

ORDINANCE NO. O2022-010

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF YUMA, ARIZONA, AMENDING TITLE 15 OF THE CITY CODE, CHAPTER 150, SECTIONS 150-065, 150-067, ADOPTING BY REFERENCE THE 2018 INTERNATIONAL FUEL GAS CODE, AND THE AMENDMENTS RECOMMENDED BY THE BUILDING ADVISORY BOARD DATED JANUARY 12, 2022, AND PROVIDING A PENALTY FOR VIOLATIONS THEREOF

WHEREAS, on July 15, 2015, the City Council adopted the 2012 International Fuel Gas Code; and,

WHEREAS, Yuma City Council Resolution R2022-020 declared a document titled, “*2018 International Fuel Gas Code*” a public record; and,

WHEREAS, it is necessary to periodically review and update the mechanical code standards of the community; and,

WHEREAS, the City Council has considered the recommendation of the Building Advisory Board based on their actions taken at the meeting of January 12, 2022 recommending adoption of the *2018 International Fuel Gas Code* and the amendments within this Ordinance; and,

WHEREAS, up to date modern codes help protect the built environment from natural disasters and fires, and offer safe environments for the occupants for both residential and commercial structures; and,

WHEREAS, the City of Yuma is desirous to adopt the *2018 International Fuel Gas Code*, and the amendments herein, to keep current with the code cycle and amendments to reflect modern technology, materials and techniques.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Yuma as follows:

SECTION 1: The Yuma City Code Title 15, Chapter 150, Section 65 is amended to delete the following strikethrough text and insert the following underlined text:

§ 150-065 Adoption of the 2012 2018 International Fuel Gas Code.

Certain documents, three copies of which are on file as public record in the office of the City Clerk of the City of Yuma, known as the ~~2012-International Fuel Gas Code~~ 2018 International Fuel Gas Code, which was made public record by Resolution ~~R2015-028~~ R2022-020, with certain amendments listed herein, is hereby adopted by reference and made a part hereof as if fully set out ~~herein~~ in this article.

SECTION 2: The Yuma City Code Title 15, Section 150, Section 67 is amended to delete the following strikethrough text and insert the following underlined text:

§ 150-067 Amendments.

The following amendments, additions, and deletions are hereby made to the ~~2012 International Fuel Gas Code~~ 2018 International Fuel Gas Code, as adopted by this subchapter. Paragraph, Paragraphs and section numbers refer to the ~~2012 International Fuel Gas Code~~ 2018 International Fuel Gas Code numbering system. Code references not amended in this section shall be enforced as published in the ~~2012 International Fuel Gas Code~~ reference document.

(A) **Section [A] 101.1 Title.** ~~Amend to read,~~“These regulations shall be known as the *Fuel Gas Code* of the City of Yuma, hereinafter referred to as ‘this code.’”

(B) Create a new sub-section, “**Section [A] 101.2.6 Fire Other Codes.** Where a section references the *International Fire Code*, amend to read ‘current adopted fire code.’ Where a section references the *International Energy Conservation Code*, amend to read ‘current adopted energy conservation code.’ Where a section references accessibility provisions, it shall be taken to reference Arizona Revised Statutes, Title 41, Chapter 9, Article 8, Public Accommodations and Services, The Arizonans with Disabilities Act, R10-3-401 through R10-3-404, which includes – 28 CFR 35 and 28 CFR 36 and Americans with Disabilities Act Accessibility Guidelines for Buildings and Facilities (ADAAG).”

(C) **Section [A] 103.1 General.** Amend to read, “The Department of ~~Community Development~~, Building Safety Division is hereby created and the executive official in charge thereof shall be known as the building official. Amend all sections of this code that reference the ‘code official’ by replacing to read the ‘building official.’”

(D) **Section [A] 106.6.1 Work commencing before permit issuance.** ~~Amend to read,~~“Any person who commences work on an installation before obtaining the necessary permits shall be subject to the usual permit fee and an additional investigative fee. An investigative fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigative fee shall be determined by the building official, based on the circumstances, nature and severity of the infraction. The minimum investigative fee shall be \$50 and the maximum shall be an amount up to the same as the fee set forth in Table 1-A.”

(E) **Section [A] 106.6.2 Fee schedule.** Amend by adding Plumbing Permit Fee Table 1-A:

TABLE 1-A: FUEL GAS PERMIT FEES

Permit issuance

- 1. For issuing each permit.....\$50.00
- 2. For issuing each supplemental permit for which the original permit has not expired, been canceled or finaled.....\$7.00

Unit Fee Schedule

(Note: The following do not include permit-issuing fee.)

1. Fuel-Gas Piping

- For each gas-piping system of one to five outlets.....\$7.00

For each additional gas-piping system outlet, per outlet.....\$1.00

2. Furnaces

For the installation or relocation of each fuel-gas forced-air or gravity-type furnace or burner including ducts and vents attached to such appliance, up to and including 100,000 Btu/h (29.3 kW).....\$15.00

For the installation or relocation of each fuel-gas forced-air or gravity-type furnace or burner including ducts and vents attached to such appliance over 100,000 Btu/h (29.3 kW).....\$18.00

For the installation or relocation of each fuel-gas floor furnace, including vent.....\$15.00

For the installation or relocation of each suspended fuel-gas heater, recessed wall heater or floor-monument unit heater.....\$15.00

3. Appliance Vents

For the installation, relocation or replacement of each fuel-gas appliance vent installed and not included in an appliance permit.....\$7.00

4. Alterations or Additions

For the alteration of, or addition to, each fuel-gas heating appliance, refrigeration unit, cooling unit, absorption unit, or each heating, cooling, absorption or evaporative cooling system, including installation of controls regulated by the Fuel Gas Code.....\$14.00

5. Boilers, Compressors and Absorption Systems

For the installation or relocation of each fuel-gas boiler or compressor to and including 3 horsepower (10.6 kW), or each absorption system to and including 100,000 Btu/h (29.3kW).....\$15.00

For the installation or relocation of each fuel-gas boiler or compressor over 3 horsepower (10.6 kW) to and including 15 horsepower (52.7 kW), or each absorption system over 100,000 Btu/h (29.3 kW) to and including 500,000 Btu/h (146.6 kW).....\$28.00

For the installation or relocation of each fuel-gas boiler or compressor over 15 horsepower (52.7 kW) to and including 30 horsepower (105.5 kW) or each or each absorption system over 500,000 Btu/h (146.6 kW) to and including 1,000,000 Btu/h (293.1 kW).....\$37.00

For the installation or relocation of each fuel-gas boiler or compressor over 30 horsepower (105.5 kW) to and including 50 horsepower (176 kW), or each absorption system over 1,000,000 Btu/h (293.1 kW) to and including 1,750,000 Btu/h (512.9 kW).....\$55.00

For the installation or relocation of each fuel-gas boiler or compressor over 50 horsepower (176 kW), or each absorption system over 1,750,000 Btu/h (512.9 kW).....\$93.00

6. Air Handlers

Note: This fee does not apply to an air-handling unit which is a portion of a factory-assembled appliance, cooling unit, evaporative cooler or absorption unit for which a permit is required elsewhere in this code.

For each fuel-gas air-handling unit to and including 10,000 cubic feet per minute (cfm) (4719 L/s), including ducts attached hereto.....\$11.00

For each fuel-gas air-handling unit over 10,000 cfm (4719 L/s).....\$18.00

7. Incinerators

For the installation or relocation of each domestic-type fuel-gas incinerator.....\$18.00

For the installation or relocation of each commercial or industrial-type fuel-gas incinerator\$15.00

8. Miscellaneous

For each appliance or piece of equipment regulated by the Fuel Gas Code but not classed in other appliance categories, or for which no fee is listed in the table.....\$11.00

Other Inspections and Fees:

1. Inspections outside of normal business hours, \$50.00 per hour* (minimum charge two hours)
2. Reinspection fees assessed for work not ready for inspection, \$50.00 per hour*
3. Inspections for which no fee is specifically indicated, \$50.00 per hour* (minimum charge one-half hour)
4. Additional plan review required by changes, additions or revisions to plans, \$50.00 per hour* (minimum charge one-half hour)

* Or the total hourly cost to the jurisdiction, whichever is the greater. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.

(F) **Section [A] 106.6.3 Fee refunds.** ~~Amend to read,~~ Add to end of section, "The building official shall authorize the refunding of fees as follows:-

1. The full amount of any fee paid hereunder which was erroneously paid or collected.
2. Not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.
3. Not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review effort has been expended."

The building official shall not authorize the refunding of any fee except upon written application filed by the original permittee not later than 180 days after the date of fee payment."

(G) **Section [A] 108.4 Violation penalties.** ~~Amend to read,~~ "Persons Any person who shall violate a provision of this code, fail to comply with any of the requirements thereof or erect, install, alter or repair work in violation of the *approved construction documents* or directive of the building official, or of a permit or certificate issued under the provision of this code, shall be subject to the penalty and fine described in this ordinance."

(H) **Section [A] 108.5 Stop work orders.** ~~Amend to read,~~ "Upon notice from the building official that work is being done contrary to the provisions of this code or in a dangerous or unsafe

manner, such work shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, the owner's agent, or to the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the building official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work on the system after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to the penalty and fine described in this ordinance.²²

(I) **Section [A] 109.2 Membership of the board.** Amend to read, "The membership of the Building Advisory Board, as prescribed in Section 150-008 of the Yuma City Code, will be the Board of Appeals."²²

(J) **Sections [A] 109.2.1 through [A] 109.37.** Delete sections in their entirety.

(K) **Section [A] 109.5 Postponed hearing.** Amend to read, "When nine members are not present to hear an appeal, either the appellant or the appellant's representative shall have the right to request a postponement of the hearing."²²

(~~L~~K) **Section [BS] 301.11 Flood hazard.** Amend to read, "For structures located in flood hazard areas, the appliance, equipment and system installations regulated by this code shall be located and installed as required by the adopted city floodplain ordinances for utilities and attendant equipment.

Exception: The appliance, equipment and system installations regulated by this code are permitted to be located below the elevation required by the city adopted floodplain ordinances for utilities and attendant equipment provided that they are designed and installed to prevent water from entering or accumulating within the components and to resist hydrostatic and hydrodynamic loads and stresses, including the effects of buoyancy, during the occurrence of flooding to such elevation."²²

(~~M~~L) **Section [M] 306.5.1 Sloped roofs.** Amend first sentence to read, "Where appliances, *equipment*, fans or other components that require service are installed on a roof having a slope of greater than 4 units vertical in 12 units horizontal (33-percent slope) or greater and having an edge more than 30 inches (762 mm) above grade at such edge, a level platform shall be provided on each side of the *appliance* or *equipment* to which *access* is required for service, repair, or maintenance."²²

(~~N~~M) **Section 307.1 Evaporators and cooling coils.** Amend to read, "Condensate drainage systems shall be provided for *equipment* and appliances containing evaporators and cooling coils in accordance with the *International Mechanical Code* and its amendments."²²

(N) **Section 402.2 Maximum gas demand.** Add to end of section, "Where an input rating is not indicated, the gas supplier, *appliance* manufacturer or a qualified agency shall be contacted, or the rating from Table 402.2 may be used as a general guide for estimating the volumetric flow rate of gas to be supplied."²²

Insert Table 402.2:

Table 402.2
Approximate Gas Input For Typical Appliances

APPLIANCE	INPUT BTU/H (Approx.)
Space Heating Units	
Hydronic Boiler	
Single family	100,000
Multifamily, per unit	
Warm-air furnace	60,000
Single family	
Multifamily, per unit	100,000
	60,000
Space and Water Heating Units	
Hydronic boiler	
Single family	120,000
Multifamily, per unit	75,000
Water Heating Appliances	
Water heater, automatic instantaneous	
Capacity at 2 gal./minute	142,800
Capacity at 4 gal./minute	285,000
Capacity at 6 gal./minute	428,400
Water heater, automatic storage, 30 to 40-gal. tank	35,000
Water heater, automatic storage, 50-gal. tank	50,000
Water heater, domestic circulating or side-arm	35,000
Cooking Appliances	
Built-in oven or broiler unit, domestic	25,000
Built-in top unit, domestic	40,000
Range, free-standing, domestic	65,000
Other Appliances	
Barbecue	40,000
Clothes dryer, Type 1 (domestic)	35,000
Gas fireplace, direct-vent	40,000
Gas light	2,500
Gas log	80,000
Refrigerator	3,000

(O) **Section 403.4.3 Copper and brass copper alloy.** ~~Delete section in its entirety.~~ Amend second sentence to read, "Copper and copper alloy pipe shall not be used for natural gas piping, but is permitted for propane gas piping."

(P) **Section 403.5.2 Copper and brass copper alloy tubing.** ~~Delete section in its entirety.~~ Amend second sentence to read, "Copper and copper alloy pipe shall not be used for natural gas piping, but is permitted for propane gas piping."

(Q) Section 404.5 Fittings in concealed locations. Add to end of section, "Union fittings are not permitted in concealed locations."

(R) Section 404.17.3 Tracer. Amend last sentence to read, "The tracer wire size shall not be less than #12 gauge solid copper insulated tracer wire securely attached to pipe or wrapped around the pipe. Attachments shall be provided at maximum 20 foot intervals and at each change in direction."

SECTION 3: All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed, effective thirty (30) days from the adoption hereof. All ordinances or parts of ordinances not amended or repealed by the provisions of this Ordinance shall remain in full force and effect.

SECTION 4: This Ordinance does not affect the rights and duties that matured, penalties that were incurred, or proceedings that were begun before the effective date of this Ordinance.

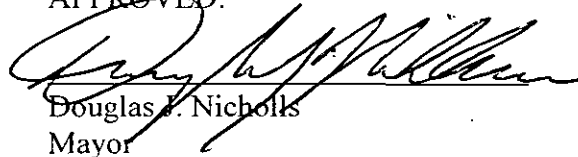
SECTION 5: If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

SECTION 6: Violations of this Ordinance are subject to the following penalties:

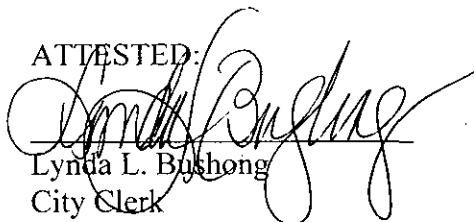
It shall be unlawful for any person, firm or corporation to violate, or cause the violation of, any provision of the ordinance. Any person, firm or corporation violating any of the provisions of this ordinance shall be deemed guilty of a class 1 misdemeanor and shall be punished by a fine not to exceed \$1,000, or by imprisonment for not more than ten days, or by both fine and imprisonment. Each separate day or part thereof during which any violation of this ordinance occurs or continues shall be deemed to constitute a separate offense, and upon conviction thereof, shall be punishable as herein provided.

Adopted this 4th day of May, 2022


APPROVED:


Douglas J. Nicholls
Mayor

ATTESTED:


Lynda L. Bushong
City Clerk

APPROVED AS TO FORM:


Richard W. Files
City Attorney