

ORDINANCE O-24-04

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF BISBEE COUNTY OF COCHISE, STATE OF ARIZONA, DECLARING THE FOLLOWING AS A PUBLIC RECORD: THE 2018 INTERNATIONAL BUILDING CODE, THE 2018 INTERNATIONAL EXISTING BUILDING CODE, AND THE 2018 INTERNATIONAL RESIDENTIAL CODE, INCLUDING ALL TABLES AND APPENDICES; AMENDING THE CITY CODE BY ADOPTING THE FOLLOWING PUBLICATIONS IN PLACE OF THE CURRENT PUBLICATIONS: THE 2018 INTERNATIONAL BUILDING CODE, THE 2018 INTERNATIONAL EXISTING BUILDING CODE, AND THE 2018 INTERNATIONAL RESIDENTIAL CODE, INCLUDING ALL TABLES AND APPENDICES, EXCEPT AS SPECIFICALLY AMENDED BY THIS ORDINANCE; REPEALING AND REPLACING CHAPTER 7 “BUILDING,” ARTICLE 7.1 “BUILDING CODE,” SECTIONS 7.1.1 THROUGH 7.1.1D OF THE CITY CODE; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR PENALTIES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Mayor and City Council have the authority to adopt and to amend, by ordinance, building and safety codes of the City of Bisbee; and,

WHEREAS, the International Code Council has developed a comprehensive set of building and safety codes that are now in use in all fifty states and have become widely accepted in Arizona, including Cochise County; and,

WHEREAS, the City of Bisbee had not updated or revised its building and safety codes since 2014; and,

WHEREAS, other local jurisdictions have adopted various specific amendments to these Codes to adapt them to the specific conditions and circumstances in these jurisdictions; and,

WHEREAS, the City of Bisbee Amendments to the Designated Building and Safety Codes incorporated herein by reference are intended to become applicable at the same time that these Codes be applicable, in April 2024; and,

WHEREAS, it is in the best interests of the City of Bisbee and its citizens to adopt these specific amendments.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF BISBEE, COUNTY OF COCHISE, STATE OF ARIZONA, THAT:

Section 1. Technical Codes Adopted as Public Record.

Those certain documents entitled the 2018 International Building Code, the 2018 International Existing Building Code, and the 2018 International Residential Code, including all tables and appendices, three copies of which are to remain on file in the office of the City Clerk, are hereby declared to be public records and said copies are to remain on file with the City Clerk.

Section 2. In General.

The City of Bisbee Code is hereby amended by adopting the following publications in place of the current publications: the 2018 International Building Code, the 2018 International Existing Building Code, and the 2018 International Residential Code, including all tables and appendices, except as specifically amended by this Ordinance.

The City of Bisbee Code is further amended by repealing and placing Chapter 7 Building, Article 7.1 Building Code, Sections 7.1.1 through 7.1.1D as follows:

CHAPTER 7 BUILDING

ARTICLE 7.1 BUILDING CODE

7.1.1 Adoption of Code

The 2018 International Building code, the 2018 International Existing Building Code, and the 2018 International Residential Code, including all tables and appendixes, are hereby adopted for use in this jurisdiction, except as specifically amended or excluded by the amendments specified in this City Code. For purposes of each of the designated Codes adopted in this Chapter 7 of the City Code, the subject Code, as adopted and as may be amended from time to time, shall hereafter be designated as the Code of the City of Bisbee. The Building Inspector of the City of Bisbee, or his designee, is authorized to assume all of the responsibilities and authorities of the “building official,” as that term is used in these respective Codes.

7.1.1.A Climatic and Geographic Design Criteria (all applicable Codes)

Wind Speed _____	115MPH
Ground Snow Load _____	10PSF
Topographic Effects _____	No
Seismic Design _____	Category B
Weathering _____	Moderate
Frost Line Depth _____	12 Inches
Termite _____	Heavy to Very Heavy
Winter Design Temperature _____	18-20 degrees F
Flood Hazards _____	See Cochise County Flood Control, including new panels as adopted

7.1.1.B City of Bisbee Amendments to the 2018 Edition of the International Building Code

1. At Section 101.2, insert Exception 2 to read: “Existing buildings undergoing repair, alterations or additions and change of occupancy shall be permitted to comply with the International Existing Building Code.”
2. At Section 103.2, insert a reference to the adopted Building Permit Fees schedule of the City Code for the applicable fee schedule.
3. At Section 105.2 (1), will require a building permit; not exempt.
4. At Section 105.2 (2), will require a building permit; not exempt.
5. At Section 105.7, insert a new Section 105.8 to read: “No building permit shall be issued, prior to obtaining a flood plain permit, for any work in flood Zones A, and AE.”
6. At Section 406.3.3, change the first paragraph to read: “Carports of combustible construction and garages shall comply with the provisions of this section for separation and opening protection. Carport and grade floor surfaces shall be of approved noncombustible material.
7. At Section 406.3.4 (1), change all references from “1/2- inch gypsum board” to “5/8-inch Type ‘X’ gypsum board.” Revise the second paragraph to read: “For garages beneath habitable rooms, cover above by not less than two layers of 5/8-inch Type ‘X’ gypsum board.” At the end of this section, insert: “Windows are not permitted in the separation wall. All walls supporting the fire-resistance rated ceiling shall be protected with 5/8-inch Type ‘X’ gypsum board.”
8. At Section 406.3.4, Add subsection 406.3.4(4): “Attic access opening. The attic access opening protection supports shall be of noncombustible material.”
9. At Section 708.1, Add number 6, to read: “Walls separating tenant spaces.”
10. At Section 903.2.1.3(2), change “300” to “100 or more.”
11. At Section 1011.7.3, in the exception, change reference to “1/2-inch” to read: “5/8-inch Type ‘X’.”
12. At Section 1045.1.3, insert a new Section 1045.2 “Vinyl or Plastic Window Frames” to read: “All windows with vinyl or plastic frames shall be certified to comply with AAMA/WDMA/CSA 101/1.s.2/a440 standard/specification.”
13. At Table 2304.9.1, insert #35-connection: “Story-to-story tie at 48” o.c. by minimum 18-gauge strap with minimum 9” lap on studs. Fastening: per schedule in manufacture’s installation instructions, or continuous sheathing with minimum 9” lap on studs.”
14. At Section 2902.2, Insert a new Exception No. 4 to read: “In existing building occupancies, one public/employee restroom is allowed where the occupant load does not exceed 50 for other than M occupancies, and for M occupancies, where the occupant load does not exceed 100, provided that the one restroom for all such occupancies is code compliant with ICC A117.1-2009. Where it is not technically feasible to comply with the new construction standards, the above shall conform to the requirements to the maximum extend feasible.”
15. At Section 3109, change the required height of the required barrier or fence from “4 feet” or “48 inches” to “5 feet” or “60 inches,” as applicable. Enclosure requirements shall be not less than those required by applicable state law.

16. Appendices C, E, F, and G are adopted, Appendices A, B, D, H, I, J, K, L and M are not adopted.

7.1.1.C City of Bisbee Amendments to the 2018 Edition of the International Existing Building Code

1. At Section 103.2, insert a reference to the Building Permit Fees schedule of the City Code for the applicable fee schedule.
2. At Section 805.4.4, change to read: “Doors serving a Group H occupancy and all other occupancy groups not covered by item 2 in the IBC Section 1008.1.9.3, serving rooms or spaces with an occupant load of 50 or more, shall not be provided with a latch or lock unless it is panic release hardware, suitable for a fire exit.”
3. Appendices A, B, and C are adopted. Resource A is included as a source material in this Code.

7.1.1.D City of Bisbee Amendments to the 2018 Edition of the International Residential Code

1. At Section R103.2, insert a reference to the Building Permit Fees schedule of the City Code for the applicable fee schedule.
2. At Section R105.2.1 change “200 square feet” to “120 square feet.”
3. Add a new Section R105.2.4 “Ordinary Repairs,” to read: “Ordinary repairs which involve only the replacement of component parts of existing work with similar parts or materials and do not exceed \$1000 in valuation (materials and labor at market value) and do not change any structural, electrical, mechanical, plumbing, or fire safety condition. Ordinary repair are subject to the provisions of R105.2.2.”
4. At Section R105.2(6), amend to read: “Painting, papering, tiling, carpeting, and similar finish work.”
5. At Section R105.9 insert a new Section R105.10 to read: “No building permit shall be issued, prior to obtaining a flood plain permit, for any work done in Flood Zones A, and AE.”
6. At Table R302.6, change the three references from “1/2-inch gypsum board” to “5/8-inch Type X gypsum board or equivalent.” Change the one reference from “5/8-inch Type X gypsum board” to Two layers of 5/8-inch Type X gypsum board or equivalent.”
7. At Section R302.6, insert subsection R302.6.1, as follows: “Attic access opening. The attic access opening protection supports shall be of noncombustible material.”
8. At Section R302.14 insert a new Section R302.15 “Vinyl or Plastic Window Frames” to read: “All windows with vinyl or plastic frames shall be certified to comply with AAMA/WDMA/CSA 101/1.s.2/a440 standard/specification.”
9. At Section R309, insert the words “or carport of combustible construction” after all references to garage. (Requires fire separation from carport.)
10. Delete Section R309.5 regarding fire sprinklers, per Arizona law.
11. At Section R313, delete, mandatory language. Add the following: Fire Sprinklers are not required where the implementation of any such Code provision is prohibited by Arizona law, They may be an appropriate form of optional fire protection.
12. At Section R314.2.2, strike the exemptions.

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13. At Section R314.4, insert the following after the second sentence: "Smoke alarms shall not be installed on a dedicated circuit and shall originate from a general-purpose branch circuit."
14. At Section R315.2.2, strike the exemptions.
15. At Section R602.3, insert at the end of the first paragraph: "In multi-story structures, floor ties shall be provided at 48" o.c. or wood structural panels shall be installed with a minimum of a 9" overlap of both floor studs."
16. At Section R606.11, change beginning to read: "Masonry walls shall be reinforced and anchored...."
17. At Figure R606.11(2), retitle to read: "Requirements for Reinforced Grouted Masonry Construction in Seismic Design Category B," and change the following: change #4 bars to "10 ft. o.c." to "#4 bars at 4' o.c."; add one ½" bar @ top of foundation: add two ½" bars @ bottom of foundation; and one ½" bar @ top of wall; add one ½" bar @ roof connection.
18. At Section R606.12.2.3.3, end of first paragraph, change to read: "...and at a maximum spacing of 4 feet."
19. At Table 1101.07- Climate Zones, City of Bisbee requirements shall be not less than those required for Zone 2 for all purposes.
20. At Section N1103.4.2, change to read: "Refer to the City Code, Section 7.2.3 (R-4 minimum)."
21. At Section P2604.1, insert at the end of the first paragraph: "14-gauge copper insulated tracer wires shall accompany all underground plastic piping outside of structures."
22. At Section P2801.6.1, Pan Size and Drain. Add the following at the end of the second sentence: "A drain shall not be required for replacement water heaters in locations where no previously installed drain is available."
23. At Section P2904.1.4, Required Sprinkler Locations. Delete the first sentence and replace it with the following: "Sprinklers are not required within dwelling units. This section serves as a guide for voluntary installations or to allow for a fire separation reduction pursuant to sections R302.2 and R302.2.2."
24. At Section P3005.4.2, insert a new Section P3005.4.3 "Sewer Shut-off Valve" to read: "An approved sewer shut-off valve shall be installed in any building sewer line, as near to the property line as practical."
25. At Section P3008.1, change to read: "Backwater valves are required for all sewer connections. the highest connection on a sewer lateral is exempted from this requirement."
26. At Section E3601.6.2, change the first sentence to read: "Service disconnecting means and risers shall be surface mounted and provided on the outside of the structure. A recessed service entry is not permitted."
27. At Section E3608.1, insert a second paragraph to read: "All accessory structure with a poured foundation require the installation of a concrete-encased electrode as required by Section E3608.1.2."
28. At Section E3902.5, change to read: "...receptacles installed in ground level rooms and unfinished basements shall have..." and "For purposes of this section, ground level rooms and unfinished basements are defined..."
29. Appendices A, B, C, D, E, G, J, K and M are adopted. Appendices F, H, I and L are not adopted.

Section 3. Providing for Repeal of Conflicting Ordinances.

All ordinances and parts of ordinances in conflict with this Ordinance or any part of the Code adopted herein by reference are hereby repealed.

Section 4. Providing for Severability.

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

Section 5. Providing for Penalties.

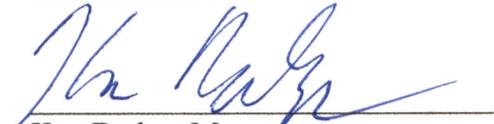
Any person found guilty of violating any provision of this Ordinance shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not to exceed one thousand dollars (\$1,000) or by imprisonment for a period not to exceed six (6) months, or both such fine and imprisonment. Each day that a violation continues shall be a separate offense punishable as herein above described.

Section 6. Effective Date.

This Ordinance shall be effective from 30 days after the date written below.

PASSED, APPROVED AND ADOPTED by the Mayor and Council of the City of Bisbee on this 5th day of March, 2024.

APPROVED:



Ken Budge, Mayor

ATTEST:



Ashlee Coronado, City Clerk

APPROVED AS TO FORM:



Joseph D. Estes, City Attorney