

Senate Engrossed House Bill

FILED

MICHELE REAGAN
SECRETARY OF STATE

State of Arizona
House of Representatives
Fifty-second Legislature
First Regular Session
2015

CHAPTER 191

HOUSE BILL 2003

AN ACT

AMENDING SECTIONS 9-807, 9-808 AND 11-861, ARIZONA REVISED STATUTES; RELATING TO FIRE CODES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

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

4 9-807. Mandated fire sprinklers in certain residences
5 prohibited; exception; permit application format

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

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

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

21 Sec. 2. Section 9-808, Arizona Revised Statutes, is amended to read:

22 9-808. Fire apparatus access road or approved route; one or two
23 family residences; utility or miscellaneous accessory
24 buildings or structures; definitions

25 A. A municipality may not adopt any, or part of any, fire code,
26 ordinance, stipulation or other legal requirement for an approved fire
27 apparatus access road or a fire apparatus access road extension, or both, or
28 an approved route or a route extension, or both, that directly or indirectly
29 requires a one or two family residence or a utility or miscellaneous
30 accessory building or structure to install fire sprinklers. A fire code
31 official may increase or extend an approved fire apparatus access road or a
32 fire apparatus access road extension, or both, or an approved route or a
33 route extension, or both, to comply with this section. Compliance with this
34 section ~~may not be~~ IS NOT grounds to deny or suspend a license or permit.

35 B. For the purposes of this section:

36 1. "Fire code" includes the international fire code, however
37 denominated.

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

43 C. NOTHING IN THIS SECTION PROHIBITS A MUNICIPALITY FROM ADOPTING FIRE
44 CODES OR ORDINANCES TO PROVIDE SUFFICIENT FIRE ACCESS AND FIRE ROUTES THAT
45 ENSURE PUBLIC HEALTH AND SAFETY.

1 Sec. 3. Section 11-861, Arizona Revised Statutes, is amended to read:
2 11-861. Adoption of codes by reference; limitations; method of
3 adoption; fire sprinklers; fire apparatus access
4 roads or approved routes; pool barrier gates

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

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

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

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

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

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

39 1. The broad dissemination and publicity of the proposed code and any
40 revisions to the code.

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

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

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

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

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

16 ~~F.~~ G. A board of supervisors may not adopt any, or part of any, fire
17 code, ordinance, stipulation or other legal requirement for an approved fire
18 apparatus access road or a fire apparatus access road extension, or both, or
19 an approved route or a route extension, or both, that directly or indirectly
20 requires a one or two family residence or a utility or miscellaneous
21 accessory building or structure to install fire sprinklers. A fire code
22 official may increase or extend an approved fire apparatus access road or a
23 fire apparatus access road extension, or both, or an approved route or a
24 route extension, or both, to comply with this subsection. Compliance with
25 this subsection ~~may not be~~ IS NOT grounds to deny or suspend a license or
26 permit. For the purposes of this subsection:

27 1. "Fire code" includes the international fire code, however
28 denominated.

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

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

APPROVED BY THE GOVERNOR APRIL 2, 2015.

Passed the House February 16, 2015

Passed the Senate March 24, 2015

by the following vote: 57 Ayes,

by the following vote: 28 Ayes,

0 Nays, 3 Not Voting

0 Nays, 2 Not Voting

[Signature]
Speaker of the House

[Signature]
President of the Senate

[Signature]
Chief Clerk of the House

[Signature]
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill received by the Governor this

_____ day of _____, 20____

at _____ o'clock _____ M.

Secretary to the Governor

Approved this _____ day of

at _____ o'clock _____ M.

Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this _____ day of _____, 20____

at _____ o'clock _____ M.

Secretary of State

H.B. 2003

HOUSE CONCURS IN SENATE
AMENDMENTS AND FINAL PASSAGE

March 30, 2015,

by the following vote: 52 Ayes,

8 Nays, 0 Not Voting

[Signature]

Speaker of the House

[Signature]

Chief Clerk of the House

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

30th day of March, 2015,

at 4:07 o'clock P. M.

[Signature]

Secretary to the Governor

Approved this 2nd day of

April, 2015,

at 10:58 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 2nd day of April, 2015,

at 4:00 o'clock P. M.

[Signature]

Secretary of State

H.B. 2003