

ORDINANCE NO. 4905-1443

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, AMENDING TITLE III, CHAPTER 5 OF THE CITY CODE OF THE CITY OF PRESCOTT ENTITLED "INTERNATIONAL FUEL GAS CODE" BY REPEALING SECTION 3-5-2 AND ADOPTING A NEW SECTION 3-5-2 BY ADOPTING BY REFERENCE THAT CERTAIN DOCUMENT ENTITLED "*CITY OF PRESCOTT 2012 INTERNATIONAL FUEL GAS CODE AMENDMENTS*" WHICH WAS MADE A PUBLIC RECORD BY RESOLUTION NO. 4248-1457, PROVIDING PENALTIES THEREFORE.

RECITALS:

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

WHEREAS, Resolution 4248-1457 establishes "*City of Prescott 2012 International Fuel Gas Code Amendments*" as public records; and whereas those documents are 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 "*City of Prescott 2012 International Fuel Gas Code Amendments*" which document amends and supersedes certain designated sections of the *2012 International Fuel Gas Code* was made a public record by Resolution No. 4248-1457 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.

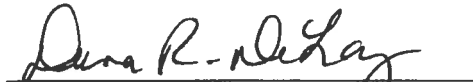
SECTION 3. PENALTY-CRIMINAL: any person who violates any provision of this Ordinance or the Codes adopted pursuant to this Ordinance may be guilty of a misdemeanor, and upon conviction thereof, shall be punished as provided in Section 1-3-1 of the Prescott City Code, by a fine not exceeding two thousand 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 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.

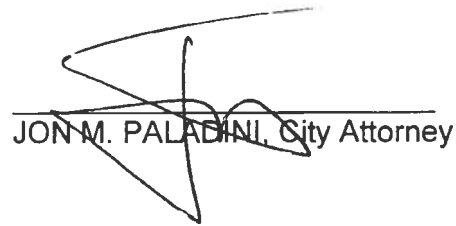
PASSED and ADOPTED by the Mayor and Council of the City of Prescott, Arizona, on this 23rd day of September, 2014.


MARLIN KUYKENDALL, Mayor

ATTEST:


DANA R. DeLONG, City Clerk

APPROVED AS TO FORM:


JON M. PALADINI, City Attorney

RESOLUTION NO. 4248-1457

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

RECITALS:

WHEREAS, the City of Prescott wishes to adopt that certain document entitled the *2012 International Fuel Gas Code*, including *Appendices A, B and C*, as adopted by the International Code Council, Inc., attached hereto and made a part hereof as Exhibit "A" as a public record.

ENACTMENTS:

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

Section 1. That certain document entitled The "*City of Prescott 2012 International Fuel Gas 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 documents 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 KUYKENDALL, Mayor

ATTEST:


DANA R. DeLONG, City Clerk

APPROVED AS TO FORM:



JON M. PALADINI, City Attorney

EXHIBIT "A"

PART 1 ADOPTION

That Resolution 3917-0923 of the City of Prescott is here by repealed and a new International Fuel Gas Code pertaining to all aspects of construction is adopted to read as follows:

CITY OF PRESCOTT 2012 INTERNATIONAL FUEL GAS CODE AMENDMENTS

There is hereby adopted by reference, that certain document known as the International Fuel Gas Code, 2012 edition, as published by the International Code Council. Said document is hereby amended and adopted as the 2012 International Fuel Gas 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 "City of Prescott 2012 International Fuel Gas 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 amended to read as follows:

101.1 Title. These regulations shall be known as the "City of Prescott 2012 International Fuel Gas Code", hereinafter referred to as 'this Code'.

SECTION 102 through 106, 108 through 110 is 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(IFGC) – 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.

SECTION 202(IFGC) – GENERAL DEFINITIONS

SECTION 202 Code Official is hereby amended to read as follows:

Code Official. The office or other designated authority charged with the administration and enforcement of this Code, or a duly authorized representative. The Code Official shall be the Building Official as defined in the *International Building Code*.

CHAPTER 3 – GENERAL REGULATIONS

SECTION 305 (IFGC) – INSTALLATION

SECTION 305.3 Elevation of ignition source is hereby amended by adding the following exception, to read as follows:

Exception: Elevation of the ignition source is not required for appliances that are listed as flammable vapor ignition resistant and/or Clothes dryers installed in private garages.

CHAPTER 4 – GAS PIPING INSTALLATION

SECTION 409 (IFGC) – SHUTOFF VALVES

SECTION 409.1.3 Access to shutoff valves is hereby amended to read as follows:

409.1.3 Access to shutoff valves. Shutoff valves shall be located in places so as to provide access for operation and shall be installed so as to be protected from damage. All buildings shall be provided with a shutoff valve located on the downstream side of the gas meter, between the gas meter and the building and the gas piping must break ground before entering any structure.

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 City of Prescott 2012 International Fuel Gas 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 1st day of January 2015.