

**ORDINANCE NO. 4929-1467**

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, AMENDING TITLE III, CHAPTER 1 OF THE CITY CODE OF THE CITY OF PRESCOTT ENTITLED "INTERNATIONAL BUILDING CODE" BY REPEALING SECTION 3-1-2 AND ADOPTING A NEW SECTION 3-1-2, ADOPTING BY REFERENCE THAT CERTAIN DOCUMENT ENTITLED "2015 CHANGES TO THE CITY OF PRESCOTT 2012 INTERNATIONAL BUILDING CODE AMENDMENTS", WHICH WAS MADE A PUBLIC RECORD BY RESOLUTION NO. 4286-1495, AND PROVIDING PENALTIES.**

**RECITALS:**

WHEREAS, the City of Prescott wishes to adopt certain amendments to the *2012 International Building Code* in the interests of the health, safety and welfare of the citizens of Prescott; and

WHEREAS, Resolution 4286-1495 establishes "*2015 Changes to the City of Prescott 2012 International Building Code Amendments*" as a public record; and, whereas, said document is intended to be adopted by this Ordinance therefore by reference.

**ENACTMENTS:**

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PRESCOTT AS FOLLOWS:

SECTION 1. That certain document entitled "*2015 Changes to the City of Prescott 2012 International Building Code Amendments*", which document amends and supersedes certain designated sections of the *2012 International Building Code* and was made a public record by Resolution No. 4244-1453 is hereby adopted by this reference.

SECTION 2. SEVERANCE CLAUSE: The provisions of this Ordinance and the Codes it incorporates are hereby declared to be severable; and, if any section, sentence, clause or phrase of this Ordinance or the Codes that it incorporates shall, for any reason, be held to be invalid or unconstitutional, such decisions shall not affect the validity of the remaining sections, sentences, clauses and phrases of this Ordinance and the Code it incorporates, but they shall remain in effect, it being the legislative intent that this Ordinance and the Code it incorporates shall stand notwithstanding the invalidity of any part thereof.

SECTION 3. PENALTY-CRIMINAL: Any person who violates any provision of this Ordinance or the Codes adopted pursuant to this Ordinance may be guilty of a

misdemeanor and, upon conviction thereof, shall be punished as provided in Section 1-3-1 of the Prescott City Code, by a fine not exceeding two thousand five hundred dollars (\$2,500.00) or by imprisonment for not more than six months, or by both such fine and imprisonment, at the discretion of the City judge. Each and every day any such violation continues shall be deemed and considered a separate offense.

SECTION 4. PENALTY-CIVIL: Upon conviction, any person who violates any provision of this Ordinance thereof may be punished as provided in Section 1-3-1 and Section 1-3-2 of the Prescott City Code and subject to a civil penalty. Each and every day any such violation continues shall be deemed and considered a separate offense.

**PASSED and ADOPTED** by the Mayor and Council of the City of Prescott, Arizona, on this 14<sup>th</sup> day of April, 2015.

  
MARLIN D. KUYKENDALL, Mayor

ATTEST:

  
DANA R. DeLONG, City Clerk

APPROVED AS TO FORM:

  
JON M. PALADINI, City Attorney

RESOLUTION NO. 4286-1495

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, ADOPTING THAT CERTAIN DOCUMENT ENTITLED "2015 CHANGES TO THE CITY OF PRESCOTT 2012 INTERNATIONAL BUILDING CODE AMENDMENTS" AS A PUBLIC RECORD, AND DIRECTING THE CITY CLERK TO RETAIN THREE COPIES THEREOF ON FILE

RECITALS:

WHEREAS, the City of Prescott adopted by reference that certain document entitled the 2012 *International Building Code* by the International Code Council, Inc., including Appendices C, and I, as a public record by Ordinance 4929-1467; and

WHEREAS, the City of Prescott now wishes to adopt that certain document entitled "2015 Changes to the City of Prescott 2012 International Building Code Amendments" attached hereto and made a part hereof as Exhibit "A".

ENACTMENTS:

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PRESCOTT AS FOLLOWS:

Section 1. That certain document entitled "2015 Changes to the City of Prescott 2012 International Building Code Amendments" is hereby declared to be a public record.

Section 2. That the City Clerk is hereby directed to maintain three (3) copies of the above-referenced public document on file at all times for inspection by the public.


PASSED AND ADOPTED by the Mayor and Council of the City of Prescott this 9th day of September, 2014.

  
MARLIN D. KUYKENDALL, Mayor

ATTEST:

  
DANA R. DeLONG, City Clerk

APPROVED AS TO FORM:

  
JON M. PALADINI, City Attorney

**EXHIBIT "A"****PART 1 ADOPTION**

That Resolution 4244-1453 of the City of Prescott is here by repealed and a new International Building code pertaining to all aspects of construction is adopted to read as follows:

**2015 CHANGES TO THE CITY OF PRESCOTT 2012 INTERNATIONAL BUILDING CODE AMENDMENTS**

There is hereby adopted by reference, that certain document known as the International Building Code, 2012 edition, as published by the International Code Council. Said document is hereby amended and adopted as the 2015 Changes to the 2012 International Building Code for the City of Prescott for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all regulations, provisions, penalties, conditions, and terms of the various Technical codes and Ordinances. Providing procedures for enforcement thereof; providing the severability of each and all conditions and terms of the "2015 Changes to the City of Prescott 2012 International Building Code" are hereby referred to, adopted, and made as part hereof as set forth herein, excepting such portions as are herein deleted, modified or amended.

**CHAPTER 1 - SCOPE AND ADMINISTRATION****SECTION 101 – GENERAL**

**SECTION 101.1 – Title, is deleted in its entirety and revised to read as follows:**

**101.1 - Title.** These regulations shall be known as the "2015 Changes to the City of Prescott 2012 International Building Code", Herein referred to as "this Code"

**SECTIONS 102 through 116,** are hereby deleted and replaced with the requirements of the City of Prescott Administrative Building Code as adopted and as may be amended from time to time.

**CHAPTER 2 - DEFINITIONS****SECTION 201 – GENERAL**

**SECTION 201.3 – Terms defined in other codes,** is hereby amended as follows:

**201.4 Terms not defined in other codes.** Where terms are not defined in this code and are defined in the International Conservation Code, International Fire Code, International Fuel Gas Code, International Mechanical Code, International Plumbing Code or The City of Prescott Administration Code, such terms shall have the meanings ascribed to them as in those codes.

**SECTION 201.4 - Terms not defined,** is hereby amended as follows:

**201.4 Terms not defined.** Where terms are not defined through the methods authorized by this Chapter, such terms shall have ordinarily accepted meanings such as the context implies. The Current edition of Webster's New International Dictionary of the English Language, Unabridged, shall be considered as providing ordinarily accepted meanings.

**CHAPTER 3 – USE AND OCCUPANCY CLASSIFICATION**

**SECTION 308 – INSTITUTIONAL GROUP I**

**SECTION 308.3 – Institutional Group I-1**, is hereby amended as follows:

**308.3 Group I-1.** This occupancy shall include buildings, structures or portions thereof for more than 10 persons who reside on a 24-hour basis in a supervised environment and receive custodial care. The persons receiving care are capable of self preservation. This group shall include, but not limited to, the following:

- Alcohol and drug abuse centers
- Assisted living facilities
- Congregate living facilities
- Convalescent facilities
- Group homes
- Halfway houses
- Residential board and Custodial care facilities
- Social rehabilitation facilities

**308.3.1 Six or fewer persons receiving care.** A facility such as above with 6 or fewer persons receiving such care shall be classified as a Group R-3 or shall comply with the *International Residential Code*. Automatic sprinkler and Alarm systems as required by City of Prescott Fire Code and Amendments.

**308.3.2 Seven to Ten persons receiving care.** A facility such as above, housing not fewer than six and not more than 10 persons receiving such care, shall be classified as a group R-4.

**SECTION 308.4 – Institutional Group I-2**, is hereby amended as follows:

**308.4 Group I-2.** This occupancy shall include buildings and structures used for medical, surgical, psychiatric, nursing, Residential care/assisted living homes, custodial, personal, or directed care on a 24-hour basis for more than six persons, who are **incapable** of self-preservation by responding to an emergency situation without physical assistance from staff. This group shall include, but not be limited to, the following:

- Residential Care/assisted living homes
- Foster care facilities
- Detoxification facilities
- Hospitals
- Nursing homes (both intermediate-care facilities and skilled nursing facilities)
- Psychiatric hospitals

**308.4.1 six or fewer persons receiving care.** A facility such as above with six (6) or fewer persons receiving such care shall be classified as Group R-4. All persons receiving care must be on grade level, staff are allowed on a 2<sup>nd</sup> floor provided that it meets ADA. Automatic sprinkler and Alarm systems as required by City of Prescott Fire Code and Amendments.

**SECTION 308.6 – Institutional Group I-4**, is hereby amended as follows:

**SECTION 308.6.1 Classification as Group E**, is deleted in its entirety.

**SECTION 308.6.2 Within a place of religious Worship**, is deleted in its entirety.

**SECTION 308.6.4 Six or fewer persons receiving care in a dwelling unit.** A Facility such as

the above within a dwelling unit and having Six or fewer capable persons receiving custodial care shall be classified as a group R-3 and shall comply with the *International Residential Code*. A Facility such as the above within a dwelling unit and having Six or fewer **incapable** persons receiving custodial care shall be classified as a group R-4. Automatic sprinkler and Alarm systems as required by City of Prescott Fire Code and Amendments.

## **SECTION 310 – RESIDENTIAL GROUP R**

**SECTION 310.3 Residential Group R-1**, Shall be amended as follows:

Boarding houses (transient) with more than 10 occupants.  
Congregate living facilities (transient) with more than 10 occupants.

**SECTION 310.4 Residential Group R-2**, Shall be amended as follows:

Boarding houses (non-transient) with more than 10 occupants.  
Congregate living facilities (non-transient) with more than 12 occupants.

**SECTION 310.5 Residential Group R-3**, Shall be amended as follows:

Boarding houses (transient) with 10 or fewer occupants.  
Boarding houses (non-transient) with 10 or fewer occupants.  
Congregate living facilities (transient) with 10 or fewer occupants.  
Congregate living facilities (non-transient) with 12 or fewer occupants.

**SECTION 310.5.1 Care facilities within a dwelling**, is hereby amended as follows:

**310.5.1 Care facilities within a dwelling.** Care facilities or facilities licensed by Arizona Department of Health Services, for five or fewer persons receiving care that are within a single-family dwelling are permitted to comply with the International Residential Code. Automatic sprinkler and Alarm systems as required by City of Prescott Fire Code and Amendments.

**SECTION 310.5.2 Congregate living facilities.** Is hereby added as follows:

**310.5.2 Congregate living facilities.** Congregate living for 12 or fewer persons that are within a building built as a single dwelling unit, are permitted to comply with the International Residential Code. Occupancy will be established as two persons per bedroom, plus one person for every additional 120 sq. ft. after the first 120 sq. ft. per bedroom

**SECTION 310.6 Residential Group R-4**, is hereby amended as follows:

**310.6 Residential Group R-4.** This occupancy shall include buildings, structures or portions thereof for more than six but not more than 10 persons, excluding staff, who reside on a 24-hour basis in a supervised residential environment and receive custodial care. The persons receiving care are capable of self-preservation. This occupancy shall also include Residential care/assisted living homes, custodial, personal, or directed care on a 24-hour basis for six persons or less, who are **incapable** of self-preservation by responding to an emergency situation without physical assistance from staff. This group shall include, but not be limited to, the following:

Alcohol and drug abuse centers  
Assisted living facilities  
Congregate care facilities  
Convalescent facilities

Group homes  
 Halfway houses  
 Residential board and Custodial care facilities  
 Social rehabilitation facilities

Group R-4 occupancies shall meet the requirements for construction as defined in group R-3 except as otherwise provided for in this Code.

## **CHAPTER 4 – SPECIAL DETAILED REQUIREMENTS BASED ON USE AND OCCUPANCY**

### **SECTION 420 – GROUPS I-1, R-1, R-2 AND R-3**

**SECTION 420 Group I-1, R-1, R-2 & R-3**, is hereby revised to read as follows:

**SECTION 420 Group I-1, R-1, R-2 & R-4**

## **CHAPTER 5 – GENERAL BUILDING HEIGHTS AND AREAS**

### **SECTION 507 – UNLIMITED AREA BUILDINGS**

**SECTION 507.4 Two story**, is hereby amended by adding a new second paragraph to read as follows:

**507.4.1** Group B, F, M, and S buildings complying with the provisions of Section 507.4 may contain occupancies, other than "H" occupancies, provided that such occupancies do not occupy more than 10 percent of the area of any floor of the building, nor more than the tabular area permitted in the occupancy by Table 503 for such occupancy.

## **CHAPTER 7 – FIRE AND SMOKE PROTECTION FEATURES**

### **SECTION 706 – FIRE WALLS**

**SECTION 706.1- General**, is hereby amended by adding a new sub-section to read as follows:

**706.1.2 Sprinkler Alternative walls-** Fire walls constructed as an alternative to the City of Prescott fire sprinkler requirements shall comply with Section 706.12.

**SECTION 706 - Fire Walls**, is hereby amended by adding a new section as follows:

**Section 706.12 Sprinkler alternative wall.** Sprinkler alternative walls are fire- resistive walls constructed to relieve the building of the requirements of the City of Prescott fire sprinkler requirements and shall comply with Sections 706.11 through 706.11.11.

**Section 706.12.1 Structural stability.** Sprinkler alternative walls shall comply with Section 706.2 for structural stability.

**Section 706.12.2 Materials.** Sprinkler alternative walls shall be constructed of 8" (203.2mm) solid grouted masonry, 8" (203.2mm) poured in place or tilt-up concrete.

**Section 706.12.3 Horizontal continuity.** Sprinkler alternative walls shall be continuous from exterior wall to exterior wall and shall extend at least 18 inches (457 mm) beyond the exterior surface of exterior walls.

**Section 706.12.4 Exterior walls.** Where the sprinkler alternative wall intersects the exterior wall, the exterior wall shall comply with Section 705.5.1.

**Section 706.12.5 Horizontal projecting elements.** Sprinkler alternative walls shall

extend to the outer edge of horizontal projecting elements such as balconies, roof overhangs, canopies, marquees and architectural projections that are within 4 feet (1219 mm) of the sprinkler alternative wall.

**Section 706.12.6 Vertical continuity.** Sprinkler alternative walls shall extend from the foundation to a termination point at least 30" (762 mm) above both adjacent roofs.

Exception: Stepped buildings in accordance with Section 706.12.6.1.

**Section 706.12.6.1 Stepped buildings.** Where a sprinkler alternative wall serves as an exterior wall for a building and separates buildings having different roof levels, such wall shall terminate at a point not less than 30" (762 mm) above the upper roof level.

**Section 706.11.7 Combustible framing in sprinkler alternative walls.** Combustible framing as specified in Section 706.7 is not allowed in sprinkler alternative walls.

**Section 706.12.8 Openings.** Openings in sprinkler alternative walls shall not be allowed.

**Section 706.12.9 Penetrations.** Penetrations in sprinkler alternative walls shall not be allowed.

**Section 706.12.10 Joints.** Joints in sprinkler alternative walls shall comply with Section 715.

**Section 706.12.11 Ducts and air transfer openings.** Ducts and air transfer openings in sprinkler alternative walls are not allowed.

## CHAPTER 9 – FIRE PROTECTION SYSTEMS

### SECTION 901 – GENERAL

**SECTION 901.1- Scope** is hereby amended to read as follows:

**901.1 Scope.** Fire protection systems and equipment shall be constructed, installed, operated, designed and maintained in accordance with City of Prescott Fire Code and amendments.

## CHAPTER 10 – MEANS OF EGRESS

### SECTION 1008 – DOORS, GATES AND TURNSTILES

**Section 1008.1.2 Door Swing**, is hereby amended by amending Exception Number 4 to read as follows:

Exceptions:

4. Doors within or serving a single dwelling unit in Groups R-2, R-3 and R-4 as applicable in Section 101.2 of the City of Prescott Administrative Code.

## CHAPTER 11 – ACCESSIBILITY

### SECTION 1101 – GENERAL

**Section 1101.2 – Design**, is hereby amended to read as follows:

**1101.2 Design.** Accessibility requirements will be the more restrictive of those stated in, *The*



2010 Standards for Accessible Design, or Chapter 11 Accessibility, 2012 International Building Code.

## CHAPTER 16 – STRUCTURAL DESIGN

### SECTION 1607 – LIVE LOADS

**TABLE 1607.1 #25 Minimum uniformly distributed live loads,  $L_o$ , and minimum concentrated live loads**, is hereby amended, to read as follows:

Table 1607.1 Minimum Uniformity Distributed Live Loads,  $L_o$ , and minimum concentrated live loads #25. Residential:  
Habitable attics and Sleeping Rooms<sup>k</sup> \_\_\_\_\_ 40

## CHAPTER 17 – SPECIAL INSPECTIONS AND TESTS

### SECTION 1704 – SPECIAL INSPECTIONS, CONTRACTOR REWSPONSIBILITY AND STRUCTURAL OBSERVATIONS

**SECTION 1704.2 Special Inspections** is hereby amended by deleting exception #2.

## CHAPTER 27 – ELECTRICAL

### SECTION 2701 GENERAL

**SECTION 2701.1 SCOPE** is hereby amended as follows:

**2701.1 SCOPE.** This chapter governs the electrical components, equipment and systems used in buildings and structures covered by this code. Electrical components, equipment and systems shall be designed and constructed in accordance with the provisions of *2011 National Electric Code* and for emergency power the *2011 NEC or NFPA 110 and 111* whichever is more restrictive.

## CHAPTER 29 – PLUMBING SYSTEMS

### SECTION 2902.1 – MINIMUM PLUMBING FIXTURES

**SECTION 2902.1 Minimum Plumbing fixtures**, is hereby amended by adding new footnotes to Table 2902.1, to read as follows:

- h. Water coolers or bottled-water dispensers may be substituted for drinking fountains in A, B, M, and S occupancies with more than 15 but less than 26 occupants. Such water shall be free of charge to the public.
- i. A water cooler or bottled-water dispensers or break room sink with a drinking water faucet may be substituted for drinking fountains in A, B, M, and S occupancies with more than 26 but less than 49 occupants. Such water shall be free of charge to the public.
- j. Goose neck faucets on a lavatory or a hose bib located within a restroom may be substituted for the required utility sink in A, B, M, and S occupancies with more than 15 and less than 26 occupants. Hose bibs shall comply with section 608.15.4.2 Hose connections. Must provide a floor drain if using a hose bibb.

**SECTION 2902.2 Separate facilities**, is hereby amended to read as follows:

Exceptions:

2. Separate employee facilities shall not be required in occupancies in which 25 or less people are employed.
3. Separate facilities shall not be required in structures or tenant spaces with a total occupant load, including both employees and customers, of 25 or less.
4. Facilities from 25 to 49 occupants are allowed to use multiple unisex restrooms, at least one must meet ADA.

## **CHAPTER 34 – EXISTING STRUCTURES**

### **SECTION 3401.3 – COMPLIANCE**

**SECTION 3401.3 - Compliance**, is hereby amended by adding a new Section 3401.3.1 to read as follows:

**3401.3.1 Automatic sprinklers.** An approved automatic monitored, fire extinguishing system shall be provided throughout all existing buildings when Table 903.6 as adopted by the city of Prescott fire department or any of the following occur or apply:

1. Any addition, to the interior or exterior of the structure that increases the total fire floor area to 5000 square feet (464.5m<sup>2</sup>) or;
2. Any modification or alteration to an existing building, with a total floor area of 5,000 square feet (464m<sup>2</sup>) or greater, that breeches or removes a required fire rated wall assembly.
3. Occupied, unoccupied, and unused spaces within existing buildings, outside the scope of the change of use area, shall be provided with the approved fire sprinkler and fire alarm system protection within 18 months of the fire protection system installation permit or as otherwise determined by the Fire Code Official.

Exception: Group R-3 occupancies.

### **SECTION 3412 – COMPLIANCE ALTERNATIVES**

**SECTION 3412 - Compliance alternatives**, is hereby deleted.

## **PART II FINDINGS AND DECLARATION**

The City of Prescott Council, 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 2012 International Building Code, which are stated in this Exhibit "A".

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 14th day of April 2015, consistent with the Prescott City Charter, Prescott City Code and relevant Arizona statutes.**