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PINAL COUNTY RECORDER  
LAURA DEAN-LYTL

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**CAPTION HEADING**

Ordinance No. 022107-BCO - Pinal County Building Code Ordinance.

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THE CERTIFICATE OF RECORDATION WITH THE FEE NUMBER IN THE UPPER RIGHT HAND  
CORNER IS THE PERMANENT REFERENCE NUMBER OF THIS DOCUMENT IN THE PINAL COUNTY  
RECORDER'S OFFICE.

**ORDINANCE NO. 022107-BCO  
2006 BUILDING CODE ORDINANCE**

AN ORDINANCE REVISING REGULATIONS FOR THE QUALITY,  
TYPE OF MATERIAL AND WORKMANSHIP OF ALL ASPECTS OF  
CONSTRUCTION OF BUILDINGS OR STRUCTURES, WITHIN THE  
UNINCORPORATED AREA OF PINAL COUNTY

WHEREAS, the Pinal County Board of Supervisors has the authority to regulate the quality, type of material and workmanship of all aspects of construction of buildings or structures, and deems it necessary for the health, safety and general welfare of the people of the County to regulate such matters; and

WHEREAS, Pinal County adopted a Building Code on July 21, 1986, and amended said code from time to time; and

WHEREAS, said code is in need of substantial revision to meet changed conditions and to conform to existing laws; and

WHEREAS, duly noticed public hearings have been conducted to review and discuss code revisions; and

WHEREAS, the Pinal County Planning and Zoning commission has recommended to the Pinal County Board of Supervisors that the revised code be adopted for application throughout Pinal County; and

WHEREAS, the Pinal County Board of Supervisors has determined the revised code will be beneficial to the health, safety and general welfare of the people of the County.

NOW THEREFORE, BE IT ORDAINED by the Board of Supervisors of Pinal County, Arizona, that the attached revised building regulations are hereby adopted under the following title:

PINAL COUNTY BUILDING CODE ORDINANCE

RULES AND REGULATIONS FOR THE QUALITY, TYPE OF MATERIAL  
AND WORKMANSHIP OF ALL ASPECTS OF CONSTRUCTION OF BUILDINGS OR  
STRUCTURES, WITHIN THE UNINCORPORATED AREA OF PINAL COUNTY  
BE IT FURTHER ORDAINED as follows:

1. The building code and other related codes to regulate the quality, type of material and workmanship of all aspects of construction of buildings and structures known as the Pinal County Building Code Ordinance September 26, 2001 are hereby repealed in their entirety.

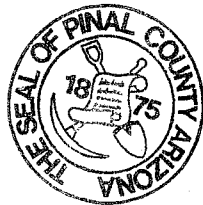
2. The adoption of this Ordinance or the repeal set forth above shall not be construed as abating any action now pending under, or by virtue of, prior existing code regulations; or affect or prevent the prosecution or punishment of any person for the violation of any regulation repealed hereby, for an offence committed prior to the repeal; or as discontinuing, abating modifying, or altering any penalty, accruing or about to accrue; or as affecting the liability of any person, firm or corporation; or as waiving any right of the County under any section or provision existing at the time of adoption of this Ordinance.

3. This Ordinance shall take effect thirty (30) days from the date passed and adopted by the Pinal County Board of Supervisors.

4. After adoption, this ordinance shall be published at least once in a newspaper of general circulation in the county seat, Florence, Arizona, Pinal County, in accordance with A.R.S. § 11-864.

PASSED AND ADOPTED, this 21<sup>st</sup> day of Feb, 2007 by the  
Pinal County Board of Supervisors.

PINAL COUNTY BOARD OF SUPERVISORS



*[Signature]*

\_\_\_\_\_, Chairman

ATTEST:

*[Signature]*  
Clerk of the Board

## **PINAL COUNTY BUILDING CODE ORDINANCE**

**RULES TO REGULATE THE QUALITY, TYPE OF MATERIAL AND WORKMANSHIP OF ALL ASPECTS OF CONSTRUCTION OF BUILDINGS OR STRUCTURES, WITHIN THE UNINCORPORATED AREA OF PINAL COUNTY.**

### **ARTICLE 1**

#### **SHORT TITLE**

Section 101 This ordinance may be cited and referred to as the Pinal County Building Code.

### **ARTICLE 2**

#### **APPLICATION**

Section 201. This ordinance shall apply to the construction of all buildings and installation of structures appurtenant thereto within the unincorporated areas of Pinal County, except as otherwise provided by statute, regulation or ordinance.

Section 202. The Board of Supervisors may enter into intergovernmental agreements pursuant to A.R.S. §11-863 for code enforcement within cities and towns.

### **ARTICLE 3**

#### **BUILDING CODE**

Section 301. The code documents described hereinafter, as published, or as specifically amended by the Board of Supervisors, are hereby adopted by reference as if fully set out herein, as the Pinal County Building Code, pursuant to A.R.S. Section 11-861 et. seq.

301.1 International Building Code, 2006 Edition, as amended in Exhibit A, attached hereto, published by the International Code Council hereinafter described as Attachment No. 1, or ICC, including the following listed Appendix Chapters with amendments attached hereto in Exhibit A:

Appendix C - Group U - Agricultural Buildings

Appendix I - Patio Covers

Appendix J - Grading

Appendix K - ICC Electrical Code

301.2 International Residential Code, 2006 Edition, as amended in Exhibit B, attached hereto, published by the International Code Council, hereinafter described as Attachment No. 2 or IRC, including the following listed Appendix Chapters with amendments attached hereto in Exhibit B:

Appendix A - Sizing and Capacities of Gas Piping

Appendix B - Sizing of Venting Systems Serving Appliances Equipped with Draft Hoods, Category I Appliances, and Appliances Listed for Use and Type B Vents

Appendix C - Exit Terminal of Mechanical Draft and Direct-Vent Venting Systems

Appendix G - Swimming Pools, Spas and Hot Tubs

Appendix H - Patio Covers

Appendix J - Existing Buildings and Structures

Appendix N - Venting Methods

301.3 International Property Maintenance Code, 2006 Edition, as amended in Exhibit C published by the International Conference of Building Officials, hereinafter described as Attachment No. 3 or IPMC.

301.4 International Mechanical Code, 2006 Edition, as amended in Exhibit D published by the International Code Council, hereinafter described as Attachment No. 4, or IMC.

301.5 International Plumbing Code, 2006 Edition, published by the International Code Council as amended in Exhibit E, hereinafter described as Attachment No. 5, or IPC.

301.6 National Electric Code 2005 Edition, as amended in Exhibit F, published by the National Fire Protection Association (NFPA), hereinafter described as Attachment No. 6, or NEC.

301.7 International Electrical Code, Administrative Provisions, 2005 Edition, published by the International Code Council, herein described as Attachment No. 7, or IEC.

301.8 Uniform Swimming Pool, Spa and Hot Tub Code, 2006 Edition, published by the International Association of Plumbing and Mechanical Officials (IAPMO), hereinafter described as Attachment No. 8.

301.9 International Energy Code, 2006 Edition, published by the International Code Council, hereinafter described as Attachment No. 9.

301.10 International Fuel Gas Code, 2006 Edition, published by the International Code

Council as amended in Exhibit G, hereinafter described as Attachment No. 10 or IFGC.

301.11 International Fire Code, 2006 Edition, published by International Code Council as amended in Exhibit H, hereinafter described as Attachment 11 or IFC.

Section 302. Copies of Attachments described in Section 301 above are to be available for public reference and inspection as follows:

302.1 One copy of Attachments Nos. 1 through 11 shall be kept on file in the office of the Clerk of the Board of Supervisors.

302.2 One copy of attachments Nos. 1 through 11 shall be kept on file in each district office of the County Board of Supervisors.

302.3 Two copies each of attachments Nos. 1 through 11 shall be kept on file in the departmental library of the Department of Building Safety.

#### ARTICLE 4

#### **RULES AND DEFINITIONS**

Section 401. "ADMINISTRATIVE AUTHORITY": the Pinal County Building Official, or Director of the Department of Building Safety.

Section 402. "BOARD OF APPEALS": the Pinal County Building Code Advisory Board shall determine the suitability of alternative materials and construction and to permit interpretations of the provisions of the codes, but not administrative portions of the building code.

Section 403. "BUILDING CODES": Attachments listed and described in Section 301.1-301.11 of this Ordinance.

Section 404. "BUILDING OFFICIAL": the (functional title) of the Director of the Department of Building Safety, or his duly authorized representative, charged with the administration and enforcement of this code.

Section 405. "COMMERCIAL": refers to the use of a building, addition or structure for business, educational, religious, institutional, recreational, industrial or any other non-residential purpose.

Section 406. "JURISDICTION": the unincorporated areas of Pinal County, and the incorporated cities and towns with whom the County has entered into intergovernmental agreements.

Section 407. "NON-COMMERCIAL": refers to the use of a building, structure or addition for a residential purpose.

Section 408. References to Chapters, Articles, Sections, Subsections, Paragraphs, Subparagraphs and Tables, unless otherwise specified, refer to the building code documents listed in Article 3 of this ordinance.

## **ARTICLE 5**

### **BUILDING CODE ADMINISTRATION**

Section 501. The position of Building Official/Building Code Administrator, which may also carry the title of Building Safety Director, is an administrative position and shall be an exempt position in the Pinal County Merit System pursuant to A.R.S. 11-352 B.8. Said administrator shall be responsible for the administration and enforcement of this code and shall be appointed by the County Manager with the approval of the Board of Supervisors.

Section 502. The Building Official shall appoint and remove such deputies, inspectors and employees as he/she deems appropriate within the requirements of the County Personnel rules and regulations with the consent of the County Manager.

Section 503. The Building Official shall keep careful and comprehensive records of applications for permits, of permits issued, of inspections made, of revenue received, of reports rendered and of notices or orders issued. The Building Official shall further retain on file copies of all documents in connection with building work for the minimum time period required by this code, or for such additional time as he/she deems necessary.

Section 504. The Building Official shall be responsible for the administration of the terms of this Ordinance.

Section 505. The Building Official may adopt such rules and regulations as he/she deems necessary to secure the public health, safety and general welfare; to implement the provisions of this Ordinance and to carry out the intent of this Ordinance. All such rules and regulations shall require the approval of the County Manager and the Board of Supervisors. No rules or regulations adopted pursuant to this Section shall have the effect of waiving technical requirements specifically stipulated in the Building Code or of violating accepted engineering practice involving public safety.

## **ARTICLE 6**

### **COMPLIANCE REVIEW**

Section 601. No Building Permit shall be issued to any Person unless a Compliance Review Number has been issued by the Pinal County Department of Planning and Development Services to the Building Official. Exceptions to this requirement are permits for mechanical, electrical, plumbing, building, and remodeling that do not involve a change of use or additional area which may affect required setbacks.

## ARTICLE 7

### **APPLICATION FOR PERMIT**

Section 701. The Building Official may require with an application for a building permit whatever data and information is deemed necessary to reasonably determine that the proposed work is in compliance with the requirements of this Code and other pertinent laws and ordinances.

## ARTICLE 8

### **PENALTIES**

#### Section 801 Criminal penalties

- 801.1 Any person, as defined in Attachment No. 1, Sec. 202, who violates any provision of this ordinance shall be guilty of a Class Two (2) Misdemeanor.
- 801.2 Any person convicted of a Class Two (2) Misdemeanor for violation of this ordinance may be sentenced to the County Jail for a period not to exceed four (4) months and/or fined an amount not to exceed Seven Hundred and Fifty (\$750.00) Dollars.
- 801.3 Each failure to obtain a required permit clearance, compliance review approval or inspections shall constitute a separate violation of this ordinance.

#### Section 802 Civil Penalties

- 802.1 Any person, as defined in Attachment No. 1, Sec. 202, who violates any provision of this ordinance shall be subject to a civil penalty, as an alternative method of enforcing this ordinance pursuant to A.R.S. §11-866; §11-808D or as provided in Pinal County Resolution No. 4302-CP.
- 802.2 No person shall be subject to a criminal penalty for a violation enforced under the civil penalty provisions of this section.
- 802.3 The Board of Supervisors shall establish a schedule of penalties for violations of this ordinance. Said penalties shall not exceed the amount of Seven Hundred and Fifty (\$750.00) Dollars for an individual, or Ten-Thousand (\$10,000.00) Dollars for an Enterprise. Enterprise shall be defined pursuant to A.R.S. §13-105.
- 802.4 Any person alleged to be subject to a civil penalty for a violation of this ordinance shall be entitled to an administrative hearing on their liability, and a review by the Board of Supervisors pursuant to A.R.S. §11-808 G. The administrative hearing shall be before the Pinal County hearing officer, subject to the rules of procedure for same as adopted by the Pinal County Board of Supervisors.



Section 803 Other Methods of Enforcement:

The Board of Supervisors, the County Attorney, the Building Official, or any adjacent or neighboring property owner who shall be especially damaged by the violation of any provision of this ordinance, may initiate other remedies provided by law, e.g. an injunction, writ of mandamus, abatement or any other appropriate action, proceeding or proceedings to prevent, abate or remove such violation of the ordinance.

Section 804 Separate Offenses:

Pursuant to A.R.S. §11-866 and §11-808(c), any person, firm, or corporation violating this ordinance shall be deemed guilty of a separate offense for each and every day during which a violation of the provisions of this ordinance is committed, continued or permitted.

**ARTICLE 9**

**SEVERABILITY**

Section 901 If any section, subsection, sentence, clause, phrase or portion of this ordinance, or any part of Attachments Nos. 1 through 11, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.