

ORDINANCE O-24-10

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 FUEL GAS CODE AND THE 2018 INTERNATIONAL ENERGY CONSERVATION CODE, INCLUDING ALL TABLES AND APPENDICES; AMENDING THE CITY CODE BY ADOPTING THE FOLLOWING PUBLICATIONS IN PLACE OF THE CURRENT PUBLICATIONS: THE 2018 INTERNATIONAL FUEL GAS CODE AND THE 2018 INTERNATIONAL ENERGY CONSERVATION CODE, INCLUDING ALL TABLES AND APPENDICES, EXCEPT AS SPECIFICALLY AMENDED BY THIS ORDINANCE; REPEALING AND REPLACING CHAPTER 7 “BUILDING,” ARTICLE 7.7, “ADDITIONAL CODES,” SECTION 7.7.1 THROUGH 7.7.4 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 Fuel Gas Code and the 2018 International Energy Conservation 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 Fuel Gas Code and the 2018 International Energy Conservation 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 7.7 Additional Codes, Section 7.7.1 through 7.7.4 as follows:

CHAPTER 7 BUILDING

ARTICLE 7.7 ADDITIONAL CODES

7.7.1 Adoption of Code

The 2018 International Fuel Gas Code and the 2018 International Energy Conservation 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.

7.7.2 AMENDMENTS TO THE INTERNATIONAL FUEL GAS CODE

The 2018 International Fuel Gas Code, as applicable in the City of Bisbee, is hereby amended as follows:

1. At Section 101.2, number the existing exception as Exception 1 and add Exception 2, to read as follows: “As an alternative to the provisions of this code, fuel gas piping systems, fuel-gas utilization equipment and related accessories in existing building undergoing repair, alteration, or addition, and change of occupancy shall be permitted to comply with the International Existing Building Code.”
2. At Section 106.6.2, add: “City of Bisbee building permit fees shall be as established in the City Code.
3. At Section 303.7, insert new subsection 303.7.1 to read: “Liquefied petroleum gas piping shall not serve any gas appliance located in a pit or basement where heavier-than-air gas might collect to form a flammable mixture.”
4. Appendices A, B, C and D are adopted.

7.7.3 AMENDMENTS TO THE INTERNATIONAL ENERGY CONSERVATION CODE

The 2018 International Energy Conservation Code, as applicable in the City of Bisbee, is hereby amended as follows:

1. It is appropriate for Bisbee to adopt the energy conservation standards relevant to Zone 2. This is the Zone that Pima County is in and more stringent than Zone 1, that was adopted for Bisbee’s 2012 code series.

7.7.4 DELETED.

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:

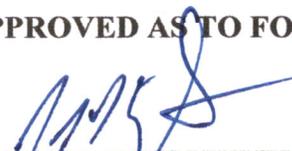


Ken Budge, Mayor

ATTEST:


Ashlee Coronado, City Clerk

APPROVED AS TO FORM:



Joseph D. Estes, City Attorney