

ORDINANCE NO. 2019-1437

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, AMENDING SECTION 9-1-1 OF ARTICLE 9-1 OF CHAPTER 9 (BUILDINGS AND BUILDING REGULATIONS) OF THE GOODYEAR CITY CODE BY ADOPTING THE 2018 EDITIONS OF INTERNATIONAL TECHNICAL CODES AND REGULATIONS FOR BUILDINGS, STRUCTURES AND USES THEREOF AND ADOPTING AMENDMENTS THERETO; PROVIDING TERMS FOR IMPLEMENTATION, CORRECTIONS OF SCRIVENERS ERRORS, SEVERABILITY, REPEAL AND AN EFFECTIVE DATE.

WHEREAS, the Mayor and Council deem it necessary, in order to protect the public health, safety and welfare and public and private property, to adopt certain rules and regulations controlling the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use and maintenance of heating, cooling, ventilating, process piping, refrigerator systems, incinerator or other heat-producing appliance and to adopt certain rules and regulations to regulate the erection, construction, enlargement, alteration, repair, moving, removal, and demolition, conversion, occupancy, equipment, use, height, area and maintenance of all buildings or structures; and

WHEREAS, the International Code Council, through a process involving all stakeholders impacted by building construction codes, have developed business construction codes for various aspects of construction including but not limited to residential building codes, building codes, mechanical codes and plumbing codes; and

WHEREAS, in addition to the codes adopted by the International Code Council, national industry groups, through a process involving all affected stakeholders, have delivered uniform codes in specific fields such as the National Electric Code; and

WHEREAS, these International Codes and National Codes have been designed to be used nationally across the United States to provide uniformity in the building construction industry; and

WHEREAS, uniformity in the building construction codes allows builders to use plans and construction drawings across jurisdictions, thereby facilitating development by saving time and money; and

WHEREAS, the uniform codes are supported by organizations such as the Arizona Building Officials, National Association of Homebuilders, FEMA and the American Institute of Architects; and

WHEREAS, although uniformity is a desired outcome, modifications as reflected in the amendments to be adopted by this Ordinance are needed to address issues specific to the City of Goodyear and to ensure consistency between existing City Ordinances, standard policies and regulations;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, AS FOLLOWS:

SECTION 1. AMENDMENT OF SECTION 9-1-1 OF ARTICLE 9-1 OF THE GOODYEAR CITY CODE:

Effective November 27, 2019, Section 9-1-1 of Article 9-1 of Chapter 9 of the Goodyear City Code is hereby amended by replacing in its entirety, Section 9-1-1 with the following:

§ 9-1-1 ADOPTION BY REFERENCE

- A. *Adoption of International Building Code.*** Effective November 27, 2019 that certain document known as the “International Building Code 2018 Edition,” including only the following appendices: Appendix C, Group U – Agricultural Buildings and Appendix E – Supplementary Accessibility Requirements (“International Building Code”) as published by the International Code Council, and declared a public record by the Mayor and Council of the City of Goodyear by Resolution 2019-1974 is hereby referred to, adopted, and made a part hereof as if fully and completely set forth herein.
- B. *Adoption of International Mechanical Code.*** Effective November 27, 2019, that certain document known as the International Mechanical Code 2018 Edition as published by the International Code Council and declared a public record by the Mayor and Council of the City of Goodyear by Resolution 2019-1974 is hereby referred to, adopted, and made a part hereof as if fully and completely set forth herein.
- C. *Adoption of International Plumbing Code.*** Effective November 27, 2019, that certain document known as the International Plumbing Code 2018 Edition as published by the International Code Council and declared a public record by the Mayor and Council of the City of Goodyear by Resolution 2019-1974 is hereby referred to, adopted, and made a part hereof as if fully and completely set forth herein.
- D. *Adoption of International Fuel Gas Code.*** Effective November 27, 2019, that certain document known as the International Fuel Gas Code 2018 Edition as published by the International Code Council and declared a public record by the Mayor and Council of the City of Goodyear by Resolution 2019-1974 is hereby referred to, adopted, and made a part hereof as if fully and completely set forth herein.
- E. *Adoption of International Energy Conservation Code.*** Effective November 27, 2019, that certain document known as the International Energy Conservation Code 2018 Edition as published by the International Code Council, and declared a public record by the Mayor and Council of the City of Goodyear by Resolution 2019-1974 is hereby referred to,

adopted, and made a part hereof as if fully and completely set forth herein.

- F. ***Adoption of International Existing Building Code.*** Effective November 27, 2019, that certain document known as the International Existing Building Code 2018 Edition as published by the International Code Council, and declared a public record by the Mayor and Council of the City of Goodyear by Resolution 2019-1974 is hereby referred to, adopted, and made a part hereof as if fully and completely set forth herein.
- G. ***Adoption of NFPA 70 National Electric Code.*** Effective November 27, 2019, that certain document known as the NFPA 70 National Electric Code 2017 Edition, including ANNEXES C and D as published by the National Fire Protection Association International Code Council, and declared a public record by the Mayor and Council of the City of Goodyear by Resolution 2019-1974 is hereby referred to, adopted, and made a part hereof as if fully and completely set forth herein.
- H. ***Adoption of ICC A117.1 Accessible and Usable Buildings and Facilities Code.*** Effective November 27, 2019, that certain document known as the ICC A117.1 Accessible and Usable Buildings and Facilities Code 2009 Edition as published by the International Code Council, and adopted as a public record by the Mayor and Council of the City of Goodyear by Resolution 2019-1974 is hereby referred to, adopted, and made a part hereof as if fully and completely set forth herein.
- I. ***Adoption of 2010 ADA Standards for Accessible Design.*** Effective November 27, 2019, that certain document known as the 2010 ADA Standards for Accessible Design, as published by the Department of Justice and adopted as a public record by the Mayor and Council of the City of Goodyear by Resolution 2019-1974 is hereby referred to, adopted, and made a part hereof as if fully and completely set forth herein.
- J. ***Adoption of NFPA 99 Standard for Health Care Facilities Code.*** Effective November 27, 2019, that certain document known as the NFPA 99 Standard for Health Care Facilities Code 2018 Edition, as published by the National Fire Protection Association and adopted as a public record by the Mayor and Council of the City of Goodyear by Resolution 2019-1974 is hereby referred to, adopted, and made a part hereof as if fully and completely set forth herein.
- K. ***Adoption of International Residential Code.*** Effective November 27, 2019, that certain document known as the International Residential Code For One and Two Family Dwellings, 2018 Edition including Appendix K, as published by the International Code Council and declared a public record by the Mayor and Council of the City of Goodyear by Resolution No. 2019-1974 is hereby referred to, adopted, and made a part hereof as

fully and completely as if fully set forth herein.

- L. *Adoption of International Property Maintenance Code.*** Effective November 27, 2019, that certain document known as the International Property Maintenance Code 2018 Edition as published by the International Code Council, and declared a public record by the Mayor and Council of the City of Goodyear by Resolution 2019-1974 is hereby referred to, adopted, and made a part hereof as if fully and completely set forth herein.
- M. *Adoption of Code Implementation Process, dated October 28, 2019.*** Effective October 28, 2019, that certain document known as the City of Goodyear Amendments for 2018 Building Construction Codes dated October 28, 2019, adopted as a public record by the Mayor and Council of the City of Goodyear by Resolution 2019-1974, is hereby referred to, adopted and made a part hereof as if fully and completely set forth herein.

SECTION 2. ADOPTION OF THE CITY OF GOODYEAR AMENDMENTS TO 2018 INTERNATIONAL TECHNICAL CODES AND REGULATIONS FOR BUILDINGS, STRUCTURES AND USES DATED OCTOBER 28, 2019.

Effective November 27, 2019, Section 9-1-1 of Article 9-1 of Chapter 9 of the Goodyear City Code is further amended as set forth in that certain document known as “City of Goodyear Amendments to 2018 International Technical Codes and Regulations for Buildings, Structures and Uses dated October 28, 2019” declared a public record by the Mayor and Council of the City of Goodyear by Resolution 2019-1974, which is hereto referred to, adopted and made a part hereof as if fully and completely set forth herein, and which amends the following international building construction codes and regulations adopted by the Mayor and Council of the City of Goodyear in Section 1 above:

- International Building Code 2018 Edition including only the following appendices: Appendix C, Group U – Agricultural Buildings and Appendix E – Supplementary Accessibility Requirements (“International Building Code”) as published by the International Code Council
- International Mechanical Code 2018 Edition as published by the International Code Council
- International Plumbing Code 2018 Edition as published by the International Code Council
- International Fuel Gas Code 2018 Edition as published by the International Code Council

- International Energy Conservation Code 2018 Edition as published by the International Code Council
- International Existing Building Code 2018 Edition as published by the International Code Council
- NFPA 70 National Electric Code 2017 Edition including ANNEXES C AND D as published by the National Fire Protection Association
- ICC A117.1 Accessible and Usable Buildings and Facilities 2009 Edition as published by the International Code Council
- NFPA 99 Standard for Health Care Facilities Code 2018 Edition as published by the National Fire Protection Association
- 2010 ADA Standards for Accessible Design as published by the Department of Justice
- International Residential Code for One and Two Family Dwellings 2018 Edition including Appendix K as published by the International Code Council
- International Property Maintenance Code 2018 Edition as published by the International Code Council

SECTION 3. IMPLEMENTATION

The 2018 International Technical Codes and Regulations for Buildings, Structures and Uses and amendments thereto adopted in this Ordinance 2019-1437, shall apply to all applications for building permits submitted on or after November 27, 2019 except as provided herein.

- A. Applications for permits submitted for review will be reviewed using the building construction codes in effect at the time of submittal.
 - i. Subdivisions will not be treated as a whole for purposes of the application of construction building codes. Depending on the application dates, some houses may be under construction using the construction building codes and amendments adopted by Ordinance 2015-1319.
- B. Standard home plans approved under the building construction codes and amendments thereto adopted by Ordinance 2015-1319 will remain valid through October 28, 2020 subject to the following limitations:
 - i. To ensure efficient flow of plan review, a maximum of ten (10) standard home plans may be submitted at any one time for update, and a minimum of two weeks is required between submittals of additional plan sets. A maximum of ten (10) standard plans may be submitted in a two-week period.

- C. Commercial and industrial projects currently under design using the building construction codes and amendments adopted by Ordinance 2015-1319 that cannot be submitted prior to November 27, 2019, may submit an alternate design request to submit the project for approval using the building construction codes and amendments thereto adopted by Ordinance 2015-1319. This will be allowed for projects submitted up to 90 days after the effective date of the new codes. This will prevent delays and increased costs due to redesigning for the 2018 Building Construction Codes and amendments adopted by this Ordinance 2019-1437.
- D. Permits approved under the building construction codes and amendments adopted by Ordinance 2015-1319 that expire (no work within 180 days after issuance) will need to be updated to the 2018 Building Construction Codes and amendments adopted by this Ordinance 2019-1437 prior to being renewed.

SECTION 4. CORRECTIONS.

The City Clerk and his/her designee, the City Attorney and his/her designee, and the codifiers of this ordinance are authorized to make necessary clerical corrections to this ordinance including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

SECTION 5. SEVERABILITY.

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance or parts thereof.

SECTION 6. ~~REPEAL~~ REPEAL DATE.

~~This Ordinance shall be repealed on November 27, 2019 and shall be repealed by this ordinance or the Code or Standards hereby adopted are hereby repealed as of November 27, 2019.~~

SECTION 7. EFFECTIVE DATE.

This Ordinance shall become effective November 27, 2019 and in the manner prescribed by law.

PASSED AND ADOPTED by the Mayor and Council of the city of Goodyear, Maricopa County, Arizona, this _____ day of _____, 20____.

Georgia Lord, Mayor

Date: _____

ATTEST:

APPROVED AS TO FORM:

Darcie McCracken, City Clerk

Roric Massey, City Attorney

CERTIFICATION OF RECORDING OFFICER

STATE OF ARIZONA)
) ss.
County of Maricopa)

I, the undersigned Darcie McCracken, being the duly appointed, qualified City Clerk of the city of Goodyear, Maricopa County, Arizona, certify that the foregoing Ordinance No. 2019-1437 is a true, correct and accurate copy of Ordinance No. 2019-1437, passed and adopted at a regular meeting of the Council of the city of Goodyear, Maricopa County, Arizona, held on the _____ day of _____, 20____, at which a quorum was present and, by a _____ vote, _____ voted in favor of said ordinance.

Given under my hand and sealed this _____ day of _____, 20____.

seal

City Clerk