

STATE OF ARIZONA
29th LEGISLATURE
2nd REGULAR SESSION

SENATE

S.B. 43
INTRODUCED
January 14, 1970

Referred to	Date	Reported Out
Rules		
Committee of Whole		
3rd Reading -- Aye	No	Absent
House Action		
Sent to Governor		Action

Introduced by Senators Kret, Conlan, Holley, O'Connor

AN ACT

RELATING to Counties; Providing that Counties may Adopt by Reference Certain Types of Building Codes for Unincorporated Areas; Providing for Appointment of Advisory Boards; Prescribing Exemptions; Prescribing Penalties; Amending Section 11-821, Arizona Revised Statutes, and Amending Title 11, Chapter 6, Arizona Revised Statutes, by Adding Article 3.

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

Section 1. LEGISLATIVE INTENT

It is the intent of the legislature to permit counties to adopt building codes thereby regulating the quality, type of material and workmanship of all aspects of construction of buildings or structures. Such codes may be adopted by reference providing the county meets the requirements specified by this act.

Sec. 2. Sec. 11-821, Arizona Revised Statutes, is amended to read:
11-821. COUNTY PLAN

A. The commission shall formulate and adopt a comprehensive long term county plan for the development of the area of jurisdiction. The county plan, with THE accompanying maps, plats, charts and descriptive matter, shall show the commission's recommendations for the development of the area of jurisdiction together with THE general zoning regulations. The county plan shall be made with the general purpose of guiding and accomplishing a coordinated, adjusted and harmonious development of the area of jurisdiction. In the preparation of the county plan the commission shall make surveys and studies of present conditions and prospective future growth of the area of THE jurisdiction.

S.B. 43

1. secretary.
2. 2. An architect.
3. 3. A professional engineer.
4. 4. A general contractor.
5. 5. A subcontractor.

6. Each appointee shall have substantial experience in the field covered by
7. the particular code and be registered to practice in the state of Arizona.
8. Members of the advisory board shall be appointed by the board of
9. supervisors. Of the members appointed to the board, one each shall be
10. appointed for a term of one, two, three and four years. Upon
11. expiration of the term of office a member of the advisory board, his
12. successor shall be appointed for a term of four years. Vacancies shall be
13. filled for an unexpired term in the manner in which original
14. appointments are required to be made.

15. B. The functions and duties of the advisory board may be specified
16. by regulation by the board of supervisors.

17. **NEW SEC. 11-863. CONTRACT BY COUNTY AND CITY FOR**
18. **ENFORCEMENT; RULES AND REGULATIONS**

19. A. Any county may contract with a city or town to provide for
20. enforcement of such codes or rules and regulations adopted pursuant
21. thereto.

22. B. The board may adopt necessary rules and regulations for the
23. enforcement of any code adopted under this article.

24. **NEW SEC. 11-864. PUBLICATION OF ORDINANCE ADOPTING**
25. **CODE**

26. Any code authorized by this article may be enacted without setting
27. forth in full such provisions, but the adopting ordinance shall be
28. published in full. At least three copies of the code shall be filed in the
29. office of the clerk of the board of supervisors and kept available for
30. public use and inspection. A code enacted by reference may be
31. amended in the same manner.

32. **NEW SEC. 11-865. INSPECTIONS**

33. Any code adopted pursuant to this article shall contain a provision
34. that, in the case of any structure to be serviced by a utility and which is
35. not exempt by this article from the operation of such code, inspection
36. of such structure shall be made within forty-eight hours after request
37. therefor and the appropriate enforcing agency shall file with the
38. county and the nearest office of the servicing utility a copy of its
39. inspection report within forty-eight hours from the time of the request
40. for inspection.

41. **NEW SEC. 11-866. EXEMPTIONS**

42. The provisions of this article shall not be construed to apply to:

43. 1. Construction or operation incidental to construction and repair
44. of irrigation and drainage ditches of regularly constituted districts or
45. reclamation districts, or to farming, dairying, agriculture, viticulture,

S.B.43

1. horticulture or stock or poultry raising, or clearing or other work upon
2. land in rural areas for fire prevention purposes.
3. 2. Construction or operation of buildings, structures or land in use
4. or operation for railroad, mining, or lumbering purposes.
5. 3. Devices used in manufacturing, processing or fabricating
6. normally considered as involved in industry, and construction,
7. operation and maintenance of electric, gas, or other public utility
8. systems operated by public service corporations operating under a
9. franchise or certificate of convenience and necessity or political
10. subdivisions.
11. NEW SEC. 11-867. PENALTIES
12. A penalty clause contained in a code adopted by reference shall not
13. be adopted by reference but shall be set forth in full in the adopting
14. ordinance. The penalty provisions of Section 11-808 may be applied by
15. the county in enforcing the provisions of this article.
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S.B.43

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