

ORDINANCE 2004-1

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF YAVAPAI COUNTY, ARIZONA REPEALING ORDINANCE 2002-1 RELATING TO THE BUILDING CODES FOR THE UNINCORPORATED AREAS OF YAVAPAI COUNTY AND PROVIDING FOR THE ADOPTION OF AN ADMINISTRATIVE CODE FOR THE MANAGEMENT, CONTROL, AND ENFORCEMENT OF TECHNICAL BUILDING AND OTHER CODES AND ORDINANCES, PERTAINING TO ALL ASPECTS OF CONSTRUCTION WITHIN THE COUNTY UNINCORPORATED AREAS PURSUANT TO ARIZONA REVISED STATUTES TITLE 11 CHAPTER 6 ARTICLE 3, SECTIONS 11-801 THROUGH 11-866.

THE BOARD OF SUPERVISORS OF YAVAPAI COUNTY, ARIZONA DOES ORDAIN AS FOLLOWS:

PART I ADOPTION

That Ordinance 2002-1 is hereby repealed in its entirety and that a new administrative code pertaining to all aspects of construction is adopted to read as follows:

YAVAPAI COUNTY ADMINISTRATIVE CODE, 2003

There is hereby adopted by reference the Uniform Administrative Code, 1997 Edition. Said document is hereby amended and adopted as the administrative code for the unincorporated areas of Yavapai County for regulating, controlling, and enforcing the quality of buildings and structures, types and uses of materials, and all aspects of construction and inspection thereof; providing for an Advisory and Appeals Board and providing for the issuance of permits and the collection of fees thereof. Providing for violation of the requirements of the various Technical Codes and Ordinances. Providing procedures for enforcement thereof; providing for severability of each and all conditions and terms of the Yavapai County Administrative Code, 2003 Edition.

At least three copies (3) copies of the aforesaid code and amendments shall be filed in the office of the Board of Supervisors for public use and inspection.

CHAPTER 1 TITLE, SCOPE AND GENERAL

SECTION 101 -- TITLE, PURPOSE AND SCOPE

101.1-- Title. These regulations are known as the **Yavapai County Administrative Code, 2003 Edition** and shall be referred to herein as "this code."

101.2-- Purpose. The purpose of this code is to provide for the administration and enforcement of the technical codes and ordinances adopted by this jurisdiction.

101.3-- Scope. The provisions of this code shall serve as the administrative, organizational and enforcement rules and regulations for the technical codes and ordinances which regulate site preparation and construction, alteration, moving, demolition, repair, use and occupancy of buildings, structures and building service equipment within this jurisdiction.

Section 101.3.1 -- Exemptions. Except as specifically limited or exempted this code and the technical codes shall apply to all construction within the unincorporated areas of Yavapai County.

1. Federal Land. Private development on Federal land shall not be exempted.
2. Indian Tribal land.
3. Items. Pursuant to ARS 11-865.

1. Construction or operation incidental to construction and repair to irrigation and drainage ditches or appurtenances thereto, of regularly constituted districts or reclamation districts, or to farming, dairying, agriculture, viticulture, horticulture or stock or poultry raising, or clearing or other work upon land in rural areas for fire prevention purposes.

2. Devices used in manufacturing, processing or fabricating normally considered as involved in industry and construction, operation and maintenance of electric, gas or other public utility systems operated by public service corporations operating under a franchise or certificate of convenience and necessity.

SECTION 102 -- APPLICATION TO EXISTING BUILDINGS AND BUILDING SERVICE EQUIPMENT

102.2-- Additions, Alterations or Repairs. Additions, alterations or repairs may be made to a building or its building service equipment without requiring the existing building or its building service equipment to comply with all the requirements of the technical codes, provided the addition, alteration or repair conforms to that required for a new building or building service equipment.

Additions or alterations shall not be made to an existing building or building service equipment which will cause the existing building or building service equipment to be in violation of the provisions of the technical codes nor shall such additions or alterations cause the existing building or building service equipment to become unsafe. An unsafe condition shall be deemed to have been created if an addition or alteration will cause the existing building or building service equipment to become structurally unsafe or overloaded; will not provide adequate egress in compliance with the provisions of the Building Code or will obstruct existing exits; will create a fire hazard; will reduce required fire resistance; will cause building service equipment to become overloaded or exceed their rated capacities; will create a health hazard or will otherwise create conditions dangerous to human life. A building so altered, which involves a change in use or occupancy, shall not exceed the height, number of stories and area permitted by the Building Code for new buildings. A building plus new additions shall not exceed the height, number of stories and area specified by the Building Code for new buildings.

Additions or alterations shall not be made to an existing building or structure when the existing building or structure is not in full compliance with the provisions of the Building Codes except when the addition or alteration will result in the existing building or structure being no more hazardous based on life safety, firesafety and sanitation, than before such additions or alterations are undertaken.

EXCEPTION: Alterations of existing structural elements, or additions of new structural elements, which are not required by Section 102.4 and which are initiated for the purpose of increasing the lateral- force-resisting strength or stiffness of an existing structure need not be designed for forces conforming to these regulations provided that an engineering analysis is submitted to show that:

1. The capacity of existing structural elements required to resist forces is not reduced, and
2. The lateral loading to required existing structural elements is not increased beyond their capacity, and
3. New structural elements are detailed and connected to the existing structural elements as required by these regulations, and
4. New or relocated nonstructural elements are detailed and connected to existing or new structural elements as required by these regulations, and
5. An unsafe condition as defined above is not created.

Alterations or repairs to an existing building or structure which are nonstructural and do not adversely affect a structural member or a part of the building or structure having required fire resistance may be made with the same materials of which the building or structure is constructed, subject to approval by the Building Official. Installation or replacement of glass shall be as required for new installations.

Minor additions, alterations and repairs to existing building service equipment installations may be made in accordance with the technical code in effect at the time the original installation was made, subject to approval of the Building Official, and provided such additions, alterations and repairs will not cause the existing building service equipment to become unsafe, unsanitary or overloaded.

102.3-- Existing Installations. Building service equipment lawfully in existence at the time of the adoption of the technical codes may have their use, maintenance or repair continued if the use, maintenance or repair is in accordance with the original design and a hazard to life, health or property has not been created by such building service equipment.

102.4-- Existing Occupancy. Buildings in existence at the time of the adoption of the Building Code may have their existing use or occupancy continued if the use or occupancy was legal at the time of the adoption of the Building Code, and provided continued use is not dangerous to life, health and safety.

A change in the use or occupancy of any existing building or structure shall comply with the provisions of Section 306.1 of this code and Section 3405 of the Building Code.

102.5-- Maintenance. Buildings, structures and building service equipment, existing and new, and parts thereof shall be maintained in a safe and sanitary condition. Devices or safeguards, which are required by the technical codes, shall be maintained in conformance with the technical code under which installed. The owner or the owner's designated agent shall be responsible for the maintenance of buildings, structures and their building service equipment. To determine compliance with this section, the Building Official may cause a structure to be reinspected.

102.6-- Moved Buildings. Buildings, structures and their building service equipment moved into or within this jurisdiction shall comply with the provisions of the technical codes for new buildings or structures and their building service equipment.

102.7 -- Temporary Structures and Uses

102.7.1-- 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.

102.7.2-- Conformance. Temporary structures and uses shall conform to the structural strength, fire safety, means of egress, accessibility, light, ventilation and sanitary requirements of this code as necessary to ensure the public health, safety and general welfare.

102.7.3-- Temporary power. The Building Official is authorized to give permission to temporarily supply and use power in part of an electric installation before such installation has been fully completed and the final certificate of completion has been issued. The part covered by the temporary certificate shall comply with the requirements specified for temporary lighting, heat or power in the *National Electrical Code*.

102.7.4-- Termination of approval. The Building Official is authorized to terminate such permit for a temporary structure or use and to order the temporary structure or use to be discontinued.

102.8 -- Historic Buildings. Repairs, alterations and additions necessary for the preservation, restoration, rehabilitation or continued use of a building, structure, or its building service equipment may be made without conforming to the requirements of the technical codes when authorized by the Building Official, provided:

1. Buildings having been designated, by the Arizona State Historic Preservation Office, as having special historical or architectural significance shall be in accordance with State Administrative Code R12-8-306.
2. Unsafe conditions as described in this code are corrected.
3. The restored building or structure and its building service equipment will be no more hazardous based on life safety, fire-safety and sanitation than the existing building.

102.9 --Other laws. The provisions of this code shall not be deemed to nullify any provisions of local, state or federal law.

SECTION 103 – DEFINITIONS

For the purpose of this code, certain terms, phrases, words and their derivatives shall be construed as specified in this section. The definition within the specific adopted code shall be construed to apply to that code.

Where terms are not defined through the methods authorized by this chapter, such terms shall have the ordinarily accepted meaning such as the context implies. Webster's Third New International Dictionary of the English Language, Unabridged, shall be considered as providing ordinarily accepted meaning, shall have their ordinarily accepted meanings within the context with which they are used.

ADDITION is an extension or increase in floor area or height of a building or structure.

ALTER or **ALTERATION** is a change or modification in construction or building service equipment.

APPROVED, as to materials, types of construction, equipment and systems, refers to approval by the Building Official as the result of investigation and tests conducted by the Building Official, or by reason of accepted principles or tests by recognized authorities, technical or scientific organizations.

APPROVED AGENCY is an established and recognized agency regularly engaged in conducting tests or furnishing inspection services, when the agency has been approved by the Building Official.

BUILDING is a structure used or intended for supporting or sheltering a use or occupancy.

BUILDING CODE is the International Building Code published by the International Code Council, as adopted by this jurisdiction.

BUILDING, EXISTING is a building erected prior to the adoption of this code, or one for which a legal building permit has been issued.

BUILDING OFFICIAL is the officer or other designated authority charged with the administration and enforcement of this code, or a regularly authorized deputy.

BUILDING SERVICE EQUIPMENT refers to the plumbing, mechanical, electrical and elevator equipment including piping, wiring, fixtures and other accessories which provide sanitation, lighting, heating, ventilation, cooling, refrigeration, fire-fighting and transportation facilities essential to the occupancy of the building or structure for its designated use.

COMMERCIAL PROJECTS include all retail/wholesale commercial buildings, performance industrial, industrial buildings and multi family residential structures greater than a duplex within the unincorporated areas of Yavapai County for the purpose of administration of Building Codes currently within the Rural Overlay Zone designation.

ELECTRICAL CODE is the National Electrical Code promulgated by the National Fire Protection Association, as adopted by this jurisdiction.

JURISDICTION, as used in this code, is a state or political subdivision, which adopts this code for administrative regulations within its area of authority.

LISTED and **LISTING** are terms referring to equipment and materials included in a list published by an approved testing laboratory, inspection agency, or other organization concerned with product evaluation that maintains periodic inspection of current productions of listed equipment or materials. The published list shall state that the material or equipment complies with approved nationally recognized codes, standards or tests and has been tested or evaluated and found suitable for use in a specified manner.

MECHANICAL CODE is the International Mechanical Code promulgated by the International Code Council, as adopted by this jurisdiction.

OCCUPANCY is the purpose for which a building, or part thereof, is used or intended to be used.

OWNER is any person, agent, firm or corporation having a legal or equitable interest in the property.

PERMIT is an official document or certificate issued by the Building Official authorizing performance of a specified activity.

PERSON is a natural person, heirs, executors, administrators or assigns, and additionally may include a firm, partnership or corporation, its or their successors or assigns, or the agent of any of the aforesaid.

PLUMBING CODE is the International Plumbing Code, as adopted by this jurisdiction.

REPAIR is the reconstruction or renewal of any part of an existing building, structure or building service equipment for the purpose of its maintenance.

SHALL, as used in this code, is mandatory.

STRUCTURE is that which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner.

TECHNICAL CODES refer to those codes adopted by this jurisdiction containing the provisions for design, construction, alteration, addition, repair, removal, demolition, use, location, occupancy and maintenance of buildings and structures and building service equipment as herein defined.

VALUATION or **VALUE**, as applied to a building and its building service equipment, shall be the estimated cost to replace the building and its building service equipment in kind, based on current replacement costs.

SECTION 104 -- CONFLICTING PROVISIONS

Where in a specific case different sections of the technical codes specify different materials, methods of construction or other requirements; the most restrictive shall govern.

When there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

When conflicts occur between specific provisions of this code and administrative provisions in a technical code, which is then applicable within this jurisdiction, those provisions becoming the law most recently shall prevail.

SECTION 105 -- ALTERNATE MATERIALS, METHODS OF DESIGN AND METHODS OF CONSTRUCTION

105.1--Alternative materials, design and methods of construction and equipment. The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided that any such alternative has been approved. An alternative material, design or method of construction shall be

approved where the Building Official finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code in equality, strength, effectiveness, fire resistance, durability and safety.

105.2--Approved materials and equipment. Materials, equipment and devices approved by the Building Official shall be constructed and installed in accordance with such approval.

105.2.1--Used materials and equipment. The use of used materials, which meet the requirements of this code for new materials, is permitted. Used equipment and devices shall not be reused unless approved by the Building Official.

SECTION 106 –MODIFICATIONS

Whenever there are practical difficulties involved in carrying out the provisions of the technical codes, the Building Official may grant modifications for individual cases. The Building Official shall first find that a special individual reason makes the strict letter of the technical code impractical and the modification is in conformity with the intent and purpose of the technical code, and that such modification does not lessen health, life safety and fire-safety requirements or any degree of structural integrity. The details of actions granting modifications shall be recorded and entered in the files of the code enforcement agency.

SECTION 107—TESTS

Whenever there is insufficient evidence of compliance with the provisions of the technical codes or evidence that materials or construction do not conform to the requirements of the technical codes, the Building Official may require tests as evidence of compliance to be made at no expense to the jurisdiction.

Test methods shall be as specified by the technical codes or by other recognized test standards. In the absence of recognized and accepted test methods, the Building Official shall determine test procedures.

Tests shall be made by an approved agency. Reports of such tests shall be retained by the Building Official for the period required for the retention of public records.

CHAPTER 2 ORGANIZATION AND ENFORCEMENT

SECTION 201 -- AUTHORITY

201.1-- Creation of Enforcement Agency. There is hereby established in this jurisdiction a code enforcement agency which shall be under the administrative and operational control of the Building Official.

201.2-- General. Whenever the term or title "administrative authority," "responsible official," "Building Official," "chief inspector," "code enforcement officer", "Code Official" or other similar designation is used herein or in any of the technical codes, it shall be construed to mean the Building Official designated by the appointing authority of this jurisdiction.

SECTION 202 -- POWERS AND DUTIES OF BUILDING OFFICIAL

202.1-- General. The Building Official is hereby authorized and directed to enforce all the provisions of this code and the referenced technical codes. For such purposes, the Building Official shall have the powers of a law enforcement officer.

The Building Official shall have the power to render interpretations of this code and the referenced technical codes, and to adopt and enforce rules and regulations supplemental to this code as may be deemed necessary to clarify the application of the provisions of this code. Such interpretations, rules and regulations shall be in conformity with the intent and purpose of this code.

202.2-- Deputies. In accordance with prescribed procedures and with the approval of the appointing authority, the Building Official may appoint such number of technical officers and inspectors and other employees as shall be authorized from time to time. The Building Official may deputize such inspectors or employees as may be necessary to carry out the functions of the code enforcement agency.

202.3-- Right of Entry. When necessary to make an inspection to enforce any of the provisions of this code and the technical codes, or when the Building Official has reasonable cause to believe that there exists in any building or upon a premises a condition which is contrary to or in violation of this code which makes the building or premises unsafe, dangerous or hazardous, the Building Official is authorized to enter the building or premises at all reasonable times to inspect or to perform the duties imposed by this code, provided that if such building or premises be occupied, that credentials be presented to the occupant and entry requested. If such building or premises be unoccupied, the Building Official shall first make a reasonable effort to locate the owner or other persons having charge or control of the building or premises and request entry. If entry were refused, the Building Official shall have recourse to the remedies provided by law to secure entry.

202.4-- Stop Orders. When work is being done contrary to the provisions of this code, the technical codes, or other pertinent laws or ordinances implemented through the enforcement of this code, the Building Official may order the work stopped by notice in writing served on persons engaged in the doing or causing such work to be done, and such persons shall forthwith stop the work until authorized by the Building Official to proceed with the work.

202.5-- Occupancy Violations. When a building or structure or building service equipment therein regulated by this code and the technical codes is being used contrary to the provisions of such codes, the Building Official may order such use discontinued by written notice served on any person causing such use to be continued. Such person shall discontinue the use within the time prescribed by the Building Official after receipt of such notice to make the structure, or portion thereof, comply with the requirements of such codes.

202.6-- Authority to Disconnect Utilities. The Building Official or the Building Official's authorized representative shall have the authority to disconnect a utility service or energy supplied to the building, structure or building service equipment therein regulated by this code or the technical codes in case of emergency where necessary to eliminate an immediate hazard to life or property. The Building Official shall whenever possible notify the serving utility, the owner and occupant of the building, structure or building service equipment of the decision to disconnect prior to taking such action, and shall notify such serving utility, owner and occupant of the building, structure or building service equipment, in writing, of such disconnection immediately thereafter.

202.7-- Authority to Condemn Building Service Equipment. When the Building Official ascertains that building service equipment regulated in the technical codes has become hazardous to life, health or property, or has become unsanitary, the Building Official shall order in writing that such equipment either be removed or restored to a safe or sanitary condition, as appropriate.

The written notice itself shall fix a time limit for compliance with such order. Defective building service equipment shall not be maintained after receiving such notice. When such equipment or installation is to be disconnected a written notice of such disconnection and

causes therefor shall be given within 24 hours to the serving utility, the owner and occupant of such building, structure or premises.

When any building service equipment is maintained in violation of the technical codes and in violation of a notice issued pursuant to the provisions of this section, the Building Official shall institute appropriate action to prevent, restrain, correct or abate the violation.

202.8-- Connection after Order to Disconnect. Persons shall not make connections from an energy, fuel or power supply nor supply energy or fuel to building service equipment which has been disconnected or ordered to be disconnected by the Building Official or the use of which has been ordered to be discontinued by the Building Official until the Building Official authorizes the reconnection and use of such equipment.

202.9-- Liability. The Building Official, member of the Board of Appeals or employee charged with the enforcement of this code, while acting for the jurisdiction in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered liable personally and is hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties. Any suit instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by legal representative of the jurisdiction until the final termination of the proceedings and any judgment resulting therefrom, shall be assumed by this jurisdiction.

This code shall not be construed to relieve from or lessen the responsibility of any person owning, operating or controlling a building, structure or building service equipment therein for damages to persons or property caused by defects, nor shall the code enforcement agency or its parent jurisdiction be held as assuming such liability by reason of the inspections authorized by this code or permits or certificates issued under this code.

202.10-- Cooperation of Other Officials and Officers. The Building Official may request, and shall receive, the assistance and cooperation of other officials of this jurisdiction so far as is required in the discharge of the duties required by this code or other pertinent laws or ordinances.

SECTION 203 -- BLANK

SECTION 204 -- BOARD OF APPEALS

204.1-- General. In order to hear and decide appeals of order, decisions or determination, made by the Building Official relative to the applications and interpretation of the technical code, there is hereby created the Building Safety Advisory and Appeals Board, pursuant to ARS 11-862.

204.1.2-- Number of Board Members. The Building Safety Advisory and Appeals Board shall consist of seven voting members appointed by the Yavapai County Board of Supervisors for a four year term, scheduled so that no more than two terms expire in each year. The Yavapai County Board of Supervisors shall fill vacancies for unexpired terms.

204.1.3-- Members of Board. Members of the Board of Advisory and Appeals shall be residents of Yavapai County and shall include representatives in the following areas, to the extent that qualified representatives are available and willing to serve:

- An architect duly licensed in the State of Arizona.
- A professional engineer duly licensed in the State of Arizona.
- A general contractor duly licensed in the State of Arizona.
- A person representing the public and is a resident of Yavapai County
- A person duly licensed in the State of Arizona in the Electrical, Mechanical or Plumbing trades.

- Additional who may be engaged in the construction design or development industry.
- The Building Official shall be an ex officio member and shall act as Secretary to the Board, but shall have no vote upon any matter before the Board.

204.1.4-- Duties of Building Safety Advisory and Appeals Board.

1. The Advisory and Appeals Board shall hear and decide appeals of order, decisions or determinations, made by the Building Official relative to the applications and interpretation of the technical code, including suitability of alternative materials and methods of construction
2. Findings and decisions of the Board shall be binding upon the Building Official and appealing party subject to appeal to the Board of Supervisors.
3. The Board shall act as technical advisory in the formation and acceptance of adopting Building Codes and Ordinances in the County

204.2-- Limitations of Authority. The Board of Appeals shall have no authority relative to interpretation of the administrative provisions of this code or the administrative provisions of the technical codes nor shall the Board be empowered to waive requirements of either this code or the technical codes.

Section 205 -- VIOLATIONS

205.1-- Violations. It shall be unlawful for a person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building, structure or building service equipment, or cause or permit the same to be done in violation of this code and the technical codes. A violation is punishable as a Class 2 Misdemeanor.

205.2-- Continuing Violation. When there is argument to the orders issued by the Building Official and the violation is not abated according the orders issued by the Building Official, the Building Official may refer the matter to the Yavapai County Hearing Officer for a hearing and the imposition of penalties and sanctions.

Section 206 -- HEARING OFFICER

206.1-- Appointment. The Hearing Officer shall be appointed by the Yavapai County Board of Supervisors.

206.2-- Qualifications

- The Hearing Officer shall have training, experience or familiarity with administrative hearing and this Ordinance.
- The Hearing Officer may be an employee of Yavapai County, except that the Hearing Officer shall not be an employee of the Yavapai County Development Services Department.
- Annual Review—The Yavapai County Board of Supervisors has the authority to remove the Hearing Officer, by majority vote for the followings, neglect of duty, inefficiency or misconduct in office.

206.3-- Duties. The Hearing Officer shall hear and rule on building violations and impose sanctions as authorized by ARS 11-866 and ARS 11-808. The Hearing Officer shall perform the following duties:

1. The Hearing Officer shall hear and rule on complaints alleging civil violations of the Ordinance.
2. The Hearing Officer shall administer oaths.
3. The Hearing Officer shall issue subpoenas and summonses ordering appearance before the Officer.

4. The Hearing Officer may impose sanctions as outlined in Section 206.6.
5. The Hearing Officer may make any other order necessary for the resolution of violations of the adopted Codes and Ordinances.
6. The Hearing Officer shall follow procedures as adopted and amended by Resolution, as set forth in the Hearing Officer Rules of Procedure as adopted by the Board of Supervisors.

206.4-- Hearing

1. The Hearing Officer may hear and rule on violations of this Ordinance and impose sanctions as authorized by ARS 11-866.
2. The form and service of complaints and the hearing procedures of the Hearing Officer shall follow the Hearing Officer Rules of Procedure adopted by the Yavapai County Board of Supervisors.

206.5-- Appeals. The decision of the Hearing Officer may be appealed to the Yavapai County Board of Supervisors in accordance with ARS 11-808.

206.6-- Penalties. Pursuant to ARS 11-808 and ARS 11-866 the Hearing Officer shall have the authority to impose the following penalties and sanctions:

1. Each day's continuance of a building code violation shall be deemed a separate offense.
2. The maximum penalty for each offense shall be:
 - A. Pursuant to ARS 13-802-b, Seven hundred fifty dollars (\$750.00) for an individual;
 - B. Pursuant to ARS 13-803-1-3, ten thousand dollars (\$10,000.00) for any corporation, association, labor union or other legal entity.

The imposition of penalties on any person under this ordinance shall not relieve such persons from the responsibility of correcting prohibited conditions or removing prohibited structures or improvements, and shall not prevent the enforced correction or removal of such violations.

If any structure is erected, constructed, reconstructed, altered, maintained or used in violation of this Ordinance, the Yavapai County Board of Supervisors, the Yavapai County Attorney, The Building Official, or any adjacent or neighboring property owner who is especially damaged by the violation may institute an injunction, mandamus, abatement, or any appropriate action proceeding to prevent, abate, or remove the violation.

In the event, the County deems it necessary to institute proceedings to abate a violation it shall be entitled to recover its costs of abatement including attorney fees.

The conviction of any person, firm or corporation hereunder shall not relieve such person from the responsibility to correct such violation nor prevent the enforcement, correction or removal thereof.

**CHAPTER 3
PERMITS AND INSPECTIONS**

SECTION 301 -- PERMITS

301.1-- Permits Required. Except as specified in Section 301.2, no building, structure or building service equipment regulated by this code and the technical codes shall be erected, constructed, enlarged, altered, repaired, moved, improved, removed, converted or demolished unless a separate, appropriate permit for each building, structure or building service equipment has first been obtained from the Building Official.

301.2-- Work Exempt from Permit. A permit shall not be required for the types of work in each of the separate classes of permit as listed below. Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in violation of the provisions of the technical codes or any other laws or ordinances of this jurisdiction.

301.2.1-- Building permits. A building permit shall not be required for the following:

1. One-story detached accessory buildings on residential properties used as tool and storage sheds, garages, playhouses, and similar uses, provided the floor area does not exceed 400 square feet excluding plumbing, mechanical, and electrical.
2. Masonry or Concrete walls not over 4 feet high on residential properties.
3. Fences not over 6 feet high.
4. Oil derricks.
5. Movable cases, counters and partitions not over 5 feet 9 inches high.
6. Retaining walls, which are not over 4 feet in height, measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding flammable liquids.
7. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons and the ratio of height to diameter or width does not exceed 2:1.
8. Platforms, walks and driveways not more than 30 inches above grade and not over any basement or story below and which are not part of an accessible route.
9. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
10. Temporary motion picture, television and theater stage sets and scenery.
11. Window awnings supported by an exterior wall of Group R, Division 3, and Group U Occupancies when projecting not more than 54 inches.
12. Prefabricated swimming pools accessory to a Group R, Division 3 Occupancy in which the pool walls are entirely above the adjacent grade and if the capacity does not exceed 5,000 gallons and are installed entirely above ground.
13. Shade cloth structures constructed for nursery or agricultural purposes and not including service systems.
14. Swings and other playground equipment accessory to one- and two-family dwellings.
15. Re-roofing (no sheathing replacement).
16. New doors and windows (replacement if same size and type).
17. Remodels (non structural and no increase in square footage or plumbing, electrical, and mechanical, on residential properties).
18. Animal shades not to exceed 400 square feet on residential properties excluding plumbing, mechanical and electrical.
19. Barns and sheds not to exceed 400 square feet on residential properties excluding plumbing, mechanical and electrical.
20. Detached carports not to exceed 400 square feet on residential properties excluding plumbing, mechanical and electrical.
21. Concrete flat work (driveways, walkways, and pads not to be used in connection with a structural component).

301.2.2-- Plumbing permits. A plumbing permit shall not be required for the following:

1. The stopping of leaks in drains, soil, waste or vent pipe, provided, however; that should any concealed trap, drain pipe, soil, waste or vent pipe become defective and it becomes necessary to remove and replace the same with new material, the same shall be considered as new work and a permit shall be procured and inspection made as provided in this code.

2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures, nor for the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.

301.2.3-- Electrical permits. An electrical permit shall not be required for the following:

1. Listed cord and plug connecting temporary decorative lighting.
2. Reinstallation of attachment plug receptacles, but not the outlet therefor.
3. Repair or replacement of fixed motors, transformers or fixed approved appliances of the same type and rating in the same location.
4. Repair or replacement of branch circuit overcurrent devices of the required capacity in the same location.
5. Repair or replacement of current-carrying parts of any switch, contractor or control device.
6. Temporary wiring for experimental purposes in suitable experimental laboratories.
7. Portable motors or other portable appliances energized by means of a cord or cable having an attachment plug end to be connected to an approved receptacle when that cord or cable is permitted by the Electrical Code.
8. Repair or replacement of electrodes or transformers of the same size and capacity for signs or gas tube systems.
9. Taping joints.
10. Removal of electrical wiring.
11. Electrical wiring, devices, appliances, apparatus or equipment operating at less than 25 volts and not capable of supplying more than 50 watts of energy.
12. The wiring for temporary theater, motion picture or television stage sets.
13. Low-energy power, controls and signal circuit of Class II and Class III as defined in the Electrical Code.
14. A permit shall not be required for the installation, alteration or repair of electrical wiring, apparatus or equipment or the generation, transmission, distribution or metering of electrical energy or in the operation of signals or the transmission of intelligence by a public or private utility in the exercise of its function as a serving utility.
15. Electric water heaters (replacement of the same type and rating).

301.2.4-- Mechanical permits. A mechanical permit shall not be required for the following:

1. A portable heating appliance.
2. Portable ventilating appliances and equipment.
3. A portable cooling unit.
4. Steam, hot water or chilled water piping within any heating or cooling equipment or appliances regulated by this code.
5. The replacement of any minor part that does not alter the approval of equipment or an appliance or make such equipment or appliance unsafe.
6. A portable evaporative cooler.
7. Self-contained refrigerating systems that contain 10 pounds (4.5 kg) or less of refrigerant, or that are actuated by motors of 1 horsepower (0.75 kW) or less.
8. Gas water heaters (replacement that does not alter existing flue and/or gas connections or make such equipment unsafe).

301.2.5-- Fuel Gas permits. A fuel gas permit shall not be required for the following:

1. Any portable heating appliance.
2. Replacement of any minor part of equipment that does not alter approval of such equipment or make such equipment unsafe.
3. Gas water heaters (replacement that does not alter existing flue and/or gas connections or make such equipment unsafe).

SECTION 302 -- APPLICATION FOR PERMIT

302.1-- Application. To obtain a permit, the applicant shall first file an application therefor in writing on a form furnished by the code enforcement agency for that purpose. Every 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 or occupancy for which the proposed work is intended.
4. Be accompanied by plans, diagrams, computations and specifications, and other data as required in Section 302.8.
5. State the valuation of any new building or structure or any addition, remodeling or alteration to an existing building.
6. Be signed by the applicant, or the applicant's authorized agent.
7. Give other data and information as may be required by the Building Official.

302.2-- Action on application. The Building Official shall examine or cause to be examined applications for permits and amendments thereto within a reasonable time after filing. If the application or the construction documents do not conform to the requirements of pertinent laws, the Building Official shall reject such application in writing, stating the reasons therefor. If the Building Official is satisfied that the proposed work conforms to the requirements of this code and laws and ordinances applicable thereto, the Building Official shall issue a permit therefor as soon as practicable.

302.3-- Time limitation of application. An application for a permit 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 extension of time not exceeding 180 days. The extension shall be requested in writing and justifiable cause demonstrated.

302.4-- Validity of permit. The issuance or granting of a permit shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or of any other ordinance of the jurisdiction. Permits presuming to give authority to violate or cancel the provisions of this code or other ordinances of the jurisdiction shall not be valid. The issuance of a permit based on construction documents and other data shall not prevent the Building Official from requiring the correction of errors in the construction documents and other data. The Building Official is also authorized to prevent occupancy or use of a structure where in violation of this code or of any other ordinance of this jurisdiction.

302.5-- Expiration. Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its 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 extension of time not more than 180 days. The extension shall be requested in writing and justifiable cause demonstrated.

302.6-- 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.

302.7-- (Blank)

302.8-- Submittal Documents. Plans, specifications, engineering calculations, diagrams, soil investigation reports, special inspection and structural observation programs and other data shall constitute the submittal documents and shall be submitted in one or more sets with each application for a permit.

When such plans are not prepared by an architect or engineer, the Building Official may require the applicant submitting such plans or other data to demonstrate that state law does not require that the plans be prepared by a licensed architect or engineer. The Building

Official may require plans, computations and specifications to be prepared and designed by an engineer or architect licensed by the state to practice as such even if not required by state law.

EXCEPTION:

The Building Official may waive the submission of plans, calculations, construction inspection requirements and other data if it is found that the nature of the work applied for is such that reviewing of plans is not necessary to obtain compliance with this code.

302.9-- Information on Plans and Specifications. Plans and specifications shall be drawn to scale on substantial paper or cloth and shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and all relevant laws, ordinances, rules and regulations.

Plans for buildings of other than Group R, Division 3 and Group U Occupancies shall indicate how required structural and fire-resistive integrity will be maintained where penetrations will be made for electrical, mechanical, plumbing and communication conduits, pipes and similar systems.

302.9.1-- Examination of documents. The Building Official shall examine or cause to be examined the accompanying construction documents and shall ascertain by such examinations whether the construction indicated and described is in accordance with the requirements of this code and other pertinent laws or ordinances. Such plans may be reviewed and approved by other departments of Yavapai County and other agencies, with jurisdiction in the areas of public health and safety prior to permit issuance. Including, but not limited to, the Arizona Department of Environmental Quality, the County Health Department and the County Flood Control District to verify compliance with any applicable laws under their jurisdiction.

302.10-- Architect or Engineer of Record.

302.10.1-- General. When it is required that documents be prepared by an architect or engineer, the Building Official may require the owner to engage and designate on the building permit application an architect or engineer who shall act as the architect or engineer of record.

If the circumstances require, the owner may designate a substitute architect or engineer of record who shall perform all the duties required of the original architect or engineer of record. The Building Official shall be notified in writing by the owner if the architect or engineer of record is changed or is unable to continue to perform the duties.

The architect or engineer of record shall be responsible for reviewing and coordinating all submittal documents prepared by others, including deferred submittal items, for compatibility with the design of the building.

302.10.2-- Deferred submittals. For the purposes of this section, deferred submittals are defined as those portions of the design which are not submitted at the time of the application and which are to be submitted to the Building Official within a specified period.

Deferral of any submittal items shall have prior approval of the Building Official. The architect or engineer of record shall list the deferred submittals on the plans and shall submit the deferred submittal documents for review by the Building Official.

Submittal documents for deferred submittal items shall be submitted to the architect or engineer of record who shall review them and forward them to the Building Official with a notation indicating that the deferred submittal documents have been reviewed and that they have been found to be in general conformance with the design of the building. The deferred submittal items shall not be installed until their design and submittal documents have been approved by the Building Official.

302.10.3-- Inspection and Observation Program. When special inspection is required, the architect or engineer of record shall prepare an inspection program, which shall be submitted

to the Building Official for approval prior to issuance of the building permit. The inspection program shall designate the portions of the work to have special inspection, the name or names of the individuals or firms who are to perform the special inspections and indicate the duties of the special inspectors.

The special inspector shall be employed by the owner, the engineer or architect of record, or an agent of the owner, but not the contractor or any other person responsible for the work.

When structural observation is required by Section 307 of the International Building Code, the inspection program shall name the individuals or firms who are to perform structural observation and describe the stages of construction at which structural observation is to occur.

The inspection program shall include samples of inspection reports and provide time limits for submission of reports.

SECTION 303 -- PERMITS ISSUANCE

303.1-- Issuance. The application, plans, specifications, computations and other data filed by an applicant for permit shall be reviewed by the Building Official. Such plans may be reviewed by other departments of this jurisdiction to verify compliance with any applicable laws under their jurisdiction.

If the Building Official finds that the work described in an application for a permit and the plans, specifications and other data filed therewith conform to the requirements of this code and the technical codes and other pertinent laws and ordinances, and that the fees specified in Section 304 have been paid, the Building Official shall issue a permit therefor to the applicant.

When a permit is issued where plans are required, the Building Official shall endorse in writing or stamp the plans and specifications REVIEWED FOR CODE COMPLIANCE. Such reviewed plans and specifications shall not be changed, modified or altered without authorization from the Building Official, and all work regulated by this code shall be done in accordance with the reviewed plans.

The Building Official may issue a permit for the construction of part of a building, structure or building service equipment before the entire plans and specifications for the whole building, structure or building service equipment have been submitted or approved, provided adequate information and detailed statements have been filed complying with all pertinent requirements of the technical codes. The holder of a partial permit shall proceed without assurance that the permit for the entire building, structure or building service will be granted.

303.2-- Retention of Plans. One set of approved plans, specifications and computations shall be retained by the Building Official for a period of not less than 90 days from the date of completion of the work covered therein; and one set of approved plans and specifications shall be returned to the applicant and shall be kept on the site of the building or work at all times during which the work authorized thereby is in progress.

303.3-- Validity of Permit. The issuance of a permit or approval of plans, specifications and computations shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or the technical codes, or of any other ordinance of the jurisdiction. Permits presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the jurisdiction shall not be valid.

The issuance of a permit based on plans, specifications and other data shall not prevent the Building Official from thereafter requiring the correction of errors in said plans, specifications and other data, or from preventing building operations being carried on thereunder when in violation of these codes or of any other ordinances of this jurisdiction.

303.4-- Expiration. Every permit issued by the Building Official under the provisions of the technical codes shall expire by limitation and become null and void, If the building or work authorized by such permit is not commenced within 180 days from the date of such permit, or if the work authorized by such permit is suspended or abandoned at any time after the work

is commenced for a period of 180 days. Before such work can be recommenced, a new permit shall be first obtained. In order to revive a permit after expiration, the permittee shall pay a new full permit fee. Provided no changes have been made or will be made in the original plans and specifications for the work, the original plans can be used to obtain a new permit provided suspension or abandonment has not exceeded one year.

A permittee holding an unexpired permit may apply for an extension of the time within which work may commence under that permit when the permittee is unable to commence work within the time required by this section for good and satisfactory reasons.

The Building Official may extend the time for action by the permittee for a period not exceeding 180 days upon written request by the permittee showing that circumstances beyond the control of the permittee have prevented action from being taken. The Building Official is authorized to grant in writing, one extension of time of not more than 180 days. The extension shall be requested in writing and justifiable cause demonstrated.

303.5-- Suspension or Revocation. The Building Official may, in writing, suspend or revoke a permit issued under the provisions of this code and the technical codes when the permit is issued in error or on the basis of incorrect information supplied, or in violation of an ordinance or regulation or the provisions of these codes.

SECTION 304 -- FEES

304.1-- General. Fees shall be assessed in accordance with the provisions of this section or shall be as set forth in the fee schedule adopted by this jurisdiction.

304.2-- Permit Fees--- Pursuant to ARS 11—863-C, valuations shall be assigned and fees shall be assessed in accordance with the current valuation and fee schedule recommended and approved by the Yavapai County Board of Supervisors Resolution.

The value to be used in computing the building permit fee and building plan review fee shall be the total value of all construction work for which the permit is issued as well as all finish work, painting, roofing, electrical, plumbing, heating, air-conditioning, elevators, fire-extinguishing systems and other permanent equipment.

304.3-- Plan Review Fees. When submittal documents are required by Section 302.8, a plan review fee shall be paid at the time of submitting the submittal documents for plan review. Said plan review fee shall be 65 percent of the building permit fee as shown in the Valuation and Fee Schedule adopted by the Yavapai County Board of Supervisors Resolution.

The plan review fees for electrical, mechanical and plumbing work shall be as shown in the Valuation and Fee Schedule adopted by the Yavapai County Board of Supervisors Resolution.

The plan review fee for grading work shall be as shown in the Valuation and Fee Schedule adopted by the Yavapai County Board of Supervisors Resolution.

The plan review fees specified in this section are separate fees from the permit fees specified in Section 304.2 and are in addition to the permit fees.

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 302.10.2*, an additional plan review fee shall be charged at the rate shown in the Valuation and Fee Schedule adopted by the Yavapai County Board of Supervisors Resolution.

304.4-- Expiration of Plan Review. Applications for which no permit is issued within 180 days following the date of application shall expire by limitation, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the Building Official. The Building Official may extend the time for action by the applicant for a period not exceeding 180 days on written request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. An application shall not be extended more than once. An application shall not be extended if this code or any other pertinent laws or ordinances have been amended subsequent to the date of application. In

order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee.

304.5-- Work without a Permit.

304.5.1-- Investigation. Whenever work for which a permit is required by this code has been commenced without first obtaining a permit, a special investigation shall be made before a permit may be issued for such work.

304.5.2-- Permit Fee. An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee required by this code. The minimum investigation fee shall be the same as the minimum fee set forth in the Valuation and Fee Schedule adopted by Yavapai County Board of Supervisors Resolution. The payment of such investigation fee shall not exempt an applicant from compliance with all other provisions of either this code; the technical codes and from the penalty prescribed by law.

304.6 -- Fee Refunds

304.6.1-- The Building Official may authorize refunding of a fee paid hereunder, which was erroneously paid or collected.

304.6.2-- The Building Official may authorize refunding of not more than 80% of the permit fee paid when no work has been done under a permit issued in accordance with this code.

304.6.3-- The Building Official may authorize refunding of not more than 80% 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 examination time has been expended.

304.6.4-- The Building Official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

SECTION 305 -- INSPECTIONS

305.1-- General. Construction or work for which a permit is required shall be subject to inspection by the Building Official and the construction or work shall remain accessible and exposed for inspection purposes until approved by the Building Official. In addition, certain types of construction shall have continuous inspection as specified.

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 this jurisdiction shall be liable for expense entailed in the removal or replacement of any material required to allow for the 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.

305.2-- Inspection Record Card. Work requiring a permit shall not be commenced until the permit holder or the agent of the permit holder shall have posted or otherwise made available an inspection record card such as to allow the Building Official conveniently to make the required entries thereon regarding inspection of the work. This card shall be maintained available by the permit holder until final approval has been granted by the Building Official.

305.3-- Inspection Requests. It shall be the duty of the person doing the work authorized by a permit to notify the Building Official that such work is ready for inspection. The Building

Official may require that every request for inspection be filed at least one working day before such inspection is desired. Request may be by telephone at the option of the Building Official.

It shall be the duty of the person requesting any inspections required by either this code or the technical codes to provide access to and means for inspection of the work.

305.4-- Approval Required. Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the Building Official. The Building Official shall make the requested inspections and shall either indicate that that portion of the construction is satisfactory as completed or shall notify the permit holder or an agent of the permit holder that the inspection fails to comply with this code. Any portions, which do not comply, shall be corrected and such portion shall not be covered or concealed until authorized by the Building Official.

There shall be a final inspection and approval of all buildings and structures when completed and ready for occupancy and use.

305.5-- Required Building Inspections. Reinforcing steel or structural framework of a part of a building or structure shall not be covered or concealed without first obtaining the approval of the Building Official. Protection of joints and penetrations in fire-resistive assemblies shall not be concealed from view until inspected and approved.

The Building Official, upon notification, shall make the following inspections:

1. **Foundation Inspection.** To be made after excavations for footings are complete and required reinforcing steel is in place. For concrete foundations, required forms shall be in place prior to inspection. All materials for the foundation shall be on the job, except when concrete is ready-mixed in accordance with approved nationally recognized standards, the concrete need not be on the job. When the foundation is to be constructed of approved treated wood, additional inspections may be required by the Building Official.
2. **Concrete Slab or Under-floor Inspection.** To be made after in-slab or under-floor building service equipment, conduit, piping accessories and other ancillary equipment items are in place but before any concrete is placed or floor sheathing installed, including the sub-floor.
3. **Frame Inspection.** To be made after the roof, framing, fire blocking and bracing is in place and all pipes, chimneys and vents are complete and the rough electrical, plumbing and heating wires, pipes, and ducts are approved.
4. **Lath and/or Wallboard Inspection.** To be made after lathing and wallboard, interior and exterior, is in place but before plaster is applied or before wallboard joints and fasteners are taped and finished.
5. **Other Inspections.** In addition to the inspections specified above, the Building Official is authorized to make or require other inspections of any construction work to ascertain compliance with the provisions of this code and other laws that are enforced by building and safety.
6. **Final Inspection.** To be made after finish grading and the building is completed and ready for occupancy

305.6-- Required Building Service Equipment Inspections.

305.6.1-- General. Building service equipment for which a permit is required by this code shall be inspected by the Building Official. Building service equipment intended to be concealed by a permanent portion of the building shall not be concealed until inspected and approved. When the installation of building service equipment is complete, an additional and final inspection shall be made. Building service equipment regulated by the technical codes shall not be connected to the water, fuel or power supply, or sewer system until authorized by the Building Official.

305.6.2-- Operation of building service equipment. The requirements of this section shall not be considered to prohibit the operation of building service equipment installed to replace existing building service equipment serving an occupied portion of the building. A request for inspection of the building service equipment shall be filed with the building department within 48 hours after the replacement work is completed, and before any portion of such building service equipment is concealed by permanent portions of the building.

305.7-- Other Inspections. In addition to the called inspections specified above, the Building Official may make or require other inspections of construction work to ascertain compliance with the provisions of this code or technical codes and other laws which are enforced by Yavapai County.

305.8-- Reinspection. A reinspection fee may be assessed for each inspection or reinspection when such portion of work for which inspection is called is not complete or when corrections called for are not made.

This section is not to be interpreted as requiring reinspection fees the first time a job is rejected for failure to comply with the requirements of the technical codes, but as controlling the practice of calling for inspections before the job is ready for such inspection or reinspection

Reinspection fees may be assessed:

- When the inspection record card is not posted or otherwise available on the work site.
- The approved plans are not readily available to the inspector.
- For failure to provide access on the date for which inspection is requested.
- For deviating from plans requiring the approval of the Building Official.

To obtain a reinspection, the applicant shall file an application therefor in writing upon a form furnished for that purpose and pay the reinspection fee as set forth in the fee schedule adopted by this jurisdiction.

In instances where reinspection fees have been assessed, additional inspection of the work will not be performed until the required fees have been paid.

SECTION 306 -- CERTIFICATE OF OCCUPANCY

306.1-- Use and occupancy. No building or structure shall be used or occupied, 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 therefor 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 of other ordinances of the jurisdiction.

306.2-- Change in Use. Changes in the character or use of a building shall not be made except as specified in Section 3406.1 of the Building Code.

306.3-- 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, the Building Official shall issue a certificate of occupancy that shall contain 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.
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 of this code.
9. The type of construction as defined in Chapter 6 of this code.
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.

306.4-- 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.

306.5-- Posting. The certificate of occupancy shall be posted in a conspicuous place on the premises and shall not be removed except by the Building Official.

306.6-- Revocation. The Building Official may, in writing, suspend or revoke a certificate of occupancy issued under the provisions of this code when the certificate is issued in error, or on the basis of incorrect information, or when it is determined that the building or structure or portion thereof is in violation of an ordinance, regulation or the provisions of this code.

SECTION 307 -- SERVICE UTILITIES

307.1-- Connection of Service Utilities. No person shall make connections from a utility, source of energy, fuel or power to any building or system that is regulated by this code for which a permit is required, until released by the Building Official.

307.2-- Temporary Connection. The Building Official shall have the authority to authorize the temporary connection of the building or system to the utility source of energy, fuel or power.

307.3-- Authority to Disconnect Service Utilities. The Building Official shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code and the codes referenced in case of emergency where necessary to eliminate an immediate hazard to life or property. The Building Official shall notify the serving utility, and wherever possible the owner and occupant of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnecting, the owner or occupant of the building, structure or service system shall be notified in writing, as soon as practical thereafter.

PART II FINDINGS AND DECLARATION

The Board of Supervisors of Yavapai County, Arizona specifically and expressly finds and declares that the nature and uniqueness of the climate, terrain, and location does necessitate and demand specific amendments to the Uniform Administrative Code, 2003 Edition, which are stated in this ordinance.

The provisions of this Ordinance and the Code it incorporates are hereby declared to be severable, and if any section, sentence, clause or phrase of this Ordinance shall, for any reason, be held to be invalid or

unconstitutional, such decisions shall not affect the remaining sections, sentences, clauses or phrases of this Ordinance, but they shall remain in effect. It being the legislative intent that this Ordinance shall stand notwithstanding the validity of any part thereof.

PART III EFFECTIVE DATE

This ordinance shall take effect and be in force on the 5th day of July 2005.

Presented by:

Approved as to form by:

**Jack Judd, CBO
Building Official**

**Randy Schurr
Deputy County Attorney**

Approved and adopted by the Board of Supervisors on the 5th day of July 2005.

**Carol Springer, Chairman
Board of Supervisors**