

REFERENCE TITLE: local energy conservation codes

State of Arizona
House of Representatives
Forty-eighth Legislature
First Regular Session
2007

HB 2275

Introduced by
Representatives Sinema, Gallardo: Campbell CH, Lopez, Lujan, Pancrazi,
Schapira

AN ACT

AMENDING TITLE 9, CHAPTER 7, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 9-807; AMENDING SECTION 11-861, ARIZONA REVISED STATUTES; RELATING TO BUILDING ENERGY 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 9-807, to read:

4 9-807. Building energy code

5 CITIES AND TOWNS SHALL ADOPT AND ANNUALLY UPDATE A BUILDING ENERGY CODE
6 FOR RESIDENTIAL AND COMMERCIAL CONSTRUCTION THAT CONFORMS TO THE
7 INTERNATIONAL ENERGY CONSERVATION CODE ADOPTED BY THE INTERNATIONAL CODE
8 COUNCIL.

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

10 11-861. Adoption of codes by reference; limitations; method of
11 adoption

12 A. In any county which has adopted zoning pursuant to this chapter,
13 the board of supervisors may adopt and enforce, for the unincorporated areas
14 of the county so zoned, a building code and other related codes to regulate
15 the quality, type of material and workmanship of all aspects of construction
16 of buildings or structures, except that the board may authorize that areas
17 zoned rural or unclassified may be exempt from the provisions of the code
18 adopted. Such codes may be adopted by reference after notice and hearings
19 before the county planning and zoning commission and board of supervisors as
20 provided in this chapter for amendments to the zoning ordinance of the
21 county.

22 B. The board of supervisors may adopt a fire prevention code in the
23 unincorporated areas of the county in which a fire district has not adopted
24 the uniform fire code pursuant to section 48-805. Any fire code adopted by a
25 board of supervisors pursuant to this subsection shall remain in effect until
26 a fire district is established and adopts a code applicable within the
27 boundaries of the district.

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

30 1. Any building, electrical or mechanical code that has been adopted
31 by any national organization or association that is organized and conducted
32 for the purpose of developing codes or that has been adopted by the largest
33 city in that county. If the board of supervisors adopts a city code, it
34 shall adopt, within ninety days after receiving a written notification of a
35 change to the city code, the same change or shall terminate the adopted city
36 code.

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

41 D. The board of supervisors may adopt a current wildland-urban
42 interface code. The code may be adapted from a model code adopted by a
43 national or international organization or association for mitigating the
44 hazard to life and property. The board must follow written public procedures

1 in the development and adoption of the code and any revisions to the code to
2 provide effective, early and continuous public participation through:
3 1. The broad dissemination and publicity of the proposed code and any
4 revisions to the code.
5 2. The opportunity for submission and consideration of written public
6 comments.
7 3. Open discussions, communications programs and information services.
8 4. Consultation with federal agencies and state and local officials.
9 E. THE BOARD OF SUPERVISORS SHALL ADOPT AND ANNUALLY UPDATE A BUILDING
10 ENERGY CODE FOR RESIDENTIAL AND COMMERCIAL CONSTRUCTION THAT CONFORMS TO THE
11 INTERNATIONAL ENERGY CONSERVATION CODE ADOPTED BY THE INTERNATIONAL CODE
12 COUNCIL.