

ORDINANCE O-24-07

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: 2018 INTERNATIONAL FIRE CODE, INCLUDING ALL TABLES AND APPENDICES; AMENDING THE CITY CODE BY ADOPTING THE FOLLOWING PUBLICATION IN PLACE OF THE CURRENT PUBLICATION: 2018 INTERNATIONAL FIRE CODE, INCLUDING ALL TABLES AND APPENDICES, EXCEPT AS SPECIFICALLY AMENDED BY THIS ORDINANCE; REPEALING AND REPLACING CHAPTER 7 “BUILDING,” ARTICLE 7.4, “FIRE CODE,” SECTION 7.4.1 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 Code Adopted as Public Record.

That certain document entitled the 2018 International Fire Code, including all tables and appendices, three copies of which are to remain on file in the office of the City Clerk, is 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 publication in place of the current publication: the 2018 International Fire 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 7.4 Fire Code, Section 7.4.1 as follows:

CHAPTER 7 BUILDING

ARTICLE 7.4 FIRE CODE

7.4.1 Adoption of Code

The 2018 International Fire Code, including all tables and appendixes, is hereby adopted for use in this jurisdiction except as specifically amended or excluded by the amendments specified in this City Code. The 2018 International Fire Code, as applicable in the City of Bisbee, is hereby amended as follows:

1. At Section 101.1, insert “City of Bisbee”.
2. At Section 103, change all references of “department” to “division/bureau.”
3. At Section 903.2, after the exception, insert: “In buildings and structures unable to meet the fire flow requirements for buildings are determined in Appendix B, Section B 105, approved automatic sprinkler systems shall be provided in all occupancies regulated by the International Fire Code. Exception: Where public or private water systems cannot meet minimum fire flow requirements of Section B 105 the following shall apply. All existing, new, and or historical buildings shall be provided with alternative fire and life safety requirements for the occupancy as required by fire and building code official as follows:
 - a) Automatic fire alarm system installed throughout the building to alert occupants and notify Bisbee Fire Department upon activation of any smoke, heat detector, or fixed fire protection system.
 - b) Automatic fire extinguisher system shall be installed on any commercial cooking equipment in the building or occupancy as required by the International Fire Code and should be connected to a monitored fire alarm system to notify the occupants and the Bisbee Fire Department.
4. At Section 907.10 Smoke Alarm Maintenance: approved single-station smoke detector(s) shall be installed in all new and existing dwelling units, apartment buildings. the owner shall be responsible for the smoke detector(s) installation, annual battery replacement (if battery operated), and maintenance of appropriate records of required smoke detector(s). Upon termination of tenancy in any rental unit, the owner or owner’s agent shall ensure that the required smoke detector(s) are operational prior to re-occupancy of the unit. The occupant shall be responsible for periodic maintenance and reporting, in writing, to the owner or owner’s agent any operational defects or required smoke detector(s).

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5. At Section 1011.7.3 Exception, change the reference of ½ inch gypsum board to 5/8 inch type X gypsum board.
6. Appendices B, C, D, E, F, H, I, K and N are adopted. Appendices A, G, J, L, and M 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.

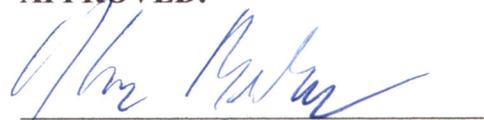
Any person found guilty of violating any provision of this Ordinance shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not to exceed one thousand dollars (\$1,000) or by imprisonment for a period not to exceed six (6) months, or both such fine and imprisonment. 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:

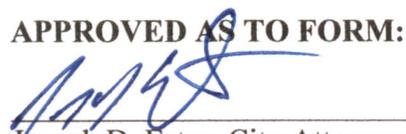


Ken Budge, Mayor

ATTEST:


Ashlee Coronado, City Clerk

APPROVED AS TO FORM:



Joseph D. Estes, City Attorney