

City of Avondale
Amendments to the
2024 International Codes
&
2023 National Electric Code
December 1, 2025

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Avondale Amendments to the 2024 International Building Code

The 2024 International Building Code Local Amendments are as follows:

101.1 Title. These regulations shall be known as the Building Code of the City of Avondale, hereinafter referred to as “this code.”

[A] 101.2 Scope. (Amended)

The provisions of this code shall apply to the construction, *alteration*, relocation, enlargement, replacement, *repair*, equipment, use and occupancy, location, maintenance, removal and demolition of every *building* or *structure* or any appurtenances connected or attached to such *buildings* or *structures*.

Exception: Detached one- and two-family dwellings and townhouses not more than three stories above grade plane in height with a separate means of egress, and their accessory structures not more than three stories above grade plane in height, shall comply with this code or the International Residential Code. Where preempted by the Arizona Revised Statutes, duplexes, triplexes, and fourplexes shall comply with the International Residential Code.

[A] 101.2.1 Appendices. (Amended)

Provisions in the appendices shall not apply unless specifically adopted. The following appendices of the 2024 International Building Code are hereby adopted in their entirety: Appendix C, H, I, K, and N.

[A] 101.4.3 Plumbing. (Amended)

The provisions of the International Plumbing Code shall apply to the installation, alteration, repair, and replacement of plumbing systems, including equipment, appliances, fixtures, fittings, and appurtenances, and where connected to a water or sewage system and all aspects of a medical gas system. ~~The provisions of the International Private Sewage Disposal Code shall apply to private sewage disposal systems.~~

[A] 103.1: Creation of enforcement agency. (Amended)

The City of Avondale, Development Services Department, Building Division is hereby created and the Official in charge thereof shall be known as the Chief Building Official. The function of the agency shall be the implementation, administration, and enforcement of the provisions of this code.

[A] 104.2.4.1 Flood hazard areas. (Amended)

~~The building official~~ City of Avondale Floodplain Manager shall not grant modifications to any provision required in flood hazard areas as established by Section 1612.3 unless a determination has been made that:

1. A showing of good and sufficient cause that the unique characteristics of the size, configuration or topography of the site render the elevation standards of Section 1612 inappropriate.
2. A determination that failure to grant the variance would result in exceptional hardship by rendering the lot undevelopable.
3. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety or extraordinary public expense; cause fraud on or victimization of the public; or conflict with existing laws or ordinances.
4. A determination that the variance is the minimum necessary to afford relief, considering the *flood* hazard.
5. Submission to the applicant of written notice specifying the difference between the design flood elevation and the elevation to which the building is to be built, stating that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced floor elevation, and stating that construction below the design flood elevation increases risks to life and property.

105.2 Work exempt from a permit. (Amended)

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 the floor area is not greater than 120 square feet (11 m²).
2. Fences, other than swimming pool barriers, not over ~~7 6~~ feet (~~2134 mm~~ 1829 mm) high.
3. Oil derricks.
4. Retaining walls that are not over 4 feet (1,219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II, IIIA liquids. Water tanks supported directly on grade if the capacity is not greater than 5,000 gallons (18,925 L) and the ratio of height to diameter or width is not greater than 2:1.
5. Sidewalks and driveways not more than 30 inches (762 mm) above adjacent grade, and not over any basement or *story* below and are not part of an *accessible route*.
6. Painting, papering, tiling, carpeting, cabinets, counter tops, and similar finish work.
7. Temporary motion picture, television, and theater stage sets and scenery.
8. Prefabricated swimming pools accessory to a Group R-3 occupancy that are less than ~~24 18~~ inches (~~610 mm~~ 457 mm) deep, are not greater than 5,000 gallons (18,925L) and are installed entirely above ground.

9. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.
10. Swings and other playground equipment accessory to detached one- and two-family *dwelling*s.
11. Window awnings in Group R-3 and U occupancies, supported by an exterior wall, that do not project more than 54 inches (1,372 mm) from the exterior wall and do not require additional support.
12. Non-fixed and movable fixtures, cases, racks, counters, and partitions not over 5 feet 9 inches (1,753 mm) in height.

Electrical:

1. Repairs and maintenance: Minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles.
2. Radio and television transmitting stations: The provisions of this code shall not apply to electrical equipment used for radio and television transmissions but do apply to equipment and wiring for a power supply and the installations of towers and antennas.
3. Temporary testing systems: A permit shall not be required for the installation of any temporary system required for the testing or servicing of electrical equipment or apparatus.

Gas:

1. Portable heating appliance.
2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.

Mechanical:

1. Portable heating appliance.
2. Portable ventilation equipment.
3. Portable cooling unit.
4. Steam, hot or chilled water piping within any heating or cooling equipment regulated by this code.
5. Replacement of any part that does not alter its approval or make it unsafe.
6. Portable evaporative cooler.
7. Self-contained refrigeration system containing 10 pounds (4.54 kg) or less of refrigerant and actuated by motors of 1 horsepower (0.75 kW) or less.

Plumbing:

1. The stopping of leaks in drains, water, soil, waste, or vent pipe, provided, however, that if any concealed trap, drain pipe, water, soil, waste, or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work, and a permit shall be obtained, and inspection made as provided in this code.
2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures and the

removal and reinstallation of water closets, provided that such repairs do not involve or require the replacement or rearrangement of valves, pipes, or fixtures.

[A] 109.3 Permit valuations. (Amended)

The applicant for a permit shall submit the estimated valuation of the work for which the permit is requested at the time of application. The valuation shall include the total value of all construction work, including materials and labor, for which the permit is issued, including but not limited to building, electrical, gas, mechanical, plumbing, permanent equipment, and systems.

For the purpose of establishing permit valuations, the City of Avondale hereby adopts and incorporates by reference the most current February-published International Code Council (ICC) Building Valuation Data Tables. These tables shall constitute the City’s standard reference for assessing estimated construction valuation.

Notwithstanding the use of the ICC valuation tables, the ultimate authority to determine, establish, and adjust construction valuation shall rest exclusively with the Chief Building Official. If, in the judgment of the Chief Building Official, the valuation provided by the applicant is inaccurate, understated, or otherwise inconsistent with the scope or character of the work, the Chief Building Official is authorized to establish and impose a corrected valuation in such amount as is determined appropriate for purposes of permit issuance, permit fee assessment, and enforcement of this code. The determination of valuation by the Chief Building Official shall be final, binding, and conclusive, and shall not be subject to further administrative review.

[A] 109.3.1 Permit Valuations for Alterations, Modifications, and Remodels (AMR) (Added)

For projects which are alterations, modifications, remodels, and “no-work” Certificate of Occupancy requests (not new construction or additions), permit valuations shall be determined using the most recent February-published ICC Building Valuation Data (BVD) Table for the project’s occupancy group, multiplied by an Alteration Multiplier based on the scope of work OR the actual value of the construction work, whichever is higher.

The ICC BVD table Occupancy Group “R-3, Residential, one- and two-family” shall include IRC-constructed dwellings.

Valuation Formula

Project Square Footage (SF) × BVD Base Rate × Alteration Multiplier = AMR Permit Valuation

- Project SF: Floor area of the entire room affected by the AMR work.
- BVD Base Rate: From the latest February ICC BVD publication for the occupancy group.
- Alteration Multiplier: Based on the extent of alteration as described below.

Alteration Multipliers

<u>Extent of Alteration</u>	<u>Description</u>	<u>Multiplier</u>
<u>Minor</u>	<u>Minor alteration includes the removal, replacement and/or the covering of existing materials, elements, equipment, or fixtures using new materials, elements, equipment, or fixtures that serve the same purpose and “no-work”</u>	<u>0.20</u>

<u>Extent of Alteration</u>	<u>Description</u>	<u>Multiplier</u>
	<u>Certificate of Occupancy requests.</u>	
<u>Moderate</u>	<u>Moderate alteration includes the reconfiguration of space, the addition or elimination of any door or window, the reconfiguration or extension of any system, or the installation of any additional equipment, generally less than 50% of the total building floor area.</u>	<u>0.50</u>
<u>Major</u>	<u>Major alteration applies where major work is being done or the moderate work area exceeds 50% of the total building area.</u>	<u>0.70</u>

Administrative Notes

1. CBO Authority: The Chief Building Official may establish supplemental rates or intermediate multipliers for specialty construction or partial AMR projects.
2. Annual Updates: Permit valuations will automatically reflect the ICC BVD February update.
3. Documentation: All adjustments shall be documented as part of the permit record.

Section 109.6 – Refunds. (Amended)

The Chief Building Official shall have the sole and exclusive authority, but shall not be obligated, to authorize the refund of fees paid pursuant to this code, and any such refund shall be strictly limited to the conditions expressly set forth herein. A full refund may be authorized where it is determined that a fee was erroneously paid or collected. Where a permit has been duly issued in accordance with this code and no work has been performed thereunder, the Chief Building Official may authorize the refund of not more than eighty (80) percent of the permit fee paid; provided, however, that no refund shall be authorized after the performance of any field inspection conducted in connection with such permit. Where an application for a permit has been withdrawn or canceled prior to the commencement of any plan review activity, the Chief Building Official may authorize the refund of not more than eighty (80) percent of the plan review fee paid. In all cases, a refund shall not be considered or authorized unless a written application is submitted by the original permittee no later than one hundred eighty (180) calendar days from the date of permit issuance. Notwithstanding any other provision of this code, no person shall be entitled to, and the Chief Building Official shall not be obligated to grant, any refund of fees paid except as expressly authorized by this section, and no implied right to refund shall be deemed to exist.

110.3.2.1 Setback certification (Added).

Where a building footprint is new or altered, the owner or owner’s authorized agent shall, upon establishment or placement of the lowest floor perimeter and prior to vertical construction, submit a setback certification prepared, signed, and sealed by an Arizona registrant licensed in the appropriate discipline, verifying conformance with the approved plan set. As a condition of permit issuance, the owner or owner’s authorized agent shall be deemed to have agreed to indemnify, defend, and hold harmless the City of Avondale and its officers, employees, and agents from any and all claims, liabilities, damages, or expenses, including attorney’s fees, arising out of, or related to errors, omissions, or inaccuracies in the submitted certification.

111.2.1 Certificate of completion. (Added)

The Chief Building Official is authorized to issue a Certificate of Completion upon determination that permitted work for a building, structure, or site has been completed in accordance with the approved construction documents, applicable codes, and all conditions of approval.

A Certificate of Completion shall serve as written verification that the work covered by the permit has been inspected and found to comply with this code, but it shall not grant authority to occupy any building or structure, nor shall it substitute for a Certificate of Occupancy where such certificate is required by this code.

The issuance of a Certificate of Completion shall be at the sole discretion of the Chief Building Official and may be conditioned upon the correction of any outstanding items not directly affecting life safety or occupancy.

Section 113 – MEAN OF APPEALS (Amended)

[A] 113.1 General.

The Chief Building Official is the jurisdiction's designated authority responsible for the administration, interpretation, and enforcement of this code. All interpretations and determinations of the Chief Building Official shall be presumed correct and shall not be overturned except upon a clear and convincing showing that such decision is contrary to the express language of this code or its legally adopted rules.

In order to hear and decide appeals of orders, decisions, or determinations made by the Chief Building Official relative to the application and interpretation of this code, there is hereby created a process of administrative appeal. The City Manager shall appoint a Hearing Officer to serve in this capacity.

An application for appeal shall be filed in writing and delivered to the Chief Building Official within thirty (30) calendar days of the date of the order, decision, or interpretation. The application shall:

1. Identify with specificity the decision being appealed, including the date and written record of the decision; and
2. Cite the exact section(s) of this code alleged to have been incorrectly interpreted or applied; and
3. Provide a detailed written explanation of the grounds for appeal, including any proposed alternative.

Appeals lacking sufficient information may be deemed incomplete by the Chief Building Official and rejected without further review.

The decision of the Chief Building Official shall be upheld unless the Hearing Officer finds, based on clear and convincing evidence, that:

- a. The decision of the Chief Building Official is directly contrary to the plain and unambiguous provisions of this code; and
- b. The appellant's proposed interpretation or method provides an equivalent or greater degree of health, safety, and welfare protection than that determined by the Chief Building Official; and
- c. The reversal or modification will not be detrimental to the public interest, nor inconsistent with the purpose and intent of this code.

All decisions of the Hearing Officer shall be in writing, shall include specific findings of fact and conclusions of law, and shall be provided to both the appellant and the Chief Building Official.

[A] 113.2 Limitations on authority. (Amended)

An application for appeal shall be based only on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equivalent or better form of construction is proposed. The ~~board~~ hearing officer shall have not have authority to waive requirements of this code.

The Hearing Officer shall have no authority to:

1. Waive, reduce, or weaken any requirement of this code; or
2. Consider issues not specifically identified in the notice of appeal; or
3. Substitute personal preference or professional opinion for the technical determination of the Chief Building Official where a reasonable interpretation has been made.

[A] 113.3 Qualifications. (Amended)

~~The board of appeals shall consist of member who are qualified by experience and training on matters pertaining to the provisions of this code~~ Hearing Officer shall be an individual who is qualified by experience to evaluate matters pertaining to the provisions of this code. and who are not employees of the jurisdiction.

[A] 113.4 Administration. (Amended)

The Chief Building Official shall take action ~~without delay~~ in accordance with the decision of the ~~board~~ Hearing Officer.

[A] 113.5 Fees. (Added)

The City Council may establish by resolution an administrative fee for filing an appeal under this section. Such fee shall be refundable only if the appellant substantially prevails.

406.2.4 Floor surfaces. (Amended)

Floor surfaces shall be of concrete or similar approved noncombustible and nonabsorbent materials. The area of floor used for the parking of automobiles or other vehicles shall be sloped to facilitate the movement of liquids to a drain or toward the main vehicle entry doorway. The surface of vehicle fueling pads in motor fuel-dispensing facilities shall be in accordance

with [Section 406.7.1](#).

Exceptions:

1. Asphalt parking surfaces shall be permitted at ground level for public parking garages and private carports.
2. Slip-resistant, nonabsorbent, interior floor finishes having a critical radiant flux not more than 0.45 W/cm², as determined by [ASTM E648](#) or [NFPA 253](#), shall be permitted in repair garages.
3. Commercial repair garage floor surfaces shall be sloped to direct liquids to a floor drain or trench drain.

CHAPTER 9: Fire Protection and Life Safety Systems. (Amended)

Section 901: General

901.1: Scope. The provisions of this chapter shall specify where fire protection and life safety system are required and shall apply to the design, installation and operation of *fire protection and life safety systems*.

Code sections preceded by [F] shall be maintained and administered under the International Fire Code as adopted by the City of Avondale. Where there is a conflict regarding fire suppression system requirements and/or fire alarm system requirements between this code and the Fire Code, the Fire Code shall prevail.

SECTION 1203 - TEMPERATURE CONTROL (Amended)

1203.1 Equipment and systems.

Interior spaces intended for human occupancy shall be provided with active or passive space heating and space cooling systems capable of maintaining a minimum indoor temperature of 68°F (20°C) and a maximum indoor temperature no greater than 82 degrees F (28 C) if provided by air conditioning or 88 degrees F (32 C) if provided by evaporative cooler, at a point 3 feet (914 mm) above the floor.

Exception: Space heating and cooling systems are not required for:

1. Interior spaces where the primary purpose of the space is not associated with human comfort.
2. Group F, H, S, or U occupancies.

1612.3 Establishment of Flood Hazard Areas. (Amended)

To establish flood hazard areas, the applicable governing authority shall adopt a flood hazard map and supporting data. The flood hazard map shall include, at a minimum, areas of special flood hazard as identified by the Federal Emergency Management Agency in an engineering report entitled The Flood Insurance study for Maricopa County, Arizona and Incorporated Areas dated July 18, 2001, as amended, or revised with the accompanying Flood Insurance Rate Map (FIRM) and Flood Boundary and Floodway Map (FBFM) and related supporting data along with any revisions thereto. The adopted flood hazard map and supporting data are hereby adopted by reference and declared to be part of this section.

1704.1 General. (Amended)

Special inspections and tests, statements of special inspections, responsibilities of contractors, submittals to the building official and structural observations shall meet the applicable requirements of this section. The Chief Building Official may also require other special inspections not prescribed in this section as needed.

2902.6 Small occupancies. (Amended)

Drinking fountains shall not be required for an occupant load of ~~45~~ 30 or fewer.

Avondale Amendments to the 2024 International Residential Code

The 2024 International Residential Code Local Amendments are as follows:

101.1 Title.

These provisions shall be known as the Residential Code for One and Two-Family Dwellings of as amended by the City of Avondale and shall be cited as such and will be referred to herein as “this code.”

R101.2 Scope. (Amended)

The provisions of this code shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, removal, and demolition of detached one- and two-family dwellings and townhouses not more than three stories above grade plane in height with a separate means of egress and their accessory structures not more than three stories above grade plane in height. Where preempted by the Arizona Revised Statutes, triplexes and fourplexes shall comply with the provisions of this code.

R101.2.1 Appendices. (Amended)

Provisions of the appendices shall not apply unless the appendix is adopted. The following Appendices of the 2024 International Residential Code are hereby adopted: BA, BB, BC, BF, BH, BI, BJ, BK, BL, BM, BN, CA, CB, CD, CE, CF, CG, NE, and NF.

R105.2 Work exempt from permit. (Amended)

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. Other than storm shelters, one-story detached *accessory structures*, provided that the floor area does not exceed 200 square feet (18.58 m²).
2. Fences not over ~~7 6~~ feet (~~2134 mm~~ 1829 mm) high.
3. Retaining walls that are not over 4 feet (1219 mm) 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 (18,927 L) 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. Prefabricated swimming pools that are less than ~~24~~ 18 inches (~~610~~ 457

mm) deep.

7. Swings and other playground equipment.
8. Window awnings supported by an exterior wall that do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support.
9. Decks not exceeding 200 square feet (18.58 m²) in area, that are not more than 30 inches (762 mm) above *grade* at any point, are not attached to a *dwelling or townhouse* and do not serve the exit door required by Section R318.4.

Electrical:

1. Listed cord-and-plug connected temporary decorative lighting.
2. Reinstallation of attachment plug receptacles but not the outlets therefor.
3. Replacement of branch circuit overcurrent devices of the required capacity in the same location.
4. Electrical wiring, devices, appliances, apparatus, or equipment operating at less than 25 volts and not capable of supplying more than 50 watts of energy.
5. Minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles.

Gas:

1. Portable heating, cooking or clothes drying appliances.
2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.
3. Portable-fuel-cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.

Mechanical:

1. Portable heating appliances.
2. Portable ventilation appliances.
3. Portable cooling units.
4. Steam, hot- or chilled-water piping within any heating or cooling equipment regulated by this code.
5. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.
6. Portable evaporative coolers.
7. Self-contained refrigeration systems containing 10 pounds (4.54 kg) or less of refrigerant or that are actuated by motors of 1 horsepower (746 W) or less.
8. Portable-fuel-cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.

Plumbing:

1. The stopping of leaks in drains, water, soil, waste, or vent pipe; provided, however, that if any concealed trap, drainpipe, water, soil, waste, or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall

be considered as new work, and a permit shall be obtained, and inspection made as provided in this code.

2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures, and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes, or fixtures.

R108.3 Building permit valuations (Amended).

Building permit valuation shall include the total value of all work for which a permit is being issued, including, but not limited to, electrical, gas, mechanical, plumbing, equipment, and other permanent systems, incorporating all materials and labor.

The Chief Building Official shall have the sole and absolute authority to determine the valuation of any permitted work. The Chief Building Official may require detailed cost breakdowns or estimates from the applicant to verify the accuracy of the declared valuation.

Where the Chief Building Official determines, in their sole discretion, that the valuation submitted is understated, incomplete, or otherwise inaccurate, the Chief Building Official may adjust the valuation, deny issuance of the permit, or require additional documentation or justification from the applicant. The Chief Building Official's determination of valuation shall be final, binding, and conclusive, and shall not be subject to appeal or review.

Section R108.5 – Refunds (Amended).

The Chief Building Official shall have the sole and exclusive authority, but shall not be obligated, to authorize the refund of fees paid pursuant to this code, and any such refund shall be strictly limited to the conditions expressly set forth herein. A full refund may be authorized where it is determined that a fee was erroneously paid or collected. Where a permit has been duly issued in accordance with this code and no work has been performed thereunder, the Chief Building Official may authorize the refund of not more than eighty (80) percent of the permit fee paid; provided, however, that no refund shall be authorized after the performance of any field inspection conducted in connection with such permit. Where an application for a permit has been withdrawn or canceled prior to the commencement of any plan review activity, the Chief Building Official may authorize the refund of not more than eighty (80) percent of the plan review fee paid. In all cases, a refund shall not be considered or authorized unless a written application is submitted by the original permittee no later than one hundred eighty (180) calendar days from the date of permit issuance. Notwithstanding any other provision of this code, no person shall be entitled to, and the Chief Building Official shall not be obligated to grant, any refund of fees paid except as expressly authorized by this section, and no implied right to refund shall be deemed to exist.

R110.5 Certificate of Completion (Added).

The Building Official is authorized to issue a Certificate of Completion upon determination that permitted work has been completed in compliance with approved construction documents, this code, and applicable conditions of approval.
A Certificate of Completion shall confirm code compliance of the completed work but shall not

authorize occupancy of a dwelling, building, or structure. Where a Certificate of Occupancy is required, it must be obtained separately in accordance with Section R110.

SECTION R112 MEANS OF APPEALS (AMENDED)

R112.1 General.

The Chief Building Official is the jurisdiction's designated authority responsible for the administration, interpretation, and enforcement of this code. All interpretations and determinations of the Chief Building Official shall be presumed correct and shall not be overturned except upon a clear and convincing showing that such decision is contrary to the express language of this code or its legally adopted rules.

In order to hear and decide appeals of orders, decisions, or determinations made by the Chief Building Official relative to the application and interpretation of this code, there is hereby created a process of administrative appeal. The City Manager shall appoint a Hearing Officer to serve in this capacity.

An application for appeal shall be filed in writing and delivered to the Chief Building Official within thirty (30) calendar days of the date of the order, decision, or interpretation. The application shall:

1. Identify with specificity the decision being appealed, including the date and written record of the decision; and
2. Cite the exact section(s) of this code alleged to have been incorrectly interpreted or applied; and
3. Provide a detailed written explanation of the grounds for appeal, including any proposed alternative.

Appeals lacking sufficient information may be deemed incomplete by the Chief Building Official and rejected without further review.

The decision of the Chief Building Official shall be upheld unless the Hearing Officer finds, based on clear and convincing evidence, that:

- a. The decision of the Chief Building Official is directly contrary to the plain and unambiguous provisions of this code; and
- b. The appellant's proposed interpretation or method provides an equivalent or greater degree of health, safety, and welfare protection than that determined by the Chief Building Official; and
- c. The reversal or modification will not be detrimental to the public interest, nor inconsistent with the purpose and intent of this code.

All decisions of the Hearing Officer shall be in writing, shall include specific findings of fact and conclusions of law, and shall be provided to both the appellant and the Chief Building Official.

R112.2 Limitations on authority. (Amended)

An application for appeal shall be based only on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equivalent or better form of construction is proposed. ~~The board~~ hearing officer shall ~~not have~~ authority to waive requirements of this code.

The Hearing Officer shall have no authority to:

1. Waive, reduce, or weaken any requirement of this code; or
2. Consider issues not specifically identified in the notice of appeal; or
3. Substitute personal preference or professional opinion for the technical determination of the Chief Building Official where a reasonable interpretation has been made.

R112.3 Qualifications.

~~The board of appeals shall consist of member who are qualified by experience and training on matters pertaining to the provisions of this code~~ Hearing Officer shall be an individual who is qualified by experience to evaluate matters pertaining to the provisions of this code. and who are not employees of the jurisdiction.

R112.4 Administration.

The Chief Building Official shall take action ~~without delay~~ in accordance with the decision of the ~~board~~ Hearing Officer.

R112.5 Fees.

The City Council may establish by resolution an administrative fee for filing an appeal under this section. Such fee shall be refundable only if the appellant substantially prevails.

SECTION R202 DEFINITIONS

[RB] FIRE SEPARATION DISTANCE. The distance measured from the building face of the wall framing to one of the following:

1. To the closest interior *lot line*.
2. To the centerline of a street, an alley, or a public way.
3. To an imaginary line between two *buildings* or townhouse units on the *lot*.

The distance shall be measured at a right angle from the face of the wall framing.

Table R301.2

Ground snow load: 0
Wind speed (mph): 105 Exposure B (unless otherwise designated)
Topographic Effects: None
Special Wind Region: No

Windborne Debris Zone: No
 Seismic design category: B
 Weathering: Negligible
 Frost line depth: 0"
 Termite: Moderate to heavy
 Ice Barrier Underlayment Required: No
 Flood hazards: October 1, 1979, MCFCD requirements

MANUAL J DESIGN CRITERIA

Elevation: 1 1 0 1
 Latitude: 34
 Altitude correction factor: 0.97
 Daily Range: 28
 Coincident Wet Bulb: 71
 Summer Design Grains: -1
 Indoor Winter Design Relative Humidity: 45%
 Indoor Summer Design Relative Humidity: 45%
 Indoor winter design dry-bulb temperature: 70
 Indoor summer design dry-bulb temperature: 75
 Outdoor winter design dry-bulb temperature: 33
 Outdoor summer design dry-bulb temperature: 108
 Heating Temperature Difference: 37
 Cooling Temperature Difference: 33

R302.3 Two-family dwellings. (Amended)

Where preempted by the Arizona Revised Statutes, triplexes and fourplexes shall comply with the provision of this section. Dwelling units in two-family dwellings shall be separated from each other in accordance with Sections 302.3.1 through 302.3.5, regardless of whether a lot line exists between the two dwelling units.

TABLE R302.3.6 – DWELLING-SHARED ACCESSORY ROOM SEPARATION	
SEPARATION	MATERIAL
From the dwelling units and attics	Not less than 4/2 <u>5/8</u> -inch Type X gypsum board or equivalent applied to the accessory room side wall
From habitable rooms above or below the shared accessory room	Not less than 5/8-inch Type X gypsum board or equivalent
Structures supporting floor/ceiling assemblies used for separation required by this section	Not less than 1/2-inch gypsum board or equivalent
<u>For SI: 1 inch + 25.4mm</u>	

R302.6 Dwelling unit garage fire separation. (Amended)

The garage shall be separated as required by Table R302.6. Openings in garage walls shall comply with Section R302.5. Attachment of *gypsum board* shall comply with Table R702.3.5. The wall separation provisions of Table R302.6 shall not apply to garage walls that are perpendicular to the adjacent *dwelling unit* wall.

**Table R302.6
DWELLING/GARAGE SEPARATION**

SEPARATION	MATERIAL
From the dwelling unit and attics	Not less than 1/2" gypsum board- applied to the garage side <u>Minimum 5/8" Type X gypsum board</u> applied to the garage side

(No other changes to Table)

SECTION R309 AUTOMATIC SPRINKLER SYSTEMS (Existing amendment to remain)

R309.1 Townhouse automatic sprinkler systems.

An automatic sprinkler system shall may be installed in townhouses.

~~**Exception:** An automatic sprinkler system shall not be required where additions or alterations are made to existing townhouses that do not have an automatic sprinkler system installed.~~

R309.2 One- and two-family dwellings automatic sprinkler systems.

An automatic sprinkler system may be installed in one- and two-family dwellings.

~~**Exception:** An automatic sprinkler system shall not be required for additions or alterations to existing buildings that are not already provided with a sprinkler system.~~

R319.1 Emergency escape and rescue opening required (Amended).

Basements, habitable attics, the room to which a sleeping loft is open, and every sleeping room shall have not less than one operable *emergency escape and rescue opening*. Where *basements* contain one or more sleeping rooms, an *emergency escape and rescue opening* shall be required in each sleeping room. *Emergency escape and rescue openings* shall open directly into a *public way*, or to a *yard* or *court* that opens to a *public way*.

Exceptions:

1. Basements used only to house mechanical equipment not exceeding a total floor area of 200 square feet (18.58 m2).

2. *Storm shelters* constructed in accordance with ICC 500.
3. Where the *dwelling unit* or *townhouse unit* is equipped with an automatic sprinkler system installed in accordance with Section P2904, sleeping rooms in *basements* shall not be required to have *emergency escape and rescue openings* provided that the *basement* has one of the following:
 - 3.1 One means of egress complying with Section R318 and one emergency escape and rescue opening.
 - 3.2 Two means of egress complying with Section R318.
4. A yard shall not be required to open directly into a public way where the yard opens to an unobstructed path from the yard to the public way. Such path shall have a width of not less than ~~36~~ 20 inches (914 mm).

R325.8 Required heating and cooling. (Amended)

When the winter and summer design temperature in Table R301.2 is below 60°F (16°C) or above 90°F (50°C). Every *dwelling unit* shall be provided with heating and cooling facilities capable of maintaining a minimum room temperature between 68°F(20°C) and maximum 82 degrees F (28°C) if provided by air conditioning or 88 degrees F (32°C) if provided by evaporative cooler, at a point 3 feet (914 mm) above the floor and 2 feet (610 mm) from exterior walls in habitable rooms at the design temperature. The installation of one or more portable space heaters or portable space coolers shall not be used to achieve compliance with this section.

N1101.4.1 RESNET Testing & Inspection Protocol. (Added)

The Residential Energy Services Network (RESNET) Mortgage Industry National Home Energy Rating System Standards (MINHERS) for third party testing and inspections shall be deemed to meet the requirements of sections N1102.5.1, N1102.5.1.2 and N1103.3.7 and shall meet the following conditions:

1. Third Party Testing & Inspections shall be completed by RESNET certified Raters or Rating Field Inspectors and shall be subject to RESNET Quality Assurance Field Review Procedures.
2. Third Party Testing is required for the following items:
 - a. N1102.5.1– Building Envelope – Thermal Air Barrier Checklist
 - b. N1102.5.1.2 – Testing – Air Leakage Rate
 - c. N1103.3.7 – Sealing – Duct Tightness
 - d. Any other testing and inspections required under the code.
3. Alternate testing and inspection programs and protocols shall be allowed when approved by the Chief Building Code Official.

N1104.1 (R404.1) Lighting equipment. (Amended)

All ~~Not less than 90 percent of the~~ permanently installed luminaires shall be capable of operation with an efficacy of not less than 45 lumens per watt or shall contain lamps capable of operation with an efficacy of not less than 65 lumens per watt.

N1104.2 (R404.2) Interior lighting controls.

Delete section N1104.2 in its entirety.

All permanently installed luminaires shall be controlled as required in Sections N1104.2.1 and N1104.2.2.

Exception: ~~Lighting controls shall not be required for safety or security lighting.~~

N1104.2.1 (R404.2.1) Habitable spaces.

All permanently installed luminaires in habitable spaces shall be controlled with a manual dimmer or with an automatic shutoff control that automatically turns off lights within 20 minutes after all occupants have left the space and shall incorporate a manual control to allow occupants to turn the lights on or off.

N1104.2.2 (R404.2.2) Specific locations.

All permanently installed luminaires in garages, unfinished basements, laundry rooms and utility rooms shall be controlled by an automatic shutoff control that automatically turns off lights within 20 minutes after all occupants have left the space and shall incorporate a manual control to allow occupants to turn the lights on or off.

N1104.3 (R404.3) Exterior lighting controls.

Delete section N1104.3 in its entirety.

Exterior lighting controls shall comply with Section N1104.3.1.

N1104.3.1 (R404.3.1) Controls for individual dwelling units.

Where the total permanently installed exterior lighting power is greater than 30 watts, the permanently installed exterior lighting shall comply with the following:

- ~~1. Lighting shall be controlled by a manual on and off switch that permits automatic shutoff actions.~~
- ~~2. Lighting shall be automatically shut off when daylight is present and satisfies the lighting needs.~~
- ~~3. Controls that override automatic shutoff actions shall not be allowed unless the override automatically returns automatic control to its normal operation within 24~~

hours.

TABLE N1106.5 (R406.5). (Amended)

**TABLE R1106.5
MAXIMUM ENERGY RATING INDEX**

MAXIMUM ENERGY RATING INDEX		
CLIMATE ZONE	ENERGY RATING INDEX NOT INCLUDING OPP	ENERGY RATING INDEX WITH OPP
0 and 1	51	35
2	51 <u>57</u>	34
3	50	33
4	53	40
5	54	43
6	53	43
7	52	46
8	52	46

N1111.1.1 (R503.1.1) Building thermal envelope. (Amended)

Alterations of existing building thermal envelope assemblies shall comply with this section. New building thermal envelope assemblies that are part of the alteration shall comply with Section N1102. The R-value of insulation shall not be reduced, nor the U-factor of a building thermal envelope assembly be increased as part of a building thermal envelope alteration, except where the building after the alteration complies with Section N1105 or N1106.

Exception: The following alterations shall not be required to comply with the requirements for new construction provided that the energy use of the building is not increased:

1. Storm windows installed over existing fenestration.
2. Roof recover.
3. Surface-applied window film installed on existing single-pane fenestration assemblies to reduce solar heat gain provided that the code does not require the glazing or fenestration assembly to be replaced.
4. Roof replacement where roof assembly insulation is integral to or located below the structural roof deck.
5. For existing finished garages, air conditioning units may be installed, if not converted to habitable space, without requiring the garage to comply with Chapter 11 of the IRC.

G2415.12 (IFGC 404.12) Minimum burial depth. (Amended)

Underground piping systems shall be installed a minimum depth of 12 inches (305 mm) below grade, ~~except as provided for in~~
~~Section G2415.12.1~~ for metal piping and 18 inches (457 mm) for plastic piping.

P2605.1.1 Stub-outs for flexible water piping. (Added)

Where non-metallic water distribution piping penetrates a wall or floor surface to supply a plumbing fixture or shutoff valve, the penetration shall be made using a rigid metal stub-out that extends through the surface and is securely anchored to prevent movement and mechanical damage.

P2605.1.2 Push-to-connect plastic valves. (Added)

Push-to-connect plastic valves shall not be permitted for use as shutoff valves, stub-out valves, or fixture supply valves. Valves in such locations shall be metal-bodied and installed in accordance with manufacturer's instructions.

E3901.4.2 Island and peninsular countertops and work surfaces. (Amended)

~~Receptacle outlets, if installed to serve an island or peninsular countertop or work surface, shall be installed in accordance with Section E3901.4.3. If a receptacle outlet is not provided to serve an island or peninsular countertop or work surface, provisions shall be provided at the island or peninsula for future addition of a receptacle outlet to serve the island or peninsular countertop or work surface. At least one receptacle shall be installed at each island and peninsular countertop space with a long dimension of 24 inches (600 mm) or greater and a short dimension of 12 inches (300mm) or greater. A peninsular countertop is measured from the connected perpendicular wall.~~

E3901.4.3 Receptacle outlet location. (Amended)

Receptacle outlets rendered not readily accessible by appliances fastened in place, appliance garages, sinks, or rangetops as covered in the exception to Section E3901.4.1, or appliances occupying assigned spaces shall not be considered as these required outlets.

Required receptacle outlets shall be located in one or more of the following:

1. On or above, but not more than 20 inches (508mm) above, the countertop or work surface.
2. In a countertop using receptacle outlet assemblies listed for use in countertops.
3. In a work surface using receptacles outlet assemblies listed for use in work surfaces or listed for use in countertops. [210.52(C)(3)].

Exception: To comply with the following conditions (1) and (2), receptacle outlets shall be permitted to be mounted not more than 12 inches (300mm) below the countertop or work surface. Receptacles mounted below a countertop or work surface in accordance with this exception shall not be located where the countertop or work surface extends more than 6 inches (150 mm) beyond its support base.

1. Construction for the physically impaired.
2. On island and peninsular countertops or work surface where the surface is flat across its entire surface (no backsplashes, dividers, etc.) and there are no means to mount a receptacle within 20 inches (500 mm) above the countertop or work surface, such as an overhead cabinet.

E3901.9 Basements, garages, and accessory buildings (Amended).

Not less than one receptacle outlet, in addition to any provided for specific equipment, shall be installed in each separate unfinished portion of a basement; in each vehicle bay at not less than (18) inches (457 mm) and not more than 5.5 feet (1676 mm) above the floor in attached garages; in each vehicle bay at not less than (18) inches (457 mm) and not more than 5.5 feet (1676 mm) above the floor in detached garages that are provided with electric power and in accessory buildings that are provided with electric power. Receptacles supplying only a permanently installed premises security system shall not be considered as meeting these requirements. [210.52(G)(1), (2), and (3)]

E3902.14 Outdoor outlets. (Amended)

All outdoor outlets, including outlets installed in the following locations, and supplied by single-phase branch circuits rated 150 volts or less to ground, 50 amperes or less, shall be provided with GFCI protection:

1. Garages that have floors located at or below grade level
2. Accessory buildings
3. Boathouses

Exceptions:

1. GFCI protection shall not be required on lighting outlets other than those covered in Section 210.8(F) of NFPA 70.
2. GFCI protection shall not be required for receptacles that are not readily accessible and are supplied by a branch circuit dedicated to electric snow-melting, deicing, or pipeline and vessel heating equipment where such equipment is protected as required by NFPA 70.
3. GFCI protection shall not be required for listed HVAC equipment. ~~This exception shall expire September 1, 2026. [210.8(F)]~~

Avondale Amendments to the 2024 International Plumbing Code

The 2024 International Plumbing Code Local Amendments are as follows:

[A] 101.1 Title. (Amended)

These regulations shall be known as the Plumbing Code as amended by the City of Avondale, hereinafter referred to as “this code.”

[A] 101.2.1 Appendices (Amended)

Provisions in the appendices shall not apply unless specifically adopted. The following appendices of the 2024 International Plumbing Code are hereby adopted in their entirety: appendices B,C, and E.

[A] 108.6 Refunds. (Amended)

The Chief Building Official shall have the sole and exclusive authority, but shall not be obligated, to authorize the refund of fees paid pursuant to this code, and any such refund shall be strictly limited to the conditions expressly set forth herein. A full refund may be authorized where it is determined that a fee was erroneously paid or collected. Where a permit has been duly issued in accordance with this code and no work has been performed thereunder, the Chief Building Official may authorize the refund of not more than eighty (80) percent of the permit fee paid; provided, however, that no refund shall be authorized after the performance of any field inspection conducted in connection with such permit. Where an application for a permit has been withdrawn or canceled prior to the commencement of any plan review activity, the Chief Building Official may authorize the refund of not more than eighty (80) percent of the plan review fee paid. In all cases, a refund shall not be considered or authorized unless a written application is submitted by the original permittee no later than one hundred eighty (180) calendar days from the date of permit issuance. Notwithstanding any other provision of this code, no person shall be entitled to, and the Chief Building Official shall not be obligated to grant, any refund of fees paid except as expressly authorized by this section, and no implied right to refund shall be deemed to exist.

SECTION 112 MEANS OF APPEAL SECTION (AMENDED)

Delete section 112 in its entirety and substitute the following:

In order to hear and decide appeals of orders, decisions, or determinations made by the Chief Building Official relative to the application and interpretation of this code, the appeals process shall be as set forth in Section 113 of the City of Avondale amendments to the International Building Code, 2024 Edition. This process shall govern appeals under the International Plumbing Code in the City of Avondale, Arizona.

Section 113 – Board of Appeals

Delete section 113 in its entirety and substitute the following:

All appeals regarding plumbing code matters shall follow the procedures established in the City of Avondale's adopted 2024 International Building Code amendments.

202 GENERAL DEFINITIONS (Amended)

GREASE INTERCEPTOR

Fats, oils, and greases (FOG) disposal system. A plumbing appurtenance that reduces nonpetroleum fats, oils, and greases in effluent by separation or mass and volume reduction.

Gravity. Plumbing appurtenances of not less than 500 gallons (1893 L) capacity that are installed in the sanitary drainage system to intercept free-floating fats, oils, and grease from wastewater discharge. Separation is accomplished by gravity during a retention time of ~~not less than 30 minutes~~ approved by the Authority Having Jurisdiction.

Hydromechanical. Plumbing appurtenances that are installed in the sanitary drainage system to intercept free floating fats, oils, and grease from wastewater discharge. Continuous separation is accomplished by air entrainment, buoyancy, and interior baffling.

GREASE REMOVAL DEVICE, AUTOMATIC (GRD). A plumbing appurtenance that is installed in the sanitary drainage system to intercept free-floating fats, oils, and grease from wastewater discharge. Such a device operates on a time- or event-controlled basis and has the ability to remove free-floating fats, oils, and grease automatically without intervention from the user except for maintenance. These devices must be able to perform as a gravity interceptor if mechanical or electrical power is lost and provide continuous separation.

305.4.1 Sewer Depth. (Amended)

Building sewers that connect to private sewage disposal systems shall be installed not less than 12 inches (~~305~~mm) below finished grade at the point of septic tank connection. *Building sewers* shall be installed not less than 12 inches (mm) below grade.

403.2 Separate facilities. (Amended)

Where plumbing fixtures are required, separate toilet facilities shall be provided for each sex.

Exceptions:

1. Separate toilet facilities shall not be required for dwelling units and sleeping units.
2. Separate toilet facilities shall not be required in structures or tenant spaces with a total occupant load, including both employees and customers, of 15 or fewer.
3. Separate toilet facilities shall not be required in mercantile occupancies in which the maximum occupant load is 100 or fewer.
4. Separate toilet facilities shall not be required in business occupancies in which the maximum occupant load is 25 or fewer.

- ~~5. Separate toilet facilities shall not be required to be designated by sex where single-user toilet rooms are provided in accordance with Section 403.1.2~~
- ~~6. Separate toilet facilities shall not be required where rooms having both water closets and lavatory fixtures are designed for use by all persons regardless of sex and privacy is provided for water closets in accordance with Section 405.3.4 and for urinals in accordance with section 405.3.5.~~

410.2 Small occupancies. (Amended)

Drinking fountains shall not be required for an occupant load of 15 30 or fewer.

605.25 Non-metallic potable water pipe, fittings, and valves (Added)

Non-Metallic potable water pipe, fittings, and valves shall not be exposed in exterior outdoor locations. Components of the exterior exposed potable water system shall be metallic only and approved metallic materials, fittings, and valves are listed in IPC Table 605.3, IPC Table 605.4, IPC Table 605.5, and IPC Table 605.6.

606.2.1 Stub-outs for flexible water piping. (Added)

Where non-metallic water distribution piping penetrates a wall or floor surface to supply a plumbing fixture or shutoff valve, the penetration shall be made using a rigid metal stub-out that extends through the surface and is securely anchored to prevent movement and mechanical damage.

606.2.2 Push-to-connect plastic valves. (Added)

Push-to-connect plastic valves shall not be permitted for use as shutoff valves, stub-out valves, or fixture supply valves. Valves in such locations shall be metal-bodied and installed in accordance with manufacturer's instructions.

903.1.1: Roof extension unprotected. (Amended)

Open vent pipes that extend through a roof shall be terminated not less than 6 inches (153 mm) above the roof.

1003.2 Approval. (Amended)

The size, type, and location of each interceptor and of each separator shall be designed and installed in accordance with the manufacturer's instructions and the requirements of ~~this section based on the anticipated conditions of use~~ the Authority Having Jurisdiction. Wastes that do not require treatment or separation shall not be discharged into any interceptor or separator.

1003.4 Oil separators required. (Amended)

At repair garages ~~where floor or trench drains are provided~~, car washing facilities, factories where oily and flammable liquid wastes are produced and hydraulic elevator pits, oil separators shall be installed into which oil-bearing, grease-bearing, or flammable wastes shall be discharged before emptying into the building drainage system or other point of disposal.

Exception: An oil separator is not required in hydraulic elevator pits where an *approved* alarm system is installed. Such alarm systems shall not terminate the operation of pumps utilized to maintain emergency operation of the elevator by firefighters.

Avondale Amendments to the 2024 International Mechanical Code

The 2024 International Mechanical Code Local Amendments are as follows:

[A] 101.1 Title. (Amended)

These regulations shall be known as the Mechanical Code of the City of Avondale, hereinafter referred to as “this code.”

[A] 108.6 Refunds. (Amended)

The Chief Building Official shall have the sole and exclusive authority, but shall not be obligated, to authorize the refund of fees paid pursuant to this code, and any such refund shall be strictly limited to the conditions expressly set forth herein. A full refund may be authorized where it is determined that a fee was erroneously paid or collected. Where a permit has been duly issued in accordance with this code and no work has been performed thereunder, the Chief Building Official may authorize the refund of not more than eighty (80) percent of the permit fee paid; provided, however, that no refund shall be authorized after the performance of any field inspection conducted in connection with such permit. Where an application for a permit has been withdrawn or canceled prior to the commencement of any plan review activity, the Chief Building Official may authorize the refund of not more than eighty (80) percent of the plan review fee paid. In all cases, a refund shall not be considered or authorized unless a written application is submitted by the original permittee no later than one hundred eighty (180) calendar days from the date of permit issuance. Notwithstanding any other provision of this code, no person shall be entitled to, and the Chief Building Official shall not be obligated to grant, any refund of fees paid except as expressly authorized by this section, and no implied right to refund shall be deemed to exist.

Section 112 means of appeal section (Amended)

Delete section 112 in its entirety and substitute the following:

In order to hear and decide appeals of orders, decisions, or determinations made by the Chief Building Official relative to the application and interpretation of this code, the appeals process shall be as set forth in Section 113 of the City of Avondale amendments to the International Building Code, 2024 Edition. This process shall govern appeals under the International Mechanical Code in the City of Avondale, Arizona.

Section 113 – BOARD OF APPEALS (Amended)

Section 113 of the 2024 International Mechanical Code (Board of Appeals) is hereby deleted in its entirety.

All appeals regarding mechanical code matters shall follow the procedures established in the City of Avondale’s adopted 2024 International Building Code amendments.

**[A] 309.1 ~~Space-heating systems.~~ Space heating and cooling systems.
(Amended)**

Interior spaces intended for human occupancy shall be provided with active or passive space-heating and space-cooling systems capable of maintaining a minimum indoor temperature between 68°F (20°C) and 82°F (28°C) if provided by air conditioner or 88°F (32°C) if provided by evaporative cooler at a point 3 feet (914 mm) above floor on the design heating day. The installation of portable space heaters or coolers shall not be used to achieve compliance with this section.

408 Cannabis related occupancies. (Added)

408.1 General

Any building used to cultivate, produce, infuse, or dispense cannabis shall be designed such that there shall be no emission of dust, fumes, vapors, or odors into the environment from the premise. A ventilation system shall be designed to prevent the distribution of odors to other occupied parts of the building or adjacent properties. Design of the odor control system shall be based on accepted engineering practices. All equipment and filter media shall be listed and labeled for the application. Exhaust systems used in odor control systems shall meet the requirements of Section 501.

408.1.1 Exhaust outlets

The termination point for exhaust outlets shall be in accordance with Section 501.3. Exhaust from cultivation and production facilities shall be in accordance with Section 501.3.1(2) and for dispensaries in accordance with Section 501.3.1(3).

SECTION 932 – WOOD STOVE/FIREPLACE INSTALLATION (Added)

Definitions. For purposes of this section, the following words and terms shall have the meaning ascribed thereto:

Fireplace: A built-in-place masonry hearth and fire chamber or a factory-built appliance, designed to burn solid fuel or to accommodate gas or electric log insert or similar device, and which is intended for occasional recreational or aesthetic use, not for cooking, heating, or industrial processes.

Solid fuel: Includes, but is not limited to, wood, coal, or other non-gaseous or non-liquid fuels, including those fuels defined by the Maricopa County Air Pollution Control Officer as "inappropriate fuel" to burn in residential wood burning devices.

Woodstove: A solid fuel burning heating appliance including a pellet stove, which is either freestanding or designed to be inserted into a fireplace.

932.1 General. (Added)

In accordance with Maricopa County regulations, on or after December 31, 1998, no person, firm, or corporation shall construct or install a fireplace or a wood stove, and the Chief Building Official shall not approve or issue a permit to construct or install a

fireplace or a wood stove, unless the fireplace or wood stove complies with one of the following:

1. A fireplace which has a permanently installed gas or electric log insert.
2. A fireplace, wood stove or other solid fuel burning appliance which has been certified by the United States Environmental Protection Agency as conforming to 40 Code of Federal Regulations part 60, subpart AAA.
3. A fireplace, woodstove or other solid fuel burning appliance that has been tested and listed by a nationally recognized testing agency to meet performance standards equivalent to those adopted by 40 Code of Federal Regulations part 60, subpart AAA.
4. A fireplace, wood stove or other solid fuel burning appliance which has been determined by the Maricopa County Air Pollution Control Officer to meet performance standards equivalent to those adopted by 40 Code of Federal Regulations part 60, subpart AAA, as in effect on July 1, 1990.
5. A fireplace which has a permanently installed wood stove insert which complies with subparagraph 2, 3, or 4 above.

Exceptions: The following installations are not regulated and are not prohibited by this section:

1. Furnaces, boilers, incinerators, kilns, and other similar space heating or industrial process equipment.
2. Cook stoves, barbecue grills, and similar appliances designed primarily for cooking.
3. Fire pits, barbecue grills, and other outdoor fireplaces

Avondale Amendments to the 2024 International Fuel Gas Code

The 2024 International Fuel Gas Code local amendments are as follows:

[A] 101.1 Title. (Amended)

These regulations shall be known as the Fuel Gas Code of the City of Avondale, hereinafter referred to as “this code.”

[A] 108.6 Refunds. (Amended)

The Chief Building Official shall have the sole and exclusive authority, but shall not be obligated, to authorize the refund of fees paid pursuant to this code, and any such refund shall be strictly limited to the conditions expressly set forth herein. A full refund may be authorized where it is determined that a fee was erroneously paid or collected. Where a permit has been duly issued in accordance with this code and no work has been performed thereunder, the Chief Building Official may authorize the refund of not more than eighty (80) percent of the permit fee paid; provided, however, that no refund shall be authorized after the performance of any field inspection conducted in connection with such permit. Where an application for a permit has been withdrawn or canceled prior to the commencement of any plan review activity, the Chief Building Official may authorize the refund of not more than eighty (80) percent of the plan review fee paid. In all cases, a refund shall not be considered or authorized unless a written application is submitted by the original permittee no later than one hundred eighty (180) calendar days from the date of permit issuance. Notwithstanding any other provision of this code, no person shall be entitled to, and the Chief Building Official shall not be obligated to grant, any refund of fees paid except as expressly authorized by this section, and no implied right to refund shall be deemed to exist.

SECTION 112 Means of appeal (Amended)

Delete section 112 in its entirety and substitute the following:

In order to hear and decide appeals of orders, decisions, or determinations made by the Chief Building Official relative to the application and interpretation of this code, the appeals process shall be as set forth in Section 113 of the City of Avondale amendments to the International Building Code, 2024 Edition. This process shall govern appeals under the International Fuel Gas Code in the City of Avondale, Arizona.

404.12 Minimum burial depth. (Amended)

Underground piping systems shall be installed a minimum depth of 12 inches (305 mm) below grade, ~~except as provided for in Section 404.12.1~~ for metal piping and 18 inches (457mm) for plastic piping.

404.12.1 Individual outdoor appliances. (Amended)

Delete section 404.12.1 in its entirety.

~~Individual lines to outdoor lights, grills and other *appliances* shall be installed not less than 8 inches (203 mm) below finished grade, provided that such installation is *approved* and is installed in locations not susceptible to physical damage.~~

Avondale Amendments to the 2024 International Energy Conservation Code

The 2024 International Energy Conservation Code Local Amendments are as follows:

Section C101 – SCOPE AND GENERAL REQUIREMENTS (Amended)

C101.1 Title

This code shall be known as the Energy Conservation Code of the City of Avondale and shall be cited as such. It is referred to herein as “this code.”

C101.2: Scope.

This code applies to the design and construction of buildings not covered by the scope of the IECC—Residential Provisions. Group R-2 when defined as a Commercial Building by section C202, shall have the option of complying under the Residential Provisions of the code, regardless of height. Once defined as such on the submittal documents, all components of the Residential Provisions shall be followed.

C106.6 Refunds. (Amended)

The Chief Building Official shall have the sole and exclusive authority, but shall not be obligated, to authorize the refund of fees paid pursuant to this code, and any such refund shall be strictly limited to the conditions expressly set forth herein. A full refund may be authorized where it is determined that a fee was erroneously paid or collected. Where a permit has been duly issued in accordance with this code and no work has been performed thereunder, the Chief Building Official may authorize the refund of not more than eighty (80) percent of the permit fee paid; provided, however, that no refund shall be authorized after the performance of any field inspection conducted in connection with such permit. Where an application for a permit has been withdrawn or canceled prior to the commencement of any plan review activity, the Chief Building Official may authorize the refund of not more than eighty (80) percent of the plan review fee paid. In all cases, a refund shall not be considered or authorized unless a written application is submitted by the original permittee no later than one hundred eighty (180) calendar days from the date of permit issuance. Notwithstanding any other provision of this code, no person shall be entitled to, and the Chief Building Official shall not be obligated to grant, any refund of fees paid except as expressly authorized by this section, and no implied right to refund shall be deemed to exist.

Section C109 – MEANS OF APPEAL (Amended)

Delete section C109 in its entirety and substitute the following:

In order to hear and decide appeals of orders, decisions, or determinations made by the Chief Building Official relative to the application and interpretation of this code, the appeals process

shall be as set forth in Section 113 of the City of Avondale amendments to the International Building Code, 2024 Edition. This process shall govern appeals under the International Energy Conservation Code in the City of Avondale, Arizona.

C401.2.1 International Energy Conservation Code. (Amended)

Commercial buildings shall comply with one of the following:

1. Prescriptive Compliance. The Prescriptive Compliance option requires compliance with Sections C402 through C406 and Section C408. Dwelling units and sleeping units in Group R-2 buildings shall be deemed to be in compliance with this chapter, provided that they comply with Section R406.
2. Simulated Building Performance. The Simulated Building Performance option requires compliance with Section C407.

Exceptions:

1. *Additions, alterations, repairs,* and changes of occupancy to existing buildings complying with Chapter 5.
2. Compliance with the provisions of section C408 is optional.

C401.2.2 ASHRAE 90.1. (As it relates to C401.2.1 International Energy Conservation Code- Prescriptive Compliance). (Amended)

Commercial buildings shall comply with the requirements of ANSI/ASHRAE/IES 90.1.

1. Compliance with the provisions of section C408 is optional.

C404.8.3 Covers. (Amended)

Delete section C404.8.3 in its entirety.

~~Outdoor heated pools and outdoor permanent spas shall be provided with a vapor-retardant cover or other *approved* vapor-retardant means.~~

~~Exception: Where more than 75 percent of the energy for heating, computed over an operating season of not fewer than 3 calendar months, is from site-recovered energy such as from a heat pump or on-site renewable energy system, covers or other vapor-retardant means shall not be required. On-site renewable energy used to meet Section C405.15.1 or C406.3.1 shall not be used to meet this exception.~~

C405.2.7.2 Building facade and landscape lighting. (Amended)

Delete section C405.2.7.2 in its entirety.

~~Building facade and landscape lighting shall automatically shut off from not later than 1 hour after building or business closing to not earlier than 1 hour before building or business opening.~~

C405.2.7.3 Lighting setback. (Amended)

Delete section C405.2.7.3 in its entirety.

~~Lighting that is not controlled in accordance with Section C405.2.7.2 shall comply with the following:~~

- ~~1. Be controlled so that the total wattage of such lighting is automatically reduced by not less than 50 percent by selectively switching off or dimming luminaires at one of the following times:
 - ~~1.1. From not later than midnight to not earlier than 6 a.m.~~
 - ~~1.2. From not later than 1 hour after building or business closing to not earlier than 1 hour before building or business opening.~~
 - ~~1.3. During any time where activity has not been detected for 15 minutes or more.~~~~
- ~~2. Luminaires serving exterior parking areas and having a rated input wattage of greater than 40 watts and a mounting height of 24 feet (7315 mm) or less above the ground shall be controlled so that the total wattage of such lighting is automatically reduced by not less than 50 percent during any time where activity has not been detected for 15 minutes or more. Not more than 1,500 watts of lighting power shall be controlled together.~~

C405.12 Automatic receptacle control. (Amended)

Delete section C405.12 This section is deleted in its entirety.

Note: The corresponding requirements in ASHRAE 90.1 8.4.2 Automatic Receptacle Control is also deleted in its entirety.

~~The following shall have *automatic* receptacle control complying with Section C405.12.1:~~

- ~~1.1. At least 50 percent of all 125V, 15- and 20-amp receptacles installed in enclosed offices, conference rooms, rooms used primarily for copy or print functions, breakrooms, classrooms, and individual workstations, including those installed in modular partitions and module office workstation systems.~~
- ~~2.2. At least 25 percent of branch-circuit feeders installed for modular furniture not shown on the *construction documents*.~~

C405.13 Energy Monitoring. (Amended)

Delete section C405.13 in its entirety.

Note: The corresponding requirements in ASHRAE 90.1 8.4.3 Electrical Energy Monitoring is also deleted in its entirety.

~~New *buildings* with a gross *conditioned floor area* of not less than 10,000 square feet (929 m²) shall be equipped to measure, monitor, record and report energy consumption in accordance with Sections C405.13.1 through C405.13.6 for load categories indicated in Table C405.13.2 and Sections C405.13.7 through C405.13.11 for end-use categories indicated~~

in Table C405.13.8

C405.15: Renewable energy systems. (Amended)

Delete section C405.15 in its entirety.

Note. The corresponding requirements in ASHRAE 90.1 10.5.1 Renewable Energy Resources is also deleted in its entirety.

~~Buildings in Climate Zones 0 through 7 shall comply with Sections C405.15.1 through C405.15.4.~~

R101.2 Scope. (Amended)

This code applies to the design and construction of detached one- and two-family dwellings and multiple single-family dwellings (townhouses) and Group R-2, R- 3, and R-4 buildings three stories or less in height above grade plane. Group R-2 when defined as a Residential Building by section R202, shall have the option of complying under the Residential Provisions of the code, regardless of height. Once defined as such on the submittal documents, all components of the Residential Provisions shall be followed.

R104.1.2 RESNET Testing & Inspection Protocol. The Residential Energy Services Network (RESNET) Mortgage Industry National Home Energy Rating System Standards (MINHERS) for third party testing and inspections shall be deemed to meet the requirements of sections R402.5.1, R402.5.1.2 and R403.3.7 and shall meet the following conditions:

1. Third Party Testing & Inspections shall be completed by RESNET certified Raters or Rating Field Inspectors and shall be subject to RESNET Quality Assurance Field Review Procedures. Sampling in accordance with Chapter 6 of the MINHERS Standards shall be performed by Raters or Rating Field Inspectors Working under a RESNET Accredited Sampling Provider.
2. Third Party Testing is required for the following items:
 - a. R402.5.1– Building Envelope – Thermal Air Barrier Checklist
 - b. R402.5.1.2 – Testing – Air Leakage Rate
 - c. R403.3.7 – Sealing – Duct Tightness
 - d. Any other testing and inspections required under the code.
3. Alternate testing and inspection programs and protocols shall be allowed when approved by the Chief Building Code Official.

R106.6 Refunds (Amended)

The Chief Building Official shall have the sole and exclusive authority, but shall not be obligated, to authorize the refund of fees paid pursuant to this code, and any such refund shall be strictly limited to the conditions expressly set forth herein. A full refund may be authorized where it is determined that a fee was erroneously paid or collected. Where a permit has been

duly issued in accordance with this code and no work has been performed thereunder, the Chief Building Official may authorize the refund of not more than eighty (80) percent of the permit fee paid; provided, however, that no refund shall be authorized after the performance of any field inspection conducted in connection with such permit. Where an application for a permit has been withdrawn or canceled prior to the commencement of any plan review activity, the Chief Building Official may authorize the refund of not more than eighty (80) percent of the plan review fee paid. In all cases, a refund shall not be considered or authorized unless a written application is submitted by the original permittee no later than one hundred eighty (180) calendar days from the date of permit issuance. Notwithstanding any other provision of this code, no person shall be entitled to, and the Chief Building Official shall not be obligated to grant, any refund of fees paid except as expressly authorized by this section, and no implied right to refund shall be deemed to exist.

SECTION R109 – MEANS OF APPEALS (AMENDED)

Delete section R109 in its entirety and substitute the following:

In order to hear and decide appeals of orders, decisions, or determinations made by the Chief Building Official relative to the application and interpretation of this code, the appeals process shall be as set forth in Section 112 of the City of Avondale amendments to the International Residential Code, 2024 Edition. This process shall govern appeals under the International Energy Conservation Code, Residential Provisions in the City of Avondale, Arizona.

TABLE R402.5.1.1 - AIR BARRIER, AIR SEALING AND INSULATION INSTALLATION (Amended)

COMPONENT	AIR BARRIER CRITERIA INSULATION	INSTALLATION CRITERIA
Rim joists	Rim joists shall include an air barrier. The junctions of the rim board to the sill plate and the rim board and the subfloor shall be air sealed.	Rim joists shall be insulated so that the insulation maintains permanent contact with the exterior rim board.

No changes to footnotes.

R403.3.7 Duct system testing. (Amended)

Each duct system shall be tested for air leakage in accordance with ANSI/RESNET/ICC 380 or ASTM E1554. Total leakage shall be measured with a pressure differential of 0.1 inch water gauge (25 Pa) across the duct system and shall include the measured leakage from the supply and return ductwork. A written report of the test results shall be signed by the party conducting the test and provided to the code official. Duct system leakage testing at either rough-in or post construction shall be permitted with or without the installation of registers or grilles. Where installed, registers and grilles shall be sealed during the test. Where registers and grilles are not installed, the face of the register boots shall be sealed during the test.

Exceptions:

1. Testing shall not be required for duct systems serving ventilation systems that are not integrated with duct systems serving heating or cooling systems.
2. Testing shall not be required where there is not more than 10 feet (3048 mm) of total ductwork external to the space conditioning equipment and both the following are met:
 - 2.1. The duct system is located entirely within conditioned space.
 - 2.2. The ductwork does not include plenums constructed of building cavities or gypsum board.
3. Where the space conditioning equipment is not installed, testing shall be permitted. The total measured leakage of the supply and return ductwork shall be less than or equal to 3.0 cubic feet per minute (85 L/min) per 100 square feet (9.29 m²) of conditioned floor area.
4. Where tested in accordance with Section R403.3.9, testing of each duct system is not required.
5. A duct air leakage test shall not be required where the ducts and air handlers are located entirely within the building thermal envelope.
6. Additions, alterations, renovations, or repairs to existing structures.
7. Conditioned garages

R403.6.3 Testing. (Amended)

Delete R403.6.3 in its entirety.

~~Mechanical *ventilation* systems shall be tested and verified to provide the minimum-*ventilation* flow rates required by Section R403.6, in accordance with ANSI/RESNET/ICC-380. Where required by the code official, testing shall be conducted by an approved third party. A written report of the results of the test shall be signed by the party conducting the test and provided to the code official.~~

Exceptions:

- ~~1. Kitchen range hoods that are ducted to the outside with ducting having a diameter of 6 inches (152 mm) or larger, a length of 10 feet (3028 mm) or less, and not more than two 90-degree (1.57 rad) elbows or equivalent shall not require testing.~~
- ~~2. A third-party test shall not be required where the ventilation system has an integrated diagnostic tool used for airflow measurement, and a user interface that communicates the installed airflow rate.~~
- ~~3. Where tested in accordance with Section R403.6.4, testing of each mechanical ventilation system is not required.~~

Section R403.10.3 Covers (Amended)

Delete section R403.10.3 in its entirety.

~~Outdoor heated pools and outdoor permanent spas shall be provided with a vapor-retardant cover or other approved vapor-retardant means.~~

~~Exception: Where more than 75 percent of the energy for heating, computed over an operation season of not fewer than 3 calendar months, is from a heat pump or an on-site renewable energy system, covers or other vapor-retardant means shall not be required.~~

R403.11 Portable spas. (Amended)

Delete section R403.11 in its entirety.

~~The energy consumption of electric-powered portable spas shall be controlled by the requirements of APSP 14.~~

R403.12 Residential pools and permanent residential spas. (Amended)

Delete R403.12 in its entirety.

~~Where installed, the energy consumption of residential swimming pools and permanent residential spas shall be controlled in accordance with the requirements of APSP 15.~~

R404.1 Lighting equipment. (Amended)

~~All Not less than 90 percent of the permanently installed luminaires shall be capable of operation with an efficacy of not less than 45 lumens per watt or shall contain lamps capable of operation with an efficacy of not less than 65 lumens per watt.~~

Exceptions:

1. Appliance lamps
2. Antimicrobial lighting used for the sole purpose of disinfecting
3. General service lamps complying with DOE 10 CFR, Part 430.32
4. Luminaires with a rated electric input of not greater than 3.0 watts

R404.2 Interior lighting controls. (Amended)

Delete section R404.2 in its entirety.

~~All permanently installed luminaires shall be controlled as required in Sections R404.2.1 and R404.2.2.~~

~~**Exception:** Lighting controls shall not be required for safety or security lighting.~~

R404.2.1 Habitable spaces. (Amended)

Delete section R404.2.1 in its entirety.

~~All permanently installed luminaires in habitable spaces shall be controlled with a manual~~

~~dimmer or with an automatic shutoff control that automatically turns off lights within 20 minutes after all occupants have left the space and shall incorporate a manual control to allow occupants to turn the lights on or off.~~

R404.2.2 Specific locations. (Amended)

Delete section R404.2.2 in its entirety.

~~All permanently installed luminaires in garages, unfinished basements, laundry rooms and utility rooms shall be controlled by an automatic shutoff control that automatically turns off lights within 20 minutes after all occupants have left the space and shall incorporate a manual control to allow occupants to turn the lights on or off.~~

R404.3 Exterior lighting controls. (Amended)

Delete section R404.3 in its entirety.

~~Exterior lighting controls shall comply with Section R404.3.1.~~

R404.3.1 Controls for individual dwelling units. (Amended)

Delete section R404.3.1 in its entirety.

~~Where the total permanently installed exterior lighting power is greater than 30 watts, the permanently installed exterior lighting shall comply with the following:~~

- ~~1. Lighting shall be controlled by a *manual* on and off switch which permits *automatic* shut-off actions.~~
- ~~2. Lighting shall be automatically shut off when daylight is present and satisfies the lighting needs.~~
- ~~3. Controls that override automatic shut-off actions shall not be allowed unless the override automatically returns automatic control to its normal operation within 24 hours.~~

R404.1.5 Gas lighting. (Amended)

Delete section R404.1.5 in its entirety.

~~Gas-fired lighting appliances shall not be equipped with a continuous pilot and shall be equipped with an on-demand pilot, intermittent ignition or interrupted ignition as defined by ANSI Z21.20.~~

TABLE R406.5 – MAXIMUM ENERGY RATING INDEX (Amended)

MAXIMUM ENERGY RATING INDEX		
CLIMATE ZONE	ENERGY RATING INDEX NOT INCLUDING OPP	ENERGY RATING INDEX WITH OPP
0 and 1	51	35
2	51 <u>57</u>	34
3	50	33
4	53	40
5	54	43
6	53	43
7	52	46
8	52	46

2023 National Electrical Code Local Amendments

The 2023 National Electrical Code Local Amendments are as follows:

Article 90.2 (G) Administrative code. (Amended)

(G) The International Building Code, 2024 Edition, Chapter One, as adopted and amended by the City of Avondale, shall be considered the administrative code for this sub-section.

Article 110.7 Wiring integrity. Completed wiring installations shall be free from short circuits, ground faults, or any connections to ground other than as required or permitted elsewhere in this code. All electrical equipment 1,000 amps or larger must pass a dielectric strength test by a qualified third party before requesting meter clearance.

210.52(C)(2) Island and Peninsular Countertops and Work Surfaces (Amended)

~~Receptacle outlets, if shall be installed to serve an island or peninsular countertop or work surface, shall be installed in accordance with 210.52(C)(3). If a receptacle outlet is not provided to serve an island or peninsular countertop or work surface, provisions shall be provided at the island or peninsula for future addition of a receptacle outlet to serve the island or peninsular countertop or work surface.~~ At least one receptacle shall be installed at each island and peninsular countertop space with a long dimension of 24 inches (600 mm) or greater and a short dimension of 12 inches (300mm) or greater. A peninsular countertop is measured from the connected perpendicular wall.

210.52(C)(3) Receptacle Outlet Location

Receptacle outlets shall be located in one or more of the following:

- (1) On or above, but not more than 500 mm (20 in.) above, a countertop or work surface
- (2) In a countertop using receptacle outlet assemblies listed for use in countertops
- (3) In a work surface using receptacle outlet assemblies listed for use in work surfaces or listed for use in countertops

Exception: To comply with the following conditions (1) and (2), receptacle outlets shall be permitted to be mounted not more than 12 inches (300mm) below the countertop or work surface. Receptacles mounted below a countertop or work surface in accordance with this exception shall not be located where the countertop or work surface extends more than 6 inches (150 mm) beyond its support base.

1. Construction for the physically impaired.
2. On island and peninsular countertops or work surface where the surface is flat across its entire surface (no backsplashes, dividers, etc.) and there are no means to mount a receptacle within 20 inches (500 mm) above the countertop or work surface, such as an overhead cabinet.

Receptacle outlets rendered not readily accessible by appliances fastened in place, appliance garages, sinks, or rangetops as covered in 210.52(C)(1), Exception No. 1, or appliances occupying assigned spaces shall not be considered as these required outlets.

ARTICLE 210 Branch Circuits

210.52(G)(1) Garages. In each attached garage and in each detached garage with electric power, at least one receptacle outlet shall be installed in each vehicle bay at not less than (18) inches and not more than 1.7 m (5 ½ ft.) above the floor.

Avondale Amendments to the 2024 International Existing Building Code

The 2024 International Existing Building Code Local Amendments are as follows:

[A] 101.1 Title. (Amended)

These regulations shall be known as the Existing Building Code of the City of Avondale, herein-after referred to as “this code.”

[A] 108.6 Refunds. (Amended)

The Chief Building Official shall have the sole and exclusive authority, but shall not be obligated, to authorize the refund of fees paid pursuant to this code, and any such refund shall be strictly limited to the conditions expressly set forth herein. A full refund may be authorized where it is determined that a fee was erroneously paid or collected. Where a permit has been duly issued in accordance with this code and no work has been performed thereunder, the Chief Building Official may authorize the refund of not more than eighty (80) percent of the permit fee paid; provided, however, that no refund shall be authorized after the performance of any field inspection conducted in connection with such permit. Where an application for a permit has been withdrawn or canceled prior to the commencement of any plan review activity, the Chief Building Official may authorize the refund of not more than eighty (80) percent of the plan review fee paid. In all cases, a refund shall not be considered or authorized unless a written application is submitted by the original permittee no later than one hundred eighty (180) calendar days from the date of permit issuance. Notwithstanding any other provision of this code, no person shall be entitled to, and the Chief Building Official shall not be obligated to grant, any refund of fees paid except as expressly authorized by this section, and no implied right to refund shall be deemed to exist.

SECTION 112 MEANS OF APPEAL (Amended)

Delete section 112 in its entirety and substitute the following:

In order to hear and decide appeals of orders, decisions, or determinations made by the Chief Building Official relative to the application and interpretation of this code, the appeals process shall be as set forth in Section 113 of the City of Avondale amendments to the International Building Code, 2024 Edition. This process shall govern appeals under the International Existing Building Code in the City of Avondale, Arizona.

[A] 112.4 Administration. (Amended)

Delete section 112.4 in its entirety.

~~The Chief Building Official shall take action without delay in accordance with the decision of the board. hearing officer.~~

Avondale Amendments to the 2024 International Swimming Pool & Spa Code

[A] 101.1: Title. (Amended)

These regulations shall be known as the Swimming Pool and Spa Code of The City of Avondale, hereinafter referred to as “this code.”

[A] 103.1: ~~Creation of agency.~~ Official in responsible charge. (Amended)

The City of Avondale, Development Services Department, Building Services Division, official in charge thereof shall be known as the ~~code~~ chief building official. The function of the ~~agency~~ chief building official shall be the implementation, administration, and enforcement of the provisions of this code.

[A] 109.6 Refunds (Amended)

The Chief Building Official shall have the sole and exclusive authority, but shall not be obligated, to authorize the refund of fees paid pursuant to this code, and any such refund shall be strictly limited to the conditions expressly set forth herein. A full refund may be authorized where it is determined that a fee was erroneously paid or collected. Where a permit has been duly issued in accordance with this code and no work has been performed thereunder, the Chief Building Official may authorize the refund of not more than eighty (80) percent of the permit fee paid; provided, however, that no refund shall be authorized after the performance of any field inspection conducted in connection with such permit. Where an application for a permit has been withdrawn or canceled prior to the commencement of any plan review activity, the Chief Building Official may authorize the refund of not more than eighty (80) percent of the plan review fee paid. In all cases, a refund shall not be considered or authorized unless a written application is submitted by the original permittee no later than one hundred eighty (180) calendar days from the date of permit issuance. Notwithstanding any other provision of this code, no person shall be entitled to, and the Chief Building Official shall not be obligated to grant, any refund of fees paid except as expressly authorized by this section, and no implied right to refund shall be deemed to exist.

SECTION 112 – MEANS OF APPEAL (Amended)

Delete section 112 in its entirety and substitute the following:

In order to hear and decide appeals of orders, decisions, or determinations made by the Chief Building Official relative to the application and interpretation of this code, the appeals process shall be as set forth in Section 113 of the City of Avondale amendments to the International Building Code, 2024 Edition. This process shall govern appeals under the International Swimming Pool and Spa Code in the City of Avondale, Arizona.

305.2.1 Barrier height and clearances. (Amended)

Barrier heights and clearances shall be in accordance with all of the following:

1. The top of the barrier shall be not less than ~~48~~ 60 inches (1219 mm) above grade where measured on the side of the barrier that faces away from the pool or spa. Such height shall exist around the entire perimeter of the barrier and for a distance of 3 feet (914 mm) measured horizontally from the outside of the required barrier.
2. The vertical clearance between grade and the bottom of the barrier shall not exceed 2 inches (51 mm) for grade surfaces that are not solid, such as grass or gravel, where measured on the side of the barrier that faces away from the pool or spa.
3. The vertical clearance between a surface below the barrier to a solid surface, such as concrete, and the bottom of the required barrier shall not exceed 4 inches (102 mm) where measured on the side of the required barrier that faces away from the pool or spa.
4. Where the top of the pool or spa structure is above grade, the barrier shall be installed on grade or shall be mounted on top of the pool or spa structure. Where the barrier is mounted on the top of the pool or spa, the vertical clearance between the top of the pool or spa and the bottom of the barrier shall not exceed 4 inches (102 mm).

Avondale Amendments to the 2024 International Property Maintenance Code

[A] 101.1 Title. (Amended)

These regulations shall be known as the *Property Maintenance Code* of The City of Avondale, Arizona, hereinafter referred to as “this code.”

101.2.1 Appendices. (Amended)

City of Avondale shall adopt Appendix A as part of the City of Avondale’s Property Maintenance Code, with the Chief Building Official authorized to prescribe additional methods of securing vacant or dangerous structures.

[A] 103.1 Creation of agency. (Amended)

The Building Services Division is hereby created and the official in charge thereof shall be known as the ~~code official~~ Chief Building Official. The function of the agency shall be the implementation, administration, and enforcement of the provisions of this code. Wherever in this code the term “code official” is used it shall mean Chief Building Official.

SECTION 202 – GENERAL DEFINITIONS (Amended)

The following section 202 definition for “CODE OFFICIAL” shall be deleted in its entirety and replaced with the following:

~~[A] CODE OFFICIAL. The official who is charged with the administration and enforcement of this code, or any duly authorized representative.~~

[A] CODE OFFICIAL. The term “Code Official” shall mean the Chief Building Official of the City of Avondale, Arizona, or the Chief Building Official’s duly authorized representative.

Section 105.1 General. (Amended)

The ~~code official~~ Chief Building Official is hereby authorized and directed to enforce the provisions of this code.

Section 106 – MEANS OF APPEALS (Amended)

Delete Section 106 in its entirety and substitute the following:

In order to hear and decide appeals of orders, decisions, or determinations made by the Chief Building Official relative to the application and interpretation of this code, the appeals process shall be as set forth in Section 113 of the City of Avondale amendments to the International Building Code, 2024 Edition, or Section 112 of the City of Avondale amendments to the International Residential Code, 2024 Edition