined by Arizona Department of Health Services).

ASSISTED LIVING FACILITY. A residential care institution, including adult foster care, that provides or contracts to provide supervisory care services, personal care services or directed care services on a continuing basis (as defined by Arizona Department of Health Services).

ASSISTED LIVING HOME. An assisted living facility that provides resident rooms to ten or fewer residents (as defined by Arizona Department of Health Services).

BEDBOUND. To be confined to a bed or chair because of an inability to ambulate even with assistance (as defined by Arizona Department of Health Services).

DIRECTED CARE SERVICE. Programs and services, including personal care services, provided to persons who are incapable of recognizing danger, summoning assistance, expressing need, or making basic care decisions (as defined by Arizona Department of Health Services).

PERSONAL CARE SERVICE. Assistance with activities of daily living that can be performed by persons without professional skills or professional training, which does not require medical care and includes the coordination or provision of intermittent nursing services and the administration of medications and treatments. Personal care involves responsibility for the safety of the persons while inside the building.

RESIDENTIAL CARE/ASSISTED LIVING HOME. A building or part thereof housing a maximum of 10 persons, excluding staff, on a 24-hour basis, who because of age, mental disability or other reasons, live in a supervised residential environment which provides supervisory, personal, or directed services. This classification shall include, but not be limited to the following:

- Alcohol and drug abuse centers
- Assisted living facilities
- Congregate care facilities
- Convalescent facilities
- Group homes
- Halfway houses
- Residential board and custodial care facilities
- Social rehabilitation facilities

SUPERVISORY CARE SERVICES. General supervision, including daily awareness of resident functioning and continuing needs; the ability to intervene in a crisis and assistance in the self-administration of prescribed medications (as defined by Arizona Department of Health Services).

TOWNHOUSE. A single-family dwelling unit constructed in a group of three or more attached units in which each unit extends from the foundation to roof and with a yard or public way (open space) on at least two sides. Such are not more than three stories above grade plane in height with a separate means of egress to each unit.

CHAPTER 3 USE AND OCCUPANCY CLASSIFICATION

SECTION 305 – EDUCATIONAL GROUP E

SECTION 305.2 – Group E, day care facilities. **DEFINITIONS** is hereby added to replace 305.2 in its entirety to include the following words and terms (as defined by Arizona Department of Health Services.):

SECTION 305.2 – DEFINITIONS. The following words and terms, as defined by Arizona Department of Health Services:

Child. Any person through the age of fourteen years. Child also means a person who is under eighteen years of age if the child has a developmental disability as defined in ARS §36-551 or has at least one of the disabilities listed in ARS §15-761, and requires special education as defined in ARS §15-761.

Child care. The care, supervision and guidance of a child or children, unaccompanied by a parent, guardian or custodian, on a regular basis, for periods of less than twenty-four hours per day, in a place other than the child's or the children's own home or homes.

Child care facility. Any facility in which child care is regularly provided for compensation for five or more children not related to the proprietor.

Child care group home. A residential facility in which child care is regularly provided for compensation for periods of less than twenty-four hours per day for not less than five children but no more than ten children through the age of twelve years.

SECTION 305.2 – Group E, day care facilities is hereby revised to read as follows:

SECTION 305.2 – Group E, day care facilities. This group includes buildings and structures or portions thereof occupied by more than five children who receive education, supervision, or child care services for less than 24 hours per day.

Exception 1. A “child care group home” complying with the requirements ARS §36-897 and providing child care for less than twenty-four (24) hours per day for not less than five (5) children but no more than ten (10) children through the age of twelve (12) years shall be classified as Group R-3, provided that all child care rooms are located on the level of exit discharge and each child care room has an exit door directly to the exterior.

CHAPTER 9 FIRE-PROTECTION SYSTEMS

SECTIONS 901 through 909.19 and Sections 910 through 915 is hereby deleted in their entirety and revised to read as follows:

SECTION 901 – GENERAL

901.1 – Scope. The provisions of adopted fire codes as enforced by individual fire districts within Dewey-Humboldt having approved authorization granted by the State of Arizona Office of the State Fire Marshall shall apply to matters affecting or relating to fire prevention. Areas within Dewey-Humboldt having no authorized fire district, the provisions of the adopted fire codes as enforced by the State of Arizona Office of the State Fire Marshall shall apply to matters affecting or relating to fire protection. Such current regulations and ordinances shall apply to matters affecting or relating to structures, processes or 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 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. These provisions as hereby amended for fire prevention shall also apply to detached one and two family dwellings and multiple single family dwellings (townhouses) and their accessory structures.

CHAPTER 11 ACCESSIBILITY

Section 1101.2 – Design is hereby deleted in its entirety and revised to read as follows:

Section 1101.2 – Design. Buildings and facilities shall be designed and constructed to the more restrictive of the following adopted regulations and technical codes:

1. The 2010 Standards for State and local governments;
2. The 2010 Standards for public accommodations and commercial facilities

CHAPTER 16 STRUCTURAL DESIGN

SECTION 1612 – Flood loads is hereby deleted in its entirety. Enforcement and regulations of FLOOD HAZARD AREAS within Dewey-Humboldt shall be controlled by Yavapai County Flood Control District.

CHAPTER 18 SOILS AND FOUNDATION

SECTION 1804 – EXCAVATION, GRADING AND FILL

SECTION 1804.4 – Grading and fill in flood hazard areas is deleted in its entirety. Enforcement and regulations of FLOOD HAZARD AREAS within Dewey-Humboldt shall be controlled by Yavapai County Flood Control District.

CHAPTER 27 ELECTRICAL

SECTION 2701 – GENERAL

Section 2701.1 – Scope is hereby amended by addition of “The National Electrical Code as adopted by Dewey-Humboldt” to the last sentence after (NFPA 70).

CHAPTER 29 PLUMBING SYSTEMS

SECTION 2902 – MINIMUM PLUMBING FACILITIES

SECTION 2902.1 (403.1) – Minimum number of fixtures is hereby amended by the addition of footnote “g” to Table 2902.1 to read as follows:

2902.1 – Minimum number of fixtures.

- g.** Water coolers or bottled water dispensers may be substituted for drinking fountains in B, M, and S occupancies with twenty-five (25) or fewer occupants. Such water shall be free of charge to the public.

**CHAPTER 30
ELEVATORS AND CONVEYING SYSTEMS**

SECTION 3001 – GENERAL

SECTION 3001.1 – Scope is hereby amended by addition of a new sentence at the end of the first paragraph to read as follows:

Also see Arizona Revised Statutes Title 23, Article 12 Sections 23-491 through 23-491.16 for additional requirements as enforced by the State of Arizona Industrial Commission.

DRAFT 09/03/2019

PART II FINDINGS AND DECLARATION

The Town Council of Dewey-Humboldt, Arizona specifically and expressly finds and declares that the nature and uniqueness of the climate, terrain, and location does necessitate and demand specific amendments to the International Building Code, 2018 Edition, which are stated in this ordinance.

The provisions of this ordinance and the code it incorporates are hereby declared to be severable, and if any section, sentence, clause, or phrase of this ordinance shall, for any reason, be held to be invalid or unconstitutional, such decisions shall not affect the remaining sections, sentences, clauses, or phrases of this ordinance, but they shall remain in effect, it being the legislative intent that this ordinance shall stand notwithstanding the validity of any part thereof.

PART III EFFECTIVE DATE

This ordinance shall take effect and be in force on the _____ day of _____ 2019.

Presented by:

Don Roberts
Building Official

Approved and adopted by the Town Council on the _____ day of _____ 2019.

Mayor Nolan

ORDINANCE 2019-3

AN ORDINANCE OF THE TOWN OF DEWEY-HUMBOLDT OF YAVAPAI COUNTY, ARIZONA REPEALING ORDINANCE 2014-3 RELATING TO THE BUILDING CODE FOR THE AREA OF DEWEY-HUMBOLDT IN ITS ENTIRETY AND PROVIDING FOR THE ADOPTION OF THE INTERNATIONAL RESIDENTIAL ONE- AND TWO-FAMILY DWELLING CODE, 2018 EDITION.

THE TOWN OF DEWEY-HUMBOLDT OF YAVAPAI COUNTY, ARIZONA DOES ORDAIN AS FOLLOWS:

Dewey-Humboldt Ordinance 2014-3 is hereby repealed in its entirety and replaced with the following:

PART I ADOPTION

INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS, 2018 EDITION ADOPTED BY REFERENCE

There is hereby adopted by reference, that certain document known as the International Residential One- and Two-Family Dwelling Code, 2018 Edition, including Appendixes A, B, C, D, F, G, H, J, K, M, N, O, P, Q, R, and S as published by the International Code Council. Said document is hereby amended and adopted as the Building Code for One- and Two-Family Dwellings for the areas of Dewey-Humboldt providing for the regulation of the erection, construction, enlargement, alteration, repair, moving, demolition, conversion, occupancy, use heightened area of all building and structures within the Town and each and all such regulations, provisions, penalties, conditions and terms of the International Residential One- and Two-Family Dwelling Code, 2018 Edition, including Appendixes A, B, C, D, F, G, H, J, K, M, N, O, P, Q, R, and S are hereby referred to, adopted, and made a part hereof as set forth herein, excepting such portions as are hereinafter deleted, modified or amended.

CHAPTER 1 ADMINISTRATION

SECTION R101 –GENERAL

SECTION R101.1 – Title is amended by the insertion of “Dewey-Humboldt.”

SECTIONS R101.2 through R114 are amended by deletion in their entirety and replaced with the requirements of the Dewey-Humboldt Administrative Building Code as adopted and as may be amended from time to time.

CHAPTER 2 DEFINITIONS

SECTION R201 – GENERAL

SECTION 201.3 Terms defined in other codes are hereby amended as follows: Where terms are not defined in this code, such terms shall have the meanings ascribed in other code publications of the International Residential Code and the most recent Dewey-Humboldt Administrative Building Code. In the event there is a conflict between the aforementioned codes, the Dewey-Humboldt Administrative Building Code is superior.

SECTION R201.4 Terms not defined is hereby deleted in its entirety and revised to read as follows:

201.4 – Terms not defined. Where terms are not defined through the methods authorized by this Chapter, such terms shall have ordinarily accepted meanings such as the context implies. Webster's Third New International Dictionary of the English Language, Unabridged, shall be considered as providing ordinarily accepted meanings.

SECTION R202 – DEFINITIONS

DEFINITIONS – The following words and or terms are hereby revised to read as follows:

TOWNHOUSE. A single family dwelling unit constructed in a group of three or more attached units in which each unit extends from the foundation to roof and with a yard or public way (open space) on at least two sides. Such are not more than three stories above grade plane in height with a separate means of egress to each unit.

CHAPTER 3 BUILDING PLANNING

SECTION R301 – DESIGN CRITERIA

TABLE R301.2 (1) is hereby established as shown:

**TABLE R301.2 (1)
CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA**

Roof Snow Load	Wind Speed ^d (mph)	Topographic effects ^k	Seismic Design Category ^f	SUBJECT TO DAMAGE FROM			Winter Design Temp ^e	Ice Barrier Underlayment Required ^h
				Weathering ^a	Frost Line Depth ^b	Termite ^e		
20 to 60	115 mph ¹ Exposure C	NO	C	Negligible Below 3500 elevation Moderate Above 3500 elevation	Elevation 12" < 4500' 18" > 4500' 24" > 6500'	Moderate to Heavy	20°	NO except above 6500 elevation

^b Frost line depth is measured from finished grade to the bottom of the required concrete foundation/footing to be the required thickness as from Section R403.1.1

Flood Hazards ^g	Air Freezing Index ⁱ	Mean Annual Temp ^j
Refer to Flood Plain Unit	1500 or Less	Above 3500 elevation 50° Below 3500 elevation 60°

IECC Climatic Zones	
Zone 2 Zone 4	Up to 3500 elevation Above 3500 elevation

SECTION R308 – GLAZING

SECTION R308.4.5 – Glazing and wet surfaces is hereby deleted in its entirety and revised to read as follows:

R308.4.5 – Glazing and wet surfaces.

All interior and exterior glazing in bathrooms, the bottom edge of which is less than fifty-six inches (56") above the floor level shall be provided with safety glazing as per ARS §36-1631. This shall apply to single glazing and all panes in multiple glazing.

Exception: Glazing that is more than 60 inches (1524mm), measured horizontally and in a straight line, from the water's edge of a bathtub, hot tub, spa, whirlpool or swimming pool or from the edge of a shower, sauna or steam room.

SECTION 309 Garages and Carports

SECTION R309.2 – Scope is hereby amended by insertion of new exceptions to read as follows:

Exception: Gravel surfaces shall be permitted at ground level in Detached Carport with a minimum of three feet (3') away from any structure.

SECTION R313 - AUTOMATIC FIRE SPRINKLER SYSTEMS

Sections R313.1 through R313.2.1 are hereby deleted in their entirety and replaced with new section R313.1 Scope, to read as follows:

Section R313.1 – Scope. The provisions of adopted fire codes as enforced by individual fire districts within Dewey-Humboldt having approved authorization granted by the State of Arizona Office of the State Fire Marshall shall apply to matters affecting or relating to fire prevention. Areas within Dewey-Humboldt having no authorized fire district, the provisions of the adopted fire codes as enforced by the State of Arizona Office of the State Fire Marshall shall apply to matters affecting or relating to fire protection. Such current regulations and ordinances 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 construction, extension, repair, alteration or removal of fire suppression, automatic sprinkler systems and alarms systems or fire hazards in the structure or on the premises from occupancy or operation. These provisions as hereby amended for fire protection shall also apply to detached-one and two family dwellings and multiple single family dwellings (townhouses) and their accessory structures.

SECTION R322 – Flood-resistant construction is hereby deleted in its entirety. All references as may be noted within this code as adopted by Dewey-Humboldt that pertain to flooding – flood-resistant construction – flood hazard areas shall be controlled and regulated by the adopted provisions of the Yavapai County Flood Control District.

CHAPTER 4 FOUNDATIONS

SECTION R401 – GENERAL

SECTION R401.4 – Soils tests is hereby amended to read as follows:

R401.4 – Soils tests. Where quantifiable data created by accepted soil science methodologies indicate expansive, compressible, shifting or other questionable soil characteristics are likely to be present, the building official SHALL require a soil test to determine the soil's characteristics at a specific location. This test shall be done by an approved agency using an approved method.

SECTION R403 – FOOTINGS

SECTION R403.1.2 – Continuous footing in Seismic Design Categories D₀, D₁, and D₂ is hereby amended with the insertion of “C” where “Seismic Design Categories D₀, D₁, and D₂” appears to read as “Seismic Design Categories C, D₀, D₁, and D₂”.

SECTION R403.1.3 – Seismic Reinforcing is hereby amended by change of section name to be “Reinforcement Requirements” and the insertion of “C” where “Seismic Design Categories D₀, D₁, D₂” appears in the 4 paragraphs to read as follows “Seismic Design Categories C, D₀, D₁, D₂”.

The exception at the end of this section is hereby deleted and amended to read as follows

Note: The code location for a standard hook as shown in the 3rd paragraph shall be added to read as follows: “Standard hook in compliance with Section R608.5.4.5 and Figure R608.5.4(3)”. Interior brace wall panels shall require a minimum eight inch (8”) thickened slab and be reinforced with one (1) #4 bar.

SECTION R404 – FOUNDATION AND RETAINING WALLS

SECTION R404.1.1.1 – Masonry foundation walls is hereby amended by deletion in its entirety and revised to read as follows:

R404.1.1.1 – Masonry foundation walls. Concrete masonry foundation walls and clay masonry foundation walls shall be constructed as set forth in Tables R404.1.1(2), R404.1.1(3) and R404.1.1(4) for the most restrictive design soil class unless a soils classification has been provided by an approved agency using an approved method and shall also comply with the provisions of this section and the applicable provisions of Sections R606, R607 and R608. In Seismic Design Category C, D₀, D₁ and D₂, concrete masonry foundation walls shall comply with Section R404.1.4.1. Rubble stone masonry walls shall not be used in Seismic Design Category C, D₀, D₁ or D₂.

SECTION R404.1.2.2 – Reinforcement for foundation walls is hereby amended with the insertion of “C” where “Seismic Design Categories D₀, D₁, and D₂” appears to read as “Seismic Design Categories C, D₀, D₁, and D₂”.

SECTION R404.1.4.1 – Masonry foundation walls is hereby amended with the insertion of “C” where “Seismic Design Categories D₀, D₁, and D₂” appears to read as “Seismic Design Categories C, D₀, D₁, and D₂”.

SECTION R404.1.4.2 – Concrete foundation walls is hereby amended with the insertion of “C” where “Seismic Design Categories D₀, D₁, and D₂” appears to read as “Seismic Design Categories C, D₀, D₁, and D₂”.

SECTION R404.1.8 – Rubble stone masonry is hereby deleted in its entirety.

CHAPTER 5 FLOORS

SECTION R506 – CONCRETE FLOORS (ON GROUND)

SECTION R 506.2.3 Vapor retarder is hereby deleted in its entirety.

SECTION R507 – EXTERIOR DECKS

Section R507.3.2 Minimum Depth is hereby amended by the deletion of Exemptions 1 and 2.

CHAPTER 9 ROOF ASSEMBLIES

SECTION R905 – REQUIREMENTS FOR ROOF COVERINGS

SECTION R905.3.1 – Is hereby deleted and revised to read as follows: Deck Requirements. Concrete and clay tile shall be installed over solid sheathing.

SECTION R905.4.1 – Is hereby deleted and revised to read as follows: Deck Requirements. Metal Roof Shingles shall be installed over solid sheathing.

SECTION R905.7.1 – Is hereby deleted and revised to read as follows: Deck Requirements. Wood Shingles shall be installed over solid sheathing.

SECTION R905.8.1 – Is hereby deleted and revised to read as follows: Deck Requirements. Wood Shake shall be installed over solid sheathing.

SECTION R905.10.1 – Is hereby deleted and revised to read as follows: Deck Requirements. Metal roof panels shall be installed over solid sheathing.

CHAPTER 11 ENERGY EFFICIENCY

CHAPTER 11 – ENERGY EFFICIENCY is hereby deleted in its entirety and replaced with provisions of DEWEY-HUMBOLDT ORDINANCE 2019–12 INTERNATIONAL ENERGY CONSERVATION CODE, 2006 EDITION.

CHAPTER 12 MECHANICAL ADMINISTRATION

CHAPTER 12 Mechanical Administration is deleted in its entirety. NOTE: THE DEWEY-HUMBOLDT ADMINISTRATIVE BUILDING CODE provisions as adopted by Dewey-Humboldt shall be used as the administrative provisions for Chapters 12 through 24 of this code.

CHAPTER 24 FUEL GAS

SECTION G2403 202 – GENERAL DEFINITIONS is hereby amended by revision of the following term:

CODE OFFICIAL. Is the BUILDING OFFICIAL as defined in Section 102.13 of the “Dewey-Humboldt Administrative Building Code”.

SECTION G2404.7 (301.11) – Flood Hazard is hereby deleted in its entirety. Enforcement and regulations of flood hazard areas within Dewey-Humboldt shall be controlled by Yavapai County Flood Control District.

SECTION G2406 (303) – APPLIANCE LOCATION

SECTION G2406.2 (303.2) – Prohibited locations is hereby amended by addition of 2nd sentence to read as follows:

SECTION G2406.2 – Hazardous locations. Liquefied petroleum gas piping shall not serve any gas-fired appliance or equipment in a pit or basement where heavier-than-air gas may collect to form flammable mixture.

SECTION G2415 (404) – PIPING SYSTEMS INSTALLATION

Section G2415.12 – Minimum Burial Depth

SECTION G2415.17 (404.17) – Plastic pipe.

SECTION G2415.17.1 (404.17.1) Limitations is hereby amended to revise the first paragraph to read as follows:

SECTION G2415.17.1 (404.17.1) – Limitations. Plastic pipe shall be installed outdoors underground only. The minimum burial depth for plastic pipe shall be eighteen inches (18”) (457 mm) below finished grade. Plastic pipe shall not be used within or under any building or slab or be operated at pressure greater than 100 psig (689 kPa) for natural gas or 30 psig (207 kPa) for LP-gas.

SECTION G2420 (409) – GAS SHUTOFF VALVES

SECTION G2420.2 (409.2) – Meter valve is hereby amended by addition to the following section to read as follows:

G2420.2 (409.2) – Meter valve. Every meter shall be equipped with a shutoff valve located on the supply side of the meter. Such shutoff shall be manually operated and placed on the supply piping located outside the building it supplies and shall be readily accessible at all times.

SECTION G2420.3 (409.3.2) – Individual buildings is amended to read as follows:

G2420.3 (409.3.2) – Individual buildings. All buildings shall be provided with a shutoff valve located on the downstream side of the gas meter, between the gas meter and the building. Multiple buildings on the same system shall have a separate shutoff valve for each building.

CHAPTER 26 GENERAL PLUMBING REQUIREMENTS

SECTION P2601.2 (701.2) - Connections to drainage system. Is hereby amended by insertion of additional exception to read as follows:

Exception: Manufactured composting toilets included on the Arizona Department of Environmental Quality Listing of Proprietary Products (latest version) used to receive liquid wastes or sewage are not required to be connected to the sanitary drainage system but are required to be a component in an onsite wastewater system.

SECTION P2603 – STRUCTURAL AND PIPING PROTECTION

SECTION P2603.5 – Freezing is amended by the revision of the last sentence to read as follows:

P2603.5 – Freezing. Water service pipe shall be installed not less than twelve inches (12") deep below finished grade and not less than six inches (6") below the frost line with a blue 18 AWG insulated tracer wire terminating above grade at each end.

SECTION P2603.5.1 – Sewer depth is hereby amended to read as follows:

P2603.5.1 – Sewer depth. Building sewers that connect to private sewage disposal systems shall be a minimum of twelve inches (12") below finished grade. Building sewers shall be a minimum of twelve inches (12") below grade with a green 18 AWG insulated tracer wire terminating above grade at each end. Leach lines shall have a green insulated 18 AWG tracer wire with the piping

CHAPTER 28 WATER HEATERS

SECTION P2801 – GENERAL

SECTION P2801.1 – Required is hereby amended by the addition of a second paragraph to read as follows:

P2801.1 – Required. All new residences with two (2) or more bathrooms, or 1500 sq. ft. shall have a hot water re-circulating system installed.

SECTION P2804 – RELIEF VALVES

SECTION P2804.6.1 (504.6) – Requirements for discharge pipe, Item #5 is amended to read as follows:

P2804.6.1 – Requirements for discharge pipe.

5. Discharge to the floor, to an indirect waste receptor or to the outdoors. Where discharging to the outdoors, discharge piping shall be no less than six inches (6") and no greater than twenty-four inches (24") from finished outside grade.

**CHAPTER 30
SANITARY DRAINAGE**

SECTION P3009.8 (701.2) – Percolation tests. – Is hereby deleted in its entirety and revised to read as follows:

The permeability of the soil shall be determined by following ASTM standard practice, “Standard practice for Subsurface Characterization of Test Pits for On-site Septic Systems, D5921-96 (2003e)” which is incorporated by reference and does not include any later amendment or additions of the incorporated material.

**CHAPTER 40
DEVICES AND LUMINAIRES**

SECTION E4002- RECEPTACLES

SECTION E4002.14 - Tamper-resistant Receptacles is hereby deleted in its entirety.

DRAFT 09/03/2019

PART II FINDINGS AND DECLARATION

The Town Council of Dewey-Humboldt of Yavapai County, Arizona specifically and expressly finds and declares that the nature and uniqueness of the climate, terrain, and location does necessitate and demand specific amendments to the International Residential One-and Two-Family Dwelling Code, 2018 Edition, which are stated in this ordinance.

The provisions of this ordinance and the code it incorporates are hereby declared to be severable, and if any section, sentence, clause, or phrase of this ordinance shall, for any reason, be held to be invalid or unconstitutional, such decisions shall not affect the remaining sections, sentences, clauses, or phrases of this ordinance, but they shall remain in effect, it being the legislative intent that this ordinance shall stand notwithstanding the validity of any part thereof.

PART III EFFECTIVE DATE

This ordinance shall take effect and be in force on the _____ day of _____ 2019.

Presented by:

Don Roberts
Building Official

Approved and adopted by the Town Council on the _____ day of _____ 2019.

Mayor Nolan

ORDINANCE 2019-4

AN ORDINANCE OF THE TOWN OF DEWEY-HUMBOLDT OF YAVAPAI COUNTY, ARIZONA REPEALING ORDINANCE 2014-4 RELATING TO THE PLUMBING CODE FOR THE AREAS OF DEWEY-HUMBOLDT IN ITS ENTIRETY AND PROVIDING FOR THE ADOPTION OF THE INTERNATIONAL PLUMBING CODE, 2018 EDITION.

THE TOWN OF DEWEY-HUMBOLDT OF YAVAPAI COUNTY, ARIZONA DOES ORDAIN AS FOLLOWS;

Dewey-Humboldt Ordinance 2014-4 is repealed in its entirety and replaced with the following:

PART I ADOPTION

INTERNATIONAL PLUMBING CODE, 2018 EDITION, ADOPTED BY REFERENCE

There is hereby adopted by reference, that certain document known as the International Plumbing Code, 2006 Edition including Appendixes B, C, D, E and F as published by the International Code Council. Said document is hereby amended and adopted as the plumbing code for the areas of Dewey-Humboldt for regulating the installation, maintenance, and repair of plumbing, drainage systems, water systems, gas systems, and each and all such regulations, provisions, penalties, conditions and terms of the International Plumbing Code, 2012 Edition including Appendixes B, C, D, and E are hereby referred to, adopted and made a part hereof as set forth herein, excepting such portions as are hereinafter deleted, modified, or amended.

CHAPTER 1 ADMINISTRATION

SECTION 101 – GENERAL

SECTION 101.1 – Title is amended by the insertion of “Dewey-Humboldt.”

SECTIONS 102 through 106 and 108 through 110 are amended by deletion in their entirety and replaced with the requirements of the Dewey-Humboldt Administrative Building Code as adopted and as may be amended from time to time.

CHAPTER 2 DEFINITIONS

SECTION 201 – GENERAL

SECTION 201.3 Terms defined in other codes are hereby amended as follows: Where terms are not defined in this code, such terms shall have the meanings ascribed in other code publications of the International Residential Code and the most recent Dewey-Humboldt Administrative Building Code. In the event there is a conflict between the aforementioned codes, the Dewey-Humboldt Administrative Building Code is superior.

SECTION 201.4 Terms not defined is hereby deleted in its entirety and revised to read as follows:

201.4 Terms not defined. Where terms are not defined through the methods authorized by this chapter such terms shall have ordinarily accepted meanings such as the context implies, Webster's Third New International Dictionary of the English Language, Unabridged, shall be considered as providing ordinarily accepted meanings.

SECTION 202 – GENERAL DEFINITIONS is hereby amended by revision of the following term:

CODE OFFICIAL. Is the **BUILDING OFFICIAL** as defined in Section 102.13 of the “Dewey-Humboldt Administrative Building Code”.

CHAPTER 3 GENERAL REGULATIONS

SECTION 305 – PROTECTION OF PIPES AND PLUMBING SYSTEM COMPONENTS

SECTION 305.4.1 – Sewer depth is hereby amended to read as follows:

305.4.1 – Sewer depth. Building sewers that connect to private sewage disposal systems shall be a minimum of twelve (12”) inches below finished grade. Building sewers shall be a minimum of twelve (12”) inches below grade with a green 18 AWG insulated tracer wire terminating above grade at each end.

CHAPTER 4 FIXTURES, FAUCETS AND FIXTURE FITTINGS

SECTION 403 – MINIMUM PLUMBING FACILITIES

Table 403.1 – Minimum number of required plumbing fixtures is hereby amended by addition of new footnote “g” to Table 403.1 to read as follows:

Table 403.1 – Minimum number of fixtures.

- g.** Water coolers or bottled water dispensers may be substituted for drinking fountains in B, M, and S occupancies with twenty-five (25) or fewer occupants. Such water shall be free of charge to the public.

CHAPTER 5 WATER HEATERS

SECTION 504 – SAFETY DEVICES

SECTION 504.6 – Requirements for discharge piping. Item #5 is amended by addition of a second sentence to read as follows:

504.6 – Requirements for discharge piping.

5. Discharge to the floor, to the pan serving the water heater or storage tank, to a waste receptor or the outdoors. Where discharging to the outdoors, discharge piping shall be no less than six inches (6") and no greater than twenty-four inches (24") from finished outside grade.

CHAPTER 6 WATER SUPPLY AND DISTRIBUTION

SECTION 603 WATER SERVICE

SECTION 603 – Water service pipe installation is hereby amended by addition of new sections 603.3 and 603.3.1 to read as follows:

603.3 – Water service pipe installation. The installation of the water service pipe shall comply with Sections 603.3.1 and 603.3.2.

603.3.1 – Burial depth. The water service pipe shall be installed not less than twelve inches (12") below finished grade and not less than six inches (6") below the frost line. Plastic water piping shall be provided with a blue 18 AWG insulated tracer wire terminating above grade at each end. Leach lines shall have a green insulated 18 AWG tracer wire with the piping

CHAPTER 7 SANITARY DRAINAGE

SECTION 701.2 - Connections to sewer required. Is hereby amended by insertion of additional exception to read as follows:

Exception: Manufactured composting toilets included on the Arizona Department of Environmental Quality Listing of Proprietary Products (latest version) used to receive liquid wastes or sewage are not required to be connected to the sanitary drainage system but are required to be a component in an onsite wastewater system.

SECTION 714 – BACKWATER VALVES

SECTION 714.1 – Sewage backflow is hereby deleted in its entirety and amended to read as follows:

714.1 –Sewage backflow. All structures, where plumbing fixtures are installed and connected to a public sewer system shall be protected by an approved backwater valve. The backwater valve shall be installed in the building drain and be accessible.

**CHAPTER 9
VENTS**

SECTION 903 – VENT TERMINALS

SECTION 903.1 – Roof extension is amended by the insertion of nine inches (9”).

PART II FINDINGS AND DECLARATION

The Town Council of the Town of Dewey-Humboldt of Yavapai County, Arizona specifically and expressly finds and declares that the nature and uniqueness of the climate, terrain, and location does necessitate and demand specific amendments to the International Plumbing Code, 2018 Edition, which are stated in this ordinance.

The provisions of this ordinance and the code it incorporates are hereby declared to be severable, and if any section, sentence, clause, or phrase of this ordinance shall, for any reason, be held to be invalid or unconstitutional, such decisions shall not affect the remaining sections, sentences, clauses, or phrases of this ordinance, but they shall remain in effect, it being the legislative intent that this ordinance shall stand notwithstanding the validity of any part thereof.

PART III EFFECTIVE DATE

This ordinance shall take effect and be in force on the _____ day of _____ 2019.

Presented by:

Don Roberts
Building Official

Approved and adopted by the Town Council on the _____ day of _____ 2019.

Mayor Nolan

ORDINANCE 2019-5

AN ORDINANCE OF THE TOWN OF DEWEY-HUMBOLDT OF YAVAPAI COUNTY, ARIZONA REPEALING ORDINANCE 2014-5 RELATING TO THE MECHANICAL CODE FOR THE AREAS OF DEWEY-HUMBOLDT IN ITS ENTIRETY AND PROVIDING FOR ADOPTION OF THE INTERNATIONAL MECHANICAL CODE, 2018 EDITION.

THE TOWN OF DEWEY-HUMBOLDT OF YAVAPAI COUNTY, ARIZONA DOES ORDAIN AS FOLLOWS, PURSUANT TO ARS §11-268, A:

Dewey-Humboldt Ordinance 2014-5 is hereby repealed in its entirety and replaced with the following:

PART I ADOPTION

INTERNATIONAL MECHANICAL CODE, 2018 EDITION, ADOPTED BY REFERENCE

There is hereby adopted by reference, that certain document known as International Mechanical Code, 2018 Edition including Appendix A, as published by the International Code Council, Inc. Said document is hereby amended and adopted as the Mechanical Code for the areas of Dewey-Humboldt providing the regulating, installation and maintenance of heating, ventilating, cooling and refrigeration systems, and each and all such regulations, provisions, penalties, conditions and terms of the International Mechanical Code, 2018 Edition, including Appendix A are hereby referred to, adopted and made a part hereof as set forth herein, excepting such portions as are hereinafter deleted, modified or amended.

CHAPTER 1 ADMINISTRATIVE

SECTION 101 GENERAL

SECTION 101.1 – Title is amended by the insertion of “Dewey-Humboldt.”

SECTIONS 102 through 106 and 108 through 110 are amended by deletion in their entirety and replacement with the requirements of the Dewey-Humboldt Administrative Building Code, as adopted, and as may be amended from time to time.

CHAPTER 2 DEFINITIONS

SECTION 201 GENERAL

SECTION 201.3 Terms defined in other codes are hereby amended as follows: Where terms are not defined in this code, such terms shall have the meanings ascribed in other code publications of the International Residential Code and the most recent Dewey-Humboldt Administrative Building Code. In the event there is a conflict between the aforementioned codes, the Dewey-Humboldt Administrative Building Code is superior.

SECTION 201.4 Terms not defined is hereby deleted in its entirety and revised to read as follows:

201.4 Terms not defined. Where terms are not defined through the methods authorized by this chapter such terms shall have ordinarily accepted meanings such as the context implies, Webster's Third New International Dictionary of the English Language, Unabridged, shall be considered as providing ordinarily accepted meanings.

SECTION 202 – GENERAL DEFINITIONS is hereby amended by revision of the following term:

CODE OFFICIAL. Is the **BUILDING OFFICIAL** as defined in Section 102.13 of the "Dewey-Humboldt Administrative Building Code".

CHAPTER 3 GENERAL REGULATIONS

SECTION 303.2 – Hazardous locations is hereby amended by addition of a second sentence to read as follows:

SECTION 303.2 – Hazardous Locations.–Liquefied petroleum gas piping shall not serve any gas-fired appliance or equipment located in a pit or basement where heavier-than-air gas might collect to form a flammable mixture.

**CHAPTER 9
SPECIFIC APPLIANCES, FIREPLACES AND
SOLID FUEL-BURNING EQUIPMENT**

SECTION 901 – GENERAL

SECTION 901.2 – General is hereby amended by the addition of the following paragraphs to the end of this section to read as follows:

901.2 – General. Fireplaces and solid-fuel-burning appliances to be installed and shall comply with the clean burning standards established by ARS §11-875 which shall prohibit the installation of a solid-fuel-burning appliance unless it is one of the following:

1. A fireplace that has a permanently installed gas or electric log insert.
2. A fireplace, a wood stove or any other solid fuel burning appliance that is any of the following:
 - a. Certified by the United States Environmental Protection Agency as in compliance with 40 Code of Federal Regulations part 60, subpart AAA in effect on July 1, 1990.
 - b. A wood stove tested and listed by a nationally recognized testing agency to meet performance standards equivalent to those in 40 Code of Federal Regulations part 60, subpart AAA in effect July 1, 1990.
3. A fireplace that has a permanently installed wood stove insert that complies with paragraph 2, subdivision (a), (b) or (c) of this section.

PART II FINDINGS AND DECLARATION

The Town Council of Dewey-Humboldt of Yavapai County, Arizona specifically and expressly finds and declares that the nature and uniqueness of the climate, terrain, and location does necessitate and demand specific amendments to the International Mechanical Code, 2018 Edition, which are stated in this ordinance.

The provisions of this ordinance and the code it incorporates are hereby declared to be severable, and if any section, sentence, clause, or phrase of this ordinance shall, for any reason, be held to be invalid or unconstitutional, such decisions shall not affect the remaining sections, sentences, clauses, or phrases of this ordinance, but they shall remain in effect, it being the legislative intent that this ordinance shall stand notwithstanding the validity of any part thereof.

PART III EFFECTIVE DATE

This ordinance shall take effect and be in force on the _____ day of _____ 2019.

Presented by:

Don Roberts
Building Official

Approved and adopted by the Town Council on the _____ day of _____ 2019.

Mayor Nolan

ORDINANCE 2019-6

AN ORDINANCE OF THE TOWN OF DEWEY-HUMBOLDT OF YAVAPAI COUNTY, ARIZONA REPEALING ORDINANCE 2014-6 RELATING TO THE INTERNATIONAL FUEL GAS CODE FOR THE AREAS OF DEWEY-HUMBOLDT IN ITS ENTIRETY AND PROVIDING FOR THE ADOPTION OF THE INTERNATIONAL FUEL GAS CODE, 2018 EDITION.

THE TOWN OF DEWEY-HUMBOLDT OF YAVAPAI COUNTY, ARIZONA DOES ORDAIN AS FOLLOWS:

Dewey-Humboldt Ordinance 2014-6 is hereby repealed in its entirety, and replaced with the following:

PART I ADOPTION

INTERNATIONAL FUEL GAS CODE, 2018 EDITION, ADOPTED BY REFERENCE

There is hereby adopted by reference, that certain document known as International Fuel Gas Code, 2018 Edition, including Appendixes A, B, C and D, as published by the International Code Council, Inc. Said document is hereby amended and adopted as the Fuel Gas Code for the areas of Dewey-Humboldt providing for the regulating, installation and maintenance of fuel gas piping systems, fuel gas utilization equipment and related accessories, and each and all such regulations, provisions, penalties, conditions and terms of the International Fuel Gas Code, 2018 Edition, including Appendixes A, B, C and D, are hereby referred to, adopted and made a part hereof as set forth herein, excepting such portions as are hereinafter deleted, modified or amended.

CHAPTER 1 ADMINISTRATIVE

SECTION 101 – GENERAL

SECTION 101.1 – Title is amended by the insertion of “Dewey-Humboldt.”

SECTIONS 102 through 106 and 108 through 110 are amended by deletion in their entirety and replaced with the requirements of the Dewey-Humboldt Administrative Building Code, as adopted, and as may be amended from time to time.

CHAPTER 2 DEFINITIONS

SECTION 201 – GENERAL

SECTION 201.3 Terms defined in other codes are hereby amended as follows: Where terms are not defined in this code, such terms shall have the meanings ascribed in other code publications of the International Residential Code and the most recent Dewey-Humboldt Administrative Building Code. In the event there is a conflict between the aforementioned codes, the Dewey-Humboldt Administrative Building Code is superior.

SECTION 201.4 Terms not defined is hereby deleted in its entirety and revised to read as follows:

201.4 Terms not defined. Where terms are not defined through the methods authorized by this chapter such terms shall have ordinarily accepted meanings such as the context implies. Webster’s Third New International Dictionary of the English Language, Unabridged, shall be considered as providing accepted meanings.

SECTION 202 – GENERAL DEFINITIONS is hereby amended by revision of the following term:

CODE OFFICIAL. Is the **BUILDING OFFICIAL** as defined in Section 102.13 of the “Dewey-Humboldt Administrative Building Code”.

CHAPTER 3 GENERAL REGULATIONS

SECTION 301 – GENERAL

SECTION 301.11 – Flood Hazard is hereby amended by the insertion of the following sentence to the end of the paragraph to read as follows:

301-11 – Flood Hazard. See Section 101.4.9 of the Dewey-Humboldt Administrative Building Code for further criteria.

SECTION 303 – APPLIANCE LOCATION

SECTION 303.2 – Hazardous locations is hereby amended by addition of 2nd sentence to read as follows:

SECTION 303.2 – Hazardous locations. Liquefied petroleum gas piping shall not serve any gas-fired appliance or equipment in a pit or basement where heavier-than-air gas may collect to form a flammable mixture.

CHAPTER 4 GAS PIPING INSTALLATIONS

SECTION 404 – PIPING SYSTEM INSTALLATION

SECTION 404.12 – Minimum burial depth is hereby deleted in its entirety and revised to read as follows:

404.12– Minimum burial depth. Underground piping systems of metallic pipe or metallic tubing shall be installed a minimum depth of 12 inches (305mm) below grade, except as provided for in Section 404.12.1. Underground piping systems of plastic pipe shall be installed a minimum of 18 inches (457mm) below grade with a yellow 18 AWG insulated tracer wire.

PART II FINDINGS AND DECLARATION

The Town Council of Dewey-Humboldt, Arizona specifically and expressly finds and declares that the nature and uniqueness of the climate, terrain, and location does necessitate and demand specific amendments to the International Fuel Gas Code, 2018 Edition, which are stated in this ordinance.

The provisions of this ordinance and the code it incorporates are hereby declared to be severable, and if any section, sentence, clause, or phrase of this ordinance shall, for any reason, be held to be invalid or unconstitutional, such decisions shall not affect the remaining sections, sentences, clauses, or phrases of this ordinance, but they shall remain in effect, it being the legislative intent that this ordinance shall stand notwithstanding the validity of any part thereof.

PART III EFFECTIVE DATE

This ordinance shall take effect and be in force on the _____ day of _____ 2019.

Presented by:

Don Roberts
Building Official

Approved and adopted by the Town Council on the _____ day of _____ 2019.

Mayor Nolan

ORDINANCE 2019-7

AN ORDINANCE OF THE TOWN COUNCIL OF YAVAPAI COUNTY, ARIZONA REPEALING ORDINANCE 2014-7 RELATING TO THE ELECTRICAL CODE FOR THE AREAS OF DEWEY-HUMBOLDT IN ITS ENTIRETY AND PROVIDING FOR THE ADOPTION OF THE NATIONAL ELECTRICAL CODE, 2017 EDITION.

THE TOWN OF DEWEY-HUMBOLDT OF YAVAPAI COUNTY, ARIZONA DOES ORDAIN AS FOLLOWS:

Dewey-Humboldt Ordinance 2014-7 is hereby repealed in its entirety, and replaced with the following:

PART I ADOPTION

NATIONAL ELECTRICAL CODE, 2017 EDITION, ADOPTED BY REFERENCE

There is hereby adopted by reference, that certain document known as the National Electrical Code, 2017 Edition as published by the National Fire Protection Association. Said document is hereby amended and adopted as the Electrical Code for the areas of Dewey-Humboldt for regulating the installation, maintenance, operation and repair of all electric wiring and electrical apparatus of any nature whatsoever, whether inside or outside of any building or structure and each and all such regulations, provisions, penalties, conditions and terms of the National Electrical Code, 2017 Edition are hereby referred to, adopted, and made a part hereof as set forth herein, excepting such portions as are hereinafter deleted, modified or amended.

ARTICLE 90 INTRODUCTION

ARTICLE 90.1 – PURPOSE

ARTICLE 90-1 (A) – Practical Safeguarding is amended by the addition of a second paragraph to read as follows:

Article 90-1(A) – Practical Safeguarding. Any and all electrical work for light, heat, power or any other purposes shall be installed in conformity with the rules and regulations as set forth in this Code, titled the National Electrical Code, 2017 Edition, and in conformity with the rules and regulations as set forth by the Building Official of Dewey-Humboldt as the *authority having jurisdiction*.

Article 90-1 (E) – Administration and Enforcement is hereby added as a sub paragraph to read as follows:

Article 90-1 (E) – Administration and Enforcement – For the purpose of administration and enforcement of the requirements of this code and amendments thereto, the provisions of the Dewey-Humboldt Administrative Building Code as adopted by separate ordinance, and as may be amended from time to time, shall apply.

ARTICLE 406 RECEPTACLES, CORD CONNECTORS, AND ATTACHMENT PLUGS (CAPS)

ARTICLE 406 – RECEPTACLES, CORD CONNECTORS, AND ATTACHMENT PLUGS (CAPS)

ARTICLE 406.12 – Tamper Resistant Receptacles in Dwelling Units is hereby deleted in its entirety.

PART II FINDINGS AND DECLARATION

The Town of Dewey-Humboldt, Arizona specifically and expressly finds and declares that the nature and uniqueness of the climate, terrain, and location does necessitate and demand specific amendments to the National Electric Code, 2017 Edition, which are stated in this ordinance.

The provisions of this ordinance and the code it incorporates are hereby declared to be severable, and if any section, sentence, clause, or phrase of this ordinance shall, for any reason, be held to be invalid or unconstitutional, such decisions shall not affect the remaining sections, sentences, clauses, or phrases of this ordinance, but they shall remain in effect, it being the legislative intent that this ordinance shall stand notwithstanding the validity of any part thereof.

PART III EFFECTIVE DATE

This ordinance shall take effect and be in force on the _____ day of _____ 2019.

Presented by:

Don Roberts
Building Official

Approved and adopted by the Town Council on the _____ day of _____ 2019.

Mayor Nolan

ORDINANCE 2019-8

AN ORDINANCE OF THE TOWN OF DEWEY-HUMBOLDT OF YAVAPAI COUNTY, ARIZONA REPEALING ORDINANCE 2014-8 RELATING TO THE INTERNATIONAL PROPERTY MAINTENANCE CODE FOR THE AREAS OF DEWEY-HUMBOLDT IN ITS ENTIRETY AND PROVIDING FOR THE ADOPTION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE, 2018 EDITION AS AMENDED HEREINAFTER.

THE TOWN OF DEWEY-HUMBOLDT OF YAVAPAI COUNTY, ARIZONA DOES ORDAIN AS FOLLOWS, PURSUANT TO ARS §11-268, A:

Dewey-Humboldt Ordinance 2014-8 is hereby repealed in its entirety and replaced with the following:

PART I ADOPTION

INTERNATIONAL PROPERTY MAINTENANCE CODE, 2012 EDITION ADOPTED BY REFERENCE

There is hereby adopted by reference, that certain document known as the International Property Maintenance Code, 2018 Edition, including Appendix A, as published by the International Code Council. Said document is hereby amended and adopted as the Property Maintenance Code for the control of building and structures as herein provided, and each and all of the regulations, provisions, penalties, conditions and terms of said Property Maintenance Code, 2018 Edition, including Appendix A, are hereby referred to, adopted and made part hereof, as set forth herein, excepting such portions as are hereinafter deleted, modified, or amended.

CHAPTER 1 SCOPE AND ADMINISTRATION

PART 1 – SCOPE AND APPLICATION

SECTION 101 – GENERAL

SECTION 101.1 – Title is hereby amended by the insertion of “Dewey-Humboldt.”

SECTION 102 – APPLICABILITY

SECTION 102.3 – Application of other codes is hereby deleted in its entirety and revised to read as follows:

SECTION 102.3 – Application of other codes. Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the *referenced technical codes* as listed in Section 101.4 of the “*Dewey-Humboldt Administrative Building Code*”. Nothing in this code shall be construed to cancel, modify or set aside any provision of the “*Planning and Zoning Ordinance of the County of Yavapai*”.

PART 2 – ADMINISTRATION AND ENFORCEMENT

SECTION 103 DEPARTMENT OF PROPERTY MAINTENANCE INSPECTION is hereby amended by deletion in its entirety and replaced with Section 103 of the *“Dewey-Humboldt Administrative Building Code”*.

SECTION 104 DUTIES AND POWERS OF THE CODE OFFICIAL and **SECTION 105 APPROVAL** is hereby amended by deletion in their entirety and replaced with Section 104 of the *“Dewey-Humboldt Administrative Building Code”*.

SECTION 106 VIOLATIONS is hereby amended by deletion in its entirety and replaced with Section 114 of the *“Dewey-Humboldt Administrative Building Code”*.

Section 108.1 – General is amended to include: “This section also applies to vehicles or trailers with limited living facilities intended or designed for human habitation or occupancy.”

SECTION 111 – MEANS OF APPEAL

SECTION 111 – Means of Appeal is amended by deletion in its entirety and replaced with the requirements of Section 114 – Board of Appeals of the Dewey-Humboldt Administrative Building Code, as adopted.

CHAPTER 2 DEFINITIONS

SECTION 201.3 Terms defined in other codes is hereby amended to delete the International Zoning Code and replace with the Dewey-Humboldt Planning and Zoning Ordinance and include “Dewey-Humboldt Administrative Building Code” to the list of codes as noted in Section 201.3.

SECTION 201.4 Terms not defined is hereby deleted in its entirety and revised to read as follows:

201.4 Terms not defined. Where terms are not defined through the methods authorized by this chapter such terms shall have ordinarily accepted meanings such as the context implies. Webster’s Current Addition Dictionary of the English Language, Unabridged, shall be considered as providing ordinarily accepted meanings.

SECTION 202 – GENERAL DEFINITIONS

SECTION 202 GENERAL DIFINITIONS is amended with the revision of **CODE OFFICIAL** to read as follows:

CODE OFFICIAL – Is the **BUILDING OFFICIAL** as defined in Section 102.13 of the *“Dewey-Humboldt Administrative Building Code”*.

CHAPTER 3 GENERAL REQUIREMENTS

SECTION 302 — EXTERIOR PROPERTY AREAS

SECTION 302.3 — Sidewalks and Driveway is amended by insertion of Exception to read as follows:

Exception – Single Family Residential

SECTION 302.4 — Weeds - All premises and exterior property shall be maintained free from weeds in excess of 6" (inches). All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than live trees or shrubs or native plants; this term shall not include cultivated flowers and gardens. This term also includes dry vegetation, constituting a fire hazard as determined by the Zoning Inspector. All dry weeds greater than 6" (inches), shall be cleared within 30' of any structure, property line, roadway, easement or right-of-way.

SECTION 303 — SWIMMING POOLS, SPAS AND HOT TUBS

SECTION 303 — SWIMMING POOLS, SPAS AND HOT TUBS is amended by deletion in its entirety.

SECTION 304 — EXTERIOR STRUCTURE

SECTION 304.2 — PROTECTIVE TREATMENT is amended by deletion in its entirety.

SECTION 304.7 — ROOFS AND DRAINAGE is amended by deletion in its entirety.

SECTION 304.9 — OVERHANG EXTENSIONS is amended by deletion of second sentence in its entirety starting with the words "When required".

SECTION 304.

14 — INSECT SCREENS is amended by deletion in its entirety.

CHAPTER 6 MECHANICAL AND ELECTRICAL REQUIREMENTS

SECTION 606 — ELEVATORS ESCALATORS AND DUMBWAITERS

SECTION 606 — Elevators Escalators and Dumbwaiters is amended by deletion in its entirety.

PART II FINDINGS AND DECLARATION

The Town of Dewey-Humboldt of Yavapai County, Arizona specifically and expressly finds and declares that the nature and uniqueness of the climate, terrain, and location does necessitate and demand specific amendments to the International Property Maintenance Code 2018, Edition, which are stated in this ordinance.

The provisions of this ordinance and the code it incorporates are hereby declared to be severable, and if any section, sentence, clause, or phrase of this ordinance shall, for any reason, be held to be invalid or unconstitutional, such decisions shall not affect the remaining sections, sentences, clauses, or phrases of this ordinance, but they shall remain in effect, it being the legislative intent that this ordinance shall stand notwithstanding the validity of any part thereof.

PART III EFFECTIVE DATE

This ordinance shall take effect and be in force on the _____ day of _____ 2019.

Presented by:

Don Roberts
Building Official

Approved and adopted by the Town Council on the _____ day of _____ 2019.

Mayor Nolan

ORDINANCE 2019-9

AN ORDINANCE OF THE TOWN OF DEWEY-HUMBOLDT OF YAVAPAI COUNTY, ARIZONA REPEALING ORDINANCE 2014-9 RELATING TO THE DEWEY-HUMBOLDT GRADING ORDINANCE FOR THE AREAS OF DEWEY-HUMBOLDT IN ITS ENTIRETY AND PROVIDING FOR THE ADOPTION OF A NEW ORDINANCE PERTAINING TO ALL ASPECTS OF GRADING ON PRIVATE PROPERTY.

THE TOWN OF DEWEY-HUMBOLDT OF YAVAPAI COUNTY, ARIZONA DOES ORDAIN AS FOLLOWS:

Dewey-Humboldt Ordinance 2014-9 is hereby repealed in its entirety and replaced with the following:

PART I ADOPTION

DEWEY-HUMBOLDT GRADING ORDINANCE

There is hereby adopted the Dewey-Humboldt Grading Ordinance. Said document is hereby adopted to set forth rules and regulations to control excavation, grading, and earthwork construction, including fills and embankments, and provides for approval of plans and inspections of grading construction. The Dewey-Humboldt Administrative Building Code, establishes the administrative procedure for issuance of permits and collection of fees therefore and providing for severability and each and all conditions and terms of the Dewey-Humboldt Grading Ordinance.

SECTION 101 – TITLE, PURPOSE AND SCOPE

101.1 – Title. These regulations are known as the Dewey-Humboldt Grading Ordinance and shall be referred to herein as "this ordinance."

101.2 – Purpose. The purpose of this ordinance is to safeguard life, limb, property and the public welfare by regulating grading, excavation and earthwork construction, including fills and embankments on private property, within the areas of Dewey-Humboldt.

101.3 – Scope. This ordinance sets forth rules and regulations to control excavation, grading and earthwork construction, including fills and embankments; establishes the administrative procedure for issuance of permits; and provides for approval of plans and inspection of grading construction. Where conflicts occur between the technical requirements of this ordinance and the geotechnical report, the geotechnical report shall govern.

101.3.1 – Standards.

The standards listed below are recognized standards.

ASTM D 1557-07
ASTM D 1586-11
ASTM D 2166M-13
ASTM D 2216-10
ASTM D 2487-06el

The above listed standards are as found in 2012 International Building Code Chapter 35 and/or the ASTM Referenced Standards.

SECTION 102 – FLOOD HAZARD AREAS

102 – Flood hazard areas. The provisions for grading, excavation and earthwork construction including fills and embankments within areas prone to flooding as determined by the Yavapai County Flood Control District or in flood hazard areas where design flood elevations are specified but floodways have not been designated, unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed work will not result in any increase in the level of the base flood. The review and approval of grading plans shall also be obtained from the Yavapai County Flood Control District.

SECTION 103 – DEFINITIONS

103 –DEFINITIONS. The following words and terms shall, for the purpose of this ordinance, have the meanings shown herein. Refer to Chapter 2 of the *International Building Code* for general definitions.

AS GRADED – The extent of surface conditions on completion of grading.

BEDROCK – In-place solid rock.

BENCH – A relatively level step excavated into earth material on which fill is to be placed.

BEST MANAGEMENT PRACTICES (BMP) INCLUSIVE DEFINITION – Schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of the municipal separate storm sewer systems (MS4) including construction site access and waters of the United States.

BEST MANAGEMENT PRACTICES (BMP) CONSTRUCTION DEFINITION – A BMP is a method used to prevent or control stormwater runoff and the discharge of pollutants, including sediment, into local water bodies. Silt fences, inlet protection, and site-stabilization techniques are typical BMPs on a construction site.

BORROW – Earth material acquired from, an off-site or on-site location, for use in grading on a site.

CIVIL ENGINEER – A professional engineer registered by the Arizona State Board of Technical Registration, to practice, in the field of civil works.

CIVIL ENGINEERING – The application of the knowledge of the forces of nature, principles of mechanics and the properties of materials to the evaluation, design and construction of civil works.

COMPACTION – The densification of a fill by mechanical means.

CUT – See Excavation.

DOWN DRAIN – A device for collecting water from a swale or ditch located on or above a slope, and safely delivering it to an approved drainage facility.

EARTH MATERIAL – Any rock, natural soil, fill, or any combination thereof.

ENGINEERING GEOLOGIST – A geologist experienced and knowledgeable in engineering geology.

ENGINEERING GEOLOGY – The application of geologic knowledge and principles in the investigation and evaluation of naturally occurring rock and soil for use in the design of civil works.

EROSION – The wearing away of the ground surface as a result of the movement of wind, water or ice.

EXCAVATION – The mechanical removal of earth material by artificial means also referred to as a “cut”.

FILL – A deposition of earth materials by artificial means.

GEOTECHNICAL ENGINEER – See "Soils Engineer."

GRADE – The vertical location of the ground surface.

EXISTING GRADE – The grade prior to grading.

FINISH GRADE – The final grade of the site that conforms to the approved plan.

ROUGH GRADE – The stage at which the grade approximately conforms to the approved plan.

GRADING – An excavation, or fill, or combination thereof.

INGRESS/EGRESS EASEMENT GRADING – Grading being done in conjunction with access to multiple properties within the boundaries of designated private easements.

KEY – A compacted fill placed in a trench excavated in earth material beneath the toe of a slope.

NOTICE OF INTENT (NOI) – The Notice of Intent that is required by the Arizona Department of Environmental Quality (ADEQ) stormwater construction general permit. Operators of construction activities that disturb one (1) acre or greater are required to submit a Notice of Intent, or NOI, to obtain authorization under this general permit. Operators of construction activities that disturb less than one (1) acre but are part of a larger development must also submit an NOI.

PROFESSIONAL INSPECTION – The inspection required by this ordinance to be performed by the civil engineer, soils engineer or engineering geologist. Such inspections include those performed by persons supervised by such engineers or geologists and shall be sufficient to form an opinion relating to the conduct of the work.

SITE – Any lot or parcel of land or contiguous combination thereof, under the same ownership, where grading is performed or permitted.

SITE BOUNDARIES – Related to setbacks, is any lot or parcel of land or contiguous combination thereof or limits within an ingress/egress easement, where grading is performed or permitted.

SLOPE – An inclined ground surface the inclination of which is expressed as a ratio of horizontal distance to vertical distance.

SOIL – Naturally occurring superficial deposits overlying bedrock.

SOILS ENGINEER (GEOTECHNICAL ENGINEER) – A professional engineer registered by the Arizona State Board of Technical Registration, to practice, in the field of soils engineering (geo-technical) engineering.

SOILS ENGINEERING (GEOTECHNICAL ENGINEERING) – The application of the principles of soils mechanics in the investigation, evaluation and design of civil works involving the use of earth materials and the inspection or testing of the construction thereof.

STORMWATER POLLUTION PREVENTION PLAN (SWPPP) – A plan required by a permit to discharge stormwater associated with a construction activity, and which describes and ensures the implementation of practices that are to be used to reduce the pollutants in stormwater discharges associated with construction activities.

TERRACE – A relatively level step constructed in the face of a graded slope for drainage and maintenance purposes.

SECTION 104 – PERMITS REQUIRED

104.1 – Permits required. Except as specified in Section 104.2 of this section, no person shall do any grading without first having obtained a grading permit from the Building Official. Retaining walls and major drainage structures required by the grading plans may be included on the grading permit. Note additional fees may apply for retaining walls and structures beyond normal grading construction.

104.1.1 – Prior to issuance of a grading permit, except as specified in Section 104.2 of this section and as specified in Arizona Pollutant Discharge Elimination System (AZPDES) General Permit No. AZG2013-001, Part III Section 1.2, operators' construction activities that disturb one (1) acre or greater are required to submit a Notice of Intent (NOI) to obtain authorization under the Arizona Department of Environmental Qualities (ADEQ), AZPDES General Permit No. AZG2013-001. Operators of construction activities that disturb less than one (1) acre but are part of a larger development must also submit a NOI and Stormwater Pollution Prevention Plan. A copy of the NOI and Stormwater Pollution Prevention Plan submitted to ADEQ must be provided to Yavapai County.

104.2 – Exempted work. A grading permit is not required for the following:

1. Any excavation below finished grade for basements and footings of a building, retaining wall or other structure authorized by a valid building permit. This shall not exempt any fill made with the material from such excavation or exempt any excavation having an unsupported height greater than five feet (5') after the completion of such structure.
2. Cemetery graves.
3. Refuse disposal sites controlled by other regulations.
4. Excavations for wells or tunnels or utilities.
5. Mining, quarrying, excavating, processing or stockpiling of rock, sand, gravel, aggregate or clay where established and provided for by ARS §11-865, provided such operations do not affect the lateral support, increase the stresses in, or pressure upon any adjacent or contiguous property.
6. Exploratory excavations under the direction of soil engineers or engineering geologists.
7. An excavation that (1) is less than two feet (2') in depth or (2) does not create a cut slope greater than five feet (5') in height and steeper than 1-1/2 units horizontal in 1 unit vertical (66.7% slope) and less than one (1) acre in area.
8. Fill less than one foot (1') in depth and placed on natural terrain with a slope flatter than 5 horizontal to 1 vertical (20% slope), or less than three feet (3') in depth and less than one (1) acre in area not intended to support structures, which does not exceed fifty (50) cubic yards on any one (1) site and does not obstruct a drainage course.
9. Grading projects within public right of ways for other than structures requiring a building permit.

Exemption from the permit requirements of this ordinance shall not be deemed to grant authorization for any work to be done in violation of the provisions of this ordinance or any other laws or ordinances of this jurisdiction.

SECTION 105 – HAZARDS

105 – Hazards. Whenever the building official determines that any existing excavation or embankment or fill on private property has become a hazard to life and limb, endangers property, adversely affects the safety, use or stability of a public way or drainage channel. The owner, or agent in control of said property on which the excavation or fill is located upon receipt of notice in writing from the Building Official, shall within the period specified therein repair or eliminate such excavation or embankment to eliminate the hazard and to be in conformance with the requirements of this ordinance.

SECTION 106 – GRADING PERMIT REQUIREMENTS

106.1 – Permits required. Except as exempted in Section 104.2 of this ordinance, no person shall do any grading without first obtaining a grading permit from Dewey-Humboldt Development Services. A separate permit shall be obtained for each site, and the cubic yards per this section is the total combination of excavation and fill grading work to be performed within the site boundary.

106.2 – Application. The provisions of the Dewey-Humboldt Administrative Building Code are applicable to grading. Additionally, the application shall state the estimated quantities of work involved.

106.3 – Grading designation.

1. Grading in excess of 2,000 cubic yards shall be performed in accordance with the approved grading plan prepared by a civil engineer, and shall be designated as "engineered grading."
2. Grading involving 2,000 cubic yards or less shall be designated "regular grading" unless the Building Official determines that special conditions or unusual hazards exist, in which case grading shall conform to the requirements for engineered grading.
3. Grading within established ingress/egress easements not intended to support structures involving any cut and/or fill shall be designated as ingress/egress easement grading. When in excess of 2,000 cubic yards grading shall be performed in accordance with the approved grading plan prepared by a civil engineer per "Engineered Grading" designation.

106.4 – Engineered grading requirements. Application for a grading permit shall be accompanied by two (2) sets of plans, specifications, a Stormwater Pollution Prevention Plan (SWPPP) if applicable and supporting data consisting of a soils engineering report and engineering geology report. The plans and specifications shall be prepared and signed by an individual licensed by the State to prepare such plans or specifications.

Specifications shall contain information covering construction and material requirements.

Plans shall be drawn to scale upon substantial paper or cloth and shall be of sufficient clarity to indicate the nature and extent of the work proposed. Plans shall show in detail that they will conform to the provisions of this ordinance and all relevant laws, ordinances, rules and regulations. The first sheet of each set of plans shall give location of the work, the name and address of the owner, and the person by whom they were prepared.

The plans shall include the following information:

1. Estimated cubic yards of material to be excavated and/or filled (total of the combination).
2. Cut and fill amounts under the footprint of new permitted structures are not required to be included in the total amounts with a grading permit.
3. General vicinity of the proposed grading site.
4. Property limits and accurate contours of existing ground and details of terrain and area drainage.
5. Limiting dimensions, elevations or finish contours to be achieved by the grading, and proposed drainage channels and related construction. Plans shall include 2 cross sections at 90 degree angle to each.

6. Detailed plans are to be provided of all surface and subsurface drainage devices, walls, cribbing, dams and other protective devices to be constructed. Detailed plans are to include as a part of, the proposed work, a map showing the drainage area and the estimated runoff of the area served by any drains.
7. Location of any buildings or structures on the property and on land of adjacent owners that are within fifteen feet (15') of the property where the work is to be performed.
8. Recommendations included in the soils engineering report and the engineering geology report shall be incorporated in the grading plans or specifications. When approved by the Building Official, specific recommendations contained in the soils engineering report and the engineering geology reports, which are applicable to grading, may be included by reference.
9. The dates of the soils engineering and engineering geology reports together with the names, addresses and phone numbers of the firms or individuals who prepared the reports.
10. The Stormwater Pollution Prevention Plan (SWPPP) if applicable.
 - A. The Storm Water Pollution Prevention Plan should include all erosion and sediment control measures necessary to meet the objectives of the (ADEQ) (AZPDES General Permit No. AZG2013-001) regulations throughout all phases of construction and after completion of development of the site.

106.5 – Soils engineering report. The soils engineering report required by Section 106.4, #7 shall include data regarding the nature, distribution and strength of existing soils. The soils engineering report shall include conclusions and recommendations for grading procedures and design criteria for corrective measures, including buttress fills, when necessary. Report shall include the soils engineering opinion on adequacy for the intended use of sites to be developed by the proposed grading as affected by soils engineering factors, including the stability of slopes. The required soils reports shall include data as required per the International Building Code, 2018 Edition, by Section 1803.6.

106.6 – Engineering geology report. The engineering geology report required by Section 106.4, #7 shall include an adequate description of the geology of the site, conclusions and recommendations regarding the effect of geologic conditions on the proposed development. Report shall include opinion on the adequacy for the intended use of sites to be developed by the proposed grading, as affected by geologic factors.

106.7 – Regular grading requirements. Each application for a grading permit shall be accompanied by two (2) sets of plans of sufficient clarity to indicate the nature and extent of the work.

The plan shall include the following information:

1. Estimated cubic yards of material to be excavated and/or filled (total of the combination).
2. Cut and fill amounts under the footprint of new permitted structures are not required to be included in the total amounts with a grading permit.
3. General vicinity of the proposed grading site.
4. Property limits and accurate contours of existing ground and details of terrain and area drainage.

5. Limiting dimensions, elevations, or finish contours to be achieved by the grading, and proposed drainage channels and related construction. Plans shall include 2 cross sections at 90 degree angle to each.
6. Detailed plans are to be provided of all surface and subsurface drainage devices, walls, cribbing, dams and other protective devices to be constructed. Detailed plans are to include as a part of, the proposed work, a map showing the drainage area and the estimated runoff of the area served by any drains.
7. Location of any buildings or structures on the property and the location of any buildings or structures on land of adjacent owners that are within fifteen feet (15') of the property line(s) that may be affected by the proposed grading operations.
8. Type and source of fill material.
9. A soil investigation report and a report of satisfactory placement of fill, both acceptable to the building official, shall be submitted for fills used to support the foundations of any building or structure.
10. The following notes are required on the plans:
 - A. The ground surface shall be prepared to receive fill by removing vegetation, non-complying fill, and other unsuitable materials.
 - B. No rock or similar irreducible material with a maximum dimension greater than twelve inches (12") shall be allowed in fills in the absence of a soils report and inspection by a soils engineer.
 - C. All fills shall be compacted to a minimum of 90% of maximum density and verified by a compaction report when supporting a structure.
11. The Stormwater Pollution Prevention Plan (SWPPP) if applicable
 - A. The Stormwater Pollution Prevention Plan should include all erosion and sediment control measures necessary to meet the objectives of the ADEQ, (AZPDES General Permit No. AZG2013-001) regulations throughout all phases of construction and after completion of development of the site.

SECTION 107 – ISSUANCE

107. – Issuance. The provisions of Section 105 of the Dewey-Humboldt Administrative Building Code are applicable to grading permits. The Building Official may require that grading operations and project designs be modified if delays occur which incur weather-generated problems not considered at the time the permit was issued.

The Building Official may require professional inspection and testing by the soils engineer. When the Building Official has cause to believe that geologic factors may be involved, the grading will be required to conform to Engineered Grading.

SECTION 108 – GRADING FEES

108.1 – General. Fees shall be assessed in accordance with the provisions as set forth in the Valuation & Fee Schedule adopted by the Dewey-Humboldt Town Council.

108.2 – Plan Review Fees. When plans or other data are required to be submitted, a plan review fee shall be paid at the time of submitting plans and specifications for review. Said plan review fee shall be as set forth in Valuation & Fee Schedule.

Separate plan review fees shall apply to retaining walls or major drainage structures as required elsewhere in this code. For excavation and fill on the same site the fee shall be based on the total volume of grading work being done (both excavating and fill). Grading cut and fill amounts for ingress/egress easements shall be calculated on the entire length of the ingress/egress easements to be graded.

108.3 – Grading Permit Fees. A fee for each grading permit shall be paid to the Building Official as set forth in the Valuation & Fee Schedule. Separate permits and fees shall apply to retaining walls or major drainage structures as required elsewhere in this code. There shall be no separate charge for standard terrace drains and similar facilities.

SECTION 109 – CUTS

109.1 – General. Unless otherwise recommended in the approved soils engineering or engineering geology report, cuts shall conform to the provisions of this section.

In the absence of an approved soils engineering report, these provisions may be waived for minor cuts not intended to support structures.

109.2 – Slope. The slope of cut surfaces shall be no steeper than is safe for the intended use, and shall be no steeper than 2 horizontal to 1 vertical (50%) unless the applicant furnishes a soils report justifying a steeper slope.

Exceptions:

1. A cut surface may be at a slope of 1.5 horizontal to 1 vertical (67%) provided that **all** the following are met:
 - 1.1 It is not intended to support structures or surcharges.
 - 1.2 It is adequately protected against erosion.
 - 1.3 It is no more than eight feet (8') (2438 mm) height.
 - 1.4 It is approved by the building official.
2. A cut surface in bedrock shall be permitted to be at a slope of 1 horizontal to 1 vertical (100%).

SECTION 110 – FILLS

110.1 – General. Unless otherwise recommended in the approved soils engineering report, fills shall conform to the provisions of this section.

In the absence of an approved soils engineering report, these provisions may be waived for minor fills not intended to support structures.

110.2 – Preparation of ground. Fill slopes shall not be constructed on natural slopes steeper than 2 units horizontal to 1 unit vertical (50% slope). The ground surface shall be prepared to receive fill; by removing vegetation, non-complying fill, topsoil and other unsuitable materials scarifying to provide a bond with the new fill.

Where determined by the soils engineer, slopes that are steeper than 5 horizontal to 1 vertical (20% slope) and the height is greater than five (5'), benching into sound bedrock or other competent material shall be provided. The bench under the toe of a fill on a slope steeper than 5 horizontal to 1 vertical (20% slope) shall be at least ten feet (10') wide. The area beyond the toe of fill shall be sloped for sheet overflow or a paved drain shall be provided. When fill is to be placed over a cut, the bench under the toe of fill shall be at least 10 feet wide. The cut shall be made before placing the fill and acceptance by the soils engineer or engineering geologist or both as a suitable foundation for fill. (See figure 110.2 Benching Details).

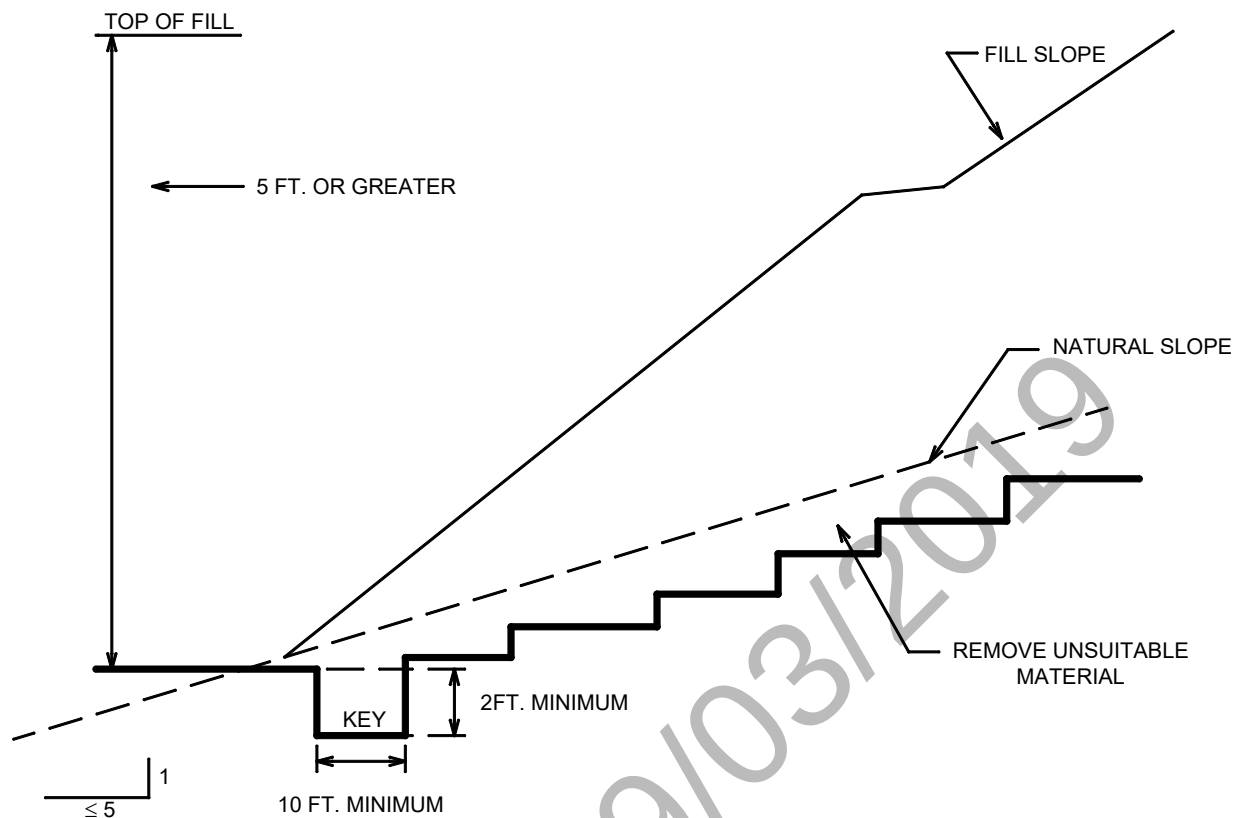


**FIGURE 110.2
BENCHING DETAILS**

110.3 – Fill Material. Detrimental amounts of organic material shall not be permitted in fills. No rock or similar irreducible material with a maximum dimension greater than twelve inches (12") shall be buried or placed in fills.

Exception: The Building Official may permit placement of larger rock when the soils engineer properly devises a method of placement, and continuously inspects its placement and approves the fill stability.

The following conditions shall also apply:

1. Prior to issuance of the grading permit, potential rock disposal areas shall be delineated on the grading plan.
2. Rock sizes greater than twelve inches (12") in maximum dimension shall be ten feet (10') or more below grade, measured vertically.
3. Rocks shall be placed to assure filling of all voids with well-graded soil.

110.4 – Compaction. All fill material shall be compacted to 90% of maximum density as determined by ASTM D.1557, modified proctor, in lifts not exceeding twelve inches (12") in depth.

110.5 – Maximum slope. The slope of fill surfaces shall be no steeper than is safe for the intended use. Fill slopes steeper than 2 horizontal to 1 vertical (50%) shall be justified by soil reports or engineering data.

SECTION 111 – SETBACKS

111.1 – General. Cut and fill slopes shall be set back from the site boundaries in accordance with this section. Setback dimensions shall be measured perpendicular to the site boundary and shall be as shown in Figure 111, Drainage Dimensions, unless substantiating data is submitted justifying reduced setbacks.

111.2 – Top of cut slope. The setback at the top of a cut slope shall not be less than shown in Figure 111 or than is required to accommodate any required interceptor drains, whichever is greater.

111.3 – Toe of fill slope protection. Where required to protect adjacent properties at the toe of a slope from adverse effects of the grading, additional protection approved by the building official shall be included. Such protection may include but is not limited to:

1. Setback greater than those required by Figure 111.
2. Provision for retaining walls or similar construction.
3. Erosion protection of the fill slopes.
4. Provisions for the control of surface waters.

111.4 – Modification of slope location. The building official may approve alternate setbacks. The building official may require an investigation and recommendation by a qualified engineer or engineering geologist to demonstrate that the intent of this section has been satisfied.

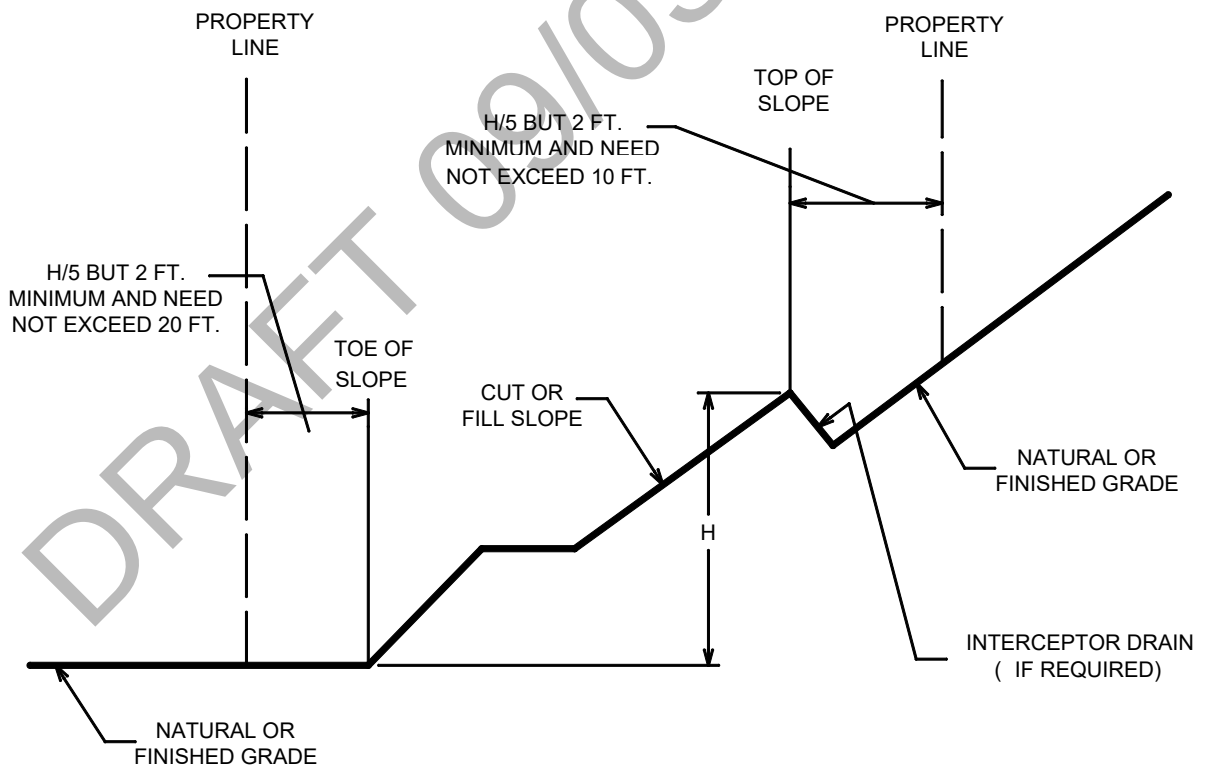


**FIGURE 111
DRAINAGE DIMENSIONS**

SECTION 112 – Drainage and Terracing

112.1 – General. Unless otherwise recommended by a registered design professional, drainage facilities and terracing shall be provided in accordance with the requirement of this section.

Exception. Drainage facilities and terracing need not be provided where the ground slope is not steeper than 3 horizontal to 1 vertical (33%).

112.2 – Terrace. Terraces at least six feet (6') in width shall be established at not more than thirty foot (30') (9144 mm) vertical intervals on all cut or fill slopes to control surface drainage and debris. Suitable access shall be provided to allow for cleaning and maintenance. Where two (2) or more terraces are required, one terrace, located at approximately mid-height, shall be at least twelve feet (12') (3658 mm) in width.

Swales or ditches shall be provided on terraces. They shall have a minimum gradient of 20 horizontal to 1 vertical (5%) and shall be paved with concrete not less than three inches (3") (76 mm) in thickness or with other material suitable to the application. They shall have a minimum depth of twelve inches (12") (305 mm) and a minimum of five feet (5').

A single run of swale or ditch shall not collect runoff from a tributary area exceeding 13,500 square feet (projected) without discharging into a down-drain.

112.3 – Subsurface drainage. Cut and fill slopes shall be provided with subsurface drainage as necessary for stability.

112.4 – Disposal. All drainage facilities shall be designed to carry waters to the nearest practicable drainage way approved by the Building Official or other appropriate jurisdiction as a safe place to deposit such waters. Erosion of ground in the area of discharge shall be prevented by installation of non-erosive down-drains or other devices.

Building pads shall have a drainage gradient of 2% toward approved drainage facilities, unless waived by the Building Official.

Exception: The gradient from the building pad may be % if all of the following conditions exist throughout the permit area:

1. No proposed fills are greater than 10 feet in maximum depth.
2. No proposed finish cut or fill slope faces have a vertical height in excess of ten feet (10').
3. No existing slope faces steeper than 1 vertical to 10 horizontal (10% slope) have a vertical height in excess of ten feet (10').

112.5 – Interceptor drains. Interceptor drains shall be installed along the top of cut slopes receiving drainage from a tributary width greater than forty feet (40') measured horizontally. They shall have a minimum depth of one foot (1') and a minimum width of three feet (3'). The slope shall be approved by the building official, but shall not be less than 50 horizontal to 1 vertical (2 %). The drain shall be paved with concrete not less than 3 inches in thickness, or by other materials suitable to the application. Discharge from the drain shall be accomplished in a manner to prevent erosion and shall be approved by the building official.

112.6 – Drainage across property lines. Drainage across property lines shall not exceed that which existed prior to grading. Excess or concentrated drainage shall be contained on site or directed to an approved drainage facility. Erosion of the ground in the area of discharge shall be prevented by installation of non-erosive down-drains or other devices.

SECTION 113 – EROSION CONTROL

113.1 – Slopes. The faces of cut and fill slopes shall be prepared and maintained to control erosion. This control may consist of effective planting.

Exception. Erosion control measures need not be provided on cut slopes not subject to erosion due to the erosion-resistant character of the materials.

113.2 – Other devices. Where necessary, check dams, cribbing, riprap or other devices or methods shall be employed to control erosion and provide safety.

SECTION 114 – GRADING INSPECTION

114.1 – General. Grading operations for which a permit is required shall be subject to inspection by the building official.

Professional inspection shall be provided by the civil engineer, soils engineer and the engineering geologist retained to provide such services in accordance with Section 114.5 for engineered grading and as required by the building official for regular grading. A site investigation shall be performed to determine that such grading is going to conform to the boundaries of the designated ingress/egress easements and the boundaries of the easements shall be appropriately flagged to indicate easement locations and cut or fill locations.

114.2 – Civil engineer. The civil engineer shall provide professional inspection within such engineer's area of technical specialty, which shall consist of observation and review as to the establishment of line, grade and surface drainage of the development area. If revised plans are required during the course of the work they shall be prepared by the civil engineer.

114.3 – Soils engineer. The soils engineer shall provide professional inspection within such engineer's area of technical specialty, which shall include observation during grading and testing for required compaction. The soils engineer shall provide observation during the preparation of the natural ground, placement and compaction of the fill to verify that such work is being performed in accordance with of the approved plan and requirements of this chapter. Revised recommendations relating to conditions differing from the approved soils engineering and engineering geology reports shall be submitted to the permittee, the building official and the civil engineer.

114.4 – Engineering geologist. The engineering geologist shall provide professional inspection within such engineer's area of technical specialty, which shall include professional inspection of the bedrock excavation to determine if conditions encountered are in conformance with the approved report. Revised recommendations relating to conditions differing from the approved engineering geology report shall be submitted to the soils engineer.

114.5 – Permittee. The permittee shall be responsible for the work to be performed in accordance with the approved plans, specifications and with the provisions of this code. The permittee shall engage consultants, if required, to provide professional inspections on a timely basis. The permittee shall act as a coordinator between the consultants, the contractor and the Building Official. In case of changed conditions, the permittee shall be responsible for informing the Building Official of such change and shall provide revised plans for approval.

114.6 – Building official. The building official shall inspect the project at the various stages of work requiring approval to determine that adequate control is being exercised by the professional consultants.

114.7 – Notification of noncompliance. When fulfilling their respective duties under this chapter, if the civil engineer, the soils engineer or the engineering geologist finds discrepancies in work as not being in conformance with this ordinance or the approved grading plans, the discrepancies shall be reported immediately in writing to the permittee and to the building official.

114.8 – Transfer of responsibility. If the civil engineer, the soils engineer, or the engineering geologist of record is changed during grading, the work shall be stopped until a replacement engineer has agreed in writing to accept responsibility within their area of technical competence for approval upon completion of the work. It shall be the duty of the permittee to notify the building official in writing, of such change prior to the recommencement of such grading.

SECTION 115 – COMPLETION OF WORK

115.1 – Final reports. Upon completion of the rough grading work and at the completion of final grading work, the following are required:

1. As-built grading plans shall be prepared by the civil engineer retained to provide services in accordance with Section 106.4. Plans shall show original ground surface elevations, as-graded ground surface elevations, lot drainage patterns, and the locations and elevations of surface drainage facilities and of the outlets of subsurface drains. As-constructed locations, elevations and details of subsurface drains shall be shown as reported by the soils engineer.

Civil engineers shall state that to the best of their knowledge the work within their area of responsibility was done in accordance with the final approved grading plan.

Soils Engineer retained to provide services in accordance with Section 106.5 shall prepare a report. The report shall include locations and an elevation of field density tests, summaries of field and laboratory tests, and other substantiating data. Report shall include comments on any changes made during grading and their effect on the recommendations made in the approved soils engineering investigation report.

Soils engineers shall submit a statement that, to the best of their knowledge, the work within their area of responsibility is in accordance with the approved soils engineering report and applicable provisions of this chapter.

Engineering geologist retained to provide services in accordance with Section 106.4 shall provide a report. Report shall include a final description of the geology of the site and any new information disclosed during the grading and the effect of same on recommendations incorporated in the approved grading plan. Engineering geologists shall submit a statement that, to the best of their knowledge, the work within their area of responsibility is in accordance with the approved engineering geologist report and applicable provisions of this chapter.

The grading contractor shall submit in a form prescribed by the building official a statement of conformance in according with the as-built plan and the specifications.

115.2 – Notification of completion. The permittee shall notify the building official when the grading operation is ready for final inspection. Final approval shall not be given until all work; including installation of all drainage facilities and their protective devices, and all erosion-control measures have been completed in accordance with the final approved grading plan.

PART II FINDINGS AND DECLARATION

The Town of Dewey-Humboldt of Yavapai County, Arizona specifically and expressly finds and declares that the nature and uniqueness of the climate, terrain, and location does necessitate and demand specific amendments to the Dewey-Humboldt Grading Ordinance, which are stated in this ordinance.

The provisions of this ordinance and the code it incorporates are hereby declared to be severable, and if any section, sentence, clause, or phrase of this ordinance shall, for any reason, be held to be invalid or unconstitutional, such decisions shall not affect the remaining sections, sentences, clauses, or phrases of this ordinance, but they shall remain in effect, it being the legislative intent that this ordinance shall stand notwithstanding the validity of any part thereof.

PART III EFFECTIVE DATE

This ordinance shall take effect and be in force on the _____ day of _____ 2019.

Presented by:

Don Roberts
Building Official

Approved and adopted by the Town Council on the _____ day of _____ 2019.

Mayor Nolan

ORDINANCE 2019-10

AN ORDINANCE OF THE TOWN OF DEWEY-HUMBOLDT OF YAVAPAI COUNTY, ARIZONA REPEALING ORDINANCE 2014-9 THE INTERNATIONAL EXISTING BUILDING CODE, REGULATING AND GOVERNING THE REPAIR, ALTERATION, CHANGE OF OCCUPANCY, ADDITION AND RELOCATION OF EXISTING BUILDINGS, INCLUDING HISTORIC BUILDINGS FOR THE AREAS OF DEWEY-HUMBOLDT IN ITS ENTIRETY AND PROVIDING FOR THE ADOPTION OF THE INTERNATIONAL EXISTING BUILDING CODE, 2018 EDITION.

THE TOWN OF DEWEY-HUMBOLDT OF YAVAPAI COUNTY, ARIZONA DOES ORDAIN AS FOLLOWS:

Dewey-Humboldt Ordinance 2014-3 is hereby repealed in its entirety and replaced with the following:

PART I ADOPTION

INTERNATIONAL EXISTING BUILDING CODE, 2018 EDITION, ADOPTED BY REFERENCE

There is hereby adopted by reference, that certain document known as International Existing Building Code, 2012 Edition, including Appendixes A, B, and C, as published by the International Code Council, Inc. Said document is hereby amended and adopted as the Existing Building Code for the areas of Dewey-Humboldt providing for regulating and governing the repair, alteration, change of occupancy, addition and relocation of existing buildings, including historic buildings, and each and all such regulations, provisions, penalties, conditions and terms of the International Existing Building Code, 2018 Edition, including Appendixes A, B, and C, are hereby referred to, adopted and made a part hereof as set forth herein, excepting such portions as are hereinafter deleted, modified or amended.

CHAPTER 1 ADMINISTRATIVE

SECTION 101 – GENERAL

SECTION 101.1 – Title is amended by the insertion of “Dewey-Humboldt.”

SECTIONS 102 through 115 are amended by deletion in their entirety and replacement with the requirements of the Dewey-Humboldt Administrative Building Code, as adopted, and as may be amended from time to time.

CHAPTER 2 DEFINITIONS

SECTION 201 – GENERAL

SECTION 201.3 Terms defined in other codes are hereby amended as follows: Where terms are not defined in this code, such terms shall have the meanings ascribed in other code publications of the International Residential Code and the most recent Dewey-Humboldt Administrative Building Code. In the event there is a conflict between the aforementioned codes, the Dewey-Humboldt Administrative Building Code is superior.

SECTION 201.4 Terms not defined is hereby deleted in its entirety and revised to read as follows:

201.4 Terms not defined. Where terms are not defined through the methods authorized by this chapter such terms shall have ordinarily accepted meanings such as the context implies, Webster's Third New International Dictionary of the English Language, Unabridged, shall be considered as providing accepted meanings.

SECTION 202 – GENERAL DEFINITIONS is hereby amended by revision of the following term:

CODE OFFICIAL. Is the **BUILDING OFFICIAL** as defined in Section 102.13 of the "*Dewey-Humboldt Administrative Building Code*".

DRAFT 09/03/2019

PART II FINDINGS AND DECLARATION

The Town of Dewey-Humboldt of Yavapai County, Arizona specifically and expressly finds and declares that the nature and uniqueness of the climate, terrain, and location does necessitate and demand specific amendments to the International Existing Building Code, 2018 Edition, which are stated in this ordinance.

The provisions of this ordinance and the code it incorporates are hereby declared to be severable, and if any section, sentence, clause, or phrase of this ordinance shall, for any reason, be held to be invalid or unconstitutional, such decisions shall not affect the remaining sections, sentences, clauses, or phrases of this ordinance, but they shall remain in effect, it being the legislative intent that this ordinance shall stand notwithstanding the validity of any part thereof.

PART III EFFECTIVE DATE

This ordinance shall take effect and be in force on the _____ day of _____ 2019.

Presented by:

Don Roberts
Building Official

Approved and adopted by the Town Council on the _____ day of _____ 2019.

Mayor Nolan

ORDINANCE 2019-11

AN ORDINANCE OF THE TOWN OF DEWEY-HUMBOLDT OF YAVAPAI COUNTY ARIZONA RELATING TO THE BUILDING CODES FOR THE AREAS OF DEWEY-HUMBOLDT AND PROVIDING FOR A SWIMMING POOL AND SPA CODE DO HEREBY ADOPT THE INTERNATIONAL SWIMMING POOL AND SPA CODE (ISPSC), 2018 EDITION AND ARIZONA REVISED STATUTES (ARS) §36-1681

THE TOWN OF DEWEY-HUMBOLDT OF YAVAPAI COUNTY, ARIZONA DOES ORDAIN AS FOLLOWS:

PART I ADOPTION

INTERNATIONAL SWIMMING POOL AND SPA CODE, 2018 EDITION, ARIZONA REVISED STATUTES (ARS) §36-1681 ADOPTED BY REFERENCE

There is hereby adopted by reference, that certain document known as International Swimming Pool And Spa Code, 2018 Edition, as published by the International Code Council, Inc. Said documents are hereby amended and adopted as the ISPSC and ARS §36-1681 for the areas of Dewey-Humboldt providing for the regulating, installation and maintenance of swimming pools and spas, equipment thereof and related accessories, and each and all such regulations, provisions, penalties, conditions and terms of the ISPSC, 2018 Edition and ARS §36-1681 are hereby referred to, adopted and made a part hereof as set forth herein, excepting such portions as are hereinafter deleted, modified or amended.

CHAPTER 1 ADMINISTRATIVE

SECTION 101 – GENERAL

SECTION 101.1 – Title is amended by the insertion of “Dewey-Humboldt.”

SECTIONS 102 through 108 are amended by deletion in their entirety and replacement with the requirements of the Dewey-Humboldt Administrative Building Code, as adopted, and as may be amended from time to time.

CHAPTER 2 DEFINITIONS

SECTION 201 – GENERAL

SECTION 201.3 Terms defined in other codes are hereby amended as follows: Where terms are not defined in this code, such terms shall have the meanings ascribed in other code publications of the International Residential Code and the most recent Dewey-Humboldt Administrative Building Code. In the event there is a conflict between the aforementioned codes, the Dewey-Humboldt Administrative Building Code is superior.

SECTION 201.4 Terms not defined is hereby deleted in its entirety and revised to read as follows:

201.4 Terms not defined. Where terms are not defined through the methods authorized by this chapter such terms shall have ordinarily accepted meanings such as the context implies, Webster’s Third New International Dictionary of the English Language, Unabridged, shall be considered as providing accepted meanings.

SECTION 202 – DEFINITIONS is hereby amended by revision on the following terms:

POOLS. Contained bodies of water that contain water 18 inches or more in depth at any point and that are wider than 8 feet at any point and are intended for swimming (A.R.S. § 36-1681.A).

CODE OFFICIAL. Is the BUILDING OFFICIAL as defined in Section 102.13 of the “Dewey-Humboldt Administrative Building Code”.

CHAPTER 3 GENERAL COMPLIANCE

SECTION 301 – GENERAL

SECTION 303 – ENERGY

SECTION 303 – ENERGY is hereby deleted in its entirety and replaced with the provisions of the “2006 International Energy Conservation Code” as adopted by Dewey-Humboldt.

SECTION 304 – FLOOD HAZARD AREAS

SECTION 304 – FLOOD HAZARD AREAS is hereby deleted in its entirety. Enforcement and regulations of FLOOD HAZARD AREAS within Yavapai County shall be controlled by Yavapai County Flood Control District.

SECTION 305 BARRIER REQUIREMENTS

SECTION 305.1 General is hereby deleted in its entirety and replaced with:

The provisions of this section shall apply to the design of barriers for restricting entry into areas having pools and spas. Where spas or hot tubs are equipped with a lockable safety cover complying with ASTM F1346 and swimming pools are protected by a motorized safety pool cover that complies with ASTM F1346 that requires the operation of a key switch which meets the ASTM emergency standards 13-89 and which does not require manual operation other than the use of the key switch. The areas where those spas, hot tubs or pools are located shall not be required to comply with amended Sections 305.2 through 305.7 (A.R.S. § 36-1681-(C)-(2)).

SECTION 305.2 Outdoor swimming pools and spas is hereby deleted in its entirety and reads as:

Outdoor pools and spas and indoor swimming pools shall be surrounded by a barrier that complies with Sections 305.2.1 through 305.7.

SECTION 305.2.1 – Barrier height and clearances is hereby deleted and replaced with the following:

305.2.1 Barrier height and clearances.

Barrier heights and clearances shall be in accordance with each of the following:

1. Be entirely enclosed by at least a 60 inch (1524 mm) wall, fence or other barrier as measured on the exterior side of the wall, fence or barrier (A.R.S. § 36-1681.B.1.) Such height shall exist around the entire perimeter of the barrier and for a distance of 3 feet (914 mm) measured horizontally from the outside of the required barrier.

2. The vertical clearance between grade and the bottom of the barrier shall not exceed 2 inches (51 mm) for grade surfaces that are not solid, such as grass or gravel, where measured on the side of the barrier that faces away from the pool or spa.
3. The vertical clearance between a surface below the barrier to a solid surface, such as concrete, and the bottom of the required barrier shall not exceed 4 inches (102 mm) where measured on the side of the required barrier that faces away from the pool or spa.
4. Where the top of the pool or spa structure is above grade, the barrier shall be installed on grade or shall be mounted on top of the pool or spa structure. Where the barrier is mounted on the top of the pool or spa, the vertical clearance between the top of the pool or spa and the bottom of the barrier shall not exceed 4 inches (102 mm).
5. The wall, fence or barrier shall not contain openings, handholds or footholds accessible from the exterior side of the enclosure that can be used to climb the wall, fence or barrier (A.R.S. § 36-1681(B)-(4)).

SECTION 305.2.2 – Openings is hereby deleted and replaced with the following:

305.2.2 Openings.

Openings in the barrier shall not allow passage of a 4-inch-diameter (102 mm) sphere. (see 305.2.1-5 amended).

SECTION 305.2.4 – Mesh fence as a barrier is hereby deleted by revisions to the following subsection as listed:

305.2.4 Mesh fence as a barrier.

Mesh fences, other than chain link fences in accordance with Section 305.2.7, shall be installed in accordance with the manufacturer's instructions and shall comply with the following:

1. The bottom of the mesh fence shall be not more than 1 inch (25 mm) above the deck or installed surface or grade.
2. The maximum vertical clearance from the bottom of the mesh fence and the solid surface shall not permit the fence to be lifted more than 4 inches (102 mm) from grade or decking.
3. The fence shall be designed and constructed so that it does not allow passage of a 4-inch (102 mm) sphere under any mesh panel. The maximum vertical clearance from the bottom of the mesh fence and the solid surface shall be not greater than 4 inches (102 mm) from grade or decking.
4. An attachment device shall attach each barrier section at a height not lower than 45 inches (1143 mm) above grade. Common attachment devices include, but are not limited to, devices that provide the security equal to or greater than that of a hook-and-eye type latch incorporating a spring-actuated retaining lever such as a safety gate hook.
5. Where a hinged gate is used with a mesh fence, the gate shall comply with Section 305.3.
6. Patio deck sleeves such as vertical post receptacles that are placed inside the patio surface shall be of a nonconductive material.
7. Mesh fences shall not be installed on top of on-ground residential pools.

SECTION 305.2.5 – Closely spaced horizontal members is hereby deleted and replaced with the following:

Section 305.2.5 - Closely spaced horizontal members.

Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is less than 45 inches (1143 mm), the horizontal members shall be located on the pool or spa side of the fence. Spacing between vertical members shall not exceed 1-3/4 inches (44 mm) in width. Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1-3/4 inches (44 mm) in width.

SECTION 305.2.6 – Widely spaced horizontal members is hereby deleted and replaced with the following:

Section 305.2.6 - Widely spaced horizontal members.

Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is 45 inches (1143 mm) or more, spacing between vertical members shall not exceed 4 inches (102 mm). Where there are decorative cutouts within vertical members, the interior width of the cutouts shall not exceed 1.75 inches (44 mm).

SECTION 305.2.7 – Chain link dimensions is hereby deleted and replaced with the following:

Section 305.2.7 - Chain link dimensions.

The maximum opening formed by a chain link fence shall be not more than 1.75 inches (44 mm). Where the fence is provided with slats fastened at the top and bottom that reduce the openings, such openings shall be not greater than 1.75 inches (44 mm).

SECTION 305.2.8 – Diagonal members is hereby deleted and replaced with the following:

Section 305.2.8 - Diagonal members.

Where the barrier is composed of diagonal members, the maximum opening formed by the diagonal members shall be not greater than 1-3/4 inches (44 mm). The angle of diagonal members shall be not greater than 45 degrees (0.79 rad) from vertical.

SECTION 305.2.9 – Clear Zone is hereby deleted and replaced with the following:

Section 305.2.9 - Clear zone.

There shall be a clear zone of not less than 36 inches (914 mm) between the exterior of the barrier and any permanent structures or equipment such as pumps, filters and heaters that can be used to climb the barrier.

SECTION 305.2.10 – Poolside barrier setbacks is hereby deleted and replaced with the following:

Section 305.2.10 - Poolside barrier setbacks.

The pool or spa side of the required barrier shall be not less than 20 inches (508 mm) from the water's edge.

SECTION 305.3 – Gates is hereby deleted and replaced with the following:

Section 305.3- Gates.

Access gates shall comply with the requirements of Sections 305.3.1 through 305.3.3 and shall be equipped to accommodate a locking device. All gates shall open outward away from the pool or spa, shall be self-closing and shall have a self-latching device (A.R.S. § 36-1681(B)-(3)-(b)).

SECTION 305.3.1 – Utility or service gates is hereby deleted and replaced with the following:

Section 305.3.1 - Utility or service gates.

Gates not intended for pedestrian use, such as utility or service gates, shall remain locked when not in use.

SECTION 305.3.2 – Double or multiple gates is hereby deleted and replaced with the following:

Section 305.3.2 - Double or multiple gates.

Double gates or multiple gates shall have not fewer than one leaf secured in place and the adjacent leaf shall be secured with a self-latching device. The gate and barrier shall not have openings larger than .5 inch (12.7 mm) within 24 inches (610 mm) of the latch release mechanism (A.R.S. § 36-1681-(B)-(3)-(a)). The self-latching device shall comply with the requirements of Section 305.3.3.

SECTION 305.3.3 – Latches is hereby deleted and replaced with the following:

Section 305.3.3 - Latches.

All gates shall be self-closing and self-latching with the latch located at least 54 inches (1372 mm) above the underlying ground or on the pool side of the gate with a release mechanism at least 5 inches (127 mm) below the top of the gate and no opening greater than 1/2 inch (12.7 mm) within 24 inches (610mm) of the release mechanism (A.R.S. § 36-1681-(B)-(3)-(a)).

SECTION 305.4– Structure wall as a barrier is hereby deleted and replaced with the following:

Section 305.4 - Structure wall as a barrier.

Where a wall of a dwelling or structure serves as part of the barrier and where doors or windows provide direct access to the pool or spa through that wall, one of the following shall be required:

1. Operable windows having a sill height of less than 48 inches (1219 mm) above the indoor finished floor and doors shall have an alarm that produces an audible warning when the window, door or their screens are opened. The alarm shall be listed and labeled as a water hazard entrance alarm in accordance with UL 2017. In dwellings or structures not required to be Accessible units, Type A units or Type B units, the operable parts of the alarm deactivation switches shall be located 54 inches (1372 mm) or more above the finished floor. In dwellings or structures required to be Accessible units, Type A units or Type B units, the operable parts of the alarm deactivation switches shall be located not greater than 54 inches (1372 mm) and not less than 48 inches (1219 mm) above the finished floor.
2. A safety cover that is listed and labeled in accordance with ASTM F1346 is installed for the pools and spas.
3. An approved means of protection, such as self-closing doors with self-latching devices, is provided. Such means of protection shall provide a degree of protection that is not less than the protection afforded by Item 1 or 2.

4. All ground level doors or other doors with direct access to the swimming pool or other contained body of water shall be equipped with a self-latching device which meets the requirements of 305.3.3 amended. Emergency escape or rescue windows from sleeping rooms with access to the swimming pool or other contained body of water shall be equipped with a latching device not less than 54 inches (1372 mm) above the floor. All other openable dwelling unit or guest room windows with similar access shall be equipped with a screwed in place wire mesh screen, or a keyed lock that prevents opening the window more than 4 inches (102 mm), or a latching device located not less than 54 inches (1372 mm) above the floor (A.R.S. § 36-1681.C.3).

SECTION 305.5 – On-ground residential pool structure as a barrier is hereby deleted and replaced with the following:

Section 305.5 - On-ground residential pool structure as a barrier.

An on-ground residential pool wall structure or a barrier mounted on top of an on-ground residential pool wall structure shall serve as a barrier where all of the following conditions are present:

1. Where only the pool wall serves as the barrier, the bottom of the wall is on grade, the top of the wall is not less than 48 inches (1219 mm) above grade for the entire perimeter of the pool, the wall complies with the requirements of Section 305.2 and the pool manufacturer allows the wall to serve as a barrier.
2. Where a barrier is mounted on top of the pool wall, the top of the barrier is not less than 48 inches (1219 mm) above grade for the entire perimeter of the pool, and the wall and the barrier on top of the wall comply with the requirements of Section 305.2
3. Any access ladder or steps shall be removable without tools and secured in an inaccessible position with a latching device not less than 54 inches (1372 mm) above the ground when the pool is not in use (A.R.S. § 36-1681-(C)-(4)).
4. Openings created by the securing, locking or removal of ladders and steps do not allow the passage of a 4- inch (102 mm) diameter sphere.
5. Barriers that are mounted on top of on-ground residential pool walls are installed in accordance with the pool manufacturer's instructions.

SECTION 305.6 – Natural barriers is hereby deleted and replaced with the following:

Section 305.6 - Natural barriers.

In the case where the pool or spa area abuts the edge of a lake or other natural body of water, public access is not permitted or allowed along the shoreline, and required barriers extend to and beyond the water's edge not less than 18 inches (457 mm), a barrier is not required between the natural body of water shoreline and the pool or spa.

SECTION 305.7 – Natural topography is hereby deleted and replaced with the following:

Section 305.7 - Natural topography.

Natural topography that prevents direct access to the pool or spa area shall include but not be limited to mountains and natural rock formations. A natural barrier approved by the governing body shall be acceptable provided that the degree of protection is not less than the protection afforded by the requirements of Sections 305.2 through 305

PART II FINDINGS AND DECLARATION

The Town of Dewey-Humboldt of Yavapai County, Arizona specifically and expressly finds and declares that the nature and uniqueness of the climate, terrain, and location does necessitate and demand specific amendments to the International Swimming Pool and Spa Code, 2012 Edition, which are stated in this ordinance.

The provisions of this ordinance and the code it incorporates are hereby declared to be severable, and if any section, sentence, clause, or phrase of this ordinance shall, for any reason, be held to be invalid or unconstitutional, such decisions shall not affect the remaining sections, sentences, clauses, or phrases of this ordinance, but they shall remain in effect, it being the legislative intent that this ordinance shall stand notwithstanding the validity of any part thereof.

PART III EFFECTIVE DATE

This ordinance shall take effect and be in force on the _____ day of _____ 2019.

Presented by:

Don Roberts
Building Official

Approved and adopted by the Town Council on the _____ day of _____ 2019.

Mayor Nolan

ORDINANCE 2019-12

AN ORDINANCE OF THE TOWN OF DEWEY-HUMBOLDT OF YAVAPAI COUNTY, ARIZONA REPEALING ORDINANCE 2008-1 RELATING TO THE INTERNATIONAL ENERGY CONSERVATION CODE FOR THE AREAS OF DEWEY-HUMBOLDT IN ITS ENTIRETY AND PROVIDING FOR THE ADOPTION OF THE INTERNATIONAL ENERGY CONSERVATION CODE, 2006 EDITION AS AMENDED HEREINAFTER.

THE TOWN OF DEWEY-HUMBOLDT OF YAVAPAI COUNTY, ARIZONA DOES ORDAIN AS FOLLOWS, PURSUANT TO ARS §11-268, A:

Dewey-Humboldt Ordinance 2014-8 is hereby repealed in its entirety and replaced with the following:

PART I ADOPTION

INTERNATIONAL ENERGY CONSERVATION CODE, 2006 EDITION ADOPTED BY REFERENCE

There is hereby adopted by reference, that certain document known as the International Energy Conservation Code, 2006 Edition, as published by the International Code Council. Said document is hereby amended and adopted as the International Energy Conservation Code to regulate the design and construction of buildings for the effective use of energy and all such regulations, provisions, penalties, conditions and terms of the International Energy Conservation Code, 2006 Edition, are hereby referred to, adopted and made part hereof, as set forth herein, excepting such portions as are hereinafter deleted, modified, or amended.

CHAPTER 1 ADMINISTRATION

SECTION 101 – SCOPE AND GENERAL REQUIREMENTS

SECTION 101.1 – Title is amended by the insertion of “Dewey-Humboldt.”

SECTION 101.4 - Applicability

SECTION 101.4.3 – Additions, alterations, renovations or repairs is hereby amended by revision of the first paragraph to read as follows:

101.4.3 – Additions, alterations, renovations or repairs. Addition, alteration, renovation or repairs to any legal existing building or its building system or portion thereof need not to conform to the provisions of this code as they relate to new construction provided the energy use is not increased. Additions, alterations, renovations, or repairs to any legal existing building shall not create an unsafe or hazardous condition or overload existing building systems.

SECTION 101.6 – Administration is hereby added as a new section to read as follows:

101.6 – Administration. The provisions for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of this code along with procedures for enforcement thereof is hereby referred to as the “**DEWEY-HUMBOLDT ADMINISTRATIVE BUILDING CODE, ORDINANCE 2014-1**” as adopted by Dewey-Humboldt and shall be considered part hereof as set forth herein, excepting such portions as are hereinafter deleted, modified and amended.

CHAPTER 2 DEFINITIONS

SECTION 201 – GENERAL

SECTION 201.3 – Terms defined in other codes are hereby amended as follows: Where terms are not defined in this code, such terms shall have the meanings ascribed in other code publications of the International Residential Code and the most recent Dewey-Humboldt Administrative Building Code. In the event there is a conflict between the aforementioned codes, the Dewey-Humboldt Administrative Building Code is superior.

SECTION 201.4 – Terms not defined is deleted in its entirety and amended to read as follows:

201.4 – Terms not defined. Where terms are not defined through the methods authorized by this Chapter, such terms shall have ordinarily accepted meanings such as the context implies. Webster's Third New International Dictionary of the English Language, Unabridged, shall be considered as providing ordinarily accepted meanings.

SECTION 202 – GENERAL DEFINITIONS is hereby amended by revision of the following terms:

BUILDING, LEGAL EXISTING. Any residential building as defined in this section, erected prior to the adoption of this code, or one which a legal building permit has been issued.

CODE OFFICIAL. Is the BUILDING OFFICIAL as defined in Section 102.13 of the "Dewey-Humboldt Administrative Building Code".

RESIDENTIAL BUILDING. For this code, includes detached one-and two-family dwellings and multiple single-family dwellings (townhouses) as well as Group R-2, R-3 and R-4 buildings three stories or less in height above grade plan.

PART II FINDINGS AND DECLARATION

The Town of Dewey-Humboldt of Yavapai County, Arizona specifically and expressly finds and declares that the nature and uniqueness of the climate, terrain, and location does necessitate and demand specific amendments to Dewey-Humboldt Ordinance 2014-1 – The International Energy Conservation Code 2006 Edition.

The provisions of this amendment, Ordinance 2018-1 and the code it incorporates are hereby declared to be severable, and if any section, sentence, clause, or phrase of this ordinance shall, for any reason, be held to be invalid or unconstitutional, such decisions shall not affect the remaining sections, sentences, clauses, or phrases of this ordinance, but they shall remain in effect, it being the legislative intent that this ordinance shall stand notwithstanding the validity of any part thereof.

PART III EFFECTIVE DATE

This ordinance shall take effect and be in force on the _____ day of _____ 2019.

Presented by:

Don Roberts
Building Official

Approved and adopted by the Town Council on the _____ day of _____ 2019.

Mayor Nolan

[Page intentionally left blank]



TOWN OF DEWEY-HUMBOLDT
P.O. BOX 69
HUMBOLDT, AZ 86329
Phone 928-632-7362 • Fax 928-632-7365

RECEIVED

AUG 13 2019

Dewey-Humboldt

COUNCIL AGENDA ACTION REQUEST FORM

Meeting Type: ☒ Regular ☐ Special ☒ Work Session

Meeting Date: Sept. 3, 2019

Date of Request: August 13, 2019

Requesting: ☒ Action ☒ Discussion or Report Only

Type of Action: ☐ Routine/Consent Agenda ☒ Regular

Agenda Item Text (a brief description for placement on the agenda; please be exact as this will be the wording used for the agenda):

REVIEW AND REVAMPING OF THE CODE VIOLATION COMPLAINT FORM

Purpose and Background Information (Detail of requested action). THE CODE VIOLATION COMPLAINT FORM NEEDS TO BE REVIEWED AND REVAMPED FOR MORE TRANSPARENCY

Staff Recommendation(s): 1. IF THE COMPLAINT IS A RESIDENT 2. HOW IS THIS IMPACTING THE COMPLAINT: SMELL; SIGHT; SAFETY DANGER 3. HOW FAR IS THE COMPLAINT FROM BUDGETED AMOUNT: THE PROBLEM 150 FT; 300 FT. 4. IS THE PROBLEM

List All Attachments: WITHIN YOUR CONSTANT SIGHT 24/7

Type of Presentation: ORAL

Special Equipment needed: ☐ Laptop ☐ Remote Microphone

☐ Overhead Projector

☐ Other: COPIES OF FORM

Contact Person: KAREN BROOKS

Note: Per Town Code §30.105(D): Any new item will be placed under "New Business" for the council to determine its disposition. It can be acted upon at that meeting, sent to staff for more work, sent to the appropriate board or commission, set for a work session or tabled for a future date, etc.



TOWN OF DEWEY-HUMBOLDT
P.O. BOX 69
HUMBOLDT, AZ 86329
Phone 928-632-8643 ▪ Fax 928-632-7365

Complaint and Investigation Request

<i>Office Use</i>	Intake Initials: _____
Date Received: _____	Case Number: _____
Intake: ☐ Phone ☐ Fax ☐ Mail ☐ In Person ☐ Email/Internet	

Name of Person Making Complaint: _____

Street Address: _____

City: _____ State: _____ Zip: _____

Work Phone: _____ Home Phone: _____

Email Address: _____

Address of Complaint/Violation: _____

Parcel of Complaint/Violation: _____

Owner Name: _____

Occupant Name: _____

Nature of the Complaint/Reason for investigation: _____

I CERTIFY (OR DECLARE) THAT THE FOREGOING IS TRUE AND CORRECT.

Complainant: _____ Date: _____
Signature

Name: _____
Printed

Every attempt is made to keep complaints confidential but cannot be guaranteed.



TOWN OF DEWEY-HUMBOLDT
P.O. BOX 69
HUMBOLDT, AZ 86329
Phone 928-632-7362 • Fax 928-632-7365

RECEIVED

AUG 30 2019

Dewey-Humboldt

COUNCIL AGENDA ACTION REQUEST FORM

Meeting Type: ☐ Regular ☐ Special ☒ Work Session

Meeting Date: Sept. 10, 2019

Date of Request: Aug 30, 2019

Requesting: ☐ Action ☒ Discussion or Report Only

Type of Action: ☐ Routine/Consent Agenda ☐ Regular

Agenda Item Text (a brief description for placement on the agenda; please be exact as this will be the wording used for the agenda):

Discuss update of 153.221 + 153.222 to allow less
Restrictions on Commercial Uses - town ignored this for one applicant
Purpose and Background Information (Detail of requested action).
Since the council ignored this code in 2018 and early 2019 to
allow a steel building for new business on Omega - it
proves we need affordable options to encourage new businesses
Staff Recommendation(s):

so we don't need it.
Direct Staff on this

Budgeted Amount: \$

List All Attachments: Town Code 153.221, 153.222

Type of Presentation: oral

Special Equipment needed: ☐ Laptop ☐ Remote Microphone
☐ Overhead Projector ☐ Other: _____

Contact Person: Lynn Collins

Note: Per Town Code §30.105(D): Any new item will be placed under "New Business" for the council to determine its disposition. It can be acted upon at that meeting, sent to staff for more work, sent to the appropriate board or commission, set for a work session or tabled for a future date, etc.

(suggested new wording is in all caps and suggested removals of existing wording is shown struck through)

153.221 BUILDING DESIGN AND ARCHITECTURAL STYLES, GENERALLY.

(A) New COMMERCIAL AND MULTI-FAMILY structures, additions, rehabilitation, and restoration of buildings shall be constructed to enhance ~~the appearance of the~~ CURRENT rural, small town environment of the town. Emphasis is on CREATIVE building designs compatible with THE RESIDENTIAL SCALE AND APPEARANCE OF THE VARIED OLDER BUILDINGS IN THE TOWN WHEN A NEW COMMERCIAL BUILDING IS PROPOSED IN AN EXISTING AREA OF RESIDENTIAL USES. EXCEPT THAT STEEL BUILDINGS ARE ALLOWED ALONG THE HIGHWAY FRONTAGES AS AN AFFORDABLE OPTION FOR COMMERCIAL DEVELOPEMENT WHEN ADEQUATE LANDSCAPING BUFFERS ARE PROVIDED FOR IN RESPONSE TO NEIGHBORHOOD INPUT. TO HELP PRESERVE THE EXISTING SMALL TOWN ENVIRONMENT IN THE TOWN, THE USE OF EXISTING RESIDENTIAL STRUCTURES FOR CONVERSION TO COMMERCIAL USE IS ENCOURAGED; INCLUDING THE USE OF MANUFACTURED HOMES WHEN ALREADY IN A ZONING DISTRICT WHICH ALLOWS THEM. THESE RESIDENTIAL STRUCTURES WILL HAVE TO CONFORM TO FIRE AND OTHER NECESSARY PUBLIC SAFETY REQUIREMENTS AS DETERMINED BY THE ZONING ADMINISTRATOR. ~~historic areas and with the building character described for the architectural styles that follow:~~

- ~~—(1) Territorial Commercial and Early 20th Century Commercial Architectural Style;~~
- ~~—(2) Mission Style;~~
- ~~—(3) Craftsman/Bungalow Style;~~
- ~~—(4) Contemporary Southwestern/Western Ranch Theme.~~

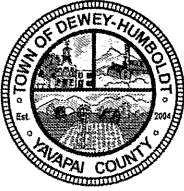
(B) Nothing in this subchapter is intended to require a replication of any historic OR OTHER architectural style. Creativity with compatibility is encouraged. ~~This is accomplished by first, conceiving of each building or structure as an integral part of a grouping of existing or proposed buildings within a block, neighborhood or area; and secondly, buildings are analyzed for significant character elements which are categorized and explained in this subchapter.~~

(Ord. 08-46, passed 12-16-2008)

Bookmark§ 153.222 BUILDING DESIGN COMPATIBILITY.

Proposed buildings and additions shall be similar IN HEIGHT ~~and compatible to~~ other buildings in the block, neighborhood or area in which they are situated, including adjacent buildings, fronting on and across the same street.; EXCEPT ADJACENT TO HIGHWAYS AS DISCUSSED IN 153.221.

(Ord. 08-46, passed 12-16-2008)



TOWN OF DEWEY-HUMBOLDT
P.O. BOX 69
HUMBOLDT, AZ 86329
Phone 928-632-7362 • Fax 928-632-7365

RECEIVED
AUG 30 2019
Dewey-Humboldt

COUNCIL AGENDA ACTION REQUEST FORM

Meeting Type: ☐ Regular ☐ Special ☒ Work Session

Meeting Date: Sept 10, 2019

Date of Request: Aug 30, 2019

Requesting: ☐ Action ☒ Discussion or Report Only

Type of Action: ☐ Routine/Consent Agenda ☐ Regular

Agenda Item Text (a brief description for placement on the agenda; please be exact as this will be the wording used for the agenda):

Discuss repealing redundant codes, 153.215 to 153.220 and 153.223 to 153.228 - possible direction to staff. ^{excessive/codes}

Purpose and Background Information (Detail of requested action). 153.215 to 153.220 all have been covered by other codes in ch. 153.

We have overreaching regulations in 153.223-153.228 that will mandate "cookie-cutter" NON-RURAL buildings

Staff Recommendation(s): _____

Budgeted Amount: _____

List All Attachments: 153.215 thru 153.228

Type of Presentation: oral

Special Equipment needed: ☐ Laptop ☐ Remote Microphone

☐ Overhead Projector ☐ Other: _____

Contact Person: Lynn Collins

Note: Per Town Code §30.105(D): Any new item will be placed under "New Business" for the council to determine its disposition. It can be acted upon at that meeting, sent to staff for more work, sent to the appropriate board or commission, set for a work session or tabled for a future date, etc.

Dewey-Humboldt, AZ Code of Ordinances

§ 153.215 INTRODUCTION AND PURPOSE.

(A) The Town Vision 2028 states: "*People live in Dewey-Humboldt because they like a slower pace, more elbow room, and a more rural character.*" The purpose of the Design and Development Standards subchapter of the zoning regulations is to pursue the town's vision, encouraging its "sense of place" to be maintained during growth and development.

(B) The intent of this subchapter is to encourage building designs that are compatible with other buildings, historic buildings and older areas of the town, and which appeal to the small-town, country-living environment. It is also the intent of this subchapter to mitigate impact of non-compatible adjacent uses through screening, outside lighting control and other regulatory considerations.

(C) In order to preserve the small town, rural identity of the town, new non-residential construction should address pedestrian orientation for usage and access as well as vehicular access; buildings need to be placed so as to visually contain the State Routes 69 and 169 corridors rather than expand the highway widths; parking should not dominate the frontage areas; and the aesthetics of building architectural styles and details must be considered significant factors.

(D) This subchapter addresses site/building orientation, parking setbacks and screening and building design and architectural styles, and makes reference to landscaping and screening, signs, parking, and outdoor light control, which are covered in other areas of this Chapter 153.

(Ord. 08-46, passed 12-16-2008)

§ 153.216 APPLICABILITY.

This subchapter shall apply to:

(A) All new multi-family and nonresidential development; except that single-family residences and agricultural buildings are exempted;

(B) Change of use from residential to non-residential where town approvals are required;

(C) Change of use from single-family to multi-family residential where town approvals are required; and

(D) Major expansion, remodeling, and renovation of existing buildings on a lot or building tract, or a related or stand-alone parking lot shall comply with the requirements of this subchapter.

(Ord. 08-46, passed 12-16-2008)

§ 153.217 PROCESS FOR PROPOSED DEVELOPMENTS.

(A) *Pre-application meeting and plan submittals.*

(1) Prior to submission of building plans, applicants are to meet with the Zoning Administrator or other designated official for consideration of design styles and standards for compliance with this subchapter.

(2) All plans for new development, major expansions, remodeling and renovation of existing buildings shall be submitted for review and approval following the procedures listed below.

(3) All submittals shall include an application, filing fees, a mailing list and affidavit of mailing, signed and notarized stating that notification to surrounding property owners within 300 feet of the project site is conducted; and a site plan drawn to scale and fully dimensioned, including the information specified below:

- (a) North arrow and scale of drawing;
- (b) Dimensioned lot lines of site;
- (c) Topographic contours;
- (d) Utility lines or easements;
- (e) Drainage ways;
- (f) Adjacent streets and alleys, drawn and dimensioned to the centerlines;

(g) All buildings, signs, light posts, fences, walls and other structures, all fully dimensioned and with dimensions between structures and lot lines, and all in compliance with §§ 153.218 through 153.220;

(h) On-site parking spaces and driveways, dimensioned and in compliance with § 153.219 and with §§ 153.110 and 153.111;

(i) Points of ingress and egress for both vehicles and pedestrians;

(j) Locations, dimensions and materials planned for walkways, landscaping and other outdoor amenities; and

(k) Locations of, and screening devices for, outdoor mechanical equipment and refuse collection areas, and for buffering adjacent residential uses, all in compliance with § 153.220.

(4) All submittals shall include a vicinity map depicting the properties to be considered for compatibility of building character in compliance with §§ 153.221 through 153.228.

(5) All submittals shall include architectural elevations of any building facade facing a street in compliance with §§ 153.221 through 153.228, relating to the following building design elements:

- (a) Height, scale, proportion and profile;
- (b) Building facade patterns and architectural features; and
- (c) Surface texture, materials and color.

(6) All submittals shall include design elevation and plan drawings of outdoor lighting structures and signs, in compliance with § 153.223(C)(6) and (7), and with §§ 153.125 through 153.138 and §§ 153.150 through 153.153.

(7) All submittals shall include landscape and irrigation plans depicting the locations, size and type of plant and irrigation materials to be installed in the following areas:

(a) Parkways between sidewalks and streets, and in parking areas as specified in §§ 153.110 and 153.111; and

(b) Along side or rear property lines when landscaping is used as screening materials between residential and non-residential uses or parking, as specified in § 153.220.

(B) *Administrative review.*

(1) When all of the submittal documents listed above have been received, the Zoning Administrator or other designated official shall review the application and project.

(2) The Zoning Administrator may request additional documents for further clarification of the proposed design elements.

(3) When the Zoning Administrator finds that the submittals are in compliance with this subchapter and other regulations of the town, the plans will be approved.

(4) The Zoning Administrator may approve modifications from these design and development regulations due to physical site constraints, such as difficult topography, soil conditions, drainage and other existing physical features. The Zoning Administrator's decision shall be written, specifying the reasons justifying the approval of a modification. No construction of the project, however, shall commence for at least 30 days after approval of a modification to allow for appeal of the Zoning Administrator's determination.

(C) *Appeals and legislative decisions.*

(1) Written requests for an appeal of the decision of the Zoning Administrator or from the terms of this subchapter shall be filed within the Planning and Zoning Department in accordance with procedures set forth in § 153.022, for public hearings to be held by the Planning and Zoning Commission and the Town Council; appeals shall be written, specifying the reasons for or against the requested modification(s).

(2) In designated historic districts and in any development project with potential significant impact, the Zoning Administrator may submit the application directly to the Planning and Zoning Commission and Town Council for decision and action.

(D) *Alterations and expansions.*

(1) Any alteration to (including exterior color changes) or expansion of a building or property which has received approval of plans in compliance with this chapter shall be required to file new submittals in accordance with town law, described above.

(2) All alterations and expansions shall comply with all provisions of the design and development standards of this subchapter.

(Ord. 08-46, passed 12-16-2008)

§ 153.218 BUILDING ORIENTATION.

(A) In keeping with the small town, rural identity of the town, it is necessary to mitigate the impact of high traffic corridors and significant vehicular access ways. Buildings shall be located at or near the front property lines, oriented to pedestrian traffic with parking to the side or rear of the building.

(B) All new buildings and additions to existing buildings shall maintain the same or similar front and side yard setbacks as those on the same block or blocks, except that no building shall be set back for the purpose of locating parking in the front yards; all parking shall be located in the rear or side yards.

(C) Pedestrian access ways shall be installed between the parking area and building, and along the street frontage where feasible.

(Ord. 08-46, passed 12-16-2008)

§ 153.219 PARKING SETBACKS.

(A) Parking areas, garages, carports, and accessory buildings shall be located behind the principal building with vehicular access consisting of a hard-surfaced, permanent driveway from the street through the side or front of the lot; the driveway shall comply with access regulations of the town; where alleys exist or are proposed, vehicular access MAY be from an alley through the rear yard;

(B) In no case shall parking areas, carports or garages be located in any front yard or closer to the frontage street than 20 feet behind the front of the principal building; and

(C) For specific parking requirements, refer to §§ 153.110 and 153.111.

(Ord. 08-46, passed 12-16-2008)

§ 153.220 PROTECTIVE SCREENS; FENCES, WALLS AND LANDSCAPE.

(A) Screening devices shall be similar in materials and height to those of other properties on the same block or blocks.

(B) Fences used for multi-family residences along street frontages shall have the appearance of spaced wood pickets, wrought iron, stone, brick or of the same materials as the residential buildings, and shall not exceed a maximum height of four feet.

(C) Where a non-residential use in the commercial or industrial districts abuts a residential use in a residential district, an opaque wall or fence, six feet in height above the average elevation of the ground level within a six-foot radius of the point of measurement on the fence or wall, shall be constructed along all common property lines of materials and finishes compatible with the adjacent residential building; such walls may be of masonry, double-sided wood fencing, stuccoed wood frame walls, native stone or rock veneered walls; a dense landscaping buffer may be substituted if approved by the Zoning Administrator; all protective screen walls in the front yard setback shall be lowered to four feet in height.

(D) Screening walls or fences shall be enhanced by the installation of 15-gallon drought tolerant trees, planted 20 feet on center along the screen walls; refer to § 153.080 for further Landscape and Screening regulations.

(E) Outside display for commercial uses shall also comply with the regulations in town law, including § 153.085, Outside Display-Commercial.

(F) Where a non-residential use occupies a portion of a residence and is adjacent to a purely residential use, screening shall be provided by an opaque fence or wall at least four feet in height, or by the planting of dense shrubbery capable of obtaining a minimum height of four feet within two growing seasons, or by a combination of both; such screening devices shall be located so as to screen on-site parking, refuse collection and mechanical equipment areas from the adjacent residence; refer to § 153.080 for further Landscape and Screening regulations.

(G) Tree and shrubbery species used for screening shall be selected from the Low Water Use Drought Tolerant Plant List of the Prescott Active Management Area, Arizona Department of Water Resources, and shall be additional to other on-site landscaping required by § 153.080.

(Ord. 08-46, passed 12-16-2008)

§ 153.221 BUILDING DESIGN AND ARCHITECTURAL STYLES, GENERALLY.

(A) New structures, additions, rehabilitation, and restoration of buildings shall be constructed to enhance the appearance of the rural, small town environment of the town. Emphasis is on building designs compatible with historic areas and with the building character described for the architectural styles that follow:

- (1) Territorial Commercial and Early 20th Century Commercial Architectural Style;
- (2) Mission Style;
- (3) Craftsman/Bungalow Style;
- (4) Contemporary Southwestern/Western Ranch Theme.

(B) Nothing in this subchapter is intended to require a replication of any historic architectural style. Creativity with compatibility is encouraged. This is accomplished by first, conceiving of each building or structure as an integral part of a grouping of existing or proposed buildings within a block, neighborhood or area; and secondly, buildings are analyzed for significant character elements which are categorized and explained in this subchapter.

(Ord. 08-46, passed 12-16-2008)

§ 153.222 BUILDING DESIGN COMPATIBILITY.

Proposed buildings and additions shall be similar and compatible to other buildings in the block, neighborhood or area in which they are situated, including adjacent buildings, fronting on and across the same street.

(Ord. 08-46, passed 12-16-2008)

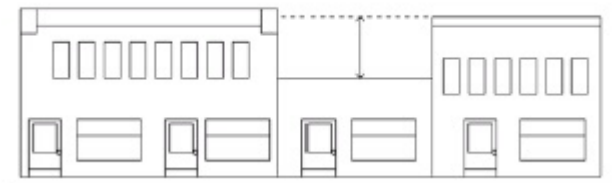
§ 153.223 BUILDING DESIGN ELEMENTS.

(A) *Generally.* Building design and architectural features establish the character of a building or complex of buildings. The character elements are comprised of the following:

- (1) Height, scale, proportion and profile;
- (2) Building facade patterns and architectural features; and
- (3) Surface texture and color.

(B) *Height, scale, proportion and profile.*

Building Height Similarity



(1) *Height.* All new buildings and additions shall be similar in height to that of other buildings on the same block or blocks, and shall comply with the height regulations that follow.

(a) The maximum building height is two stories, or 30 feet in all Residential Zoning Districts, except when a use permit is granted by the Planning and Zoning Commission and Town Council for three or four stories with maximum heights of 40 feet and 50 feet respectively in the Residential Multi-Family District, the Residential and Service District, and the Commercial Districts.

(b) Two stories may also be exceeded by the approval of a use permit in the Industrial Zones.

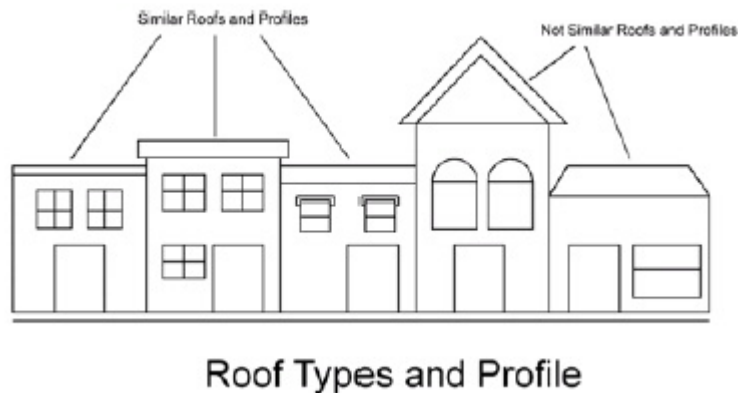
(c) Refer to § 153.091 for procedures on use permits.

(d) The maximum height of a building shall comply with the definition of **BUILDING HEIGHT** as specified in § 153.005 of this chapter.

(2) *Scale and proportion.* All new buildings and additions shall be similar in scale (relative size) and in proportion (ratio of building height to building width) as that of the majority of other buildings on its block or area, with emphasis on maintaining pedestrian related scale.



(3) *Profile.* All new buildings and additions shall have roof profiles similar to the majority of roof types and roof pitches on existing buildings on the same block or area.



(a) Where a pitched, rather than a flat roof, is to be used, similarity in the roof type and pitch is desired; and

(b) Where mechanical equipment is located on the roof, it shall be screened from view from the street, adjacent properties and surrounding hillside residences, by parapet walls or

screens consisting of the same or compatible materials, colors and textures as those of the building's walls.

(C) *Building façade patterns and architectural features.*

(1) *Facade patterns.* Any new or redeveloped building or addition, fronting on a street, shall have a regular arrangement of architectural features, i.e., a recurring alternation or pattern of solids (walls) and voids (windows and doors), similar to those on the same block or area in which it is located; blank, flat facades are prohibited; and:



Architectural Patterns

(a) Non-residential building facades shall be divided by structural piers, bays or other vertical architectural features at a maximum interval length of 25 feet, as illustrated below, or the same facade length as a majority of other buildings on the same block;



Building Width Patterns

(b) Multiple-family residential building facades planned for more than one lot, or for a lot wider than 50 feet, shall be divided by structural piers, bays or other architectural features at a maximum interval length of 25 feet; and

(c) Residential building facades shall be divided into a series of planes with bays, recesses, porches and other architectural features.

(2) Principal Entries and Doors shall be located so as to be the focal point of the facade of new and redeveloped buildings:

Entry Door Examples



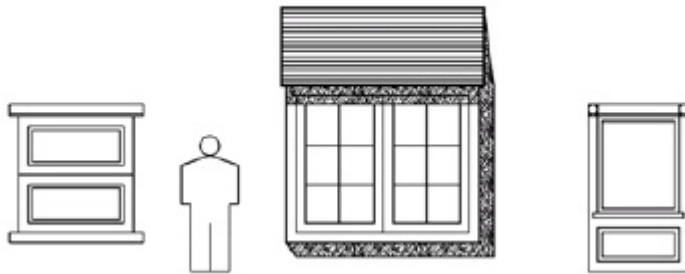
(a) Entries shall be protected from weather by being recessed or by the use of attached porches, pediments or small roofs;

(b) Entry and door designs shall be appropriate and similar to that of other buildings on the same block;

(c) Entries shall enhance pedestrian usage by being connected directly to safe, comfortable walkways or street sidewalks.

(3) Windows fronting streets shall be appropriate to their intended use, similar to the windows used in buildings on the same block, and shall be designed to relate to human scale and pedestrian views:

Window Examples



(a) To relate to the standing human form, windows shall be vertical or square, not horizontal;

(b) Windows shall be enhanced by molding, trim boards, pediments or other architectural detailing;

(c) Display windows storefronts shall have continuous awnings or canopies over display windows protecting pedestrians from weather;

(d) Large glazed wall areas and mirrored glass are prohibited, except that merchandise display windows in storefronts are permitted in accordance with facade length regulations previously specified in this section; and

(e) Windows on non-residential use buildings above the first floor shall not be located to overlook adjacent residential uses.

(4) Porches shall be attached to front facades of residential buildings having a minimum depth of six feet, and:

(a) Occupying at least 30% of the total building façade length of attached multiple-family dwellings; and

(b) Vertical columns or posts shall support the porch roof and be appropriately spaced to continue the emphasis of vertical human scale.

(5) Other architectural features, such as awnings, canopies, balconies, recessed or relief bands of detailing and kick plate panels, are encouraged and shall be compatible with the building to which they are attached and with the intent of this subchapter.

(6) *Exterior signs.*

(a) All signs shall be an integral part of the building design, complementing it in appearance, color, size and location; and, shall comply with §§ 153.125 through 153.138.

(b) Signs for multi-family and non-residential uses in designated historic districts shall be regulated by sign design criteria as specified in the district.

(c) Off-premise signs or billboards are not permitted in any designated historic district, except where off-site advertising signs were historically painted directly on walls of buildings in the historic district.

(d) All signs and graphic symbols shall be designed in character and color with the building, use and purpose of the zoning district in which it is located, as well as with that of adjacent buildings.

(e) Signs intended for pedestrian viewing shall be scaled for the pedestrian and be located at pedestrian levels with letter height sizes of three to six inches.

(f) Banners, pennants, bunting and other special event signage are permitted for the identification of special cultural districts and events, and for customary seasonal or holiday decorations, subject to review by the Zoning Administrator when proposed for locations in public rights-of-way.

(g) Illuminated signs shall not be located in yards adjacent to residential districts.

(7) *Building exterior and outdoor lighting.*

(a) All outdoor lighting shall comply with §§ 153.150 through 153.153 of this Chapter and be fully shielded and oriented down and away from adjacent properties and streets, except for historic lampposts in designated historic districts.

(b) In the Multi-Family Residential and in the Residential and Service Districts, all lighting shall be low-intensity, wall-mounted, with a "front porch light" appearance, or low-intensity, low-profile and ground-mounted.

(c) In the Commercial and Industrial Districts, wall- and fascia-mounted lights shall be attached so that no part of the light source or structure exceeds the building's roof line.

(d) *Exceptions.*

1. Decorative white or colored light bulbs, not exceeding four watts, which may be strung along building roof lines and architectural features to create an outline effect, and other decorative lights customary to seasonal holidays of a temporary duration.

2. In the Commercial and Industrial Districts where high-profile lighting is necessary for security purposes, freestanding light structures may be permitted at a height not exceeding 18 feet measured from the surface intended for illumination to the highest point of the light source or structure.

3. Freestanding light structures and wall- or fascia-mounted lights shall not be located in yards adjacent to residential districts.

(D) *Building surface texture and color.*

(1) Exterior textures of all new buildings, additions and rehabilitation of buildings shall respect and be similar to the exterior texture of buildings on the same block or blocks:

(a) Exterior walls fronting streets shall be constructed of, or surfaced with, brick, stucco, horizontal or shingled siding, granite or cut stone, or other materials found on existing buildings on the same block, except that flat or corrugated metal sheeting is prohibited.

(b) No more than two different materials shall be used to cover the primary wall areas of a building facade, not including trim or accent materials, such as stone, wood or brick.

(2) Exterior colors of all new buildings, additions and rehabilitation of buildings shall respect and be complementary to colors and tones of buildings on the same block or blocks:

(a) The base colors of exterior walls fronting on streets and alleys shall be the natural color of the material of brick or stone, or be of the same hue, a tone of the same hue, or a contrasting hue which complements an adjacent building or group of buildings.

(b) Trim and accent colors shall complement the wall base color and that of adjacent buildings on the same block.

(c) Earth tones, muted colors and warm off-whites are generally acceptable, while colors that visually overpower adjacent buildings are prohibited.

(Ord. 08-46, passed 12-16-2008)

§ 153.224 ARCHITECTURAL STYLES AND THEMES, GENERALLY.

In order to retain the small town, rural identity of the town, new non-residential uses shall be designed to be compatible with existing historic structures; or shall be designed to be compatible with a selection of architectural themes described in this subchapter. It is not the intent or purpose of this subchapter to require the replication of any historic style or structure. Rather, the intent is to encourage building designs that are compatible with other buildings and which appeal to the small-town, country-living environment of the town. Emphasis is on architecture that relates to human scale and enhances inter-personal resident experiences and pedestrian access. The following list of styles and architectural themes are offered as appropriate examples, but creativity is strongly encouraged:

(A) Territorial Commercial (before 1912 statehood) and Early 20th Century Commercial Architectural Style (built +/- 1912 to +/- 1930);

(B) Mission Style;

(C) Craftsman/Bungalow Style; and

(D) Contemporary Southwestern/Western Ranch Theme.

(Ord. 08-46, passed 12-16-2008)

§ 153.225 LATE TERRITORIAL COMMERCIAL AND EARLY 20TH CENTURY COMMERCIAL.

These styles relate to buildings generally constructed just prior to, and in the first few decades of, the 20th Century in business areas. These are prevalent historic styles in commercial areas of the region. Excellent examples can be found in the Courthouse Plaza Historic Preservation District in downtown Prescott. Prominent design features are noted below:

- (A) Buildings are located at front property lines, not setback.
- (B) Walls are of natural colored stone and brick masonry with flat roofs screened by parapet walls (vertical extension of facade above the actual roof line), usually 4 feet above roof.
- (C) Typical one-story building is 16 feet to 24 feet in height and two-story buildings are 28 feet to 36 feet in height.
- (D) Typical building proportions: One-story building of 25 feet width to a height of 16 feet to 18 feet; while a one-story, 75-foot wide building has a height of 20 feet to 24 feet.
- (E) Scale and mass of buildings are similar with windows and doors aligned in adjacent groupings of buildings.
- (F) First floors contain commercial uses, while upper floors contain offices or residential uses.
- (G) First floor architecture reflects pedestrian access with strong vertical orientation of windows and doors; below storefront windows are opaque three-foot high bottom panels; doors are topped by transom windows.
- (H) Typically the maximum spacing between windows is ten feet; the minimum wall surface from a window opening to the corner of a building is three feet; the minimum wall area above a window is one and one-half feet and the maximum wall below is four feet.
- (I) Architectural details such as medallions, rows of brick patterns (corbelling), arches, cornices (projections at top of wall), or columns enhance facades.
- (J) Fabric awnings are often above windows and doors.
- (K) Signs are usually flat against building facade; no roof mounted or moving signs.
- (L) Trees and shrubs for shading pedestrian areas are along street right-of-way, not located within building lot; hanging planters often are suspended from building structures.
- (M) Parking and loading areas are behind buildings.
- (N) Examples of historic Late Territorial/Early 20th Century Commercial buildings and a contemporary infill building are shown below.

Territorial Commercial/Early 20th Century Commercial -
Historic Whiskey Row



Contemporary-Infill building on left

(Ord. 08-46, passed 12-16-2008)

§ 153.226 MISSION STYLE.

This style is not common in the region, the Mission Style's prominent features are tile covered, gabled or hipped roofs, stucco walls and arched entrances. An example is the former Santa Fe Railway Depot, built in 1907, in downtown Prescott, shown below.

Historic Mission Style



Contemporary Mission Style



(Ord. 08-46, passed 12-16-2008)

§ 153.227 CRAFTSMAN/BUNGALOW STYLE.

This style is usually found in residential structures, but contains features that may be used in commercial construction, such as broad, simple eaves with exposed rafters, recessed porch or veranda extending along the full width, or at least half, of the building's frontage; wood, stone and stucco are common materials. Examples of homes built in the Craftsman/Bungalow Style in the first quarter of the 20th Century can be found on many streets near downtown Prescott and other

areas of the region. Examples of historic Craftsman/Bungalows used for businesses and a contemporary version are shown below.

Historic Craftsman/Bungalows



Contemporary Craftsman/Bungalow Style



(Ord. 08-46, passed 12-16-2008)

§ 153.228 CONTEMPORARY SOUTHWESTERN RANCH THEME.

This style is not based on a historic style, but compatible in scale, mass, alignment of architectural features and details, building orientation, setbacks and parking placement. The theme emphasizes low building mass: wider and longer than tall. The building usually is characterized by broad overhangs and full-width or wrap-around porches extending from the main roof structure. Exterior materials may be of wood, stucco, brick, stone, adobe or combinations of not more than two of these materials. Roofs may be gabled or hipped with tile or shingles, or flat with parapet walls. Windows and doors are vertically oriented to pedestrians. An example of a contemporary Southwestern Ranch style building is shown below.



(Ord. 08-46, passed 12-16-2008)

[Page intentionally left blank]



COUNCIL COMMUNICATION

Study Session Meeting Date: **September 10, 2019**

Agenda Item: **3.G.**

Submitted by: Edward L. Hanks, Jr., Town Manager

Subject:

Overview and discussion of the proposed Fiscal Year 2019/20 Accountability Agreement for agencies receiving funding from the Town.

Purpose:

To present the draft Fiscal Year 2019/20 Accountability Agreement template for Council review and feedback. Note: Agreements with individual entities will be presented to Council separately for review and approval.

Background:

The Town historically enters into Accountability Agreements with agencies who are approved to receive funding in the budget. The agreements establish the parameters within which the agencies must utilize the funding, as well as detailing how the agency is required to report to the Town.

Financial Impact:

Costs to the Town will be as were approved in the Fiscal Year 2019/20 Budget. The budget included the following contributions, which will be subject to accountability agreements:

- Coldwater Conservancy: \$1,500
- Dewey-Humboldt Historical Society (DHHS):
 - o \$4,800 for storage
 - o \$2,500 for the Agua Fria Festival
 - o \$3,000 for Museum costs
- Mayer Area Meals on Wheels: \$4,000
- Prescott Area Wildland Urban Interface Commission: \$4,000

Note: The Council also approved the donation of permit fees to the Agua Fria Little League; however, this contribution will not require an Accountability Agreement.

Attachments:

Draft Accountability Agreement template.

ACCOUNTABILITY CONTRACT

This Agreement is entered into this ___ day of _____, 20__ by and between the Town of Dewey-Humboldt, Arizona, an Arizona municipal corporation (hereinafter referred to as “Dewey-Humboldt”) and _____ (hereinafter referred to as “Contractor”).

RECITALS:

1. The Dewey-Humboldt Council finds that Contractor is offering services that benefit the Dewey-Humboldt community and that it is therefore appropriate for Contractor to receive public funds in support of its facility, services benefitting the community, and operations.

Now, therefore, in consideration of the mutual covenants between the parties, it is agreed as follows:

1. **DURATION OF AGREEMENT:** The duration of the Agreement shall be from July 1, 2019, until June 30, 2020.
2. **SCOPE OF WORK:** Contractor agrees to use funds received from Dewey-Humboldt to provide _____ (“Services”) meeting the criteria set forth in **Exhibit A** of this Agreement. Contractor also agrees to maintain accurate financial records to enable Dewey-Humboldt to verify that the funds provided under this Agreement are expended in accordance with this Contract. Contractor shall comply with all applicable federal, state and local laws and regulations.
3. **COMPENSATION:** Dewey-Humboldt shall compensate Contractor for the Services in the amount of \$ _____. Such funds shall only be used for the purposes set forth in **Exhibit A**.
4. **REPORTING:** At the completion of the Services, Contractor shall submit to Dewey-Humboldt an itemized report setting forth how the funds received from Dewey-Humboldt were expended.
5. **INSPECTION:** Within five (5) days of receipt of a written request from Dewey-Humboldt, Contractor agrees to open for inspection and to make available all financial records relating to the Services.
6. **CONTRACT NONCOMPLIANCE:** If Dewey-Humboldt, in its sole discretion, determines Contractor is in breach of this Agreement, Dewey-Humboldt shall give written notice to Contractor of the specific area of noncompliance. Contractor shall comply within 30 calendar days of the date of notice.
7. **TERMINATION FOR CAUSE:** If Contractor does not comply within 30 calendar days from the date of the notice of breach, Dewey-Humboldt may terminate this Agreement.

Contractor shall immediately return to Dewey-Humboldt all funds not spent for the services described in **Exhibit A**.

8. **TERMINATION PURSUANT TO A.R.S. § 38-511:** Dewey-Humboldt may terminate this Agreement pursuant to A.R.S. § 38-511.
9. **INDEMNIFICATION:** Contractor agrees to hold harmless and indemnify Dewey-Humboldt from any loss, damage, liability, cost, charge or expense, whether direct or indirect, including reasonable attorney's fees, and whether to any person or property to which Dewey-Humboldt, its agents, employees or said parties may be subject to related to the Services, including, but not limited to, actions for bodily injury, illness, death or property damage.
10. **INDEPENDENT CONTRACTOR:** Contractor is an independent contractor and not an agent or employee of Dewey-Humboldt. Contractor shall supervise and direct the Services using Contractor's best skill and attention. Contractor shall be solely responsible for all staffing, curriculum, scheduling, supplies, equipment for and transportation of participants to events for Services. Contractor shall be responsible to its employees, volunteers, Dewey-Humboldt employees and other persons performing any services related to the Services as set forth in this Agreement.
11. **ENTIRE AGREEMENT; AMENDMENTS:** This Agreement represents the entire agreement between the parties with respect to the subject matter hereof. This Agreement may not be amended except through an appropriate writing signed by both parties.
12. **ASSIGNMENT PROHIBITED:** Contractor shall not assign any rights acquired hereby, without first obtaining the written consent of Dewey-Humboldt.
13. **INSURANCE:** Contractor agrees that it will carry the following insurance coverage during the term of this Agreement:

General Liability Insurance: \$1,000,000.00 per occurrence.

Contractor shall submit certificates of insurance acceptable to Dewey-Humboldt and warrants that such coverage(s) shall be maintained in full force and effect until Contractor is released from this Contract. Further, Dewey-Humboldt shall be named as an additional insured with respect to the services to be performed under this Contract.
14. **NO DISCRIMINATION:** Neither Contractor nor its employees or agents will discriminate on the basis of race, religion, handicap, gender or national origin in providing the Services.
15. **NON-BOYCOTT OF ISRAEL:** Contractor certifies that it is not currently engaged in, and agrees for the duration of this Agreement that it will not engage in, a boycott of Israel, as that term is defined in A.R.S. § 35-393.

16. **IMMIGRATION LAW WARRANTY:** As required by A.R.S. § 41-4401, Contractor hereby warrants its compliance with all federal immigration laws and regulations that relate to its employees and A.R.S. § 23-214(A). Contractor further warrants that after hiring an employee, Contractor verifies the employment eligibility of the employee through the E-Verify program. If Contractor uses any subcontractors in performance of the services, subcontractors shall warrant their compliance with all federal immigration laws and regulations that relate to its employees and A.R.S. § 23-214(A), and subcontractors shall further warrant that after hiring an employee, such subcontractor verifies the employment eligibility of the employee through the E-Verify program. A breach of this warranty shall be deemed a material breach of the Contract that is subject to penalties up to and including termination of the Contract.
17. **NOTICES:** All notice provided for herein shall be hand delivered, delivered by overnight courier (e.g., Federal Express) or sent by certified or registered mail, return receipt requested, addressed to all parties hereto at the address designated for each party beside its signature or at such other address as the party who is to receive such notice may designate in writing. Notice shall be deemed completed upon: (i) such hand delivery or courier delivery or (ii) three (3) days after the deposit of same in a letter box or other means provided for the posting of mail, addressed to the party and with the proper amount of postage affixed thereto. Except as otherwise herein provided, actual receipt of notice shall not be required to effect notice hereunder.

DEWEY-HUMBOLDT:

Town Manager
Town of Dewey-Humboldt
P.O. Box 69
Dewey-Humboldt, Arizona 86329

CONTRACTOR:

Representative Name
Contractor Name

IN WITNESS WHEREOF, the parties hereto have hereunto subscribed their names,

For Contractor

(Signature)

Title

For Dewey-Humboldt

Terry Nolan, Mayor

Attest:

Town Clerk

Approved as to Form:

Kay Bigelow
Bigelow Law Offices, PLC

EXHIBIT A
SCOPE OF WORK

The Contractor agrees to use the funds received from Dewey-Humboldt only for the following services:

DRAFT

[Page intentionally left blank]



COUNCIL COMMUNICATION

Study Session Meeting Date: **September 10, 2019**

Agenda Item: **3.H.**

Submitted by: Edward L. Hanks, Jr., Town Manager

Subject:

Town Manager update and discussion on the Business License ordinance. Discussion may include a timeline of events that need to take place prior to implementation, statutory notice requirements, fees, and requirements to include in the ordinance.

Purpose:

To provide a status update on the Business License ordinance and the process to implement a Business License.

Background:

At the July 2 and July 16, 2019, Regular Council Meetings, Council authorized staff to proceed with the steps required to implement a Business License, with staff to report back to Council throughout the process.

Financial Impact:

Based on Council discussion at the July 2, 2019, Regular Council Meeting, staff is proceeding with a \$25 annual business license fee, which will be used for associated administrative costs.

Attachments:

None.

[Page intentionally left blank]



COUNCIL COMMUNICATION

Study Session Meeting Date: **September 10, 2019**

Agenda Item: **3.I.**

Submitted by: Edward L. Hanks, Jr., Town Manager

Subject:

Town Manager update and discussion on the Peddlers License ordinance. Discussion may include a timeline of events that need to take place prior to implementation, statutory notice requirements, fees, and requirements to include in the ordinance.

Purpose:

Staff will provide a status update on the Peddlers License ordinance and the process to implement a Peddlers License, and is seeking feedback from Council on a fee amount.

Background:

At the July 2 and July 16, 2019, Regular Council Meetings, Council authorized staff to proceed with the steps required to implement a Peddlers License, with staff to report back to Council throughout the process.

As directed by Council on July 16, the ordinance will include a detailed description of the types of sales that will require a Peddlers License.

Financial Impact:

Staff is requesting Council feedback on the fee for a Peddlers License. Any fees collected will be utilized for associated administrative costs.

Attachments:

None.