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REFERENCE TITLE: public buildings; compliance with codes

State of Arizona
Senate
Forty-seventh Legislature
First Regular Session
2005

SB 1032

Introduced by
Senator Gray

AN ACT

AMENDING SECTION 34-461, ARIZONA REVISED STATUTES; RELATING TO PUBLIC BUILDINGS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 34-461, Arizona Revised Statutes, is amended to
3 read:

4 34-461. Applicability of local codes; exception; definition

5 A. Public buildings shall be constructed, ~~REMODELED OR ALTERED OR HAVE~~
6 ~~STRUCTURAL COMPONENTS REPAIRED~~ in compliance with:

7 1. The state fire code unless a fire code has been adopted by the
8 city, town, county or fire district in which the building is located. ~~Public~~
9 ~~buildings shall be constructed in compliance with~~

10 2. Applicable building, plumbing, electrical, fire prevention and
11 mechanical codes adopted by the city, town, county or fire district in which
12 the building is located. The owner of the public building is subject to the
13 same fees required of other persons. Public buildings are subject to
14 inspection during construction pursuant to these codes to determine
15 compliance.

16 B. If a public building is built in an area that has not adopted local
17 codes, the building shall be designed, ~~or~~ constructed, ~~REMODELED OR ALTERED~~
18 ~~OR HAVE STRUCTURAL COMPONENTS REPAIRED~~ according to the state fire code
19 adopted by the state fire marshal and the building, plumbing, electrical,
20 fire prevention and mechanical codes that apply in the largest city ~~AT THAT~~
21 ~~TIME~~ in the county in which the building is located.

22 C. Public buildings are subject to those codes that apply and are in
23 effect when the building is designed, ~~or~~ constructed, ~~REMODELED OR ALTERED OR~~
24 ~~HAS STRUCTURAL COMPONENTS REPAIRED~~ and to the currently adopted codes when a
25 building is found to be structurally unsafe, without adequate egress, ~~or~~ a
26 fire hazard or ~~are~~ ~~IS~~ otherwise dangerous to human life.

27 D. Subsections A and B do not apply to state owned buildings except
28 for the application of the fire code in effect where a state owned building
29 is located. State department of corrections facilities are exempt from the
30 application of the local fire code in the absence of an intergovernmental
31 agreement between the state department of corrections and the governmental
32 entity responsible for enforcing any local fire code.

33 E. ~~It~~ ~~FOR THE PURPOSES OF~~ this section, "public building" means a
34 building or appurtenance to a building that is built in whole or in part with
35 public monies.