

Article 10-1 COMPREHENSIVE BUILDING SAFETY CODE

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Section 10-1-1 Adoption *

The following described documents including amendments thereto are hereby adopted by reference as the code for regulating the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment use, height, area and maintenance of buildings, structures and improvements in the Town of Carefree and for regulating conditions, hazards to life and property from fire or explosions. Each and all of the following regulations, provisions, conditions and terms of the following described documents and amendments thereto are hereby referred to, adopted and made a part of this chapter as though fully set forth therein unless any portion thereof is in conflict with the Town of Carefree Zoning Ordinance which shall take precedence:

- A. "2018 International Building Code and Amendments" (collectively "IBC"); published by International Code Council, Inc.
- B. "2018 International Residential Code and Amendments" (collectively "IRC"); published by International Code Council, Inc.
- C. "2018 International Plumbing Code, and Amendments" (collectively "IPC"); published by International Code Council, Inc.
- D. "2017 National Electrical Code and Amendments" (collectively "NEC"); published by National Fire Protection Association, Inc.
- E. "2018 International Mechanical Code and Amendments" (collectively "IMC"); published by International Code Council, Inc.
- F. "2018 International Fire Code and Amendments" (collectively "IFC"); published by International Code Council, Inc.
- G. "2018 International Energy Conservation Code and Amendments" (collectively "IECC"); published by International Code Council.
- H. "2018 International Fuel Gas Code" and Amendments" (collectively "IFGC"); published by International Code Council, Inc.
- I. That certain document entitled, "The Town of Carefree Adobe Code," dated April 1985 and amendments.
- J. That certain document entitled, "Conducting Blasting Operations Code," dated November 1998 and amendments.
- K. "2018 International Property Maintenance Code and Amendments" (collectively "IPMC"); published by International Code Council, Inc.

The IBC, IRC, IPC, NEC, IMC, IFC, UADB and USP are "codes" within the meaning of A.R.S. section 9-801. The Town of Carefree Adobe Code and Conducting Blasting Operations Code are hereby declared to be a public record of the Town of Carefree. Three copies of each of the foregoing documents have been and shall remain on file in the office of the town clerk and kept available for use and inspection by the public during office hours.

Section 10-1-2 Amendments *

A. Amendments to 2018 International Building Code.

Effective January 24, 2023, there is herewith adopted, by reference, the International Building Code, 2018 Edition, by ordinance of the Mayor and Council of the Town of Carefree by reference thereto, as fully and completely as if the terms thereof were fully set forth herein, in total, except as modified or changed as follows:

(1) Chapter 1, "Administration", is hereby amended as follows:

Section 101.1 Title. Insert the words "Town of Carefree" as the [NAME OF JURISDICTION]. Also add, "The fees and administrative provisions of Chapter 1 of this Code shall apply to all the adopted technical codes. When there is a conflict between these provisions and those of another technical code, these provisions shall apply. Where there is an administrative provision contained in another technical code and not in this code, then the administrative provision of the technical code shall apply."

Section 105.1.1 Annual permit. Delete this section in its entirety.

Section 105.2 Work exempt from permit. Delete this section in its entirety.

Section 105.5.1 Expiration of additions and remodels. Amend to read as follows:

Every remodel and addition shall be completed within 180 days from the date the permit is issued, or the permit will expire. ~~The Building Official shall be authorized to grant one extension of time for a period not to exceed 180 days so long as the request is made before expiration of the permit.~~

ADD

*One extension may be granted by the Building Official on a case-by-case basis. For a period to be determined by the Building Official due to extenuated circumstances. Extension requests must be delivered to the Building Official in writing prior to 180-day expiration. *

Permits shall not be extended more than once and all requests for extensions shall be in writing. In order to renew action on a permit after expiration, a new permit fee in the full amount shall be paid based on the current fee schedule adopted by the Town.

Section 109.3 Building permit valuations. The following paragraphs shall be added after the last sentence: For the purposes of determining valuations, the most current building valuation data as published by the International Code Council in Building Safety Journal magazine, as such data is published from time to time, shall be used. The valuation for any shell-only buildings shall be permitted to be reduced by 20 percent. The valuation for any foundation-only permit shall be permitted to be reduced by 75 percent. When a foundation-only permit authorized by the Building Official, it shall be permitted to include the foundation, interior underground utilities and any interior slab-work when so specified. Any valuation not specifically provided for shall be determined by the Building Official and shall be classified in the use and construction type it most nearly resembles. For the purposes of determining the fire permit valuation, the most current building valuation data as published by the International Code Council in Building Safety Journal magazine, as such data is published from time to time, shall be used to determine fire permit fee from Table 1-E, Section A. Any valuation not specifically provided for shall be determined by the Building Official and shall

be classified in the use and construction type it most nearly resembles.

Section 109.4 Work commencing before permit issuance. Add the following to the end of this subsection: This fee shall be equal to the amount of the plan review and permit fee required by the adopted fees of the Town. The payment of such fee shall not exempt an applicant from nor from the penalty prescribed by law.

Section 109.6 Refunds. This subsection shall be revised in its entirety to read as follows:

Refunds. The Building Official shall be permitted to authorize refunding of a fee paid here under which was erroneously paid or collected. The Building Official shall be permitted to authorize refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code. The Building Official shall be permitted to authorize refunding of not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any examination time has been expended. The Building Official shall not be permitted to authorize refunding of any fee paid except upon written application filed by the original permittee not later than 90 days after the date of fee payment.

Add the following two subsections:

Section 109.7 Plan review fees. Said plan review fee shall be 65 percent of the permit fee as shown in Tables 1-A through 1-D in subsection 108.8. When a plan review for compliance with the Fire Code (exclusive of fire/smoke detection and/or suppressions systems) is required, a plan review fee of 35 percent of the previously stated 65 percent plan review fee shall be charged. Any submittals that require three or more reviews shall be charged an hourly rate of \$100.00 per review with a minimum rate of \$100.00. Fire systems plan review fee shall be 65 percent of the permit fee as shown in Tables 1- E, Section A. In no case shall any plan review fee be less than \$35.00 except as stated otherwise in subsection 109.8.

Section 109.8 Fee schedule. Unless otherwise indicated, the following fees will be applicable to residential and non-residential projects. Fire protection/suppression permits for new structures and modifications for fire protection/suppression systems shall be as listed in Table 1-E, Section B.

Permits for Existing Residential (R-3) Buildings, swimming pools, including but not limited to, interior alterations, detached garages, carports, storage sheds, patio covers and gazebos, shall be charged a building permit fee based on Table 1-A and a plan review fee of 65% of the building permit fee. For habitable room additions, the permit fee shall be based on Table 1-A and the plan review fee shall be 65% of the building permit fee. Revisions to any of the above types of plans shall be charged a \$50.00 plan review fee per hour.

TABLE 1-A BUILDING PERMIT & PLAN REVIEW FEES

TOTAL VALUATION	BUILDING PERMIT FEES
\$1.00 to \$500.00	\$25.00
\$501.00 to \$2,000.00	\$25.00 for the first \$500.00 plus \$3.00 for each additional \$100.00 or fraction thereof, to and including \$2,000.00
\$2,001.00 to \$25,000.00	\$65.00 for the first \$2,000.00 plus \$15.00 for each additional \$1,000.00 or fraction thereof, to and including \$25,000.00
\$25,001.00 to \$50,000.00	\$410.00 for the first \$25,000.00 plus \$13.00 for each additional \$1,000.00 or fraction thereof, to and including \$50,000.00
\$50,001.00 to \$100,000.00	\$735.00 for the first \$50,000.00 plus \$10.00 for each additional \$1,000.00 or fraction thereof, to and

	including \$100,000.00
\$100,001.00 to \$500,000.00	\$1,250.00 for the first \$100,000.00 plus \$9.00 for each additional \$1,000.00 or fraction thereof, to and including \$500,000.00
\$500,001.00 to \$1,000,000.00	\$4,850.00 for the first \$500,000.00 plus \$14.00 for each additional \$1,000.00 or fraction thereof, to and including \$1,000,000.00
\$1,000,001.00 and up	\$11,850.00 for the first \$1,000,000.00 plus \$5.00 for each additional \$1,000.00 or fraction thereof

Other Inspections and Fees:

(Applies to building, structural, electrical, mechanical and plumbing).

1. Inspections outside of normal business hours (minimum charge - 4 hours, collected prior to conducting inspection(s) 100.00 per hour
2. Re-inspection fees \$100.00 per hour*
3. Inspections or administrative services for which no fee is specifically indicated \$100.00 per hour*
4. Additional review required by changes, additions, or lost plans or plan review comment sheets (minimum charge 1 hour) \$100.00 per hour
5. For use of outside consultants for plan checking and/or inspections Actual Cost**
6. Site plan review (or revision) for residential standard plan submittals \$50.00 each
7. Review of deferred submittals (submitted after initial plan review) \$175.00 per submittal
8. Certificate of Occupancy permit (except R-3 single-family accessory uses) \$50.00 per building or "shell" plus \$25.00 for each additional non-residential tenant improvement. \$25.00 per building for R-3 single-family. All Certificate of Occupancy permit fees (except those in #9 below) shall be collected at time of permit issuance.
9. Temporary, partial or conditional Certificate of Occupancy Same as for Certificate of Occupancy in #8 above and shall be collected prior to conducting inspection.
10. Replication of plans (when legally authorized) Actual replication cost plus \$100.00
11. Annual renewal of standard residential plans (per plan) \$30.00
12. Annual renewal of standard swimming pool plans (per plan) \$30.00
13. Expedited plan review of commercial/industrial/multifamily projects Double plan review fee
14. Preliminary fee for standard residential plans \$500.00 per standard plan, due at submittal
15. Written response to request for bldg. code or bldg. safety division policy issues \$50.00
16. Stamping of additional approved plans (after the 2 initially submitted sets). \$50.00 each
17. Fee for annual permit per section 105.1.1 \$500.00
18. Public schools will only be charged the actual costs incurred from plan review and/or inspection by consultants as well as any re-inspection fees as specified in #2 above and section 108.8.

* Or the total hourly cost to the jurisdiction, whichever is greater. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.

Minimum charge: one hour.

** Actual costs include consultant's fees and town administration and overhead costs at the rate of \$100.00 per hour with a minimum charge of one hour, or normal plan review fees, whichever is greater.

Section 113.1 General. Amend as follows: The Board of Adjustment to serve as the Board of Appeals. In order to determine the suitability of alternate materials and methods of construction and to provide for reasonable interpretation of the provisions of this code, there shall be and is hereby created a Board of Appeals. The Building Official shall be an ex-officio member of and shall act as secretary to said Board. The members of the Board of Adjustments from time to time in office shall constitute the Board of Appeals. Appeals to the Board shall be processed in accordance with the provisions of this code. Copies of all rules or regulations adopted by the Board shall be delivered to the Building Official, who shall make them freely

accessible to the public.

Add the following subsections:

Section 113.4 Application. The application shall be filed in writing and submitted to the Building Official within 20 calendar days after the notice was served.

Section 113.5 Notice of meeting. The board shall meet upon notice from the Building Official, Fire Official or Code Enforcement Manager within ten calendar days of the filing of an appeal.

Section 113.5.1 Open hearing. All hearings before the board shall be open to the public. The appellant, the appellant's representative, the Building Official, the Fire Official, the Code Enforcement Manager and any person whose interests are affected shall be given an opportunity to be heard.

Section 113.5.2 Postponed hearing. When five members are not present to hear an appeal, either the appellant or the appellant's representative shall have the right to request a postponement of the hearing.

Section 113.5.3 Board decision. The board shall modify or reverse the decision of the Building Official, Fire Official or Code Enforcement Manager by a majority vote of its members.

Section 113.5.4 Administration. The Building Official, Fire Official and Code Enforcement Manager shall take immediate action in accordance with the decision of the board.

Section 114.4 Violation penalties. Delete this section in its entirety and add Violation penalties are set forth in Carefree Town Code Chapter 10, Section 10-1-5.

Section 115.3 Revise this section by deleting "prescribed by law" and replacing with set forth in Carefree Town Code Chapter 10, Section 10-1-5.

(3) Chapter 3, "Use and Occupancy Classification", is hereby amended as follows:

Sections 308.2, 308.3, 310.1, 310.1.1, 310.1.2 and 310.2 of Section 308, "Institutional Group I", to read as follows:

Section 308.2 Institutional Group I-1. This occupancy shall include buildings, structures or parts thereof housing more than 10 persons on a 24-hour basis who because of age, mental disability or other reasons, live in a residential environment that provides supervisory care services. The occupants are capable of responding to an emergency situation without physical assistance from staff. This group shall include, but not be limited to, the following:

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

A facility such as the above with 5 or fewer persons shall be classified as a Group R-4 Condition 1 or shall comply with the *International Residential Code* in accordance with Section 101.2 where the building is in compliance with Section 419 of this code.

Section 308.2.3 Revise section by deleting 16 and replacing with 10.

Section 308.3 .2 Five or fewer persons receiving medical care. Delete this section in its entirety.

Section 310.4.1 Care facilities within a dwelling. Revise section by adding “that are capable of self-preservation following “Care facilities for five or fewer persons”.

Section 310.5 Residential Group R-4. Revise section by deleting 16 and replacing it with 10.

Section 1612.3 Revise by inserting “Town of Carefree” as the [NAME OF JURISDICTION] and Date of most recent issuance for [DATE OF ISSUANCE].

B. Amendments to 2018 International Residential Code.

Effective January 24, 2023, there is herewith adopted, by reference, the International Residential Code, 2018 Edition, published by the International Code Council, be and the same are hereby adopted as the Code of the Town of Carefree for regulating the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area, and maintenance of all buildings or structures as defined in this Code in the Town of Carefree providing for issuance of permits and collection of fees therefore and each and all of the regulations, provisions, conditions and terms of such International Residential Code, 2018 Edition, published by ordinance of the Mayor and Council of the Town of Carefree, by reference in total and as if each of the provisions thereof were set forth herein, except as Section 314.2.1 Condensate disposal. Revise section by adding the following at the end of this paragraph: Condensate disposal shall be allowed to terminate as follows:

1. Into an approved fixture tailpiece, funnel drain, waste air gap fitting, floor sink, and laundry way.
 2. At or below grade outside the building in an area capable of absorbing the condensate flow without surface drainage.
 3. Overflow drains, gutters, or downspouts that connect to drainage pipes, provided they terminate at or above grade in an area capable of absorbing the condensate flow without surface drainage.
- amended or modified as follows:

(1) Chapter 1, "Administration", is hereby amended as follows:

Section R101.1 Title. Insert the words "Town of Carefree" as the [NAME OF JURISDICTION].

Section R 102.5.1 Adopt Appendices APPENDIX F, H, M and P.

Section R104.8 Liability. Amend as follows: The Board of Adjustment to serve as the Board of Appeals.

Section R105.2 Delete this section in its entirety.

Section R107.3 Temporary power. Delete the words "NFPA 70" and insert in lieu thereof, "Electrical Code adopted by the Town of Carefree and amended from time to time."

Section R112 Delete the words Board of Appeals and replace with Board of Adjustment.

Section R112.1 Delete this section in its entirety.

Section R112.2 Delete this section in its entirety.

Section R112.3 Delete this section in its entirety.

Section R113.3 Prosecution of violation. If the notice of violation is not complied with in the time prescribed by such notice, the Building Official is authorized to request the legal counsel of the jurisdiction to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the building or structure in violation of the provisions of this code or of the order or direction made pursuant thereto.

(3) Chapter 3, "Building Planning", is hereby amended to read as follows:

Table R301.2(1), insert the following:

Roof Snow Load: 0

Wind speed: 90 mph, Exposure B (Unless otherwise designated by the Building Official)

Seismic Design Category: B

Weathering: NEGLIGIBLE

Frost Line Depth: 12"

Termite: MODERATE TO HEAVY

Decay: NONE TO SLIGHT

Winter Design Temperature: 24 degrees F

Flood Hazards: (a) July 9, 1984, (b) July 19, 2001'

Air Freezing Index: 1500 or less

Mean Annual Temp: 71.2

Section R313.1 Exception: Delete in its entirety.

Section R313.2 Exception: Delete in its entirety.

Section M1411.3 Condensate disposal. revise section by adding the following at the end of this paragraph:

Condensate disposal shall be allowed to terminate as follows:

1. Into an approved fixture tailpiece, funnel drain, waste air gap fitting, floor sink, and laundry way.
2. At or below grade outside the building in an area capable of absorbing the condensate flow without surface drainage.
3. Overflow drains, gutters, or downspouts that connect to drainage pipes, provided they terminate at or above grade in an area capable of absorbing the condensate flow without surface drainage.

Section P2603.5.1 Sewer depth. Insert 12" as the [NUMBER OF INCHES IN TWO LOCATIONS].

C. Amendments to 2018 International Plumbing Code.

Effective January 24, 2023, there is herewith adopted, by reference, the International Plumbing Code, 2018 Edition along with adopting APPENDIX C of this code, and as declared a public record by ordinance of the Mayor and Council of the Town of Carefree, by reference in total and as if each of the provisions thereof were set forth herein, except as amended or modified as follows:

Section 101.1 Title Revise section by inserting "Town of Carefree" as the [NAME OF JURISDICTION].

Section 103.4 Liability. Revise section by deleting board of appeals and replacing it with Board of Adjustment.

Section 106.1.1 Annual permit. Delete this section in its entirety.

Section 106.6.2 Fee schedule. The fees for each plumbing permit shall be as set forth in Chapter 10 Section 10-1-2 of the Carefree Town Code.

Section 106.6.3 Fee refunds. Revise by inserting shall be set forth in Carefree Town Code Chapter 10, Section 10-1-2.

Section 108.4 Violations penalties. Delete this section in its entirety and adding Violations penalties are set forth in Carefree Town Code Chapter 10, Section 10-1-5.

Section 108.5 Stop work orders. Delete in its entirety. Revise by inserting are set forth in Carefree Town Code Chapter 10, Section 10-1-5.

Section 109 Means of appeal. Delete subsections 109.1 through 109.7 and replace with "The means of appeal are set forth in Carefree Town Code Chapter 10 Section 10-1-2.

Section 305.4.1 Sewer depth. Revise by inserting 12" [NUMBER OF INCHES IN TWO LOCATIONS].

Section 314.2.1 Condensate disposal. Revise section by adding the following at the end of this paragraph: Condensate disposal shall be allowed to terminate as follows:

4. Into an approved fixture tailpiece, funnel drain, waste air gap fitting, floor sink, and laundry way.
5. At or below grade outside the building in an area capable of absorbing the condensate flow without surface drainage.
6. Overflow drains, gutters, or downspouts that connect to drainage pipes, provided they terminate at or above grade in an area capable of absorbing the condensate flow without surface drainage.

Section 410.4 Substitution. Revise section by adding a sentence to the end of the paragraph as follows: When a single drinking fountain is required, it may be substituted with a water dispenser.

Section 903.1 Roof extension. Revise by inserting 6" in [NUMBER OF INCHES].

D. Amendments to 2017 National Electrical Code.

Effective January 24, 2023, there is herewith adopted, in total, by reference thereto the National Electrical Code, 2017 Edition, as published by the National Fire Protection Association and adopted as a public record by ordinance of the Mayor and Council of the Town of Carefree, as fully and completely as if set forth in full herein, except as may be hereafter or otherwise amended by this chapter.

E. Amendments to 2018 International Mechanical Code.

Effective January 24, 2023, there is herewith adopted, by reference, the International Mechanical Code, 2018 Edition published by the International Code Council and as declared a public record by ordinance of the Mayor and Council of the Town of Carefree, by reference in total and as if each of the provisions Section thereof were set forth herein, except as modified or changed as follows:

- (1) Chapter 1, "Administration", is hereby amended as follows:

Section 101.1 Title. Insert the words "Town of Carefree" as the [NAME OF JURISDICTION].

Section 103.4 Liability. Revise by deleting Board of Appeals and replacing it with Board of Adjustment.

Section 106.4.3 Expiration. Amend to read as follows:

Every permit issued shall become invalid unless the work authorized by such permit is commenced and required inspections are requested by the permittee and approved by the code official within 180 days after its issuance, or if more than 180 days elapses between approval of required inspections. The code official shall be authorized to grant one extension of time for a period not to exceed 180 days. Permits shall not be extended more than once and all requests for extensions shall be in writing. In order to renew action on a permit after expiration, a new full permit fee shall be paid based on the current fee schedule adopted by the Town of Carefree.

Section 106.4.4 Extensions. Amend to read as follows:

An application for a permit for any proposed work shall be deemed to have been abandoned 180 days after the date of filing, unless such application had been pursued in good faith or a permit has been issued; except that the Building Official is authorized to grant one extension of time for a period not to exceed 90 days. The extension shall be requested in writing and justifiable cause demonstrated.

Section 106.5.2 Fee schedule. Amend to read as follows:

All fees shall be in accordance with Chapter One of the International Building Code as adopted by the Town of Carefree and amended from time to time.

Section 106.5.3 Fee refunds. Amend to read as follows:

The code official shall be permitted to authorize refunding of a fee paid hereunder which was erroneously paid or collected. The code official shall be permitted to authorize refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code. The code official shall be permitted to authorize refunding of not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any examination time has been expended. The code official shall not be permitted to authorize refunding of any fee paid except upon written application filed by the original permittee not later than 90 days after the date of fee payment.

Section 108.4 Violation penalties. Delete this section in its entirety and adding violation penalties are set forth in Carefree Town Code Chapter 10, Section 10-1-5.

Section 108.5 Stop work order. Amend the last sentence to read as follows:

Any person who shall continue any work on the system after having been served by a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable for a fine as established by Carefree Town Code Chapter 10-1-5.

Section 109 Means of appeal. Delete subsections 109.1 through 109.7 and replace with "The means of appeal are set forth in Carefree Town Code Chapter 10 Section 10-1-2.

Section 314.2.1 Condensate disposal. Revise section by adding the following at the end of this paragraph: Condensate disposal shall be allowed to terminate as follows:

7. Into an approved fixture tailpiece, funnel drain, waste air gap fitting, floor sink, and laundry way.
8. At or below grade outside the building in an area capable of absorbing the condensate flow without surface drainage.
9. Overflow drains, gutters, or downspouts that connect to drainage pipes, provided they terminate at or above grade in an area capable of absorbing the condensate flow without surface drainage.

F. Amendments to 2018 International Fire Code.

Effective January 24, 2023, there is herewith adopted, by reference, the International Fire Code, 2018 Edition published by the International Code Council and as declared a public record by ordinance of the Mayor and Council of the Town of Carefree, by reference in total and as if each of the provisions thereof were set forth herein, except as modified or changed as follows:

Section 10-1-1. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Chief means the chief of the Rural/Metro Fire Department.

Duly authorized agent shall mean an individual employed by Rural/Metro Fire Department who has been appointed by the fire chief, in writing, to have the authority to issue civil fire code violations. Such authorization shall be filed with the Town Clerk.

Fire department means the Rural/Metro Fire Department or, in the event that the town shall provide its own fire protection service, that organization.

Hillside landform area. Any parcel of land or portion thereof with a surface slope that can easily exceed fifteen (15) percent where major collector streets have a maximum grade of nine (9) percent, and minor and local collector streets have a maximum grade twelve (12) percent and local residential streets have a maximum grade of fifteen (15) percent.

NICET means the National Institute for the Certification of Engineering Technologies, 1420 King Street, Alexander, VA. 22314-2915.

Town Code means Town of Carefree Town Code.

International Fire Code means the International Fire Code, 2018 Edition.

Section 1. Section 10-1-1 F of the Town Code is hereby repealed and replaced by a new section 10-1-1 F 2018 IFC, which shall read as follows:

Section 10-1-1 .1 Assumption of Jurisdiction; adoption.

(a) Pursuant to the provisions of A.R.S. §34-461 and §41-2163(A)(2), the Town of Carefree, having in effect a nationally recognized fire code, does hereby assume jurisdiction from the State Fire Safety Committee for prescribing and enforcing minimum Fire Prevention Codes and Standards within the Town of Carefree.

(b) The International Fire Code, 2018 edition, as published jointly by the International Code Council, Inc., and all appendices are adopted by reference and shall be the fire code of the town. Three (3) copies of the same shall at all times remain in the Office of the Town Clerk and be open to inspection.

Section 10-1-1 .2 Amendments.

The International Fire Code (I.F.C.) 2018 Edition, is amended in the following respects:

101.1 Title. These regulations shall be known as the Town of Carefree Fire Code, hereinafter referred to as "this code".

G. Amendments to 2018 International Energy Conservation Code.

Effective January 24, 2023, there is herewith adopted, by reference, the International Energy Conservation Code, 2018 Edition published by the International Code Council and as declared a public record by ordinance of the Mayor and Council of the Town of Carefree, by reference in total and as if each of the provisions thereof were set forth herein, except as modified or changed as follows:

Section C101.1 Title Revise section by inserting Town of Carefree [NAME OF JURISDICTION].

Section C109 BOARD OF APPEALS. Delete the words Board of Appeals and replace it with Board of Adjustment.

Section C402.1.1 Low-energy buildings. Revise section by adding item #4:

1. Structures not intended for public occupancy that have openings in the thermal envelope during business operations and do not utilize air conditioning such as repair garages, fabrication shops, warehouses, or similar facilities.

Section C403.1.1 Calculations of heating and cooling loads. Revise section by adding the following at the end of the paragraph: Not required for emergency replacement of cooling and heating equipment where there are no alterations, additions, or changes of occupancy.

H. Amendments to 2018 Fuel Gas Code International

Effective January 24, 2023, there is herewith adopted, by reference, the International Fuel Gas Code, 2018 Edition published by the International Code Council and as declared a public record by ordinance of the Mayor and Council of the Town of Carefree, by reference in total and as if each of the provisions thereof were set forth herein, except as modified or changed as follows:

Section 101.1 Title. Revise section by inserting Town of Carefree [NAME OF JURISDICTION].

Section 103.4 Liability. Delete the words Board of Appeals and replace it with Board of Adjustment.

Section 106.1.1 Annual permit. Delete this section in its entirety.

Section 106.6.2 Fee schedule. Amend to read as follows:

All fees shall be in accordance with Chapter One of the International Building Code as adopted by the Town of Carefree and amended from time to time.

Section 106.6.3 Fee refunds. Amend to read as follows:

The code official shall be permitted to authorize refunding of a fee paid hereunder which was erroneously paid or collected. The code official shall be permitted to authorize refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code. The code official shall be permitted to authorize refunding of not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any examination time has been expended. The code official shall not be permitted to authorize refunding of any fee paid except upon written application filed by the original permittee not later than 90 days after the date of fee payment.

Section 108.4 Violation penalties. Delete this section in its entirety and adding violation penalties are set forth in Carefree Town Code Chapter 10, Section 10-1-5.

Section 108.5 Stop work order. Amend the last sentence to read as follows:

Any person who shall continue any work on the system after having been served by a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable for a fine as established by Carefree Town Code Chapter 10-1-5.

Section 109.1 Application for appeal. Delete subsections 109.1 through 109.7 and replace with "The means of appeal are set forth in Carefree Town Code Chapter 10 Section 10-1-2.

- I. That certain document entitled, "The Town of Carefree Adobe Code," dated April 1985 and amendments.
- J. That certain document entitled, "Conducting Blasting Operations Code," dated November 1998 and amendments.

K. Amendments to 2018 International Property Maintenance Code

Effective January 24, 2023, there is herewith adopted, by reference, the International Property Maintenance Code, 2018 Edition published by the International Code Council and as declared a public record by ordinance of the Mayor and Council of the Town of Carefree, by reference in total and as if each of the provisions thereof were set forth herein, except as modified or changed as follows:

Section 101.1 Title. Revise section by inserting Town of Carefree [NAME OF JURISDICTION].

Section 103.4 Liability. Delete the words Board of Appeals and replace it with Board of Adjustment.

Section 103.5 Fees. Amend to read as follows:

All fees shall be in accordance with Chapter One of the International Building Code as adopted by the Town of Carefree and amended from time to time.

Section 106.4 Violation penalties. Delete this section in its entirety and adding violation penalties are set forth in Carefree Town Code Chapter 10, Section 10-1-5.

Section 111.1 Application for appeal. Delete subsections 111.1 through 111.8 and replace with "The means of appeal are set forth in Carefree Town Code Chapter 10 Section 10-1-2.

Section 111.2 Membership of board. Delete this section and its subsections in their entirety.

Section 111.7 Court review. Delete this section in its entirety.

Section 111.8 Stay of enforcement. Revise by deleting appeals board and replacing it with Board of Adjustment.

Section 112.4 Failure to comply. Amend the last sentence to read as follows: Any person who shall continue any work on the system after having been served by a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable for a fine as

established by Carefree Town Code Chapter 10-1-5.

Section 202 General Definitions. Revise Cost of Such Demolitions or Emergency Repairs by Deleting board of appeals and replacing it with Board of Adjustment.

Section 302.4 Weeds. Revise by inserting 9 inches in height.

Section 304.14 Insect Screens. Revise section by deleting "During the period from (date) to (date)" and capitalizing "EVERY."

Section 602.3 Heat supply. Revise section by deleting "During the period from (date) to (date) to maintain" and replacing with "capable of maintain."

Section 602.4 Occupiable workspace. Revise section by deleting "During the period from (date) to (date) to maintain" and replacing with "capable of maintain."

Section 10-1-3 Conformance with Zoning Ordinance

Whenever a building permit is issued and a building inspection performed, such building must conform to the provisions of the zoning ordinance of the town in addition to the provisions of this chapter.

Section 10-1-4 Enforcement *

The town building official is hereby authorized and directed to administer and enforce this article. The town building official is further authorized and directed to make annual inspections of all commercial buildings within the town limits for the purpose of enforcing this article. All other town law enforcement officials and agencies shall, whenever requested by the town building official, participate in and assist the town building official in the enforcement of this article to the extent that they are lawfully authorized to do so.

Section 10-1-5 Violations and Penalties **

Any person, firm or corporation upon admission or conviction of violating any provision of this article, and the codes and public records adopted herein by reference, shall be guilty of a misdemeanor and shall be punished by a fine not to exceed one thousand two hundred fifty dollars or by imprisonment for not more than ninety days, or by both such fine and imprisonment. Each day that a violation continues shall be a separate offense punishable as described herein.

Article 10-2 STANDARD SPECIFICATIONS AND DETAILS ***

A. That certain document entitled "Uniform Standard Specifications for Public Works Construction," sponsored and distributed by the Maricopa Association of Governments and all amendments and addenda thereto, is hereby adopted by the Town of Carefree and made a part of this chapter as though said document were set forth in full herein; and three copies thereof shall be kept on file in the office of the town clerk and kept available for public use and inspection during office hours.

B. That certain document entitled "Uniform Standard Details for Public Works Construction," sponsored and distributed by the Maricopa Association of Governments, and all amendments and addenda thereto, is hereby adopted by the Town of Carefree and made a part of this chapter as though said document were set forth in full herein; and three copies thereof shall be kept on file in the office of the town clerk and kept available for public use and inspection during office hours.

Article 10-3 ARIZONANS WITH DISABILITIES ACT *

- A. Standards and specifications set forth in Title 41, Chapter 9, Articles 8, Arizona Revised Statutes (Arizonans with Disabilities Act), and its implementing rules, including "Americans with Disabilities Act Accessibility Guidelines for Buildings and Facilities" declared a public record by Resolution No. 97-03, as applying to public entities, are hereby adopted and incorporated as an amendment to the Uniform Building Code adopted in Section 10-1-2 of the Town Code and made part thereof as though fully set forth therein. Such standards and specifications shall apply to new construction and alterations and are not required in buildings or portions of existing buildings that do not meet the standards and specifications.

- B. Standards and specifications set forth in Title 41, Chapter 9, Article 8, Arizona Revised Statutes (Arizonans with Disabilities Act), and its implementing rules, including "Americans with Disabilities Act Accessibility Guidelines for Buildings and Facilities" declared a public record by Resolution No. 97-03, as applying to public accommodations and commercial facilities, are hereby adopted and incorporated as an amendment to the Uniform Building Code adopted in Section 10-1-2 of the Town Code and made part thereof as though fully set forth therein. Such standards and specifications shall apply to new construction and alterations commenced after September 3, 1996.

Article 10-4 CLEAN-BURNING FIREPLACE STANDARDS **

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

- B. For purposes of this Article, the following words and terms shall be defined as follows:
 - 1. "Fireplace" means a built-in-place masonry hearth and fire chamber of a factory-built appliance, designed to burn solid fuel or to accommodate gas or electric log insert or similar device, and which is intended for occasional recreational or aesthetic use, not for cooking, heating or industrial processes.

 - 2. "Solid fuel" includes but is not limited to wood, coal or other nongaseous or nonliquid fuels, including those fuels defined by the Maricopa County Air Pollution Control Officer as "inappropriate fuel" to burn in residential woodburning devices.

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

- C. No person shall construct or install a fireplace or a wood stove unless the fireplace or woodstove complies with one of the following:

1. A fireplace which has a permanently installed gas or electric log insert.
2. A fireplace, woodstove or other solid-fuel burning appliance which has been certified by the United States Environmental Protection Agency as conforming to 40 Code of Federal Regulations Part 60, Subpart AAA as in effect on July 1, 1990.

3. A fireplace, woodstove or other solid-fuel burning appliance which has been tested and listed by a nationally recognized testing agency to meet performance standards equivalent to those adopted by 40 Code of Federal Regulations Part 60, Subpart AAA as in effect on July 1, 1990.

4. A fireplace, woodstove or other solid-fuel burning appliance which has been determined by the Maricopa County Air Pollution Control Officer to meet performance standards equivalent to those adopted by 40 Code of Federal Regulations Part 60, Subpart AAA as in effect on July 1, 1990.

5. A fireplace which has a permanently installed woodstove insert which complies with paragraphs 2, 3 or 4 above.

D. The following installations are not regulated by this Article and are not prohibited by this Article:

1. Furnaces, boiler, incinerators, kilns and other similar space heating or industrial process equipment.
2. Cookstoves, barbecue grills and similar appliances designed primarily for cooking.
3. Fire pits, barbecue grills and other outdoor fireplaces.

E. No person shall alter or remove a gas or electric log insert or a woodstove insert from a fireplace for purposes of converting the fireplaces to directly burn wood or other solid fuel. No person shall alter a fireplace, woodstove or other solid fuel-burning appliance in any manner that would void its certification or operational compliance with the provision of this Article.

F. In addition to the provisions and restrictions of this Article, construction, installation or alteration of all fireplaces, wood stoves and other gas, electric or solid-fuel burning appliances and equipment shall be done in compliance with provisions of the Comprehensive Building Safety Code and shall be subject to the permits and inspections required by the Comprehensive Building Safety Code.