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to the **Yuma County Board of Supervisors Office**,
ATTENTION: Anna Rojas – 928-373-1133

TYPE OF DOCUMENT:

ORDINANCE NO. 2019-01

Amending the Yuma County Comprehensive
Building Safety Code to conform to the City of Yuma's code; and
adopt Ordinance No. 2019-01 effective April 22, 2019.

DOCUMENT APPROVAL:

Approved by Yuma County Board of Supervisors:
March 18, 2019, Discussion Item No.3.



YUMA COUNTY BOARD OF SUPERVISORS
ORDINANCE NO. 2019-01

AN ORDINANCE BY THE BOARD OF SUPERVISORS
OF YUMA COUNTY AMENDING THE YUMA COUNTY
COMPREHENSIVE BUILDING SAFETY CODE TO
CONFORM TO THE CITY OF YUMA'S BUILDING CODE

WHEREAS: Arizona Revised Statute section §11-861 provides that; "in any county which 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 building or structures; and

WHEREAS: A.R.S. §11-861 allows a county to adopt any code 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; and

WHEREAS: The County of Yuma previously adopted the building code adopted by the largest city in the county, the City of Yuma, through Yuma County Ordinance No. 2013-01; and

WHEREAS: The County of Yuma's code is entitled the Yuma County Comprehensive Building Safety Code; and

WHEREAS: If the Board of Supervisors adopts the City of Yuma's code as per A.R.S. §11-861, and the city subsequently amends its code, A.R.S. §11-861 also requires the County to adopt parallel changes to its building code within ninety days of receiving written notification of a change to the city code, or shall terminate the city code and adopt any code adopted by any national organization or association that is organized and conducted for the purpose of developing codes; and

WHEREAS: The City of Yuma has modified its building code by adopting a building code by reference through its Ordinance No. O2018-050, Ordinance No. O2018-051, Ordinance O2018-052 and Ordinance O2018-054, dated the 21st day of November 2018; and

WHEREAS: The City of Yuma did not amend the 2009 International Energy Conservation Code as adopted through its Ordinance O2013-15; and

WHEREAS: The County now chooses to amend its building code to conform to the City of Yuma's Building Code and the provisions of A.R.S. §11-861; and

WHEREAS: The Yuma County Building Code Advisory Board held a meeting on December 18, 2018, and with a vote of 3-0, recommends amending the Yuma County Comprehensive Building Safety Code to conform to the City of Yuma's building code; and

WHEREAS: The Yuma County Planning and Zoning Commission after appropriate and proper advertisement and notice, held a public hearing on January 22, 2019 and with a vote of 8-0, recommends the amending the Yuma County Comprehensive Building Safety Code to conform to the City of Yuma's building code; and

WHEREAS: Any reference to the city disciplines in the above referenced city documents and materials shall denote the following for Yuma County:

City Ordinances
Yuma City Council

County Ordinances
Yuma County Board of Supervisors

City Clerk

Clerk of the Board

Fire Prevention Bureau of the
City of Yuma Fire Department

Department of Development Services-
Rural Metro Fire Department

Legal Council

Yuma County Attorney's Office

Class I Misdemeanor, and shall
Be punished as provided in
Section 1-10 of the city code

Class 2 Misdemeanor; and

WHEREAS: Three copies of the 2018 International Building Code, 2018 International Residential Code, 2018 International Existing Building Code, 2018 International Swimming Pool and Spa Code as amended by the City of Yuma are on file in the Office of the County Clerk, and are hereby declared to be public records, and said copies are ordered to remain on file with the Clerk of the Board; and

WHEREAS: In any specific case different sections of the Yuma County Comprehensive Building Safety Code and other codes of this jurisdiction specify different materials, methods of construction, or other requirements, the more restrictive shall govern, where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable; and

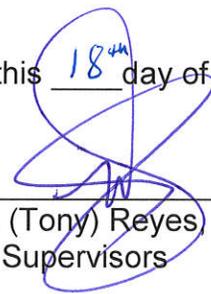
WHEREAS: Yuma County has a statutorily adopted fee schedule for services at the Department of Development Services, fees mentioned in the referenced codes or in the city disciplines of this ordinance shall not apply; and

WHEREAS: The Yuma County Board of Supervisors after appropriate and proper advertisement and notice, held a public hearing for the amendment of the Yuma County Comprehensive Building Safety Code; and

WHEREAS: any persons or corporation who shall violate any provision of the code adopted by this resolution shall be guilty of a Class 2 Misdemeanor and each and every day during which the illegal erection, construction, reconstruction, alteration, maintenance or use continues is a separate offence.

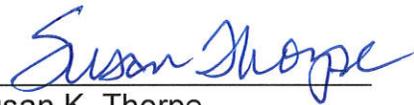
NOW, THEREFORE, BE IT ORDAINED that the Yuma County Board of Supervisors does this date, amend the Yuma County Comprehensive Building Safety Code to conform to the City of Yuma's building codes, to wit, the 2018 International Building Code, 2018 International Residential Code, 2018 International Existing Building Code, 2018 International Swimming Pool and Spa Code as updated in this ordinance, with all amendments adopted by the City of Yuma and directs Yuma County Department of Development Services to enforce the requirements as set forth in the Arizona Revised Statutes §11-861, as may be applicable to and enforceable by Yuma County, to become effective at 12:01 A.M. on April 22, 2019. This ordinance supersedes City of Yuma Ordinances O2013-11; O2013-12; O2013-14 referenced in Yuma County Ordinance No. 2013-01 dated June 17, 2013. The 2009 International Energy Conservation Code remains in effect as adopted in Yuma County Ordinance No. 2013-01.

Adopted this 18th day of March, 2019



Marco A. (Tony) Reyes, Chairman
Board of Supervisors

ATTEST:



Susan K. Thorpe,
County Administrator/Clerk of the Board

APPROVED AS TO FORM



Ed Feheley
Deputy County Attorney