

## CHAPTER 5 – BUILDINGS AND BUILDING REGULATIONS

### Section 5-21. International Building Code – Adopted and Amended.

(A) A certain document, one copy of which is on file in the City Clerk's Office of the City of Peoria, being marked and designated as "International Building Code, 2012 Edition," published by the International Code Council Inc., is hereby adopted, as amended herein, as the Building Code of the City of Peoria.

(B) The International Building Code, 2012 Edition, is amended as follows:

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

"101.1 Title. Insert the words "City of Peoria" as the name of jurisdiction."

Amend Section 101.2 Scope by adding the following:

"The fees and administrative provisions of Chapter 1 of this Code shall apply to all the adopted technical codes. 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."

Amend Section 101.2.1 Appendices by adding the following:

The following appendices are adopted:

Appendix C – Group U – Agricultural Buildings

Appendix I – Patio Covers

Appendix J – Grading

101.4 Referenced codes. Shall be deleted in its entirety and revised to read as follows:

101.4 Referenced codes. The other codes listed in Sections 101.4.1 through 101.4.7 and referenced elsewhere in this code shall be considered part of the requirements of this code to the prescribed extent of each reference. If another

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code is referenced elsewhere in this code and has not been adopted, then that section shall be considered invalid. The administrative requirements and fees specified in this Code shall supersede those in other adopted codes when there is a conflict.

Exception: Administrative requirements in the City of Peoria Fire Code

Any references to the ICC Electrical Code shall be deleted and the words “Electrical Code adopted by the City of Peoria and amended from time to time” shall be inserted in lieu thereof.

Any references to the International Zoning Code shall be deleted and the words “Zoning Code adopted by the City of Peoria and amended from time to time” shall be inserted in lieu thereof.

Any references to the International Private Sewage Disposal Code shall be deleted.

101.4.1 Gas. The provisions of the International Fuel Gas Code adopted by the City of Peoria and amended from time to time shall apply to the installation of gas piping from the point of delivery, gas appliances and related accessories.

101.4.2 Mechanical. The provisions of the Mechanical Code adopted by the City of Peoria and amended from time to time shall apply to the installation, alterations, repairs, and replacement of mechanical systems, including equipment, appliances, fixtures, fittings and/or appurtenances, including ventilating, heating, cooling, air conditioning and refrigeration systems, incinerators, and other energy-related systems.

101.4.3 Plumbing. The provisions of the International Plumbing Code as adopted by the City of Peoria and amended from time to time shall apply to the installation alterations, repairs and replacement of plumbing systems, including equipment, appliances, fixtures, fittings and appurtenances, and where connected to a water or sewage system and all applicable aspects of a medical gas system.

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101.4.4 Property maintenance. The provisions of the Property Maintenance Code adopted by the City of Peoria and amended from time to time shall apply to existing structures and premises; equipment and facilities; light, ventilation, space heating, sanitation, life and fire safety, hazards; responsibilities of owners, operators and occupants; and occupancy of existing premises and structures.

101.4.5 Fire prevention. The provisions of the Fire Code adopted by the City of Peoria and amended from time to time shall apply to matters affecting or relating to structures, processes and premises from the hazard of fire or explosion arising from the storage, handling or use of structures, materials or devices; from conditions hazardous to life, property or public welfare in the occupancy of structures or premises; and from the construction, extension, repair, alteration or removal of fire suppression and alarm systems or fire hazards in the structure or on the premises from occupancy or operation.

101.4.6 Energy. The provisions of the International Energy Conservation Code shall apply to all matters governing the design and construction of those structures regulated by the International Residential Code as adopted by the City of Peoria. Furthermore, the provisions of the International Energy Conservation Code may apply, on a voluntary basis, to all matters governing the design and construction of those structures regulated by the International Building Code as adopted by the City of Peoria.

101.4.7 Electrical. The provisions of the Electrical Code adopted by the City of Peoria and amended from time to time shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto.

105.2 Work exempt from permit, Building, Item 1.

Delete Item 1 and replace with the following:

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1. One-story detached accessory structures used as tool and storage sheds, playhouses, and similar uses provided the floor area of the structure does not exceed 200 square feet (18.58 m<sup>2</sup>).

105.2 Work exempt from permit, Building, Amend by adding the following:

14. Re-roofing and roof repairs performed in accordance with IBC 1510
15. Hot-water re-circulators
16. Water Softeners and Soft Water Loops

Add the following subparagraph to Section 107.2:

### **107.2.6.1 Shell Building Permit Application Drawings.**

107.2.6.2 **Exit Discharge Illumination.** If two or more exits are required for a shell building as determined by the Code, then emergency exterior exit discharge illuminations shall be required for all exterior exit doors and the permit application drawings shall show such illumination for all exterior exit doors.

107.2.6.3 **Exterior Exit Door Accessibility.** All exterior doors for a shell building shall be accessible and shall be shown as such on the permit application drawings. Accessible egress doors shall be on an accessible route of travel to the public way or an approved alternate.

107.2.6.4 **Exterior Signs.** Shell building permit application drawings shall comply with NEC 600.5 for each front entrance. Tenant exterior sign locations shall be provided with a 20 amp, 120 volt circuit to 4-gang junction box. Drawings shall show ¾" conduit routed and 3#12, 1#12 ground to a junction box inside building to tenant panel or inside building near vicinity of future tenant panel. Drawings shall show separate branch circuits for each sign junction box.

109.2 Schedule of permit fees. Add the following paragraph:

The following fee schedule will be applicable to residential and non-residential projects.

SEE TABLE 2-209

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Plan Review fee shall be sixty five (65%) of the permit fee as shown in Table 2-209. A plan review fee shall not be less than \$50.00. The fee schedule in Table 2-209 shall be applicable to residential and non-residential projects.

109.3 Building permit valuations. The following paragraphs shall be added after the last sentence:

For the purposes of determining valuations Table 2-209 shall be used. The valuation for any shell-only buildings shall be permitted to be reduced by 20 percent. When a foundation-only permit is authorized by the Building Official, it shall be permitted to include the foundation, interior underground utilities and any interior slab-work when so specified. Any valuation not specifically provided for shall be determined by the Building Official and shall be classified in the use and construction type it most nearly resembles.

- (2) Chapter 3, “Use and Occupancy Classification”, is hereby amended as follows:

Amend Section 308.3 by amending the first sentence with the following:

308.3 Group I-1. This occupancy shall include buildings, structures or portions thereof for more than 10 persons who reside on a 24-hour basis in a supervised environment and receive custodial care.

Amend Section 308.3.1 by replacing it in its entirety with the following:

308.3.1 Five or fewer persons receiving care. A facility such as the above with five or fewer persons receiving such care shall be classified as Group R-3.

Amend Section 308.3.2 by replacing it in its entirety with the following:

308.3.2 Six to ten persons receiving care. A facility such as the above housing not fewer than six and not more than 10 persons receiving such care shall be classified as Group R-4.

Amend Section 308.4.1 by replacing it in its entirety with the following:

A facility such as the above with five or fewer persons receiving such care shall be classified as Group R-3.

- (3) Chapter 9, Fire Protection Systems is hereby amended by deleting the entire chapter and replacing with the following:

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Chapter 9 Fire Protection Systems. Fire protection systems shall be installed, repaired, operated and maintained in accordance with Chapter 9, Sections 9-31, 9-32 and 9-33 of the Peoria City Code (1992).

- (4) Chapter 10, “Means of Egress”, is hereby amended as follows:

Amend Exception 4 to Section 1008.1.2, by replacing it in its entirety with the following:

4. Doors within or serving a single dwelling unit in Groups R-2, R-3 as applicable in Section 101.2, and R-4.

- (5) Delete Chapter 11, “Accessibility”, in its entirety and insert, in lieu thereof, the following:

**1101 Accessibility.** The “Arizonans with Disabilities Act” (Arizona Revised Statutes, Title 41, Chapter 9, Article 8), and the “Arizonans with Disabilities Act Implementing Rules” (Arizona Administrative Code, Title 10, Chapter 3, Article 4), which rules incorporate the federal “Americans with Disabilities Act Accessibility Guidelines Checklist for Buildings and Facilities,” be and the same is hereby adopted as the Arizonans with Disabilities Act of the City. These standards and specifications apply to public entities, public accommodations, and commercial facilities, as defined by those laws, regulations, and guidelines. For public entities, the standards and specifications apply to new construction and alterations and are not required in buildings or portions of existing buildings that do not meet the standards and specifications. For public accommodations and commercial facilities, the standards and specifications shall apply to new construction and alterations commenced after the effective date of such standards and specifications.

**1102 Fair Housing.** The “Arizona Fair Housing Act” (Arizona Revised Statutes Title 41, Chapter 9, Article 7) and the “Arizona Fair Housing Act Rules” (Arizona Administrative Code Title 10, Chapter 2, Article 1) which incorporate and reference the “Federal Fair Housing Act rules” (24 CFR 40) are adopted as the “Fair Housing Act of the City of Peoria,” and shall apply to new construction and alterations and are not required in buildings or portions of existing buildings that do not meet the standards and specifications and this act is hereby referred to, adopted and made a part hereof as though fully set forth in this section.

- (6) Chapter 12, “Interior Environment” is hereby amended as follows:

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Add new subsection 1207.4 to section 1207, “Sound Attenuation”, to read as follows:

**1207.4 Sound attenuation.** All residential buildings or portions of buildings where the public is received, office areas and where normal noise level is low for first occupancy, including libraries, schools and churches, pursuant to building permits issued after December 31, 2001 in order to achieve a maximum interior noise level of forty-five (45) decibels in areas within the noise contours described in ARS section 28-8461, paragraph 8, subdivision (a), (b) or (c), as applicable.

These sound attenuation requirements do not apply to ancillary buildings used in agricultural land use.

If the gross floor area of a structure or project is expanded by less than fifty (50) percent, the requirements of this section apply only to the area of expansion. If the gross floor area of a structure or project is expanded by fifty (50) percent or more, the requirements of this section apply to the entire structure, except for single family, mobile home, manufactured housing unit or duplex dwellings or any multifamily property used for residential purposes.

The Building Official may approve as an alternative, a certification by an architect or engineer registered pursuant to Title 32, Chapter 1 to achieve a maximum interior noise level of forty-five (45) decibels at time of final construction.”

(7) Chapter 15, “Roof Assemblies and Rooftop Structures”, is hereby amended to read as follows:

Amend Section 1503.4 with the following:

**1503.4.4 Where required.** All roofs, paved areas, yards, courts, and courtyards shall drain into a separate storm sewer system, a combined sewer system, or an approved place of disposal.

**1503.4.5 Roof design.** Roofs shall be designed for the maximum possible depth of water that will pond thereon as determined by the relative levels of roof deck and overflow weirs, scuppers, edges, or serviceable drains in combination with the deflected structural elements. In determining the maximum possible depth of water, all primary roof drainage means shall be assumed to be blocked.

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(8) Chapter 17, “Structural Tests and Special Inspections”, is hereby amended as follows:

Section 1705.4, “Masonry construction”, is amended by adding two additional exceptions to read as follows:

4. Masonry fences seven feet or less in height above grade.
5. Masonry retaining walls four feet or less in height from bottom of footing to top of wall unless supporting a surcharge or impounding flammable liquids.

(9) Chapter 31, “Special Construction” Is hereby amended as follows:

Delete Section 3109 in its entirety and replace with the following:

### **Section 3109 SWIMMING POOL ENCLOSURES AND SAFETY DEVICES**

**3109.1 General.** Swimming pools shall comply with the requirements of this Section and other applicable Sections of this Code.

**3109.2 Definitions.** For the purposes of this Section and as used elsewhere in this Code, the following words and terms shall mean:

**BARRIER.** Any permanent structure or combination thereof, including but not limited to a fence, building wall, or wall, intended to protect children under the age of seven (7) years old residing or intended to reside at the dwelling where the swimming pool is located. The barrier is intended to prevent unauthorized and unaccompanied access into the pool enclosure from the dwelling by children under the age of seven (7) years old.

**ENCLOSURE.** Any permanent structure or combination thereof, including but not limited to a fence, building wall, or wall, intended to restrict access to a swimming pool from public property or adjacent private property.

**RESIDENTIAL SWIMMING POOL.** Any swimming pool accessory to and on the same parcel as a Group R-3 occupancy.

**SWIMMING POOL.** Any structure intended for swimming, recreational bathing, or wading that contains water over 18 inches (457 mm) deep. This

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includes in-ground, above-ground and on-ground pools; hot tubs; spas; and fixed-in-place wading pools.

**3109.3 Semi-Public swimming pools.** Public swimming pools shall be completely enclosed by a fence at least 60 inches (1524 mm) in height or an approved screen enclosure. Openings in the fence shall not permit the passage of a 4-inch-diameter (102 mm) sphere. The fence or screen enclosure shall be equipped with self-closing and self-latching gates.

**3109.4 Residential swimming pools.** Residential swimming pools shall comply with Sections 3109.4.1 through 3109.4.3.

**3109.4.1 Enclosure and Barrier height and clearances.** The top of the enclosure or barrier shall be at least 60 inches (1524 mm) above grade measured on the side of the enclosure or barrier that faces away from the swimming pool. The maximum vertical clearance between grade and the bottom of the enclosure or barrier shall be 2 inches (51 mm) measured on the side of the enclosure or barrier that faces away from the swimming pool. Where the top of the pool structure is above grade, the enclosure or barrier is authorized to be at ground level or mounted on top of the pool structure. The maximum vertical clearance between the top of the pool structure and the bottom of the enclosure or barrier shall be 4 inches (102 mm).

**3109.4.1.1 Openings.** Openings in the enclosure or barrier shall not allow passage of a 4-inch-diameter (102 mm) sphere.

**3109.4.1.2 Solid enclosure or barrier surfaces.** Solid enclosures or barriers which do not have openings shall not contain indentations or protrusions except for normal construction tolerances and tooled masonry joints.

**3109.4.1.3 Closely spaced horizontal members.** Where the enclosure or barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is less than 45 inches (1143 mm), the horizontal members shall be located on the swimming pool side of the fence. Spacing between vertical members shall not exceed 1.75 inches (44 mm) in width. Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1.75 inches (44 mm) in width.

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**3109.4.1.4 Widely spaced horizontal members.** Where the enclosure or barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is 45 inches (1143 mm) or more, spacing between vertical members shall not exceed 4 inches (102 mm). Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1.75 inches (44 mm).

**3109.4.1.5 Chain link dimensions.** Maximum mesh size for chain link fences shall be a 1.75 (44 mm). Chain link material shall be no less than 11 gage.

**3109.4.1.6 Non-vertical and non-horizontal members.** Where the enclosure or barrier is composed of non-vertical and or non-horizontal members, the maximum opening formed by such members and any adjacent horizontal and or vertical members shall be no more than 1.75 inches (44 mm).

### **3109.4.1.7 Gates.**

- 1 .All gates shall be equipped to accommodate a locking device and shall comply with the requirements of Sections 3109.4.1.1 through 3109.4.1.6.
- 2 All single-leaf gates less than 5' in width shall be considered pedestrian access gates. Pedestrian access gates shall open outward away from the pool and shall be self-closing and self-latching. Single-leaf gates 5' in width or greater shall be secured with a locking device.
3. Gates other than pedestrian access gates that ARE NOT the sole means of access from the front of the house to the back of the house shall be secured with a locking device.
4. Gates other than pedestrian access gates that ARE the sole means of access from the front of the house to the back of the house shall have the active leaf self-closing and self-latching, unless there is a compliant barrier between the gate and the pool.
5. On gates that are required to be self-closing and self-latching, release mechanisms shall be located at least 54 inches above grade measured from the opposite side of the

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pool. Where the release mechanism is located less than 54 inches, the release mechanism shall be located on the pool side of the gate at least 5 inches below the top of the gate, and the gate and enclosure or barrier shall have no opening greater than 0.5 inches within 24 inches of the release mechanism.

6. Springs used to make a gate self-closing shall be mounted in such a manner that the spring pushes the gate to a closed position.

**3109.4.1.8 Dwelling wall as an enclosure or barrier.** Where a wall of a dwelling serves as part of the enclosure or barrier, one of the following shall apply:

1. Between the swimming pool and the dwelling, a minimum 60 inch (1524 mm) high wall, fence or barrier shall be provided that meets all of the requirements of Section 3109.4.1.
2. The pool shall be equipped with a power safety cover which complies with ASTM F 1346.
3. All ground level doors or other doors with direct access to the swimming pool shall be equipped with a self-latching device which meets the requirements of Section 3109.4.1.7. Emergency escape and rescue openings from sleeping rooms with access to the swimming pool shall be equipped with a self-latching device which meets the requirements of Section 3109.4.1.7. All other openable dwelling unit windows shall be equipped with a screwed in place wire mesh screen or a keyed lock that prevents opening the window more than four inches (102 mm) or a latching device located not less than 54 inches (1372 mm) above the floor.
4. Doors with direct access to the pool through that wall shall be equipped with an alarm that produces an audible warning when the door and/or its screen, if present, are opened. The alarm shall be listed in accordance with UL 2017. The audible alarm shall

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activate within 7 seconds and sound continuously for a minimum of 30 seconds after the door and/or its screen, if present, are opened and be capable of being heard throughout the house during normal household activities. The alarm shall automatically reset under all conditions. The alarm shall be equipped with a manual means, such as a touchpad or switch, to temporarily deactivate the alarm for a single opening. Such deactivation shall last for not more than 15 seconds. In dwellings not required to be Accessible, Type A or Type B units, the deactivation switch shall be located 54 inches (1372 mm) or more above the threshold of the door. In dwellings required to be Accessible, Type A or Type B units, the deactivation switch(es) shall be located at 54 inches (1372 mm) maximum and 48 inches (1219 mm) minimum above the threshold of the door.

5. Pet doors with direct access to the pool shall not be allowed.

### **Exceptions:**

1. Swimming pools accessory to R-3 occupancies where no children under the age of seven (7) years of age reside or are intended to reside. An affidavit shall be required to be signed by the property owner prior to permit issuance stating whether children under the age of seven (7) are to be residents at the permit address.
2. Lake front properties shall provide audible alarm or self-latching devices on doors and window exiting to lake areas consistent with the standards set forth in this section to facilitate equal protection to children from swimming pools and natural or man-made bodies of water which are accessible. Audible alarms shall not be considered equal protection where occupant(s) other than the child are hearing impaired. The enclosure is required, except along the shore line.
3. Swimming pools and spas with a maximum water surface area of sixty-four (64) square feet shall be exempt from the barrier requirements of this section provided that one or more the following conditions exist:

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- a. The swimming pool or spa is located in an adult community that is separated from other non-adult communities by a minor or a major arterial street or by a fence complying with the provisions of this chapter.
- b. The swimming pool or spa shall be equipped with a safety cover complying with ASTM F1346 and maintained in a locked position when not in use.
- c. The swimming pool or spa edge shall be at a minimum of 36 inches (914 mm) above grade.

**3109.4.1.9 Pool structure as barrier.** Where an above-ground pool structure is used as a barrier or where the barrier is mounted on top of the pool structure, and the means of access is a ladder or steps, then the ladder or steps either shall be capable of being secured, locked or removed to prevent access, or the ladder or steps shall be surrounded by a barrier which meets the requirements of Sections 3109.4.1.1 through 3109.4.1.8. When the ladder or steps are secured, locked or removed, any opening created shall not allow the passage of a 4-inch-diameter (102 mm) sphere.

**3109.4.1.10 Required distance from water's edge.** The enclosure or barrier shall be no less than 20 inches (508 mm) from the water's edge.

**3109.4.2 Indoor residential swimming pools.** Walls surrounding indoor residential swimming pools shall not be required to comply with Section 3109.4.1.8.

**3109.4.3 Prohibited locations.** Enclosures or barriers for residential swimming pools shall be located so as to prohibit permanent structures, equipment, or similar objects from being used to climb the enclosures or barriers.

**3109.5 Entrapment avoidance.** Suction outlets shall be designed to produce circulation throughout the pool or spa. Single-outlet systems, such as automatic vacuum cleaner systems, or other such multiple suction outlets whether isolated by valves or otherwise shall be protected against user entrapment.

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**3109.5.1 Suction Fittings.** All pool and spa suction outlets shall be provided with a cover that conforms to ASME A112.19.8M, a 12-inch by 12-inch (305 mm by 305 mm) drain grate or larger, or an approved channel drain system.

**Exception:** Surface Skimmers

**3109.5.2 Atmospheric vacuum relief system required.** All pool and spa single- or multiple-outlet circulation systems shall be equipped with an atmospheric vacuum relief should grate covers located therein become missing or broken. Such vacuum relief systems shall include at least one approved or engineered method of the following types:

1. Safety vacuum release systems conforming to ASME 112.19.17; or
2. Approved gravity drainage system.

**3109.5.3 Dual drain separation.** Single- or multiple-pump circulation systems shall be provided with a minimum of two suction outlets of the approved type. A minimum horizontal or vertical distance of 3 feet (914 mm) shall separate such outlets. These suction outlets shall be piped so that water is drawn through them simultaneously through a vacuum-relief-protected line to the pump or pumps.

**3109.5.4 Pool cleaner fittings.** Where provided, vacuum or pressure cleaner fitting(s) shall be located in an accessible position(s) at least 6 inches (152 mm) and not greater than 12 inches (305 mm) below the minimum operational water level or as an attachment to the skimmer(s).

Charter reference(s) -- Adoption by reference, art. VII, § 14.

State law reference(s) -- Adoption by reference, A.R.S. § 9-801 et seq.

(Code 1977, § 8-1-1(A))

(Ord. No. 90-31, 8/28/90, 1988 edition adopted)

(Ord. No. 95-27, 5/2/95, 1994 edition adopted)

(Ord. No. 98-104, 10/6/98, 1997 edition adopted)

(Ord. No. 02-09, 2/19/02, 2000 international edition adopted) (SUPP 2002-1)

(Ord. No. 04-22, 5/16/04, 2003 edition adopted) SUPP 2004-2

(Ord. No. 07-11, 4/17/07, 2006 edition adopted) SUPP 2007-2

(Ord. No. 07-32, 10/02/07, 2006 international edition adopted) SUPP 2007-4

(Ord. No. 2012-08, 5/1/2012, 2012 international edition adopted and amended) SUPP 2012-2