

Senate Engrossed

**FILED**  
**KEN BENNETT**  
**SECRETARY OF STATE**

State of Arizona  
Senate  
Fifty-first Legislature  
Second Regular Session  
2014

CHAPTER 73

## **SENATE BILL 1183**

AN ACT

AMENDING TITLE 9, CHAPTER 7, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 9-808; AMENDING SECTION 11-861, ARIZONA REVISED STATUTES; RELATING TO CITY AND COUNTY CODES.

(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 7, article 1, Arizona Revised Statutes, is  
3 amended by adding section 9-808, to read:

4 9-808. Fire apparatus access road or approved route; one or two  
5 family residences; utility or miscellaneous accessory  
6 buildings or structures; definitions

7 A. A MUNICIPALITY MAY NOT ADOPT ANY, OR PART OF ANY, FIRE CODE,  
8 ORDINANCE, STIPULATION OR OTHER LEGAL REQUIREMENT FOR AN APPROVED FIRE  
9 APPARATUS ACCESS ROAD OR A FIRE APPARATUS ACCESS ROAD EXTENSION, OR BOTH, OR  
10 AN APPROVED ROUTE OR A ROUTE EXTENSION, OR BOTH, THAT DIRECTLY OR INDIRECTLY  
11 REQUIRES A ONE OR TWO FAMILY RESIDENCE OR A UTILITY OR MISCELLANEOUS  
12 ACCESSORY BUILDING OR STRUCTURE TO INSTALL FIRE SPRINKLERS. A FIRE CODE  
13 OFFICIAL MAY INCREASE OR EXTEND AN APPROVED FIRE APPARATUS ACCESS ROAD OR A  
14 FIRE APPARATUS ACCESS ROAD EXTENSION, OR BOTH, OR AN APPROVED ROUTE OR A  
15 ROUTE EXTENSION, OR BOTH, TO COMPLY WITH THIS SECTION. COMPLIANCE WITH THIS  
16 SECTION MAY NOT BE GROUNDS TO DENY OR SUSPEND A LICENSE OR PERMIT.

17 B. FOR THE PURPOSES OF THIS SECTION:

18 1. "FIRE CODE" INCLUDES THE INTERNATIONAL FIRE CODE, HOWEVER  
19 DENOMINATED.

20 2. "UTILITY OR MISCELLANEOUS ACCESSORY BUILDING OR STRUCTURE" INCLUDES  
21 AN AGRICULTURAL BUILDING, AIRCRAFT HANGAR, ACCESSORY TO A RESIDENCE, BARN,  
22 CARPORT, FENCE THAT IS MORE THAN SIX FEET HIGH, GRAIN SILO, GREENHOUSE,  
23 LIVESTOCK SHELTER, PRIVATE GARAGE, RETAINING WALL, SHED, STABLE, TANK OR  
24 TOWER.

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

26 11-861. Adoption of codes by reference; limitations; method of  
27 adoption; fire apparatus access roads or approved  
28 routes; one or two family residences; utility or  
29 miscellaneous accessory buildings or structures

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

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

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

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

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

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

20 1. The broad dissemination and publicity of the proposed code and any  
21 revisions to the code.

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

24 3. Open discussions, communications programs and information services.

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

26 E. The board of supervisors ~~of a county~~ shall not adopt a code or  
27 ordinance or part of a uniform code or ordinance that prohibits a person or  
28 entity from choosing to install or equip or not install or equip fire  
29 sprinklers in a single family detached residence or any residential building  
30 that contains not more than two dwelling units. The board of supervisors ~~of~~  
31 ~~a county~~ shall not impose any fine, penalty or other requirement on any  
32 person or entity for choosing to install or equip or not install or equip  
33 fire sprinklers in such a residence. This subsection does not apply to any  
34 code or ordinance that requires fire sprinklers in a residence and that was  
35 adopted before December 31, 2009.

36 F. A BOARD OF SUPERVISORS MAY NOT ADOPT ANY, OR PART OF ANY, FIRE  
37 CODE, ORDINANCE, STIPULATION OR OTHER LEGAL REQUIREMENT FOR AN APPROVED FIRE  
38 APPARATUS ACCESS ROAD OR A FIRE APPARATUS ACCESS ROAD EXTENSION, OR BOTH, OR  
39 AN APPROVED ROUTE OR A ROUTE EXTENSION, OR BOTH, THAT DIRECTLY OR INDIRECTLY  
40 REQUIRES A ONE OR TWO FAMILY RESIDENCE OR A UTILITY OR MISCELLANEOUS  
41 ACCESSORY BUILDING OR STRUCTURE TO INSTALL FIRE SPRINKLERS. A FIRE CODE  
42 OFFICIAL MAY INCREASE OR EXTEND AN APPROVED FIRE APPARATUS ACCESS ROAD OR A  
43 FIRE APPARATUS ACCESS ROAD EXTENSION, OR BOTH, OR AN APPROVED ROUTE OR A  
44 ROUTE EXTENSION, OR BOTH, TO COMPLY WITH THIS SUBSECTION. COMPLIANCE WITH

1 THIS SUBSECTION MAY NOT BE GROUNDS TO DENY OR SUSPEND A LICENSE OR PERMIT.  
2 FOR THE PURPOSES OF THIS SUBSECTION:

3 1. "FIRE CODE" INCLUDES THE INTERNATIONAL FIRE CODE, HOWEVER  
4 DENOMINATED.

5 2. "UTILITY OR MISCELLANEOUS ACCESSORY BUILDING OR STRUCTURE" INCLUDES  
6 AN AGRICULTURAL BUILDING, AIRCRAFT HANGAR, ACCESSORY TO A RESIDENCE, BARN,  
7 CARPORT, FENCE THAT IS MORE THAN SIX FEET HIGH, GRAIN SILO, GREENHOUSE,  
8 LIVESTOCK SHELTER, PRIVATE GARAGE, RETAINING WALL, SHED, STABLE, TANK OR  
9 TOWER.

APPROVED BY THE GOVERNOR APRIL 17, 2014.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 18, 2014.

Passed the House April 14, 2014,

by the following vote: 47 Ayes,  
7 Nays, 6 Not Voting

[Signature]  
Speaker of the House

Cheryl Laube  
Chief Clerk of the House

Passed the Senate February 24, 2014,

by the following vote: 28 Ayes,  
2 Nays, 0 Not Voting

[Signature]  
President of the Senate

Charmain Bellington  
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF GOVERNOR

This Bill was received by the Governor this  
16<sup>th</sup> day of April, 2014,

at 4:15 o'clock P M.

[Signature]  
Secretary to the Governor

Approved this 17<sup>th</sup> day of

April, 2014,

at 11:57 o'clock A-M.

[Signature]  
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State  
this 18<sup>th</sup> day of April, 2014,

at 8:10 o'clock a M.

[Signature]  
Secretary of State

S.B. 1183