

REFERENCE TITLE: building permits; hoopouses; exemption

State of Arizona
Senate
Fifty-sixth Legislature
Second Regular Session
2024

SB 1179

Introduced by
Senator Bennett

AN ACT

AMENDING TITLE 9, CHAPTER 4, ARTICLE 6.4, ARIZONA REVISED STATUTES, BY
ADDING SECTION 9-469; AMENDING TITLE 11, CHAPTER 2, ARTICLE 9, ARIZONA
REVISED STATUTES, BY ADDING SECTION 11-324; RELATING TO BUILDING PERMITS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Title 9, chapter 4, article 6.4, Arizona Revised
3 Statutes, is amended by adding section 9-469, to read:

4 9-469. Building permits; hoophouses; exemption; definition

5 A. NOTWITHSTANDING ANY OTHER LAW, CONSTRUCTION OF A HOOPHOUSE OR
6 POLYHOUSE IS EXEMPT FROM THE MUNICIPAL BUILDING PERMIT REQUIREMENTS IF THE
7 HOOPHOUSE OR POLYHOUSE MEETS ALL OF THE FOLLOWING REQUIREMENTS:

8 1. THE STRUCTURE DOES NOT HAVE A PERMANENT ANCHORING SYSTEM OR
9 FOUNDATION.

10 2. THERE IS NO TEMPORARY OR PERMANENT STORAGE OF SOLVENTS,
11 FERTILIZERS, GASES OR OTHER CHEMICALS OR FLAMMABLE MATERIALS.

12 3. THE STRUCTURE IS NOT WIDER THAN THIRTY-ONE FEET AND THERE IS AN
13 UNOBSTRUCTED PATH OF NOT MORE THAN ONE HUNDRED FIFTY FEET FROM ANY POINT
14 TO A DOOR OR FULLY ACCESSIBLE WALL.

15 4. THE COVERING OF THE STRUCTURE IS OF MATERIAL NOT GREATER THAN
16 SIX MILS IN THICKNESS, THAT CONFORMS TO THE NATIONAL FIRE PROTECTION
17 ASSOCIATION STANDARD METHODS OF FIRE TESTS FOR FLAME PROPAGATION OF
18 TEXTILES AND FILMS (NFPA 701) AND THAT YIELDS APPROXIMATELY FOUR POUNDS OF
19 MAXIMUM IMPACT RESISTANCE TO PROVIDE EGRESS THROUGH THE WALL.

20 B. NOTWITHSTANDING SUBSECTION A OF THIS SECTION, IF A HOOPHOUSE OR
21 POLYHOUSE CONTAINS A DEVICE THAT IS SUBJECT TO EXISTING MUNICIPAL
22 ELECTRICAL OR MECHANICAL CODES AND REGULATIONS, A PERMIT SHALL BE REQUIRED
23 FOR THE DEVICE. IF THE HOOPHOUSE OR POLYHOUSE IS CONNECTED TO A POTABLE
24 WATER SYSTEM, A PERMIT SHALL BE REQUIRED FOR THE BACKFLOW PREVENTION
25 DEVICES CONTAINED WITHIN THE POTABLE WATER SYSTEM.

26 C. FOR THE PURPOSES OF THIS SECTION, "HOOPHOUSE" OR "POLYHOUSE"
27 MEANS A TEMPORARY GREENHOUSE USED EXCLUSIVELY FOR PRODUCING AND STORING
28 LIVE PLANTS.

29 Sec. 2. Title 11, chapter 2, article 9, Arizona Revised Statutes,
30 is amended by adding section 11-324, to read:

31 11-324. Building permits; hoophouses; exemption; definition

32 A. NOTWITHSTANDING ANY OTHER LAW, CONSTRUCTION OF A HOOPHOUSE OR
33 POLYHOUSE IS EXEMPT FROM THE COUNTY BUILDING PERMIT REQUIREMENTS IF THE
34 HOOPHOUSE OR POLYHOUSE MEETS ALL OF THE FOLLOWING REQUIREMENTS:

35 1. THE STRUCTURE DOES NOT HAVE A PERMANENT ANCHORING SYSTEM OR
36 FOUNDATION.

37 2. THERE IS NO TEMPORARY OR PERMANENT STORAGE OF SOLVENTS,
38 FERTILIZERS, GASES OR OTHER CHEMICALS OR FLAMMABLE MATERIALS.

39 3. THE STRUCTURE IS NOT WIDER THAN THIRTY-ONE FEET AND THERE IS AN
40 UNOBSTRUCTED PATH OF NOT MORE THAN ONE HUNDRED FIFTY FEET FROM ANY POINT
41 TO A DOOR OR FULLY ACCESSIBLE WALL.

42 4. THE COVERING OF THE STRUCTURE IS OF MATERIAL NOT GREATER THAN
43 SIX MILS IN THICKNESS, THAT CONFORMS TO THE NATIONAL FIRE PROTECTION
44 ASSOCIATION STANDARD METHODS OF FIRE TESTS FOR FLAME PROPAGATION OF

1 TEXTILES AND FILMS (NFPA 701) AND THAT YIELDS APPROXIMATELY FOUR POUNDS OF
2 MAXIMUM IMPACT RESISTANCE TO PROVIDE EGRESS THROUGH THE WALL.

3 B. NOTWITHSTANDING SUBSECTION A OF THIS SECTION, IF A HOOPHOUSE OR
4 POLYHOUSE CONTAINS A DEVICE THT IS SUBJECT TO EXISTING COUNTY ELECTRICAL
5 OR MECHANICAL CODES AND REGULATIONS, A PERMIT SHALL BE REQUIRED FOR THE
6 DEVICE. IF THE HOOPHOUSE OR POLYHOUSE IS CONNECTED TO A POTABLE WATER
7 SYSTEM, A PERMIT SHALL BE REQUIRED FOR THE BACKFLOW PREVENTION DEVICES
8 CONTAINED WITHIN THE POTABLE WATER SYSTEM.

9 C. FOR THE PURPOSES OF THIS SECTION, "HOOPHOUSE" OR "POLYHOUSE"
10 MEANS A TEMPORARY GREENHOUSE USED EXCLUSIVELY FOR PRODUCING AND STORING
11 LIVE PLANTS.