Committee on Commerce

House of Representatives Amendments to H.B. 2003

(Reference to printed bill)

Strike everything after the enacting clause and insert:

"Section 1. Section 9-807, Arizona Revised Statutes, is amended to read:

START_STATUTE9-807. Mandated fire sprinklers in certain residences prohibited; exception; permit application format

A. A municipality shall not adopt a code or ordinance or part of a uniform code or ordinance that prohibits a person or entity from choosing to install or equip or not install or equip fire sprinklers in a single family detached residence or any residential building that contains not more than two dwelling units. A municipality shall not impose any fine, penalty or other requirement on any person or entity for choosing to install or equip or not install or equip fire sprinklers in such a residence. This section does not apply to any code or ordinance that requires fire sprinklers in a residence and that was adopted before December 31, 2009.

B. A FIRE SPRINKLER PERMIT APPLICATION MAY BE IN EITHER PRINT OR ELECTRONIC FORMAT.

C. A MUNICIPALITY SHALL INCLUDE THE LANGUAGE OF SUBSECTION A OF THIS SECTION ON FIRE SPRINKLER PERMIT APPLICATIONS THAT ARE FOR A SINGLE FAMILY DETACHED RESIDENCE OR ANY RESIDENTIAL BUILDING THAT CONTAINS NOT MORE THAN TWO DWELLING UNITS. END_STATUTE

Sec. 2. Section 11-861, Arizona Revised Statutes, is amended to read:

START_STATUTE11-861. Adoption of codes by reference; limitations; method of adoption; fire sprinklers; fire apparatus access roads or approved routes; pool barrier gates

A. In any county that has adopted zoning pursuant to this chapter, the board of supervisors may adopt and enforce, for the unincorporated areas of
the county so zoned, a building code and other related codes to regulate the
quality, type of material and workmanship of all aspects of construction of
buildings or structures, except that the board may authorize that areas zoned
rural or unclassified may be exempt from the provisions of the code adopted.
The codes may be adopted by reference after notice and hearings before the
county planning and zoning commission and board of supervisors as provided in
this chapter for amendments to the zoning ordinance of the county.

B. The board of supervisors may adopt a fire prevention code in the
unincorporated areas of the county in which a fire district has not adopted a
nationally recognized fire code pursuant to section 48-805. Any fire code
adopted by a board of supervisors pursuant to this subsection shall remain in
effect until a fire district is established and adopts a code applicable
within the boundaries of the district.

C. For the purpose of this article, codes authorized by subsections A
and B of this section shall be limited to the following:

1. Any building, electrical, plumbing or mechanical code that has been
adopted by any national organization or association that is organized and
conducted for the purpose of developing codes or that has been adopted by the
largest city in that county. If the board of supervisors adopts a city code, it shall adopt, within ninety days after receiving a written notification of
a change to the city code, the same change or shall terminate the adopted
city code.

2. Any fire prevention code that has been adopted by a national
organization or association organized or conducted for the purpose of
developing fire prevention codes and that is as stringent as the state fire
code adopted pursuant to section 41-2146.

D. The board of supervisors may adopt a current wildland-urban
interface code. The code may be adapted from a model code adopted by a
national or international organization or association for mitigating the
hazard to life and property. The board must follow written public procedures
in the development and adoption of the code and any revisions to the code to
provide effective, early and continuous public participation through:
1. The broad dissemination and publicity of the proposed code and any revisions to the code.

2. The opportunity for submission and consideration of written public comments.

3. Open discussions, communications programs and information services.

4. Consultation with federal agencies and state and local officials.

E. The board of supervisors shall not adopt a code or ordinance or part of a uniform code or ordinance that prohibits a person or entity from choosing to install or equip or not install or equip fire sprinklers in a single family detached residence or any residential building that contains not more than two dwelling units. The board of supervisors shall not impose any fine, penalty or other requirement on any person or entity for choosing to install or equip or not install or equip fire sprinklers in such a residence. This subsection does not apply to any code or ordinance that requires fire sprinklers in a residence and that was adopted before December 31, 2009. THE LANGUAGE OF THIS SUBSECTION SHALL BE INCLUDED ON ALL FIRE SPRINKLER PERMIT APPLICATIONS THAT ARE FOR A SINGLE FAMILY DETACHED RESIDENCE OR ANY RESIDENTIAL BUILDING THAT CONTAINS NOT MORE THAN TWO DWELLING UNITS.

F. A FIRE SPRINKLER PERMIT APPLICATION MAY BE IN EITHER PRINT OR ELECTRONIC FORMAT.

G. A board of supervisors may not adopt any, or part of any, fire code, ordinance, stipulation or other legal requirement for an approved fire apparatus access road or a fire apparatus access road extension, or both, or an approved route or a route extension, or both, that directly or indirectly requires a one or two family residence or a utility or miscellaneous accessory building or structure to install fire sprinklers. A fire code official may increase or extend an approved fire apparatus access road or a fire apparatus access road extension, or both, or an approved route or a route extension, or both, to comply with this subsection. Compliance with this subsection may not be IS NOT grounds to deny or suspend a license or permit. For the purposes of this subsection:
1. "Fire code" includes the international fire code, however
denominated.

2. "Utility or miscellaneous accessory building or structure" includes
an agricultural building, aircraft hangar, accessory to a residence, barn,
carport, fence that is more than six feet high, grain silo, greenhouse,
livestock shelter, private garage, retaining wall, shed, stable, tank or
tower.

G. H. From and after December 31, 2014, a code or ordinance or part
of a uniform code or ordinance that is adopted by the board of supervisors
applies to locking devices for pool barrier gates used for means of ingress
or egress for semipublic swimming pools. Any new construction or major
renovation of a semipublic swimming pool from and after December 31, 2014
must meet the requirements of the code or ordinance or part of the uniform
code or ordinance that is adopted by the board of supervisors. This
subsection does not apply to a locking device for a pool barrier gate used
for means of ingress or egress for a semipublic swimming pool that was
installed before January 1, 2015, if the locking device meets the
requirements prescribed in section 36-1681, subsection B, paragraph
3."END_STATUTE

Amend title to conform

and, as so amended, it do pass

WARREN H. PETERSEN
Chairman

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H:1aa

2003 wp
01/30/2015
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