

RESOLUTION NO. 2019-27

A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF FOUNTAIN HILLS, MARICOPA COUNTY, ARIZONA, DECLARING AS PUBLIC RECORDS THOSE CERTAIN DOCUMENTS FILED WITH THE TOWN CLERK AND ENTITLED THE “2018 INTERNATIONAL BUILDING CODE,” THE “2018 INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS,” THE “2018 INTERNATIONAL MECHANICAL CODE,” THE “2018 INTERNATIONAL PLUMBING CODE,” THE “2017 NATIONAL ELECTRICAL CODE,” THE “2018 INTERNATIONAL SWIMMING POOL AND SPA CODE,” THE “2018 INTERNATIONAL ENERGY CONSERVATION CODE,” THE “2018 INTERNATIONAL FIRE CODE,” THE “2018 INTERNATIONAL FUEL GAS CODE,” THE “UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS, 1997 EDITION,” AND THE “2018 FOUNTAIN HILLS AMENDMENTS TO THE 2018 INTERNATIONAL BUILDING CODE, THE 2018 INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO- FAMILY DWELLINGS, THE 2018 INTERNATIONAL ENERGY CONSERVATION CODE, AND THE 2018 INTERNATIONAL FIRE CODE”

ENACTMENTS:

BE IT RESOLVED BY THE MAYOR AND TOWN COUNCIL OF FOUNTAIN HILLS as follows:

That those certain documents entitled the “2018 International Building Code,” the “2018 International Residential Code for One- and Two-Family Dwellings,” the “2018 International Mechanical Code,” the 2018 International Plumbing Code,” the “2017 National Electrical Code,” the “2018 International Swimming Pool and Spa Code,” the “2018 International Energy Conservation Code,” the “2018 International Fire Code,” the “2018 International Fuel Gas Code,” and the “Uniform Code for the Abatement of Dangerous Buildings, 1997 Edition, and the “2018 Fountain Hills Amendments to the 2018 International Building Code, the 2018 International Residential Code for One- and Two-Family Dwellings, the 2018 International Energy Conservation Code, and the 2018 International Fire Code,” of which three copies are on file in the office of the Town Clerk and open for public inspection during normal business hours, are hereby declared to be public records and codified in the Fountain Hills Town Code, Chapter 7, Buildings and Building Regulations, and said copies are ordered to remain on file with the Town Clerk.

PASSED AND ADOPTED by the Mayor and Council of the Fountain Hills, Maricopa County, Arizona, this 21th day of May, 2019.

FOR THE TOWN OF FOUNTAIN HILLS:

ATTESTED TO:

Ginny Dickey, Mayor

Elizabeth A. Burke, Town Clerk

REVIEWED BY:

APPROVED AS TO FORM:

Grady E. Miller, Town Manager

Aaron D. Arnson, Town Attorney

EXHIBIT A**THE 2018 FOUNTAIN HILLS AMENDMENTS TO THE 2018
INTERNATIONAL BUILDING CODE, THE 2018
INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND
TWO-FAMILY DWELLINGS, THE 2018 INTERNATIONAL
ENERGY CONSERVATION CODE, AND THE 2018
INTERNATIONAL FIRE CODE**

The International Residential Code for One- and Two-Family Dwellings, 2018 Edition, is amended in the following respects:

**Amend
Section R101.1**

Section R101.1 Title. Insert the words "Town of Fountain Hills" as the name of jurisdiction.

**Amend
Section R105.2****R105.2 Work exempt from permit.**

Exemption from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following:

- **Building:**
 1. One-story detached accessory structures, provided that the floor area does not exceed 120 square feet.
 2. Fences not over 30 inches high.
 3. Retaining walls that are not over 2 feet in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge.
 4. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons and the ratio of height to diameter or width does not exceed 2 to 1.
 5. Sidewalks and driveways.
 6. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
 7. Prefabricated swimming pools that are less than 24 inches deep.
 8. Swings and other playground equipment.
 9. Window awnings supported by an exterior wall that do not project more than 54 inches from the exterior wall and do not require additional support.
 10. Decks not exceeding 200 square feet in area, that are not more than 30 inches above grade at any point, are not attached to a dwelling, and do not serve the exit door required by [Section R311.4](#).

**Amend
P2904 Dwelling Fire Sprinklers**

Reference 2018 International Fire Code and the Town amendments as the Code.

**Deleted
N1103.10.3(R403.10.3) Covers.**

The International Building Code, 2018 Edition, is amended in the following respects:

Amend

Section 101.1

Section 101.1 Title. Insert the words "Town of Fountain Hills" as the name of jurisdiction.

Amend

105.2 Work exempt from permit.

Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following:

- **Building:**
 1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided that the floor area is not greater than 120 square feet.
 2. Fences not over 30 inches high.
 3. Oil derricks.
 4. Retaining walls that are not over 2 feet in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or IIIA liquids.
 5. Water tanks supported directly on grade if the capacity is not greater than 5,000 gallons and the ratio of height to diameter or width is not greater than 2:1.
 6. Sidewalks and driveways not more than 30 inches above adjacent grade, and not over any basement or story below and are not part of an accessible route.
 7. Painting, papering, tiling, carpeting, cabinets, counter tops, and similar finish work.
 8. Temporary motion picture, television, and theater stage sets and scenery.
 9. Prefabricated swimming pools accessory to a Group R-3 occupancy that are less than 24 inches deep, are not greater than 5,000 gallons and are installed entirely above ground.
 10. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.
 11. Swings and other playground equipment accessory to detached one- and two-family dwellings.
 12. Window awnings in Group R-3 and U occupancies, supported by an exterior wall that do not project more than 54 inches from the exterior wall and do not require additional support.
 13. Nonfixed and movable fixtures, cases, racks, counters, and partitions not over 5 feet 9 inches in height.

The International Energy Conservation Code, 2018 Edition, is amended in the following respects:

Delete

R403.10.3 Covers.

The International Fire Code (IFC), 2018 edition, as published by the International Code Council and all appendices and the Town's Amendments thereto are adopted by reference and shall be the fire code of the Town of Fountain Hills.

The International Fire Code, 2018 Edition, is amended in the following respects:

Table of Contents

Chapter	1	page	2-4
Chapter	2	pages	5
Chapter	3	page	6
Chapter	4	page	6
Chapter	5	pages	7-8
Chapter	6-8	page	8
Chapter	9	pages	9-13
Chapter	10-23	page	13
Chapter	24	page	14
Chapter	25-31	pages	14
Chapter	32	pages	14
Chapter	33-55	page	14
Chapter	56	page	15
Chapter	57	page	15
Chapter	58-60	page	15
Chapter	61	pages	15-16
Chapter	62-80	page	16
Appendices		page	17
Appendix	O	pages	17-22
Appendix	P	pages	23-24

CHAPTER 1

ADMINISTRATION

Amend

101.1 Title. These regulations shall be known as the Town Fountain Hills Fire Code, hereinafter referred to as “this code”.

Amend

101.2.1 Appendices. The following appendices of the 2018 International Fire Code shall be adopted, appendices O and P shall be added.

Appendix: A- Board of Appeals is deleted.

Appendix B Fire-Flow Requirements for Buildings.

Appendix C Fire Hydrant Locations and Distribution.

Appendix D Fire Apparatus Access Roads.

Appendix E Hazard Categories.

Appendix F Hazard Ranking.

Appendix G Cryogenic Fluids-Weight and Volume Equivalents.

Appendix H HMMP and HMIS Instructions.

Appendix I Fire Protection Systems-Non Compliant Conditions.

Appendix J Building Information Sign.

Appendix K Construction Requirements for Existing Ambulatory Care Facilities.

Appendix L Requirements for Firefighter Air Replenishment Systems.

Appendix M High Rise Buildings Retroactive Automatic Sprinkler Requirements.

Appendix N Indoor Trade Shows and Exhibitions

Appendix O Control and Suppression of Hazardous Fire Areas

Appendix P Fountain Hills Fire Related Incidents Citation Program

Add

102.7 Referenced codes and standards. The codes and standards referenced in this code shall be those that are listed in Chapter 80 and the Town of Fountain Hills codes. The most current editions shall apply.

Amend

105.1.2 Types of Permits. Unless otherwise addressed in the code, permits regarding fire issues shall be addressed through the following approval processes and shall be considered operational permits (see definitions):

1. Special Use Permits
2. Building Permits
 - a. For the purpose of this code, this shall include construction permits, which allows the applicant to install or modify systems and equipment identified in Section 105.7.
3. Civil / Utility Permits

Amend

105.2 Application. Applications for permits listed in Section 105.1.2 shall be made through the approved processes and through the approved departments of the Town of Fountain Hills, AZ.

Amend

105.6 Required operational permits. The fire code official is authorized to issue permits for the operations and activities set forth in Sections 105.6.1 through 105.6.48. The issuance of the permits will be determined on an "as -needed" basis and shall be in the best interest of fire and life safety and in the best interest of the Town of Fountain Hills, AZ.

Amend

105.7 Required construction permits. The Town of Fountain Hills, AZ adopted building code shall apply to permits set forth in Sections 105.7.1 through 105.7.18.

Delete**Sections 108.1 through 108.3****Amend**

110.3 Notice of violation. When the fire code official finds a building, premises, vehicle, storage facility, or outdoor area that is in violation of this code, the fire code official is authorized to prepare a written notice of the violation(s), describing the conditions deemed unsafe and, when compliance is not immediate, specifying the date and time for re-inspection.

Amend

110.4 Violation penalties. Persons who violate a provision of this code or fail to comply with any of the requirements thereof or who erect, install, alter, repair, or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certification used under provisions of this code, shall be sentenced to a fine of not more than one thousand dollars (\$1,000.00). Each day that the violation continues after notice has been served shall be deemed a separate offense.

Amend

112.4 Failure to comply. 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 of not more than one thousand dollars (\$1,000.00).

CHAPTER 2**DEFINITIONS****Amend**

FIRE CODE OFFICIAL. The Fire Marshal Official charged with the administration and enforcement of the code.

Add

Adult and child care facilities shall meet the following requirements:

1. Interconnected smoke detectors shall be installed in all livable areas.
2. Approved evacuation maps and emergency procedures shall be posted.
3. Portable fire extinguishers shall be mounted at locations approved by the fire code official.

Amend:

R-4 Residential occupancies shall include buildings arranged for occupancy as Residential Care/Assisted Living Facilities including more than five but not more than 16 occupants, excluding staff. These facilities include:

Group Youth Homes
Senior Homes

Following:

Group R-4 Residential Care/Assisted Living Facilities occupancies shall meet the requirements for construction as defined for Group R-3 except as otherwise provided for in the *International Building Code*.

Add

Residential Care / Assisted Living Facilities shall meet the following requirements:

1. Interconnected smoke detectors shall be installed in all livable areas.
2. Approved evacuation maps and emergency procedures shall be posted.
3. Portable fire extinguishers shall be mounted at locations approved by the fire code official.

Add

READILY ACCESSIBLE. Access that is capable of being reached safely and quickly for operation, repair, or inspection without requiring those to whom ready access is requisite to climb over or remove obstacles, or to resort to the use of portable access equipment.

Add

SPECIAL USE PERMIT. A permit issued by the appropriate department of the Town of Fountain Hills, AZ allowing a specific activity, event, or condition to occur for a prescribed period.

CHAPTER 3**General Requirements****Amend**

307.2.1 Authorization. Approval of any open burning addressed in this section shall only be permitted with approval from the State of Arizona and/or Maricopa County air and water quality management authority, provided that all conditions specified in the authorization and this section are followed.

CHAPTER 4**EMERGENCY PLANNING AND PREPAREDNESS****Add**

401.3.2.1 Resetting of alarms. No person shall reset a fire or emergency alarm system, alarm initiating device, or alarm component until the fire department arrives.

Exception:

1. The person responsible for the property may investigate the building or Area of alarm and if no evidence of fire or emergency is found, the system may be silenced, but not reset, until the fire department arrives.

CHAPTER 5

FIRE SERVICE FEATURES

Amend

503.2.1 Dimensions. Fire apparatus access roads shall have an unobstructed width of not less than 22 feet, except for approved security gates in accordance with section 503.6, and unobstructed vertical clearance of not less than 15 feet.

Amend

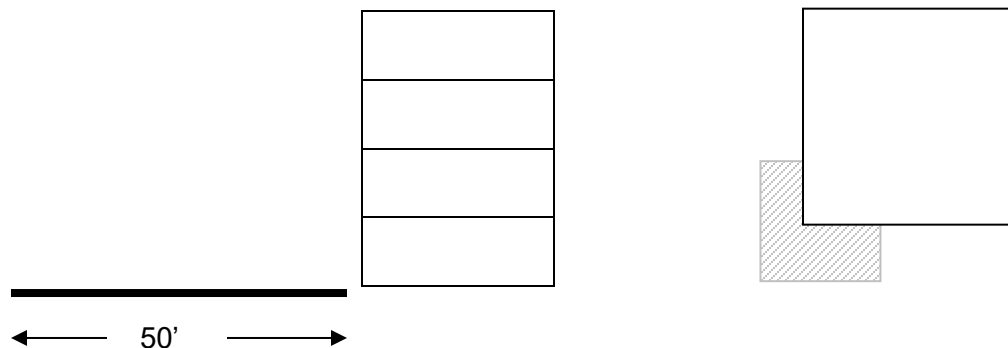
503.2.4 Turning radius. The required turning radius of a fire apparatus access road shall be a minimum turning radius of 35 feet inside and 55 feet outside for the required fire apparatus access road.

Amend

503.2.7 Grade. All access roads, whether temporary or permanent, shall not exceed 12%. All fire access roads greater than 6% must have prior approval from the fire code official. Sprinklered vs. non-sprinklered properties shall have different requirements with a maximum grade of 15%.

Add

504.4 Fire department apparatus access to roof. For buildings 2 or more stories in height, maintain a minimum of a 50-foot flat area at grade at two corners of the building for fire department operations and apparatus placement.



Amend

505.1 Address numbers. New and existing buildings shall have approved address numbers, building numbers, or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be of the font and size approved by the building and development department in accordance with the Town of Fountain Hills Zoning requirements. At a minimum, letters and numerals shall be a minimum of 4 inches high with a brush stroke width of .5 inch to identify individual suites and/or tenant spaces. Additionally, all rear doors to suites and/or tenant spaces shall display the business name and suite number.

Add

506.1.1.1 Key switch and sensor pre-emption location. A Knox key switch and a pre-emption sensor shall be required on all powered entry control gates. Key switches shall be installed in a location on the gate control panel that is readily visible and accessible. The pre-emption sensor shall be at or behind the gate.

Amend

507.5 Fire hydrant systems. Fire hydrant systems shall meet the Town of Fountain Hills' minimum standards and shall be designed and installed in accordance with the applicable standards established by the Town of Fountain Hills, AZ.

507.5.1 Fire hydrant spacing. All fire hydrants shall be spaced on fire apparatus access roads as follows:

1. **Non-Hillside.** One- and two-family dwelling (IRC and R-3) developments, the maximum distance shall be 600 feet on center.
2. **Hillside.** One- and two-family dwelling (IRC and R-3) developments, the maximum distance shall be 600 feet on center. "Hillside" street grades shall be considered any grade exceeding 8% or more grade.
3. **Fire sprinkler.** Commercial, R-1, and R-2 multifamily developments, the maximum distance shall be 600 feet on center.
4. **Hillside cul-de-sacs.** The maximum distance shall be 300 feet on center to any hydrant from end of a cul-de-sac.

Add

507.5.7 Distance to fire department connections (FDC). Fire hydrants shall be placed to ensure that the distance to fire department connections shall not exceed 100 feet.

Add

507.5.7 Fire hydrant color. All fire hydrants shall have aboveground barrels painted with a prime coat plus two coats of OSHA yellow paint.

Add

507.5.7.1 Reclaimed water fire hydrant color. All fire hydrants using a reclaimed water supply shall have the caps and bonnet painted with a prime coat plus two coats of black paint. A "DO NOT DRINK WATER" placard shall be affixed to the hydrant in both English and Spanish.

Add

507.5.8 Reflective markers. All fire protection equipment, fire department connections and hydrants shall be clearly identified by installation of reflective blue markers. See Town of Fountain Hills Standard Detail FH305.

CHAPTERS 6-8**No Changes**

CHAPTER 9**FIRE PROTECTION SYSTEMS****Add
902 Definitions.**

DETACHED. For the purpose of Chapter 9 FIRE PROTECTION SYSTEMS, detached shall mean separated from the main building or structure by a minimum of 10 feet.

**Add
903.2 Where required.** An automatic sprinkler system shall be installed throughout all levels of all new occupancies of more than 0 square feet, to include all garages, and car-ports.

Exceptions: Unless the use of the facility otherwise requires an automatic fire sprinkler system, fire sprinkler systems shall not be required for the following.

1. Detached gazebos and Ramada's for residential or public use.
2. Detached guard houses less than 300 square feet in floor area.
3. Detached storage sheds for private, residential, non-commercial use less than 200 square feet in floor area.
4. Detached non-combustible canopies less than 1500 square feet in roof area used exclusively for vehicle washing facilities or vehicle fuel dispensing stations.
5. Other buildings or structures accessory to and located on the same lot with one and two family dwellings or R-3 occupancies, not including residential care or assisted living facilities in R-3 occupancies.
6. Shade canopies less than 5,000 square feet; not closer than 5 feet to any building, property line or other shade canopy; and shading one of the following: vehicles for sale at a dealership, playground equipment, or outdoor eating areas without cooking.
7. Shipping containers used for storage purposes and not closer than 5 feet to any building, property line or other container.
8. Exterior roofs, overhangs or canopies of Type I, II or III construction with no combustible storage beneath.
9. Exterior covered/enclosed walkways of Type I, II or III construction with enclosing walls that are at least 50 percent open.
10. Temporary Special Amusement Buildings.
11. Pre-manufactured structures used exclusively as a construction office up to 5000 square feet and not closer than 5 feet to any other structure or property line. This exception shall apply during the course of the construction permit issued by the Town of Fountain Hills.

- 12. Detached parking canopies.
- 13. Manufactured homes built on a permanent chassis, designed and constructed as a dwelling unit. Exception: Newly manufactured homes equipped with automatic sprinkler systems will be tied into a water supply.

Add

903.2.3 Group E. An automatic sprinkler system shall be installed throughout all Group E occupancies in accordance with NFPA 13 Installation of Sprinkler Systems.

Add

903.2.4 Group F. An automatic sprinkler system shall be installed throughout all Group F occupancies in accordance with NFPA 13 Installation of Sprinkler Systems.

Add

903.2.5 Group H. An automatic sprinkler system shall be installed throughout all Group H occupancies in accordance with NFPA 13 Installation of Sprinkler Systems. The design of the sprinkler system shall not be less than that required under the Town of Fountain Hills Building Code for the occupancy hazard classifications in accordance with Table 903.2.5.2 Group H-5 Sprinkler Design Criteria.

Where the design area of the sprinkler system consists of a corridor protected by one row of sprinklers, the maximum number of sprinklers required to be calculated is 13.

**TABLE 903.2.5.2
Group H-5 Sprinkler Design Criteria**

LOCATION	OCCUPANCY HAZARD CLASSIFICATION
Fabrication areas	Ordinary Hazard Group 2
Service corridors	Ordinary Hazard Group 2
Storage room without dispensing	Ordinary Hazard Group 2
Storage rooms with dispensing	Extra Hazard Group 2
Corridors	Ordinary Hazard Group 2

Add

903.2.6 Group I. An automatic sprinkler system shall be installed throughout all Group I occupancies in accordance with NFPA 13 Installation of Sprinkler Systems.

Exception: In jails, prisons and reformatories, the piping system may be dry, provided a manually operated valve is installed at a continuously occupied 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.

Add

903.2.7 Group M. An automatic sprinkler system shall be installed throughout all Group M occupancies in accordance with NFPA 13 Installation of Sprinkler Systems.

Add

903.2.8 Group R. An automatic sprinkler system shall be installed throughout all Group R occupancies in accordance with NFPA 13 Installation of Sprinkler Systems.

Add

903.2.9 Group S-1. An automatic sprinkler system shall be installed throughout all Group S-1 occupancies in accordance with NFPA 13 Installation of Sprinkler Systems.

Add

903.2.10 Group S-2. An automatic sprinkler system shall be installed throughout all Group S-2 occupancies in accordance with NFPA 13 Installation of Sprinkler Systems

Add

903.2.13 Change of occupancy. An automatic sprinkler system complying with Section 903.3 shall be provided for an existing building or portion thereof undergoing a change of occupancy as follows, based upon the relative hazard levels indicated in Table 903.2.15:

1. When a change of occupancy is made to a higher hazard level as shown in Table 903.2.13, the building shall be provided with an automatic fire sprinkler system.
2. When a change of occupancy is made within hazard level 1 as shown in Table 903.2.13, the building shall be provided with an automatic fire sprinkler system.

**Table 903.2.13
Existing Building Hazard Levels**

Hazard Level	Building Occupancy Type
1 (highest)	H, I, R-1, R-2, R-4
2	A-2, A-5
3	A-1, A-3, A-4
4	E, F-1, M, S-1
5 (lowest)	B, F-2, R-3, S-2, U

Note: Occupancies as defined in this Code and the Fountain Hills Building Code.

Add

903.2.14 Additions, alterations and repairs. When additions, alterations, or repairs within a twelve-month period exceed 50 percent of the square footage of the existing building or structure, such building or structure shall be made to conform to the requirements for new buildings or structures.

Add

903.2.15 Partial systems prohibited. In all new additions to existing non-sprinklered buildings and structures, an automatic sprinkler system shall be installed throughout the entire structure. There shall be no partially sprinklered compartments.

Amend

903.3 Installation requirements. Automatic sprinkler systems shall be designed and installed in accordance with the applicable NFPA Standards.

Amend

903.3.5 Water supplies. Water supplies for automatic sprinkler systems shall comply with this section and the standards referenced in Section 903.3.1. The potable water supply shall be protected against backflow in accordance with the requirements of the Town of Fountain Hills.

Amend

903.3.6 Hose Threads. All fire hose threads used in conjunction with automatic sprinkler system shall be National Hose Thread (NHT).

Amend

903.3.7 Fire department connections (FDC). The location of the fire department connections shall be in accordance with Section 912 and approved by the fire code official. All FDC connections shall be locking 4" Storz connection approved by the fire code official.

Add

903.3.7.1 Fire riser room. All fire riser rooms shall have exterior access doors, with Knox box on the exterior, and all NFPA signage.

Exception: Existing buildings.

Add

905.3.1.1 Building area. In buildings exceeding 10,000 square feet in area per story, Class I automatic wet standpipes shall be provided and where any portion of the building's interior area is more than 200 feet of travel, vertically and horizontally, from the nearest point of fire department vehicle access.

Exceptions:

1. Single story structures are not required to have hose connections, except in those interior portions of the building that exceed 200 feet of travel from an emergency access road.
2. Required wet standpipes may be an integral part of an approved sprinkler system and may be connected to the sprinkler systems horizontal cross-mains. Calculations for required hose demand shall be submitted with sprinkler plans.

Add

905.3.4 Stages. Stages greater than 1,000 square feet in area shall be equipped with a Class I wet standpipe system with 2.5-inch hose connections on each side of the stage supplied from the automatic fire sprinkler system and shall have a flow rate of not less than that required for Class 1 standpipes.

Delete

905.3.4.1 Hose and cabinets.

Add

912.2 Location. Fire department connections shall be located at a corner of the building being protected, within 4 feet to 8 feet of the curb line of an access road or public street, 40 feet or one and one half times the height of the building being protected, whichever is more, or as approved by the fire code official. The fire department connection line shall be a wet line with the check valve at the hose connection above grade.

Add

912.2.3 Maximum distance to fire department connections. Fire department connections for all occupancies shall be within 100 feet of a fire hydrant.

CHAPTERS 10-22

NO CHANGES

CHAPTER 23

Amend

2301.4 Indoor motor fuel-dispensing facilities. Locating motor vehicle fuel-dispensing stations inside buildings is prohibited within the entire Town.

Amend

2306.2.2 Above-ground tanks located inside buildings. Above-ground tanks for the storage of Class I, II, and IIIA liquid fuels are prohibited within the entire Town of Fountain Hills, AZ.

Amend

2306.2.3 Above-ground tanks located outside, above grade. Above-ground tanks for the storage of Class I, II, and IIIA liquid fuels outside of buildings are prohibited within the entire Town of Fountain Hills, AZ.

CHAPTER 24

FLAMMABLE FINISHES

Add

2404.1 Spray-finishing operations shall not be conducted outside of approved structures.

Exceptions:

1. Spray coating of buildings or dwellings, including appurtenances and any other ornamental objects that are not normally removed prior to coating.
2. Spray coating of facility equipment or structures, which are fixed in a permanent location and cannot easily be moved into an enclosure or spray booth and which are not normally dismantled or moved prior to coating.
3. Spray coating of objects, which cannot fit inside of an enclosure with internal dimensions of 10'W X 25'L X 8'H, excluding vehicles.
4. Coating operations utilizing only hand-held aerosol cans.

CHAPTERS 25-31

NO CHANGES

CHAPTER 32

HIGH PILES COMBUSTABLE STORAGE

Amend

3201.2 Permits. A permit shall be submitted within the Town of Fountain Hills, Engineering and Construction Department, along with HMIS for reportable quantities.

CHAPTER 33-55

NO CHANGES

CHAPTER 56

EXPLOSIVES AND FIREWORKS

Amend

General. The display of fireworks, including proximate audience displays and pyrotechnic special effects in motion picture, television, theatrical, and group entertainment productions, shall comply with this chapter, Article XIII Fireworks and Pyrotechnics of the Town of Fountain Hills Code of Ordinances, and NFPA 1123 or NFPA 1126.

CHAPTER 57

Amend

5706.2.4.4 Locations where above-ground tanks are prohibited. Storage of Class I and II liquids in above-ground tanks outside of buildings is prohibited within the entire Town.

Exception: Installations of tanks capable of holding 2,000 gallons (7,570.8 L), either individually or in the aggregate, may be approved

CHAPTERS 58-60

NO CHANGES

CHAPTER 61

LIQUIFIED PETROLEUM GASES

Add

Table 6104.3, Footnote e. 5.

E. 5.

A container less than 125 gallons may be located next to a block fence when the tank is not within 5 feet of a structure on adjoining property.

Add

6109.1.1 Pre-filled portable cylinders for consumer exchange. The installation of pre-filled portable cylinders for consumer exchange shall comply with the following requirements:

1. A construction permit is required for the installation of or modification to pre-filled portable cylinders for consumer exchange in accordance with section 105.7.8.
2. Storage is limited to one cage, containing up to twenty-five (25), twenty (20) pound propane cylinders (500 pounds) without any separation from a structure. A second cage may be installed next to a structure on the same property as long as a minimum of 20 feet separation is maintained between the two cages.
3. A site plan for the installation shall be submitted to the Town of Fountain Hills Planning and Development Department. The site plan shall indicate the sizes and locations of the pre-filled portable cylinders for consumer exchange cage, as well as the separation distances between cages, the distances to property lines, structures, and public ways.
4. The cage shall not be located within 5 feet of any doorway or opening in a building frequented by the public and 5 feet from any exterior source of ignition, openings into direct-vent (sealed combustion system) appliances or mechanical ventilation air intakes.
5. The cage shall be located so that any discharge from a propane cylinder pressure relief device is at least 3 feet horizontally away from any building opening below the level of such discharge.
6. The cage shall be a lockable ventilated metal locker or rack that prevents tampering and pilferage.
7. The cage shall be designed so that containers cannot be stacked on top of each other and designed so that containers are positioned upright with the pressure-relief valve in direct communication with the vapor space of the container.
8. Defective containers or containers showing denting, bulging, or excessive corrosion shall be removed from service and properly disposed of.
9. The cage and area shall be kept free and clear of all combustible materials, including storage, for a distance of at least 10 feet on all sides.
10. NO SMOKING signs shall be posted on the cage and within 25 feet of the surrounding area.
11. Approved NFPA 704 hazard identification signs shall be posted on the cage.
12. Signs listing exchange procedures, company name, and 24-hour phone numbers shall be posted on the cage.
13. Signs requiring that customers leave LPG containers outside shall be posted at all building entrance(s).
14. All employees with access to the exchange cage shall be trained in the proper handling and operating procedures, including the procedure for handling defective containers. Documentation of this training shall be provided to the Fire Prevention Division upon final inspection.
15. A written inspection checklist for receiving empty containers as well as giving out full cylinders shall be available and used by employees when handling containers.
16. Provisions shall be made for controlling and mitigating unauthorized discharges. A Hazardous Materials Management Plan shall be readily available on site.
17. A minimum of one 2A20BC fire extinguisher shall be located not less than 25 feet, but within 75 feet from the cage area.
18. Cages exposed to probable vehicular damage due to proximity to alleys, driveways, or parking areas, shall be protected in accordance with Section 312.

19. A final inspection by the Fire Prevention Division is required prior to the cage being put into service.

CHAPTERS 62-80

NO CHANGES

APPENDICES

All 2018 International Fire Code Appendices shall be adopted, except Appendix A. The following Appendices shall be added to the Town of Fountain Hills, AZ 2018 IFC amendments.

APPENDIX O

CONTROL AND SUPPRESSION OF HAZARDOUS FIRE AREAS

Section O-101 General.

O-101.1 Scope. The unrestricted use of grass, grain, brush, or forest-covered land in hazardous fire areas is a potential menace to life and property from fire and resulting erosion.

Section O-103 Permits.

O-103.1 Permits. Permits for any use within hazardous fire areas shall be issued with the approval of Town of Fountain Hills administration, utilizing the current permit process. Permits shall not be issued when public safety would be at risk, as determined by the fire code official.

Section O-104 Restricted Entry.

O 104.1 Restricted entry. The fire code official shall determine, and make recommendations to Town of Fountain Hills Administration, when hazardous fire areas shall be closed to entry and when such areas shall again be opened.

Exception:

1. Entry, in the course of duty, by peace or police officer, and other duly authorized public officers, members of a fire department and members of the United States Forest Service.

Section O-105 Trespassing on Posted Property.

O-105.1 General. When the Town of Fountain Hills Administration approves the recommendation from the fire code official that a specific area within a hazardous fire area presents an exceptional and continuing fire danger because of the density of natural growth, difficulty of terrain, proximity to structures or accessibility to public, such areas shall be closed until changed conditions warrant termination of closure. Such areas shall be posted as hereafter provided.

O-105.2 Signs. Approved signs prohibiting entry by unauthorized persons and referring to Appendix H shall be placed on every closed area.

O-105.3 Trespassing. Entering and remaining within areas closed and posted is prohibited.

Exception: Local state and federal public officers and their authorized agents acting in the course of duty.

Section O-107 Spark Arresters.

O-107.1 Spark arresters. Chimneys used in conjunction with fireplaces, barbecues, incinerators or heating appliances in which solid or liquid fuel is used, upon buildings, structures, or premises located within 200 feet of hazardous fire areas, shall have a spark arrester constructed with heavy wire mesh or other noncombustible material with openings not to exceed ½ inch.

Section O-108 Tracer Bullets, Tracer Charges, Rockets, Model Aircraft, Aerial Lanterns.

O-108.1 General. Tracer bullets and tracer charges shall not be possessed, fired, or caused to be fired into or across hazardous fire areas. Aerial lanterns, which have open flames to conduct lift, and rockets, model planes, aerial drones, gliders, and balloons powered with a combustion engine, propellant, or other feature liable to start or cause fire shall not be fired or projected into or across hazardous fire areas.

Section O-109 Explosives and Blasting.

O-109.1 Explosives and blasting Explosives shall not be possessed, kept, stored, sold, offered for sale, given away, used, discharged, transported, or disposed of within hazardous fire areas, except by permit from the fire code official.

Section O-110 Fireworks.

O-110.1 Fireworks. Fireworks shall not be used or possessed in hazardous fire areas, except by permit from the fire code official. The fire code official is authorized to seize, take, remove, or cause to be removed fireworks.

Section O-111 Apiaries.

O-111.1 Apiaries. Lighted and smoldering material shall not be used in connection with smoking bees in or upon hazardous fire areas, except by permit from the fire code official.

Section O-112 Open-Flame Devices.

O-112.1 Open-flame devices. Welding torches, tar pots, decorative torches, and other devices, machines, or processes liable to start or cause fire shall not be operated or used in or upon hazardous fire areas, except by permit from the fire code official.

Exceptions:

1. Use within habited premises or designated campsites which are a minimum of 30 feet from grass-, grain-brush- or forest-covered areas.

2. The proper use of fuses at the scene of emergencies or as required by standard operating procedures.

Section O-113 Outdoor Fires.

O-113.1 Outdoor fires. Outdoor fires shall not be built, ignited, or maintained in or upon hazardous fire areas, except by permit from the fire code official.

Exception: Outdoor fires within habited premises or designated campsites where such fires are built in a permanent barbecue, portable barbecue, outdoor fireplace, incinerator, or grill and are a minimum of 30 feet from a grass-, grain-, brush-, or forest-covered area.

Permits shall incorporate such terms and conditions, which will reasonably safeguard public safety and property. Outdoor fires shall not be built, ignited, or maintained in or upon hazardous fire areas under the following conditions:

1. When high winds are blowing,
2. When a person age 17 or over is not present at all times to watch and tend fire, or
3. When public announcement is made that open burning is prohibited.

Permanent barbecue, portable barbecues, outdoor fireplaces, and grills shall not be used for the disposal of rubbish, trash, or combustible waste material.

Section O-114 Incinerators and Fireplaces.

O-114.1 General: Incinerators, outdoor fireplaces, permanent barbecues, and grills shall not be built, installed, or maintained in hazardous fire areas without prior approval of the fire code official. Incinerators, outdoor fireplaces, permanent barbecues, and grills shall be maintained in good repair and in a safe condition at all times. Openings in such appliances shall have an approved spark arrester, screen, or door.

Section O-115 Clearance of Brush and Vegetative Growth from Electrical Transmission Lines.

O-115.1 General. Clearance of brush and vegetative growth from electrical transmission lines shall be in accordance with IFC 2018, and NFPA.

O-115.2 Support clearance. Persons owning, controlling, operating, or maintaining electrical transmission lines upon hazardous fire areas shall, at all times, maintain around and adjacent to poles supporting a switch, fuse, transformer, lightning arrester, line junction, dead end, corner pole, towers, or other poles or towers at which power company employees are likely to work must have an effective firebreak consisting of a clearing of not less than 10 feet in each direction from the outer circumference of such pole or tower.

Exception: Lines used exclusively as telephone, telegraph, messenger call, alarm transmission, or other lines classed as communication circuits by a public utility.

O-115.3 High tension line clearance. Persons owning, controlling, operating, or maintaining electrical transmission lines upon hazardous fire areas shall maintain the clearance specified in Section 15.3 in all directions between vegetation and conductors carrying electrical current:

1. For lines operating at 2,400 volts and less than 68,000 volts, 4 feet.
2. For lines operating at 68,000 volts and less than 110,000 volts, 6 feet.
3. For lines operating at 110,000 volts and over, 10 feet.

Such distance shall be sufficiently great to furnish the required clearance from the particular wire or conductor to positions of such wire or conductor at temperatures of 120 F or less. Forked, dead, old, decadent and rotten trees; trees weakened by cat faces, decay, or disease; and trees leaning toward the line, which could contact the line from the side or fall on the line, shall be felled, cut, or trimmed to remove the hazard.

O-115.4 Self-supporting aerial cable. Line clearance is not required for self-supporting aerial cable, except that forked trees, leaning trees, and other growth, which could fall across the cable and break it, shall be removed.

Section O-116 Clearance of Brush or Vegetation growth from Structures.

O-116.1 General. Persons owning, leasing, controlling, operating, or maintaining buildings or structures in, upon or adjoining hazardous fire areas, and persons owning, leasing, or controlling land adjacent to such buildings or structures, shall at all times:

1. Maintain an effective firebreak by removing and clearing away flammable vegetation and combustible growth from areas within 30 feet of such buildings or structures;

Exception: Single specimens of trees, ornamental shrubbery, or similar plants used as ground covers, provided that they do not form a means of rapidly transmitting fire from the native growth to any structure.

2. Maintain additional fire protection or firebreak by removing brush, flammable vegetation, and combustible growth located from 30 feet to 100 feet from such buildings or structures, when required by the fire code official because of extra-hazardous conditions causing a firebreak of only 30 feet to be insufficient to provide reasonable fire safety;

Exception: Grass and other vegetation located more than 30 feet from buildings or structures and less than 18 inches in height above the ground need not be removed where necessary to stabilize the soil and prevent erosion.

3. Remove portions of trees, which extend within 10 feet (3048 mm) of the outlet of a chimney;
4. Maintain trees adjacent to or overhanging a building free of deadwood; and
5. Maintain the roof of a structure free of leaves, needles or other dead vegetative growth.

O-116.2 Corrective actions. Town of Fountain Hills Administration is authorized to instruct the fire code official to give notice to the owner of the property upon which conditions regulated by Section 16.1 exist to correct such conditions. If the owner fails to correct conditions, the Town of

Fountain Hills Administration shall cause the same to be done and make the expense of such correction a lien upon the property where such condition exists.

Section O-117 Clearance of Brush or Vegetation Growth from Roadways.

O-117.1 Clearance of brush or vegetation. The fire code official is authorized to cause areas within 10 feet on each side of portions of highways and private streets, which are improved, designed, or ordinarily used for vehicular traffic to be cleared of flammable vegetation and other combustible growth. The fire code official is authorized to enter upon private property to do so.

Exception: Single specimens of trees, ornamental shrubbery, or cultivated ground such as green grass, ivy, succulents or similar plants used as ground cover, provided that they do not form a means of readily transmitting fire.

Section O-118 Unusual Circumstances.

O-118.1 Unusual circumstances. If the fire code official determines that difficult terrain, danger of erosion, or other unusual circumstances make strict compliance with the clearance of vegetation provisions of Sections 115, 116, or 117 of Appendix O undesirable or impractical, enforcement thereof may be suspended and reasonable alternative measures shall be provided.

Section O-119 Dumping.

O-119.1 Dumping. Garbage, cans, bottles, papers, ashes, refuse, trash, or rubbish or combustible waste material shall not be placed, deposited, or dumped in or upon hazardous fire areas or in, upon all along trails, roadways or highways in hazardous fire areas.

Exceptions: Approved public and private dumping areas

Section O-120 Disposal of Ashes.

O-120.1 Disposal of ashes. Ashes and coals shall not be placed, deposited, or dumped in or upon hazardous fire areas.

Exceptions:

1. In the hearth of an established fire pit, camp stove, or fireplace.
2. In a noncombustible container with a tight-fitting lid, which is kept or maintained in a safe location not less than 10 feet from combustible vegetation or structures.
3. Where such ashes or coals are buried and covered with 1 foot of mineral earth not less than 25 feet from combustible vegetation or structures.

Section O-121 Use of Fire Roads and Firebreaks.

O-121.1 Use of fire roads and firebreaks. Motorcycles, motor scooters, and motor vehicles shall not be driven or parked upon, and trespassing is prohibited upon, fire roads or firebreaks beyond the point where travel is restricted by a cable, gate, or sign. Vehicles shall not be parked in a manner, which obstructs the entrance to a fire road or firebreak.

Exception: Public officers acting within their scope of duty.

Radio and television aerials, guy wires thereto, and other obstructions shall not be installed or maintained on fire roads or firebreaks unless located 16 feet or more above such fire road or firebreak.

Section O-123 Tampering with Fire Department Locks, Barricades, and Signs.

O-123.1 Tampering with fire department locks, barricades, and sign. Locks, barricades, seals, cables, signs, and markers installed within hazardous fire areas, by or under the control of the fire code official, shall not be tampered with, mutilated, destroyed, or removed.

Section O-124 Liability for Damage.

O-124.1 Liability for damage. The expenses of fighting fires, which result from a violation of Appendix O, shall be a charge against the person whose violation of Appendix O caused the fire. Damages caused by such fires shall constitute a debt of such person and are collectable by the Town of Fountain Hills Administration in the same manner as in the case of an obligation under a contract, expressed or implied.

APPENDIX P

TOWN OF FOUNTAIN HILLS FIRE-RELATED INCIDENTS CITATION PROGRAM

SECTION P-101 Classification of Penalty.

P-101 Classification of penalty. The following classifications shall apply to any violations of Appendix I:

1. Any person, firm, corporation, partnership, enterprise, or association, whether as principal, owner, agent, tenant, or otherwise, who violates, disobeys, omits, or refuses to comply with, or who resists the enforcement of any of the provisions of this code, is subject to a civil sanction.
2. Notwithstanding subsection 1 of this section, a second or subsequent violation of any of the provisions of this chapter within a two-year period shall be deemed a misdemeanor.

SECTION P-102 Civil Penalties.

P-102 Civil penalties.

1. Upon a finding of responsible to civil violation, the court shall impose a fine not to exceed one thousand dollars (\$1,000.00).

Exception: As otherwise set forth in this code.

2. Upon a conviction of a misdemeanor, the defendant shall be sentenced pursuant to the provisions established by the Town of Fountain Hills Court System.

Exception: As otherwise determined by the court of jurisdiction, if other than the Town of Fountain Hills Court System.

3. The application of the penalties provided for in paragraphs subsections 1 and 2 of this section shall not be held to prevent the enforced removal of prohibited conditions.

P-103 Civil violation, commencement of action.

1. A civil violation may be commenced by issuance of a citation or by long form complaint. The civil violation shall be considered as follows:
 - a. By having the defendant sign the citation with a promise to appear in court on the specified date and time.
 - b. If the defendant refuses to sign the citation, by hand delivering a copy of the citation to the defendant.
 - c. By mailing a copy of the citation to the person charged at his last known address, by certified or register mail, return receipt requested.
 - i. In the event service cannot be accomplished as set forth in 1-a., b., or c., the court of jurisdiction may serve the defendant by any means allowed by the Town of Fountain Hills Procedures or the Arizona Rules of Civil Procedure for the Superior Court.
2. The citation will be substantially in the same form as the Arizona Traffic Ticket and Complaint and shall direct the defendant to appear in the court of jurisdiction on the scheduled date and at the scheduled time.
3. The citation will further notify the defendant that if he fails to appear on or before the date and time specified in the complaint, a judgment by default will be entered against him, and the court may, in its discretion, impose a civil sanction not to exceed one thousand dollars (\$1,000.00).
4. Minor civil citations may be issued for non-compliance with the amended International Fire Code, Town of Fountain Hills Code of Ordinances

P-104 Authority to issue citation. Any peace officer, the fire code official, or duly authorized agent of the fire code official may issue a civil citation pursuant to this code.

P-105 Appearance.

1. The defendant shall, at the specified date and time, appear in person or through his attorney in the court of jurisdiction and shall either admit or deny the allegations contained in the citation. If the defendant admits the allegation, the court shall enter judgment against the defendant and, in its discretion, may impose a civil sanction for the violation. If the defendant denies the allegations contained in the citation, the court shall set dates for a pre-trial conference and for trial of the matter.
2. If the defendant fails to appear for pre-trial conference or trial, the defendant's failure to appear shall be deemed an admission of the offense and the court shall enter judgment against the defendant and may, in its discretion, impose a civil sanction for the violation.

P-106 Rules of procedure. The Arizona Rules of Court for Civil Traffic Violation Cases may be followed by the city court for civil violations of this chapter.

Exception: As modified or where inconsistent with the provisions of this article, local rules of the city court, or rules of the Arizona Supreme Court.

P-107 Collection of fines. Any judgment for civil sanctions taken pursuant to this article may be collected as any other civil judgment.

P-108 Violations not exclusive. Violations of this chapter are in addition to any other violation enumerated within the Town of Fountain Hills Code of Ordinances and this code and in no way limit the penalties, actions, or abatement procedures which may be taken by the Town for any violation of this code which is also a violation of any other ordinance or tribal, state, or federal laws.

P-109 Each day a separate violation. Each day any violation of any provision of this code or the failure to perform any act or duty required by this code continues shall constitute a separate offense.