

Exhibit A.2

SECTION 1: section 151.01 building code of Chapter 151 of title XV of the Town of Cave Creek Code is herewith amended to provide as follows, with deletions shown as strikethroughs, and with added language shown in CAPS and underlined:

A. Effective January 1, 2019 there is herewith adopted, by reference, the International Building Codes, 2009 Edition, as published by the International Code Council, adopted as a public record by Resolution No. R2018-20 of the Mayor and Council of the Town of Cave Creek by reference thereto, as fully and completely as if the terms thereof were fully set forth herein, in total, except as modified or changed as follows:

(1) **Chapter 1, “Scope and Administration”**, is hereby amended as follows:

101.1 Title. These regulations shall be known as the Building Code of THE TOWN OF CAVE CREEK, hereinafter referred to as “this code”. WHEN THERE IS A CONFLICT BETWEEN THESE PROVISIONS AND THOSE OF ANOTHER TECHNICAL CODE, THESE PROVISIONS SHALL APPLY. WHERE THERE IS AN ADMINISTRATIVE PROVISION CONTAINED IN ANOTHER TECHNICAL CODE AND NOT IN THIS CODE, THEN THE ADMINISTRATIVE PROVISION OF THE TECHNICAL CODE SHALL APPLY

101.4.4 Property Maintenance Shall be deleted in its entirety.

102.6 Existing Structures. Shall be amended as follows:

The legal occupancy of any structure existing on the date of adoption of this code shall be permitted to continue without change, except as otherwise specifically provided in this code, the International Existing Building Code, ~~the International Property Maintenance Code~~ or the International Fire Code.

102.6.2 Buildings Previously Occupied. Shall be amended as follows:

The legal occupancy of any building existing on the date of adoption of this code shall be permitted to continue without change, except as otherwise specifically provided in this code, the International Fire Code ~~or International Property Maintenance Code~~, or as deemed necessary by the building official for the general safety and welfare of the occupants and the public.

103.3 Deputies. Shall be amended as follows:

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

105.3.2 Time Limitation of Application Shall be deleted in its entirety and replaced with the following:

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 FOR AN ADDITIONAL PERIOD NOT EXCEEDING 180 DAYS. THE EXTENSION SHALL BE REQUESTED IN WRITING AND JUSTIFIABLE CAUSE DEMONSTRATED.

105.5 5 Expiration. Shall be deleted in its entirety and replaced with the following:

EVERY PERMIT ISSUED SHALL BECOME INVALID UNLESS THE WORK ON THE SITE AUTHORIZED BY SUCH PERMIT IS COMMENCED WITHIN 180 DAYS AFTER ITS ISSUANCE BY EVIDENCE OF A PASSED INSPECTION, 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, FOR A PERIOD NOT MORE THAN 180 DAYS. THE EXTENSION SHALL BE REQUESTED IN WRITING AND JUSTIFIABLE CAUSE DEMONSTRATED

109.3 Building Permit Valuations. Shall be deleted in its entirety and replaced with the following:

BUILDING PERMIT VALUATIONS SHALL INCLUDE THE TOTAL VALUE OF WORK FOR WHICH A PERMIT IS BEING ISSUED, SUCH AS ELECTRICAL, GAS, MECHANICAL, PLUMBING, EQUIPMENT AND OTHER PERMANENT SYSTEMS, INCLUDING MATERIALS AND LABOR. BUILDING VALUATION SHALL BE DETERMINED PER TITLE XV SECTION 151.14 OF THE TOWN CODE

109.4 Work Commencing Before Permit Issuance. Shall be deleted in its entirety and replaced with the following:

ANY PERSON WHO COMMENCES ANY WORK ON A BUILDING, STRUCTURE, ELECTRICAL, GAS, MECHANICAL OR PLUMBING SYSTEM BEFORE OBTAINING THE NECESSARY PERMITS SHALL BE SUBJECT TO A FEE THAT SHALL BE IN ADDITION TO THE REQUIRED PERMIT FEES. THIS FEE SHALL BE EQUAL TO THE AMOUNT OF THE PERMIT AND PLAN REVIEW FEE REQUIRED BY THE APPROVED FEES. THE PAYMENT OF SUCH FEE SHALL NOT EXEMPT AN APPLICANT FROM COMPLIANCE WITH ALL OTHER PROVISIONS OF EITHER THIS CODE OR OTHER REQUIREMENTS NOR FROM THE PENALTY PRESCRIBED BY LAW.

109.6 Refunds. Shall be deleted in its entirety and replaced with the following:

1. THE BUILDING OFFICIAL SHALL BE PERMITTED TO AUTHORIZE REFUNDING OF A FEE PAID HEREUNDER WHICH WAS ERRONEOUSLY PAID OR COLLECTED.

2. THE BUILDING OFFICIAL SHALL BE PERMITTED TO 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.

3. THE BUILDING OFFICIAL SHALL BE PERMITTED TO 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.

114.4 Violation Penalties Shall be deleted in its entirety and replaced with the following:

AS ESTABLISHED IN TITLE XV CHAPTER 151.99 OF THE TOWN CODE.

(2) Chapter 16 “Structural Design”

Table 1607.1 shall be amended in block 25 to read as follows

Occupancy or Use	Uniform (psf)	Concentrated (lbs)
25. Residential		
One- and two-family dwellings		
Uninhabitable attics without storage	10	
Uninhabitable attics with storage ^{i,j,k}	20 40	
Habitable attics and sleeping areas ^k	30 40	
Canopies, including marquees	20	
All other areas	40	
Hotels and Multifamily dwellings		
Private rooms and corridors serving them	40	
Public rooms and corridors serving them	100	

(3) Chapter 31 “Special Construction”

3109. Swimming Pools, Spas, and Hot Tubs. Delete title and section in its Entirety and replace with a new title and section as follows:

3109 SWIMMING POOL ENCLOSURES AND SAFETY DEVICES.

3109.1 GENERAL:

EVERY SWIMMING POOL SHALL BE COMPLETELY ENCLOSED BY A PERMANENT FENCE, WALL OR BARRIER TO RESTRICT ACCESS TO THE SWIMMING POOL FROM PUBLIC PROPERTY, FROM ADJACENT PRIVATE PROPERTY, AND DIRECTLY FROM ALL DWELLING UNITS OR GUEST ROOMS LOCATED ON THE SAME PREMISES AS THE SWIMMING POOL.

THESE SWIMMING POOL ENCLOSURE AND BARRIER DETAIL REQUIREMENTS APPLY TO ALL NEW SWIMMING POOLS INSTALLED ON OR AFTER THE EFFECTIVE DATE OF THIS ORDINANCE, AND TO ALL ADDITIONS, ALTERATIONS, REPAIRS OR REPLACEMENTS MADE TO EXISTING SWIMMING POOL ENCLOSURES. ALL SWIMMING POOLS

INSTALLED BEFORE THE EFFECTIVE DATE OF THIS ORDINANCE SHALL BE COMPLETELY ENCLOSED BY JANUARY 1, 1995.

EXCEPTIONS:

SWIMMING POOLS BUILT ON SINGLE-FAMILY RESIDENTIAL PROPERTY ON OR BEFORE THE JANUARY 1, 1995 NEED NOT BE RETROACTIVELY FITTED WITH A BARRIER BETWEEN THE DWELLING AND THE POOL PROVIDED ALL OCCUPANTS OF THE DWELLING ARE AT LEAST SIX YEARS OF AGE OR OLDER. ALL OTHER PORTIONS OF THE SWIMMING POOL ENCLOSURE SHALL BE INSTALLED AND MAINTAINED AS REQUIRED HEREIN.

THIS EXCEPTION DOES NOT ELIMINATE AN OWNER'S RESPONSIBILITY FOR PROVIDING A TEMPORARY BARRIER OR OTHERWISE PHYSICALLY RESTRICTING VISITING CHILDREN'S DIRECT ACCESS FROM THE DWELLING TO THE SWIMMING POOL. THIS EXCEPTION SHALL EXPIRE AND THE REQUIRED PERMANENT BARRIER SHALL BE RETROACTIVELY INSTALLED BETWEEN THE DWELLING AND THE SWIMMING POOL WHENEVER ONE OR MORE CHILDREN UNDER SIX YEARS OF AGE BECOME RESIDENTS OF THE PROPERTY.

ABOVE GROUND SWIMMING POOLS WHICH HAVE NONCLIMBABLE SIDES NOT LESS THAN 48 INCHES (1219 MM) HIGH ABOVE THE ADJACENT GROUND LEVEL MAY BE LOCATED ON SINGLE-FAMILY RESIDENTIAL PROPERTY WITHOUT A FENCE OR BARRIER BETWEEN THE POOL AND THE DWELLING PROVIDED ANY STEPS OR LADDER ARE EITHER REMOVABLE WITHOUT THE USE OF TOOLS, OR ARE DESIGNED TO BE SECURED IN AN INACCESSIBLE POSITION WITH A LOCK OR LATCH LOCATED NOT LESS THAN 54 INCHES (1372 MM) ABOVE THE ADJACENT GROUND LEVEL.

RESPOSIBILITY:

THE PROPERTY OWNER AND ANY OTHER PERSON IN CHARGE OF A SWIMMING POOL SHALL ENSURE THAT THE REQUIRED SWIMMING POOL ENCLOSURE, INCLUDING ALL GATES, DOORS, LOCKS, LATCHES AND OTHER PORTIONS OF THE BARRIER, ARE MAINTAINED SAFE AND IN GOOD WORKING ORDER. NO PERSON SHALL ALTER OR REMOVE ANY PORTION OF A SWIMMING POOL ENCLOSURE EXCEPT TO REPAIR, RECONSTRUCT OR REPLACE THE ENCLOSURE IN COMPLIANCE WITH THIS SECTION.

3109.2 BARRIER DETAILS:

SWIMMING POOL BARRIERS SHALL BE INSTALLED AS A PERMANENT FENCE, A WALL, A BUILDING WALL OR A COMBINATION THEREOF, WHICH SURROUND THE SWIMMING POOL. THE POOL SIDE OF THE BARRIER SHALL NOT BE LESS THAN 20 INCHES (508 MM) FROM THE WATER'S EDGE. THE TOP OF THE BARRIER, INCLUDING ALL GATES AND DOORS, SHALL NOT BE LESS THAN 60 INCHES (1524 MM) ABOVE THE FLOOR OR UNDERLYING GROUND, MEASURED ON THE EXTERIOR SIDE OF THE ENCLOSURE.

EXCEPTION:

BARRIER FENCES OR WALLS NOT LESS THAN 54 INCHES (1372 MM) IN HEIGHT WHICH EXISTED ON OR BEFORE THE EFFECTIVE DATE OF THIS ORDINANCE MAY BE USED FOR THAT PORTION OF THE REQUIRED

SWIMMING POOL ENCLOSURE WHICH SEPARATES A SWIMMING POOL FROM DWELLINGS LOCATED ON THE SAME PREMISES AS THE POOL, PROVIDED SUCH BARRIER IS KEPT IN REPAIR AND IS OTHERWISE MAINTAINED IN COMPLIANCE WITH ALL OTHER PROVISIONS OF THIS SECTION.

THERE SHALL BE NO OPENINGS, HOLES OR GAPS IN A SWIMMING POOL BARRIER LARGE ENOUGH FOR A SPHERE 4 INCHES (102 MM) IN DIAMETER TO PASS THROUGH. BARRIER FENCES OR WALLS MAY NOT HAVE HANDHOLDS, FOOTHOLDS OR HORIZONTAL MEMBERS ACCESSIBLE FROM THE EXTERIOR SIDE OF THE ENCLOSURE. HORIZONTAL MEMBERS OF FENCES SHALL BE SPACED NOT LESS THAN 45 INCHES (1143 MM) APART MEASURED VERTICALLY OR SHALL BE PLACED ON THE POOL SIDE OF A FENCE WHICH HAS NO OPENING GREATER THAN 1.75 INCHES (44 MM) MEASURED HORIZONTALLY. WIRE MESH OR CHAIN LINK FENCES MAY HAVE A MAXIMUM MESH SIZE OF 1.75 INCHES (44 MM) MEASURED HORIZONTALLY.

GATES:

ALL GATES IN A SWIMMING POOL BARRIER SHALL BE EQUIPPED TO ACCOMMODATE A LOCKING DEVICE. ALL PEDESTRIAN ACCESS GATES SHALL BE SELF-CLOSING AND SELF-LATCHING. ALL PEDESTRIAN ACCESS GATES INSTALLED AFTER THE EFFECTIVE DATE OF THIS ORDINANCE SHALL OPEN OUTWARD AWAY FROM THE POOL. GATES OTHER THAN PEDESTRIAN ACCESS GATES NEED NOT BE SELF-CLOSING OR SELF-LATCHING WHEN THEY ARE KEPT SECURED BY A PADLOCK OR SIMILAR LOCKING DEVICE. GATE LATCHES SHALL BE LOCATED NOT LESS THAN 54 INCHES (1372 MM) ABOVE THE UNDERLYING GROUND OR SHALL OTHERWISE BE MADE INACCESSIBLE FROM THE OUTSIDE TO SMALL CHILDREN.

DOORS:

ALL DOORS LEADING FROM A DWELLING OR GUEST ROOM DIRECTLY INTO A SWIMMING POOL ENCLOSURE SHALL BE SELF-CLOSING AND SELF-LATCHING, AND SHALL BE EQUIPPED WITH A LOCKING DEVICE. WHEN A SIMPLE LATCH IS USED, THE RELEASE MECHANISM FOR THE LATCH, OR A SECONDARY LOCKING DEVICE, SHALL BE LOCATED NOT LESS THAN 54 INCHES (1372 MM) ABOVE THE FLOOR. A LOCKING LATCH THAT USES A KEY, ELECTRONIC OPENER, OR INTEGRAL COMBINATION LOCK MAY BE LOCATED AT ANY HEIGHT ON THE DOOR. SLIDING DOORS SHALL NOT FORM PART OF A REQUIRED BARRIER UNLESS THEIR SELF-CLOSING AND SELF-LATCHING MECHANISM IS SPECIFICALLY APPROVED BY THE BUILDING OFFICIAL FOR THIS PURPOSE.

WINDOWS:

EMERGENCY ESCAPE OR RESCUE WINDOWS FROM SLEEPING ROOMS WHICH FACE WITHIN A SWIMMING POOL ENCLOSURE SHALL BE EQUIPPED WITH A LATCHING DEVICE LOCATED NOT LESS THAN 54 INCHES (1372 MM) ABOVE THE FLOOR. ALL OTHER DWELLING UNIT OR GUEST ROOM WINDOWS FACING WITHIN A SWIMMING POOL ENCLOSURE SHALL BE EQUIPPED WITH A SCREWED-IN-PLACE WIRE MESH SCREEN, A KEYED LOCK THAT PREVENTS OPENING THE WINDOW MORE THAN FOUR

INCHES, OR A LATCHING DEVICE LOCATED NOT LESS THAN 54 INCHES (1372 MM) ABOVE THE FLOOR.

SAFETY COVERS:

A KEY-OPERATED, MOTORIZED SAFETY COVER WHICH COMPLIES WITH ASTM ES 13-89 MAY BE USED TO MEET THE REQUIREMENTS OF THIS SECTION FOR A BARRIER BETWEEN A SINGLE-FAMILY DWELLING AND A SWIMMING POOL ACCESSORY TO THAT DWELLING PROVIDED ALL OTHER PORTIONS OF THE SWIMMING POOL ENCLOSURE ARE INSTALLED AND MAINTAINED AS REQUIRED HEREIN. THE KEYED POOL COVER SWITCH SHALL BE LOCATED NOT LESS THAN 54 INCHES (1372 MM) ABOVE THE FLOOR OR ADJACENT GROUND LEVEL AND WHERE THE ENTIRE POOL CAN BE VISUALLY INSPECTED DURING COVER OPERATION.

ALARMS:

ALL DOORS WITH DIRECT ACCESS TO THE POOL MAY BE EQUIPPED WITH AN ALARM WHICH PRODUCES AN AUDIBLE WARNING WHEN THE DOOR AND ITS SCREEN, IF PRESENT, ARE OPENED. THE ALARM SHALL SOUND CONTINUOUSLY FOR A MINIMUM OF 30 SECONDS IMMEDIATELY AFTER THE DOOR IS OPENED AND BE CAPABLE OF BEING HEARD THROUGHOUT THE HOUSE DURING NORMAL HOUSEHOLD ACTIVITIES. THE ALARM SHALL AUTOMATICALLY RESET UNDER ALL CONDITIONS. THE ALARM SYSTEM SHALL BE EQUIPPED WITH A MANUAL MEANS, SUCH AS TOUCH PAD OR SWITCH, TO TEMPORARILY DEACTIVATE THE ALARM OR A SINGLE OPENING. SUCH DEACTIVATION SHALL LAST FOR NOT MORE THAN 15 SECONDS. THE DEACTIVATION SWITCH (ES) SHALL BE LOCATED AT LEAST 54 INCHES (1372 MM) ABOVE THE THRESHOLD OF THE DOOR. THIS ALARM MAY BE USED IN LIEU OF THE DOOR REQUIREMENTS LISTED ABOVE.

SECTION 2: Section 151.02 Residential Code of Chapter 151 of title XV of the Town of Cave Creek Code is herewith amended to provide as follows, with deletions shown as strikethroughs, and with added language shown in CAPS and underlined:

A. Effective January 1, 2019 there is herewith adopted, by reference, the International Residential Codes, 2018 Edition, as published by the International Code Council, adopted as a public record by Resolution No. R2018-20 the Mayor and Council of the Town of Cave Creek by reference thereto, as fully and completely as if the terms thereof were fully set forth herein, in total, except as modified or changed as follows:

(1) **Chapter 1, “Scope and Administration”**, is hereby amended as follows:

101.1 Title. These regulations shall be known as the Building Code of THE TOWN OF CAVE CREEK, hereinafter referred to as “this code”. WHEN THERE IS A CONFLICT BETWEEN THESE PROVISIONS AND THOSE OF ANOTHER TECHNICAL CODE, THESE PROVISIONS SHALL APPLY. WHERE THERE IS AN ADMINISTRATIVE PROVISION CONTAINED IN ANOTHER TECHNICAL CODE AND NOT IN THIS CODE, THEN THE ADMINISTRATIVE PROVISION OF THE TECHNICAL CODE SHALL APPLY.

105.3.2 Time limitation of application Shall be deleted in its entirety and replaced with the following:

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 FOR AN ADDITIONAL PERIOD NOT EXCEEDING 180 DAYS. THE EXTENSION SHALL BE REQUESTED IN WRITING AND JUSTIFIABLE CAUSE DEMONSTRATED.

105.5 Expiration. Shall be deleted in its entirety and replaced with the following:

EVERY PERMIT ISSUED SHALL BECOME INVALID UNLESS THE WORK ON THE SITE AUTHORIZED BY SUCH PERMIT IS COMMENCED WITHIN 180 DAYS AFTER ITS ISSUANCE BY EVIDENCE OF A PASSED INSPECTION, 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, FOR A PERIOD NOT MORE THAN 180 DAYS. THE EXTENSION SHALL BE REQUESTED IN WRITING AND JUSTIFIABLE CAUSE DEMONSTRATED

108.3 Building Permit Valuations Shall be deleted in its entirety and replaced with the following:

BUILDING PERMIT VALUATIONS SHALL INCLUDE THE TOTAL VALUE OF WORK FOR WHICH A PERMIT IS BEING ISSUED, SUCH AS ELECTRICAL, GAS, MECHANICAL, PLUMBING, EQUIPMENT AND OTHER PERMANENT SYSTEMS, INCLUDING MATERIALS AND LABOR. BUILDING VALUATION SHALL BE DETERMINED PER TITLE XV SECTION 151.14 OF THE TOWN CODE

108.5 Refunds. Shall be deleted in its entirety and replaced with the following:

1. THE BUILDING OFFICIAL SHALL BE PERMITTED TO AUTHORIZE REFUNDING OF A FEE PAID HEREUNDER WHICH WAS ERRONEOUSLY PAID OR COLLECTED.
2. THE BUILDING OFFICIAL SHALL BE PERMITTED TO 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.
3. THE BUILDING OFFICIAL SHALL BE PERMITTED TO 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.

108.6 Work commencing before permit issuance. Shall be deleted in its entirety and replaced with the following:

ANY PERSON WHO COMMENCES ANY WORK ON A BUILDING, STRUCTURE, ELECTRICAL, GAS, MECHANICAL OR PLUMBING SYSTEM BEFORE OBTAINING THE NECESSARY PERMITS SHALL BE SUBJECT TO A FEE THAT SHALL BE IN ADDITION TO THE REQUIRED PERMIT FEES. THIS FEE SHALL BE EQUAL TO THE AMOUNT OF THE PERMIT AND PLAN REVIEW FEE REQUIRED BY THE APPROVED FEES. THE PAYMENT OF SUCH FEE SHALL NOT EXEMPT AN APPLICANT FROM COMPLIANCE WITH ALL OTHER PROVISIONS OF EITHER THIS CODE OR OTHER REQUIREMENTS NOR FROM THE PENALTY PRESCRIBED BY LAW.

113.4 Violation Penalties Shall be deleted in its entirety and replaced with the following:

AS ESTABLISHED IN TITLE XV CHAPTER 151.99 OF THE TOWN CODE.

(2) Chapter 3 “Building Planning” is hereby amended as follows:

Revise Table R301.5 in the following manner

Use	Live Load
Uninhabitable attics with limited storage ^{b,g}	20 <u>40</u>
Habitable attics and attics served with fixed stairs	30 <u>40</u>
Sleeping rooms	30 <u>40</u>

R313.1 Townhouse automatic fire sprinkler system shall be deleted in its entirety and replaced with the following:

AN AUTOMATIC RESIDENTIAL FIRE SPRINKLER SYSTEM SHALL BE INSTALLED IN TOWNHOUSES AS REQUIRED BY TITLE XV SECTION 151.07 OF THE TOWN CODE.

R313.2 One- and two-family dwellings automatic fire sprinkler system shall be deleted in its entirety and replaced with the following:

AN AUTOMATIC RESIDENTIAL FIRE SPRINKLER SYSTEM SHALL BE INSTALLED IN ONE- AND TWO-FAMILY DWELLINGS AS REQUIRED BY TITLE XV SECTION 151.07 OF THE TOWN CODE

(3) Chapter 24 Fuel Gas

G2415.12.1 Individual outside appliances delete in its entirety

(4) Appendices

Appendix P, Sizing of water Piping Systems is specifically adopted

Appendix Q, Tiny Houses is specifically adopted

SECTION 3: section 151.03 mechanical code of Chapter 151 of title XV of the Town of Cave Creek Code is herewith amended to provide as follows, with deletions shown as strikethroughs, and with added language shown in CAPS and underlined:

A. Effective January 1, 2019 there is herewith adopted, by reference, the International Mechanical Codes, 2018 Edition, as published by the International Code Council, adopted as a public record by Resolution No. R2018-20 of the Mayor and Council of the Town of Cave Creek by reference thereto, as fully and completely as if the terms thereof were fully set forth herein, in total, except as modified or changed as follows:

(1) **Chapter 1, “Scope and Administration”**, is hereby amended as follows:

101.1 Title. THESE REGULATIONS SHALL BE KNOWN AS THE MECHANICAL CODE OF THE TOWN OF CAVE CREEK, HEREINAFTER REFERRED TO AS “THIS CODE”. WHEN THERE IS A CONFLICT BETWEEN THESE PROVISIONS AND THOSE OF ANOTHER TECHNICAL CODE, THESE PROVISIONS SHALL APPLY. WHERE THERE IS AN ADMINISTRATIVE PROVISION CONTAINED IN ANOTHER TECHNICAL CODE AND NOT IN THIS CODE, THEN THE ADMINISTRATIVE PROVISION OF THE TECHNICAL CODE SHALL APPLY.

106.3.3 Time Limitation of Application. Shall be deleted in its entirety and replaced with the following:

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 FOR AN ADDITIONAL PERIOD NOT EXCEEDING 180 DAYS. THE EXTENSION

106.4.1 Approved Construction Documents. Shall be amended as follows:

When the code official issues the permit where construction documents are required, the construction documents shall be endorsed in writing and stamped “APPROVED” “REVIEWED FOR CODE COMPLIANCE”. Such approved construction documents shall not be changed, modified or altered without authorization from the code official. Work shall be done in accordance with the approved construction documents

106.4.3 Expiration. Shall be deleted in its entirety and replaced with the following:

EVERY PERMIT ISSUED SHALL BECOME INVALID UNLESS THE WORK ON THE SITE AUTHORIZED BY SUCH PERMIT IS COMMENCED WITHIN 180 DAYS AFTER ITS ISSUANCE BY EVIDENCE OF A PASSED INSPECTION, 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, FOR A PERIOD NOT MORE THAN 180 DAYS. THE EXTENSION SHALL BE REQUESTED IN WRITING AND JUSTIFIABLE CAUSE DEMONSTRATED

106.4.4 Extensions. Shall be deleted in its entirety

106.5.1 Work Commencing before Permit Issuance. Shall be deleted in its entirety and replaced with the following:

ANY PERSON WHO COMMENCES ANY WORK ON A BUILDING, STRUCTURE, ELECTRICAL, GAS, MECHANICAL OR PLUMBING SYSTEM BEFORE OBTAINING THE NECESSARY PERMITS SHALL BE SUBJECT TO A FEE THAT SHALL BE IN ADDITION TO THE REQUIRED PERMIT FEES. THIS FEE SHALL BE EQUAL TO THE AMOUNT OF THE PERMIT AND PLAN REVIEW FEE REQUIRED BY THE APPROVED FEES. THE PAYMENT OF SUCH FEE SHALL NOT EXEMPT AN APPLICANT FROM COMPLIANCE WITH ALL OTHER PROVISIONS OF EITHER THIS CODE OR OTHER REQUIREMENTS NOR FROM THE PENALTY PRESCRIBED BY LAW.

106.5.2 Fee Schedule. Shall be deleted in its entirety and replaced with the following:

SHALL BE DETERMINED PER TITLE XV SECTION 151.14 OF THE TOWN CODE

106.5.3 Fee Refunds. Shall be deleted in its entirety and replaced with the following:

1. THE BUILDING OFFICIAL SHALL BE PERMITTED TO AUTHORIZE REFUNDING OF A FEE PAID HEREUNDER WHICH WAS ERRONEOUSLY PAID OR COLLECTED.
2. THE BUILDING OFFICIAL SHALL BE PERMITTED TO 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.
3. THE BUILDING OFFICIAL SHALL BE PERMITTED TO 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.

108.4 Violation Penalties Shall be deleted in its entirety and replaced with the following

AS ESTABLISHED IN TITLE XV CHAPTER 151.99 OF THE TOWN CODE.

108.5 Stop Work Orders. Shall be deleted in its entirety and replaced with the following:

ANY PERSON WHO SHALL CONTINUE ANY WORK AFTER HAVING BEEN SERVED WITH A STOP WORK ORDER, EXCEPT SUCH WORK AS THAT PERSON IS DIRECTED TO PERFORM TO REMOVE A VIOLATION OR

UNSAFE CONDITION, SHALL BE LIABLE OF TITLE XV, SECTION 151.99,
PENALTY, OF THE TOWN CODE

SECTION 4 Section 151.04 Plumbing Code Of Chapter 151 of title XV of the Town of Cave Creek Code is herewith amended to provide as follows:

(A) Effective January 1, 2019 there is herewith adopted, by reference, The International Plumbing Code, 2018 edition, as published by the International Code Council, adopted as a public record by Resolution No. R 2018-20 of the Mayor and Council of the Town of Cave Creek by reference thereto, as fully and completely as if the terms thereof were fully set forth herein, in total, except as modified or changed as follows:

(1) Chapter 1-“Scope and Administration”

101.1 Title. These regulations shall be known as the Plumbing Code of THE TOWN OF CAVE CREEK, hereinafter referred to as “this code”. WHEN THERE IS A CONFLICT BETWEEN THESE PROVISIONS AND THOSE OF ANOTHER TECHNICAL CODE, THESE PROVISIONS SHALL APPLY. WHERE THERE IS AN ADMINISTRATIVE PROVISION CONTAINED IN ANOTHER TECHNICAL CODE AND NOT IN THIS CODE, THEN THE ADMINISTRATIVE PROVISION OF THE TECHNICAL CODE SHALL APPLY

106.3.3 Time Limitation of Application. Shall be deleted in its entirety and replaced with the following:

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 FOR AN ADDITIONAL PERIOD NOT EXCEEDING 180 DAYS. THE EXTENSION SHALL BE REQUESTED IN WRITING AND JUSTIFIABLE CAUSE DEMONSTRATED.

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1. THE BUILDING OFFICIAL SHALL BE PERMITTED TO AUTHORIZE REFUNDING OF A FEE PAID HEREUNDER WHICH WAS ERRONEOUSLY PAID OR COLLECTED.
2. THE BUILDING OFFICIAL SHALL BE PERMITTED TO 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.
3. THE BUILDING OFFICIAL SHALL BE PERMITTED TO 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

108.4 Violation Penalties. Shall be deleted in its entirety and revised to read as follows:

AS ESTABLISHED IN TITLE XV CHAPTER 151.99 OF THE TOWN CODE.

108.6 Stop work orders. Shall be deleted in its entirety and replaced with the following:

ANY PERSON WHO SHALL CONTINUE ANY WORK AFTER HAVING BEEN SERVED WITH A STOP WORK ORDER, EXCEPT SUCH WORK AS THAT PERSON IS DIRECTED TO PERFORM TO REMOVE A VIOLATION OR UNSAFE CONDITION, SHALL BE LIABLE OF TITLE XV, SECTION 151.99, PENALTY, OF THE TOWN CODE

(2) Chapter 3 “General Regulations”

305.4.1 Sewer depth. Shall be amended as follows:

Building sewers that connect to private sewage disposal systems shall be installed not less than ~~{number}~~ 12 inches (305 mm) below finished grade at the point of

septic tank connection. Building sewers shall be installed not less than ~~[number]~~ 12 inches (305 mm) below grade.

(3) Chapter 9 “Vents”

903.1 Roof Extension.

Open vent pipes that extend through a roof shall be terminated not less than ~~[number]~~ 8 inches (203 mm) above the roof. Where a roof is to be used for assembly or as a promenade, observation deck, sunbathing deck or similar purposes, open vent pipes shall terminate not less than 7 feet (2134 mm) above the roof.

SECTION 5: section 151.05 electrical code of Chapter 151 of title XV of the Town of Cave Creek Code is herewith amended to provide as follows:

- A. Effective January 1, 2019 there is herewith adopted, by reference, the National Electrical Code, 2017 Edition, as published by the National Fire Protection Association, adopted as a public record by Resolution No. R2018-20 of the Mayor and Council of the Town of Cave Creek by reference thereto, as fully and completely as if the terms thereof were fully set forth herein, in total, except as modified or changed as follows:

(1) Article 90 “Introduction”

90.1 Practical Safeguarding. Shall be amended as follows:

The purpose of this code is the practical safeguarding of persons and property from hazards arising from the use of electricity. ANY AND ALL ELECTRICAL WORK FOR LIGHT, HEAT, POWER, OR ANY OTHER PURPOSES SHALL BE INSTALLED IN CONFORMITY WITH THE RULES AND REGULATIONS AS SET FORTH IN THIS CODE AND THAT DOCUMENT TITLED, NATIONAL ELECTRICAL CODE, 2017 EDITION, ALSO KNOWN AS NFPA 70, AND IN CONFORMITY WITH THE RULES, POLICIES, REGULATIONS AND AMENDMENTS AS SET FORTH BY THE BUILDING OFFICIAL. This Code is not intended as a design specification or an instruction manual for untrained persons.

SECTION 6: Section 151.06 Fire Code of Chapter 151 of title XV of the Town of Cave Creek Code is herewith amended to provide as follows:

- A. Effective January 1, 2019 there is herewith adopted, by reference, the International Fire Codes, 2018 Edition, as published by the International Code Council, adopted as a public record by Resolution No. R2018-20 of the Mayor and Council of the Town of Cave Creek by reference thereto, as fully and completely as if the terms thereof were fully set forth herein, in total, except as modified or changed as follows:

(1) Chapter 1, “Scope and Administration”

101.1 Title is hereby amended as follows:

These regulations shall be known as the Fuel Gas Code of THE TOWN OF CAVE CREEK, hereinafter referred to as “this code”. WHEN THERE IS A CONFLICT BETWEEN THESE PROVISIONS AND THOSE OF ANOTHER TECHNICAL CODE, THESE PROVISIONS SHALL APPLY. WHERE THERE IS AN ADMINISTRATIVE PROVISION CONTAINED IN ANOTHER TECHNICAL CODE AND NOT IN THIS CODE, THEN THE ADMINISTRATIVE PROVISION OF THE TECHNICAL CODE SHALL APPLY.

105.2.3 Time Limitation of Application. Shall be deleted in its entirety and replaced with the following:

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 FOR AN ADDITIONAL PERIOD NOT EXCEEDING 180 DAYS. THE EXTENSION SHALL BE REQUESTED IN WRITING AND JUSTIFIABLE CAUSE DEMONSTRATED.

105.3.1 Expiration Shall be deleted in its entirety and replaced with the following:

EVERY PERMIT ISSUED SHALL BECOME INVALID UNLESS THE WORK ON THE SITE AUTHORIZED BY SUCH PERMIT IS COMMENCED WITHIN 180 DAYS AFTER ITS ISSUANCE BY EVIDENCE OF A PASSED INSPECTION, 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, FOR A

PERIOD NOT MORE THAN 180 DAYS. THE EXTENSION SHALL BE REQUESTED IN WRITING AND JUSTIFIABLE CAUSE DEMONSTRATED

105.3.2 Extensions. Shall be deleted in its entirety.

106.2 Schedule Of Permit Fees_ Shall be deleted in its entirety and replaced with the following:

SHALL BE DETERMINED PER TITLE XV SECTION 151.14 OF THE TOWN CODE

106.3 Work Commencing Before Permit Issuance. Shall be deleted in its entirety and replaced with the following:

ANY PERSON WHO COMMENCES ANY WORK ON A BUILDING, STRUCTURE, ELECTRICAL, GAS, MECHANICAL OR PLUMBING SYSTEM BEFORE OBTAINING THE NECESSARY PERMITS SHALL BE SUBJECT TO A FEE THAT SHALL BE IN ADDITION TO THE REQUIRED PERMIT FEES. THIS FEE SHALL BE EQUAL TO THE AMOUNT OF THE PERMIT AND PLAN REVIEW FEE REQUIRED BY THE APPROVED FEES. THE PAYMENT OF SUCH FEE SHALL NOT EXEMPT AN APPLICANT FROM COMPLIANCE WITH ALL OTHER PROVISIONS OF EITHER THIS CODE OR OTHER REQUIREMENTS NOR FROM THE PENALTY PRESCRIBED BY LAW

110.4 Violation penalties shall be deleted in its entirety and replaced with the following:

AS ESTABLISHED IN TITLE XV CHAPTER 151.99 OF THE TOWN CODE.

112.4 Failure to comply. Shall be deleted in its entirety and replaced with the following:

ANY PERSON WHO SHALL CONTINUE ANY WORK AFTER HAVING BEEN SERVED WITH A STOP WORK ORDER, EXCEPT SUCH WORK AS THAT PERSON IS DIRECTED TO PERFORM TO REMOVE A VIOLATION OR UNSAFE CONDITION, SHALL BE LIABLE OF TITLE XV, SECTION 151.99, PENALTY, OF THE TOWN CODE

- (2) **CHAPTER 9**, delete section 903 “Automatic Sprinkler Systems” in its entirety and replace with the town’s sprinkler code section 151.07.

(3) **CHAPTER 11, “CONSTRUCTION REQUIREMENTS FOR EXISTING BUILDINGS”**

1103.5.1 Group A-2, shall be deleted in its entirety.

1103.7 FIRE ALARM SYSTEMS. Shall be deleted in its entirety.

(4) **Chapter 23 Motor Fuel-Dispensing Facilities and Repair Garages.**

2304.3.1 GENERAL. Shall be deleted and replaced with the following:
UNATTENDED SELF-SERVE STATIONS ARE PROHOBITED WITHIN THE ENTIRE TOWN.

EXCEPTION: UNATTENDED SELF-SERVE STATIONS MAY BE ALLOWED BY SPECIAL PERMIT BY THE FIRE CODE OFFICIAL FOR PRIVATE COMMERCIAL USE ONLY. WRITEN REQUEST AND DOCUMENTATION SHALL BE SUBMITTED, SHOWING COMPLIANCE WITH 2304.3.1 THROUGH 2304.3.7 AND ALL OTHER APPLICABLE CODES AND ORDINANCES.

(5) **Appendices**

APPENDIX B “FIRE FLOW REQUIREMENTS FOR BUILDINGS” shall be adopted

APPENDIX D, “FIRE APPARATUS ACCESS ROADS” shall be adopted.

SECTION 7 : Section 151.07 Sprinkler Code of Chapter 151 of title XV of the Town of Cave Creek Code is herewith amended to provide as follows:

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

101.1 Title. Shall be amended to read as follows:

These regulations shall be known as the Sprinkler Code of the Town of Cave Creek ORIGINALLY ADOPTED FROM CHAPTER 9 OF THE 2003 INTERNATIONAL FIRE CODE, JULY 2004, hereinafter referred to as “this code”. When there is a conflict between these provisions and those of another technical code, these provisions shall apply. Where there is an administrative provision contained in another technical code and not in this code, then the administrative provision of the technical code shall apply.

(A) ~~Delete the following sections in their entirety: Section 108, Section 202, Section 503, Section 506, Section 508, and Section 603.~~

(B) **Section 903**, subsections 903.2, 903.2.1, 903.2.2, 903.2.3, 903.2.4, 903.2.5, 903.2.6, 903.2.7, 903.2.8, 903.2.8.1, 903.2.9, 903.2.9.1, 903.10, 903.3, 903.3.6, 903.3.7 and 903.4 are amended as follows; and subsections 903.1.2,

903.1.3, 903.1.4, 903.1.5, 903.2.7.1, 903.2.7.1.1, 903.2.7.1.2, 903.2.7.2, 903.2.7.2.1, 903.2.7.2.2, 903.2.7.2.3, 903.2.7.3, 903.2.7.4 903.3.7.1, 903.3.7.2, 903.3.7.3 are added:

903.1.2 Plan certification for fire alarms and occupant notification. All fire alarm and occupant notification system plans submitted to the fire department for review and approval shall bear a review certification of a minimum level II NICET (National Institute for the Certification of Engineering Technologies) ~~in accordance with Fire Department Interpretation and Applications Manual.~~

903.1.3 Plan certification for fire sprinklers. All fire sprinkler plans submitted to the fire department for review and approval shall bear a review certification of a minimum level III NICET technician (National Institute for the Certification of Engineering Technologies) ~~in accordance with Fire Department Interpretation and Applications Manual.~~

903.1.4 Plan certification for all other fire protection systems. Plan certification for all other fire protection systems will be accompanied by a certification of competence when required.

903.1.5 Site plans. Plans and specifications shall be submitted to the fire department for review and approval prior to construction. One set of fire department approved plans shall be on the job site for each inspection.

903.2 Where required. An automatic sprinkler system shall be installed throughout all levels of all new Group A, B, E, F, H, I, M, R, S and U occupancies of more than zero (0) square feet in accordance with Section 903. ~~and the Fire Department Interpretation and Applications Manual, and as set in this section.~~

~~1. In every story or basement of all buildings. Fire resistive substitutions in accordance with the provisions of Section 508 are allowed for this subsection for Group R occupancies and for other occupancies, provided that the automatic sprinkler is not otherwise required throughout the building by any other provision or section of the unamended building code.~~

1. At the top of rubbish and linen chutes and in their terminal rooms. Chutes extending through three or more floors shall have additional sprinkler heads installed within such chutes at alternate floors. Sprinkler heads shall be accessible for servicing.

2. In rooms where nitrate film is stored or handled. See also Section 306.

3. In protected combustible fiber storage vaults.

Exception: The following accessory structures shall be exempt from fire sprinkler requirements:

1. Gazebos and ramadas for residential and public use.

2. Independent rest room buildings that are associated with golf courses, parks and similar uses.
3. Guardhouses for residential and commercial developments.
4. Detached carports for residential developments.
5. Barns and agricultural buildings for private, residential, non-commercial use, not exceeding 1,500 square feet (139.35 m²).
6. Detached storage sheds for private, residential, non-commercial use, not exceeding 2,000 square feet (185.81 m²).
7. Detached 1, 2 and 3 car garages (without habitable spaces) in existing R3 developed parcels which contain existing non-sprinklered subdivision requirements (i.e., 700 foot (213.36 mm) hydrant spacing).
8. For fuel-dispensing canopies not exceeding 1,500 square feet (139.35 m²).
9. Open shade horse stalls of non-combustible construction for private, residential, non-commercial use, not exceeding 5,000 square feet (464.52 m²), and no storage of combustible products, vehicles or agricultural equipment.
10. Detached one-story accessory building used as tool and storage shed of non-hazardous materials, and not exceeding 120 square feet (11.15 m²).
11. Additions to R-3 Occupancies. Not currently sprinklered.
12. Any accessory buildings to an existing residential property built prior to the implementation of this ordinance.

903.2.1 Group A. An automatic sprinkler system shall be installed throughout all Group A occupancies in accordance with NFPA 13 sprinkler systems. ~~and Fire Department Interpretation and Applications Manual.~~

903.2.2 Group E. An automatic sprinkler system shall be installed throughout all

~~and~~ Group E occupancies in accordance with NFPA 13 sprinkler systems.
~~Fire Department Interpretation and Applications Manual.~~

903.2.3 Group F. An automatic sprinkler system shall be installed throughout all Group F occupancies in accordance with NFPA 13 sprinkler systems.
~~and~~ ~~Fire Department Interpretation and Applications Manual.~~

903.2.4 Group H. An automatic sprinkler system shall be installed throughout all Group H occupancies in accordance with NFPA 13 sprinkler systems.
~~and~~ ~~Fire Department Interpretation and Applications Manual.~~

903.2.5 Group I. An automatic sprinkler system shall be installed throughout all Group I occupancies in accordance with NFPA 13 sprinkler systems.
~~and~~ ~~Fire Department Interpretation and Applications Manual.~~

Exception: In jails, prisons and reformatories, the piping system may be dry, provided a manually operated valve is installed at a continuously monitored location. Opening of the valve will cause the piping system to be charged. Sprinkler heads in such systems shall be equipped with fusible elements, or the system shall be designed as required for deluge systems in the Building Code.

903.2.6 Group M. An automatic sprinkler system shall be installed throughout all Group M occupancies in accordance with NFPA 13 sprinkler systems.
~~and~~ ~~Fire Department Interpretation and Applications Manual.~~

903.2.7 Group R. An automatic sprinkler system shall be installed throughout all Group R occupancies in accordance with this section.

903.2.7.1 Group R-1. An automatic sprinkler system shall be installed throughout all Group R-1 occupancies in accordance with NFPA 13 or 13-R sprinkler systems.
~~and~~ ~~Fire Department Interpretation and Applications Manual.~~

903.2.7.1.1 Group R-1 with attic protection. In Group R-1 occupancies, an automatic sprinkler system in accordance with NFPA 13 or 13-R, as modified by Fire Department Interpretation and Applications Manual, shall be installed throughout every apartment house three or more stories in height or containing more than 15 dwelling units, and every hotel three or more stories in height or containing 20 or more guest

rooms. Residential or quick-response sprinkler heads shall be used in the dwelling unit and guest room portions of the building. Sprinkler heads shall be used to protect the attic with a minimum 4 head or 500 square foot (46.5 m²) calculated area. Occupant notification shall be in accordance with the Code and Fire Department Interpretation and Applications Manual. There shall be no sprinkler deletions in bathrooms, closets containing any electrical or mechanical equipment, foyers, garages, accessible areas under interior stairs or landings, or exterior balconies, covered patios or landings or attics.

903.2.7.1.2 Group R-1 when attic protection is not required. In Group R-1 occupancies, an automatic sprinkler system in accordance with NFPA 13 or 13-R, as modified by Fire Department Interpretation and Applications Manual, shall be installed throughout every apartment house 2 or less stories in height and containing 15 or less dwelling units, and every hotel 2 or less stories in height and containing 19 or less guest rooms. Residential or quick-response sprinkler heads shall be used in the dwelling units, guest rooms, convening corridors, and all occupied areas. There shall be no sprinkler deletions in bathrooms, closets containing any electrical or mechanical equipment, foyers, garages, accessible areas under interior stairs or landings, or exterior balconies, covered patios or landings

903.2.7.2 Group R -2. An automatic sprinkler system shall be installed throughout all Group R-2 occupancies, in accordance with NFPA 13 or 13-R sprinkler systems as modified by Fire Department Interpretation and Applications Manual. There shall be no sprinkler deletions in bathrooms, closets containing mechanical or electrical equipment, foyers, garages, or accessible areas under interior stairs or landings.

903.2.7.2.1 Group R-2 with attic protection. When attic protection is required. In Group R-2 occupancies, an automatic sprinkler system in accordance with NFPA Standard 13-R, as modified by Fire Department Interpretation and Applications Manual, shall be installed throughout every apartment house three or more stories in height or containing more than 15 dwelling units, and every hotel three or more stories in height or containing 20 or more guest rooms. Residential, or quick response sprinkler heads shall be used in the dwelling unit and guest room portions of the building. Sprinkler heads shall be used to protect the attic with a minimum 4 head or 500 square foot (46.5 m²) calculated area. Occupant notification shall be in accordance with the Code and Fire Department Interpretation and Applications Manual. There shall be no sprinkler deletions in bathrooms, closets, containing any electrical or mechanical equipment, foyers, garages, accessible areas under interior stairs or landings, or exterior balconies, covered patios or landings or attics.

903.2.7.2.2 Group R-2 when attic protection is not required. In Group R-2

occupancies an automatic sprinkler system in accordance with NFPA Standard 13R, as modified by Fire Department Interpretation and Applications Manual, shall be installed throughout every apartment house 2 or less stories in height and containing 15 or less dwelling units and every hotel 2 or less stories in height and containing 19 or less guest rooms. Residential, or quick-response sprinkler heads shall be used in the dwelling units, guest rooms, convening corridors, and all occupied areas. There shall be no sprinkler deletions in bathrooms, closets containing any electrical or mechanical equipment, foyers, garages, accessible areas under interior stairs or landings, or exterior balconies, covered patios or landings.

903.2.7.2.3 Domestic water supplies. R-2 occupancies may have up to six (6) units supplied by domestic water.

903.2.7.3 All Group R-3 and U occupancies. An automatic sprinkler system shall be installed throughout all Group R-3 and U occupancies in accordance with NFPA 13 or 13-D sprinkler systems and Fire Department Interpretation and Applications Manual. There shall be no sprinkler deletions in bathrooms, closets containing mechanical or electrical equipment, foyers, garages, or accessible areas under interior stairs or landings.

903.2.7.4 Group R-4. An automatic sprinkler system shall be installed throughout all Group R-4 occupancies, in accordance with NFPA 13-D sprinkler systems as modified by Fire Department Interpretation and Applications Manual. There shall be no sprinkler deletions in bathrooms, closets containing mechanical or electrical equipment, foyers, garages, or accessible areas under interior stairs or landings.

903.2.8 Group S-1 occupancies. An automatic sprinkler system shall be installed throughout all Group S-1 occupancies in accordance with NFPA 13 sprinkler systems. ~~and Fire Department Interpretation and Applications Manual.~~

903.2.8.1 Repair garages. An automatic sprinkler system shall be installed throughout all repair garages in accordance with NFPA 13 sprinkler systems. ~~as modified by Fire Department Interpretation and Applications Manual.~~

903.2.9 Group S-2 occupancies. An automatic sprinkler system shall be installed throughout all Group S-2 occupancies in accordance with NFPA 13 sprinkler systems. ~~as modified by Fire Department Interpretation and Applications Manual.~~

903.2.9.1 Commercial parking garages. An automatic sprinkler system shall be installed throughout all commercial parking garages in accordance with NFPA 13 sprinkler systems. ~~as modified by Fire Department Interpretation and Applications Manual.~~

903.2.10 Group B occupancies. An automatic sprinkler system shall be installed throughout all Group B occupancies in accordance with NFPA 13 sprinkler systems. ~~as modified by Fire Department Interpretation and Applications Manual.~~

903.3 Installation requirements. Automatic sprinkler systems shall be installed in accordance with NFPA 13, 13-R, 13-D. ~~as modified by Fire Department Interpretation and Applications Manual.~~

903.3.6 Hose Threads. Fire hose threads used in connection with automatic sprinkler system shall be National Standard Treads.

903.3.7 Fire Department Connections. Fire department connections shall be located within 4 feet (1219.2 mm) to 8 feet (2438.4 mm) of the curb line of an access road or public street, or as otherwise specified, or as approved by the chief FIRE CODE OFFICIAL. The fire department connection line shall be a wet line with the check valve at the hose connection above grade. The access to the fire department connection shall be at curb grade. ~~See Fire Department Interpretation and Applications Manual.~~

903.3.7.1 Wall-mounted. Systems may have wall-mounted fire department connections only on light and ordinary hazard Group 1 systems, when there are no structural openings or combustible hangings within 15 feet (4572 mm) horizontally or vertically from inlet connection. ~~See Fire Department Interpretation and Applications Manual.~~

903.3.7.2 Additions, alterations and repairs. When additions, alterations or repairs within a twelve-month period exceed fifty percent (50%) of the square footage of an existing building or structure, such building or structure, except a single-family home, shall be made to conform to the requirements for new buildings or structures.

903.3.7.3 Partial systems prohibited. In all new additions to existing buildings and structures, except single-family homes, an automatic sprinkler system shall be installed in accordance with this section. There shall be no partially sprinklered compartments. Sprinklered and unsprinklered parts of a structure shall be separated in accordance with all applicable codes and standards.

903.4 Sprinkler system monitoring and alarms. All valves controlling the water supply for automatic sprinkler systems and water-flow switches on all sprinkler systems shall be electrically supervised.

Exceptions:

1. Automatic sprinkler systems protecting one- and two-family dwellings.
2. Limited area systems serving fewer than 100 sprinklers.
3. Automatic sprinkler systems installed in accordance with NFPA 13-R, where a common supply main is used to supply both domestic and automatic sprinkler systems and a separate shutoff valve for the automatic sprinkler system is not provided.
4. Jockey pump control valves that are sealed or locked in the open position.

5. Control valves to commercial kitchen hoods, paint spray booths or dip tanks that are sealed or locked in the open position.
6. Valves controlling the fuel supply to fire pump engines that are sealed or locked in the open position.
7. Trim valves to pressure switches in dry, pre-action and deluge sprinkler systems that are sealed or locked in the open position."

(D) **Section 905**, subsections 905.2, 905.3.4, 905.3.4.1 are amended as follows:

905.2 Installation standards. Standpipe systems shall be installed in accordance with this section and NFPA 14 ~~as modified by Fire Department Interpretation and Applications Manual.~~

905.3.4 Stages. Stages greater than 1,000 square feet in area (93 m²) shall be equipped with a Class III wet standpipe system, with 2.5-inch (64 mm) hose connections on each side of the stage.

Exception: Where the building or area is equipped throughout with an automatic sprinkler system, the hose connections are allowed to be supplied from the automatic sprinkler system and shall have a flow rate of not less than that required by NFPA 14 for Class III standpipes.

905.3.4.1 Hose and cabinet. The 2.5 inch (64 mm) hose connections shall be equipped with sufficient lengths of 1.5 inch (38 mm) hose to provide fire protection for the stage area. Hose connections shall be equipped with an approved adjustable fog nozzle, and mounted in a cabinet or on a rack.

(E) **Section 907**, subsections 907.2 and 907.7 are amended as follows, and subsections 907.3.1.9, 907.3.1.10, 907.3.1.11 and 907.3.1.12 are added:

907.2 Where required-new buildings and structures. An approved manual, automatic, or manual and automatic fire alarm system shall be provided in new buildings and structures in accordance with Sections 907.2.1 through 907.2.23 and Fire Department Interpretation and Applications Manual. Where automatic sprinkler protection installed in accordance with Section

903.3.1.1 or 903.3.1.2 and Fire Department Interpretation and Applications Manual is provided and connected to the building fire alarm system, automatic heat detection required by this section shall not be required.

An approved automatic fire detection system shall be installed in accordance with the provisions of this code and NFPA 72. Devices, combinations of devices, appliances and equipment shall comply with Section 907.1.2. The automatic fire detectors shall be smoke detectors, except that an approved alternative type of detector shall be installed in spaces such as boiler rooms where, during normal operation, products of combustion are present in sufficient quantity to actuate a smoke detector.

907.3.1.9 Owner landlord and occupant responsibilities. Devices provided and maintained. In a dwelling unit occupied under the terms of a rental agreement or under a month-to-month tenancy:

1. At the time of each occupancy, the landlord shall provide smoke detection devices in working condition and, after written notification by the tenant, shall be responsible for replacement; and

2. The tenant shall keep the devices in working condition by keeping charged batteries in battery-operated devices, by testing the devices periodically, and by refraining from permanently disabling the devices.

907.3.1.10 Written notification. If a landlord or owner did not know and had not been notified in writing of the need to repair or replace a smoke detection device, the landlord's or owner's failure to repair or replace the device may not be considered as evidence of negligence in a subsequent civil action arising from death, property loss, or personal injury.

907.3.1.11 Definitions. In this section, "dwelling unit," "landlord," "rental agreement," and "tenant" have the meanings given in Arizona Revised Statutes.

907.3.1.12 Records and maintenance. The landlord or owner of any rental property shall annually inspect all smoke detection devices as required under NFPA 72, and a record of all inspections and maintenance activities shall be kept by the landlord or owner and available for inspection upon request by the chief FIRE CODE OFFICIAL. ~~See Fire Department Interpretation and Applications Manual.~~

907.7 Activation. Where an alarm notification system is required by another section of this code, it shall be activated by:

1. Required automatic fire alarm system.
2. Sprinkler water-flow devices.

Multilevel structures. All multilevel structures are required to have a flow switch and tampered control valve per floor. See Fire Department Interpretation and Applications Manual.

Exception: Group R, Division 1, occupancies with a domestic water supply serving 6 units or less and Group R-3. See Fire Department Interpretation and Applications Manual.

3. Required manual fire alarm boxes.

~~(F) Section 2201, subsection 2201.4 is amended and subsection 2201.7 is added as follows: 2201.4 Indoor service stations. Motor vehicle fuel-dispensing stations located inside buildings are prohibited within the entire town.~~

~~2201.7 Fire protection. Fire sprinkler protection shall be designed in accordance with the building code as required for Ordinary Hazard Group 2.~~

~~Exception: Automatic sprinklers may be deleted from detached canopies at motor vehicle fuel-dispensing sites when:~~

- ~~1. The canopy does not exceed 1500 square feet (139.5 m²), and~~
- ~~2. The canopy is covering a structure such as a pay booth when the interior is not accessible to the public, and~~
- ~~3. The structure, under the canopy, does not exceed 100 square feet (9.29 m²).~~

~~(G) Section 2204, subsection 2204.3.1 is amended as follows:~~

~~2204.3.1 General. Unattended self-serve stations are prohibited within the entire town.~~

~~Exception: Unattended self-serve stations may be allowed by special permit by the chief for private commercial use only. Written request and documentation shall be submitted, showing compliance with 2204.3.1 through 2204.3.7 and all other applicable codes and ordinances.~~

~~(H) Section 3301, subsection 3301.2.3 is amended and subsection 3301.2.5 is added as follows:~~

~~3301.2.3 Permit restrictions. The storage of explosives and blasting agents is prohibited within the entire town, except for temporary storage for use in connection with approved blasting operations; provided, however, this prohibition shall not apply to wholesale and retail stocks of small arms ammunition, explosive bolts, explosive rivets or cartridges for explosive-actuated power tools in quantities involving less than 500 pounds (226.8 kg) of explosive material. 3301.2.5 Threatening to damage by use of fire or explosives. Any person who willfully makes any threat, or conspires to threaten or conveys false information knowing the same to be false, concerning an attempt or alleged attempt being made or to be made, to kill, injure or intimidate any individual, or unlawfully damage or destroy any building, vehicles or other real or personal property by means of any explosive, blasting agent, or fire, shall be guilty of a misdemeanor.~~

~~(I) Section 3404, subsections 3404.2.9.5.1 and 3404.2.13.1.4 are amended to read: 3404.2.9.5.1 Locations where aboveground tanks are prohibited.~~

~~Storage of Class I and II~~

~~liquids in aboveground tanks outside of buildings is prohibited within the entire town.~~

~~Exception: Installations of 2,000 gallons (7,570.8L) or less aggregate quantity may be approved by special permit by the chief.~~

~~3404.2.13.1.4 Tanks abandoned in place. The abandonment of tanks in place shall be prohibited within the entire town.~~

~~(J) Section 3406, subsection 3406.2.5.2 is amended~~

~~3406.2.5.2 Tanks for gravity discharge. Tanks with a connection in the bottom or the end for gravity dispensing of flammable or combustible liquids shall not be permitted within the entire town.~~

~~(K) Section 3801, subsection 3801.2 exception is added as follows:~~

~~3801.2 Permits. Permits shall be required as set forth in Sections 105.6 and 105.7.~~

~~Exception: A permit is not required to install or maintain portable containers of less than 10 gallons (37.9 L) aggregate water capacity.~~

~~Distributors shall not fill an LP gas container for which a permit is required, unless a permit for installation has been issued for that location by the chief.~~

~~(L) Section 3804, table 3804.3, footnote e/5 is~~

~~added: Table 3804.3, Footnote e/5.~~

~~5. Containers of less than 125 gallons (473.2 L) may be located next to a block fence, when the tank is not within 5 feet (1524 mm) of a structure on adjoining property.~~

~~(M) Section 3812 is added:~~

~~3812 Consumer exchange of pre-filled containers. The storage of portable containers at exchange sites shall be limited to a maximum of 381.6 pounds (173.4 kg) or less, whether filled, partly filled or empty, at consumer exchange sites or distribution points. See Fire Department Interpretation and Applications Manual for installations.~~

SECTION 8: Section 151.08 Fuel Gas Code of Chapter 151 of title XV of the Town of Cave Creek Code is herewith amended to provide as follows, with deletions shown as strikethroughs, and with added language shown in CAPS and underlined:

(A) Effective January 1, 2019 there is herewith adopted, by reference, The International Fuel Gas Code, 2018 edition, as published by the International

Code Council, adopted as a public record by Resolution No. R 2018-20 of the Mayor and Council of the Town of Cave Creek by reference thereto, as fully and completely as if the terms thereof were fully set forth herein, in total, except as modified or changed as follows:

(1) **Chapter 1, “Scope and Administration”**, is hereby amended as follows:

101.1 Title. These regulations shall be known as the Fuel Gas Code of THE TOWN OF CAVE CREEK, hereinafter referred to as “this code”. WHEN THERE IS A CONFLICT BETWEEN THESE PROVISIONS AND THOSE OF ANOTHER TECHNICAL CODE, THESE PROVISIONS SHALL APPLY. WHERE THERE IS AN ADMINISTRATIVE PROVISION CONTAINED IN ANOTHER TECHNICAL CODE AND NOT IN THIS CODE, THEN THE ADMINISTRATIVE PROVISION OF THE TECHNICAL CODE SHALL APPLY.

106.6.1 Work Commencing Before Permit Issuance. Shall be deleted in its entirety and replaced with the following:

ANY PERSON WHO COMMENCES ANY WORK ON A BUILDING, STRUCTURE, ELECTRICAL, GAS, MECHANICAL OR PLUMBING SYSTEM BEFORE OBTAINING THE NECESSARY PERMITS SHALL BE SUBJECT TO A FEE THAT SHALL BE IN ADDITION TO THE REQUIRED PERMIT FEES. THIS FEE SHALL BE EQUAL TO THE AMOUNT OF THE PERMIT AND PLAN REVIEW FEE REQUIRED BY THE APPROVED FEES. THE PAYMENT OF SUCH FEE SHALL NOT EXEMPT AN APPLICANT FROM COMPLIANCE WITH ALL OTHER PROVISIONS OF EITHER THIS CODE OR OTHER REQUIREMENTS NOR FROM THE PENALTY PRESCRIBED BY LAW.

106.3.2 Time Limitation Of Application shall be deleted in its entirety and replaced with the following:

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 FOR AN ADDITIONAL PERIOD NOT EXCEEDING 180 DAYS. THE EXTENSION SHALL BE REQUESTED IN WRITING AND JUSTIFIABLE CAUSE DEMONSTRATED.

106.5.3 Expiration. Shall be deleted in its entirety and replaced with the following:

EVERY PERMIT ISSUED SHALL BECOME INVALID UNLESS THE WORK ON THE SITE AUTHORIZED BY SUCH PERMIT IS COMMENCED WITHIN 180

DAYS AFTER ITS ISSUANCE BY EVIDENCE OF A PASSED INSPECTION, 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, FOR A PERIOD NOT MORE THAN 180 DAYS. THE EXTENSION SHALL BE REQUESTED IN WRITING AND JUSTIFIABLE CAUSE DEMONSTRATED

106.5.4 Extensions. Shall be deleted in its entirety

106.6.2 Fee Schedule. Shall be deleted in its entirety and replaced with the following:

SHALL BE DETERMINED PER TITLE XV SECTION 151.14 OF THE TOWN CODE

106.6.3 Fee Refunds. Shall be deleted in its entirety and replaced with the following:

1. THE BUILDING OFFICIAL SHALL BE PERMITTED TO AUTHORIZE REFUNDING OF A FEE PAID HEREUNDER WHICH WAS ERRONEOUSLY PAID OR COLLECTED.
2. THE BUILDING OFFICIAL SHALL BE PERMITTED TO 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.
3. THE BUILDING OFFICIAL SHALL BE PERMITTED TO 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

108.4 Violation Penalties Shall be deleted in its entirety and replaced with the following

AS ESTABLISHED IN TITLE XV CHAPTER 151.99 OF THE TOWN CODE.

(2) Chapter 4, “Gas Piping Installations”, is hereby amended as follows:

404.9 Minimum burial depth. Underground piping systems shall be installed a minimum depth of 12 inches (305 mm) below grade, ~~except as provided for in Section 404.12.1.~~

Section 404.12.1 Delete this section in its entirety.

SECTION 9: Section 151.09 Existing Building Code of Chapter 151 of title XV of the Town of Cave Creek Code is herewith amended to provide as follows, with deletions shown as strikethroughs, and with added language shown in CAPS and underlined:

(A) Effective January 1, 2019 there is herewith adopted, by reference, The International Existing Building Code, 2018 edition, as published by the International Code Council, adopted as a public record by Resolution No. R 2018-20 of the Mayor and Council of the Town of Cave Creek by reference thereto, as fully and completely as if the terms thereof were fully set forth herein, in total, except as modified or changed as follows:

(1) **Chapter 1, “Scope and Administration”** is hereby amended as follows:

101.1 Title. These regulations shall be known as the *Existing Building Code of THE TOWN OF CAVE CREEK*, hereinafter referred to as “this code”. WHEN THERE IS A CONFLICT BETWEEN THESE PROVISIONS AND THOSE OF ANOTHER TECHNICAL CODE, THESE PROVISIONS SHALL APPLY. WHERE THERE IS AN ADMINISTRATIVE PROVISION CONTAINED IN ANOTHER TECHNICAL CODE AND NOT IN THIS CODE, THEN THE ADMINISTRATIVE PROVISION OF THE TECHNICAL CODE SHALL APPLY.

105.3.2 Time Limitation of Application. Shall be deleted in its entirety and replaced with the following:

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 FOR AN ADDITIONAL PERIOD NOT EXCEEDING 180 DAYS. THE EXTENSION SHALL BE REQUESTED IN WRITING AND JUSTIFIABLE CAUSE DEMONSTRATED

105.5 Expiration. Shall be deleted in its entirety and replaced with the following:

EVERY PERMIT ISSUED SHALL BECOME INVALID UNLESS THE WORK ON THE SITE AUTHORIZED BY SUCH PERMIT IS COMMENCED WITHIN 180 DAYS AFTER ITS ISSUANCE BY EVIDENCE OF A PASSED INSPECTION, 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, FOR A PERIOD NOT MORE THAN 180 DAYS. THE EXTENSION SHALL BE REQUESTED IN WRITING AND JUSTIFIABLE CAUSE DEMONSTRATED

108.2 Schedule of Permit Fees. Shall be deleted in its entirety and replaced with the following:

SHALL BE DETERMINED PER TITLE XV SECTION 151.14 OF THE TOWN CODE

108.3 Building Permit Valuations. Shall be deleted in its entirety and replaced with the following:

BUILDING PERMIT VALUATIONS SHALL INCLUDE THE TOTAL VALUE OF WORK FOR WHICH A PERMIT IS BEING ISSUED, SUCH AS ELECTRICAL, GAS, MECHANICAL, PLUMBING, EQUIPMENT AND OTHER PERMANENT SYSTEMS, INCLUDING MATERIALS AND LABOR. BUILDING VALUATION SHALL BE DETERMINED PER TITLE XV SECTION 151.14 OF THE TOWN CODE

108.4 Work Commencing Before Permit Issuance. Shall be deleted in its entirety and replaced with the following:

ANY PERSON WHO COMMENCES ANY WORK ON A BUILDING, STRUCTURE, ELECTRICAL, GAS, MECHANICAL OR PLUMBING SYSTEM BEFORE OBTAINING THE NECESSARY PERMITS SHALL BE SUBJECT TO A FEE THAT SHALL BE IN ADDITION TO THE REQUIRED PERMIT FEES. THIS FEE SHALL BE EQUAL TO THE AMOUNT OF THE PERMIT AND PLAN REVIEW FEE REQUIRED BY THE APPROVED FEES. THE PAYMENT OF SUCH FEE SHALL NOT EXEMPT AN APPLICANT FROM COMPLIANCE WITH ALL OTHER PROVISIONS OF EITHER THIS CODE OR OTHER REQUIREMENTS NOR FROM THE PENALTY PRESCRIBED BY LAW.

108.6 Refunds. Shall be deleted in its entirety and replaced with the following:

1. THE BUILDING OFFICIAL SHALL BE PERMITTED TO AUTHORIZE REFUNDING OF A FEE PAID HEREUNDER WHICH WAS ERRONEOUSLY PAID OR COLLECTED.
2. THE BUILDING OFFICIAL SHALL BE PERMITTED TO 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.
3. THE BUILDING OFFICIAL SHALL BE PERMITTED TO 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

113.4 Violation Penalties Shall be deleted in its entirety and replaced with the following

AS ESTABLISHED IN TITLE XV CHAPTER 151.99 OF THE TOWN CODE.

SECTION 10: Section 151.10 Energy Conservation Code of Chapter 151 of title XV of the Town of Cave Creek Code is herewith amended to provide as follows, with deletions shown as strikethroughs, and with added language shown in CAPS and underlined.

(A) Effective January 1, 2019 there is herewith adopted, by reference, The International Energy Conservation Code, 2018 edition, as published by the International Code Council, adopted as a public record by Resolution No. R 2018-20 of the Mayor and Council of the Town of Cave Creek by reference thereto, as fully and completely as if the terms thereof were fully set forth herein, in total, except as modified or changed as follows:

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

101.1 Title. Shall be amended to read as follows:

This code shall be known as the Energy Conservation Code of THE TOWN OF CAVE CREEK, and shall be cited as such. It is referred to herein as "this code". WHEN THERE IS A CONFLICT BETWEEN THESE PROVISIONS AND THOSE OF ANOTHER TECHNICAL CODE, THESE PROVISIONS SHALL APPLY. WHERE THERE IS AN ADMINISTRATIVE PROVISION CONTAINED IN ANOTHER TECHNICAL CODE AND NOT IN THIS CODE, THEN THE ADMINISTRATIVE PROVISION OF THE TECHNICAL CODE SHALL APPLY.

104.2 Schedule of Permit Fees. Shall be deleted in its entirety and replaced with the following:

SHALL BE DETERMINED PER TITLE XV SECTION 151.14 OF THE TOWN CODE

104.3 Work Commencing Before Permit Issuance. Shall be deleted in its entirety and replaced with the following:

ANY PERSON WHO COMMENCES ANY WORK ON A BUILDING, STRUCTURE, ELECTRICAL, GAS, MECHANICAL OR PLUMBING SYSTEM BEFORE OBTAINING THE NECESSARY PERMITS SHALL BE SUBJECT TO A FEE THAT SHALL BE IN ADDITION TO THE REQUIRED PERMIT FEES. THIS

FEE SHALL BE EQUAL TO THE AMOUNT OF THE PERMIT AND PLAN REVIEW FEE REQUIRED BY THE APPROVED FEES. THE PAYMENT OF SUCH FEE SHALL NOT EXEMPT AN APPLICANT FROM COMPLIANCE WITH ALL OTHER PROVISIONS OF EITHER THIS CODE OR OTHER REQUIREMENTS NOR FROM THE PENALTY PRESCRIBED BY LAW

104.5 Refunds. Shall be deleted in its entirety and replaced with the following:

1. THE BUILDING OFFICIAL SHALL BE PERMITTED TO AUTHORIZE REFUNDING OF A FEE PAID HEREUNDER WHICH WAS ERRONEOUSLY PAID OR COLLECTED.
2. THE BUILDING OFFICIAL SHALL BE PERMITTED TO 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.
3. THE BUILDING OFFICIAL SHALL BE PERMITTED TO 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

108.4 Failure to Comply all be amended as follows

Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine as set by the governing authority OF [BS1] TITLE XV, SECTION 151.99, PENALTY, OF THE TOWN CODE.

A NEW SECTION 110.1 SHALL BE ADDED:

110.1 VIOLATION PENALTIES

AS ESTABLISHED IN TITLE XV CHAPTER 151.99 OF THE TOWN CODE.

SECTION 11 REPEAL. All former ordinances or parts thereof conflicting or inconsistent with the provisions of this ordinance or of the Code or Standards hereby adopted are hereby repealed as of January 1, 2019

SECTION 12 SEPARABILITY. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by the

decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portion(s) thereof.

SECTION 13 EFFECTIVE DATE. This Ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect on January 1, 2019 for new applications and June 30, 2019 for existing Standard Plans already on file with the Town of Cave Creek.