

ORDINANCE NO. 2007-05



AN ORDINANCE REPEALING SANTA CRUZ COUNTY ORDINANCE NO. 2004-04, KNOWN AS THE SANTA CRUZ COUNTY BUILDING SAFETY CODE AND ALL AMENDMENTS THERETO; AND REPLACING SUCH ORDINANCE WITH THE INSTANT ORDINANCE.

WHEREAS, Santa Cruz County Ordinance No. 2004-04 provided for the adoption of the Santa Cruz County Building Safety Code, which consisted of the adoption of the International Building Codes published by the International Code Council (ICC), Inc. and the adoption of the National Electrical Code (NEC), published by the National Fire Protection Association (NFPA), and

WHEREAS, the Board of Supervisors of Santa Cruz County recognizes the need to update the above ordinances by adopting recently-enacted codes to provide for additional safety in construction occurring in Santa Cruz County, and the need for energy conservation and the protection of the environment, as well as the benefits to be derived from combining the above ordinances in a single ordinance for ease of administration.

NOW, THEREFORE, be it ordained by the Board of Supervisors of Santa Cruz County that Santa Cruz County Ordinance No. 2004-04 is hereby repealed, such repeal to be effective as of the effective date of this Ordinance; and Ordinance No. 2007-05 is hereby adopted, which reads as follows:

SECTION 1: Title

This ordinance shall be known as the Santa Cruz County Building Safety Code.

SECTION 2: Area of Jurisdiction of Building Safety Code

All of the codes adopted herein by reference, as modified herein, shall apply to the unincorporated area of Santa Cruz County, with the exception of the International Fire Code, which shall apply only to the unincorporated area of Santa Cruz County that is not within the boundaries of a fire district that has adopted a fire code pursuant to Arizona Revised Statutes (A.R.S.) § 48-805.

SECTION 3: Definitions

- A. The Santa Cruz County Building Department, a Division of Community Development, shall administer this Ordinance through the Building Official.

Whenever the term "Administrative Authority", "Building Official", "Chief", or "Administrator", are used in the codes adopted herein by reference, they shall mean the "Building Official" or his duly appointed representative.

- B. Whenever the term "other codes" or "other code" is used in the codes adopted herein by reference, they shall mean other codes or regulations adopted by Santa Cruz County or the State of Arizona. If there is a conflict between such other code or codes and this Ordinance, the more restrictive shall prevail.

SECTION 4: Adoption by Reference

The following codes and appendices, enacted and published by the International Conference of Building Officials (ICBO), the National Fire Protection Association (NFPA), or the International Code Council®, (ICC), three copies of each now on file with the Santa Cruz County Board of Supervisors, are hereby adopted as the Santa Cruz County Building Safety Code:

- International Building Code 2006 Edition
- International Building Code Standards 2006 Edition
- International Residential Code 2006 Edition
- International Mechanical Code 2006 Edition
- International Plumbing Code 2006 Edition
- International Fire Code 2006 Edition
- International Fuel and Gas Code 2006 Edition
- National Electric Code 2005 Edition
- Uniform Building Code 1997 Edition Appendix Chapter 33
- Uniform Code for the Abatement of Dangerous Buildings 1997 Edition
- International Code Council Electrical Code 2006 Administrative Provisions

SECTION 5: Deletions and Additions to Referenced Codes

The above codes and appendices are amended as follows:

5.1 International Residential Code 2006 Edition

5.1.1 Chapter 11: deleted; replaced by:

All habitable buildings constructed in Santa Cruz County shall have a minimum insulation value of R-30 in the ceilings or roofs, R-13 in the exterior walls and all glazing shall have a U-factor of 0.65 maximum and a solar heat gain coefficient of .40 maximum. Supply and return ducts shall be insulated to a minimum of R-6. Hot water lines outside of the building thermal envelope shall be insulated or

underground, including those in unconditioned garages and attics. Other options deemed equivalent by Building Official may be approved. Any references in the adopted codes referring to the International Energy Conservation Code shall now be deemed to refer to this subsection.

5.1.2 Section R317.3: deleted; replaced by:

Penetrations of wall or floor/ceiling assemblies required to be fire-resistance rated are not allowed unless the required fire resistance of the assembly is not lessened by the penetration as judged by the Building Official.

5.1.3 Section M1305.1.3 and M1305.1.4 and G2437: deleted; replaced by:

Appliances shall not be installed in the attic space or under floor unless the service access and the safety of the installation are approved by the Building Official.

5.1.4 Section G2415.6: deleted; replaced by:

Gas piping underground beneath or in building slabs is prohibited.

5.1.5 Section R907: deleted.

5.1.6 Section R105.5: Supplemented by:

Every permit shall become invalid unless a final inspection is requested and passed and a Certificate of Occupancy is issued, if applicable, within two years of the date of issuance. Extensions of six months may be granted by the Building Official for a fee equal to one-half of the current building permit fee, provided that the extension is applied for and paid before the two year period expires.

Each extension must be applied for and the fee paid prior to the expiration of the permit, until the project receives a passing final inspection and a Certificate of Occupancy, if applicable. If the applicant fails to extend the permit before the expiration date, the Building Official may assess a full current permit fee. Applications for which no permit is issued within six months following the date of application shall expire by limitation, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the Building Official.

5.2 International Building Code 2006 Edition

5.2.1 Chapter 13: deleted; replaced by:

All habitable buildings constructed in Santa Cruz County shall have a minimum insulation value of R-30 in the ceilings or roofs, R-13 in the exterior walls and all

glazing shall have a U-factor of 0.65 maximum and a solar heat gain coefficient of .40 maximum. Other options deemed equivalent by Building Official may be approved. Any references in the adopted codes referring to the International Energy Conservation Code shall be deemed to refer to this subsection.

5.2.2 Section 712, PENETRATIONS, replaced in its entirety with:
Penetrations of wall or floor/ceiling assemblies required to be fire-resistance rated are not allowed unless the required fire resistance of the assembly is not lessened by the penetration as judged by the Building Official.

5.2.3 Section 1510: deleted.

5.2.4 Section 105.5: Supplemented by:

Every permit shall become invalid unless a final inspection is requested and passed and a Certificate of Occupancy is issued, if applicable, within two years of the date of issuance. Extensions of six months may be granted by the Building Official for a fee equal to one-half of the current building permit fee, provided that the extension is applied for and paid before the two year period expires.

Each extension must be applied for and the fee paid prior to the expiration of the permit, until the project receives a passing final inspection and a Certificate of Occupancy, if applicable. If the applicant fails to extend the permit before the expiration date, the Building Official may assess a full current permit fee. Applications for which no permit is issued within six months following the date of application shall expire by limitation, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the Building Official.

5.3 Uniform Building Code 1997 Edition, Appendix Chapter 33

5.3.1 Add new Section 3306.1.1, to read as follows:

Grading permits shall only be issued in conjunction with building permits.

Exceptions:

1. Grading permits under the jurisdiction of the Santa Cruz County Department of Planning and Zoning.
2. Special cases as approved by the Building Official

5.3.2 Add new Section 3316.3, to read as follows:

Dust and erosion control shall be required for all areas disturbed during grading, clearing, or brushing of land whether it requires a grading permit or not. Only areas that will later be resurfaced, hydroseeded, landscaped, or built on may be disturbed.

All disturbed areas that are not resurfaced, landscaped, or built on shall have approved dust and erosion control or be hydroseeded with plant species appropriate to the site and its surrounding native habitat. When building permits are obtained, graded, or brushed house pads, of less than 5,000 square feet, may not be required to be hydroseeded. The Building Official may make site inspections to determine the adequacy of dust and erosion control methods and may require modified mitigation measures, such as, but not limited to, paving, riprap, and / or erosion control blankets. Dust and erosion control methods shall be completed within thirty days of clearing, unless waived by the Building Official for good cause. During the effective period of the grading permit, graded areas that become overgrown with weedy species (e.g. Russian thistle, telegraph plant, desert broom, ragweed, pigweed, or burro brush) shall be controlled to prevent the spread of such species onto adjacent properties. The Building Official may require these overgrown areas to be cleared before hydroseeding or other dust and erosion control measures are undertaken.

5.4 International Residential Code 2006 edition

5.4.1 Chapter 30: add new paragraph:

P3001.4 Septic percolation test holes. All septic percolation test holes, borings, or other septic analysis-related holes shall be backfilled, wheel-rolled, and smoothed to match the existing terrain within ten calendar days of digging or the contract or owner shall be subject to a \$500.00 (five hundred dollar) fine. This section shall be enforced by the Building and Health Departments.

SECTION 6: Appeals

- A. Whenever the terms "Board of Appeals", "Adjustment Board", or "Board" are used in the adopted codes of the Building Safety Code, they shall mean the Santa Cruz County Board of Supervisors.
- B. Appeals of decisions or determinations made by the Building Official relative to the application and interpretation of this Ordinance will be sent to the Board of Supervisors
- C. The Board of Supervisors shall not be empowered to waive the requirements of this Ordinance.
- D. An appeal from any decision of the Building Official may be taken to the Board of Supervisors by any person aggrieved.
- E. An appeal is taken by filing with the Clerk of the Board of Supervisors a written notice of appeal specifying the grounds therefore. A notice of appeal shall be considered filed with the Board of Supervisors when delivered to the Clerk of the

Board of Supervisors, and the date and time of filing shall be entered on the notice of appeal.

- F. An appeal must be filed within ten (10) days after the date of the decision appealed from and the appeal will be set for public hearing no later than twenty-one days thereafter.
- G. Whenever an appeal is filed, the Building Official shall forthwith transmit to the Board of Supervisors all papers constituting the record relating to the action appealed from.
- H. An appeal stays all actions by the Building Official seeking enforcement of or compliance with the decision appealed from, unless the Building Official certifies to the Board of Supervisors a stay would, in his opinion, cause imminent peril to life and/or property.
- I. The Board of Supervisors may reverse or affirm (wholly or partly) or may modify the decision or determination appealed from.

SECTION 7: Advisory Board

- A. An Advisory Board, in accordance with A.R.S. §11-862, may be appointed in order to evaluate the suitability of alternative materials and construction, and to provide advice to be used in interpreting the provisions of this Ordinance and any building safety codes adopted hereunder. The Advisory Board shall consist of at least five (5) persons, as follows, but not more than seven (7) members and shall include at least members from the following categories:
 - 1. The County Official charged with the enforcement of the code, who shall serve ex-officio, without vote, as a member of the Board and shall act as Secretary.
 - 2. An architect duly licensed in the State of Arizona.
 - 3. A professional engineer duly licensed in the State of Arizona.
 - 4. A general contractor duly licensed in the State of Arizona.
 - 5. A person representing the public and a resident of the County.
 - 6. A person engaged in the electrical, mechanical or plumbing trade.
- B. If the Advisory Board consists of more than five (5) members, the additional members may be engaged in the construction and design industry.
- C. Members of the Advisory Board shall be appointed by the Board of Supervisors. One member shall be appointed for an initial term of one (1) year, one member for an initial term of two (2) years, one member for three (3) years, and two members for four (4) years. Upon expiration of the initial term of office of a member of the Advisory Board, all terms shall thereafter be for terms of four (4)

years. Vacancies shall be filled for an unexpired term in the manner in which original appointments are required to be made.

SECTION 8: Rules and Regulations

The Building Official may adopt rules and regulations, subject to approval by the Board of Supervisors, in the interest of public safety, health and general welfare, to implement the provisions of this Ordinance and to secure the intent thereof, but no such rules shall have the effect of waiving such technical provisions specifically provided in this Ordinance or of violating accepted engineering practice involving public safety.

SECTION 9: Permit Requirements For Existing Buildings or Structures

Buildings or structures in existence prior to the effective date of this Ordinance may have their existing use or occupancy continued, if such use or occupancy was legal at the time of the adoption of this Ordinance, provided such continued use is not dangerous to life. Buildings and structures for which building permits have been issued prior to the effective date of this Ordinance shall be subject to inspections for reasonable compliance with this Ordinance; however, no additional fees, which would otherwise be applicable under this Ordinance, shall be assessed.

SECTION 10: Fees

Table 1-A hereto attached as Exhibit A and the Building Valuation Data Table published online by the International Code Council®, at

www.iccsafe.org/cs/techservices/

with the addition of a square foot construction cost of \$14 for carports and porches to the Building Valuation Data Table are hereby adopted as the Santa Cruz County Building Department fee schedule.

In addition to the above fees, when submittal documents are required by Section R106.1 of the International Residential Code or Section 106.1 of the International Building Code, a plan review fee shall be paid at the time of submitting the documents for plan review. Said plan review fee shall be 25 percent of the building permit fee as shown in Table 1-A. Applications for which no permit is issued within 180 days following the date of application shall expire by limitation, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the Building Official. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee.

Fees for grading permits shall be two times the amount calculated from Table A-33B as adopted from the Uniform Building Code 1997 Edition Appendix Chapter 33.

In addition to the above fees, when any work requiring a permit commences before a permit has been obtained a double permit fee will be due and in the case of grading without a permit five hundred dollars will be the minimum fee charged.

SECTION 11: Exemption from Payment of Fees

Federal and state and local governments, as well as instrumentalities or subdivisions thereof, shall be exempt from payment of fees as otherwise provided for in the administration of this Ordinance.

SECTION 12: Enforcement

It shall be the duty of the Building Official to administer and enforce this Ordinance. All other county law enforcement officials and agencies shall, whenever requested by the Building Official, participate in and assist the Building Official in the enforcement of this Ordinance to the extent that they are lawfully authorized to do so.

SECTION 13: Violations and Penalties

Any violation of this Ordinance constitutes a public nuisance. Any person, firm or corporation violating this ordinance or any part thereof, is guilty of a Class 2 misdemeanor. Each day that a violation of any of the provisions of this Ordinance shall continue shall be deemed to constitute a separate offense. The penalty provisions of A.R.S. §11-808 shall apply to this Ordinance.

SECTION 14: Severability

That if any section, subsection, sentence, clause, phrase or portion of this Ordinance or any part of the adopted codes 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.

SECTION 15: Applicability

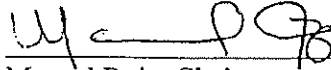
In any case where any other County ordinance or part of any ordinance conflicts with this Ordinance the most restrictive shall prevail.

SECTION 16: Effective Date

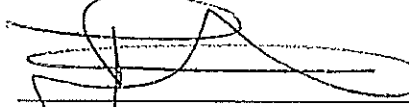
The effective date of this Ordinance shall be August 1, 2007 unless this Ordinance is referred to the public, in which case it shall be effective thirty days after the date of the public election, provided that it is approved by a majority vote therein.

PASSED AND APPROVED by majority vote of the Board of Supervisors at their regular meeting this 27th day of July, 2007.

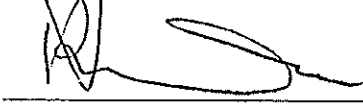
BOARD OF SUPERVISORS:



Manuel Ruiz, Chairman

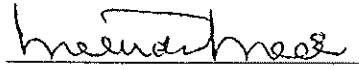


John Maynard, Vice-Chairman



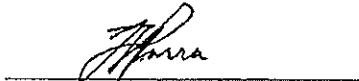
Robert Damon, Member

ATTEST:



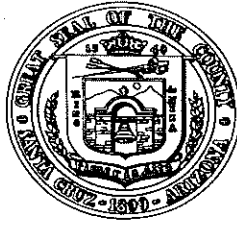
Melinda Meek, Clerk of the Board

APPROVED AS TO FORM:



Luis F. Parra, Deputy County Attorney

SANTA CRUZ COUNTY BUILDING DEPARTMENT



Robert Banzhof
Director

2009 VALUATION DATA TABLE

Square Foot Construction Costs^{a, b, c, d}

Group	(2006 International Building Code)	Type of Construction								
		IA	IB	IIA	IIB	IIIA	IIIB	IV	VA	VB
A-1	Assembly, theaters, with stage	207.99	201.27	196.59	188.35	177.31	172.08	182.33	161.78	155.82
	Assembly, theaters, without stage	188.37	181.65	176.97	168.72	157.73	152.50	162.70	142.19	136.23
A-2	Assembly, nightclubs	160.35	155.84	151.87	146.10	137.40	133.56	140.99	124.59	120.41
A-2	Assembly, restaurants, bars, banquet halls	159.35	154.84	149.87	145.10	135.40	132.56	139.99	122.59	119.41
A-3	Assembly, churches	191.73	185.01	180.33	172.08	161.06	155.82	166.06	145.52	139.56
A-3	Assembly, general, community halls, libraries, museums	162.11	155.39	149.71	142.46	129.82	126.20	136.44	114.89	109.93
A-4	Assembly, arenas	187.37	180.65	174.97	167.72	155.73	151.50	161.70	140.19	135.23
B	Business	161.10	155.30	150.33	143.24	130.34	125.39	137.63	114.22	109.47
E	Educational	176.25	170.31	165.47	158.26	148.32	140.74	153.03	130.54	125.61
F-1	Factory and industrial, moderate hazard	97.68	93.20	87.88	84.96	76.10	72.71	81.54	62.67	59.24
F-2	Factory and industrial, low hazard	96.68	92.20	87.88	83.96	76.10	71.71	80.54	62.67	58.24
H-1	High Hazard, explosives	91.50	87.02	82.70	78.78	71.10	66.71	75.36	57.67	N.P.
H234	High Hazard	91.50	87.02	82.70	78.78	71.10	66.71	75.36	57.67	53.24
H-5	HPM	161.10	155.30	150.33	143.24	130.34	125.39	137.63	114.22	109.47
I-1	Institutional, supervised environment	161.32	155.78	151.61	145.46	135.81	132.09	146.81	122.94	118.11
I-2	Institutional, hospitals	271.13	265.33	260.35	253.27	239.63	N.P.	247.66	223.51	N.P.
I-2	Institutional, nursing homes	189.55	183.75	178.78	171.69	159.17	N.P.	166.08	143.05	N.P.
I-3	Institutional, restrained	185.16	179.37	174.39	167.30	155.66	149.72	161.69	139.55	132.80
I-4	Institutional, day care facilities	161.32	155.78	151.61	145.46	135.81	132.09	146.81	122.94	118.11
M	Mercantile	119.24	114.73	109.76	104.99	95.94	93.10	99.88	83.13	79.95
R-1	Residential, hotels	163.43	157.90	153.72	147.58	137.69	133.97	148.68	124.81	119.99
R-2	Residential, multiple family	136.97	131.44	127.26	121.11	111.35	107.63	122.34	98.47	93.65
R-3	Residential, one- and two-family	129.98	126.37	123.27	120.01	115.61	112.61	118.02	108.33	101.95
R-4	Residential, care/assisted living facilities	161.32	155.78	151.61	145.46	135.81	132.09	146.81	122.94	118.11
S-1	Storage, moderate hazard	90.50	86.02	80.70	77.78	69.10	65.71	74.36	55.67	52.24
S-2	Storage, low hazard	89.50	85.02	80.70	76.78	69.10	64.71	73.36	55.67	51.24
U	Utility, miscellaneous	69.10	65.33	61.44	58.37	52.71	49.14	55.08	41.61	39.61

- a. Private Garages use Utility, miscellaneous
- b. Unfinished basements (all use group) = \$15.00 per sq. ft.
- c. For shell only buildings deduct 20 percent.
- d. N.P. = not permitted

Per Square Foot Construction Costs

Private Residences	\$101.00	Carport & Porches	\$15.00
Garages	\$35.00	Swimming Pools	\$35.00

Effective February 24, 2009