

RESOLUTION 23-2000

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF BENSON, ARIZONA AMENDING RESOLUTION 1-99 TO ADOPT THE PLAN REVIEW FEES SET FORTH IN THE UNIFORM BUILDING CODE, 1997 EDITION**

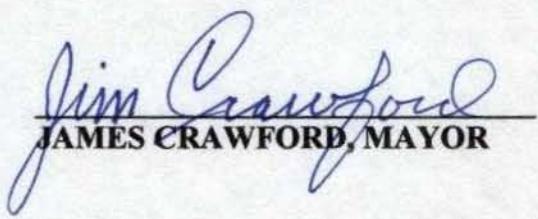
WHEREAS the Mayor and City Council have, in Resolution 1-99, adopted January 19, 1999, declared The 1997 edition of the Uniform Building Code, volumes I, II, and III, as amended along with the Uniform Building Code Appendix a public record; and,

WHEREAS the Mayor and City Council thereafter by ordinance adopted said Uniform Building Code; and,

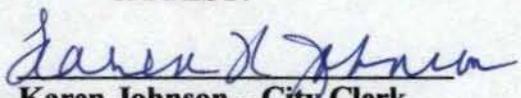
WHEREAS Resolution 1-99 amend certain sections of the Uniform Building Code to provide for reduced plan check fees and said reduction is no longer deemed appropriate.

BE IT NOW HEREBY RESOLVED that the provisions of Resolution 1-99 as set forth in the provision numbered 1.a., amending the fee schedule contained in the Code be, and the same is now, hereby repealed. This action shall become effective thirty (30) days from this date as to all submittals filed thereafter with the City Building Department.

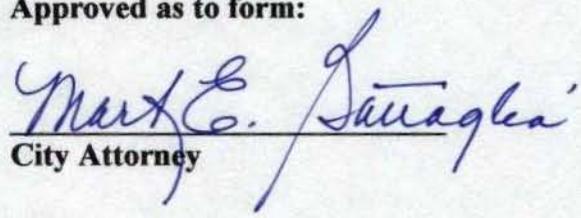
PASSED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF BENSON, ARIZONA this 16th day of October, 2000.

  
JAMES CRAWFORD, MAYOR

ATTEST:

  
Karen Johnson - City Clerk

Approved as to form:

  
City Attorney

and that the fees specified in Section 107 have been paid, the building official shall issue a permit therefor to the applicant.

When the building official issues the permit where plans are required, the building official shall endorse in writing or stamp the plans and specifications APPROVED. Such approved plans and specifications shall not be changed, modified or altered without authorizations from the building official, and all work regulated by this code shall be done in accordance with the approved plans.

The building official may issue a permit for the construction of part of a building or structure before the entire plans and specifications for the whole building or structure have been submitted or approved, provided adequate information and detailed statements have been filed complying with all pertinent requirements of this code. The holder of a partial permit shall proceed without assurance that the permit for the entire building or structure will be granted.

**106.4.2 Retention of plans.** One set of approved plans, specifications and computations shall be retained by the building official for a period of not less than 90 days from date of completion of the work covered therein; and one set of approved plans and specifications shall be returned to the applicant, and said set shall be kept on the site of the building or work at all times during which the work authorized thereby is in progress.

**106.4.3 Validity of permit.** The issuance or granting of a permit or approval of plans, specifications and computations shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or of any other ordinance of the jurisdiction. Permits presuming to give authority to violate or cancel the provisions of this code or other ordinances of the jurisdiction shall not be valid.

The issuance of a permit based on plans, specifications and other data shall not prevent the building official from thereafter requiring the correction of errors in said plans, specifications and other data, or from preventing building operations being carried on thereunder when in violation of this code or of any other ordinances of this jurisdiction.

**106.4.4 Expiration.** Every permit issued by the building official under the provisions of this code shall expire by limitation and become null and void if the building or work authorized by such permit is not commenced within 180 days from the date of such permit, or if the building or work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of 180 days. Before such work can be recommenced, a new permit shall be first obtained to do so, and the fee therefor shall be one half the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work, and provided further that such suspension or abandonment has not exceeded one year. In order to renew action on a permit after expiration, the permittee shall pay a new full permit fee.

Any permittee holding an unexpired permit may apply for an extension of the time within which work may commence under that permit when the permittee is unable to commence work within the time required by this section for good and satisfactory reasons. The building official may extend the time for action by the permittee for a period not exceeding 180 days on written request by the permittee showing that circumstances beyond the control of the permittee have prevented action from being taken. No permit shall be extended more than once.

**106.4.5 Suspension or revocation.** The building official may, in writing, suspend or revoke a permit issued under the provisions of this code whenever the permit is issued in error or on the basis of

incorrect information supplied, or in violation of any ordinance or regulation or any of the provisions of this code.

## SECTION 107 — FEES

**107.1 General.** Fees shall be assessed in accordance with the provisions of this section or shall be as set forth in the fee schedule adopted by the jurisdiction.

**107.2 Permit Fees.** The fee for each permit shall be as set forth in Table 1-A.

The determination of value or valuation under any of the provisions of this code shall be made by the building official. The value to be used in computing the building permit and building plan review fees shall be the total value of all construction work for which the permit is issued, as well as all finish work, painting, roofing, electrical, plumbing, heating, air conditioning, elevators, fire-extinguishing systems and any other permanent equipment.

**107.3 Plan Review Fees.** When submittal documents are required by Section 106.3.2, a plan review fee shall be paid at the time of submitting the submittal documents for plan review. Said plan review fee shall be 65 percent of the building permit fee as shown in Table 1-A.

The plan review fees specified in this section are separate fees from the permit fees specified in Section 107.2 and are in addition to the permit fees.

When submittal documents are incomplete or changed so as to require additional plan review or when the project involves deferred submittal items as defined in Section 106.3.4.2, an additional plan review fee shall be charged at the rate shown in Table 1-A.

**107.4 Expiration of Plan Review.** Applications for which no permit is issued within 180 days following the date of application shall expire by limitation, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the building official. The building official may extend the time for action by the applicant for a period not exceeding 180 days on request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. No application shall be extended more than once. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee.

### 107.5 Investigation Fees: Work without a Permit.

**107.5.1 Investigation.** Whenever any work for which a permit is required by this code has been commenced without first obtaining said permit, a special investigation shall be made before a permit may be issued for such work.

**107.5.2 Fee.** An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee required by this code. The minimum investigation fee shall be the same as the minimum fee set forth in Table 1-A. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this code nor from any penalty prescribed by law.

**107.6 Fee Refunds.** The building official may authorize refunding of any fee paid hereunder which was erroneously paid or collected.

The building official may authorize refunding of 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.

The building official may authorize refunding of not more than 80 percent of the plan review fee paid when an application for a

REVISE

RESOLUTION NO. 1-99

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF BENSON, ARIZONA, AFFIRMING POLICY AND DECLARING AS A PUBLIC RECORD CERTAIN DOCUMENTS FILED WITH THE CITY CLERK ENTITLED THE 1997 EDITIONS OF THE UNIFORM BUILDING CODE, VOLUMES I, II AND III, AS AMENDED; THE UNIFORM BUILDING CODE APPENDICES, AS AMENDED; THE UNIFORM MECHANICAL CODE; THE UNIFORM PLUMBING CODE, AS AMENDED; THE UNIFORM FIRE CODE, VOLUMES I AND II; THE UNIFORM FIRE CODE APPENDIX; THE UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS; AND THE 1996 EDITION OF THE NATIONAL ELECTRICAL CODE; AND AUTHORIZING AND DIRECTING THE CITY MANAGER, CITY BUILDING OFFICIAL, CITY ATTORNEY OR THEIR AUTHORIZED OFFICERS AND AGENTS TO TAKE ALL STEPS NECESSARY TO CARRY OUT THE PURPOSES AND INTENT OF THIS RESOLUTION.

WHEREAS, in order to provide for the health, safety and welfare of the city residents, it is in the best interest of the City of Benson to continue to adopt nationally accepted building safety codes;

WHEREAS, it is prudent for the City of Benson to update its building safety codes, when new additions become available;

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BENSON, ARIZONA, as follows:

SECTION 1

That it be reaffirmed that the City of Benson will adopt the most current codes for the regulation of construction.

SECTION 2

That certain documents entitled the 1997 Editions of the Uniform Building Code, Volumes I, II and III; the Uniform Building Code Appendices; the Uniform Mechanical Code; the Uniform Plumbing Code; the Uniform Fire Code, Volumes I and II; the Uniform Fire Code Appendix; and the Uniform Code for the Abatement of Dangerous Buildings, and the 1996 Edition of the National Electrical Code, copies of which are on file with the City Clerk, are hereby declared to be a public record.

SECTION 3

That a certain document entitled "Amendments to the 1997 Uniform Codes", copies of which are on file with the City Clerk, are also hereby declared to be a public record.

CITY OF BENSON

"AMENDMENTS TO THE 1997 UNIFORM CODES"

1. UNIFORM BUILDING CODE:

- a. amend section 107.3, paragraph 1, sentence 2, as follows:

Said plan review fees for buildings in Group R, Division 1, "Apartments" (up to and including 4 attached units), and Group R, Division 3, "Occupancies", shall be 10% of the building permit fee as shown in Table 1A. Plan review fees for all other buildings shall be 65% of the Building Permit Fee shown on Table 1A.

- b. Amend Section 109.1 "Exception", as follow"

Exception: Group U "Occupancy"

- c. Amend Table 23-IV-C-1 by including seismic zones 2b with seismic zones 0,1, and 2A.

2. UNIFORM BUILDING CODE APPENDICES:

- a. Adopt only Appendix Chapters 3, Divisions I, II, and IV; adopt Appendix Chapters 4, 9, 11, 12 and 15; adopt Tables A-21-1-A-1, A-21-A-2, A-21-B AND A-21-E; adopt Appendix Chapter 30 and Chapter 31, Divisions II and III.

- b. Adopt Appendix Chapter 29 with the following amended footnotes

- delete Footnote 6 and "NOTE"
- add the following footnotes:

6. Where food or beverages are served and consumed indoors, toilet facilities shall be provided as required under Group A Occupancies for dining rooms and drinking establishments.

7. There shall be a minimum of one (1) drinking fountain per occupied floor in schools, theaters, auditoriums, dormitories, or public buildings.

8. In Groups B (except eating and drinking establishments), F, H, M, and S Occupancies shall be provided with at least one water closet. Separate facilities shall be provided for each sex, as required by Table A-29-A, when the number of employees exceeds four, Such toilet

facilities shall be located either in such building or conveniently in a building adjacent thereto on the same property.

9. Such water closet rooms in connection with food establishments where food is prepared, stored or served shall have a nonabsorbent interior finish as specified in Section 807.1, shall have hand-washing facilities therein or adjacent thereto, and shall be separated from food preparation or storage rooms as specified in Section 302.6.
10. Dwelling units shall be provided with a kitchen equipped with a kitchen sink. Dwelling units, congregate residences and lodging houses shall be provided with a bathroom equipped with facilities consisting of a water closet, lavatory and either a bathtub or shower shall be equipped with hot and cold running water necessary for its normal operation.
11. The water closet stool in all occupancies shall be located in a clear space not less than 30 inches in width. The clear space in front of the water closet shall be not less than 24 inches.

3. UNIFORM MECHANICAL CODE:

- delete Section 115.

4. UNIFORM PLUMBING CODE:

- delete Section 103.4

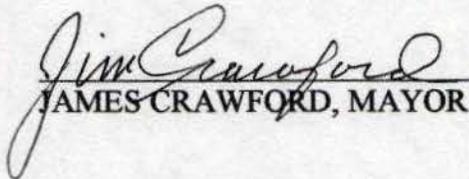
- delete 3<sup>rd</sup> paragraph of Section 608.3 dealing with installation of expansion tanks.

- delete Appendices J.

SECTION 4

That the City manager, City Building Official, City Attorney or their duly authorized officers and agents are hereby authorized and directed to take all steps necessary to carry the purposes and intent of this resolution.

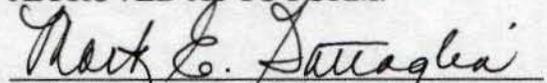
PASSED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF BENSON,  
ARIZONA, This 19 day of January 1999.

  
JAMES CRAWFORD, MAYOR

ATTEST:

  
KAREN JOHNSON - City Clerk

APPROVED AS TO FORM:

  
MARK E. BATTAGLIA - City Attorney