

CITY OF SOUTH TUCSON ORDINANCE NO: 08-04

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF SOUTH TUCSON, ARIZONA, RELATING TO THE TECHNICAL CODES AND TO THE OFFICE OF BUILDING OFFICIAL[S]; ADOPTING VARIOUS INTERNATIONAL AND UNIFORM CODES AS THE OFFICIAL CODES OF THE CITY OF SOUTH TUCSON; VESTING AUTHORITY IN THE OFFICE OF BUILDING OFFICIAL; PROVIDING FOR CODE COMPLIANCE AND PENALTIES FOR VIOLATIONS THEREOF; PROVIDING FOR APPEALS PROCESS; REPEALING ALL ORDINANCES IN CONFLICT THEREWITH; AMENDING THE SOUTH TUCSON CITY CODE BY AMENDING CHAPTER 4, ARTICLES I AND II, AND ALL APPLICABLE SECTIONS THEREOF

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF SOUTH TUCSON, ARIZONA AS FOLLOWS:

Section 1: Adoption by Reference.

That a certain document, three (3) copies of which are on file in the office of the City Clerk of the City of South Tucson, being marked and designated as Chapter 4 of the South Tucson City Code, be and is hereby adopted, by reference, as the [BUILDINGS AND BUILDING REGULATIONS], regulating and governing all construction; providing for the issuance of permits and collection of fees thereto; providing for enforcement regulations; providing an appellate process; and each and all of the regulations, provisions, penalties, conditions and terms of the Technical Codes on file in the office of the City Clerk, with the revisions, additions, and changes as described in Section 2 of this Ordinance.

Section 2: Revisions, Additions, Changes and Renumbering.

That the following Sections are revised, added or changed:

- Section 4-1: inserted words "and/or the City Manager" therein
- Section 4-16: inserted word "Uniform" therein
- Section 4-16: revised "sub-section (5) penalties and amended "Editor's Note"
- Section 4-17: inserted words "and/or the City Manager" therein
- Section 4-18: inserted word "Uniform" therein
- Section 4-19: inserted words "(b) thirty (30) days after passage and adoption"
- Section 4-20: inserted updated Technical Codes, 2006 Editions
- Section 4-20: inserted words "(b) thirty (30) days after passage and adoption"

Section 4-22: inserted "Accessibility Standards" in reserved section
Section 4-24: inserted updated NEC, 2005 Ed. & Administrative Code, 2006 Edition
Section 4-26: inserted updated Mechanical Code, 2006 Edition
Section 4-27: inserted updated Plumbing Code, 2006 Edition
Section 4-28: inserted word "REPEALED" repealing the Spa/Pool Code
Section 4-29: inserted updated Property Maintenance Code, 2006 Edition
Section 4-30: inserted updated Fuel Gas Code, 2006 Edition

Section 3: Adoption of Codes

That the Administrative and the Technical Codes are adopted and which documents were made public records by City of South Tucson **Resolution No. 08-55.**

"Uniform Administrative Code, 1997 Edition," attached to **Ordinance No. 08-04** as **Exhibit A**, adopted herein by reference

"International Building Code, 2006 Edition," and local amendments, attached to **Ordinance No. 08-04** as **Exhibit B**, adopted herein by reference

"International Residential Code, 2006 Edition," and local amendments, attached to **Ordinance No. 08-04** as **Exhibit C**, adopted herein by reference

"International Existing Building Code, 2006 Edition," and local amendments, attached to **Ordinance No. 08-04** as **Exhibit D**, is adopted herein by reference

"International Energy Conservation Code, 2006 Edition," and local amendments, attached to **Ordinance 08-04** as **Exhibit E**, is adopted by reference

"American National Standard (ICC/ANSI A117.1), 2003 Edition," attached to **Ordinance No. 08-04** as **Exhibit F**, is adopted by reference

"Uniform Code for the Abatement of Dangerous Buildings, 1997 Edition," attached to **Ordinance No. 08-04** as **Exhibit G**, is adopted by reference

"National Electrical Code, 2005 Edition," with local amendments, and *"ICC Electrical Code-Administrative Provisions, 2006 Edition,"* with local amendments, attached to **Ordinance No. 08-04** as **Exhibit H**, are adopted by reference

"Uniform Housing Code, 1997 Edition," attached to **Ordinance No. 08 -04** as **Exhibit I**, is adopted by reference

"International Mechanical Code of 2006 Edition," and local amendments, attached to **Ordinance No. 08-04** as **Exhibit J**, is adopted by reference

"International Plumbing Code, 2006 Edition," and local amendments, attached to **Ordinance No. 08-04** as **Exhibit K**, is adopted by reference

"International Property Maintenance Code, 2006 Edition," and local amendments, attached to **Ordinance 08-04** as **Exhibit L**, is adopted by reference

“International Fuel Gas Code, 2006 Edition,” and local amendments, attached to **Ordinance 08-04** as **Exhibit M**, is adopted by reference

Section 4: That the following Ordinances are repealed: Ord. No. 98-04; Ord. No. 01-05; Ord. No. 02-05; Ord. No. 06-11; and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 5: That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance, the City of South Tucson, Arizona hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase, irrespective of the fact that any sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 6: That nothing in this Ordinance shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of actions acquired or existing, under any act or ordinance hereby repealed as cited in this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

Section 7: That the various City Officers and Official(s) and/or any other duly appointed deputy are authorized and directed to perform all acts necessary or desirable to give effect and to carry out all the duties authorized under this Ordinance and the City Code.


Section 8: That where this Ordinance conflicts or overlaps with any other statute, ordinance, code provision or regulation, whichever imposes the more stringent restrictions for the health, safety and welfare of the public shall prevail.

Section 9: The City Clerk is ordered and directed to cause this ordinance to be published.

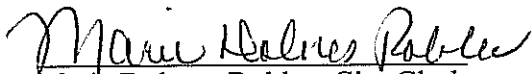
Section 10: The City Clerk shall attest to the adoption of this Ordinance and cause same to be maintained as a public record as required by law. This Ordinance shall become effective thirty (30) days after the Mayor and Council perform three readings, conduct a public hearing, publication as required by law, passage and adoption thereof.

PASSED AND ADOPTED by the Mayor and Council of the City of South Tucson, Arizona, this 8th day of December, 2008.

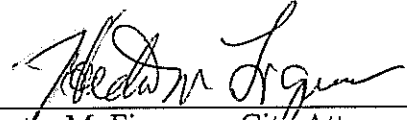
APPROVED/EXECUTED


Jennifer Eckstrom, Mayor

ATTEST:


Marie Dolores Robles, City Clerk

APPROVED AS TO FORM:


Hector M. Figueroa, City Attorney