

ORDINANCE NO. 2017-31

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, AMENDING CHAPTERS 5 AND 18 OF THE PEORIA CITY CODE (1992) BY AMENDING SECTION 5-1 AND RENUMBERING IT AS SECTION 18-1 PERTAINING TO BUILDING OFFICIAL; BY RENUMBERING SECTION 5-2 AS SECTION 18-2 PERTAINING TO RIGHT-OF-WAY INFRINGEMENTS; BY AMENDING SECTION 5-3 AND RENUMBERING IT AS SECTION 18-3 PERTAINING TO INTERNATIONAL ENERGY CONSERVATION CODE – ADOPTED AND AMENDED; BY AMENDING SECTION 5-4 AND RENUMBERING IT AS SECTION 18-4 PERTAINING TO INTERNATIONAL PROPERTY MAINTENANCE CODE – ADOPTED AND AMENDED; BY AMENDING SECTION 5-5 AND RENUMBERING IT AS RESERVED SECTION 18-5; BY RENUMBERING SECTION 5-6 AS SECTION 18-6 PERTAINING STANDARD SPECIFICATIONS FOR PUBLIC WORKS; BY RENUMBERING SECTION 5-7 AS RESERVED SECTION 18-7; BY AMENDING SECTION 5-8 AND RENUMBERING IT AS SECTION 18-8 PERTAINING TO SLUM PROPERTY DESIGNATION AND APPEALS; INSPECTION FEES; BY REPEALING SECTION 5-9 IN ITS ENTIRETY PERTAINING TO ACQUISITION BY CITY AND RENUMBERING IT AS RESERVED SECTION 18-9; BY RENUMBERING SECTIONS 5-10 THROUGH 5-20 AS RESERVED SECTIONS 18-10 THROUGH 18-20; BY AMENDING SECTION 5-21 AND RENUMBERING IT AS SECTION 18-21 PERTAINING TO INTERNATIONAL BUILDING CODE – ADOPTED AND AMENDED; BY AMENDING SECTION 5-22 AND RENUMBERING IT AS RESERVED SECTION 18-22; BY RENUMBERING SECTION 5-23 AS SECTION 18-23 PERTAINING COMPLIANCE WITH ZONING; BY RENUMBERING SECTION 5-24 AS RESERVED SECTION 18-24; BY AMENDING SECTION 5-25 AND RENUMBERING IT AS SECTION 18-25 PERTAINING TO INTERNATIONAL RESIDENTIAL CODE – ADOPTED AND AMENDED; BY AMENDING SECTION 5-26 AND RENUMBERING IT AS RESERVED SECTION 18-26; BY RENUMBERING SECTIONS 5-27 THROUGH 5-40 AS RESERVED SECTIONS 18-27 THROUGH 18-40; BY AMENDING SECTION 5-41 AND RENUMBERING IT AS SECTION 18-41 PERTAINING TO NATIONAL ELECTRICAL; BY AMENDING SECTION 5-42 AND RENUMBERING IT AS RESERVED SECTION 18-42; BY AMENDING SECTION 5-43 AND

RENUMBERING IT AS RESERVED SECTION 18-43; BY AMENDING SECTION 5-44 AND RENUMBERING IT AS SECTION 18-44 PERTAINING TO INTERNATIONAL PLUMBING CODE – ADOPTED AND AMENDED; BY RENUMBERING SECTIONS 5-45 THROUGH 5-60 AS RESERVED SECTIONS 18-45 THROUGH 18-60; BY AMENDING SECTION 5-61 AND RENUMBERING IT AS RESERVED SECTION 18-61; BY RENUMBERING SECTIONS 5-62 THROUGH 5-75 AS RESERVED SECTIONS 18-62 THROUGH 18-75; BY AMENDING SECTION 5-76 AND RENUMBERING IT AS SECTION 18-76 PERTAINING TO INTERNATIONAL MECHANICAL CODE – ADOPTED AND AMENDED; BY AMENDING SECTION 5-77 AND RENUMBERING IT AS RESERVED SECTION 18-77; BY AMENDING SECTION 5-78 AND RENUMBERING IT AS SECTION 18-78 PERTAINING TO INTERNATIONAL FUEL GAS CODE – ADOPTED AND AMENDED; BY RENUMBERING SECTIONS 5-79 THROUGH 5-90 AS RESERVED SECTIONS 18-79 THROUGH 18-90; BY AMENDING SECTION 5-91 AND RENUMBERING IT AS 18-91; BY AMENDING SECTION 5-92 AND RENUMBERING IT AS RESERVED SECTION 18-92; BY RENUMBERING SECTIONS 5-93 THROUGH 5-100 AS RESERVED SECTIONS 18-93 THROUGH 18-100; BY AMENDING SECTION 5-101 AND RENUMBERING IT AS SECTION 18-101 PERTAINING TO DEFINITIONS; BY RENUMBERING SECTION 5-102 AS SECTION 18-102 PERTAINING TO PURPOSE; BY RENUMBERING SECTION 5-103 AS SECTION 18-103 PERTAINING TO SCOPE; BY AMENDING SECTION 5-104 AND RENUMBERING IT AS SECTION 18-104 PERTAINING TO AUTHORIZATION, CROSS CONNECTION ENFORCEMENT PROGRAM, FEES; BY AMENDING SECTION 5-105 AND RENUMBERING IT AS SECTION 18-105 PERTAINING TO VIOLATIONS - GENERALLY; BY AMENDING SECTION 5-106 AND RENUMBERING IT AS SECTION 18-106 PERTAINING TO SAME – COMMENCEMENT OF ACTIONS, CITATION, ETC.; BY RENUMBERING SECTION 5-107 AS SECTION 18-107 PERTAINING TO SAME – COLLECTION OF FINES; LIEN; ABATEMENT OF VIOLATION; BY AMENDING SECTION 5-108 AND RENUMBERING IT AS SECTION 18-108 PERTAINING TO CITY’S RIGHT OF ENTRY AND TO INFORMATION; BY RENUMBERING SECTION 5-109 AND RENUMBERING IT AS SECTION 18-109 PERTAINING TO SURVEYS AND INVESTIGATIONS; BY RENUMBERING SECTION 5-110 AND RENUMBERING IT AS SECTION 18-110 PERTAINING TO CITY’S RIGHT TO DISCONTINUE WATER SERVICE; BY AMENDING SECTION 5-111 AND

RENUMBERING IT AS SECTION 18-111 PERTAINING TO GENERAL REQUIREMENTS; BY AMENDING SECTION 5-112 AND RENUMBERING IT AS SECTION 18-112 PERTAINING TO CROSS-CONNECTION PROHIBITED; BY AMENDING SECTION 5-113 AND RENUMBERING IT AS SECTION 18-113 PERTAINING TO TESTING AND RECORDS; BY AMENDING SECTION 5-114 AND RENUMBERING IT AS SECTION 18-114 PERTAINING TO WHERE PROTECTION REQUIRED; BY RENUMBERING SECTION 5-115 AS SECTION 18-115 PERTAINING TO TYPE OF PROTECTION REQUIRED; BY RENUMBERING SECTION 5-116 AS SECTION 18-116 PERTAINING TO BACKFLOW PREVENTION DEVICES; BY AMENDING SECTION 5-117 AND RENUMBERING IT AS SECTION 18-117 PERTAINING TO INSPECTION AND MAINTENANCE; BY RENUMBERING SECTION 5-118 AS SECTION 18-118 PERTAINING TO BOOSTER PUMPS; IDENTIFYING CURRENT CHAPTER 18 OF THE PEORIA CITY CODE (1992) TO BE RENUMBERED AND/OR AMENDED BY A SEPARATE ORDINANCE; AND PROVIDING FOR SEVERABILITY AND FOR AN EFFECTIVE DATE.

THEREFORE, it is ordained by the Mayor and Council of the City of Peoria as follows:

SECTION 1. Chapter 5 of the Peoria City Code (1992) is amended by amending Section 5-1 and renumbering it as Section 18-1 pertaining to Building Official and which shall read as follows:

Sec. 518-1. Building Official.

The office of building official and administrative authority as referenced in this chapter for all matters pertaining to any building, plumbing, electrical or any other inspections shall be vested in the ~~office of the city manager~~ Development and Engineering Department. The ~~city manager~~ Department Director may authorize deputies or city employees to perform any function that may be required by this chapter.

SECTION 2. Chapter 5 of the Peoria City Code (1992) is amended by renumbering Section 5-2 as Section 18-2 pertaining to Right-of-way infringements and which shall read as follows:

Sec. 518-2. Right-of-way infringements.

Existing structures abutting city rights-of-way may, as part of a city-approved plan for remodeling for improvement of the appearance of structures, infringe upon the city right-of-way subject to the following limitations:

(1) No enlargement of the floor area or usable space of the subject building shall result because of infringement.

(2) Infringement within eight (8) feet of the surface or ground shall not extend more than four (4) inches upon the right-of-way, and no infringement shall extend upon or over any actual street, alley, utility easement or private property.

(3) Encroachments will be for the sole purpose of improving the aesthetic value of existing structures and shall be limited to cornices, roofs, ledges, eyebrows, facings, stucco or veneer, but shall not include protruding signs, display windows or doors.

(4) Building additions may include infringements, subject to the limitations of this section, if necessary for the conformance with aesthetic improvements existing, or being constructed, across the face of an existing structure.

State law reference(s) -- Authority to prohibit and remove encroachments, A.R.S. §§ 9-240(B)(3), 9-276(A)(2), (A)(6), 9-499.01.

SECTION 3. Chapter 5 of the Peoria City Code (1992) is amended by amending Section 5-3 and renumbering it as Section 18-3 pertaining to International Energy Conservation Code – Adopted and Amended and which shall read as follows:

Sec. ~~5~~18-3. International Energy Conservation Code – Adopted and Amended.

(A) A certain document, one copy of which is on file in the City Clerk's Office of the City of Peoria, being marked and designated as "International Energy Conservation Code, ~~2012~~ 2015 Edition," published by the International Code Council is hereby adopted, as amended herein, as the Energy Code of the City of Peoria.

(B) The International Energy Conservation Code, 2012 2015 Edition, is amended as follows:

(1) Chapter 1 [CE], "Scope and Administration" is hereby amended as follows:

Note: For sections designated "RESERVED" herein, refer to the Building Code of the City of Peoria for these code requirements.

C101.2 Scope. ~~Delete in its entirety and add as follows:~~ This code applies to *commercial buildings* and the building sites and associated systems and equipment on a voluntary participation basis. Group R-2, when defined as a commercial building by Section C202, shall have the option of complying under the Residential Provisions of the code, regardless of height. Once defined as

such on the submittal documents, all components of the Residential Provisions shall be followed.

Part 2 – Administration and Enforcement

Section C103 Construction Documents

C103.3 Examination of documents Deleted in its entirety.

C 103.4 Amended Construction Documents Deleted in its entirety.

C103.5 Retention of construction Documents Deleted in its entirety.

Section C104 Inspections RESERVED.

Section C105 Validity RESERVED.

Section C107 Fees RESERVED.

Section C108 Stop Work Orders RESERVED.

Section C109 Board of Appeals RESERVED.

(2) Chapter 1 [RE], “Scope and Administration” is hereby amended as follows:

R102.1.2 RESNET Testing & Inspection Protocol. The Residential Energy Services Network (RESNET) Mortgage Industry National Home Energy Rating System Standard Protocol for third party testing and inspections, shall be deemed to meet the requirements of Sections R402.4.1.1, R402.4.1.2, and R403.3.2 and shall meet the following conditions:

1. Third Party Testing and Inspections shall be completed by RESNET certified Raters or Rating Field Inspectors and shall be subject to RESNET Quality Assurance Field Review procedures.
2. Sampling in accordance with Chapter 6 of the RESNET Standards shall be performed by Raters or Rating Field Inspectors working under a RESNET Accredited Sampling Provider.
3. Third Party Testing is required for the following items:
 - a. R402.4.1.1 – Building Envelope – Thermal and Air Barrier Checklist
 - b. R404.4.1.2 – Testing – Air Leakage Rate
 - c. R403.3.2 – Sealing – Duct Tightness

4. The other requirements identified as “mandatory” in Chapter 4 shall be met.
5. Alternate testing and inspection programs and protocols shall be allowed when approved by the Code Official.

Section R103 Construction Documents

R103.3 Examination of documents Deleted in its entirety.

R103.4 Amended Construction Documents Deleted in its entirety.

R103.5 Retention of construction Documents Deleted in its entirety.

Section R104 Inspections RESERVED.

Section R105 Validity RESERVED.

Section R107 Fees RESERVED.

Section R108 Stop Work Orders RESERVED.

Section R109 Board of Appeals RESERVED.

- (3) Chapter 4 [RE], “Residential Energy Efficiency” is hereby amended as follows:

Section R403.3.1 Insulation (Prescriptive). Supply and return ducts in attics shall be insulated to a minimum of R-8 where 3 inches (76 mm) in diameter and greater and R-6 where less than 3 inches (76 mm) in diameter. Supply and return ducts in other portions of the building shall be insulated to a minimum of R-6 where 3 inches (76 mm) in diameter or greater and R-4.2 where less than 3 inches (76 mm) in diameter.

Exceptions: ~~Ducts or portions thereof located completely inside the building envelope.~~

1. Ducts or portions thereof located completely inside the building thermal envelope
2. Supply ducts may be insulated to a minimum of R-6 when one or more of the following conditions are met:
 - 2.1 Minimum SEER rating of space heating/cooling system is increased to 16.
 - 2.2 Maximum U-factor is decreased to 0.30 and maximum SHGC is decreased to 0.22 for all fenestration products.
 - 2.3 Wall cavity insulation minimum R-value is increased to R-19.

2.4 Residential buildings that meet the requirements of sections R102.1.1 or R405.

Table R406.4 Maximum Energy Rating Index, is amended for Climate Zone 2 as follows:

TABLE R406.4

MAXIMUM ENERGY RATING INDEX

<u>CLIMATE ZONE</u>	<u>ENERGY RATING INDEX</u>
<u>1</u>	<u>52</u>
<u>2</u>	52 <u>59</u> ¹
<u>3</u>	<u>51</u>
<u>4</u>	<u>54</u>
<u>5</u>	<u>55</u>
<u>6</u>	<u>54</u>
<u>7</u>	<u>53</u>
<u>8</u>	<u>53</u>

¹Energy generated from on-site renewable energy shall not be included in the calculation of the Energy Rating Index value.

SECTION 4. Chapter 5 of the Peoria City Code (1992) is amended by amending Section 5-4 and renumbering it as Section 18-4 pertaining to License to operate; required and which shall read as follows:

SECTION 3. International Property Maintenance Code

Sec. 518-4. International Property Maintenance Code – Adopted and Amended.

(A) A certain document, one copy of which is on file in the City Clerk’s Office of the City of Peoria, being marked and designated as “International Property Maintenance Code, 2012 2015 Edition,” published by the International Code Council is hereby adopted, as amended herein, as the Code for establishing the minimum regulations governing the conditions and maintenance of property, buildings, and structures within the City of Peoria.

(B) The International Property Maintenance Code, 2012 2015 Edition, is amended as follows:

Note: For sections designated “RESERVED” herein, refer to the Building Code of the City of Peoria Administrative Provisions for these code requirements.

Chapter 1, SCOPE AND ADMINISTRATION”, is hereby amended as follows:

Amend Section 101.1 Title, by inserting the words “City of Peoria” as the name of the jurisdiction. These regulations shall be known as the *International Property maintenance Code of The City of Peoria*, hereinafter referred to as “this code.”

Amend Section 102.3 Application of other codes, by replacing the section in its entirety with the following:

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 Peoria City Code. Nothing in this code shall be construed to cancel, modify, or set aside any provision of the Peoria City Code.

SECTION 103 to be amended as follows:

SECTION 103 DEPARTMENT OF PROPERTY MAINTENANCE INSPECTION CODE ENFORCEMENT

[A] 103.1 General. ~~The department of property maintenance inspection~~ Code Enforcement is hereby created and the executive official in charge thereof shall be known as the *code official*.

Amend Section 103.5 Fees, by deleting it in its entirety.

~~Amend Section 111, Means of Appeal, by deleting Sections 111.2 through 111.8.~~
- RESERVED.

Chapter 3, “GENERAL REQUIREMENTS”, is hereby amended as follows:

Amend Section 302.4 Weeds, by inserting “six (6) inches” in the first sentence.

Amend Section 303, Swimming Pools, Spas and Hot Tubs by replacing it with the following:

303.1 Swimming pools. Swimming pools, spas, and hot tubs shall be maintained in a clean and sanitary condition, and in good repair.

303.2 Enclosures. Private swimming pools, hot tubs and spas, containing water more than 18 inches (457 mm) in depth shall be completely surrounded by a fence or barrier at least 60 inches (1524 mm) in height above the finished ground level measured on the side of the barrier away from the pool. Gates and doors in such barriers shall be self-closing and self-latching. Where the self-latching device is less than 54 (1372 mm) inches above the bottom of the gate, the release mechanism shall be located on the pool side of the gate. Self-closing and self-latching gates shall be maintained such that the gate will positively close and latch when released from an open position of 6 inches (152 mm) from the gatepost. No existing pool enclosure shall be removed, replaced or changed in a manner that reduces its effectiveness as a safety barrier.

Pool enclosures and barriers, including gates, locks, latches, doors, alarms and any other safety features, including interior child barriers, shall be maintained in safe and good working order at all times.

Amend Section 304.14 Insect Screens, by inserting the dates “January 1” and “December 31” in the first sentence.

Chapter 6, “MECHANICAL AND ELECTRICAL REQUIREMENTS”, is hereby amended as follows:

Delete **SECTION 602 HEATING FACILITIES** in its entirety and replace with the following:

SECTION 602 HEATING AND COOLING FACILITIES

602.1 Facilities required. Heating and cooling facilities shall be provided in structures as required by this section.

602.2 Heating and cooling systems. Habitable spaces shall be provided with active or passive space-heating and space cooling systems capable of maintaining temperatures between 70° F (21° C) and 90° F (32° C) at a point 3 feet (914 mm) above the floor. The installation of portable space heaters or coolers shall not be used to achieve compliance with this section.

~~Amend Section 602.3 Heat supply, by inserting the dates “January 1” and “December 31” in the first sentence.~~

~~Amend Section 602.4 Occupiable work spaces, by inserting the dates “January 1” and “December 31” in the first sentence.~~

Charter reference(s) -- Adoption by reference, art. VII, § 14.

Cross reference(s) -- Nuisances, Ch. 17.

State law reference(s) -- Adoption by reference, A.R.S. § 9-801 et seq.

SECTION 5. Chapter 5 of the Peoria City Code (1992) is amended by amending Section 5-5 and renumbering it as reserved Section 18-5 and which shall read as follows:

Sec. ~~518-5~~. International Property Maintenance Code — Amendments Reserved.

SECTION 6. Chapter 5 of the Peoria City Code (1992) is amended by renumbering Section 5-6 as Section 18-6 pertaining to Standard specifications for public works and which shall read as follows:

Sec. ~~518-6~~. Standard specifications for public works.

The Uniform Standard Specifications for Public Works Construction from the

Maricopa Association of Governments, 1979, and the 1982 and 1983 amendments thereto are adopted by reference.

Charter reference(s) -- Adoption by reference, art. VII, § 14.

State law reference(s) -- Adoption by reference, A.R.S. § 9-801 et seq.

SECTION 7. Chapter 5 of the Peoria City Code (1992) is amended by renumbering Section 5-7 as reserved Section 18-7 and which shall read as follows:

Sec. ~~518~~-7. Reserved.

SECTION 8. Chapter 5 of the Peoria City Code (1992) is amended by amending Section 5-8 and renumbering it as Section 18-9 pertaining to Slum property designation and appeals; inspection fees and which shall read as follows:

Sec. ~~518~~-8. Slum property designation and appeals; inspection fees.

(A) If the ~~Economic Development Services Director~~ City Manager or their designee finds that a residential rental property constitutes a "slum property" within the meaning of A.R.S. § 33-1901(3), then the City Manager or their designee ~~Economic Development Services Director~~ shall issue to the property owner or the owner's statutory agent a written notice of designation, either personally or by certified mail. The notice of designation shall identify what conditions exist on the property that meet the statutory criteria.

(B) An owner of a residential rental property that has been designated as a slum property pursuant to Subsection (A) of this Section may file an administrative appeal contesting the designation. At the time of filing an administrative appeal, the owner shall pay to the City \$150.00 as a fee for processing the appeal. The administrative appeal shall be heard by a hearing officer designated by the City Manager.

(C) The decision of the hearing officer on an administrative appeal of a slum property designation shall be the City's final administrative decision.

(D) In order to recoup the costs of a City inspection of a slum property or property that is not registered pursuant to A.R.S. § 33-1902, the City shall assess upon a property owner a fee of \$50.00 per hour per inspector, with a four-hour minimum fee for an inspection of a slum property.

State law reference, A.R.S. §§ 33-1904 and 33-1905

SECTION 9. Chapter 5 of the Peoria City Code (1992) is amended by repealing Section 5-9 in its entirety pertaining to Building Board of Appeals and renumbering it as reserved Section 18-9 and which shall read as follows:

Sec. ~~518~~-9. ~~Building Board of Appeals.~~ Reserved.

~~(A) The Building Board of Appeals shall be composed of a total of seven (7) regular members. All members of the Board shall be appointed by the Mayor with the approval of the City Council in accordance with the provisions of this Code. The members of the Board shall consist of:~~

~~(1) One member shall be an Arizona registered architect or structural engineer doing business in the City of Peoria.~~

~~(2) One member shall be an Arizona licensed contractor in one or more areas of electrical, mechanical, fire protection or plumbing.~~

~~(3) One member with a background or experience in one or more of the following areas: single family home construction, real estate or general construction.~~

~~(4) Two members who are private citizens, familiar with the construction industry and trades who are residents of the City.~~

~~(5) One member shall be a fire protection engineer.~~

~~(6) One member shall be an industrial safety professional with a background in hazardous materials.~~

~~(B) All members shall serve without pay. However, members may be reimbursed for their actual expenses incurred in connection with their duties upon authorization or ratification by the City Council.~~

~~(C) Members shall be appointed in accordance with Section 2-153 of this Code, with the initial terms being staggered to meet the requirements of that section. Members currently serving who do not meet these qualifications shall continue to serve until their terms are expired.~~

~~(D) The Building Board of Appeals is authorized to hear appeals of any final decision or determination of the Building Official relative to the application and interpretation of the following building safety codes adopted and as amended in this Chapter: International Property Maintenance Code, International Building Code, International Residential Code, National Electrical Code, International Mechanical Code, International Plumbing Code, International Energy Conservation Code, and the International Fuel Gas Code.~~

~~(E) A written appeal, outlining the Code provision from which relief is sought and the remedy proposed, shall be submitted to the designated Clerk for the Building Board of Appeals within 20 calendar days of notification of a final decision or determination subject to appeal.~~

SECTION 10. Chapter 5 of the Peoria City Code (1992) is amended by renumbering Sections 5-10 through 5-20 as reserved Sections 18-10 through 18-20 and which shall read as follows:

Secs. ~~5~~18-10 through ~~5~~18-20. Reserved.

SECTION 11. Chapter 5 of the Peoria City Code (1992) is amended by amending Section 5-21 and renumbering it as Section 18-21 International Building Code – Adopted and Amended and which shall read as follows:

SECTION 4. International Building Code.

Sec. ~~5~~18-21. International Building Code – Adopted and Amended.

(A) A certain document, one copy of which is on file in the City Clerk's Office of the City of Peoria, being marked and designated as the "International Building Code, ~~2012~~ 2015 Edition," published by the International Code Council Inc., is hereby adopted, as amended herein, as the Building Code of the City of Peoria.

(B) The International Building Code, ~~2012~~ 2015 Edition, is amended as follows:

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

~~"101.1 Title. Insert the words "City of Peoria" as the name of jurisdiction."~~

[A] 101.1 Title. These regulations shall be known as the *Building Code of The City of Peoria*, hereinafter referred to as "this code."

~~Amend Section 101.2 Scope by adding the following:~~

~~"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."~~

Amend Section 101.2 Scope to read as follows:

[A] 101.2 Scope.

The provisions of this code shall apply to the construction, *alteration*, relocation, enlargement, replacement, *repair*, equipment, use of occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures.

~~Exception:~~ 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 *International Residential Code*.

Exceptions. The provisions of this code shall not apply to:

1. Federal, state or county owned projects (building and land) are exempt from the required permits, inspections, and fees of Chapter 27, Fee Table 27-6 of the *City of Peoria* code.
2. Work primarily located within a public way such as streets, roads, sidewalks, bridges, drainage structures, street lights and traffic control signs or equipment. Pedestrian tunnels or bridges which cross a public way are regulated by this code when they directly connect one or more buildings located outside of the public way.
3. Canals, dams and hydraulic flood control structures constructed by or under contract with a governmental agency or jurisdiction.
4. Utility towers, poles, equipment or systems under the exclusive control of an electric utility and directly used to generate, transmit, transform, control or distribute electrical energy to utility customers. Electrical installations in buildings used by the electric utility, such as office buildings, that are not an integral part of a generating plant, substation or control center, and electrical installations located on the premises of a utility customer, such as exterior lighting, service entrance equipment or customer-owned substation equipment, are regulated by this code.
5. Installation of communications equipment under the exclusive control of communications utilities and located outdoors or in a building spaces used exclusively for such installations. Communications wiring run inside a building is regulated by this code.
6. Piping and equipment owned and operated by a public service utility and directly used to produce, treat, distribute or meter water to utility customers, or directly used to collect, treat or dispose of sewage or waste water from utility customers. Domestic plumbing systems within water or sewer utility plants are regulated by this code.

Amend Section 101.2.1 Appendices to read as follows:

[A] 101.2.1 Appendices. Amend Section 101.2.1 Appendices by adding the following:

~~Provisions in the appendices shall not apply unless specifically adopted. The following appendices are adopted: Appendix C – Group U – Agricultural Buildings, Appendix I – Patio Covers.~~

Amend Section 101.3 Intent to read as follows:

[A] 101.3 Intent. The purpose of this code is to establish the minimum requirements to safeguard the public health, safety and general welfare through structural strength, means of egress facilities, stability, sanitation, adequate light and ventilation, energy conservation, and safety to life and property from fire and other hazards attributed to the built environment and to provide safety to fire fighters and emergency responders during emergency operations.

The purpose of this Code is not to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefited by the terms of this code. Although the Development and Engineering Director (hereinafter referred to as the “Director”) or designee is directed to obtain substantial compliance with the provisions of this code, a guarantee that all buildings, structures or utilities have been constructed in accordance with all the provisions of the code is neither intended nor implied.

101.4 Referenced codes. ~~Shall be deleted in its entirety and revised to read as follows:~~

[A] 101.4 Referenced codes. ~~The other codes listed in Sections 101.4.1 through 101.4.7 9 and referenced elsewhere in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference. If another code is referenced elsewhere in this code and has not been adopted, then that section shall be considered invalid. The administrative requirements and fees specified in this Code shall supersede those in other adopted codes when there is a conflict.~~

Exception: Administrative requirements in the City of Peoria Fire Code

~~Any references to the ICC Electrical Code shall be deleted and the words “Electrical Code adopted by the City of Peoria and amended from time to time” shall be inserted in lieu thereof.~~

~~Any references to the International Zoning Code shall be deleted and the words “Zoning Code adopted by the City of Peoria and amended from time to time” shall be inserted in lieu thereof.~~

~~Any references to the International Private Sewage Disposal Code shall be deleted.~~

[A] 101.4.1 Gas. The provisions of the *International Fuel Gas Code* adopted by the City of Peoria and amended from time to time, as amended, shall apply to the installation of gas piping from the point of delivery, gas appliances and related accessories as covered in this code. These requirements 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.

[A] 101.4.2 Mechanical. The provisions of the *International Mechanical Code* adopted by the City of Peoria and amended from time to time, as amended, shall apply to the installation, *alterations*, *repair*, and replacement of mechanical systems, including equipment, appliances, fixtures, fittings and/or appurtenances, including ventilating, heating, cooling, air-conditioning and refrigeration systems, incinerators and other energy-related systems.

[A] 101.4.3 Plumbing. The provisions of the *International Plumbing Code* as adopted by the City of Peoria and amended from time to time, as amended, 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. ~~The provisions of the *International Private Sewage Disposal Code* shall apply to private sewage disposal systems.~~

[A] 101.4.4 Property maintenance. The provisions of the *International Property Maintenance Code* adopted by the City of Peoria and amended from time to time, as amended, 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.

[A] 101.4.5 Fire prevention. The provisions of the *International Fire Code* adopted by the City of Peoria and amended from time to time, as amended, 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 the 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.

[A] 101.4.6 Energy. The provisions of the *International Energy Conservation Code*, as amended, shall apply to all matters governing the design and construction of those structures regulated by the *International Residential Code* as adopted by the City of Peoria. Furthermore, the provisions of the *International Energy Conservation Code* may apply, on a voluntary basis, to all matters governing the design and construction of those structures regulated by the *International Building Code* as adopted by the City of Peoria. buildings for energy efficiency.

[A] 101.4.7 Existing Buildings. The provisions of the *International Existing Building Code*, as amended shall apply to matters governing the *repair*, *alteration*, change of occupancy, *addition* to and relocation of existing buildings.

[A] 101.4.78 Electrical. The provisions of the National Electrical Code adopted by the City of Peoria and amended from time to time, as amended, shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto.

[A] 101.4.9 Residential. The provisions of the International Residential Code, as amended, shall apply to 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.

SECTION 103 to be amended as follows:

SECTION 103 DEPARTMENT OF BUILDING SAFETY Development and Engineering Department

[A] 103.1 Creation of enforcement agency.

The Department of Building Safety is hereby created and the official in charge thereof shall be known as the building official. The authority and responsibility for administration and enforcement of this Code is hereby assigned to the Director of the Development and Engineering Department. The Director may designate a person or persons to fulfill these duties.

[A] 103.2 Appointment.

The building official shall be appointed by the ~~chief appointing authority of the jurisdiction.~~ Director of the Development and Engineering Department.

[A] 103.3 Deputies.

In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the appointing authority, the ~~building official~~ Director of the Development and Engineering Department shall have the authority to appoint a deputy building official, the related technical officers, inspectors, plan examiners and other employees. Such employees shall have powers as delegated by the building official. For the maintenance of existing properties, see the *International Property Maintenance Code*.

SECTION 104 to be amended as follows:

SECTION 104 DUTIES AND POWERS OF BUILDING OFFICIAL

Amend Section 104.5 Identification to read as follows:

[A] 104.5 Identification. The building official and all Development and Engineering Department employees shall carry proper identification when inspecting structures or premises in the performance of duties under this code.

SECTION 104.10 is deleted in its entirety and replaced with the following:

[A] 104.10 Administrative review, interpretations, modifications and appeals.

Any person dissatisfied with a technical code decision made by a Development and Engineering Department employee may request an administrative review, formal interpretation, or a modification of a code requirement.

104.10.1 Administrative review. Any person dissatisfied with a technical code decision made by a Development and Engineering Department employee may request a review of that decision by the employee's supervisor.

Any person dissatisfied with a decision of the supervisor may appeal that decision to the building official. The appeal shall be made in writing on a form provided by the Development and Engineering Department, and shall be accompanied by a non-refundable administrative processing fee, equal to the minimum permit fee, as set forth in Chapter 27, Fee Table 27-6 of the Peoria City Code. The decision of the building official shall be final except as provided in Section 113 of this Code.

104.10.2 Interpretation. Any person may request a written interpretation of a code requirement. The request shall be in writing on a form provided by the Development and Engineering Department, shall include all information, calculations or other data necessary to describe the specific condition in detail, and shall be accompanied by a non-refundable administrative processing fee equal to additional plan review as set forth in Chapter 27, Fee Table 27-6 of the Peoria City Code. The decision of the building official shall be recorded in the files of the department.

104.10.3 Modifications.

Where there are practical difficulties involved in carrying out the provisions of this code, the *building official* shall have the authority to grant modifications for individual cases, upon application of the owner or owner's authorized agent, provided the *building official* shall first find that special individual reason makes the strict letter of this code impractical, the modification is in compliance with the intent and purpose of this code and that such modification does not lessen health, accessibility, life and fire safety, or structural requirements. The details of action granting modifications shall be recorded and entered in the files of the Development and Engineering Department of building safety.

Requests for modification of a code requirement shall be made in writing on a form provided by the Development and Engineering Department, and shall be accompanied by a non-refundable fee equal to additional plan review as set forth in Chapter 27, Fee Table 27-6 of

the Peoria City Code. The applicant is responsible for providing all information, calculations or other data necessary to document or substantiate each request. The building official may approve, approve with stipulations, or deny the application based upon the substantiating data submitted and the building official's determination that the modification results in substantial compliance with the intent of this code. In deciding each case, the building official may consider or require alternate methods or systems to be used for the particular code provision to be modified.

The details of action granting modifications shall be recorded and entered in the department files of the department of building safety.

~~**104.10.1.3.1 Flood hazard areas. RESERVED.** The building official shall not grant modifications to any provision required in flood hazard areas as established by Section 1612.3 unless a determination has been made that:~~

- ~~1. A showing of good and sufficient cause that the unique characteristics of the size, configuration or topography of the site render the elevation standards of Section 1612 inappropriate.~~
- ~~2. A determination that failure to grant the variance would result in exceptional hardship by rendering the lot undevelopable.~~
- ~~3. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, cause fraud on or victimization of the public, or conflict with existing laws or ordinances.~~
- ~~4. A determination that the variance is the minimum necessary to afford relief, considering the flood hazard.~~
- ~~5. Submission to the applicant of written notice specifying the difference between the design flood elevation and the elevation to which the building is to be built, stating that the cost of flood insurance risk resulting from the reduced floor elevation, and stating that construction below the design flood elevation increases risks to life and property.~~

104.10.4 Appeals. Any person may appeal a decision made by the building official to the Board of Appeals as set forth in Section 113 of this Code.

SECTION 105 to be amended as follows:

SECTION 105 PERMITS

Amend Section 105.1.1 Annual Permits to read as follows:

[A] 105.1.1 Annual permits. See Section 117 of this code. ~~Instead of an individual permit for each alteration to an already approved electrical, gas, mechanical or plumbing installation, the building official is authorized to issue an annual permit upon application therefore to any person, firm or corporation regularly employing one or more qualified tradespersons in the building, structure or on the premises owned or operated by the applicant for the permit.~~

~~**[A] 105.1.2 Annual permit records.** The person to whom an annual permit is issued shall keep a detailed record of alterations made under such annual permit. The building official shall have access to such records at all times or such records shall be filed with the building official as designated.~~

~~105.2 Work exempt from permit, Building, Item 1.~~

~~Delete Item 1 and replace with the following:~~

~~105.2 Work exempt from permit, Building, Amend by adding the following:~~

~~15. Hot water re-circulators~~

~~16. Water Softeners and Soft Water Loops~~

Amend Section 105.2 Work exempt from permit to read as follows:

[A] 105.2 Work exempt from permit. Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other codes, laws, or ordinances of this jurisdiction. Permits shall not be required for the following:

Building:

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area is not greater than ~~420~~ 200 square feet (~~44~~ 18.58 m²).
2. Fences not over 7 3 feet (2134 915 mm) high. Fences not included in this exception, not over 7 feet (2134 mm)high, shall require a building permit demonstrating compliance with the Zoning Ordinance requirements and City Code requirements for site drainage only.
3. Oil derricks.

4. Retaining walls that are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or IIIA liquids.
5. Water tanks supported directly on grade if the capacity is not greater than 5,000 gallons (18 925 L) and the ration of the height to diameter or width is not greater than 2:1.
6. Platforms, sidewalks, and driveways not more than 30 inches (762 mm) above adjacent grade, and not over any basement or story below and are not part of an accessible route.
7. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
8. Temporary motion picture, television, seasonal celebration, and theater stage sets and scenery. Additional bleachers and grandstands are not included in this exemption.
9. Prefabricated swimming pools accessory to a Group R-3 occupancy that ~~are less than 24 inches (610 mm) deep,~~ are not greater than 5,000 gallons (18 925 L) and are installed entirely above ground. Barriers shall be installed in accordance with Section R326 of the International Residential Code. A permit is required for the barrier.
10. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.
11. Swings and other playground equipment accessory to detached one-and two-family dwellings.
12. Window awnings in Group R-3 and U occupancies, supported by an exterior wall that do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support.
13. Nonfixed and moveable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches (1753 mm) in height.
14. Ground or roof supported structures, such as radio and television antenna towers and flagpoles which do not exceed 200 pounds (90 kg) in weight or 45 feet (13 700 mm) in height above the ground surface.

15. Contractors' temporary construction offices which are associated with a permitted construction project in compliance with the City of Peoria Ordinance and are intended to be removed from the site upon completion of the project. Structures which include sales offices which are open to the public do require a permit.
16. ~~14.~~ Re-roofing and roof repairs performed in accordance with IBC 1510 with the same type of material as the original roofing and provided not more than two layers of asphalt shingles are applied over an existing asphalt shingle roof.
17. Installation of nonstructural weatherproof exterior covering over an existing weatherproof covering on an existing structure so long as the new covering will not affect the fire-resistive classification of the existing structure.

Exception: Installation of an Exterior Insulation and Finish System (EIFS).

18. Unless part of a rated assembly, minor repair or replacement in kind of non-structural components such as glass or glazing materials, sash, doors and hardware, patching walls or ceilings and replacing pieces of siding, soffits or fascia. Installation of locking or security hardware on egress doors, or changing the types of locking devices requires a permit.

Electrical:

~~**Repairs and maintenance:** Minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles.~~

~~**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.~~

~~**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.~~

1. Installation or replacement of equipment such as appliances, lamp holders, lamps and other utilization equipment manufactured, approved and identified for cord-and plug-connection to suitable permanently installed receptacles.

2. Repair or replacement of motors rated 50 HP or less, transformers rated 45 kVA or less, or fixed approved appliances of the same type and rating in the same location.
3. Temporary decorative lighting approved and identified for cord- and plug-connection.
4. Repair or replacement in kind of any switch, other than a service disconnect, receptacle, contactor, control device or other utilization equipment rated 60 amperes or less
5. Replacement in kind of any circuit breaker other than a service disconnect, rated at 125 amperes or less, or any fuse.
6. Repair or replacement of electrodes or transformers of the same size and capacity for signs or gas tube systems
7. Temporary wiring for experimental purposes in suitable experimental laboratories.
8. Temporary wiring for theaters, motion picture and television studios, performance areas, and similar locations where not accessible to the general public.
9. Class 2 and Class 3 control and signal circuits not essential for safety to human life.
10. Installation, repair or replacement of electrical systems and components within machinery or equipment which is not defined by this Code as building service equipment.

Gas:

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

Mechanical:

1. Portable heating appliance
2. Portable ventilation equipment.
3. Portable cooling unit.
4. Steam, hot or chilled water piping within any heating or cooling equipment regulated by this code.

5. Replacement of any part that does not alter its approval or make it unsafe.
6. Portable evaporative cooler.
7. Self-contained refrigeration system containing 10 pounds (5 kg) or less of refrigerant and actuated by motors of 1 horsepower (746 W) or less.
8. Repair or replacement in kind, by a licensed contractor, of refrigeration units not over 5 tons (17.5 kW) of refrigeration capacity, when located outdoors. Replacement equipment shall be in the same location and equal to or less than the weight of that which is replaced. Repair or replacement of refrigeration systems located inside a building shall require a permit and compliance with all requirements of this Code for the classification of refrigerant utilized in the new equipment.

Plumbing:

1. The stopping of leaks in drains, water, soil, waste, soil, waste or vent pipe, provided however, that if any concealed trap, drain pipe, 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.
3. Replacement of water closets, valves or fixtures with new valves or fixtures complying with the water conservation requirements of this Code, and the 2010 Accessibility Standards, except that a permit shall be required for the relocation of any valves, pipes, or fixtures.
4. Repair or replacement of portable or built-in appliances which are not regulated by this code as building service equipment and which connect to the building water, drain or gas piping systems by approved means.

5. Replacement, in kind, of an existing water heater in one-and two-family dwellings when the work is performed by a licensed contractor.
6. Repair or replacement of existing 2 inch and smaller secondary backflow prevention assemblies. A test report, completed by a certified backflow assembly tester, shall be submitted for approval to the authority having jurisdiction at the time of installation or repair.
7. Hot water recirculators
8. Water softeners and soft water loops

Amend Section 105.3 Application for permit to read as follows:

[A] 105.3 Application for permit or standard plan. To obtain a permit or standard plan approval, the applicant shall first file an application therefor in writing on a form furnished by the ~~department of building safety~~ Development and Engineering Department for that purpose. Such application shall:

1. Identify and describe the work to be covered by the permit for which application is made.
2. Describe the land on which the proposed work is to be done by legal description, street address or similar description that will readily identify and definitely locate the proposed building or work.
3. Indicate the use of occupancy for which the proposed work is intended.
4. Be accompanied by construction documents and other information as required in Section 107.
5. State the valuation of the proposed work.
6. Be signed by the applicant owner, or the applicant's owner's authorized agent.
7. Give such other data and information as required by the building official.

Amend Section 105.3.2 Time limitation of application to read as follows:

[A] 105.3.2 Time limitation of application.

An application for a *permit* or standard plan approval for any proposed work shall be deemed to have been abandoned 180 days after the date of filing, unless such application has been pursued in good faith or a *permit* has been issued; except that the *building official* is authorized to grant one or more extensions of time for additional periods not exceeding ~~90~~ 180 days each. The extension shall be requested in writing and justifiable cause demonstrated. The application for extension shall include payment of a non-refundable fee as set forth in Chapter 27, Fee Table 27-6 of the City of Peoria Code.

[A] 105.3.2.1 Standard plan expiration. Standard plans shall expire upon the adoption of a new code or upon a transition plan approved by the building official.

Amend Section 105.5 Expiration to read as follows:

[A] 105.5 Expiration. Every *permit* issued, except demolition permits and permits subject to section 114 of this code, shall expire 24 months after the date of permit issuance or become invalid unless the work on the site authorized by such *permit* is commenced within 180 days after issuance, or if the work authorized on the site by such *permit* is suspended or abandoned for a period of 180 days after the time the work is commenced. ~~The *building official* is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be required in writing and justifiable cause demonstrated.~~ The work shall not be considered suspended or abandoned if the permit holder has done one or more of the following:

1. Received an inspection approval from Building Development within 180 days of the previous inspection approval;
2. Conducted legally authorized site preparation such as demolition, clearing or excavation; or
3. Pursued other activities deemed by the building official to indicate intent to start and complete the project.

[A] 105.5.1 Extension. The *building official* is authorized to grant, in writing, one or more extensions at a time, for periods not more than one year each. The extension shall be requested in writing, prior to permit expiration or invalidation, and justifiable cause demonstrated. The application for extension shall include payment of a non-refundable fee as set forth in Chapter 27, Fee Table 27-6 of the Peoria City Code.

Exception:

The building official is authorized to extend a permit for 30 days if it can be demonstrated the permit holder requires no more than two inspections per each discipline to obtain a Certificate of Occupancy or Certificate of Completion. The fee for a 30 day extension shall be based on the hourly rate for building inspections (two hour minimum for each discipline) and

shall include an administrative fee based on general hourly plan review rate (two hour minimum) as set forth in Chapter 27, Fee Table 27-6 of the Peoria City Code.

[A] 105.5.2 Reinstatement. When a permit has expired or become invalid, as described in section 105.5, the building official is authorized to grant, in writing, reinstatement of the permit for a period of not more than one year provided the following conditions are met:

1. No changes have been made or will be made in the original plans and specifications for such work; and
2. The original permit expired less than one year from the request to reinstate or became invalid less than 180 days from the request to reinstate.

The reinstatement shall be requested in writing and justifiable cause demonstrated. The application for reinstatement shall include payment of a non-refundable fee as set forth in Chapter 27, Fee Table 27-6 of the Peoria City Code for permit extensions.

Exception:

The building official is authorized to reinstate a permit for 30 days if it can be demonstrated the permit holder requires no more than two inspections per each discipline to obtain a Certificate of Occupancy or Certificate of Completion. The fee for a 30 day extension shall be based on the hourly rate for building inspections (two hour minimum for each discipline) and shall include an administrative fee based on the general hourly plan review rate (two hour minimum) as set forth in Chapter 27, Fee Table 27-6 of the Peoria City Code.

[A] 105.5.3 Demolition. Demolition permits shall expire if the work authorized by such permit is not commenced within 30 days or completed within 60 days from the date of permit issuance, or if active and continuous demolition work is suspended or abandoned for any period of five working days or more prior to final completion and clearance of all debris from the site. Reasonable and continuous progress shall be made to complete all demolition work as expeditiously as possible. See Section 3303 of the International Building Code for demolition permit conditions.

The building official is authorized to grant, in writing, one extension of not more than 30 days. The extension shall be requested in writing and justifiable cause demonstrated. The application for extension shall be submitted prior to permit expiration and include payment of a non-refundable fee as set forth in Chapter 27, Fee Table 27-6 of the Peoria City Code.

Amend Section 105.6 Suspension or revocation to read as follows:

[A] 105.6 Suspension or revocation. The *building official* is authorized to suspend or revoke a *permit* issued under the provisions of this code wherever the *permit* is issued in error or on the basis of incorrect, inaccurate or incomplete information; or in violation of any ordinance or regulation or any of the provisions of this code; or reasonable and continuous progress has not been made to complete the construction; or the continuance of any work becomes dangerous to life or property.

It shall be unlawful to proceed with any work for which a permit was issued after notice of permit suspension or revocation is served on the permit holder, the owner or the person having responsible charge of the work. Reinstatement of a suspended permit shall be by written notice from the building official authorizing work to resume, with or without conditions. Revoked permits shall be cancelled and the permit fee shall not be refunded except as may be provided in Section 109.6 of this code.

Amend Section 105.7 Placement of permit to read as follows:

[A] 105.7 Placement of permit. ~~The building permit or copy shall be kept on the site of the work until the completion of the project.~~ Work requiring a permit shall not be commenced until the permit holder or an agent of the permit holder has posted a visible sign which identifies the permit number and the street address or suite number where construction work is authorized. This sign may be a copy of the permit or a permit notice card provided by the building official. Other forms of identification may be used when approved by the building official. This permit notice shall be maintained by the permit holder until the required final approval has been granted by the building official.

[A] 105.8 Record changes.

[A] 105.8.1 Owner name change. Any time after a permit has been issued a new owner may be substituted for the original owner, provided the new owner submits sufficient evidence verifying ownership and agrees to assume all code compliance obligations related to the permit, including responsibility for correcting any work previously installed in violation of any code requirement.

[A] 105.8.2 Business name change. Any time after a permit has been issued, the name of the tenant or business may be changed provided the intended occupancy or use of the premises is not changed.

[A] 105.8.3 Contractor name change. Any time after a permit has been issued, the recorded owner of the property may by affidavit request substitution of a new contractor for the contractor named on the original permit, provided the new contractor agrees to assume all code compliance obligations related to the permit including assuming responsibility for correcting any work previously installed in violation of any code requirement. Nothing in this section shall be construed as preventing a new contractor

from obtaining a new permit to authorize only that work intended to be performed by the new contractor.

[A] 105.8.4 Registered Design Professional Change. Any time after a permit has been issued, a new architect or engineer shall submit a new special inspection certificate to the Development and Engineering Department inspector at the site prior to performing any special inspections. Any changes to the permitted drawings shall be approved either by the Development and Engineering Department inspector at the site or in the plan review process as revision submittal. The new registered design professional must be registered in the State of Arizona.

[A] 105.8.5 Address changes. A permit is not transferable from one property to another and no address change shall be processed which would have this effect. Any time after a permit has been issued or any time a property owner wishes to change the official address of any property, the recorded owner may request an address change in writing. The application shall be accompanied by a nonrefundable processing fee, equal to the minimum permit fee as set forth in Chapter 27-6, Fee Table 27-6 of the Peoria City Code. The department shall assign all addresses in accordance with established City regulations and may approve, modify or deny any request accordingly. Where an address change requires revising more than 10 records, the department may charge an administrative fee based upon the hourly rate for plan revisions.

[A] 105.8.6 Scope of work changes. Permit records shall be changed to increase or decrease the scope of work or valuation of any project. Any increase in scope of work or valuation requires an application for a new permit and payment of additional permit fees for the supplemental work. Any decrease in scope of work or valuation will be grounds for changing the permit record. In the case where a project scope is reduced after permit issuance, the original permit shall be revised to authorize the reduced scope of work, or, if no work has been started, the owner may, in writing, request to cancel the original permit and obtain a refund in accordance with Section 109.6 of this Code. In this case a new permit shall then be obtained for the actual work proposed.

[A] 105.8.7 Fees. The fee for record changes shall be equal to the minimum hourly charge as set forth in Chapter 27, Fee Table 27-6 of the Peoria City Code.

SECTION 107 to be amended as follows:

SECTION 107 SUBMITTAL DOCUMENTS

Amend Section 107.1 General to read as follows:

107.1 General.

Submittal documents consisting of *construction documents*, statement of *special inspections*, geotechnical report and other data shall be submitted in two or more sets with each *permit* application. The *construction documents* shall be prepared by a *registered design professional* ~~where required by the statutes of the jurisdiction in which the project is to be constructed.~~ as required by the State of Arizona Board of Technical Registration. Where special conditions exist, the *building official* is authorized to require additional *construction documents* to be prepared by a *registered design professional* licensed by the state of Arizona.

Exception: The *building official* is authorized to waive the submission of *construction documents* and other data not required to be prepared by a *registered design professional* if it is found that the nature of the work applied for is such that review of *construction documents* is not necessary to obtain compliance with this code.

Amend Section 107.2.1.1 Fire Life Safety Report (FLSR) to read as follows:

107.2.1.1 Fire Life Safety Report (FLSR). Prior to submitting construction drawings for high-rise buildings, covered mall buildings, buildings containing atriums and other structures as determined by the building official, the design team shall prepare and submit a Fire Life Safety Report. This FLSR shall provide a description of the occupancies, design codes, egress, emergency systems, smoke control and other related systems, and a conceptual description of the suppression system. The first submittal of the building construction plans must incorporate the first review comments of the FLSR.

Relocate Section 107.2.6.1 Shell Building Permit Application Drawings and to read as follows:

[A] 107.2.6 7.4 Shell Building Permit Application Drawings.

Relocate Section 107.2.6.2 Exit Discharge Illumination and to read as follows:

[A] 107.2.6 7.2-1 Exit Discharge Illumination. If two or more exits are required for a shell building, as determined by the code, then emergency exterior exit discharge illuminations shall be required for all exterior exit doors and the permit application drawings shall show such illuminations for all exterior exit doors.

Relocate Section 107.2.6.3 Exterior Exit Door Accessibility and to read as follows:

[A] 107.2.6 7.3-2 Exterior Exit Door Accessibility. All Exterior doors for a shell building shall be accessible and shall be shown as such on the permit application drawings. Accessible egress doors shall be on an accessible route of travel to the public way or an approved alternate.

Relocate Section 107.2.6.4 Exterior Signs and to read as follows:

[A] 107.2.6 7. 4 3 Exterior Signs. Shell building permit application drawings shall comply with NEC 600.5 for each front entrance. Tenant exterior sign locations shall be provided with a 20 amp, 120 volt circuit to a 4-gang junction box. Drawings shall show ¾ inch conduit routed and 3-#12, 1-#12 ground to a junction box inside the building to a tenant panel or inside the building near the vicinity of a future tenant panel. Drawings shall show separate branch circuits for each sign junction box.

[A] 107.4 Amended construction documents.

Work shall be installed in accordance with the approved construction documents, and any changes made during construction that are not in compliance with the approved construction documents shall be resubmitted for approval as an amended set of construction documents. Amended sets of construction documents shall be subject to revision fees as set forth in Chapter 27, Fee Table 27-6 of the Peoria City Code.

[A] 107.5 Retention of construction documents.

One set of approved construction documents shall be retained by the building official for a period of not less than 180 days from date of completion of the permitted work, or as required by state or local laws, in accordance with the retention schedules set by the Peoria City Clerk Department Records Management Program.

107.5.1 Standard Plans. Standard plans are valid under the code in effect at the time of submittal and valid for the duration of the code cycle as long as the plan remains active. Upon adoption of a new code standard plans shall expire and be discarded, by the building official, in accordance with the retention schedules set by the Peoria City Clerk.

SECTION 108 TEMPORARY STRUCTURES AND USES

108.1 General.

The building official is authorized to issue a permit for temporary structures and temporary uses. Such permits shall be limited as to time of service, but shall not be permitted for more than 180 days. The building official is authorized to grant extensions for demonstrated cause.

Exception: Temporary fences, not associated with a construction project, shall not be permitted unless approved by the Planning and Zoning Department.

SECTION 109 to be amended as follows:

SECTION 109 FEES

Amend Section 109.2 Schedule of permit fees to read as follows:

[A] 109.2 Schedule of permit fees. Add the following paragraph:

~~The following fee schedule will be applicable to residential and non-residential projects.~~

~~SEE TABLE 2-209~~

~~Plan Review fee shall be sixty five (65%) of the permit fee as shown in Table 2-209. A plan review fee shall not be less than \$50.00. The fee schedule in Table 2-209 shall be applicable to residential and non-residential projects.~~

~~On buildings, structures, electrical, gas, mechanical and plumbing systems or alterations requiring a permit, a fee for each permit and plan review shall be paid as required, in accordance with the schedule as established by the applicable governing authority set forth in Chapter 27, Fee Table 27-6 of the Peoria City Code. Fees paid for plan reviews, permits or other services are not transferable.~~

109.2.1 Supplemental permits. The fee for a supplemental permit to cover any additional work or additional valuation not included in the original permit shall be computed based on the valuation of the supplemental work. A new permit for a building addition shall be required to increase the building area authorized by a permit. Supplemental work started prior to obtaining a supplemental permit is subject to an investigation fee set forth in Section 109.4 of this Code.

Amend Section 109.3 Building permit valuations to read as follows:

[A] 109.3 Building permit valuations. ~~The following paragraphs shall be added after the last sentence:~~

~~The applicant for a permit shall provide an estimated ~~permit value~~ project valuation at time of application. ~~Permit~~ Project valuation shall include total value of work, including materials and labor, for which the ~~permit~~ is being issued, such as electrical, gas, mechanical, plumbing equipment, finish work and permanent systems. ~~If, in the opinion of the building official, the valuation is underestimated on the application, the permit shall be denied, unless the applicant can show detailed estimates to meet the approval of the building official.~~ For the purposes of determining valuations Table 2-209 shall be used. The valuation for any shell-only buildings shall be permitted to be reduced by 20 percent. When a foundation-only permit is 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.~~

Project valuation is the higher of the minimum project valuation as calculated by Development and Engineering, or the project valuation as provided by the

applicant. The minimum project valuation is calculated using the International Code Council Building Valuation Data adjusted for the City of Peoria. Final building permit valuation shall be set by the building official.

[A] 109.6 Refunds. The building official is authorized to establish a refund policy.

109.6.1 Unused permits. The building official may 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, or where the permit issued is found to be a duplication of a previously issued permit. In all cases, a minimum amount shall be retained to pay for processing the refund request.

109.6.2 Withdrawn applications. The building official may 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 plan review is done. In all cases, a minimum amount shall be retained for processing the refund request.

109.6.3 Special conditions. In paragraphs 1 and 2 above, the building official may at their discretion authorize a refund of more than 80 percent of the permit fee or plan review fee when the applicant demonstrates unique and unusual circumstances, provided the department retains an amount sufficient to recover all direct and indirect costs attributable to the project. In all cases, a minimum amount shall be retained for processing the refund request.

109.6.4 Refund requests. The building official shall not authorize the refunding of any fee paid except upon written application filed by the original permit holder. The written application must be submitted to the Development and Engineering Department before the permit expires or not later than 180 days after the date of the fee payment, whichever occurs first.

[A] 109.7 Plan review fees. When submittal documents are required by Section 107.3.4.1 of this code, a plan review fee shall be paid at the time of submittal. The plan review fees specified in this section are separate fees from, and in addition to, the permit fees specified in section-109.2 this Code.

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 of this code, an additional plan review fee shall be charged as set forth in this section.

109.7.1 Deferred submittals. When the building official has agreed to accept deferred submittals on a project, the full plan review fee for the entire project shall be paid upon first submittal. Thereafter, the plan review fee for

each additional submittal shall be determined as set for in Chapter 27, Fee Table 27-6 of the Peoria City Code.

109.7.2 Plan review corrections. No additional fee shall be charged for checking corrections required by the building official on the first re-submittal. However, if the same or related corrections must again be noted on subsequent submittals, an additional rechecking fee shall be assessed and paid prior to re-submittal for a third or subsequent review.

109.7.3 Plan revisions. When plans are changed or revised so as to require additional plan review, an additional plan review fee shall be assessed. Changes or revisions which add to the scope of work included in the original plan submittal or on an issued permit shall be treated as a new work requiring a new permit application, new plan review fee and new permit fee.

109.7.4 Standard plans. The plan review fee for a non-site specific standard plan shall be determined as set forth in Chapter 27, Fee Table 27-6 of the Peoria City Code. In addition, a separate plot plan review fee shall be assessed each time a reviewed standard plan is referenced and used for purposes of obtaining a site specific building permit.

109.7.5 Special plan review services. Additional fees shall be charged for special plan review services, but in no case less than an hourly rate sufficient to pay all direct and indirect expenses related to any special services provided.

[A] 109.8 Inspections and re-inspections. Permit fees provide for customary inspections only. When inspections are requested for weekends, holidays, or any time other than the regular working hours of the building official, an additional fee will be required.

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.

Re-inspection fees may also be assessed when the approved plans are not readily available to the inspector; for failure to provide access on the date for which inspection is requested, or for deviating from plans requiring the approval of the building official.

When inspections are requested for weekends, holidays, or any time other than the regular Development and Engineering inspection hours, an additional fee will be required as specified in Chapter 27, Table 27-6 of the Peoria City Code.

SECTION 110 INSPECTIONS to be amended as follows:

SECTION 110 INSPECTIONS

Amend Section 110.1 General to read as follows:

[A] 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 lot may be required by the building official to verify that the structure is located in accordance with the approved plans where existing, legal corner boundary markers are not readily verifiable.

[A] 110.3.8.1 Swimming pool inspections. In addition to the inspections required in section 110.3.1 of this code, a rough-in inspection is required after all fixed metal parts are in place and electrically bonded but prior to concealing or placement of any concrete or gunite. A final inspection is required before a finish coating is placed and before the pool is filled with water. At the time of final inspection, all of the following must be complete:

1. Installation of all motors, lights and electrical circuits, including connection to approved overcurrent protection devices.
2. Installation and electrical bonding of all fixed metal parts within 5 feet (1524 mm) of the inside edge of the pool.
3. Installation of approved backflow prevention devices on the nearest hose bibb(s) providing water supply for the pool.
4. Installation of all pool enclosures and barriers required by this Code.

SECTION 111 to be amended as follows:

SECTION 111 CERTIFICATE OF OCCUPANCY

[A] 111.1 Use and occupancy.

A building or structure shall not be used or occupied, and a change in the existing use or occupancy classification of a building or structure or portion thereof shall not be made, until the *building official* has issued a certificate of occupancy therefore as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or other ordinances of the ~~jurisdiction~~ City of Peoria.

Exceptions:

1. Certificates of occupancy are not required for work exempt from *permits* under Section 105.2.

2. Certificates of occupancy are not required for one and two family residences. Only final inspection approval and a utility clearance is required prior to occupancy.

[A] 111.2 Certificate issued. After the *building official* inspects the building or structure and finds no violations of the provisions of this code or other laws that are enforced by the ~~department of building safety~~ Development and Engineering Department, the *building official* shall issue a certificate of occupancy that contains the following:

1. The building *permit* number.
2. The address of the structure.
3. The name and address of the owner.
4. A description of that portion of the structure for which the certificate is issued.
5. A statement that the described portion of the structure has been inspected for compliance with the requirements of this code for the occupancy and division of occupancy and the use for which the proposed occupancy is classified.
6. The ~~name of the building official~~ date of issuance.
7. The edition of the code under which the *permit* was issued.
8. The use and occupancy, in accordance with the provisions of Chapter 3.
9. The type of construction as defined in Chapter 6.
10. The design *occupant load*.
11. If an *automatic sprinkler system* is provided, whether the sprinkler system is required.
12. Any special stipulations and conditions of the building permit.

[A] 111.3 Temporary occupancy.

The *building official* is authorized to issue a temporary certificate of occupancy before the completion of the entire work covered by the *permit*, provided that such portion or portions shall be occupied safely. The *building official* shall set a time period during which the temporary certificate of occupancy is valid. The fee for a temporary certificate of occupancy shall be as set forth in Chapter 27, Fee Table 27-6.

Exception: Where, in the opinion of the building official, there is very little remaining work to obtain a full certificate of occupancy, the fee for a temporary certificate of occupancy may be waived if the duration to resolve outstanding issues will take less than 14 calendar days.

111.3.1 Application. Application for a temporary certificate of occupancy shall be on a form supplied by the Development and Engineering Department and shall include payment of a nonrefundable fee as set forth in Section 109 of this code. Issuance of a temporary certificate of occupancy shall be subject to the property owner and the permit holder agreeing in writing to comply with all stipulations set forth by the Development and Engineering Department.

111.3.2 Duration. The maximum duration for temporary occupancy of a building, or a portion thereof, shall be the expiration date of the permit under which the temporary Certificate of Occupancy was issued or 60 days, whichever occurs first, at which time all requirements of the Building Code of the City of Peoria, the City of Peoria Fire Code, The City of Peoria Zoning Ordinance and other applicable codes and ordinances shall have been completed.

[A] 111.5 Certificate of occupancy only. Application may be made for the building official to consider issuing a certificate of occupancy only for a change in use or for new use of an existing building when no construction permit has been issued. Application for such a certificate shall be on a form provided by the Development and Engineering Department, and shall include payment of a nonrefundable application and inspection fee. This fee shall be in addition to any plan review fee or subsequent permit fee that may be required by Section 109 of this Code.

111.6 Duplicate certificates of occupancy. Duplicate copies of a valid certificate of occupancy may be obtained from the Development and Engineering Department upon payment of an administrative service fee sufficient to cover records search and copy costs.

SECTION 113 BOARD OF APPEALS is hereby amended as follows:

SECTION 113 BOARD OF APPEALS

Section 113.1 General is deleted in its entirety and hereby amended to read as follows:

[A] 113.1 General. Refer to Chapter 3, Section 3-17 of the Peoria City Code.

SECTION 114 to be amended as follows:

SECTION 114 VIOLATIONS

Amend Section 114.1 to read as follows:

[A] 114.1 Unlawful Acts. It shall be unlawful for any person, firm or corporation to erect, construct, alter, extend, repair, move, remove, demolish or occupy any building, structure or equipment regulated by this code, or cause same to be done, in conflict with or in violation of any of the provisions of this code. Whenever, by the provisions of this Code, the performance of any act is prohibited or wherever any regulation, dimension or limitation is imposed on the erection, alteration, repair, maintenance, demolition or occupancy of any building, structure or building service equipment, a failure to comply with the provisions of this Code shall constitute a violation. Every day on which a violation exists shall constitute a separate violation and a separate offense. The remedies herein are cumulative and the City of Peoria may proceed under one or more such remedies.

114.1.1 Responsible parties. For the purpose of this Code, unless a particular section, subsection or clause places compliance responsibility upon a different person, the property owner, the tenant or occupant in responsible control of the premises and the person, firm or corporation performing the work all have the duty to ensure that all applicable requirements of this Code are complied with. Failure to comply with the provisions of this Code or with a lawful order of the Building official, subjects the owner, the tenant or occupant, and the person, firm or corporation performing the work to the criminal penalties and civil remedies prescribed in this section.

114.1.2 Submittal information. It shall be unlawful and a violation of this Code for any person, firm or corporation to falsify or to materially misrepresent information submitted to the Building official as part of any application or request for approval required by this Code.

114.1.3 Alternate methods, materials and equipment. It shall be unlawful and a violation of this Code for any person, firm or corporation to use any method, material or equipment as an alternate to the methods, materials or equipment permitted by this Code without first having obtained approval from the Building official in the manner provided in this Code.

114.1.4 Permits. It shall be unlawful and a violation of this Code for any person, firm or corporation to perform any work for which a permit is required by this Code until such permit has been obtained from the *building official* and been posted on the premises where the work is to be performed. Working beyond the authorized scope of a permit constitutes work without a permit.

It shall also be unlawful and a violation of this Code for any person, firm or corporation to occupy, use or maintain any building, structure or other property improvement that was built, erected, altered or improved without a valid permit issued by the building official when such permit is required by this Code.

114.1.4.1 Nonpermitted construction enforcement. In cases of nonpermitted construction, an

investigation shall be made before a permit may be issued for the work. Nonpermitted construction is grounds for the building official to stop all work on the project until appropriate permits are obtained. Nonpermitted construction cases shall be subject to the enforcement procedures set forth herein.

114.1.4.1.1 Application for permit. The owner or authorized agent must apply for a permit within 15 calendar days of receipt of a notice of violation or the date indicated on the notice of violation by which to obtain a permit.

Exception: Additional time may be granted when deemed necessary, by the discretion of the building official.

114.1.4.1.2 Permits. Permits for work commenced without a permit must be obtained no later than 60 calendar days from the date of application.

Exception: Additional time may be granted when deemed necessary by the discretion of the building official.

114.1.4.1.3 Job-site meeting. Upon issuance of the permit(s) a job meeting will be scheduled for the inspector to meet with the owner or authorized agent at the job site. The purpose of the job meeting is to determine corrective action required for compliance and to establish an inspection schedule.

114.1.4.1.4 Completion of work. All work must be completed within 180 calendar days from date of permit issuance. No action or inaction by the City shall relieve the permit holder from their duty to complete construction with 180 days from the permit issuance.

114.1.4.1.5 Extension. A one-time extension, not-to-exceed 90 calendar days, may be granted with the approval of the building official and is subject to a fee as set forth in Chapter 27, Fee Table 27-6 of the Peoria City Code. Applications for permit extensions must be received prior to expiration of the permit.

114.1.5 Approval conditions. It shall be unlawful and a violation of this Code for any person, firm or corporation to install or perform any construction work or to maintain, occupy or use any building, structure or other property improvement that deviates from the plans, designs, specifications or materials approved by the building official at the time of permit issuance, unless such deviation has received approval from the building official.

It shall be unlawful and a violation of this Code for any person, firm or corporation to fail to comply with any condition or stipulation required by the building official as part of the approval of any modification request; any request for use of alternate methods, materials or equipment; any plan approval; any permit issuance; any inspection notice; or any conditional or permanent certificate of occupancy approval.

It shall be unlawful and a violation of this Code for any person, firm or corporation to violate any requirement, condition, specification or prohibition contained in any provision of this Code.

114.1.6 Inspections. It shall be unlawful and a violation of this Code for any person, firm or corporation to fail to request all inspections required by the provisions of this Code.

It shall be unlawful and a violation of this Code for any person, firm or corporation to cover or conceal any work requiring inspection until such inspection has been made and approved by the building official.

114.1.7 Certificate of Occupancy. It shall be unlawful and a violation of this Code for any person, firm or corporation to occupy or use any building or structure without first having obtained a Certificate of Occupancy as required by the provisions of this Code.

It shall be unlawful and a violation of this Code for any person, firm or corporation to occupy or use any building or structure for any use or activity other than that authorized by a Certificate of Occupancy for such building or structure.

It shall be unlawful and a violation of this Code for any person, firm or corporation to change the occupancy, use or character or use of any building or structure without first obtaining a new Certificate of Occupancy for such new use.

It shall be unlawful and a violation of this Code for any person, firm or corporation to continue to occupy or use any building or structure in violation of the conditions of any temporary Certificate of Occupancy or after the expiration of a temporary Certificate of Occupancy.

114.1.8 Unsafe buildings and building service equipment. It shall be unlawful and a violation of this Code for any person, firm or corporation to cause or to create any unsafe condition as defined in this Code. It shall be unlawful and a violation of this Code for any person, firm or corporation to use or occupy any building or structure, or to use or operate any building service equipment, when such building, structure or building service equipment has been declared unsafe in accordance with the provisions of this Code. These requirements shall apply to all buildings, structures and building service equipment, whether new, existing, under construction or being demolished.

It shall be unlawful and a violation of this Code for any person, firm or corporation to fail to make repairs or otherwise fail to correct or abate any unsafe condition as defined in this Code.

It shall be unlawful and a violation of this Code for any person, firm or corporation to fail to comply with an unsafe condition abatement order issued by the building official in accordance with Section 116 of this Code.

114.1.9 Lawful orders. It shall be unlawful and a violation of this Code for any person, firm or corporation to fail to comply with any lawful notice or order of the building official issued in accordance with the provisions of this Code.

Amend Section 114.2 to read as follows:

114.2 Notice of violation. The *building official* is authorized to serve a notice of violation or order on the person responsible for the erection, construction, *alteration*, extension, *repair*, moving, removal, demolition or occupancy of a building or structure in violation of the provisions of this code, or in violation of a *permit* or certificate issued under the provisions of this code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

Notices of violation of this Code shall be in writing and shall be served by personal service or by certified mail with return receipt requested. Service shall be deemed complete upon delivery.

The notice of violation shall identify the address or legal description of the property in question and shall state the nature and extent of the violation in such detail as to allow the correction or abatement of the violation. The notice shall provide the name and phone number of a City representative to contact concerning the violation and acceptable methods of correction or abatement. The notice shall state the remedies available to the City for correction or abatement of the violation and the procedures to follow should the recipient wish to appeal the issuance of the notice.

Nothing herein shall preclude the building official from giving additional verbal or written information notices.

Nothing herein shall require the issuance of a notice of violation prior to commencement of emergency abatement or civil or criminal violation proceedings.

114.2.1 Recording a violation. The City of Peoria may record a notice of violation with the County recorder. A recorded notice of violation shall run with the land. Failure to record a notice of violation shall not affect the validity of the notice as to persons who receive the notice. When the property is brought into compliance, a satisfaction of notice of violation shall be filed with the County recorder, at the request of the owner or responsible party at the requester's expense.

Amend Section 114.4 to read as follows:

114.4 Violation penalties.

Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the *approved construction documents* or directive of the

building official, or of a permit or certificate issued under the provisions of this code, shall be subject to penalties as prescribed by law.

114.4.1 Fees. Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system without first obtaining the necessary permit(s) shall be subject to the following penalties and fees in addition to the required permit fees.

- 1. Investigation fee.** An investigation fee, in addition to the permit fee, shall be assessed whether or not a permit is then or subsequently issued. The investigation fee shall be as set forth in Chapter 27, Fee Table 27-6 of *The Peoria City Code*.
- 2. Permit fees.** The permit fee for work commenced without permits shall be twice the published permit fees as set forth in Chapter 27, Fee Table 27-6 of *The Peoria City Code*.

Exceptions:

1. The Development and Engineering Department may waive the investigation fee and/or additional permit fee where it can be demonstrated that the nonpermitted construction was completed by a previous owner.
2. When work without permits is to be totally demolished by the owner, the demolition permit fee shall be as set forth in Chapter 27, Fee Table 27-6 of the Peoria City Code.

SECTION 117 to be added as follows:

SECTION 117 ANNUAL FACILITIES PERMIT

117.1 Scope. The Annual Facilities Program is an administrative system intended to simplify the permitting and inspection process for qualified facilities. This program allows inspector review of plans and maintains an inspection staff familiar with the construction history of qualified facilities. Qualified facilities enrolled in this program are exempt from Section 105 of this Code when the proposed work does not increase the floor area. Additional permits shall be required in accordance with Section 105 this Code for work that increases floor area or establishes or changes the occupancy of a space. The Annual Facilities Program shall administer all permits issued for qualified facilities registered under this program. This permit process shall not preempt compliance with the technical requirements of this Code or with other city, county, state or federal laws and regulations.

117.2 Definitions. For the purpose of this section, certain terms are defined as follows:

AGENT means a person employed by a qualified facility owner as full-time staff or by contract, who is an architect or engineer registered and residing in the State of Arizona.

CAMPUS means two or more buildings located on the same property and under the control of the qualified facility owner.

QUALIFIED FACILITY means a building, campus, structure, or building service equipment registered with the Annual Facilities Permit Program.

QUALIFIED FACILITY OWNER means a firm, corporation, political entity or property management company that occupies or controls the buildings, campus, structure or building service equipment and maintains such buildings and equipment in compliance with all provisions of this Code.

117.3 Annual Facilities Permits.

117.3.1 Initial application. Every applicant for an Annual Facilities Permit shall fill out a form provided by the Development and Engineering Department and shall pay an application and registration fee as set forth in Chapter 27, Fee Table 27-6 of the Peoria City Code. The form shall include the following:

1. The name of the person authorized to act on behalf of the qualified facility owner(s).
2. The name of the agent who will be responsible for code compliance of the work performed under the Annual Facilities Permit. When the agent is employed by contract, the builder and the person who is authorized to act on behalf of the qualified facility owners cannot be the same individual.
3. The location and total square footage of the entire facility at the site(s) intended to be included in the program.

117.3.2 Validity of the annual facilities permits. An Annual Facilities Permit shall be valid only as long as the named agent remains in the employ of the qualified facility owner in an active capacity.

If the agent should leave the employ of the qualified facility owner, such facility shall notify the *building official* within seven calendar days. The qualified facility owner shall obtain a replacement agent within 45 days of notification to the *building official*. If the *building official* is not notified within the prescribed period that a new agent has been obtained, the Annual Facilities Permit shall be suspended until such agent is obtained.

117.3.3 Annual facilities permit transfers. An Annual Facilities Permit is not transferable.

117.4 Annual facilities permit renewal. Annual Facilities Permits shall be renewed every 12 months by payment of a renewal fee as set forth in Chapter 27, Fee Table 27-6 of the Peoria City Code. Renewal fees shall be due and payable before the date of expiration of the permit or when a new application is required.

Any work performed after expiration or without a permit as specified in Section 105 of this Code shall be a violation of this Code.

117.5 Annual Facilities Permit operation. The agent shall notify the Development and Engineering Department before the start of any work on facilities registered with the Annual Facilities Permit Program. The *building official* shall determine the nature and extent of plan review or inspections required. The qualified facility shall pay to the Development and Engineering Department an hourly fee for professional services rendered as set forth in Chapter 27, Fee Table 27-6 of the Peoria City Code.

The agent shall be responsible for ensuring that qualified facilities comply with the substantive provisions of this Code. The agent, as authorized by rules established by the Arizona Board of Technical Registration, shall assure work has been performed in accordance with this Code.

117.5.1 Plan reviews. Plans, drawings, diagrams, and/or other data describing such work shall be provided to the *building official* for review before work commences. Plans shall be complete and comply with all of the codes and ordinances applicable to the proposed work.

117.5.2 Work report and inspections. All structural, architectural, plumbing, mechanical and electrical installations or construction shall be inspected in accordance with this Code. Facilities shall be subject to inspection at regular intervals not to exceed six months.

117.5.3 Construction Compliance. The agent and the qualified facility owner are jointly responsible for assuring that all work performed at the qualified facility complies with all technical requirements of all applicable construction codes whether or not such work is specifically inspected.

117.6 Revocation of Annual Facilities Permit. The *building official* may suspend or revoke an Annual Facilities Permit when the qualified facility fails to comply with any of the program policies or for willful violation of any provision of this Code. Violations that may result in annual permit suspension or revocation include, but are not limited to, one or more of the following:

1. Performing construction work without an agent as required in this section.
2. Performing construction work without the agent's knowledge or consent.
3. Concealing work without inspection approval or authorization.

4. Refusal to uncover concealed work.
5. Construction or installing work contrary to inspection orders.
6. Performing construction work prior to approval from the Annual Facilities Program.
7. Failure to report all construction work done under authority of the annual permit.
8. Refusal to eliminate unsafe hazards listed in Section 116 of this Code.
9. Failure to remain current on payment for plan review and inspection services.

An Annual Facilities Permit may be reinstated after all violations have been remedied to the satisfaction of the *building official*. If compliance involves actual work, a separate permit as required under Section 105 of this Code must be obtained and such permit

(2) Chapter 2, "Definitions", SECTION 202, is hereby amended as follows:

SECTION 202 DEFINITIONS

COMMON AREA. For the purposes of ADA compliance for visual notification, a common area shall be a room, space, or element made available for the use of a restricted group of people (for example, occupants of a homeless shelter, the occupants of an office building, or the guests of such occupants). Common areas shall include restrooms, hallways, lobbies, meeting and conference rooms, classrooms, cafeterias, filing and photocopy rooms, employee break rooms, open office areas exceeding 300 square feet, examination and treatment rooms, and similar areas that are not used solely as employee work areas in accordance with the U.S. Access Board technical Bulletin on Visual Alarms. Mechanical, electrical and telephone closets, janitor's closets, and similar non-occupiable spaces that are not common areas or assigned work areas are not required to have visual alarms.

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

~~Amend Section 308.3 by amending the first sentence with the following:~~

SECTION 308 INSTITUTIONAL GROUP I

308.3 Institutional Group I-1. Institutional Group I-1 This occupancy shall include buildings, structures or portions thereof for more than ~~46~~ 10 persons, excluding staff, who reside on a 24-hour basis in a supervised environment and receive custodial care. Buildings of Group I-1 shall be classified as one of the occupancy conditions specified in Section 308.3.1 or 308.3.2. This group shall include, but not be limited to, the following:

- Alcohol and drug centers
- Assisted living facilities
- Congregate care facilities
- Group Homes

Halfway houses
Residential board and care facilities
Social rehabilitation facilities

~~Amend Section 308.3.1 by replacing it in its entirety with the following:~~

~~308.3.1 Five or fewer persons receiving care. A facility such as the above with five or fewer persons receiving such care shall be classified as Group R-3.~~

~~Amend Section 308.3.2 by replacing it in its entirety with the following:~~

~~308.3.2 Six to ten persons receiving care. A facility such as the above housing not fewer than six and not more than 10 persons receiving such care shall be classified as Group R-4.~~

308.3.3 Six to 16-10 persons receiving custodial care. A facility housing not fewer than six and not more than 16 10 persons receiving custodial care shall be classified as Group R-4.

~~Amend Section 308.4.1 by replacing it in its entirety with the following:~~

~~A facility such as the above with five or fewer persons receiving such care shall be classified as Group R-3.~~

308.3.4 Five or fewer persons receiving custodial care. A facility with five or fewer persons receiving custodial care shall be classified as Group R-3 or shall comply with the *International Residential Code*, ~~provided an automatic sprinkler system is installed in accordance with Section 903.3.1.3 or Section P2904 of the *International Residential Code*.~~

308.4.2 Five or fewer persons receiving medical care. A facility with five or fewer persons receiving medical care shall be classified as Group R-3 or shall comply with the *International Residential Code*, ~~provided an automatic sprinkler system is installed in accordance with Section 903.3.1.3 or Section P2904 of the *International Residential Code*.~~

310.6 Residential Group R-4. Residential Group R-4 occupancy shall include buildings, structures or portions thereof for more than 5 but not more than 16 10 persons, excluding staff, who reside on a 24-hour basis in a supervised residential environment and receive *custodial care*. Buildings of Group R-4 shall be classified as one of the occupancy conditions specified in Section 310.6.1 or 310.6.2. The persons receiving care are capable of self preservation. This group shall include, but not be limited to, the following:

Alcohol and drug centers

Assisted living facilities
Congregate care facilities
Group Homes
Halfway houses
Residential board and care facilities
Social rehabilitation facilities

Group R-4 occupancies shall meet the requirements for construction as defined for Group R-3 or shall comply with the *International Residential Code*, except as otherwise provided for in this code.

~~(4)~~ (3) Chapter 9, “Fire Protection Systems,” is hereby amended by deleting the entire chapter and replacing with the following:

Chapter 9 Fire Protection Systems. Fire protection systems shall be installed, repaired, operated and maintained in accordance with Chapter 9, Sections 9-31, 9-32 and 9-33 of the Peoria City Code (1992).

~~(5)~~ (4) Chapter 10, “Means of Egress”, is hereby amended as follows:

Amend Exception 4 to Section ~~1008.1.2~~ 1010.1.2 Door Swing. by replacing it in its entirety with the following:

4. Doors within or serving a single dwelling unit in Groups R-2, R-3 as applicable in Section 101.2, and R-4.

~~(6)~~ (5) Delete Chapter 11, “Accessibility”, in its entirety and insert the following:

Section 1101 Accessibility. The “Arizonan’s with Disabilities Act” (Arizona Revised Statutes, Title 41, Chapter 9, Article 8), and the “Arizonan’s with Disabilities Act Implementing Rules” (Arizona Administrative Code, Title 10, Chapter 3, Article 4), which rules incorporate the federal “Americans with Disabilities Act Accessibility Guidelines Checklist for Buildings and Facilities,” is hereby adopted as the Arizonans with disabilities Act of the City. These standards and specifications apply to public entities, public accommodations, and commercial facilities, as defined by those laws, regulations, and guidelines. For public entities, the standards and specifications 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. For public accommodations and commercial facilities, the standards and specifications shall apply to new construction and alterations commenced after the effective date of such standards and specifications.

Section 1102 Fair Housing in New Construction and Alterations. The “Arizona Fair Housing Act” (Arizona Revised Statutes Title 41, Chapter 9, Article 7) and the “Arizona Fair Housing Act Rules” (Arizona Administrative Code Title 10, Chapter 2, Article 1) which incorporate and reference the “Federal Fair Housing Act Rules” (24 CFR 40) are adopted as the “Fair Housing Act of the City

of Peoria,” pursuant to A.R.S. § 41-1492.03, as amended, and 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 and this act is hereby referred to, adopted and made part hereof as though fully set forth in this section.

~~(7)~~ (6) Chapter 12, “Interior Environment”, is hereby amended as follows:

SECTION 1204 TEMPERATURE CONTROL is amended as follows:

1204.1 Equipment and systems. ~~Habitable spaces~~ ~~Interior spaces intended for human occupancy~~ shall be provided with active or passive space-heating and space-cooling systems capable of maintaining a minimum indoor temperatures between 70 ~~of 68~~°F (21°C) and 90°F (32°C) at a point 3 feet (914 mm) above the floor on the design heating day. The installation of portable space heaters or coolers shall not be used to achieve compliance with this section.

Exceptions: ~~1. Space heating and cooling systems are not required for: interior spaces where the primary purpose of the space is not associated with human comfort.~~

~~2. Group F, H, S or U occupancies.~~

SECTION 1207, “SOUND ATTENUATION” is amended as follows by adding the following section:

1207.4 Sound attenuation. All residential buildings or portions of buildings where the public is received, office areas and where normal noise level is low for first occupancy, including libraries, schools and churches, pursuant to building permits issued after December 31, 2001 in order to achieve a maximum interior noise level of forty-five (45) decibels in areas within the noise contours described in ARS section 28-8461, paragraph 8, subdivision (a), (b) or (c), as applicable.

These sound attenuation requirements do not apply to ancillary buildings used in agricultural land use.

If the gross floor area of a structure or project is expanded by less than fifty (50) percent, the requirements of this section apply only to the area of expansion. If the gross floor area of a structure or project is expanded by fifty (50) percent or more, the requirements of this section apply to the entire structure, except for single family, mobile home, manufactured housing unit or duplex dwellings or any multifamily property used for residential purposes.

The Building Official may approve as an alternative, a certification by an architect or engineer registered pursuant to Title 32, Chapter 1 to achieve a maximum interior noise level of forty-five (45) decibels at time of final construction.”

~~(8)~~ (7) Chapter 15, “Roof Assemblies and Rooftop Structures”, is hereby amended to reads as follows:

SECTION 1503 WEATHER PROTECTION is amended as follows by adding the following sections:

Amend Section 1503.4 to read as follows:

1503.4.4 Where required. All roofs, paved areas, yards, courts, and courtyards shall drain into a separate storm sewer system, a combined sewer system, or an approved place of disposal.

1503.4.5 Roof design. Roofs shall be designed for the maximum possible depth of water that will pond thereon as determined by the relative levels of roof deck and overflow weirs, scuppers, edges, or serviceable drains in combination with the deflected structural elements. In determining the maximum possible depth of water, all primary roof drainage means shall be assumed to be blocked.

(9) Chapter 16, “Structural Design”, is hereby amended as follows:

SECTION 1607 LIVE LOADS, Table 1607.1, item number 25 is amended as follows:

Table 1607.1

<u>OCCUPANCY OR USE</u>	<u>Uniform (psf)</u>
<u>25. Residential</u>	<u>30 40</u>
<u>Habitable attics and sleeping areas^k</u>	

(10)Chapter 16, “Structural Design”, is hereby amended to read as follows:

Amend the exceptions to Section 1609.1.1 by the addition of Exception 7, as follows:

7. For design wind loads on solid freestanding walls not over 7 feet, a net force coefficient, $C_f = 1.2$ may be used.

Amend Section 1612.3, Establishment of flood hazard area, as follows. ~~To establish flood hazard areas, the applicable governing authority shall adopt a flood hazard map and supporting data. The flood hazard map shall include, at a minimum, areas of special flood hazard as identified by the Federal Emergency Management Agency in an engineering report entitled “The Flood Insurance Study for [INSERT NAME OF JURISDICTION]”, dated [INSERT DATE OF ISSUANCE], as amended or revised with accompanying Flood Insurance Map (FIRM) and the Flood Boundary and Floodway Map (FBFM) and related supporting data along with any revisions thereto. The adopted flood hazard map~~

~~and supporting data are hereby adopted by reference and declared to be part of this section. See Chapter 20 of the Peoria City Code.~~

(11)(8)Chapter 17, “~~Structural Tests and~~ Special Inspections and Tests”, is hereby amended as follows:

SECTION 1704
SPECIAL INSPECTIONS AND TESTS, CONTRACTOR
RESPONSIBILITY AND ~~STRUCTURAL~~ OBSERVATIONS

1704.1 General. Special Inspections and tests, statements of special inspections, responsibility of contractors, submittals to the *building* official and ~~structural~~ observations shall meet the applicable requirements of this section.

Amend Section 1704 by adding the following sections:

1704.6.3 Structural observations for special conditions. Structural observations shall be provided for those structures where one or more of the following conditions exists:

1. The height of the structure is greater than 75 feet (22 860 mm), or greater than three stories above the base.
2. For elevated post-tensioned concrete structures.
3. Prefabricated deferred units and their connections, when such units are utilized structurally in the lateral-force-resisting systems of a structure.
4. When such observation is specifically required by the building official.

1704.7 Electrical Observations. The owner shall employ the engineer responsible for the electrical design, or another engineer designated by the engineer responsible for the electrical design, to perform visual observation of complex electrical equipment and systems for general conformance to the approved plans and specifications, including but not limited to, placement and interconnection of equipment. Electrical observation shall be performed at significant stages of the construction and when the installation is complete and ready to be inspected. Electrical Observations are in addition to the inspections required by Section 110 of the Peoria Building Code and the special inspections required by Section 1705.19, and shall be provided when one of the following conditions exist:

1. Installation or alteration of that portion of health care facility electrical systems which falls within the scope of Article 517 of the *National Electrical Code*, including such systems installed in facilities where outpatient surgical procedures are performed.

2. Installations or alteration of high voltage electrical systems which fall within the scope of Article 490 of the *National Electrical Code*.

3. Installation or alteration of electrical systems within locations classified as hazardous by provisions of the *National Electrical Code*, except for gasoline dispensing installations and systems located within storage garages, repair garages or lubritoriums.

4. When such observation is specifically required by the building official.

1704.7.1 Procedures. The engineer responsible for electrical observation shall personally visit the site prior to completion of the Certificate of Compliance and periodically during the course of construction requiring electrical observation as set forth in the inspection and observation program for each project.

The engineer responsible for performing electrical observation shall complete a signed written report after each site visit. A copy of each report shall be kept on the job site for review by an inspector at all times until the inspector has issued final approval. Any and all deviations from the approved plans or specifications shall be immediately reported to the contractor for correction and then, if uncorrected, shall be reported to the engineer or architect of record and to the building official.

In addition to individual reports, the engineer or architect of record shall file with the building official a written monthly progress report indicating the dates of each site visit, the special inspections or observations performed, any deviations noted from approved plans and specifications and any resulting instructions or change orders issued to the contractor.

1704.7.2 Certificate of Compliance. Upon completion of the portions of the work requiring electrical observation, a Certificate of Compliance shall be issued to the building official under the seal and signature of the engineer responsible for such observation. A Certificate of Occupancy will not be issued until the building official receives all required special inspection reports and the Certificates of Compliance.

The Certificate of Compliance for electrical observation shall read as follows:

“I certify to the best of my knowledge the electrical requirements of the Peoria Building Code and approved plans and specifications have been complied with insofar as the portion of the work requiring electrical observation is concerned, except for those deviations that have been previously reported. A guarantee that the contractor has constructed the building in full accord with the plans and specifications is neither intended nor implied.”

1704.8 Mechanical Observations. The owner shall employ the engineer responsible for the Mechanical design, or another engineer designated by the engineer responsible for the Mechanical design, to perform visual observation of complex Mechanical equipment and systems for general conformance to the approved plans and specifications, including, but not limited to, placement and interconnection of equipment. Mechanical observation shall be performed at significant stages of the construction and when the installation is complete and ready to be inspected. These Mechanical Special Observations are in addition to the inspections required by Section 110 of the Peoria Building Code and the special inspections required by Section 1705.20, and shall be provided when one of the following conditions exist:

When such observation is specifically required by the building official.

1704.8.1 Procedures. The engineer responsible for Mechanical observation shall personally visit the site prior to completion of the Certificate of Compliance and periodically during the course of construction requiring Mechanical Observation as set forth in the inspection and observation program for each project.

The engineer responsible for performing Mechanical observation shall complete a signed written report after each site visit. A copy of each report shall be kept on the job site for review by an inspector at all times until the inspector has issued final approval. Any and all deviations from the approved plans or specifications shall be immediately reported to the contractor for correction and then, if uncorrected, shall be reported to the engineer or architect of record and to the building official.

In addition to individual reports, the engineer or architect of record shall file with the building official a written monthly progress report indicating the dates of each site visit, the special inspections or observations performed, any deviations noted from approved plans and specifications and any resulting instructions or change orders issued to the contractor.

1704.8.2 Certificate of Compliance. Upon completion of the portions of the work requiring mechanical observation, a Certificate of Compliance shall be issued to the building official under the seal and signature of the engineer responsible for such observation. A Certificate of Occupancy will not be issued until the building official receives all required special inspection reports and the Certificates of Compliance.

The Certificate of Compliance for mechanical observation shall read as follows:

"I certify to the best of my knowledge the mechanical requirements of the Peoria Building Code and approved plans and specifications have been complied with insofar as the portion of the work requiring mechanical observation is concerned, except for those deviations that have been

previously reported. A guarantee that the contractor has constructed the building in full accord with the plans and specifications is neither intended nor implied.”

1704.9 Plumbing Observations. The owner shall employ the engineer responsible for the Plumbing design, or another engineer designated by the engineer responsible for the Plumbing design, to perform visual observation of complex Plumbing equipment and systems for general conformance to the approved plans and specifications, including, but not limited to, placement and interconnection of equipment. Plumbing observation shall be performed at significant stages of the construction and when the installation is complete and ready to be inspected. These Plumbing Observations are in addition to the inspections required by Section 110 of the Peoria Building Code and the special inspections required by Section 1705.21 and shall be provided when one of the following conditions exist:

When such observation is specifically required by the building official.

1704.9.1 Procedures. The engineer responsible for Plumbing observation shall personally visit the site prior to completion of the Certificate of Compliance and periodically during the course of construction requiring Plumbing Observation as set forth in the inspection and observation program for each project.

The engineer responsible for performing Plumbing observation shall complete a signed written report after each site visit. A copy of each report shall be kept on the job site for review by an inspector at all times until the inspector has issued final approval. Any and all deviations from the approved plans or specifications shall be immediately reported to the contractor for correction and then, if uncorrected, shall be reported to the engineer or architect of record and to the building official.

In addition to individual reports, the engineer or architect of record shall file with the building official a written monthly progress report indicating the dates of each site visit, the special inspections or observations performed, any deviations noted from approved plans and specifications and any resulting instructions or change orders issued to the contractor.

1704.9.2 Certificate of Compliance. Upon completion of the portions of the work requiring mechanical observation, a Certificate of Compliance shall be issued to the building official under the seal and signature of the engineer responsible for such observation. A Certificate of Occupancy will not be issued until the building official receives all required special inspection reports and the Certificates of Compliance.

The Certificate of Compliance for mechanical observation shall read as follows:

"I certify to the best of my knowledge the plumbing requirements of the Peoria Building Code and approved plans and specifications have been complied with insofar as the portion of the work requiring mechanical observation is concerned, except for those deviations that have been previously reported. A guarantee that the contractor has constructed the building in full accord with the plans and specifications is neither intended nor implied."

SECTION 1705 REQUIRED SPECIAL INSPECTIONS AND TESTS is amended as follows:

Section 1705.4, "Masonry construction", is amended by adding two additional exceptions to read as follows:

4. Masonry fences seven feet or less in height above grade.
5. Masonry retaining walls four feet or less in height from bottom of footing to top of wall unless supporting a surcharge or impounding flammable liquids.

Add the following sections:

1705.19 Special Electrical Inspections. The types of equipment or installations noted below shall be tested or inspected by a special inspector.

1. Ground-fault protection performance tests for equipment provided with ground-fault protection.
2. Switchboards, panelboards, motor control centers and other equipment rated at 1,000 amperes or more, or over 600 volts.
3. Transformers rated 100 kVA or more, single phase, or 300 kVA or more, three phase.
4. Conductors that supply equipment rated at 1,000 amperes or more, or over 600 volts.
5. Emergency and standby power systems, including switchboards, panelboards, distribution boards, transfer equipment, power source, conductors, fire pumps and exhaust and ventilation fans. This also includes verification of the installation in accordance with the required selective coordination study.
6. Special cases – Work which, in the opinion of the building official, involves unusual hazards or conditions.

Exception: The building official may waive the requirement for the employment of a special inspector if the construction is of a minor nature.

1705.20 Mechanical Special Inspections. The types of equipment or installations noted below shall be tested or inspected by a special inspector in accordance with regulations established by the building official:

1. Duct smoke detectors for air distribution systems as required by *International Mechanical Code* section 606.5.
2. Fire and smoke damper operation for dampers required by *International Mechanical Code* section 607.2.
3. Installation of grease duct enclosure alternative systems allowed under the exceptions to the *International Mechanical Code* section 506.3.11.
4. Special cases—Work which, in the opinion of the building official, involves unusual hazards or conditions.

Exception: Special inspections are not required for work of a minor nature or as warranted by conditions in the jurisdiction as approved by the building official.

1705.21 Plumbing Special Inspections. The types of equipment or installations noted below shall be tested or inspected by a special inspector.

1. Medical Gas and Vacuum Systems as required by *International Plumbing Code* section 1202.
2. Special cases - Work which, in the opinion of the building official, involves unusual hazards or conditions.

Exception: Special inspections are not required for work of a minor nature or as warranted by conditions in the jurisdiction as approved by the building official.

(12) Chapter 18, “Soils and foundations”, is hereby amended to read as follows:

SECTION 1803 GEOTECHNICAL INVESTIGATIONS is amended to add the following section:

1803.5.13 Post-tensioned slabs on ground. A soil investigation is required for the design of all post-tensioned slabs on ground. The investigation report shall include all soil parameters as outlined in the applicable design manuals published by the Post-Tensioning Institute.

Information required on the drawings includes, but is not limited to, slab type, soil parameters, bearing value and depth, coefficient of subgrade friction, soil subgrade modulus, e_m and v_m for expansive soils and all special inspection requirements.

(13) Chapter 19, "Concrete", is hereby amended to reads as follows:

Section 1907 MINIMUM SLAB PROVISIONS is amended as follows:

1907.2 Post-tensioned slabs on ground. All post-tensioned slabs on ground shall be stamped, marked or otherwise identified in a conspicuous location indicating the slab is a post-tensioned slab. Conspicuous locations include, but are not limited to, entrance porches, slabs at garage doors or patio slabs.

(14) (9) Chapter 31, "Special Construction", is hereby amended to reads as follows:

Amend Section 3105 as follows: SECTION 3105 AWNINGS, AND CANOPIES, AND SHADE STRUCTURES

3105.1 General. ~~Awnings and shade structures or canopies shall comply with the requirements of Sections 3105.2 through 3105.4 this section and other applicable sections of this Code. All provisions of this Code shall apply to nonresidential shade structures except as specifically modified by this section. The intent of this section is to provide less restrictive construction standards than this Code would otherwise require, provided all of the special design and construction requirements of these sections are met.~~

3105.2 Definitions. The following terms ~~is defined in Chapter 2:~~
RETRACTABLE AWNING.

For the purposes of this section and as used elsewhere in this Code, the following shall have the meanings shown herein.

INDUSTRIAL SHADE CANOPY. An industrial shade canopy is an awning, canopy or roof structure which provides solar protection for outdoor Group F or Group S factory, industrial or storage uses or equipment. Industrial shade canopies shall be classified as to Occupancy Group in accordance with Chapter 3 of this Code.

MERCANTILE SHADE CANOPY. A mercantile shade canopy is an awning, canopy or roof structure which provides solar protection for the outdoor storage, display or sale of merchandise as part of a Group M occupancy and includes the following:

1. A roof structure with not less than 50 percent of its perimeter wall area unenclosed; or
2. A slatted, lattice or louvered roof structure with not less than 25 percent of the roof area open to the sky; or
3. An open structural framework covered with shade cloth fabric as specified in Section 3105.4.

Mercantile shade canopies shall not apply to motor fuel dispensing facilities.

NON-RESIDENTIAL PATIO COVER. A non-residential patio cover is an awning, canopy or roof structure which provides solar protection for outdoor seating, dining, walkway or pedestrian entry areas accessory to a building of any occupancy and includes the following:

1. A roof structure with not less than 50 percent of its perimeter wall area unenclosed; or
2. A slatted, lattice or louvered roof structure with not less than 25 percent of the roof area open to the sky; or
3. An open structural framework covered with shade cloth fabric as specified in Section 3105.4.

Non-residential patio covers shall not apply to canopies or roof structures over vehicle drive-through lanes or porte-cocheres used by motor vehicles.

PARKING LOT SHADE STRUCTURE. A parking lot shade structure is a modified Group S-2 open parking garage. A parking lot shade structure is a freestanding roof supported on columns and entirely open on all sides with no enclosures beneath the roof.

RETRACTABLE AWNING. A retractable awning is a cover with a frame that retracts against a building or other structure to which it is entirely supported.

3105.3 Design and construction. Awnings, shade structures and canopies shall be designed and constructed to withstand wind or other lateral loads and live loads as required by Chapter 16 with due allowance for shape, open construction and similar features that relieve the pressures or loads. Structural members shall be protected to prevent deterioration. Awnings shall have frames of noncombustible material, fire-

retardant-treated wood, wood of Type IV size, or 1-hour construction with combustible or noncombustible covers and shall either be fixed, retractable, folding or collapsible.

3105.4 Awnings and Canopy, and shade structure materials. ~~Awnings and Canopies~~ and shade structures shall be ~~provided~~ constructed of a rigid frame work with an approved covering that meets the fire propagation performance criteria of Test Method 1 or Test Method 2, as appropriate, of NFPA 701 or has a *flame spread index* not greater than 25 when tested in accordance with ASTM E 84 or UL723.

Adding the following sections:

3105.5 Industrial shade canopies. Industrial shade canopies shall comply with the provisions of Chapter 3 for their designated occupancy except as specifically modified below.

3105.5.1 Construction and Height. Industrial shade canopies shall be limited to one story in height and shall be entirely of Type I or Type II non-combustible construction. Industrial shade canopies shall meet the design requirements of Chapter 16.

3105.5.2 Location on Property. Industrial shade canopies shall comply with Table 601 and 602 for the fire resistive protection. Shade canopies attached to unlimited area buildings shall not encroach within the required 60 foot (18288 mm) open yard area. Not less than 50 percent of the shade canopy perimeter area shall be unenclosed.

3105.5.3 Allowable Area. Industrial shade canopies may be attached to a Group F or a Group S occupancy building of any construction type when the total combined area of the building and the shade canopy does not exceed the area limits specified in Sections 503 and 506 for the type of construction for the building.

3105.5.4 Sprinkler Systems. Industrial shade canopies shall be protected by an automatic sprinkler system as specified in this code and the Peoria Fire Code.

3105.5.5 Special Hazards. Outdoor hazardous material storage areas including compressed gas storage tanks, portable tanks or cylinders and related equipment, required by the Peoria Fire Code to be weather protected, may be covered by a non-combustible industrial shade canopy when all of the following additional conditions are met. In all cases, the most restrictive requirement of the building code or the fire code shall apply.

3105.5.5.1 Fire code requirements. The location of outdoor hazardous material storage areas and weather protection shade canopies shall

comply with the Peoria Fire Code for distance to buildings, property lines, streets, alleys, public ways and exits to a public way based upon the type and quantity of material stored. No hazardous material shall be stored or used under an industrial shade canopy except in compliance with the fire code.

3105.5.5.2 Building code requirements. In addition to fire code requirements, weather-protection shade canopies attached to buildings shall also comply with Table 601 and 602 for the fire-resistive protection. Weather-protection shade canopies shall not encroach into or obstruct any yard area, fire access or exit path required by this code.

3105.5.5.3 Extent of enclosure. H occupancies utilizing, weather-protection shade canopies, supports and walls shall not obstruct more than 25 percent of the perimeter wall area of the canopy or storage area. Openings shall be arranged to permit natural ventilation and air flow through the space.

1. Where a weather-protection shade canopy is located less than 5 feet (1524 mm) from a building or a property line, a four-hour fire-resistive concrete or masonry separation wall without openings shall be provided.

2. Where a weather-protection shade canopy is located 5 feet (1524 mm) or more but less than 20 feet (6096 mm) from a building or a property line, a two-hour fire-resistive concrete or masonry separation wall without openings shall be provided. Where allowed by the Peoria Fire Code, this two-hour separation wall may be a line of sight shield or protective structure less than the full height of the canopy.

3. Where a weather-protection shade canopy is located 20 feet (6096 mm) or more from a building or a property line, the requirement for installation of a fire-resistive separation wall, shield or protective structure shall be as determined by the Peoria Fire Code.

3105.5.5.4 Sprinkler Systems. Weather-protection shade canopies shall be protected by an automatic sprinkler system when required in this code and the Peoria Fire Code.

3105.6 Mercantile shade canopies and non-residential patio covers. Mercantile shade canopies and nonresidential patio covers shall comply with the provisions of Chapter 3 for their designated occupancy except as specifically modified below.

3105.6.1 Construction and Height. Mercantile shade canopies and non-residential patio covers shall be limited to one story in height and shall be

entirely of type I or type II non-combustible construction. Tables 601 and 602 shall not apply for these structures.

Exception: Shade membrane fabric compliant with Section 3105.4.

Mercantile shade canopies and non-residential patio covers including the supporting framework for membrane fabric shall meet the design requirements of Chapter 16.

3105.6.2 Location on Property. Mercantile shade canopies and non-residential patio covers shall be located not less than 5 feet (915 mm) from the property line. Mercantile shade canopies and non-residential patio covers attached to unlimited area buildings shall not encroach within the required 60 foot (18 288 mm) open yard area.

3105.6.3 Allowable Area. Mercantile shade canopies may be attached to a Group M occupancy building and non-residential patio covers may be attached to any non-residential building when the total combined area of the building and the shade canopy does not exceed the area limits specified in Sections 503 and 506 for the occupancy and type of construction of the building. Mercantile shade canopies and non-residential patio covers with a roof covering of shade membrane fabric shall not exceed 5,000 square feet in area.

3105.7 Parking lot shade structures. Parking lot shade structures shall be used exclusively for the solar protection of parked motor vehicles and shall not be used to shelter any other use.

3105.7.1 Construction and Height. Parking lot shade structures shall be entirely of type I or type II noncombustible construction.

Exception: Shade membrane fabric compliant with Section 3105.4 can only be used with a maximum allowable area of 12,000 square feet in compliance with Section 3105.7.3.

Parking lot shade structures shall meet the design requirements of Chapter 16.

Parking lot shade structures shall have a clear height of not less than 7 feet (2134 mm). Where van accessible shaded parking is required by this code or by the Peoria Zoning Ordinance, the clear height shall be not less than 98 inches (2490 mm).

3105.7.2 Location on Property. Parking lot shade structures shall be located not less than 3 feet (915 mm) from any building or property line. Parking lot shade structures which meet all the requirements of this section shall be permitted in any required yard without affecting any of the general building limitations specified in Chapter 5 of this code.

3105.7.3 Allowable Area. Parking lot shade structures shall not exceed 300 feet (91440 mm) in length or 40 feet (12192 mm) in width. A clear separation of not less than 20 feet (6096 mm) shall be maintained between shade structures on the same property. No shade structure shall cover or encroach into any required fire lane.

3105.7.3.1 Allowable area for minimum 21 feet clear high parking lot shade structures.

The allowable area may be determined by Section 406.5.5 of this code provided the site fire apparatus access is approved by the Fire Marshal.

3105.7.4 Roof-top Shade Structures. Parking lot shade structures complying with the provisions of this section may be installed to shade open parking on the roof of Group S-2 parking garages. This installation shall not be construed as affecting the construction type, allowable area, height, or number of tiers of the parking garage. Where the parking garage is required to be protected by an automatic sprinkler system, all parking lot shade structures on the roof shall also be so protected.

3105.7.5 Sprinkler Systems. Parking lot shade structures shall be protected by an automatic sprinkler system as specified in this code and the Peoria Fire Code.

Delete Section 3109 in its entirety and replace with the following:

3109 SECTION SWIMMING POOL ENCLOSURES AND SAFETY DEVICES

3109.1 General. Swimming pools shall comply with the requirements of this Section and other applicable Sections of this Code. The provisions of this Section shall control the design and construction of swimming pools, spas and hot tubs.

3109.2 Definitions. For the purposes of this Section and used elsewhere in this code, the following words and terms shall mean: these requirements, the terms used shall be defined as follows and as set forth in Chapter 2.

ABOVE-GROUND/ON-GROUND POOL. See Swimming pool.

BARRIER. A fence, wall, building wall or combination thereof that completely surrounds the swimming pool and obstructs access to the swimming pool. Any permanent structure or combination thereof, including but not limited to a fence, building wall, or wall, intended to protect children under the age of seven (7) years old residing or intended to reside at the dwelling where the swimming pool is located. The barrier is intended to prevent unauthorized and unaccompanied access into the pool enclosure from the dwelling by children under the age of seven (7) years old.

~~**ENCLOSURE.** Any permanent structure or combination thereof, including but not limited to a fence, building wall, or wall, intended to restrict access to a swimming pool from public property or adjacent private property.~~

~~**HOT TUB.** See Swimming pool.~~

~~**IN-GROUND POOL.** See Swimming pool.~~

~~**SPA, NONPORTABLE.** See Swimming pool.~~

~~**RESIDENTIAL SWIMMING POOL.** Any swimming pool accessory to and on the same parcel as a Group R-3 occupancy.~~

~~**SPA, PORTABLE.** A nonpermanent structure intended for recreational bathing, in which all controls, water heating and water-circulating equipment are an integral part of the product.~~

~~**SWIMMING POOL.** Any structure intended for swimming or recreational bathing that contains water over 18 inches (457mm) deep. This includes in-ground, above-ground and on-ground swimming pools, hot tubs, spas, and fixed in place wading pools.~~

~~**SWIMMING POOL, INDOOR.** A swimming pool which is totally contained within a structure and surrounded on all four sides by walls of said structure.~~

~~**SWIMMING POOL, OUTDOOR.** Any swimming pool which is not an indoor pool.~~

~~**3109.3 Semi-Publics SWIMMING POOLS.** Public swimming pools shall be completely enclosed by a fence at least 60 inches (1524 mm) in height or an approved screen enclosure. Openings in the fence shall not permit the passage of a 4-inch-diameter (102 mm) sphere. The fence or screen enclosure shall be equipped with self-closing and self-latching gates.~~

~~**3109.3.1 In-ground pools.** In-ground pools shall be designed and constructed in conformance with ANSI/NSPI- 5 as listed in Section 3109.7~~

~~**3109.3.2 Above-ground and on-ground pools.** Above-ground and on-ground pools shall be designed and constructed in conformance with ANSI/NSPI-4 as listed in Section 3109.7.~~

~~**3109.4 SPAS AND HOT TUBS Residential swimming pools.** Residential swimming pools shall comply with Sections 3109.4.1 through 3109.4.3.~~

~~**3109.4.1 Permanently installed spas and hot tubs Enclosure and Barrier height and clearances.** Permanently installed spas and hot tubs shall be designed and constructed in conformance with ANSI/NSPI-3 as listed in Section 3109.7. The top of the enclosure or barrier shall be at least 60 inches (1524 mm)~~

~~above grade measured on the side of the enclosure or barrier that faces away from the swimming pool. The maximum vertical clearance between grade and the bottom of the enclosure or barrier shall be 2 inches (51 mm) measured on the side of the enclosure or barrier that faces away from the swimming pool. Where the top of the pool structure is above grade, the enclosure or barrier is authorized to be at ground level or mounted on top of the pool structure. The maximum vertical clearance between the top of the pool structure and the bottom of the enclosure or barrier shall be 4 inches (102 mm).~~

~~**3109.4.1.1 Openings.** Openings in the enclosure or barrier shall not allow passage of a 4-inch-diameter (102 mm) sphere.~~

~~**3109.4.1.2 Solid enclosure or barrier surfaces.** Solid enclosures or barriers which do not have openings shall not contain indentations or protrusions except for normal construction tolerances and tooled masonry joints.~~

~~**3109.4.1.3 Closely spaced horizontal members.** Where the enclosure or 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 swimming pool side of the fence. Spacing between vertical members shall not exceed 1.75 inches (44 mm) in width. Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1.75 inches (44 mm) in width.~~

~~**3109.4.1.4 Widely spaced horizontal members.** Where the enclosure or 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, spacing within the cutouts shall not exceed 1.75 inches (44 mm).~~

~~**3109.4.1.5 Chain link dimensions.** Maximum mesh size for chain link fences shall be a 1.75 (44 mm). Chain link material shall be no less than 11-gage.~~

~~**3109.4.1.6 Non-vertical and non-horizontal members.** Where the enclosure or barrier is composed of non-vertical and or non-horizontal members, the maximum opening formed by such members and any adjacent horizontal and or vertical members shall be no more than 1.75 inches (44 mm).~~

~~**3109.4.1.7 Gates.**~~

- ~~1. All gates shall be equipped to accommodate a locking device and shall comply with the requirements of Sections 3109.4.1.1 through 3109.4.1.6.~~

- ~~2. All single-leaf gates less than 5' in width shall be considered pedestrian access gates. Pedestrian access gates shall open outward away from the pool and shall be self-closing and self-latching. Single-leaf gates 5' in width or greater shall be secured with a locking device.~~
- ~~3. Gates other than pedestrian access gates that ARE NOT the sole means of access from the front of the house to the back of the house shall be secured with a locking device.~~
- ~~4. Gates other than pedestrian access gates that ARE the sole means of access from the front of the house to the back of the house shall have the active leaf self-closing and self-latching, unless there is a compliant barrier between the gate and the pool.~~
- ~~5. On gates that are required to be self-closing and self-latching, release mechanisms shall be located at least 54 inches above grade measured from the opposite side of the pool. Where the release mechanism is located less than 54 inches, the release mechanism shall be located on the pool side of the gate at least 5 inches below the top of the gate, and the gate and enclosure or barrier shall have no opening greater than 0.5 inches within 24 inches of the release mechanism.~~
- ~~6. Springs used to make a gate self-closing shall be mounted in such a manner that the spring pushes the gate to a closed position.~~

~~**3109.4.1.8 Dwelling wall as an enclosure or barrier.** Where a wall of a dwelling serves as part of the enclosure or barrier, one of the following shall apply:~~

- ~~1. Between the swimming pool and the dwelling, a minimum 60 inch (1524 mm) high wall, fence or barrier shall be provided that meets all of the requirements of Section 3109.4.1.~~
- ~~2. The pool shall be equipped with a power safety cover which complies with ASTM F 1346.~~
- ~~3. All ground level doors or other doors with direct access to the swimming pool shall be equipped with a self-latching device which meets the requirements of Section 3109.4.1.7. Emergency escape and rescue openings from sleeping rooms with access to the swimming pool shall be equipped with a self-latching device which meets the requirements of Section 3109.4.1.7. All other openable dwelling unit windows shall be equipped with a screwed in place wire mesh screen or a keyed lock that~~

- ~~prevents opening the window more than four inches (102 mm) or a latching device located not less than 54 inches (1372 mm) above the floor.~~
- ~~4. Doors with direct access to the pool through that wall shall be equipped with an alarm that produces an audible warning when the door and/or its screen, if present, are opened. The alarm shall be listed in accordance with UL 2017. The audible alarm shall activate within 7 seconds and sound continuously for a minimum of 30 seconds after the door and/or its screen, if present, are opened and be capable of being heard throughout the house during normal household activities. The alarm shall automatically reset under all conditions. The alarm shall be equipped with a manual means, such as a touchpad or switch, to temporarily deactivate the alarm for a single opening. Such deactivation shall last for not more than 15 seconds. In dwellings not required to be Accessible, Type A or Type B units, the deactivation switch shall be located 54 inches (1372 mm) or more above the threshold of the door. In dwellings required to be Accessible, Type A or Type B units, the deactivation switch(es) shall be located at 54 inches (1372 mm) maximum and 48 inches (1219 mm) minimum above the threshold of the door.~~
 - ~~5. Pet doors with direct access to the pool shall not be allowed.~~

Exceptions:

- ~~1. Swimming pools accessory to R-3 occupancies where no children under the age of seven (7) years of age reside or are intended to reside. An affidavit shall be required to be signed by the property owner prior to permit issuance stating whether children under the age of seven (7) are to be residents at the permit address.~~
- ~~2. Lake front properties shall provide audible alarm or self-latching devices on doors and window exiting to lake areas consistent with the standards set forth in this section to facilitate equal protection to children from swimming pools and natural or man-made bodies of water which are accessible. Audible alarms shall not be considered equal protection where occupant(s) other than the child are hearing impaired. The enclosure is required, except along the shore line.~~
- ~~3. Swimming pools and spas with a maximum water surface area of sixty-four (64) square feet shall be exempt from the barrier requirements of this section provided that one or more the following conditions exist:~~

- a. ~~The swimming pool or spa is located in an adult community that is separated from other non-adult communities by a minor or a major arterial street or by a fence complying with the provisions of this chapter.~~
- b. ~~The swimming pool or spa shall be equipped with a safety cover complying with ASTM F1346 and maintained in a locked position when not in use.~~
- c. ~~The swimming pool or spa edge shall be at a minimum of 36 inches (914 mm) above grade.~~

~~**3109.4.1.9 Pool structure as barrier.** Where an above-ground pool structure is used as a barrier or where the barrier is mounted on top of the pool structure, and the means of access is a ladder or steps, then the ladder or steps either shall be capable of being secured, locked or removed to prevent access, or the ladder or steps shall be surrounded by a barrier which meets the requirements of Sections 3109.4.1.1 through 3109.4.1.8. When the ladder or steps are secured, locked or removed, any opening created shall not allow the passage of a 4-inch-diameter (102 mm) sphere.~~

~~**3109.4.1.10 Required distance from water's edge.** The enclosure or barrier shall be no less than 20 inches (508 mm) from the water's edge.~~

~~**3109.4.2 Portable spas and hot tub Indoor residential swimming pools.** Portable spas and hot tubs shall be designed and constructed in conformance with ANSI/NSPI-6 as listed in Section 3109.7. Walls surrounding indoor residential swimming pools shall not be required to comply with Section 3109.4.1.8.~~

~~**3109.4.3 Prohibited locations.** Enclosures or barriers for residential swimming pools shall be located so as to prohibit permanent structures, equipment, or similar objects from being used to climb the enclosures or barriers.~~

~~**3109.5 BARRIER REQUIREMENTS Entrapment avoidance.** Suction outlets shall be designed to produce circulation throughout the pool or spa. Single-outlet systems, such as automatic vacuum cleaner systems, or other such multiple suction outlets whether isolated by valves or otherwise shall be protected against user-entrapment.~~

~~**3109.5.1 Application Suction Fittings.** The provisions of this chapter shall control the design of barriers for all swimming pools, spas and hot tubs. These design controls are intended to provide protection against potential drownings and near drownings by restricting access to swimming pools, spas and hot tubs.~~

The swimming pool barrier detail requirements of this section apply to all new swimming pools installed on or after January 1, 2017, and to all additions, alterations, repairs or replacements made to existing swimming pool barriers. All pool and spa suction outlets shall be provided with a cover that conforms to ASME A112.19.8M, a 12-inch by 12-inch (305 mm by 305 mm) drain grate or larger, or an approved channel drain system.

Exception: Surface Skimmers

3109.5.2 Outdoor swimming pool Atmospheric vacuum relief system required. ~~All pool and spa single or multiple-outlet circulation systems shall be equipped with an atmospheric vacuum relief should grate covers located therein become missing or broken. Such vacuum relief systems shall include at least one approved or engineered method of the following types:~~

- ~~1. Safety vacuum release systems conforming to ASME 112.19.17; or~~
- ~~2. Approved gravity drainage system.~~

It is the responsibility of the property owner and any other person in charge of a swimming pool to ensure that the required swimming pool barrier, including all gates, doors, locks, latches, and other portions of the barrier are maintained safe and in good working order at all times. No person shall alter or remove any portion of a swimming pool barrier except to repair, reconstruct, or replace the barrier in compliance with the provisions of this section. All barriers shall be installed, inspected, and approved prior to plastering or filling with water. An outdoor swimming pool, including an in-ground, aboveground or on-ground pool, hot tub or spa shall be provided with a barrier that shall comply with the following:

1. The top of the barrier shall be at least 5 feet (1524 mm) above grade measured on the side of the barrier which faces away from the swimming pool. The maximum vertical clearance between grade and the bottom of the barrier shall be 2 inches (51 mm) measured on the side of the barrier which faces away from the swimming pool. The maximum clearance at the bottom of the barrier may be increased to 4 inches (102 mm) when grade is a solid, non-removable surface. Where the top of the pool structure is above grade, such as an aboveground pool, the barrier may be at ground level, such as the pool structure, or mounted on top of the pool structure. Where the barrier is mounted on top of the pool structure, the maximum vertical clearance between the top of the pool structure and the bottom of the barrier shall be 4 inches (102 mm).
2. Openings in the barrier shall not allow passage of a 4-inch-diameter (102 mm) sphere.

3. Solid barriers which do not have openings, such as a masonry or stonewall, shall not contain indentations or protrusions except for normal construction tolerances and tooled masonry joints.

4. 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 swimming pool side of the fence. Spacing between vertical members shall not exceed 1.75 inches (44 mm) in width. Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1.75 inches (44 mm) in width.

5. 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, spacing within the cutouts shall not exceed 1.75 inches (44 mm) in width.

6. Maximum mesh size for chain link fences shall be a 2.25-inch (57 mm) square and provided with slats fastened at the top or the bottom which reduce the openings to not more than 1.75 inches (44 mm). The mesh shall not be less than 11 gage.

7. Where the barrier is composed of diagonal members, such as a lattice fence, the maximum opening formed by the diagonal members shall not be more than 1.75 inches (44 mm).

8. Access gates shall comply with the requirements of Section 3109.5.2, items 1 through 7, and shall be equipped to accommodate a locking device. Pedestrian access gates shall open outward away from the pool and shall be self-closing and have a self-latching device. Gates other than pedestrian access gates need not be self-closing or self-latching and shall be equipped with a padlock or similar locking device. Where the release mechanism of the self-latching device is located less than 54 inches (1372 mm) from the bottom of the gate, the release mechanism and openings shall comply with the following:

8.1. The release mechanism shall be located on the pool side of the gate at least 3 inches (76 mm) below the top of the gate, and

8.2. The gate and barrier shall have no opening greater than 0.5 inch (12.7 mm) within 18 inches (457 mm) of the release mechanism.

9. Where a building wall serves as part of the barrier, one of the following conditions shall be met:

9.1. The pool shall be equipped with a key operated powered safety cover in compliance with ASTM F1346. The keyed pool cover switch shall be located not less than 54 inches (1372 mm) above the floor or adjacent ground level and where the entire pool cover can be visually inspected; or

9.2. All doors leading from the building, directly into a yard with a swimming pool, shall swing away from the pool, shall be self-closing and self-latching, and shall be equipped with a locking device. The release mechanism for the latch, shall be located not less than 54 inches (1372 mm) above the floor. A locking latch which uses a key, electronic opener, or integral combination lock may be located at any height on the door. Sliding doors shall not form any part of a required barrier unless the self-closing and self-latching mechanism is specifically approved.

Windows used for emergency escape or rescue which face into a yard with a swimming pool shall be equipped with a latching device located not less than 54 inches (1372 mm) above the floor. All other operable windows facing into a yard with a swimming pool shall be equipped with a screwed in place wire mesh screen, a keyed lock that prevents opening the window more than 4 inches (102 mm), or a latching device not less than 54 inches (1372 mm) above the floor.

9.3. Pet doors with direct access to the pool are not allowed.

9.4. Required exit doors or means of egress serving an occupant load of 50 or more shall not open into or pass through a swimming pool enclosure.

Exception: R-3 Occupancies, in an age restricted community, are not required to have the house wall serve as a barrier requirement, as long as there are no children under the age of 6 permanently residing on the property.

10. Where an aboveground pool structure is used as a barrier or where the barrier is mounted on top of the pool structure, and the means of access is a ladder or steps, then:

10.1 The ladder or steps shall be capable of being secured in an inaccessible position with a lock or latch located 54 inches (1372 mm) above the adjacent ground level, or

10.2 The ladder or steps shall be surrounded by a barrier that meets the requirements of Section 3109.5.2, Items 1 through 9. When the ladder or steps are secured, locked or removed, any

opening created shall not allow the passage of a 4-inch-diameter (102 mm) sphere.

11. Where there are natural barriers between properties, such as lakes and solid rock vertical cliffs not less than 10 feet (3050 mm) in height and a slope of not less than 1 horizontal to 10 vertical, fence barriers shall not be required between properties where the natural barriers exist. To ensure proper natural barriers are maintained, barrier fences shall project a minimum of 24 inches (610 mm) into lakes to where there is at least 24 inches (610 mm) depth from the lake surface to the top of the submerged horizontal member or the lake bottom when there is no submerged horizontal member. There shall be no horizontal member less than 45 inches above the lake surface. Where the solid rock cliff extends above the property, the intersecting barriers, with the solid rock cliff, shall not allow passage of a 4 inch diameter (102 mm) sphere.

3109.5.3 Indoor swimming pool Dual drain separation. ~~All walls surrounding an indoor swimming pool shall comply with Section 3109.5.2, Item 9. Single or multiple pump circulation systems shall be provided with a minimum of two suction outlets of the approved type. A minimum horizontal or vertical distance of 3 feet (914 mm) shall separate such outlets. These suction outlets shall be piped so that water is drawn through them simultaneously through a vacuum-relief-protected line to the pump or pumps.~~

3109.5.4 Prohibited locations Pool cleaner fittings. ~~Barriers shall be located not less than 45 inches (1143 mm), measured horizontally from permanent structures, equipment or similar objects from being used to climb the barriers. Where provided, vacuum or pressure cleaner fitting(s) shall be located in an accessible position(s) at least 6 inches (152 mm) and not greater than 12 inches (305 mm) below the minimum operational water level or as an attachment to the skimmer(s).~~

3109.5.5 Barrier exceptions.

1. For portable spas and hot tubs with a safety cover which complies with ASTM F 1346, as listed in Section 3109, shall be exempt from the provisions of 3109.5.2, Item 9.

2. For spas and hot tubs, a hard safety cover that is latched or locked may be used provided the spa or hot tub is not more than 8 feet (2.44 m) in width at any point.

3. Existing swimming pools located on one-family dwelling property on or before June 1, 2017, need not be retroactively fitted with a barrier between the dwelling and the pool provided all occupants of the dwelling are at least six years of age or older or there is a door alarm. The alarm shall be

listed in accordance with UL 2017. All other portions of the swimming pool barrier separating properties shall be installed and maintained as in this section.

1. This exception does not eliminate an owner's responsibility for providing a temporary barrier or otherwise physically restricting visiting children's direct access from the dwelling to the swimming pool.

2. This exception shall expire and the required permanent barrier shall be retroactively installed between the dwelling and the swimming pool whenever:

1. One or more children under six years of age become occupants of the property
2. There is a change of use or character to the primary building occupancy on the property
3. A new pool or spa is being installed on the same property including spa additions to the existing swimming pool.

3109.6 PROTECTION FOR SWIMMING POOL AND SPA SUCTION OUTLETS

3109.6.1 Suction Entrapment Avoidance. Pools, spas, hot tubs, catch basins and other similar bather accessible bodies of water associated with swimming pool construction shall be designed to produce circulation throughout the body of water and provide means to protect against user suction entrapment.

3109.6.2 Surface skimming or perimeter overflow system. To avoid suction entrapment, fully submerged suction outlets (main drains) shall not be required in swimming pools, wading pools, spas, hot tubs and catch basins. Surface skimming or perimeter overflow system shall be permitted in lieu of fully submerged suction outlet fittings and shall provide 100% of the required system flow.

3109.6.3 Fully submerged suction outlets (main drains). Fully submerged manufactured suction outlets (main drains) for use in swimming pools, wading pools, hot tubs and catch basins shall be listed by a nationally recognized testing laboratory in accordance with ASME/ANSI A112.19.9M.

Exception: Custom designed suction outlet fittings certified by a licensed professional engineer that conform to Section 3, General requirements of ASME/ANSI A112.19.8M.

3109.6.4 Methods of entrapment avoidance. Entrapment avoidance of fully submerged suction outlets can be achieved by one of the following methods:

3109.6.4.1 Dual Drains. A minimum of two (2) suction outlets shall be provided for each pump or pumps in the suction outlet system, separated by a minimum of three (3) feet (91.44 cm) measured from center to center of suction pipes or located on two (2) different planes; i.e. one (1) on the bottom and one (1) on the vertical wall, or one (1) each on two (2) separate vertical walls. These suction outlets shall be plumbed such that water is drawn through them simultaneously through a common line to the system. Each suction outlet fitting shall be rated for the maximum system flow.

3109.6.4.2 Channel Drain System. One or more channel gates shall be acceptable as protection against suction entrapment if they are 3 inches or greater in width and 31 inches or greater in length and fastened to prevent removal as specified in ASME/ANSI A112.19.8M.

3109.6.4.3 Gravity flow system. A Gravity Flow system shall be acceptable as protection against suction entrapment if it has one or more submerged suction outlet(s) with approved cover/grates in any combination fed by gravity into a collection tank vented to atmosphere. However, a modulating float valve allowing direct suction is not permitted.

3109.6.4.4 Combination Inlet/Outlet Fixtures for Swim Jets. Combination Inlet/Outlet Fixtures shall be acceptable as protection against suction entrapment for a Swim Jet system not related to the filtration system, if they are manufactured and have their own dedicated pump(s), and the suction outlet and the return are located in a single fitting.

3109.6.4.5 Venturi Debris Removal Systems. Venturi Debris Removal Systems shall be acceptable as protection against suction entrapment if they are intended to remove debris through a single, floor mount suction outlet where low pressure is created by the entrainment of water within a deck mount canister that is not directly or indirectly connected to a pump's suction. The single action outlet shall have an approved cover/gate.

3109.6.5 Shallow Water Suction Outlets. Where all suction fittings are located less than 24 inches below normal operating water level, one of the following shall be required:

1. Gravity flow system
2. One (1) additional drain
3. Vent system to atmosphere
4. Suction vacuum release device tested and approved for the purpose by a nationally recognized testing laboratory in accordance with ASME A112.19.17.

3109.6.6 Wall Vacuum Fittings. Where provided, the vacuum cleaner fitting(s) shall be located in an accessible position(s) at least 6 inches and no greater than 18 inches below the water level and shall comply with IAPMO SPS 4.

SECTION 3109.7 ABBREVIATIONS

3109.7.1 General.

ANSI. American National Standards Institute
11 West 42nd Street, New York, NY 10036
ASTM. American Society for Testing and Materials
1916 Race Street, Philadelphia, PA 19103
NSPI. National Spa and Pool Institute
2111 Eisenhower Avenue, Alexandria, VA 22314

SECTION 3109.8 STANDARDS

3109.8.1 General.

IAPMO

IAPMO SPS-4-2009 Special Use Suction Fittings for swimming pools, spas and hot tubs (for suction side automatic swimming pool cleaners)..... 3109.6
ANSI/NSPI-4-99 Standard for Above-ground/On-ground Residential Swimming Pools.....3109.6
ANSI/ASME A112.19.8M-1987 Suction Fittings for Use in Swimming Pools, Wading Pools, Spas, Hot Tubs and Whirlpool Bathing Appliances 3109.53109.6

ASME

ASME A112.19.17 Manufacturers Safety Vacuum Release Systems (SVRS) for Residential and Commercial Swimming Pool, Spa, Hot Tub and Wading Pool.....3109.6

SECTION 12. Chapter 5 of the Peoria City Code (1992) is amended by amending Section 5-22 and renumbering it as reserved Section 18-22 and which shall read as follows:

Sec. ~~518-22~~. ~~International Building Code -- Amendments.~~ Reserved.

SECTION 13. Chapter 5 of the Peoria City Code (1992) is amended by renumbering Section 5-23 as Section 18-14 pertaining to Compliance with zoning and which shall read as follows:

Sec. ~~518-23~~. Compliance with zoning.

Whenever a building permit is issued and a building inspection performed,

such building must conform to the provisions of the zoning ordinance in addition to the provisions of this chapter.

Cross reference(s) -- Zoning, Ch. 26.

SECTION 14. Chapter 5 of the Peoria City Code (1992) is amended by renumbering Section 5-24 as Reserved Section 18-24 and which shall read as follows:

Sec. ~~5~~18-24. Reserved.

SECTION 15. Chapter 5 of the Peoria City Code (1992) is amended by amending Section 5-25 and renumbering it as Section 18-25 pertaining to International Residential Code – Adopted and Amended and which shall read as follows:

Sec. ~~5~~18-25. International Residential Code – Adopted and Amended.

(A) A certain document, one copy of which is on file in the City Clerk's Office of the City of Peoria, being marked and designated as "International Residential Code, ~~2012~~ 2015 Edition," published by the International Code Council is hereby adopted, as amended herein, as the Code for establishing the minimum regulations governing the conditions and maintenance of property, buildings, and structures within the City of Peoria.

(B) The International Residential Code, ~~2012~~ 2015 Edition, is amended as follows:

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

Note: For reserved sections herein, refer to the Building Code of the City of Peoria Administrative Provisions for these code requirements.

R101.1 Title. Insert the words "City of Peoria" as the name of jurisdiction.

R101.3 Intent. Reserved.

Section R102, "Applicability" is amended as follows:

R102.1 General. Reserved.

R102.2 other laws. Reserved.

R102.3 Application of reference. Reserved.

Amend Section R102.5 Appendices by adding the following:

R102.5 Appendices. ~~Provisions in the appendices shall not apply unless specifically referenced in the adopting ordinance.~~ The following appendices are adopted: **APPENDIX A - SIZING AND CAPACITIES OF GAS PIPING; APPENDIX B –SIZING OF VENTING SYSTEMS SERVING APPLIANCES EQUIPPED WITH DRAFT HOODS, CATEGORY I APPLIANCES, AND APPLIANCES LISTED FOR USE AND TYPE B VENTS; APPENDIX C – EXIT TERMINALS OF MECHANICAL DRAFT AND DIRECT – VENT VENTING SYSTEMS; APPENDIX D – RECOMMENDED PROCEDURE FOR SAFETY INSPECTION OF AN EXISTING APPLIANCE INSTALLATION; APPENDIX G – PIPING STANDARDS FOR VARIOUS APPLICATIONS; APPENDIX H – PATIO COVERS; APPENDIX J – EXISTING BUILDINGS AND STRUCTURES; APPENDIX K – SOUND TRANSMISSION; APPENDIX N – VENTING METHODS; APPENDIX P – SIZING OF WATER PIPING SYSTEMS.**

R102.6 Partial Invalidity. Reserved.

R102.7 Existing structures. ~~Delete the words “or the International Fire Code” and insert in lieu thereof, ‘as adopted by the City of Peoria’.~~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 the *International Fire Code*, as amended by the City of Peoria, or as is deemed necessary by the *building official* for the general safety and welfare of the occupants and the public.

Chapter 1, “Administration and Enforcement” is amended as follows:

SECTION R103. DEVELOPMENT AND ENGINEERING DEPARTMENT OF BUILDING SAFETY Reserved.

SECTION R104. DUTIES AND POWERS OF THE BUILDING OFFICIAL Reserved.

SECTION R105. PERMITS Reserved.

SECTION R106. CONSTRUCTION DOCUMENTS Reserved.

SECTION R107. TEMPORARY STRUCTURES AND USES Reserved.

R107.3 Temporary power. ~~Delete the words “in NFPA 70” and insert in lieu thereof, ‘by the Electrical Code adopted by the City of Peoria and amended from time to time.’~~

SECTION R108. FEES Reserved.

SECTION R109. INSPECTIONS Reserved.

SECTION R110. CERTIFICATE OF OCCUPANCY Reserved.

~~Amend R110.1 Use and occupancy by replacing it in its entirety with the following:~~

~~No building or structure shall be used or occupied, or furnished in whole or in part, and no change in the existing occupancy classification of a building or structure or portion thereof shall be made until the Building Official has issued a certificate of occupancy (or a utility clearance) therefore as provided herein. Issuance of a certificate of occupancy shall (or a utility clearance) not be construed as an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Certificates presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the jurisdiction shall not be valid.~~

~~**Exception:** Certificates of occupancy (or a utility clearance) are not required for work exempt from permits under Section 105.2.~~

~~R110.2 Change in use. Add the following words to the end of the sentence: ‘as adopted by the City of Peoria and amended from time to time.’~~

SECTION R111. SERVICE UTILITIES Reserved.

SECTION R112. BOARD OF APPEALS Reserved.

SECTION R113. VIOLATIONS Reserved.

SECTION R114. STOP WORK ORDER Reserved.

(2) Chapter 2, “Definitions,” is hereby amended as follows:

SECTION R202. DEFINITIONS

Fire separation distance. The distance measured from the building face to one of the following:

1. To the closest interior lot line.
2. to the centerline of a street, an alley, or public way.
3. to an imaginary line between two buildings on the lot.

The distance shall be measured at a right angle from the face of the framing wall.

Standard Plans. Plans authorized by the Development and Engineering Department to be used in construction on a repetitive basis. Standard plans may

include options allowing variations to the building design that may alter the interior and exterior appearance.

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

R301.1.4 Lot corner identification. In construction applications where legally surveyed lot corner identification markers are not readily verifiable or are missing, the building official, when deemed necessary, shall require lot boundary markers to be surveyed and permanently identified in accordance with State law at the owner's or applicant's expense. The survey shall be executed by a registrant licensed to do such work by the Arizona State Board of Technical Registration.

R301.2 Climatic and geographic design criteria. Buildings shall be constructed in accordance with provisions of this code as limited by the provisions of this section. ~~Additional criteria shall be established by the local jurisdiction and set forth in Table R301.2(1).~~

Amend Table R301.2(1), by inserting the following:

Table R301.2(1)

(Due to space limitations the table could not be reproduced; only the values are listed)

Ground snow load:	0 psf
Wind speed (mph):	90 mph, Exposure C 115 mph
Topographic effects	No
<u>Special wind region</u>	<u>No</u>
<u>Wind-borne debris zone</u>	<u>No</u>
Seismic design category:	B
Weathering:	<u>Negligible</u>
Frost line depth:	12"
Termite:	Moderate to Heavy
Winter design temperature:	32°
Ice shield underlayment required:	No
Flood hazards:	July 9, 1984, (b) July 19, 2001 <u>See Peoria City Code</u>
Air freezing index:	0
Mean annual temperature:	71.2° F

R301.2.4 Floodplain construction. Buildings and structures constructed in whole or in part in flood hazard areas ~~(including A or V Zones) as established in Table R301.2(1), and substantial improvement and restoration of substantial damage of buildings and structures in flood hazard areas, shall be designed and constructed in accordance with the Peoria City Code. Buildings and structures that are located in more than one flood hazard area shall comply with the~~

~~provisions associated with the most restrictive flood hazard area. Buildings and structures located in whole or in part in identified floodways shall be designed and constructed in accordance with ASCE 24.~~

~~**R301.2.4.1 Alternative provisions.** As an alternative to the requirements in Section R322, ASCE 24 is permitted subject to the limitations of this code and the limitations therein.~~

Section R301.5, “Live Load” is amended as follows:

Table R301.5
MINIMUM UNIFORMLY DISTRIBUTED LIVE LOADS
(in pounds per square foot)

<u>USE</u>	<u>LIVE LOAD</u>
<u>Uninhabitable attics without storage</u>	10
<u>Uninhabitable attics with limited storage</u>	20
<u>Habitable attics and attics served with fixed stairs</u>	30
<u>Balconies (exterior) and decks</u>	40
<u>Fire escapes</u>	40
<u>Guards and handrails</u>	200
<u>Guard in-fill components</u>	50
<u>Passenger vehicle garages</u>	50
<u>Rooms other than sleeping rooms</u>	40
<u>Sleeping rooms</u>	30 <u>40</u>
<u>Stairs</u>	40

Section R302, “FIRE-RESISTANT CONSTRUCTION” is amended as follows:

R302.1 Exterior walls. Construction, projections, openings and penetrations of *exterior walls of dwellings* and accessory buildings shall comply with Table R302.1(1); or *dwellings* equipped throughout with an *automatic sprinkler system* installed in accordance with Section P2904 shall comply with Table R302.1(2).

Exceptions:

1. Walls, projections, openings or penetrations in walls perpendicular to the line used to determine the *fire separation distance*.
2. Walls of ~~or~~ between *dwellings* and *accessory structures* located on the same lot.
3. Detached tool sheds and storage sheds, playhouses and similar structures exempted from permits are not required to provide wall protection based on location on the *lot*. Projections beyond the *exterior wall* shall not extend over the *lot line*.

4. Detached garages accessory to a dwelling located within 2 feet (610 mm) of a lot line are permitted to have roof eave projections not exceeding 4 inches (102 mm).
5. Foundation vents installed in compliance with this code are permitted.

R302.5.1 Opening protection is amended as follows:.

Openings from a private garage or carport directly into a room used for sleeping purposes shall not be permitted. Other openings between the garage or carport and residence shall be equipped with solid wood doors not less than 1 3/8 inches (35 mm) in thickness, solid or honeycomb-core steel doors not less than 1 3/8 inches (35 mm) thick, or 20-minute fire-rated doors, equipped with a self-closing device.

Amend Section R303 as follows:

Section R303. LIGHT, VENTILATION, AND HEATING AND COOLING

R303.10 Required heating and cooling. ~~Where the winter design temperature in Table R301.2(1) is below 60 °F (16°C).~~ Every dwelling unit shall be provided with heating and cooling facilities capable of maintaining a minimum room temperatures between of 70°F (21°C), 68°F (20°C) and 90°F (50°C) at a point 3 feet (914 mm) above the floor and 2 feet (610 mm) from exterior walls in all habitable rooms at the design temperature. The installation of one or more portable space heaters or portable space coolers shall not be used to achieve compliance with this section.

Replace the first paragraph of Section R309.1 in its entirety with the following:

~~R309.1 Opening protection. Openings from a private garage directly into a room used for sleeping purposes shall not be permitted. Other openings between the garage and residence shall be equipped with solid wood doors not less than 1 3/8 inch (35 mm) in thickness, solid or honeycomb core steel doors not less than 1 3/8 inches (35 mm) thick, or 20-minute fire-rated doors. Doors providing opening protection shall be maintained self-closing and self-latching.~~

Amend R310, “Emergency Escape and Rescue Openings” as follows:

R310.4 Bars, grilles, covers and screens. Bars, grilles, covers, screens or similar devices are permitted to be placed over emergency escape and rescue openings, bulkhead enclosures, or window wells that serve such openings, provided that the minimum net clear opening size complies with Sections R310.1.1 to R310.2.3, and such devices shall be releasable or removable from the inside without the use of a key, tool, special knowledge or force greater than that required for normal operation of the escape and rescue opening. The

dwelling shall be equipped with smoke alarms installed in accordance with Section R314.

~~Amend Chapter 3, Building Planning by deleting Section R313, Automatic Fire Sprinkler Systems in its entirety.~~

Add the following section, as amended:

SECTION R313 AUTOMATIC FIRE SPRINKLER SYSTEMS

R313.1 Townhouse automatic fire sprinkler systems. An automatic residential fire sprinkler system shall be installed in townhouses, as required by the Peoria Fire Code.

Exception: An automatic residential fire sprinkler system shall not be required when additions or alterations are made to existing townhouses that do not have an automatic residential fire sprinkler system installed, unless required by the Peoria Fire Code.

R313.1.1 Design and installation. Automatic residential fire sprinkler systems for townhouses shall be designed and installed in accordance with ~~Section P2904 or NFPA 13D~~ the Peoria Fire Code.

R313.2 One- and two-family detached dwellings automatic fire systems. An automatic residential fire sprinkler system shall be installed in detached one- and two-family dwellings, as required by the Peoria Fire Code.

Exception: An automatic residential fire sprinkler system shall not be required for installed in additions or alterations to existing buildings that are not already provided with an automatic residential sprinkler system as required by the Peoria Fire Code.

R313.2.1 Design and installation. Automatic residential fire sprinkler systems shall be designed and installed in accordance with ~~Section P2904 or NFPA 13D~~ the Peoria Fire Code.

Amend Section R320, "Accessibility" as follows:

R320.2 Model Home Complex

R320.2.1 No-step entrance. At least one single family dwelling as part of a Model Home Complex, as described in the Peoria Zoning Ordinance, shall have a no-step entrance as described in Section R320.2.2

R320.2.2 Dwellings. Residential single family dwellings, as part of a Model Home Complex, as described in the Zoning Ordinance, shall have a route of travel as described herein. The route of travel shall be a continuous no-step path connecting each subdivision sales office or public way to the primary entry.

The route of travel shall conform to the following requirements:

1. The running slope shall not exceed 1:20.
2. Routes of travel complying with this section are not required to have handrails.
3. The route of travel shall be a firm, stable, and slip resistant surface for a minimum width of 36 inches (914 mm) continuous and clear for a height of 7 feet (2.134 m) above the route.
4. The entry to the model home shall have a maneuvering space of a minimum 48 inches (1219 mm) by 48 inches (1219 mm) on the exterior side of the entry door.
5. The threshold at the entry shall not exceed ½ inch (13 mm).
6. The no step entry shall be identified by a readily viewable sign.

R322 FLOOD-RESISTANT CONSTRUCTION RESERVED

Amend SECTION R326 SWIMMING POOLS, SPAS AND HOT TUBS as follows:

GENERAL

R326.1 General. The design and construction of swimming pools and spas, and hot tubs shall comply with the ~~International Swimming Pool and Spa Code~~ provisions of this section.

DEFINITIONS

R326.2 Definitions. For the purpose of these requirements, the terms used shall be defined as follows and as set forth in Chapter 2.

ABOVE-GROUND/ON-GROUND POOL. See Swimming pool.

BARRIER. A fence, wall building wall or combination thereof which completely surrounds the swimming pool and obstructs access to the swimming pool.

HOT TUB. See Swimming pool.

IN-GROUND POOL. See Swimming pool.

RESIDENTIAL. That which is situated on the premises of a detached one or two-family dwelling or a one-family townhouse not more than three stories in height.

SPA, NONPORTABLE. See Swimming pool.

SPA, PORTABLE. A nonpermanent structure intended for recreational bathing, in which all controls, water-heating and water-circulating equipment are an integral part of the product.

SWIMMING POOL. Any structure intended for swimming or recreational bathing that contains water over 18 inches (457 mm) deep. This includes in-ground, above ground and on-ground swimming pools, hot tubs, spas, and fixed in place wading pools.

SWIMMING POOL, INDOOR. A swimming pool which is totally contained within a structure and surrounded on all four sides by walls of said structure.

SWIMMING POOL, OUTDOOR. Any swimming pool which is not an indoor pool.

R326.3 In-ground pools. In-ground pools shall be designed and constructed in conformance with ANSI/NSPI-5 as listed in Section AG108.

R326.3.1 Above-ground and on-ground pools. Above-ground and on-ground pools shall be designed and constructed in conformance with ANSI/NSPI-4 as listed in Section AG108.

R326.3.2 Pools in flood hazard areas. In flood hazard areas established by Table R301.2(1), pools designed and constructed in compliance with ASCE 24.

R326.3.3 Permanently installed spas and hot tubs. Permanently installed spas and hot tubs shall be designed and constructed in conformance with ANSI/NSPI-3 as listed in Section AG108.

R326.3.4 Portable spas and hot tubs. Portable spas and hot tubs shall be designed and constructed in conformance with ANSI/NSPI-6.

R326.4 Application. The provisions of this section shall control the design of barriers for residential swimming pools, spas and hot tubs. These design controls are intended to provide protection against potential drownings and near drownings by restricting access to swimming pools, spas and hot tubs.

R326.4.1 Outdoor swimming pool. It is the responsibility of the property owner and any other person in responsible charge of a swimming pool to ensure that the required swimming pool barrier, including all gates, doors, locks, latches, and other portions of the barrier are maintained safe and in good working order at all times. No person shall alter or remove any portion of a swimming pool barrier except to repair, reconstruct, or replace the barrier in compliance with the provisions of this section. All barriers shall be installed, inspected, and approved prior to plastering or filling with water. An outdoor swimming pool, including an in-ground, aboveground or on-ground pool, hot tub or spa shall be provided with a barrier which shall comply with the following:

- 1. The Top of the barrier shall be at least 5 feet (1524 mm) above grade measured on the side of the barrier which faces away from the swimming pool.**

The maximum vertical clearance between grade and the bottom of the barrier shall be 2 inches (5 mm) measured on the side of the barrier which faces away from the swimming pool. The maximum clearance at the bottom of the barrier may be increased to 4 inches (102 mm) when grade is a solid, non-removable surface. Where the top of the pool structure is above grade, such as an aboveground pool, the barrier may be at ground level, such as the pool structure, or mounted on top of the pool structure. Where the barrier is mounted on top of the pool structure, the maximum vertical clearance between the top of the pool structure and the bottom of the barrier shall be 4 inches (102 mm).

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

3. Solid barriers which do not have openings, such as a masonry or stonewall, shall not contain indentations or protrusions except normal construction tolerances and tooled masonry joints.

4. 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 swimming pool side of the fence. Spacing between vertical members shall not exceed 1.75 inches (44 mm) in width. Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1.75 inches (44 mm) in width.

5. 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, spacing within the cutouts shall not exceed 1.75 inches (44 mm) in width.

6. Maximum mesh size for chain link fences shall be a 2.25-inch (57 mm) square and ~~unless the fence is provided with slats fastened at the top or the bottom which reduce the openings to not more than 1.75 inches (44 mm).~~ The mesh shall not be less than 11 gauge.

7. Where the barrier is composed of diagonal members, such as a lattice fence, the maximum opening formed by the diagonal members shall not be more than 1.75 inches (44 mm).

8. Access gates shall comply with the requirements of Section 326.4.1, Items 1 through 7, and shall be equipped to accommodate a locking device. Pedestrian access gates shall open outward away from the pool and shall be self-closing and have a self-latching device. Gates other than pedestrian access gates need not be self-closing or self-latching and shall be equipped with a padlock or similar locking device. Where the release mechanism of the self-latching device is located less than 54 inches (1372 mm) from the bottom

of the gate, the release mechanism and openings shall comply with the following:

8.1. The release mechanism shall be located on the pool side of the gate at least 3 inches (76 mm) below the top of the gate, and

8.2. The gate and barrier shall have no opening greater than 0.5 inches (12.7 mm) within 18 inches (457 mm) of the release mechanism.

9. Where a wall of a dwelling serves as part of the barrier, one of the following conditions shall be met:

9.1. The pool shall be equipped with a key operated powered safety cover in compliance with ASTM F1346. The keyed pool cover switch shall be located not less than 54 inches (1372 mm) above the floor or adjacent ground level and where the entire pool cover can be visually inspected; or

9.2. All doors leading from the dwelling unit or guest room, directly into a yard with a swimming pool, shall swing away from the pool, shall be self closing and self latching, and shall be equipped with a locking device. The release mechanism for the latch shall be located not less than 54 inches (1372 mm) above the floor. A locking latch which uses a key, electronic opener, or integral combination lock may be located at any height on the door. Sliding doors shall not form any part of a required barrier unless the self-closing and self-latching mechanism is specifically approved.

Windows used for emergency escape or rescue which face into a yard with a swimming pool shall be equipped with a latching device located not less than 54 inches (1372 mm) above the floor. All other operable dwelling unit windows facing into a yard with a swimming pool shall be equipped with a screwed in place wire mesh screen, a keyed lock that prevents opening the window more than 4 inches (102 mm), or a latching device not less than 54 inches (1372 mm) above the floor.

9.3. Pet doors with direct access to the pool are not allowed.

Exception: One and two family dwellings, in an age restricted community, are not required to have the house wall serve as a barrier requirement, as long as there are no children under the age of 6 permanently residing on the property.

10. Where an aboveground pool structure is used as a barrier or where the barrier is mounted on top of the pool structure, and the means of access is a ladder or steps:

10.1. The ladder or steps shall be capable of being secured in an inaccessible position with a lock or latch located 54 inches (1372 mm) above the adjacent ground level, or

10.2. The ladder or steps shall be surrounded by a barrier which meets the requirements of Section 326.4.1, Items 1 through 9. When the ladder or

steps are secured, locked or removed, any opening created shall not allow the passage of a 4-inch-diameter (102 mm) sphere.

11. Where there are natural barriers between properties, such as lakes and solid rock vertical cliffs not less than 10 feet (3048 mm) in height and a slope of not less than 1 horizontal to 10 vertical, fence barriers shall not be required between properties where the natural barrier exists. To ensure proper natural barriers are maintained, barrier fences shall project a minimum of 24 inches (610 mm) into lakes to where there is at least 24 inches (610 mm) depth from the lake surface to the top of the submerged horizontal member or the lake bottom when there is no submerged horizontal member. There shall be no horizontal member less than 45 inches above the lake surface. Where the solid rock cliff extends above the property, the intersecting barriers, with the solid rock cliff, shall not allow passage of a 4 inch diameter (102 mm) sphere.

R326.4.2 Indoor swimming pool. All walls surrounding an indoor swimming pool shall comply with Section R326.4.1

R326.4.3 Prohibited locations. Barriers shall be located not less than 45 inches (1143 mm), measured horizontally from permanent structures, equipment or similar objects so as to prohibit them from being used to climb the barriers.

R326.4.4 Barrier exceptions.

1. For portable spas and hot tubs with a safety cover which complies with ASTM F 1346, as listed in Section R326, shall be exempt from the provisions of R326.4.1, Item 9.
2. For spas and hot tubs, a hard safety cover which is latched or locked may be used provided the spa or hot tubs not more than 8 feet (2.44 m) in width at any point.
3. Existing swimming pools located on a one-family dwelling property on or before June 1, 2017 need not be retroactively fitted with a barrier between the dwelling and the pool provided all occupants of the dwelling are at least six years of age or older or there is a door alarm. The alarm shall be listed in accordance with UL 2017. All other portions of the swimming pool barrier separating properties shall be installed and maintained as required by Section 326.4.1.

(a) This exception does not eliminate an owner's responsibility for providing a temporary barrier or otherwise physically restricting visiting children's direct access from the dwelling to the swimming pool.

(b) This exception shall expire and the required permanent barrier shall be retroactively installed between the dwelling and the swimming pool whenever:

(1) One or more children under six years of age become occupants of the property.

(2) There is a change of use or character to the primary building occupancy on the property.

(3) A new pool or spa is being installed on the same property including spa additions to the existing swimming pool.

R326.5 Suction Entrapment Avoidance. Pools, spas, hot tubs, catch basins and other similar bather accessible bodies of water associated with swimming pool construction shall be designed to produce circulation throughout the body of water and provide means to protect against user suction entrapment in accordance with ANSI/APSP-7.

R326.5.1 Surface skimming or perimeter overflow system. To avoid suction entrapment, fully submerged suction outlets (main drains) shall not be required in swimming pools, wading pools, spas, hot tubs and catch basins. Surface skimming or perimeter overflow system shall be permitted in lieu of fully submerged suction outlet fittings and shall provide 100% of the required system flow.

R326.5.2 Fully submerged suction outlets (main drains). Fully submerged manufactured suction outlets (main drains) for use in swimming pools, wading pools, hot tubs and catch basins shall be listed by a nationally recognized testing laboratory in accordance with ASME/ANSI A112.19.9M.

Exception: Custom designed suction outlet fittings certified by a licensed professional engineer that conform to Sect 3. General requirements of ASME/ANSI A112.19.8M.

R326.5.3 Methods of entrapment avoidance. Entrapment avoidance of fully submerged suction outlets can be achieved by one of the following methods:

R326.5.3.1 Dual Drains. A minimum of two (2) suction outlets shall be provided for each pump or pumps in the suction outlet system, separated by a minimum of three feet (3') [91.44 cm] measured from center to center of suction pipes or located on two (2) different planes; i.e. one (1) on the bottom and one (1) on the vertical wall, or one (1) each on two (2) separate vertical walls. These suction outlets shall be plumbed such that water is drawn through them simultaneously through a common line to the system. Each suction outlet fitting shall be rated for the maximum system flow.

R326.5.3.2 Channel Drain System. One or more channel gates shall be acceptable as protection against suction entrapment if they are 3 inches or greater in width and 31 inches or greater in length and fastened to prevent removal as specified in ASME/ANSI A112.19.8M.

R326.5.3.3 Gravity flow system. A Gravity Flow system shall be acceptable as protection against suction entrapment if it has one or more submerged suction outlet(s) with approved cover/grates in any combination fed by gravity into a collection tank vented to atmosphere. However, a modulating float valve allowing direct suction is not permitted.

R326.5.3.4 Combination Inlet/Outlet Fixtures for Swim Jets. Combination Inlet/Outlet Fixtures shall be acceptable as protection against suction entrapment for a Swim Jet system not related to the filtration system, if they are manufactured and have their own dedicated pump(s), and the suction outlet and the return are located in a single fitting.

R326.5.3.4 Venturi Debris Removal Systems. Venturi Debris Removal Systems shall be acceptable as protection against suction entrapment if they are intended to remove debris through a single, floor mount suction outlet where low pressure is created by the entrainment of water with a deck mount canister that is not directly or indirectly connected to a pump's suction. The single action outlet shall have an approved cover/gate.

R326.6 Shallow Water Suction Outlets. Where all suction fittings are located less than 24 inches below normal operating water level, one of the following shall be required:

1. gravity flow system
2. one (1) additional drain
3. vent system to atmosphere
4. suction vacuum release device tested and approved for the purpose by a nationally recognized testing laboratory in accordance with ASME A112.19.17.

R326.7 Wall Vacuum Fittings. Where provided, the vacuum cleaner fitting(s) shall be located in an accessible position(s) at least 6 inches and no greater than 18 inches below the water level and shall comply with IAPMO SPS 4/ANSI/APSP-7.

SECTION R326.8 ABBREVIATIONS

R326.8.1 General.

ANSI. American National Standards Institute
11 West 42nd Street, New York, NY 10036

ASTM. American Society for Testing and Materials
1916 Race Street, Philadelphia, PA 19103

NSPI. National Spa and Pool Institute
2111 Eisenhower Avenue, Alexandria, VA 22314
UL – Underwriters Laboratories, Inc.
333 Pfingsten Road
Northbrook, Illinois 60062-2096

SECTION 326.9 STANDARDS

R326.9.1 General.

ANSI/NSPI

ANSI/NSPI-3-99 Standard for Permanently Installed
Residential Spas

ANSI/NSPI-4-99 Standard for Above-ground/On-ground
Residential Swimming Pools

ANSI/NSPI-5-99 Standard for Residential In-ground
Swimming Pools

ANSI/NSPI-5-2003 Standard for Residential
Portable Spas

ANSI/ASME A112.19.8M-1987 Suction
Fittings for Use in Swimming Pools,
Wading Pools, Spas, Hot Tubs and
Whirlpool Bathing Appliances

ASTM

ASTM F 1346-91 (1996) Performance Specification
For Safety Covers and Labeling Requirements for
All Covers for Swimming Pools, Spas and
Hot Tubs

ASME

ASME A112.19.17 Manufacturers Safety Vacuum
Release Systems (SVRS) for Residential and
Commercial Swimming Pool, Spa, Hot Tub and
Wading Pools

IAPMO

AIPMO SPS-4-2009 Special Use Suction Fittings for Swimming pools, spas and
hot tubs (for suction side automatic swimming pool cleaners)

SECTION R327 FIREPLACE RESTRICTIONS

R327.1 Definitions

For purposes of this article, the following words and terms shall be defined as follows:

Fireplace: A built-in-place masonry hearth and fire chamber or 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.

Solid fuel: Includes, but is not limited to, wood, coal, or other non-gaseous or non-liquid fuels, including those fuels defined by the Maricopa County Air Pollution Control Officer as “inappropriate fuel” to burn in residential wood burning devices.

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

R327.2 General

No person, firm or corporation shall construct or install a fireplace or a wood stove, and the Building Official shall not approve or issue a permit to construct or install a fireplace or a wood stove, unless the fireplace or wood stove complies with one of the following:

1. A fireplace which has a permanently installed gas or electric log insert;
2. A fireplace, wood stove 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;
3. A fireplace, woodstove or other solid fuel burning appliance that 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;
4. A fireplace, wood stove or other solid fuel burning appliance which as 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 wood stove insert which complies with subparagraph 2, 3, or 4 above.

Exceptions: The following installations are not regulated and are not prohibited by this section:

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

R327.3 Fireplace or wood stove alterations prohibited.

Fireplaces constructed or installed on or after June 1, 2017 that contain a gas or electric log insert or a woodstove insert, shall not be altered to directly burn wood or any other solid fuel. On or after June 1, 2017, no person, firm, or corporation shall alter a fireplace, woodstove, or other solid-fuel burning appliance in any manner that would void its certification or operational compliance with the provisions of this section.

Fireplaces constructed or installed on or after June 1, 2017, shall not be altered without first obtaining a permit from the City to ensure compliance with this section.

Add a new SECTION R 328 ~~324~~ SOUND ATTENUATION to read as follows:

R328.1 ~~324~~ Sound Attenuation. Buildings shall be subject to the following provisions:

1. Buildings shall be designed for a maximum interior noise level of 45 decibels.
2. Exterior wall penetrations by pipe ducts or conduits shall be caulked.
3. Mailboxes shall not be used through the door or wall.
4. Windows shall have two panes of glass and sound transmission rating of STC-22. All operable windows shall be weather stripped and airtight in accordance with ASTM R-283-84-T Standard. Perimeter window frames shall be sealed to airtight specifications.
5. All non-glazed portions of exterior side-hinged doors shall be solid-core wood or insulated hollow metal or at least one and three-quarters inch thick and fully weather stripped. The perimeter doorframes shall be sealed to airtight specifications.
6. Fireplaces shall be provided with well fitting dampers, unless otherwise prohibited elsewhere in the Code.
7. Exterior walls shall be at least four inches in nominal depth and shall be finished on the outside with block, siding, sheathing, or stucco on one-inch Styrofoam. R-13 fiberglass or cellulose insulation shall be installed continuously throughout the wall cavity. Total insulation R-value of the exterior wall assembly shall be R-18.
8. Attics and roof rafter spaces shall be insulated with a minimum insulation R-value of at least R-30.

If the specified requirements of section R328–324 are not met, the Building Official may approve as an alternative, a certification by an architect or engineer registered pursuant to Title 32, Chapter 1 to achieve a maximum interior noise level of forty-five (45) decibels at time of final construction.

(4) Chapter 4, “Foundations,” is hereby amended as follows:

Amend SECTION R401.1 FOUNDATIONS to read as follows:

R401.1 Application. The provisions of this chapter shall control the design and construction of the foundation and foundation spaces for all buildings. In addition to the provisions of this chapter, the design and construction of foundation in flood hazard areas as established by table R301.2.(1) shall meet the provisions of section R322 shall be in accordance with the Peoria City Code. Wood foundations shall be designed and installed in accordance with AWC PWF.

R401.3 Drainage. All lot drainage shall comply with the requirements of the Peoria City Code. Surface drainage shall be diverted to a storm sewer conveyance or other approved point of collection that does not create a hazard. Lots shall be graded to drain surface water away from foundation walls. The grade shall fall a minimum of 6 inches (152 mm) within the first 10 feet (3048 mm).

Exception: Where lot lines, walls, slopes or other physical barriers prohibit 6 inches (152 mm) of fall within 10 feet (3048 mm) of the building foundation shall be sloped a minimum of 2 percent away from the building.

Amend Section R403.1.1 Minimum size to read as follows:

R403.1.1 Minimum size. The minimum width, W, and thickness, T, for concrete footings shall be in accordance with Tables R403.1(1) through R403.1(3) and Figure R403.1(1 or R403.1.3, as applicable. The footing width shall be based on the load-bearing value of the soil in accordance with Table R401.4.1. Footing projections, P, shall be not less than 2 inches (51 mm) and shall not exceed the thickness of the footing. Footing thickness and projection for fireplaces shall be in accordance with Section R1001.2. The size of footings supporting piers and columns shall be based on the tributary load and allowable soil pressure in accordance with Table R401.4.1 Footings for wood foundations shall be in accordance with the details set forth in Section R403.2, and Figures R403.1(2) and R403.1(3).

Exception: For enclosure of existing carport and patio covers, non-bearing wood framed exterior walls within the projection of the existing roof may be supported on an existing, uncracked concrete slab. The minimum slab thickness shall be 3.5 inches and the construction shall comply with the requirements of R317 for protection against decay.

(5) Chapter 5, "Floors," is hereby amended as follows:

Amend Section R502.3.1 to read as follows:

R502.3.1 Sleeping areas and attic joists. Table R502.3.1(~~4~~2) shall be used to determine the maximum allowable span of floor joists that support sleeping areas and attics that are accessed by means of a fixed stairway in accordance with Section R311.7 provided that the design live load does not exceed ~~30~~ 40 pounds per square foot (4.44~~1.92~~ k Pa) and the design dead load does not exceed 20 pounds per square foot (0.96 kPa). The allowable span of ceiling joists that support attics used for limited storage or no storage shall be determined in accordance with Section R802.4.

(6) Chapter 6, "Wall Construction," is hereby amended as follows:

Amend Section R602.3, "Design and construction" by amending Table R602.3(1) as follows:

Braced Wall Line Spacing^b (feet) Method LIB^b

(7) Chapter 11, "Energy Efficiency," is hereby amended as follows:

Amend Section N1101.15 RESNET Testing & Inspection Protocol to read as follows:

N1101.15 RESNET Testing & Inspection Protocol. The residential Energy Services Network (RESNET) Mortgage Industry National Home Energy Rating System Standards Protocol for third party testing and inspections, shall be deemed to meet the requirements of sections N1102.4.1.1, N1102.4.1.2 and N1103.3.2, and shall meet the following conditions:

1. Third Party Testing and Inspections shall be completed by RESNET certified Raters or Rating Field Inspectors and shall be subject to RESNET Quality Assurance Field Review procedures.
2. Sampling in accordance with Chapter 6 of the RESNET Standards shall be performed by Raters or Rating Field Inspectors working under a RESNET Accredited Sampling Provider.
3. Third Party Testing is required for the following items:
 - a. N1102.4.1.1 – Building Envelope – Thermal and Air Barrier Checklist.
 - b. N1102.4.1.2 – Testing – Air Leakage Rate.
 - c. N1103.3.2 – Sealing – Duct Tightness.

4. The other requirements identified as “mandatory” in Chapter 11 shall be met.
5. Alternate testing and inspection programs and protocols shall be allowed when approved by the Code Official.

Amend N1103.3.1 (R403.3.1) as follows:

N1103.3.1 (R403.3.1) Insulation (Prescriptive). Supply and return ducts in attics shall be insulated to a minimum of R-8 where 3 inches (76.2 mm) in diameter and greater and R-6 where less than 3 inches (76.2 mm) in diameter. Supply and return ducts in other portions of the building shall be insulated to a minimum of R-6 where 3 inches (76.2 mm) in diameter or greater and R-4.2 where less than 3 inches (76.2 mm) in diameter.

Exceptions: ~~Ducts or portions thereof located completely inside the building thermal envelope.~~

1. Ducts or portions thereof located completely inside the building thermal envelope.
2. Supply and return ducts may be insulated to a minimum of R-6 when one or more of the following conditions are met:
 - 2.1. Minimum SEER rating of space heating/cooling system is increased to 16
Maximum U-factor is decreased to 0.30 for all fenestration products
 - 2.3. Wall cavity insulation minimum R-value is increased to R-19.
 - 2.4. Residential buildings that meet section R102.1.1 or R405 of the 2015 International Energy Conservation Code.

Amend N1106.4(R406.4) “ERI-based compliance” as follows:

TABLE N1106.4 (R406.4)
MAXIMUM ENERGY RATING INDEX

<u>CLIMATE ZONE</u>	<u>ENERGY RATING INDEX</u>
<u>1</u>	<u>52</u>
<u>2</u>	<u>52-59¹</u>
<u>3</u>	<u>51</u>
<u>4</u>	<u>54</u>
<u>5</u>	<u>55</u>
<u>6</u>	<u>54</u>
<u>7</u>	<u>53</u>
<u>8</u>	<u>53</u>

¹ Energy generated from on-site renewable energy shall not be included in the calculation of the Energy Rating Index value.

(8) ~~(3)~~ Chapter 13, "General Mechanical System Requirements", is hereby amended as follows:

Add a new section as follows:

Amend Section M1307.7 Liquefied Petroleum Appliances to read as follows:

M1307.7 Liquefied Petroleum Appliances. LPG appliances shall not be installed in an attic, pit or other location that would cause a ponding or retention of gas.

(9) ~~(4)~~ Chapter 24, "Fuel Gas", is hereby amended to read as follows:

Add a new paragraph to G2406.2 Prohibited locations, by adding exception number 6:

1. Liquefied Petroleum Appliances. LPG appliances shall not be installed in an attic, pit or other location that would cause a ponding or retention of gas.

Amend Section G2415.12 by replacing the first paragraph with the following:

G2415.12 (404.12) Minimum burial depth. Underground piping systems shall be installed a minimum depth of 12 inches (305 mm) below grade for metal piping and 18 inches (457mm) for plastic piping.

Amend Section G2415.12 by deleting subparagraph G2415.12.1 in its entirety.

~~(6) Chapter 36, "Services", is revised to read as follows:~~

~~Revision to IRC Table E3603.1~~

~~Revise Table as Follows (Minimum Grounding Electrode Conductor Size in the rightmost two columns to remain the same):~~

~~TABLE E3603.1~~

~~**SERVICE CONDUCTOR AND GROUNDING ELECTRODE CONDUCTOR SIZING**~~

<p>CONDUCTOR TYPES AND SIZES</p> <p>THHW, THW, THWN, USE, XHHW</p> <p>(Parallel sets of 1/0 and larger conductors are permitted in Rating either a single raceway or in separate raceways)</p>	<p>Service or Feeder Rating (Amperes)</p>
---	--

Copper (AWG)	Aluminum and copper-clad aluminum (AWG)	$\leq 30^{\circ}\text{C}$ (86 $^{\circ}\text{F}$)	$> 30^{\circ}\text{C}$ (86 $^{\circ}\text{F}$)
4	2	100	
3	1	110	
2	1/0	125	100
1	2/0	150	125
1/0	3/0	175	150
2/0	4/0 or two sets of 1/0	200	175
3/0	250 kcmil or two sets of 2/0	225	200
4/0 or two sets of 1/0	300 kcmil or two sets of 3/0	250	225
250 kcmil or two sets of 2/0	350 kcmil or two sets of 4/0	300	250
350 kcmil or two sets of 3/0	500 or two sets of 250 kcmil	350	300
400 kcmil or two sets of 4/0	600 or two sets of 300 kcmil	400	350
500 kcmil	750 kcmil		400

(10) Chapter 38–39, “Power and Lighting Distribution”, is hereby amended to read as follows:

Amend Section E3908.8 by replacing it with the following:

~~E3908.8 Types of equipment grounding conductors. The equipment grounding conductor run with or enclosing the circuit conductors shall be one or more or a combination of the following:~~

- ~~2. Threaded rigid metal conduit and fittings.~~
- ~~3. Threaded intermediate metal conduit and fittings.~~

E3908.8 Types of equipment grounding conductors. The equipment grounding conductor run with or enclosing the circuit conductors shall be one or more or a combination of the following:

- (1) A copper, aluminum, or copper-clad aluminum conductor. This conductor shall be solid or stranded; insulated, covered, or bare; and in the form of a wire or a busbar of any shape.
- (2) Rigid metal conduit.
- (3) Intermediate metal conduit.
- (4) Electrical metallic tubing with an additional equipment grounding conductor.
- (5) Listed flexible metal conduit meeting all the following conditions:
 - a. The conduit is terminated in listed fittings.
 - b. The circuit conductors contained in the conduit are protected by overcurrent devices rated at 20 amperes or less.
 - c. The combined length of flexible metal conduit and flexible metallic tubing and liquid tight flexible metal conduit in the same ground-fault current path does not exceed 1.8 m (6 ft).
 - d. If used to connect equipment where flexibility is necessary to minimize the transmission of vibration from equipment or to provide flexibility for equipment that requires movement after installation, an equipment grounding conductor shall be installed.
- (6) Listed liquid tight flexible metal conduit meeting all the following conditions:
 - a. The conduit is terminated in listed fittings.
 - b. For metric designators 12 through 16 (trade sizes 3/8 through 1/2), the circuit conductors contained in the conduit are protected by overcurrent devices rated at 20 amperes or less.
 - c. For metric designators 21 through 35 (trade sizes 3/4 through 1-1/4), the circuit conductors contained in the conduit are protected by overcurrent devices rated not more than 60 amperes and there is no flexible metal conduit, flexible metallic tubing, or liquid tight flexible metal conduit in trade sizes metric designators 12 through 16 (trade sizes 3/8 through 1/2) in the ground-fault current path.
 - d. The combined length of flexible metal conduit and flexible metallic tubing and liquid tight flexible metal conduit in the same ground-fault current path does not exceed 1.8 m (6 ft).
 - e. If used to connect equipment where flexibility is necessary to minimize the transmission of vibration from equipment or to provide flexibility for

equipment that requires movement after installation, an equipment grounding conductor shall be installed.

(7) Flexible metallic tubing where the tubing is terminated in listed fittings and meeting the following conditions:

a. The circuit conductors contained in the tubing are protected by overcurrent devices rated at 20 amperes or less.

b. The combined length of flexible metal conduit and flexible metallic tubing and liquid tight flexible metal conduit in the same ground-fault current path does not exceed 1.8 m (6 ft).

(8) Armor of Type AC cable as provided in 320.108.

(11) Appendix J to the International Residential Code, "Existing Buildings and Structures", is hereby amended to read as follows:

Amend Section AJ102.1 General to read as follows:

AJ102.1 General. Regardless of the category of work being performed, the work shall not cause the structure to become unsafe or adversely affect the performance of the building; shall not cause an existing electrical, mechanical or plumbing system to become unsafe, hazardous, insanitary or overloaded; and unless expressly permitted by these provisions, shall not make the building any less conforming to this code or to any previously approved alternative arrangements than it was before the work was undertaken.

Amend Section AJ102.1.1 Historic Buildings to read as follows:

AJ102.1.1 Historic Buildings. The provisions of this code relating to the construction, repair, alteration, addition, restoration and movement of structures, and change of occupancy shall not be mandatory for historic buildings where such buildings are judged by the building official to not constitute a distinct life safety issue. Historic Buildings include any building or structure that is listed or preliminarily determined to be eligible for listing in the National Register of Historic Places; or determined by the Secretary of the U.S. Department of Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined to qualify as an historic district; or designated as historic under a state or local historic preservation program that is approved by the Department of Interior.

Amend Section AJ401.2 Door and window dimensions to read as follows:

AJ401.2 Door and window dimensions. Minor reductions in the clear opening dimensions of replacement doors and windows that result from the use of different materials shall be allowed, whether or not they are permitted by this code.

Exception: Emergency escape and rescue openings.

If existing clear opening dimensions exceed the light and ventilation requirements of section R303 and for emergency escape and rescue

openings in Section 301, the reduction in dimensions shall not make the windows non-compliant with these sections.

Amend Section AJ501.5.2 Electric service replacement or upgrade to read as follows:

AJ501.5.2 Electrical service replacement or upgrade. Service to the one-family dwelling unit shall be a minimum of 100 amperes, three-wire capacity and service equipment shall be dead front having no live parts exposed whereby accidental contact could be made. ~~Type "S" fuses shall be installed when fused equipment is used.~~

Exception: Existing service of 60 amperes, three-wire capacity, and feeders of 30 ampere or larger two or three-wire capacity shall be accepted if adequate for the electrical load being served.

SECTION 16. Chapter 5 of the Peoria City Code (1992) is amended by amending Section 5-26 and renumbering it as reserved Section 18-26 and which shall read as follows:

Sec. ~~518-26. International Residential Code – Amendments.~~ Reserved.

SECTION 17. Chapter 5 of the Peoria City Code (1992) is amended by renumbering Sections 5-27 through 5-40 as reserved Sections 18-27 through 18-40 and which shall read as follows:

Sec. ~~518-27 through 518-40.~~ Reserved.

SECTION 18. Chapter 5 of the Peoria City Code (1992) is amended by amending Sections 5-41 and renumbering it as Section 18-41 pertaining to National Electrical Code – Adopted and Amended and which shall read as follows:

Section 5-41. National Electrical Code – Adopted and Amended

(A) A certain documents, one copy of which is on file in the City Clerk's Office of the City of Peoria, being marked and designated as "National Electrical Code, 2011 2014 Edition," published by the National Fire Protection Association is hereby adopted, as amended herein, as the Electrical Code of the City of Peoria.

(B) The National Electrical Code, 2011 2014 Edition, is amended as follows:

(1) ~~Amend Article 110.7 by adding the following sentence:~~

~~All electrical equipment 1000 amps or larger must pass a dielectric strength test by a qualified third party before requesting a meter clearance.~~

(1) Article 210 "Branch Circuits", is hereby amended as follows:

210.8 Ground-Fault Circuit-Interrupter Protection for Personnel.

(B)Other Than Dwelling Units. All 125-volt, single-phase, 15- and 20-ampere receptacles installed in the locations specified in 210.8(B)(1) through (8) shall have ground-fault circuit-interrupter protection for personnel.

(1) Bathrooms

(2) Kitchens

(3) Rooftops

(4) Outdoors

Exception No. 1 to (3): Receptacles on rooftops shall not be required to be readily accessible other than from the rooftop.

Exception No. 2 to (3) and (4): Receptacles that are not readily accessible and are supplied by a branch circuit dedicated to electric snow-melting, deicing, or pipeline and vessel heating equipment, shall be permitted to be installed in accordance with 426.28 or 427.22, as applicable.

Exception No. 3 to (4): In industrial establishments only, where the conditions of maintenance and supervision ensure that only qualified personnel are involved, an assured equipment grounding conductor program as specified in 590.6(B)(2) shall be permitted for only those receptacle outlets used to supply equipment that would create a greater hazard if power is interrupted or having a design that is not compatible with GFCI protection

(5) Sinks – where receptacles are installed within 1.8 m (6 ft) of the outside edge of the sink

Exception No. 1 to (5): In industrial laboratories, receptacles used to supply equipment where removal of power would introduce a greater hazard shall be permitted to be installed without GFCI protection.

Exception No. 2 to (5): for receptacles located in patient bed locations of general care or critical care areas of health care facilities other than those covered under 210.8(B)(1), GFCI protection shall not be required.

(6) Indoor damp and wet locations

(7) Locker rooms with associated showering facilities

(8) Garages, service bays, and similar areas other than vehicle exhibition halls and showrooms

(2) Article 250 "Grounding and Bonding", is hereby amended as follows:

250.118 Types of Equipment Grounding Conductors.

The equipment grounding conductor run with or enclosing the circuit conductors shall be one or more or a combination of the following:

(1) A copper, aluminum, or copper-clad aluminum conductor. This conductor shall be solid or stranded; insulated, covered, or bare; and in the form of a wire or a busbar of any shape.

(2) ~~1. Threaded Rigid metal conduit and fittings.~~

(3) ~~2. Threaded Intermediate metal conduit and fittings.~~

(4) Electrical metallic tubing with an additional equipment grounding conductor.

(5) Listed flexible metal conduit meeting all the following conditions:

a. The conduit is terminated in listed fittings.

b. The circuit conductors contained in the conduit are protected by overcurrent devices rated at 20 amperes or less.

c. The combined length of flexible metal conduit and flexible metallic tubing and liquid tight flexible metal conduit in the same ground-fault current path does not exceed 1.8 m (6 ft).

d. If used to connect equipment where flexibility is necessary to minimize the transmission of vibration from equipment or to provide flexibility for equipment that requires movement after installation, an equipment grounding conductor shall be installed.

(6) Listed liquid tight flexible metal conduit meeting all the following conditions:

a. The conduit is terminated in listed fittings.

b. For metric designators 12 through 16 (trade sizes 3/8 through 1/2), the circuit conductors contained in the conduit are protected by overcurrent devices rated at 20 amperes or less.

c. For metric designators 21 through 35 (trade sizes 3/4 through 1-1/4), the circuit conductors contained in the conduit are protected by overcurrent devices rated not more than 60 amperes and there is no flexible metal conduit, flexible metallic tubing, or liquid tight flexible metal conduit in trade sizes metric designators 12 through 16 (trade sizes 3/8 through 1/2) in the ground-fault current path.

d. The combined length of flexible metal conduit and flexible metallic tubing and liquid tight flexible metal conduit in the same ground-fault current path does not exceed 1.8 m (6 ft).

e. If used to connect equipment where flexibility is necessary to minimize the transmission of vibration from equipment or to provide flexibility for equipment that requires movement

after installation, an equipment grounding conductor shall be installed.

(7) Flexible metallic tubing where the tubing is terminated in listed fittings and meeting the following conditions:

a. The circuit conductors contained in the tubing are protected by overcurrent devices rated at 20 amperes or less.

b. The combined length of flexible metal conduit and flexible metallic tubing and liquid tight flexible metal conduit in the same ground-fault current path does not exceed 1.8 m (6 ft).

(8) Armor of Type AC cable as provided in 320.108.

(9) The copper sheath of mineral-insulated, metal-sheathed cable.

(10) Type MC cable that provides an effective ground-fault current path in accordance with one or more of the following:

a. It contains an insulated or uninsulated equipment grounding conductor in compliance with 250.118(1)

b. The combined metallic sheath and uninsulated equipment grounding/bonding conductor of interlocked metal tape-type MC cable that is listed and identified as an equipment grounding conductor

c. The metallic sheath or the combined metallic sheath and equipment grounding conductors of the smooth or corrugated tube-type MC cable that is listed and identified as an equipment grounding conductor

(11) Cable trays as permitted in 392.10 and 392.60.

(12) Cablebus framework as permitted in 370.3.

(13) Other listed electrically continuous metal raceways and listed auxiliary gutters.

(14) Surface metal raceways listed for grounding

~~(3) Amend Article 312.5 by replacing the first paragraph with the following (the remainder of Article 312.5 shall remain unchanged):~~

~~**312.5 Cabinets, Cutout Boxes, and Meter Socket Enclosures.**~~

~~Conductors entering enclosures within the scope of this article shall be protected from abrasion and shall comply with 312.5 (A) through (C).~~

~~Exception: For one- and two- family dwellings, cables with entirely non-metallic sheaths shall be permitted to enter the back of a surface-mounted enclosure through one or more nonflexible raceways not more than 75 mm (3 in.) in diameter, and not less than 75 mm (3 in.) and not more than 600 mm (24 in.) in length, provided all of the following conditions are met:~~

- a. ~~Each cable is fastened within 200 mm (8 in.) measured along the sheath of the outer end of the raceway.~~
- b. ~~The raceway extends directly into an enclosed wall space.~~
- c. ~~A fitting is provided on each end of the raceway to protect the cable(s) from abrasion.~~
- d. ~~The raceway is sealed or plugged using approved means so as to prevent access to the enclosure through the raceway.~~
- e. ~~The cable sheath is continuous through the raceway and extends into the enclosure beyond the fitting not less than 50 mm (2 in.)~~
- f. ~~The raceway, if greater than 305 mm (12 in.) is fastened at its end in accordance with the applicable article.~~
- g. ~~The raceway shall be permitted to be filled to 60 percent of its total cross sectional area, and 310.15(B)(2)(a) adjustment factors need not apply to this condition.~~

~~(4) Amend Article 334.10 by deleting 334.10(3) and adding as follows:~~

(3) Article 334, "Nonmetallic-Sheathed Cables: Types NM, NMC, and NMS", is hereby amended as follows:

334.10 Uses Permitted.

Type NM, Type NMC, and Type NMS cables shall be permitted to be used in the following, except as prohibited in 334.12:

(1) One- and two-family dwellings and their attached or detached garages, and their storage buildings.

(2) Multifamily dwellings permitted to be of Types III, IV, and V construction

(3) Other dwelling unit accessory buildings and structures permitted to be of Types III, IV, and V construction. Cables shall be concealed within walls, floors, or ceilings that provide a thermal barrier of material that has at least a 15-minute finish rating as identified in listings of fire-rated assemblies. in accordance with 334.10(1) and (2) and other provisions of this Code.

Informational Note No. 1: Types of building construction and occupancy classifications are defined in NFPA 220-2012, *Standard on Types of Building Construction*, or the applicable building code, or both.

Informational Note No. 2: See Informative Annex E for determination of building types [NFPA 220, Table 3-1].

(4) Cable trays in structures permitted to be Types III, IV, or V in accordance with 334.10(1) and (2) where the cables are identified for the use.

Informational Note: See 310.15(A)(3) for temperature limitation of conductors.

(5) Types I and II construction in accordance with 334.10(1) and (2) where installed within raceways permitted to be installed in Types I and II construction.

(A) Type NM. Type NM cable shall be permitted as follows:

(1) For both exposed and concealed work in normally dry locations ~~except as prohibited in 334.10(3)~~

(2) To be installed or fished in air voids in masonry block or tile walls

(B) Type NMC. Type NMC cable shall be permitted as follows:

(1) For both exposed and concealed work in dry, moist, damp, or corrosive locations ~~except as prohibited in 334.10(3)~~

(2) In outside and inside walls of masonry block or tile

(3) In a shallow chase in masonry, concrete, or adobe protected against nails or screws by a steel plate at least 1.59 mm (1/16 in.) thick and covered with plaster, adobe, or similar finish

(C) Type NMS. Type NMS cable shall be permitted as follows:

(1) For both exposed and concealed work in normally dry locations ~~except as prohibited in 334.10(3)~~

(2) To be installed or fished in air voids in masonry block or tile walls

334.12 Uses Not Permitted.

(A) Types NM, NMC, and NMS. Types NM, NMC, and NMS cables shall not be permitted as follows:

(1) In any dwelling or structure not specifically permitted in 334.10(1), (2), and (3)

(2) ~~Exposed in dropped or suspended ceilings in other than one- and two-family and multifamily dwellings~~

(3) ~~(2) As service-entrance cable~~

(4) ~~In commercial garages having hazardous (classified) locations as defined in 511.3~~

(5) ~~In theaters and similar locations, except where permitted in 518.4(B)~~

(6) ~~In motion picture studios~~

(7) ~~In storage battery rooms~~

(8) ~~(3) In hoistways or on elevators or escalators~~

(9) ~~(4) Embedded in poured cement, concrete, or aggregate~~

(10) ~~In hazardous (classified) locations, except where permitted by the following:~~

- ~~a. 501.10(B)(3)~~
- ~~b. 502.10(B)(3)~~
- ~~c. 504.20~~

B) Types NM and NMS. Types NM and NMS cables shall not be used under the following conditions or in the following locations:

- (1) Where exposed to corrosive fumes or vapors
- (2) Where embedded in masonry, concrete, adobe, fill, or plaster
- (3) In a shallow chase in masonry, concrete, or adobe and covered with plaster, adobe, or similar finish
- (4) In wet or damp locations

~~(5) Amend Article 358.10 by replacing 358.10(B) with the following:~~

~~(B) Corrosion Protection. Ferrous or nonferrous EMT, elbows, couplings, and fittings shall be permitted to be installed in concrete, that is not in direct contact with the earth, or in areas subject to severe corrosive influences where protected by corrosion protection and judged suitable for the condition.~~

~~(6) Amend Article 358.12 by adding the following:~~

~~(Items 1 through 6 to remain the same)~~

~~(7) On or below grade.~~

~~(7) Amend Article 501.30(A) by deleting the exception in its entirety.~~

~~(8) Amend Article 501.30(B) by deleting the exception in its entirety.~~

~~(9) Amend Article 502.30(A) by deleting the exception in its entirety.~~

~~(10) Amend Article 502.30(B) by deleting the exception in its entirety.~~

SECTION 19. Chapter 5 of the Peoria City Code (1992) is amended by amending Section 5-42 and renumbering it as reserved Section 18-25 and which shall read as follows:

Sec. ~~518~~-42. ~~Same~~ — National Electrical Code Amendments. Reserved.

SECTION 20. Chapter 5 of the Peoria City Code (1992) is amended by amending Section 5-43 and renumbering it as reserved Section 18-43 and which shall read as follows:

Sec. ~~518~~-43 Reserved Amendments -- Uniform Administrative Code Provisions for the National Electrical Code. Reserved.

SECTION 21. Chapter 5 of the Peoria City Code (1992) is amended by amending Section 5-44 and renumbering it as Section 18-44 pertaining to International Plumbing Code – Adopted and Amended and which shall read as follows:

Sec. ~~518~~-44. International Plumbing Code – Adopted and Amended.

(A) A certain document, one copy of which is on file in the City Clerk's Office of the City of Peoria, being marked and designated as "International Plumbing Code, 2012 2015 Edition," published by the International Code Council Inc., is hereby adopted, as amended herein, as the Plumbing Code of the City of Peoria.

(B) The International Plumbing Code, 2012–2015 Edition, is amended as follows:

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

Note: For reserved sections herein, refer to the Building Code of the City of Peoria for these code requirements.

101.1 Title. Insert the words "City of Peoria" as the name of jurisdiction.

~~**[A] 101.2 Scope. Amend Section 101.2, "Scope," by adding the following:**The provisions of this code shall apply to the erection, installation, alteration, repairs, relocation, replacement, addition to, use or maintenance of plumbing systems within this jurisdiction. This code shall regulate nonflammable medical gas, inhalation anesthetic, vacuum piping, nonmedical oxygen systems and sanitary and condensate vacuum control collection systems. The installation of fuel gas distribution piping and equipment, fuel-gas-fired water heaters and water heater venting systems shall be regulated by the *International Fuel Gas Code*. Provisions in the appendices shall not apply unless specifically adopted. Any references to the ICC Electrical Code shall be deleted and the words "Electrical Code adopted by the City of Peoria and amended from time to time" shall be inserted in lieu thereof.~~

The following appendices are adopted: **APPENDIX E – SIZE OF WATER PIPING SYSTEM, APPENDIX F – STRUCTURAL SAFETY**

Exception: Detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories high with separate means of egress and their accessory structures shall comply with the *International Residential Code*.

Amend **PART 2-ADMINISTRATION AND ENFORCEMENT** to read as follows:

SECTION 103 DEPARTMENT OF PLUMBING INSPECTIONS RESERVED

SECTION 104 DUTIES AND POWERS OF THE CODE OFFICIAL RESERVED

SECTION 105 APPROVAL RESERVED

SECTION 106 PERMITS RESERVED

~~106.6.2 Fee Schedule. Insert the words "Section 2-209 of the Peoria City Code, Table 2-209."~~

~~106.6.3 Fee Refunds. Delete in its entirety.~~

SECTION 107 INSPECTIONS AND TESTING RESERVED

SECTION 108 VIOLATIONS RESERVED

SECTION 109 MEANS OF APPEAL ~~Delete in its entirety and amend as follows:~~
RESERVED

~~"All appeals shall follow the provisions of the International Building Code, 2012 Edition, Section 113, and Chapter 5 of the Peoria City Code (1992), Section 5-9."~~

SECTION 110 TEMPORARY EQUIPMENT SYSTEMS AND USES
RESERVED

(2) Chapter 3, "General Regulations", is hereby amended as follows:

305.4.1 Sewer depth. Building sewers that connect to private sewage disposal systems shall be installed not less than 12 inches (305 mm) below finished grade at the point of septic tank connection. Building sewers shall be installed not less than 12 inches (305 mm) below grade.

(3) Chapter 4. Fixtures, Faucets and Fixture Fittings is hereby amended as follows:

Section 404. "Accessible Plumbing Facilities." Delete in its entirety and amend as follows:

Accessible plumbing facilities and fixtures shall be provided in accordance with Chapter 5 of the Peoria City Code (1992), Section 5-21 pertaining to the International Building Code, Edition 2012, Chapter 11, Accessibility and Fair Housing.

(4) Chapter 6, "Water supply and distribution", is hereby amended as follows:

Table 605.3 Water Service Pipe

MATERIAL

STANDARD

~~Acrylonitrile butadiene styrene (ABS) plastic pipe~~ ~~ASTM D 1527;~~
~~ASTM D 2282~~

Table 605.5 Pipe Fittings

MATERIAL

STANDARD

~~Acrylonitrile butadiene styrene (ABS) plastic pipe~~ ~~ASTM D 2468~~

(5-4) Chapter 11 "Storm Drainage", is hereby amended as follows:

Section 1106, Size of Conductors, Leaders and Storm Drains.

1106.1 General. Delete in its entirety and amend as follows:

The size of the vertical conductors and leaders, building storm drains, building storm sewers, and any horizontal branches of such drains or sewers shall be based on an hourly rainfall rate of three (3) 6" (inches) of rainfall per hour.

Amend Section 1106.5 Parapet wall scupper location to read as follows:

1106.5 Parapet wall scupper location. ~~Parapet wall roof drainage scupper and overflow scupper location shall comply with the requirements of Section 1503.4 of the *International Building Code*. When scuppers are used for primary and/or secondary (emergency overflow) roof drainage, the quantity, size, location and inlet elevation of the scuppers shall be sized to prevent the depth of ponding water from exceeding that for which the roof was designed as determined by~~
Scupper openings shall be not less than 4 inches (102 mm) in height and have an opening width equal to the circumference of the roof drain required for the area served, sized in accordance with Table 1106.2(1). The flow through the primary system shall not
be considered when locating and sizing scuppers. A rainfall rate of three (3) inches per hour shall be used for sizing purposes.

Amend Section 1108.3 Sizing of secondary drains to read as follows:

1108.3 Sizing of secondary drains. Secondary (emergency) roof drain systems shall be sized in accordance with Section 1106 based on the rainfall rate for which the primary system is sized. Scuppers shall be sized to prevent the depth of ponding water from exceeding that for which the roof was designed as determined by Section 1101.7. Scuppers shall have an opening dimension of not

less than 4 inches (102 mm) in height and have an opening width equal to the circumference of the roof drain required for the area served, sized in accordance with Table 1106.2(1). The flow through the primary system shall not be considered when sizing the secondary roof drain system.

SECTION 22. Chapter 5 of the Peoria City Code (1992) is amended by amending Sections 5-45 through 5-60 as reserved Sections 18-45 through 18-60 and which shall read as follows:

Secs. ~~518~~-45. through ~~518~~-60. Reserved.

SECTION 23. Chapter 5 of the Peoria City Code (1992) is amended by renumbering Section 5-61 as reserved Section 18-61 and which shall read as follows:

Section ~~518~~-61. Reserved.

SECTION 24. Chapter 5 of the Peoria City Code (1992) is amended by renumbering Sections 5-62 through 5-75 as reserved Sections 18-62 through 18-75 and which shall read as follows:

Secs. ~~518~~-62. through ~~518~~-75. Reserved.

SECTION 25. Chapter 5 of the Peoria City Code (1992) is amended by amending Section 5-76 and renumbering it as Section 18-76 pertaining to International Mechanical Code – Adopted and Amended and which shall read as follows:

Sec. ~~518~~-76. International Mechanical Code – Adopted and Amended

(A) A certain document, one copy of which is on file in the City Clerk's Office of the City of Peoria, being marked and designated as "International Mechanical Code, ~~2012~~ 2015 Edition," published by the International Code Council is hereby adopted, as amended herein, as the Mechanical Code of the City of Peoria.

(B) The International Mechanical Code, ~~2012~~ 2015 Edition, is amended as follows:

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

Note: For "RESERVED" sections herein, refer to the Building Code of the City of Peoria for these code requirements.

Amend Section 101.1 Title, by inserting the words "City of Peoria" as the name of the Jurisdiction.

~~101.2 Scope. Amend Section 101.2, "Scope," by adding the following: Any references to the ICC Electrical Code shall be deleted and the words "Electrical Code adopted by the City of Peoria and amended from time to time" shall be inserted in lieu thereof.~~

Delete Chapter 1, Part 2-Administration and Enforcement in its entirety and replace with the following:

Part 2- Administration and Enforcement

Section 103 Department of Mechanical Inspection – RESERVED.

Section 104 Duties and Powers of the Code Official – RESERVED.

Section 105 Approval – RESERVED.

Section 106 Permits – RESERVED.

~~106.5.2 Fee schedule. Insert the words "Section 2-209 of the Peoria City Code, Table 2-209."~~

~~Section 106.5.3 Fee Refunds, Delete in its entirety~~

Section 107 Inspections and Testing – RESERVED.

Section 108 Violations – RESERVED.

~~Amend Section 108.5 Stop work orders, amending the last sentence of the paragraph to read:~~

~~Any person who shall continue any work on the system after having been served with 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 or penalty in accordance with other provisions of the Peoria City Code.~~

Section 109 Means of Appeal – Delete in its entirety and amend as follows:RESERVED.

~~All appeals shall follow the provisions of the International Building Code, 2012 Edition, Section 113, and Chapter 5 of the Peoria City Code (1992), Section 5-9.~~

Section 110 Temporary Equipment, Systems and Uses – RESERVED.

(2) Chapter 3, "General Regulations", is hereby amended as follows:

Amend Section 307.2.2 Drain pipe materials and sizes to read as follows:

307.2.2 Drain pipe materials and sizes. Components of the condensate disposal system shall be cast iron, galvanized steel, copper, cross-linked polyethylene, polyethylene, ABS, CPVC, PVC, or polypropylene pipe or tubing. Nonmetallic piping shall not be installed in exposed locations. Components shall be selected for the pressure and temperature rating of the installation. Joints and connections shall be made in accordance with the applicable provisions of Chapter 7 of the *International Plumbing Code* relative to the material type. Condensate waste and drain line size shall not be less than 3/4-inch (19.1 mm) internal diameter and shall not decrease in size from the drain pan connection to the place of condensate disposal. Where the drain pipes from more than one unit are manifolded together for condensate drainage, the pipe or tubing shall be sized in accordance with Table 307.2.2.

Amend Section BG 309.1 Space heating systems to read as follows:

[BG] 309.1 ~~Space heating systems.~~ Heating and cooling systems. Habitable spaces ~~Interior spaces intended for human occupancy~~ shall be provided with active or passive space-heating and space cooling systems capable of maintaining ~~a minimum indoor temperatures~~ between 70 of 68 °F (201 °C) and 90°F (32°C) at a point 3 feet (914 mm) above the floor ~~on the design heating day.~~ The installation of portable space heaters or coolers shall not be used to achieve compliance with this section.

Exceptions:

1. Space heating and cooling systems are not required for Interior spaces where the primary purpose is not associated with human comfort.
- ~~2. Group F, H, S and U occupancies.~~

(3) Chapter 4, "Ventilation", is hereby amended as follows:

403.3.1.5 Balancing. The ventilation air distribution system shall be provided with means to adjust the system to achieve at least the minimum ventilation airflow rate as required by Sections 403.3 and 403.3.1.2. Ventilation systems shall be balanced using a nationally accepted air balancing test by an approved method. Such balancing shall verify that the ventilation system is capable of supplying and exhausting the airflow rates required by Sections 403.3 and 403.3.1.2. A final report shall be provided to the engineer of record and the mechanical inspector.

Exception: Residential occupancies

(4) Chapter 5, "Exhaust Systems", is hereby amended as follows:

502.14 Motor vehicle operation. In areas where motor vehicles operate, mechanical ventilation shall be provided in accordance with Section 403. Additionally, areas in which stationary motor vehicles are operated shall be provided with a *source capture system* that connects directly to the motor vehicle exhaust systems. Such system shall be engineered by a registered design professional or shall be factory-built equipment designed and sized for the purpose. Makeup air shall be provided through permanent unobstructed openings to the outdoors, such as louvers and grills. Mechanical equipment and louvers used for makeup air purposes shall be electrically interlocked with the exhaust system.

Exceptions:

1. This section shall not apply where the motor vehicles being operated or repaired are electrically powered.
2. This section shall not apply to one- and two-family dwellings.
3. This section shall not apply to motor vehicle service areas where engines are operated inside the building only for the duration necessary to move the motor vehicles in and out of the building

(5) Chapter 6, "Duct Systems", is hereby amended as follows:

Amend Section 606.2.1 Return air systems to read as follows:

606.2.1 ~~Return air systems~~ Air distribution systems. Smoke detectors shall be installed in ~~return air systems with~~ air distribution systems downstream of the filters and ahead of any branch connections in systems having a design capacity greater than 2,000 cfm (0.9m³/s). ~~in the return air duct or plenum upstream of any filters, exhaust air connections, outdoor air connections, or decontamination equipment and appliances.~~

Exception: Smoke detectors are not required ~~in the return air system~~ where all portions of the building served by the air distribution system are protected by area smoke detectors connected to a fire alarm system in accordance with the *International Fire Code*. The area smoke detection system shall comply with Section 606.4.

Amend Section 606.5 Testing to read as follows:

606.5 Testing. Smoke detectors shall be tested by an approved testing agency or qualified third party Special Inspector. The Special Inspector/testing agency shall be an independent third party individual or firm and shall not be the installing contractor. Special Inspections shall be as specified in Chapter 17 of the *International Building Code* as amended.

Amend Section 607.2 Installation to read as follows:

607.2 Installation. Fire dampers, smoke dampers, combination fire/smoke dampers and ceiling radiation dampers located within air distribution and smoke control systems shall be installed in accordance with the requirements of this section, and the manufacturer's installation instructions and listing. Dampers shall be tested by an approved testing agency or qualified third party special inspector. The special inspector/testing agency shall be an independent third party individual or firm and shall not be the installing contractor. Special inspections shall be as specified in Chapter 17 of the International Building Code, as amended.

(6) Chapter 9, "Specific Appliances, Fireplaces and Solid Fuel-Burning Equipment", is hereby amended as follows:

Add a new Section 929 Wood Stove/Fireplace Installation to read as follows:

Section 929 Wood Stove/Fireplace Installation.

929.1 Definitions. For purposes of this section, the following words and terms shall have the meaning ascribed thereto:

Fireplace: A built-in-place masonry hearth and fire chamber or 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.

Solid fuel: Includes, but is not limited to, wood, coal, or other non-gaseous or non-liquid fuels, including those fuels defined by the Maricopa Air Pollution Officer as "inappropriate fuel" to burn in residential wood burning devices.

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

929.2 General. No person, firm, or corporation shall construct or install a fireplace or wood stove, and the Building Official shall not approve or issue a permit to construct or install a fireplace or wood stove, unless the fireplace or wood stove complies with one of the following:

1. A fireplace which has a permanently installed gas or electric log insert.
2. A fireplace, wood stove, 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.

3. A fireplace, wood stove, or other solid fuel burning appliance that 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.

4. A fireplace, wood stove, 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 wood stove insert which complies with subparagraph 2, 3, or 4 above.

Exceptions: The following installations are not regulated and are not prohibited by this section:

Furnaces, boilers, incinerators, kilns, and other similar space heating or industrial process equipment.

Cook stoves, barbecue grills, and similar appliances designed primarily for cooking.

Fire pits, barbecue grills, and other outdoor fireplaces.

929.3 Fireplace or wood stove installations prohibited. Fireplaces constructed or installed on or after June 1, 2017, that contain a gas or electric log insert or a wood stove insert, shall not be altered to directly burn wood or any other solid fuel. On or after June 1, 2017, no person, firm, or corporation shall alter a fireplace, wood stove, or other solid-fuel burning appliance in any manner that would void its certification or operational compliance with the provisions of this section.

Fireplaces constructed or installed on or after June 1, 2017, shall not be altered without first obtaining a permit from the City to ensure compliance with this section.

Charter reference(s) -- Adoption by reference, art. VII, § 14.

State law reference(s) -- Adoption by reference, A.R.S. § 9-801 et seq.

SECTION 26. Chapter 5 of the Peoria City Code (1992) is amended by amending Section 5-77 and renumbering it as reserved Section 18-77 and which shall read as follows:

Sec. 518-77. International Mechanical Code -- Amendments. Reserved.

SECTION 27. Chapter 5 of the Peoria City Code (1992) is amended by amending Section 5-78 and renumbering it as Section 18-78 pertaining to International Fuel Gas Code – Adopted and Amended and which shall read as follows:

Sec. ~~5~~18-78. International Fuel Gas Code – Adopted and Amended.

(A) A certain document, one copy of which is on file in the City Clerk's Office of the City of Peoria, being marked and designated as "International Fuel Gas Code,~~2012~~ 2015 Edition," published by the International Code Council is hereby adopted, as amended herein, as the Fuel Gas Code of the City of Peoria.

(B) The International Fuel Gas Code, ~~2012~~ 2015 Edition, is amended as follows:

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

Note: For reserved sections herein, refer to the Building Code of the City of Peoria Administrative Provisions for these code requirements.

101.1 Title. Insert the words "City of Peoria" in the name of jurisdiction.

~~101.2 Scope. Amend as follows by adding: Any references to the ICG Electrical Code shall be deleted and the words "Electrical Code adopted by the City of Peoria and amended from time to time" shall be inserted in lieu thereof.~~

Amend Section A101.3 Appendices to read as follows:

[A] 101.3 Appendices. ~~Amend Section 101.3, "Appendices," by adding the following:~~

~~Provisions in the appendices shall not apply unless specifically adopted.~~ The following appendices are adopted: Appendix A – Sizing and Capacities of Gas Piping; Appendix B – sizing of Venting Systems Serving Appliances Equipped With Draft Hoods, Category 1 Appliances and Appliances Listed for Use With Type B Vents; Appendix C – Exit Terminals of Mechanical Draft and Direct-Vent Venting Systems.

Delete Chapter 1, Part 2-Administration and Enforcement in its entirety and replace with the following:

Part 2- Administration and Enforcement

Section 103 (IFGC) Department of Inspection – RESERVED

~~103.1 General. The Building Safety Division is hereby created and the executive official in charge thereof shall be known as the building official.~~

Section 104 (IFGC) Duties and Powers of the Code Official – RESERVED

Section 105 (IFGC) Approval – RESERVED

Section 106 (IFGC) Permits is hereby amended as follows: – **RESERVED**

~~106.6.2 Fee Schedule. Insert the words “Section 2-209 of the Peoria City Code, Table 2-209.”~~

~~106.6.3 Fee refunds. Delete in its entirety~~

Section 107 (IFGC) Inspections and Testing – RESERVED

Section 108 (IFGC) Violations – RESERVED

Section 109 (IFGC) Means of Appeal – RESERVED

~~109 Means of Appeal. Delete in its entirety and amend as follows: “All appeals shall follow the provisions of the International Building Code, 2012 Edition, Section 113, and Chapter 5 of the Peoria City Code (1992) Section 5-9.”~~

Section 110 (IFGC) Temporary Equipment, Systems and Uses – RESERVED

(2) Chapter 4, “Gas Piping Installations” is hereby amended as follows:

SECTION 404 (IFGC) PIPING SYSTEM INSTALLATION

Amend Section 404.12 Minimum burial depth to read as follows:

(2) **404.12 Minimum burial depth.** ~~Delete in its entirety and amend as follows:~~ “Underground metallic piping systems shall be installed a minimum depth of 12 inches (305 mm) below grade. Underground plastic piping systems shall be installed a minimum depth of 18 inches (457 mm) below grade.”

404.12.1 Individual outside appliances. Delete in its entirety.

Amend SECTION 406 (IFGC) INSPECTION, TESTING AND PURGING to read as follows:

Amend Section 406.4 Test Pressure measurement to read as follows:

406.4 Test Pressure measurement. Test pressure shall be measured with a manometer or with a pressure-measuring device designed and calibrated to read, record or indicate a pressure loss caused by a leakage during the pressure test period. The source of pressure shall be isolated before the pressure tests are made. Mechanical gauges used to measure test pressures shall have a range such that the highest end of the scale is not greater than 5 times the test pressure, and shall be measured in one tenth pound increments.

Amend Section 406.4.1 Teat Pressure to read as follows:

406.4.1 Test Pressure. ~~The test pressure to be used shall be no not less than 10 psi or 1½ times the proposed maximum working pressure, whichever is greater, but not less than 3 psig (20 kPa gauge), irrespective of design pressure. Where the test pressure exceeds 125 psig (862 kPa gauge), the test pressure shall not exceed a value that produces a hoop stress in the *pipng* greater than 50 percent of the specified minimum yield strength of the pipe.~~

SECTION 28. Chapter 5 of the Peoria City Code (1992) is amended by renumbering Sections 5-79 through 5-90 as reserved Sections 18-79 through 18-90 and which shall read as follows:

Secs. 518-79 through 518-90. Reserved.

SECTION 29. Chapter 5 of the Peoria City Code (1992) is amended by amending Section 5-91 and renumbering it as Section 18-91 and which shall read as follows:

Sec. 518-91. International Existing Building Code – Adopted and Amended.

(A) A certain document, one copy of which is on file in the City Clerk's Office of the City of Peoria, being marked and designated as "International Existing Building Code, 2015 Edition," published by the International Code Council Inc., is hereby adopted, as amended herein, as the Existing Building Code of the City of Peoria.

(B) The International Existing Building Code, 2015 Edition, is amended as follows:

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

Note: For reserved sections herein, refer to the Building Code of the City of Peoria Administrative Provisions for these code requirements.

Amend Section A101.1 Title to read as follows:

[A] 101.1 Title. These provisions shall be known as the *Existing Building Code*, as amended by the city of Peoria, herein after referred to as "this code."

Amend Section A101.6 Appendices to read as follows:

[A] 101.6 Appendices. ~~The *code official* is authorized to require rehabilitation and retrofit of buildings, structures or individual structural members in accordance with the appendices of this code if such appendices have been individually adopted.~~ The following appendices are adopted: APPENDIX B-SUPPLEMENTARY ACCESSIBILITY REQUIREMENTS FOR EXISTING

BUILDINGS AND FACILITIES, Section B 101 Qualified Historical Buildings and facilities and Section B 104 Referenced Standards

Amend PART 2-ADMINISTRATION AND ENFORCEMENT to read as follows:

SECTION 103 DEPARTMENT OF BUILDING SAFETY DEVELOPMENT AND ENGINEERING DEPARTMENT – RESERVED.

SECTION 104 DUTIES AND POWERS OF CODE BUILDING OFFICIAL – RESERVED.

SECTION 105 PERMITS – RESERVED.

SECTION 106 CONSTRUCTION SUBMITTAL DOCUMENTS – RESERVED.

SECTION 107 TEMPORARY STRUCTURES AND USES – RESERVED.

SECTION 108 FEES – RESERVED.

SECTION 109 INSPECTIONS – RESERVED.

SECTION 110 CERTIFICATE OF OCCUPANCY – RESERVED.

SECTION 111 SERVICE UTILITIES – RESERVED.

SECTION 112 BOARD OF APPEALS – RESERVED.

SECTION 113 VIOLATIONS – RESERVED.

SECTION 114 STOP WORK ORDER – RESERVED.

SECTION 115 UNSAFE BUILDINGS AND EQUIPMENT – RESERVED.

(2) Chapter 4, “Prescriptive Compliance Method,” is hereby amended as follows:

[B] 410.8.11 Toilet rooms. Where it is *technically infeasible* to alter existing toilet and bathing rooms to be *accessible*, an *accessible* family or assisted-use toilet or bathing room constructed in accordance with ~~Section 1109.2.4~~ Chapter 11 of the *International Building Code* is permitted. The family or assisted-use toilet or bathing room shall be located on the same floor and in the same area as the existing toilet or bathing rooms. In existing construction, one of two or more fixtures (water closets and/or urinals) may be removed to create space for one accessible stall in each existing toilet room. This may result in the reduction of one required water closet which shall be permitted when this reduction is needed to create a conforming accessible toilet stall. Any alteration under this section shall not reduce other accessibility requirements including, but not limited to required clear floor spaces and maneuvering spaces.

(3) Chapter 7, “Alterations-Level 1,” is hereby amended as follows:

Section 705.1.10 Toilet rooms. Where it is technically infeasible to alter existing toilet and bathing rooms to be accessible, an accessible family or assisted-use toilet or bathing room constructed in accordance with Section 1109.2.4 Chapter 11 of the *International Building Code* is permitted. The family or assisted-use toilet or bathing room shall be located on the same floor and in the same area as the existing toilet or bathing rooms. In existing construction, one of two or more fixtures (water closets and/or urinals) may be removed to create space for one accessible stall in each existing toilet room. This may result in the reduction of one required water closet which shall be permitted when this reduction is needed to create a conforming accessible toilet stall. Any alteration under this section shall not reduce other accessibility requirements, including, but not limited to, required clear floor spaces and maneuvering spaces.

(3) Chapter 8, "Alterations-Level 2," is hereby amended as follows:

Amend Section 804.2.5 Supervision to read as follows:

804.2.5 Supervision. Fire sprinkler systems required by this section shall be supervised by one of the following methods:

1. Approved central station system in accordance with NFPA 72;
2. Approved proprietary system in accordance with NFPA 72;
3. Approved remote station system of the jurisdiction in accordance with NFPA 72; or
4. When approved by the *code official*, approved local alarm service that will cause the sounding of an alarm in accordance with NFPA 72.

Exception: Supervision is not required for the following:

1. Underground gate valve with roadway boxes.
- ~~2. Halogenated extinguishing systems.~~
- ~~3. Carbon dioxide extinguishing systems.~~
- ~~4. Dry and wet chemical extinguishing systems.~~
- ~~5. Automatic sprinkler systems installed in accordance with NFPA 13R where a common supply main is used to supply both domestic and automatic sprinkler systems and a separate shutoff valve for the automatic sprinkler system is not provided.~~

Amend Section 804.3 Standpipes to read as follows:

804.3 Standpipes. Where the *work area* includes exits or corridors shared by more than one tenant and is located more than 50 feet (15 240 mm) above or below the lowest level of fire department access, a standpipe system shall be provided. Standpipes shall have an approved fire department connection with hose connections at each floor level above or below the lowest level of fire department access. Standpipe systems shall be installed in accordance with the *International Building Code*.

Exceptions:

- ~~1. No pump shall be required provided that the standpipes are capable of accepting delivery by fire department apparatus of a minimum of 250 gallons per minute (gpm) at 65 pounds per square inch (psi) (946 L/m at~~

~~448KPa) to the topmost floor in buildings equipped throughout with an automatic sprinkler system or a minimum of 500 gpm at 65 psi (1892 L/m at 448KPa) to the topmost floor in all other buildings. Where the standpipe terminates below the topmost floor, the standpipe shall be designed to meet (gpm/psi) (L/m/KPa) requirements of this exception for possible future extension of the standpipe.~~

~~2. The interconnection of multiple standpipe risers shall not be required.~~

(5) Chapter 12, "Historic Buildings," is hereby amended as follows:

Amend Section 1201.1.1 Preliminary meeting to read as follows:

1201.1.1 Preliminary meeting. If an applicant requests that a building meet the requirements of this chapter and the project is a project involving *alterations* and/or a *change of occupancy*, then the Development and Engineering Department shall offer a preliminary meeting with the applicant upon payment of a fee as set forth in Chapter 27, Fee Table 27-6 of Peoria City Code, prior to the submission of a permit application. The preliminary meeting shall, to the extent possible, include the officials responsible for permit approval and enforcement with respect to the Peoria Building Code, Peoria Fire Code and historic preservation ordinances.

Amend Section 1201.2 Report to read as follows:

1201.2 Report. A *historic building* undergoing *repair, alteration, or change of occupancy* shall be investigated and evaluated. If it is intended that the building meet the requirements of this chapter, a written report shall be prepared and filed with the *code official* by a registered design professional when such a report is necessary in the opinion of the *code official* and the historic preservation officer, or designee. If the subject matter of the report does not require an evaluation by a registered design professional, the *code official* has the authority to allow the report to be prepared by a licensed contractor responsible for the work. Such report shall be in accordance with Chapter 1 and shall identify each required safety feature that is in compliance with this chapter and where compliance with other chapters of these provisions would be damaging to the contributing historic features character. For buildings assigned to Seismic Design Category D, E or F, a structural evaluation describing, at a minimum, the vertical and horizontal elements of the lateral force-resisting system and any strengths or weaknesses therein shall be prepared. Additionally, the report shall describe each feature that is not in compliance with these provisions and shall demonstrate how the intent of these provisions is complied with in providing an equivalent level of safety.

Amend Section 1201.5 Energy efficiency to read as follows:

1201.5 Energy efficiency. Alterations and additions to an *historic building* shall be exempt from the provisions of the International Energy Conservation Code.

Amend Section 1202.4 Repair and replacement to read as follows:

1202.4 Repair and replacement. Repair and replacement of existing or missing features using original materials shall be permitted. Partial replacement for repairs that match the original in configuration, height, and size shall be permitted. Glazing is subject to the requirements of Section 1203.8. Replacement glazing in hazardous locations shall comply with the safety glazing requirements of Chapter 24 of the *International Building Code*.

Exception: Glass block walls, louvered windows, and jalousies repaired with like materials.

Amend Section 1203.3 Means of egress and to read as follows:

1203.3 Means of egress and emergency escape and rescue. Existing window and door openings and corridor and stairway widths less than those specified elsewhere in this code may be approved, provided that, in the opinion of the *code official*, there is sufficient width and height for a person to pass through the opening or traverse the means of egress. When approved by the *code official*, the front or main exit doors need not swing in the direction of the path of exit travel, provided that other approved means of egress having sufficient capacity to serve the total occupant load are provided.

Amend Section 1204.1 Accessibility requirements to read as follows:

1204.1 Accessibility requirements. The provisions of Sections 705, 806 and 906, as applicable, shall apply to facilities designated as historic structures that undergo *alterations*, unless *technically infeasible*. Where compliance with the requirements for accessible routes, entrances and toilet rooms would threaten or destroy the historic significance of the building or *facility*, as determined by the *code official* and *historic preservation officer or designee*, the alternative requirements of Sections 1204.1.1 through 1204.1.4 for that element shall be permitted.

Amend Section 1205.6 Means of egress to read as follows:

1205.6 Means of egress and emergency escape and rescue. Existing window and door openings and corridor and stairway widths less than those that would be acceptable for non-historic buildings under these provisions shall be approved, provided that, in the opinion of the *code official*, there is sufficient width and height for a person to pass through the opening or traverse the exit and that the capacity of the exit system is adequate for the occupant load, or where the other operational controls to limit occupancy are approved by the *code official*.

Amend Section 1205.14 Natural light to read as follows:

1205.14 Natural light. When it is determined by the *code official* and the *historic preservation officer or designee* that compliance with the natural light requirement of Section 1011.1 will lead to loss of historic character or historic

materials in the building, the existing level of natural lighting shall be considered acceptable.

SECTION 30. Chapter 5 of the Peoria City Code (1992) is amended by amending Section 5-92 and renumbering it as reserved Section 18-92 and which shall read as follows:

Sec. ~~518~~-92. ~~Repealed~~ Reserved.

SECTION 31. Chapter 5 of the Peoria City Code (1992) is amended by renumbering Sections 5-93 through 5-100 as reserved Sections 18-93 through 18-100 and which shall read as follows:

Secs. ~~518~~-93 through ~~518~~-100. Reserved.

SECTION 32. Chapter 5 of the Peoria City Code (1992) is amended by amending Section 5-101 and renumbering it as Section 18-101 pertaining to Definitions and which shall read as follows:

Sec. ~~518~~-101. Definitions.

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

Agency: ~~means~~ the state department of environmental quality.

Air-gap separation or *A.G.*: ~~means~~ a physical separation between the free flowing discharge end of a potable water supply pipeline and an open or nonpressure receiving vessel.

Approved: ~~means~~ b Backflow prevention assembly or methods approved by the department as either meeting an applicable specification stated or cited in this division, or suitable for the proposed use.

Approved air-gap separation: ~~means~~ a An air-gap separation that is at least double the diameter of the supply pipe measured vertically above the overflow rim of the vessel, but in no case less than one (1) inch (two and one-half (2.5) centimeters).

Assembly: ~~means~~ a Any system for backflow protection consisting of more than one (1) component and having been tested as one (1) unit, and approved as one (1) unit.

Atmospheric vacuum breaker or *A.V.B.* (also known as the "nonpressure type vacuum breaker"): ~~means~~ a An assembly containing a float check, a check seat and an air inlet port. The flow of water into the body causes the float to close the air inlet port. When the flow of water stops, the float falls and forms a check

valve against backsiphonage and at the same time opens the inlet port to allow air to enter and satisfy the vacuum. A shutoff valve immediately upstream may be an integral part of the assembly. An atmospheric vacuum breaker is designed to protect against a health hazard (i.e. contaminant) under a backsiphonage condition only.

Auxiliary water system: ~~means a~~ A source of water outside of the city's public water supply system. No connection to the city's public water supply system shall be made with any other water system without the approval of the local authority.

Backflow: ~~means t~~ The flow of water or other liquids, mixtures, or substances into the distribution pipes of a potable water system from any source other than the intended source of the potable water supply.

Backflow prevention assembly: ~~means a~~ Any assembly, method, or type of construction intended to prevent backflow into a potable water system. All assemblies installed within the City shall be testable and Lead-Free.

Backpressure means the flow of water or other liquids, mixtures, or substances under pressure into the distribution pipes of a potable water supply system from any source or sources other than the intended source.

Backsiphonage: ~~means t~~ The flow of water or other liquids, mixtures or substances into the distribution pipes of a potable water supply from any source other than its intended source, caused by the reduction of pressure in the potable water supply system.

Consumer or customer: ~~means t~~ The owner, official custodian or person in control of any premises supplied by or in any manner connected to a public water system.

Consumer's or customer's water system: ~~means a~~ Any water system serving the premises, commencing at the discharge side of the service pipe shutoff valve location.

Department: ~~means t~~ The building safety department of the city.

Double check valve assembly or D.C.: ~~means a~~ An assembly composed of two (2) independently acting, approved check valves, including tightly closing shutoff valves located at each end of the assembly and fitted with properly located test cocks.

Contamination: ~~means a~~ An impairment of quality of the potable water, such as through the introduction of microorganisms, chemicals, wastewater, industrial discharges, or other materials to a degree which creates an actual or potential hazard to the public health.

Cross-connection: ~~means a~~ Any connection through which a supply of

potable water could be contaminated or polluted through backflow.

Double check-detector check valve assembly or D.C.D.C.: ~~means~~ a specially designed assembly composed of a line-size approved double check valve assembly with a specific bypass five-eighths-inch by three-fourths-inch, or three-fourths-inch water meter and a three-fourths-inch approved double check valve assembly. The meter shall register all rates of flow.

Fixed air gap: ~~means~~ the unobstructed vertical distance through the free atmosphere between the water discharge point and the flood level rim of the receptacle.

Foundation: ~~means~~ Foundation for Cross-Connection Control and Hydraulic Research, University of Southern California.

Health hazard: ~~means~~ any condition, device or practice in a water system or its operation resulting from a real or potential danger to the health and well-being of consumers. ``Severe" as used to qualify ``health hazard" means a hazard to the health of the user that could be expected to result in death or significant reduction in the quality of life.

Inspection: ~~means~~ a A plumbing inspection to examine carefully and critically all materials, fixtures, piping and appurtenances, appliances and installations of a plumbing system for compliance with requirements of the Uniform Building Code and this division.

Installation: ~~means~~ the installation of backflow prevention assembly.

Lead Free: ~~means~~ that the weighted average of the device is not more than 0.25% in the wetted surface material as specified in the Safe Drinking Water Act, Section 1417 as revised in 2011.

Non-potable water: ~~means~~ water not safe for drinking, personal or culinary use as determined by the requirements of Safe Drinking Water Act of 1974, and this division.

Officer: ~~means~~ the person appointed by the city manager to enforce the provisions of this division.

Plumbing: ~~means~~ the actual installation, repair, maintenance, alteration or extension of a plumbing system by any person. ``Plumbing" includes all piping, fixtures, appurtenances and appliances for a supply of water for all purposes, including without limitation lawn sprinkler systems from the source of a private water supply on the premises or from the main in the street, alley or at the curb to within and about any building or buildings where a person lives, works or assembles. ``Plumbing" includes all piping from discharge of pumping units to and including pressure tanks in water supply systems. ``Plumbing" includes all piping, fixtures, appurtenances and appliances for a building drain and a sanitary drainage

and related ventilation system of any building or buildings where a person or persons live, work or assemble from the point of connection of such building drain to the building sewer or private sewage disposal system two (2) feet beyond the foundation walls.

Pollution: ~~means~~ the presence of any foreign substance (organic, inorganic, radiological, or biological) in water that tends to degrade its quality so as to constitute a hazard or impair the usefulness of water to a degree which does not create an actual hazard to the public but which does adversely and unreasonably affect such waters for domestic use.

Potable water: ~~means~~ water which meets the requirement of the state health department for drinking, culinary, and domestic purposes.

Potential cross-connection: ~~means~~ a fixture or appurtenance with threaded hose connection, tapered spout, or other connection which would facilitate extension of the water supply line beyond its legal termination point.

Pressure vacuum breaker or P.V.B.: ~~means~~ a An assembly containing an independently operating loaded check valve and an independently operating loaded air inlet valve located on the discharge side of the check valve. The assembly is to be equipped with properly located test cocks and tightly closing shutoff valves located at each end of the assembly. This assembly is designed to protect against a health hazard (i.e. contaminant) under a backsiphonage condition only.

Process fluid: ~~means~~ a Any fluid or solution which may be chemically, biologically or otherwise contaminated or polluted in a form or concentration such as would constitute a health, pollution, or system hazard if introduced into the public or a consumer's potable water system. This includes but is not limited to:

- (1) Polluted or contaminated waters.
- (2) Process waters.
- (3) Used waters originating from the public water supply system which may have deteriorated in sanitary quality.
- (4) Cooling waters.
- (5) Questionable or contaminated natural waters taken from wells, lakes, streams, or irrigation systems.
- (6) Chemicals in solution or suspension.
- (7) Oils, gases, acids, alkalis and other liquid and gaseous fluids used in industrial or other processes, or for firefighting purposes.

Public water supply system: ~~means a~~ All mains, pipes and structures owned and/or maintained by the city, or any connected to such public water supply system, supplying potable water to the citizens of the city, through which water is obtained and distributed to the public, including wells and well structures, intakes and cribs, pumping stations, treatment plants, reservoirs, storage tanks and appurtenances, collectively or severally, actually used or intended for use for the purpose of furnishing potable water.

Reduced pressure zone principle backflow prevention assembly or RP: ~~means a~~ An assembly containing a minimum of two (2) independently acting check valves together with an automatically operated pressure differential relief valve located between the two (2) check valves. During normal flow and at the cessation of normal flow, the pressure between these two (2) checks shall be less than the supply pressure. In case of leakage of either check valve, the differential relief valve, by discharging to the atmosphere, shall operate to maintain the pressure between the check valves at less than the supply pressure. The unit must include tightly closing shutoff valves located at end of the assembly, and each assembly shall be fitted with properly-located test cocks.

Service connection: ~~means t~~ The physical connection to the water main including all fittings and appurtenances, through which water is supplied to the consumer.

Survey: ~~means t~~ The collection of information pertaining to a customer's piping system regarding the location of all connections to the public water supply system and must include the location, type and most recent inspection and testing date of all cross-connection assemblies and methods located within that customer's piping system.

SECTION 33. Chapter 5 of the Peoria City Code (1992) is amended by amending Section 5-102 and renumbering it as Section 18-102 pertaining to Purpose and which shall read as follows:

Sec. ~~5~~18-102. Purpose.

The purpose of this division is:

- (1) To protect the public water supply system from contamination or pollution by isolating within the customer's water system at each piece of equipment or hazard where contaminants or pollutants which could backflow through the service connection into the public water supply system.
- (2) To promote the elimination or control of existing cross-connections, actual or potential, between the public or consumer's potable water system and non-potable water systems, plumbing fixtures and sources or systems containing substances of unknown or questionable quality.

- (3) To provide for the maintenance of a continuing program of cross-connection control which will prevent the contamination or pollution of the public and consumer's potable water systems.

SECTION 34. Chapter 5 of the Peoria City Code (1992) is amended by renumbering Section 5-103 as Section 18-103 pertaining to Scope and which shall read as follows:

Sec. ~~5~~18-103. Scope.

This division applies to all premises served by the public water supply system of the city and any other approved water supply from any private, auxiliary or emergency source.

SECTION 35. Chapter 5 of the Peoria City Code (1992) is amended by amending Section 5-104 and renumbering it as Section 18-104 pertaining to Authorization, cross connection enforcement program, fees and which shall read as follows:

Sec. ~~5~~18-104. Authorization, cross connection enforcement program, fees.

(a) The ~~utilities~~Public Works-Utilities director is authorized to operate and maintain a cross connection inspection program. This program shall provide for continuous and ongoing inspection of backflow prevention and cross connection devices installed in the city.

(b) There shall be a monthly surcharge on each water meter within the city's service area. This surcharge shall be in the amount provided for in Chapter ~~27~~ of the Peoria city code (~~1992~~). All funds received from this surcharge shall be placed in an account designated the cross connection control program account. The account shall be used to assist in financing the operation of the city's cross control connection program.

SECTION 36. Chapter 5 of the Peoria City Code (1992) is amended by amending Section 5-105 and renumbering it as Section 18-105 pertaining to Violations - Generally and which shall read as follows:

Sec. ~~5~~18-105. Violations -- Generally.

(a) It is unlawful for any customer or consumer of potable water, be it city water or any city-approved potable water supply, to:

- (1) Create, or have created by other persons, any cross-connection involving any city-approved potable water.
- (2) Fail to install, or maintain, any air-gap or backflow assembly as required by the provisions of this division.

- (3) Fail to have any backflow assembly inspected, ~~and tested,~~ and inspection/test report submitted as required by the provisions of this division.
- (4) Fail to install any backflow assembly according to the city installation standards, as per the department.
- (5) Fail to protect any life form within any structure or on any premises from any non-potable water source.

(b) The department may deny or discontinue, after reasonable notice to the occupants thereof, the water service to anyone using the city water distribution system to any premises where a backflow prevention device required by the provisions of this division is not installed, tested, maintained and repaired in a manner acceptable to the department, or if it is found that the backflow prevention device has been removed or bypassed, or if an unprotected cross-connection exists on the premises, or if a low pressure cutoff required by these regulations is not installed and maintained in working order. Reasonable notice to the occupant of a single-family dwelling shall be deemed given if in writing, mailed to the occupant at the address of the dwelling at least two (2) weeks prior to the contemplated disconnection. Reasonable notice to all others shall be deemed given when done so in writing and mailed to the address one (1) week prior to the contemplated disconnection. Water service to such premises shall not be restored until the consumer has corrected or eliminated such conditions or defects in conformance with these regulations and to the satisfaction of the department, and the required reconnection fee is paid.

(c) If the department determines that a customer's backflow preventive on device does not meet current standards, the customer shall retrofit ~~his~~their device so that it will meet current City standards.

(d) ~~Customers that have water service prior to October 15, 1987,~~ are subject to all requirements imposed by this division, if the department determines the degree of hazard or potential hazard requires a device to be installed.

(e) It shall be unlawful to violate any of the provisions of this chapter. A violation of this ordinance shall be a class one misdemeanor.

(f) Each violation of this ordinance is subject to a mandatory minimum fine of not less than one hundred dollars (\$100.00). In addition, the costs of prosecution of the action may be imposed at the discretion of the court. The magistrate court shall order any person convicted of a violation under this chapter to comply with the provisions of this chapter. The imposition of one penalty for any violation of this ordinance shall not excuse the violation or permit it to continue. All such persons shall be required to correct or remedy such violations and defects within a reasonable time; and each day that the prohibited condition is not corrected or remedied shall constitute a separate offense.

(g) A violation of this chapter may be punished by imposition of a civil penalty which shall not exceed two thousand five hundred dollars (\$2,500.00).

SECTION 37. Chapter 5 of the Peoria City Code (1992) is amended by amending Section 5-106 and renumbering it as Section 18-106 pertaining to Same – Commencement of actions, citation, etc. and which shall read as follows:

Sec. ~~5~~18-106. Same -- Commencement of actions, citation, etc.

(a) The ~~utilities~~Public Works-Utilities ~~e~~Director, or any designee thereof, is authorized to investigate any complaints of violation of this chapter. Upon a determination of reasonable cause that a violation exists, the ~~utilities~~Public Works-Utilities director, or any designee thereof, may issue a notice of violation stating with reasonable particularity the nature of the violation to the violator.

(b) The notice of violation shall be similar to the uniform traffic ticket and complaint promulgated by the Arizona Supreme Court. Upon receipt of a notice of violation, a person may request a hearing on the violation. If a hearing is requested, the hearing officer shall designate a time and place for the hearing and notify the person and the ~~public services~~Public Works-Utilities director.

(c) At the hearing it shall be the burden of the ~~utilities~~Public Works-Utilities director, or the designee thereof, to prove by a preponderance of the evidence that a violation of this chapter has occurred. Formal rules of evidence shall not apply and the hearing officer may admit whatever evidence he or she deems relevant or prohibitive. If the hearing officer determines that a violation has occurred, he or she shall issue an order designating the continued noncompliance with this chapter to be a nuisance and imposing a civil penalty against the violator.

(d) Service of any notice required by this section shall be complete upon mailing it to the violator or by personal delivery to the violator or any agent thereof.

(e) Failure to respond timely to a notice of violation as described in this section shall result in a default being entered against the violator. Upon entering a default, the hearing officer shall enter an order as if a determination had been made that a violation had occurred.

(f) If a person has been served with a notice of violation under this section, he shall not be subject to a criminal charge arising out of the same facts.

(g) The city manager shall designate one or more individuals to act as administrative hearing officers for the purpose of hearing enforcement actions arising under this chapter.

(h) The city attorney, or any person affected by the nuisance, may bring a civil action in the superior court to abate the nuisance.

State law reference(s) -- Notices to appear, A.R.S. § 13-3903.

SECTION 38. Chapter 5 of the Peoria City Code (1992) is amended by renumbering Section 5-107 as Section 18-107 pertaining to Same – Collection of fines; lien; abatement of violation and which shall read as follows:

Sec. 518-107. Same -- Collection of fines; lien; abatement of violation.

Any judgment for a civil fine and/or penalty imposed pursuant to this division shall constitute a lien against the real property of the defendant which may be perfected by recording a copy of the judgment under seal of the city with the county recorder. Any judgment for civil fines or penalties taken pursuant to this article may be collected as any other civil judgment. If the defendant fails to correct the violation charged within thirty (30) days of the issuance of the first citation, the city attorney may proceed without further notice to commence an injunctive action for abatement of the violation. Any action taken under this article shall be in addition to any other remedies.

SECTION 39. Chapter 5 of the Peoria City Code (1992) is amended by amending Section 5-108 and renumbering it as Section 18-108 pertaining to City's right of entry and to information and which shall read as follows:

Sec. 518-108. City's right of entry and to information.

The officer may enter at any reasonable time any property served by a connection to the public water supply or distribution system of the city for the purpose of verifying the presence or absence of cross-connections. The officer or ~~his~~their authorized agent may enter at any reasonable time any property served by a connection to the public water supply or distribution system of the city for the purpose of verifying information submitted by the customer regarding the required cross-connection control inspection. On demand the owner, lessees or occupants of any property so served shall furnish to the officer, any information which he may request regarding the piping system or water use on such property. The refusal of such information, when demanded, shall, within the discretion of the officer, be deemed evidence of the presence of improper connections as provided in this division. This shall hold true for any approved water supply from any source to the citizens of the city, be it private, auxiliary or emergency.

SECTION 40. Chapter 5 of the Peoria City Code (1992) is amended by renumbering Section 5-109 as Section 18-109 pertaining to Surveys and investigations and which shall read as follows:

Sec. 518-109. Surveys and investigations.

(a) It shall be the duty of the department to cause surveys and investigations to be made of industrial and other properties served by the public water supply to determine whether actual or potential hazards to the public water supply may exist. Such surveys and investigations shall be made a matter of public record and shall be repeated at least every two (2) years, or as often as the

department shall deem necessary. Records of such surveys shall be maintained and available for review for a period of at least five (5) years.

(b) Each survey shall be completed on a form approved by the department.

SECTION 41. Chapter 5 of the Peoria City Code (1992) is amended by renumbering Section 5-110 as Section 18-110 pertaining to City's right to discontinue water service and which shall read as follows:

Sec. 518-110. City's right to discontinue water service.

The city shall discontinue, after reasonable notice to the occupant thereof, the water service to any property wherein any connection in violation of the provisions of this division is known to exist and take such other precautionary measures as the officer may deem necessary to eliminate any danger of contamination of the public water supply distribution mains. Water service shall not be restored until the conditions have been eliminated or corrected in compliance with the provisions of this division, and until the required reconnection fee is paid to the city. This shall hold true for any approved water supply from any source to the citizens of the city, be it private, auxiliary or emergency.

SECTION 42. Chapter 5 of the Peoria City Code (1992) is amended by amending Section 5-111 and renumbering it as Section 18-111 pertaining to General requirements and which shall read as follows:

Sec. 518-111. General requirements.

(a) The owner or official custodian shall be responsible for protection of the public water supply system from contamination due to backflow or back-siphonage of contaminants through the customer's water service connection. If, in the judgment of the officer or ~~his~~their authorized representative, an approved backflow prevention device is necessary for the safety of the public water supply system, the officer shall give notice to the consumer to install such approved backflow prevention device at each service connection to the premises. The consumer, after due written notice and within the prescribed time indicated on the notice, shall install such approved device at ~~his~~their own expense, failure or refusal on the part of the consumer to install such device immediately shall constitute grounds for discontinuing water service to the premises until such device has been installed. The consumer shall retain records of installation, maintenance, testing and repair as required in this division.

(b) If in accordance with Section 5-44 of the Peoria City Code (1992), or in the judgment of the department, an approved backflow prevention assembly is necessary for the safety of the public water supply system, the department will give notice to the water customer to install such an approved assembly immediately. The water customer shall, at ~~his~~their own expense, install such an approved

assembly at a location and in a manner in accordance with Section 5-44 of the Peoria City Code (1992).

SECTION 43. Chapter 5 of the Peoria City Code (1992) is amended by amending Section 5-112 and renumbering it as Section 18-112 pertaining to Cross-connection prohibited and which shall read as follows:

Sec. ~~5~~18-112. Cross-connection prohibited.

(a) Connections between the public water supply system and other systems or equipment containing water or other substances of unknown or questionable quality are prohibited except when and where approved cross-connection control devices or methods are installed, tested and maintained to ensure proper operation on a continuing basis. No connection shall be permitted between the public water supply system and any other water supply not of equal or better bacteriological and chemical quality as determined by inspection and analysis by the agency and/or the city. There shall be no arrangement or connection by which contamination may enter the public water supply system.

(b) It is the responsibility and financial obligation of the water consumer to prevent backflow into the public water supply system by ensuring that:

(1) All cross-connections are removed, or approved cross-connection control assemblies are installed for control of backflow from backpressure and back-siphonage.

(2) Backflow Prevention ~~Cross-connection control~~ assemblies shall be installed in accordance with the manufacturer's instructions and the current approved applicable City standards. ~~this division.~~

(3) Cross-connection control assemblies shall be inspected at least annually by a person approved by the department as a cross-connection control tester. The inspection of mechanical devices shall include physical testing in accordance with the manufacturer's instructions, and those of the Foundation, at the consumer's or owner's expense.

SECTION 44. Chapter 5 of the Peoria City Code (1992) is amended by amending Section 5-113 and renumbering it as Section 18-113 pertaining to Testing and records and which shall read as follows:

Sec. ~~5~~18-113. Testing and records.

(a) *Device*. Each device shall be tested at least annually or more frequently if recommended by the manufacturer, or the department, at the consumer's or owner's expense.

(b) *Records*. Records submitted to the city shall be available for inspection by agency personnel.

(c) *Identification.* Each assembly shall have a tag attached listing the manufacturer and serial number of the assembly.

(d) *Log.* A maintenance log shall be maintained and include the following:

- (1) Date of each test.
- (2) Name and ~~approval number~~ certification identification information of person performing the inspection or test.
- (3) Name of testing company.
- (4) Meter number of the service connection that device is attached to.
- (5) Location of the assembly on the property.
- (6) Test gauge serial number.
- (~~3~~7) Test results/inspection.
- (~~8~~4) Repairs or servicing required.
- (~~9~~5) Repairs and date completed.
- (~~10~~6) Services performed and date completed.
- (~~11~~7) Results of final test.

(e) *City records.* The department will maintain records of the types and locations of all assemblies used for the prevention of back-flow in accordance with requirements of 18 A.A.C. 4, R18-4-215 and chapter 7, section H, paragraph 2, Arizona Department of Environmental Quality ~~Health Services Engineering~~ Bulletin No. 10, Guidelines for the Construction of Water Systems, as amended.

(f) *Annual notification to test.*

(1) The City shall notify the customer via first class mail at least 60 days before the annual test compliance due date for each backflow prevention assembly.

(2) If by the annual compliance date the City does not receive the required test report, the City shall provide written notice via hand delivery or certified mail delivered to the customer of the City's intent to discontinue water service if the required annual test report is not received within ~~five days~~ one week of the confirmed delivery date.

- (3) The customer shall not test any backflow prevention assembly more than 60 days prior to the annual test due date, unless a waiver is requested in writing and granted with written City approval.

SECTION 45. Chapter 5 of the Peoria City Code (1992) is amended by amending Section 5-114 and renumbering it as Section 18-114 pertaining to Where protection required and which shall read as follows:

Sec. ~~5~~18-114. Where protection required.

(a) A backflow prevention assembly approved by the officer shall be installed on each water service line to a customer's water system. Such approved backflow prevention assembly shall be installed prior to issuance of any certificate of occupancy for the structure to which the water system will provide service.

(b) An approved backflow prevention assembly shall be installed on each water service line to a consumer's water system where the following conditions exist:

- (1) Premises having an auxiliary water system, unless such auxiliary water system is accepted as an additional source by the city and the source is approved by the agency and the council.
- (2) Premises where any substance exists which can create an actual or potential hazard to the public water supply system.
- (3) Premises having internal cross-connections that, in the judgment of the officer, are not correctable or intricate plumbing arrangements which made it impractical to determine whether or not cross-connections exist.
- (4) Premises where, because of security requirements or other prohibitions or restrictions, it is impossible or impractical to make a complete cross-connections survey.
- (5) Premises having a repeated history of cross-connections being established or reestablished.
- (6) Premises which utilize non-potable or reclaimed water.

(c) An approved backflow prevention assembly shall be installed on each water line to a consumer's water system serving, but not necessarily limited to, the following types of facilities or to isolate specific equipment or hazards unless the officer determines that no actual or potential hazard to the public water supply system exist:

- (1) Aircraft and missile plants, RP.
- (2) Animal clinics and animal grooming shops, RP.

- (3) Automotive plants, RP.
- (4) Auxiliary water systems (interconnected), RP.
- (5) Auxiliary water systems (not interconnected), RP.
- (6) Beverage bottling plants, RP.
- (7) Breweries, RP.
- (8) Buildings greater than three (3) stories or greater than thirty-four (34) feet in height from curb level, RP.
- (9) Buildings with house pumps and/or potable water storage tank, RP.
- (10) Canneries, packing houses and reduction plants, RP.
- (11) Carbonated beverage equipment, Stainless Steel, RP.
- (12) Car wash facilities or car washes with water reclamation system, RP.
- (13) Centralized heating and air conditioning plants, RP.
- (14) Chemical dispensers, PVB or Air gap.
- (15) Chemical plants, RP.
- ~~(165)~~ Chemically treated potable or non-potable water systems, RP.
- ~~(176)~~ Commercial laundries, RP.
- ~~(178)~~ Cooling tower, boiler, condenser, chiller, and other cooling systems, RP.
- ~~(198)~~ Dairies and cold storage plants, RP.
- ~~(2049)~~ Decorative fountain water feature, baptismal, pond, or any location water is exposed to atmosphere, RP or Air Gap.
- (20) Distillery, RP.
- ~~(201)~~ Dye works, RP.
- ~~(224)~~ Film processing laboratories, RP.
- ~~(232)~~ Food processing plants, RP.

- (~~243~~) High schools, grade schools, day-care centers, and colleges, RP.
- (~~254~~) Holding tank disposal stations, RP.
- (~~265~~) Hospitals and mortuaries, RP.
- (~~276~~) Medical and dental buildings or suites, sanitariums, rest and convalescent homes, RP.
- (~~287~~) Mobile home and travel trailer parks, RP.
- (~~298~~) Irrigation systems (premises having separate systems such as parks, playgrounds, cemeteries, golf courses, schools, estates, ranches, etc.), RP.
- (~~3029~~) Laboratories using toxic materials, RP.
- (~~310~~) Manufacturing, processing and fabricating plants using toxic materials, RP.
- (~~342~~) Manufacturing, processing and fabricating plants using nontoxic materials, RP.
- (~~332~~) Motion picture studios, RP.
- (~~343~~) Non-Carbonated beverage equipment, DC.
- (~~354~~) Oil and gas production facilities, RP.
- (~~365~~) Paper and paper production plants, RP.
- (~~376~~) Pesticide, herbicide, fertilizer, and chemical applicators, RP.
- (~~387~~) Plating plants, RP.
- (~~398~~) Radioactive materials processing facilities, RP.
- (~~4039~~) Restricted, classified or other closed facilities, RP.
- (~~410~~) Recreational vehicle dump stations (sewer), or any other location where water may be exposed to bacteria, virus or gas, RP.
- (~~424~~) Rubber plants, RP.
- (~~432~~) Sand and gravel plants, RP.
- (~~443~~) Sewage and storm drainage facilities, RP.
- (~~454~~) Any premises where a cross-connection is maintained, RP.

(465) Water trucks, temporary water storage units, hydraulic sewer cleaning equipment, street sweepers, steel wheeled rollers, RP or air-gap.

(476) Water treatment facilities and all water processing equipment (~~other than residential water softeners, reverse osmosis devices or other water treatment devices~~), RP.

(487) X-ray equipment, printing equipment, or any other photographic processing equipment, RP.

(498) Any premises on which chemicals, oils, solvents, pesticides, disinfectants, cleaning agents, acids or other pollutants and/or contaminants are handled in a manner by which they may come in direct contact with water, or there is evidence of the potential to contact water, RP.

(5049) Any premises where water supplied by the city is subject to deterioration in sanitary quality and its entry into the public water system is permitted, DC.

(510) Any connection to a fire hydrant (except Fire-Medical Department equipment), RP.

SECTION 46. Chapter 5 of the Peoria City Code (1992) is amended by renumbering Section 5-115 as Section 18-115 pertaining to Type of protection and which shall read as follows:

Sec. ~~5~~18-115. Type of protection required.

(a) The type of protection required shall depend on the degree of hazard which exists as follows:

(1) An approved fixed air gap or an approved reduced pressure zone principle backflow prevention assembly shall be installed where the public water supply system may be contaminated causing a system health hazard.

(2) An approved fixed proper air gap separation or an approved DC backflow prevention assembly shall be installed where the public water supply system may be polluted with substances that could cause a pollution hazard not dangerous to health.

(b) All American Water Works Association classes 1, 2 and 3 fire systems six (6) inches in size and larger or any system three (3) inches in size and larger constructed of a piping material not approved as a potable water system material per Section 5-44 of the Peoria City Code (1992) by the city shall have a DC. All American Water Works Association classes 4, 5 and 6 shall have an RP. Fire systems where backflow protection is required on the industrial/domestic service connection that is located on the same premises, both service connections will

have adequate backflow protection for the highest degree of hazard affecting either system.

(c) Any property with more than one (1) water service shall, at the discretion of the department have backflow protection on each service to the property.

(d) At the discretion of the department a strainer shall be required on assemblies.

SECTION 47. Chapter 5 of the Peoria City Code (1992) is amended by renumbering Section 5-116 as Section 18-116 pertaining to Backflow prevention devices and which shall read as follows:

Sec. 518-116. Backflow prevention devices.

(a) All backflow prevention assemblies required by the provision of this division shall be approved by the department. Installation of an approved assembly shall be made in accordance with the departmental regulations. Maintenance as recommended by the manufacturer of the device, and the department, shall be performed. The manufacturer's maintenance manual shall be available on-site. Installation standards are available at the department. All backflow prevention assemblies shall be testable units and equipped with test cocks.

(b) The assembly shall have a diameter at least equal to the diameter of their service connection or service line at the point of connection. Each service connection will require its own backflow prevention assembly.

(c) The assembly shall be in an accessible location and installed as close to the service connection as practicable.

(d) All backflow prevention assemblies must comply with the standards of the department and the provisions of this division. A double check valve assembly shall only be used to protect against a nonhealth hazard (i.e. pollutant). A double check-detector valve assembly shall only be used to protect against a nonhealth hazard (i.e., pollutant).

SECTION 48. Chapter 5 of the Peoria City Code (1992) is amended by amending Section 5-117 and renumbering it as Section 18-117 pertaining to Inspection and maintenance and which shall read as follows:

Sec. 518-117. Inspection and maintenance.

(a) *Generally.* The consumer at premises on which backflow prevention assembly required by the provisions of this chapter are installed shall have inspection, tests, maintenance and repair made in accordance with the following schedule or more often where inspections indicate a need or are specified in manufacturer's instructions, at the consumer's expense:

- (1) Fixed proper air gap separations shall be inspected at the time of installation and at least annually thereafter.
- (2) Double check valve assemblies shall be inspected and tested for tightness at the time of installation or repair and at least annually or more frequently if recommended by the manufacturer, or the department.
- (3) Reduced pressure principle backflow prevention devices shall be tested at the time of the installation and at least annually or more frequently if recommended by the manufacturer, or the department.
- (4) All commercial pressure vacuum breakers shall be tested at the time of the installation or repair and at least annually or more frequently if recommended by the manufacturer, or the department.

(b) *Testing.* Testing shall be performed by a person who has been approved by the department. ~~Proof of approval shall be in writing.~~ Testing procedures shall be conducted in accordance to the current edition of the University of Southern California Foundation for Cross-Connection Control and Hydraulic Research Manual for Cross-Connection Control. Testers who wish to perform backflow testing within the City must possess and maintain the following credentials:

- (1) ~~Completed, and signed and current~~ an application for recognition as a tester.
- (2) Certified as a backflow assembly tester from an agency approved by the Department.
- (3) ~~Test Gauge calibration reports.~~ Certification of field test kit by an agency approved by the Department.
- (4) Liability insurance policy with a \$1,000,000 minimum liability per occurrence.
- (5) Commercial Arizona Registrar of Contractors License as determined by the Department.
- (6) City of Peoria Tax & Business License.

(c) *Repairs.* Whenever backflow prevention assemblies required by these regulations are found to be defective, they shall be repaired or replaced at the expense of the consumer within forty-five (45) days or as specified by the officer.

- (d) *Alterations.* Backflow prevention assemblies shall not be bypassed,

made inoperative, removed or otherwise made ineffective without specific authorization by the department.

(e) ~~*Rebuildingpairs*~~. All backflow prevention assemblies shall be rebuilt/paired as determined by the officer to return the device to manufacturer's specifications.

(f) *Security*. All backflow assemblies installed shall have a chain with a padlock from the first O.S. & Y. valve to the second O.S. & Y. valve, or an alarm system, or both.

(g) *Painting*. All backflow assemblies shall be painted blue without obscuring the name plate,~~tan or a color to match the background.~~

(h) *Test cocks*. Test cocks are to be used for testing only, any unauthorized use is unlawful. All test cocks shall have plugs-test fittings and caps in place at all times. These ~~plugs~~test caps shall only be removed for testing.

SECTION 49. Chapter 5 of the Peoria City Code (1992) is amended by renumbering Section 5-118 as Section 18-118 pertaining to Booster pumps and which shall read as follows:

Sec. ~~5~~18-118. Booster pumps.

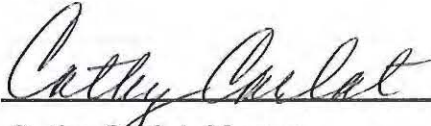
Where a booster pump has been installed on the service line to or within any premises, such pump shall be equipped with a low pressure cutoff device designed to shut off the booster pump when the pressure in the service line on the suction side of the pump drops to twenty (20) pounds per square inch or less. It shall be the duty of the water consumer to maintain the low pressure cutoff device in proper working order and to certify to the department at least once a year that the device is operable.

SECTION 50. The current sections of Chapter 18 of the Peoria City Code (1992) will be renumbered and/or amended by way of a separate ordinance to be submitted to the Mayor and City Council for approval.

SECTION 51. If any section, subsection, sentence, clause or phrase of this Ordinance 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 of this Ordinance.

SECTION 52. This Ordinance shall become effective in the manner provided by law.

PASSED AND ADOPTED by the Mayor and Council of the City of Peoria,
Arizona, this 13th day of June, 2017.




Cathy Carlát, Mayor

6/20/17

Date Signed

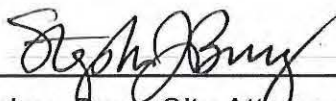
ATTEST:



Rhonda Geriminsky, City Clerk



APPROVED AS TO FORM:



Stephen Burg, City Attorney

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