

**ORDINANCE NO. 620 N.S.**

**AN ORDINANCE OF THE COUNCIL OF THE CITY OF TOLLESON, ARIZONA, AMENDING THE CODE OF TOLLESON, ARIZONA, CHAPTER 12 LAND USAGE, ARTICLE 12.1 BUILDING REGULATIONS; CONSTRUCTION, INTERNATIONAL CODES BY REPEALING AND REPLACING SECTION 12-1-20 ADOPTION; DECLARING THE “CITY OF TOLLESON INTERNATIONAL BUILDING CODES, MAY 13, 2025” A PUBLIC RECORD; ADOPTING THE “CITY OF TOLLESON INTERNATIONAL BUILDING CODES, MAY 13, 2025” BY REFERENCE; ALL RELATED TO THE ADOPTION OF UPDATED INTERNATIONAL BUILDING CODES INCLUDING THE INTERNATIONAL BUILDING CODE, 2024 EDITION; THE INTERNATIONAL RESIDENTIAL CODE, 2024 EDITION; THE INTERNATIONAL EXISTING BUILDING CODE, 2024 EDITION; THE NATIONAL ELECTRICAL CODE, 2023 EDITION; INTERNATIONAL MECHANICAL CODE, 2024 EDITION; THE INTERNATIONAL PLUMBING CODE, 2024 EDITION; INTERNATIONAL FUEL GAS CODE, 2024 EDITION; AND THE INTERNATIONAL ENERGY CONSERVATION CODE, 2024 EDITION; PROVIDING FOR SEVERABILITY; PROVIDING FOR PENALTIES; AND SETTING AN EFFECTIVE DATE OF JULY 1, 2025.**

**WHEREAS**, the Mayor and Council of the City of Tolleson desire to amend the City Code to adopt updated versions of the International Building Codes; and

**WHEREAS**, reasonable regulations relating to building, construction, and property maintenance are in the best interests of residents to protect public health and safety; and

**WHEREAS**, that certain document entitled “City of Tolleson International Building Codes, May 13, 2025,” one paper copy and one electronic copy of which are on file with the City Clerk, is hereby declared a public record and said copies are ordered to remain on file with the Clerk.

**NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF TOLLESON, ARIZONA**, as follows:

**Section 1.      In General.**

The Code of Tolleson, Arizona, Chapter 12 Land Usage, Article 12.1 Building Regulations; Construction, International Codes is hereby amended by repealing Section 12-1-20 Adoption in its entirety and adopting a new Section 12-1-20 Adoption to read as set forth in “City of Tolleson International Building Codes, May 13, 2025,” which is hereby adopted and incorporated by reference in this Ordinance.

**Section 2.      Providing for Repeal of Conflicting Ordinances.**

All ordinances and parts of ordinances in conflict with the provisions of this Ordinance or any part of the Code adopted herein by reference are hereby repealed.

Section 3.      Providing for Severability.

If any section, subsection, sentence, clause, phrase, or portion of this Ordinance or any part of the Code adopted herein by reference is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

Section 4.      Providing for Penalties.

Any person found guilty of violating any provision of this Ordinance shall be guilty of a class one misdemeanor and, upon conviction thereof, shall be punished by a fine not to exceed Two Thousand Five Hundred Dollars (\$2,500) or by imprisonment for a period not to exceed six (6) months, or both such fine and imprisonment. Each day that a violation continues shall be a separate offense punishable as herein described.

Section 5.      Effective Date.

This Ordinance shall be effective as of July 1, 2025.

**PASSED AND ADOPTED** by the Mayor and Council of the City of Tolleson, Arizona this 13th day of May, 2025.

\_\_\_\_\_  
Juan F. Rodriguez, Mayor

ATTEST: \_\_\_\_\_  
Crystal Zamora, City Clerk

APPROVED AS TO FORM: \_\_\_\_\_  
Justin Pierce, City Attorney

**EXHIBIT A**  
**TO**  
**ORDINANCE NO. 620 N.S.**

[City of Tolleson International Building Codes, May 13, 2025]

See following pages.

**CITY OF TOLLESON INTERNATIONAL BUILDING CODES,  
MAY 13, 2025**

The Code of Tolleson, Arizona, Chapter 12 Land Usage, Article 12.1 Building Regulations; Construction, International Codes, Section 12-1-20 Adoption is hereby amended by repealing Section 12-1-20 Adoption in its entirety and adopting a new Section 12-1-20 Adoption to read as set forth in this document:

**Section 12-1-20 - ADOPTION.**

(A) The following codes are hereby adopted and made of a part of this article the same as though the codes were specifically set forth in full herein.

(1) The International Building Code, 2024 Edition, as published by the International Code Council, Inc., with amendments and exclusions as follows:

(a) The text of Section 101.1 Title, is hereby deleted in its entirety and replaced as follows:

**[A] 101.1 Title.** These regulations shall be known as the Building Code of the City of Tolleson, hereinafter referred to as "this code."

(b) The text of Section 101.2.1 Appendices, is hereby deleted in its entirety and replaced as follows:

**[A] 101.2.1 Appendices.** Provisions in the appendices shall not apply unless specifically adopted. The City of Tolleson hereby adopts Appendix I Patio Covers.

(c) The text of Section 101.4.3 Plumbing, is hereby deleted in its entirety and replaced as follows:

**[A] 101.4.3 Plumbing.** The provisions of the International Plumbing Code shall apply to the installation, alteration, repair and replacement of plumbing systems, including equipment, appliances, fixtures, fittings and appurtenances, and where connected to a water or sewage system and all aspects of a medical gas system.

(d) The text of Section 104.3.1 Determination of Substantially Improved or Substantially Damaged

Existing Buildings and Structures in Flood Hazard Areas, is hereby deleted in its entirety and replaced as follows:

**[A] 104.3.1 Determination of Substantially Improved or Substantially Damaged Existing Buildings and Structures in Flood Hazard Areas.** For applications for reconstruction, rehabilitation, repair, alteration, addition or other improvement of existing buildings or structures located in flood hazard areas, the Maricopa County Flood Control Manager shall determine if the proposed work constitutes substantial improvement or repair of substantial damage. Where the Maricopa County Flood Control Manager determines that the proposed work constitutes substantial improvement or repair of substantial damage, and where required by this code, the Maricopa County Flood Control Manager shall require the building to meet the requirements of Section 1612, or Section R306 of the International Residential Code, as applicable.

- (e) The text of Section 105.2 Work Exempt from Permit – Building (2), is hereby deleted in its entirety and replaced as follows:

**Building.**

\* \* \*

2. Fences not over 6 feet high.

- (f) The text of Section 105.3.2 Time Limitation of Application, is hereby deleted in its entirety and replaced as follows:

**[A] 105.3.2 Time Limitation of Application.** An application for a permit for any proposed work shall be deemed to have been abandoned 180 days after the date of last completed review for correction or approval, unless such application has been pursued in good faith or a permit has been issued; except that the building official is authorized to grant one or more

extensions of time for additional periods not exceeding 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

- (g) The text of Section 109.4 Work Commencing Before Permit Issuance, is hereby amended by adding the following to the last sentence of the section:

This fee shall be equal to double the amount of the Plan Review and Building Permit fees required by this code. The payment of such a fee shall not exempt an applicant from compliance with all other provisions of either this code or other requirements, nor from the penalty prescribed by law.

- (h) The text of Section 109.6 Refunds, is hereby deleted in its entirety and replaced as follows:

**[A] 109.6 Refunds.** The building official shall be permitted to authorize refunding of a fee paid hereunder which was erroneously paid or collected. The building official shall be permitted to 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. No refund shall be made once an (any) inspection has been conducted under the permit. The building official shall be permitted to authorize refunding of not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any review has taken place. The building official shall not be permitted to authorize refunding of any fee paid except upon written application filed by the original permittee not more than 180 days after the date of permit issuance.

- (i) The text of Section 113 Means of Appeals, is hereby deleted in its entirety and replaced as follows:

### **Section 113 Means of Appeals**

**[A] 113.1 Means of Appeals.** Decisions of the Chief Building Official shall be appealed to a hearing officer appointed by the City Manager. An application for an appeal of any order, decision or interpretation made by the Chief Building Official shall be filed in writing and shall be delivered to the Chief Building Official within thirty (30) calendar days of the date of the order, decision or interpretation. The decision of the Chief Building Official may be reversed or modified by the hearing officer upon his/ her finding that:

- a. The decision of the Chief Building Official is not supported by a reasonable interpretation of the application of the city code to the specific facts presented, or the city code does not apply to the facts presented.
- b. The reversal or modification of the Chief Building Official's decision will not create or manifest injustice or affect the intent of the city code.
- c. The reversal of the Chief Building Official's decision will not be detrimental to the public health, safety and welfare.

**[A] 113.2 Limitations on Authority.** The hearing officer shall have no authority related to interpretation of the administrative provisions of the codes, nor shall the hearing officer be empowered to waive the requirements of the codes.

- (j) The text of Section 201.4 Terms Not Defined, is hereby amended by adding the following to the last sentence of the section:

Merriam-Webster's Unabridged Dictionary of the English Language shall be considered as providing ordinarily accepted meanings.

- (k) The text of Section 308.2.4 Five or Fewer Persons Receiving Custodial Care, is hereby deleted in its entirety and replaced as follows:

**308.2.4 Five or Fewer Persons Receiving Custodial Care.** A facility with five or fewer persons receiving custodial care shall be classified as Group R-3 or shall comply with the International Residential Code provided an automatic sprinkler system is installed in accordance with Section 903.3.1.3 of this code.

- (l) The text of Section 308.3.2 Five or Fewer Persons Receiving Medical Care, is hereby deleted in its entirety and replaced as follows:

**308.3.2 Five or Fewer Persons Receiving Medical Care.** A facility with five or fewer persons receiving medical care shall be classified as Group R-3 or shall comply with the International Residential Code provided an automatic sprinkler system is installed in accordance with Section 903.3.1.3 of this code.

- (m) The text of Section 310.3 Residential Group R-2, is hereby amended by adding the following to the list of R-2 residential occupancies:

Residential condominiums

- (n) The following Section 707.3.12 Electrical Rooms with Service Entrance Equipment is hereby added and shall read as follows:

**707.3.12 Electrical Rooms with Service Entrance Equipment.** Fire Barriers and/or horizontal assemblies with a fire-resistance rating of one hour shall be provided to separate an electrical room containing service entrance equipment from adjacent rooms and spaces.

- (o) The text of Section 901.1 Scope, is hereby amended by adding the following to the end of the section:

Code sections preceded by [F] shall be maintained and administered under the International Fire Code as adopted by the City of Tolleson. Where there is a conflict regarding fire suppression system requirements and/or fire

alarm system requirements between this code and the Fire Code, the Fire Code shall prevail.

- (p) The text of Section 901.5 Acceptance Tests, is hereby deleted in its entirety and replaced as follows:

**901.5 Acceptance Tests.** Fire protection systems shall be tested in accordance with the requirements of this code and the International Fire Code. Where required, the tests shall be conducted in the presence of the building official. Tests required by this code, the International Fire Code and the standards listed in this code shall be conducted at the expense of the owner or the owner's authorized agent. It shall be unlawful to use, occupy, or furnish any portion of a structure until the fire protection systems of the structure have been tested, inspected, and approved.

- (q) The text of Section 1102.1 Design, is hereby deleted in its entirety and replaced as follows:

**1102.1 Design.** Buildings and facilities shall be designed and constructed to be accessible in accordance with this code, ICC A117.1, and the “Arizonans with Disabilities Act” (Arizona Revised Statutes, Title 41, Chapter 9, Article 8), and the “Arizonans with Disabilities Act Implementing Rules” (Arizona Administrative Code, Title 10, Chapter 3, Article 4), which rules incorporate the federal “2010 Americans with Disabilities Act Standards for Accessible Design,” and shall apply to new construction.

- (r) Table 1607.1 MINIMUM UNIFORMLY DISTRIBUTED LIVE LOADS,  $L_0$ , AND MINIMUM CONCENTRATED LIVE LOADS, Section 27 – Residential – One - and two-family dwellings – Habitable attics and sleeping areas, is hereby deleted in its entirety and replaced as follows:

|     |             |                                |
|-----|-------------|--------------------------------|
| 27. | Residential | One- and two-family dwellings: |
|-----|-------------|--------------------------------|

|  |  |                                              |    |
|--|--|----------------------------------------------|----|
|  |  | Habitable<br>attics and<br>sleeping<br>areas | 40 |
|--|--|----------------------------------------------|----|

- (s) The text of Section 1705.4 Masonry Construction, is hereby amended by adding the following to the list of Exceptions:

Exception: Special inspections and tests shall not be required for:

4. Masonry fences seven (7) feet or less in height above grade.

- (t) Table 2902.1 Minimum Number of Required Plumbing Fixtures, Footnotes E and F, are hereby deleted in its entirety and replaced as follows:

e. For business and mercantile classifications with an occupant load of 25 or fewer, a service sink shall not be required.

f. Reserved.

- (u) The text of Section 2902.6 Small Occupancies, is hereby deleted in its entirety and replaced as follows:

**[A] 2902.6 Small Occupancies.** Restaurants that provide free drinking water to the public are not required to provide a drinking fountain. Occupancies may provide a bottled water dispenser located in the public area in lieu of the drinking fountain for the public.

- (v) The text of Section 3109.1 Swimming Pool Enclosures and Safety Devices, is hereby deleted in its entirety and replaced as follows:

**[A] 3109.1 Swimming Pool Enclosures and Safety Devices.** Swimming pool enclosures and safety devices shall be installed pursuant to Arizona Revised Statutes § 36-1681.

(2) The International Residential Code, 2024 Edition, as published by the International Code Council, Inc., with amendments and exclusions as follows:

(a) The text of Section R101.1 Title, is hereby deleted in its entirety and replaced as follows:

**R101.1 Title.** These regulations shall be known as the Residential Building Code of the City of Tolleson, hereinafter referred to as “this code.”

(b) The text of Section R101.2.1 Appendices, is hereby deleted in its entirety and replaced as follows:

**R101.2.1 Appendices.** Provisions in the appendices shall not apply unless specifically adopted. The City of Tolleson hereby adopts:

Appendix BF Patio Covers

Appendix BO Existing Buildings and Structures.

(c) Section R101.2 Scope, is hereby amended by adding the following section:

**R101.2.1 RESNET Testing and Protocol.** The Residential Energy Services Network (RESNET) Mortgage Industry National Home Energy Rating System Standards Protocol for third party testing and inspections shall be deemed to meet the requirements of sections R402.4.1.1, R402.4.1.2 and R403.2.2 and shall meet the following conditions.

1. Third Party Testing and Inspections shall be completed by a RESNET certified Rater or Field Rating Inspector and shall be subject to RESNET Quality Assurance Field Review procedures.
2. Sampling in accordance with Chapter 6 of the RESNET Standards shall be performed by Raters or Field Inspectors working under a RESNET Accredited Sampling Provider.

3. Third Party Testing is required for the following items:
    - a. R402.4.1.1 – Building Envelope-Thermal Air Barrier Checklist
    - b. R402.4.1.2 – Testing – Air Leakage Rate
    - c. R403.2.2 – Sealing – Duct Tightness
  4. The other requirements identified as “mandatory” in Chapter 4 shall be met.
  5. Alternate testing and inspection programs and protocols shall be allowed when approved by the Code Official.
- (d) The text of Section R105.3.2 Time Limitation of Application, is hereby deleted in its entirety and replaced as follows:

**R105.3.2 Time Limitation of Application.** An application for a permit for any proposed work shall be deemed to have been abandoned 180 days after the date of filing, unless such application has been pursued in good faith, or a permit has been issued; except that the building official is authorized to grant one extension of time for a period not to exceed 180 days. The extension shall be requested in writing and justifiable cause demonstrated. Before such work re-commences, the extension will be granted provided no changes have been made or will be made in the original construction documents for such work and provided further that such suspension or abandonment has not exceeded one year.

- (e) The text of R108.6 Work Commencing Before Permit Issuance, is hereby amended by adding the following to the end of the section:

This fee shall be equal to double the amount of the Plan Review fee and Building Permit fee required by this code. The payment of such fee shall not exempt an applicant from compliance with all other provisions of either this code any

other City of Tolleson regulation, nor from the penalty prescribed by law.

- (f) The text of Section R112 Means of Appeals, is hereby deleted in its entirety and replaced as follows:

**R112.1 Means of Appeals.** Decisions of the Chief Building Official shall be appealed to a hearing officer appointed by the City Manager. An application for an appeal of any order, decision or interpretation made by the Chief Building Official shall be filed in writing and shall be delivered to the Building Official within thirty (30) calendar days of the date of the order, decision or interpretation. The decision of the Chief Building Official may be reversed or modified by the hearing officer upon his/ her finding that:

- a. The decision of the Chief Building Official is not supported by a reasonable interpretation of the application of the city code to the specific facts presented, or the city code does not apply to the facts presented.
- b. The reversal or modification of the Chief Building Official's decision will not create or manifest injustice or affect the intent of the city code.
- c. The reversal of the Chief Building Official's decision will not be detrimental to the public health, safety and welfare.

**R112.2 Limitations of Authority.** The hearing officer shall have no authority related to interpretation of the administrative provisions of the codes, nor shall the hearing officer be empowered to waive the requirements of the codes.

- (g) The text of Section R201.4 Terms Not Defined, is hereby amended by adding the following to the end of the section:

Merriam Webster's Unabridged Dictionary of the English Language shall be considered as providing ordinarily accepted meanings.

- (h) The text of Section R202 Definitions – [RE] Fire Separation Distance, is hereby deleted in its entirety and replaced as follows:

**[RB] FIRE SEPARATION DISTANCE.** The distance measured from the building foundation wall face to one of the following:

1. To the closest interior lot line.
2. To the centerline of a street, an alley or a public way.
3. To an imaginary line between two buildings on the lot. The distance shall be measured at the right angle from the face of the framing.

- (i) The TABLE R301.5 CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA is hereby amended to read as follows:

| GROUND SNOW LOAD | WIND DESIGN                       |                                  | SEISMIC DESIGN CATEGORY <sup>f</sup> | SUBJECT TO DAMAGE FROM  |                               |                      | WINTER DESIGN TEMP <sup>e</sup> | ICE BARRIER UNDERLAYMENT REQUIRED <sup>h</sup> | FLOOD HAZARDS <sup>g</sup> | AIR FREEZING INDEX <sup>i</sup> | MEAN ANNUAL TEMP <sup>i</sup> |
|------------------|-----------------------------------|----------------------------------|--------------------------------------|-------------------------|-------------------------------|----------------------|---------------------------------|------------------------------------------------|----------------------------|---------------------------------|-------------------------------|
|                  | SPEED <sup>d</sup> (mph)          | Topographic effects <sup>k</sup> |                                      | Weathering <sup>a</sup> | Frost line depth <sup>b</sup> | Termite <sup>c</sup> |                                 |                                                |                            |                                 |                               |
| N/A              | 115mph (ultimate)<br>89 mph (ASD) | None                             | B                                    | Negligible              | N/A                           | Moderate to Heavy    | 32° F                           | No                                             | FEMA                       | N/A                             | 72.6° F                       |

- (j) Table 1607.1 MINIMUM UNIFORMLY DISTRIBUTED LIVE LOADS (in pounds per square foot), “Use - Habitable attics and attics served with fixed stairs” and “Use - Sleeping rooms,” are hereby deleted in its entirety and replaced as follows:

| USE | UNIFORM LOAD (psf) | CONCENTRATED LOAD (lb) |
|-----|--------------------|------------------------|
|-----|--------------------|------------------------|

|                                                      |    |   |
|------------------------------------------------------|----|---|
| Habitable attics and attics served with fixed stairs | 40 | — |
| Sleeping areas                                       | 40 | — |

- (k) The text of Section R302.5.1 Opening Protection, is hereby amended by adding the following to the end of the section:

Doors providing opening protection shall be maintained self-closing, self-latching and tight-fitting.

- (l) The text of Section 302.3 Two-Family Dwellings, is hereby amended by adding the following to the end of the section:

Where preempted by the Arizona Revised Statutes, triplexes and fourplexes shall comply with the provisions of this section.

- (m) Section R09.1 Townhouse Automatic Fire Sprinkler Systems, is hereby deleted in its entirety.

- (n) The text of Section R309.2 One- And Two-Family Dwellings Automatic Sprinkler Systems, is hereby deleted in its entirety and replaced as follows:

An automatic residential fire sprinkler system may be installed in one- and two-family dwellings.

- (o) Section R328.1 General, is hereby deleted in its entirety and replaced as follows:

**R328.1 Swimming Pool Enclosures and Safety Devices.** Swimming pool enclosures and safety devices shall be installed pursuant to Arizona Revised Statutes § 36-1681.

- (p) Section R505.1 Engineered Design Required, is hereby deleted in its entirety and replaced as follows:

**R505.1 Engineered Design Required.** For Cold-Formed Steel Floor Framing the project drawings, details, calculations and specifications

are required to bear the seal of an Arizona registered engineering design professional.

- (q) R804.1.1 Engineered Design Required, is hereby deleted in its entirety and replaced as follows:

**R804.1.1 Engineered Design Required.** For cold-formed steel roof framing the project drawings, details, calculations and specifications are required to bear the seal of an Arizona registered engineering design professional.

- (r) TABLE N1106.5 (R406.5) MAXIMUM ENERGY RATING INDEX, "Climate Zone 2," is hereby deleted in its entirety and replaced as follows:

| CLIMATE ZONE | ENERGY RATING INDEX NOT INCLUDING OPP | ENERGY RATING INDEX WITH OPP |
|--------------|---------------------------------------|------------------------------|
| 2            | 52                                    | 34                           |

- (s) Section G2415.12 (404.12) Minimum Burial Depth, is hereby deleted in its entirety and replaced as follows:

**G2415.12 (404.12) Minimum Burial Depth.**

Underground piping systems shall be installed a minimum depth of 12 inches (305 mm) below grade for metal piping and 18 inches (457mm) for plastic piping, except as provided for in Section G2415.12.1.

- (t) Section G2415.12.1 Individual Outside Appliances, is hereby deleted in its entirety.
- (u) Section G2415.12.1 Individual Outside Appliances, subsection 2 is hereby deleted in its entirety and replaced as follows:

2. Discharge through an air gap located in the same room as the water heater except where the discharge is outdoors, not subject to freezing and the piping terminates not less than 6 inches (152 mm) and not more than 12 inches (305mm) above grade.

- (v) The text of Section E3401.2 Scope, is hereby deleted in its entirety and replaced as follows:

**E3401.2 Scope.** Chapters 34 through 43 shall cover the installation of electrical systems, equipment and components indoors and outdoors that are within the scope of this code, including services, power distribution systems, fixtures, appliances, devices and appurtenances. Services within the scope of this code shall be limited to 120/240-volt, 0- to 400-ampere, single-phase systems. These chapters specifically cover the equipment, fixtures, appliances, wiring methods and materials that are most commonly used in the construction or alteration of one- and two-family dwellings and accessory structures regulated by this code. The omission from these chapters of any material or method of construction provided for in the referenced standard NFPA 70 shall not be construed as prohibiting the use of such material or method of construction. Electrical systems, equipment or components not specifically covered in these chapters shall comply with the applicable provisions of NFPA 70, and where provisions of this code differ from the 2023 National Electrical Code, the provisions of the 2023 National Electrical Code shall prevail.

(w) Section E3706.5 Back-Fed Devices, is hereby deleted in its entirety.

(x) The text of Section E3901.4.2 Island and Peninsular Counter Tops and Work Surfaces, is hereby deleted in its entirety and replaced as follows:

**E3901.4.2 Island and Peninsular Counter Tops and Work Surfaces.** Not less than one duplex receptacle outlet shall be installed to serve island or peninsular countertops and work surfaces with a minimum long dimension of 24 inches and a minimum short dimension of 12 inches.

(y) Section E3901.4.3 Receptacle Outlet Location, subsection 1 is hereby deleted in its entirety and replaced as follows:

1. On or above, but not more than 20 inches (508 mm) above, the countertop or work surface. Receptacle may be installed not more than 12

inches below the top of the counter or work surface.  
These receptacles do not count toward the  
receptacles required by Section E3901.2.

- (3) The International Existing Building Code, 2024 Edition, as published by the International Code Council, Inc., with amendments and exclusions as follows:

- (a) The text of Section 101.1 Title, is hereby deleted in its entirety and replaced as follows:

**[A] 101.1 Title.** These regulations shall be known as the Existing Building Code of the City of Tolleson, hereinafter referred to as “this code.”

- (4) NFPA 70 National Electrical Code, 2023 Edition, as published by the National Fire Protection Association, with amendments and exclusions as follows:

- (a) The text of Section 90.2 Use and Application, subsection (A) Practical Safeguarding, is hereby deleted in its entirety and replaced as follows:

**(A) Practical Safeguarding.** The purpose of this code is the practical safeguarding of persons and property from hazards arising from the use of electricity. Any and all electrical work for light, heat, power, or any other purposes shall be installed in conformity with the rules and regulations as set forth in this code and that document titled, NFPA 70 National Electrical Code, 2023 edition, and in conformity with the rules, policies, regulations and amendments as set forth by the building official. This Code is not intended as a design specification or an instruction manual for untrained persons.

- (b) Section 90.2 Use and Application subsection (A) Practical Safeguarding, is hereby amended by adding the following sections:

**90.2(A)(1) Special Inspection.** The City of Tolleson requires Special Electrical Inspections for the types of work specified below as added through this subsection and subsection 90.2(A)(2). Special Electrical Inspections include, but are not limited to, testing or observation of the work assigned for

conformance with the approved design drawings and specifications, and submission of appropriate inspection reports or certificates to the City of Tolleson Electrical Inspector.

The Special Electrical Inspector shall be a qualified person who demonstrates competence to the satisfaction of the Building Official for the type of work requiring Special Inspection. These individual(s) or firm(s) shall be responsible for performing the Special Inspection tasks and reports required by the City of Tolleson. The Special Electrical Inspector(s) shall be an independent, third-party individual, firm or testing agency and shall not be the installing contractor or any other person responsible for the work.

Electrical Special Inspection:

1. Ground-fault protection performance tests for equipment provided or required to have ground-fault protection.
2. Switchboard, panelboards, motor control center, and all other equipment rated 1,000 amps or more; or over 600 volts. (over-potential test, also known as a dielectric withstand test, and commonly referred to as a hi-pot test.)
3. Emergency and standby power systems including: switchboards, panelboards, distribution boards, transfer equipment, power source, conductors, fire pumps, exhaust and ventilation fans.
4. Other special inspections as required by the building official.

**90.2(A)(2) Electrical Observation.** Electrical observation by the 'Registrant of Record' shall be provided for the following installations:

1. Installation or alteration of that portion of a health care facility electrical system which fall within the scope of article 517, Part 3- "Essential Electrical System" of the 2017 National Electrical Code.
2. Installations or alterations of high voltage electrical systems, which exceed 600 volts.

3. Installations or alterations of electrical systems within locations classified as hazardous by the provisions of the 2017 National Electrical Code, or the currently adopted International Fire Code, except for gasoline dispensing installations and systems located within storage garages, repair garages or lubritorium.
4. When electrical observation is specifically required by the building official.

The owner shall direct the Engineer responsible for the electrical design, or another Engineer designated by the Engineer responsible for the electrical design to perform visual observation of complex electrical equipment and systems for general conformance to the approved plans and specifications, including but not limited to, placement and interconnection of equipment. Electrical observation shall be performed at intermediate significant stages of the construction progression and when installation is complete and ready to be inspected by the Building Official. Certificates of Electrical Observation shall be completed and sealed by the Engineer of Record for all life safety items as one of the requirements prior to release of a temporary certificate of occupancy. All certificates of Electrical Observation shall be completed and sealed prior to the project's final approval and the electrical portion of the certificate of occupancy is completed.

- (c) The text of Section 230.70(A)(1) Readily Accessible Location, is hereby deleted in its entirety and replaced as follows:

**(1) Readily Accessible Location.** The service disconnecting means shall be installed at a readily accessible location either outside of a building or structure, or inside nearest the point of entrance of the service-entrance conductors. The service disconnecting means shall be installed adjacent to, and accessible from, the same working area as the utility meter. All service disconnecting means located inside a building shall be enclosed within a room or space separated from the rest of the building by not less than a one-hour fire barrier.

Exception: The ceiling of this service entrance room may be constructed as required for a one-hour

horizontal assembly in accordance with 2024  
International Building Code, Chapter 7.

- (d) The text of Section 358.10 Uses Permitted, subsection (B) Corrosive Environments, is hereby deleted in its entirety and replaced as follows:

**(B) Corrosive Environments.** Ferrous or nonferrous EMT, elbows, couplings, and fittings shall not be in concrete that is in direct contact with the earth, or in areas subject to severe corrosive influences and judged unsuitable for the condition by the Authority Having Jurisdiction.

- (e) The text of Section 358.12 Uses Not Permitted, is hereby amended by adding the following subsection:

(3) Where in direct contact with the soil.

- (5) The International Mechanical Code, 2024 Edition, as published by the International Code Council, Inc., with amendments and exclusions as follows:

- (a) The text of Section 101.1 Title, is hereby deleted in its entirety and replaced as follows:

**[A] 101.1 Title.** These regulations shall be known as the Mechanical Code of the City of Tolleson, hereinafter referred to as “this code.”

- (b) The text of Section 105.4.4 Extensions, is hereby deleted in its entirety and replaced as follows:

**[A] 105.4.4 Extensions.** An application for a permit for any proposed work shall be deemed to have been abandoned 180 days after the date of filing, unless such application had been pursued in good faith or a permit has been issued; except that the building official is authorized to grant one extension of time for a period not to exceed 180 days. The extension shall be requested in writing and justifiable cause demonstrated.

- (c) The text of Section 108.2 Schedule of Permit Fees, is hereby deleted in its entirety and replaced as follows:

**[A] 108.2 Fee Schedule.** All fees shall be in accordance with City of Tolleson adopted fee schedule.

- (d) The text of Section 108.6 Refunds, is hereby deleted in its entirety and replaced as follows:

**[A] 108.6 Fee Refunds.** The code official shall be permitted to authorize refunding of a fee paid hereunder which was erroneously paid or collected. The code official shall be permitted to 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 code official shall be permitted to authorize refunding of not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any examination time has been expended. The code official shall not be permitted to authorize refunding of any fee paid except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

- (e) The text of Section 112 Means of Appeals, is hereby deleted in its entirety and replaced as follows:

**Section 112 Means of Appeals.**

Decisions of the Chief Building Official shall be appealed to a hearing officer appointed by the City Manager. An application for an appeal of any order, decision or interpretation made by the Chief Building Official shall be filed in writing and shall be delivered to the Building Official within thirty (30) calendar days of the date of the order, decision or interpretation. The decision of the Chief Building Official may be reversed or modified by the hearing officer upon his/ her finding that:

- a. The decision of the Chief Building Official is not supported by a reasonable interpretation and application of the city code to the specific facts presented, or the city code does not apply to the facts presented.

- b. The reversal or modification of the Chief Building Official's decision will not create or manifest injustice or affect the intent of the city code.
  - c. The reversal of the Chief Building Official's decision will not be detrimental to the public health, safety and welfare.
- (f) Section 114.4 Violation Penalties, is hereby deleted in its entirety.
- (g) The text of Section 201.4 Terms Not Defined, is hereby amended by adding the following to the end of the section:

Merriam Webster's Unabridged Dictionary of the English Language shall be considered as providing ordinarily accepted meanings.

- (6) The International Plumbing Code, 2024 Edition, as published by the International Code Council, Inc., with amendments and exclusions as follows:

- (a) The text of Section 101.1 Title, is hereby deleted in its entirety and replaced as follows:

**[A] 101.1 Title.** These regulations shall be known as the Plumbing Code of the City of Tolleson, hereinafter referred to as "this code."

- (b) The text of Section 101.2.1 Appendices, is hereby deleted in its entirety and replaced as follows:

**[A] 101.2.1 Appendices.** Provisions in the appendices shall not apply unless specifically adopted. The City of Tolleson hereby adopts:

Appendix B Rates of Rainfall for Various Cities

Appendix E Sizing of Water Piping System

- (c) The text of Section 105.5.4 Extensions, is hereby added to read as follows:

**[A] 105.5.4 Extensions.** An application for a permit for any proposed work shall be deemed to have been abandoned 180 days after the date of filing,

unless such application has been pursued in good faith, or a permit has been issued; except that the Building Official is authorized to grant one extension of time for a period not to exceed 180 days. The extension shall be requested in writing and justifiable cause demonstrated.

- (d) The text of Section 108.2 Schedule of Permit Fees, is hereby deleted in its entirety and replaced as follows:

**[A] Fee Schedule.** All fees shall be in accordance with the City of Tolleson adopted fee schedule.

- (e) The text of Section 108.6 Refunds, is hereby deleted in its entirety and replaced as follows:

**[A] 108.6 Fee Refunds.** The code official shall be permitted to authorize refunding of a fee paid hereunder which was erroneously paid or collected. The code official shall be permitted to 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 code official shall be permitted to authorize refunding of not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any examination time has been expended. The code official shall not be permitted to authorize refunding of any fee paid except upon written application filed by the original permittee not later than 180 days after the date of payment.

- (f) The text of Section 112 Means of Appeals, is hereby deleted in its entirety and replaced as follows:

### **Section 112 Means of Appeals.**

Decisions of the Chief Building Official shall be appealed to a hearing officer appointed by the City Manager. An application for an appeal of any order, decision or interpretation made by the Chief Building Official shall be filed in writing and shall be delivered to the Building Official within thirty (30) calendar days of the date of the order, decision or interpretation. The decision of the Chief Building

Official may be reversed or modified by the hearing officer upon his/ her finding that:

- a. The decision of the Chief Building Official is not supported by a reasonable interpretation and application of the city code to the specific facts presented, or the city code does not apply to the facts presented.
  - b. The reversal or modification of the Chief Building Official's decision will not create or manifest injustice or affect the intent of the city code.
  - c. The reversal of the Chief Building Official's decision will not be detrimental to the public health, safety and welfare.
- (g) The text of Section 201.4 Terms Not Defined, is hereby amended by adding the following to the end of the section:

Merriam Webster's Unabridged Dictionary of the English Language shall be considered as providing ordinarily accepted meanings.

- (h) The text of Section 305.4.1 Sewer Depth, is hereby deleted in its entirety and replaced as follows:

**305.4.1 Sewer Depth.** Building sewers that connect to private sewage disposal systems shall be installed not less than 12 inches (305 mm) below finished grade at the point of septic tank connection. Building sewers shall be installed not less than 12 inches (305 mm) below grade.

- (i) The text of Section 410.4 Substitution, is hereby deleted in its entirety and replaced as follows:

**410.4 Substitution.** Where restaurants provide drinking water in a container free of charge, drinking fountains shall not be required in those restaurants. In other occupancies, where drinking fountains are required, bottled water dispensers or water coolers shall be permitted to be substituted.

- (j) The text of 504.6 Requirements for Discharge Piping, subsection 2 is hereby deleted in its entirety and replaced as follows:

2. Discharge through an air gap located in the same room as the water heater except where the discharge is outdoors, not subject to freezing and the piping terminates not less than 6 inches (153mm) and not more than 12 inches (305mm) above grade.

- (k) The text of Section 608.17.1.1 Carbonated Beverage Dispensers, is hereby deleted in its entirety and replaced as follows:

**608.17.1.1 Carbonated Beverage Dispensers.** The water supply connection to each carbonated beverage dispenser shall be protected by a Reduced Pressure Principal Backflow Assembly. The portion of the backflow preventer device downstream from the second check valve of the device and the piping downstream therefrom shall not be affected by carbon dioxide gas.

- (l) The text of Section 803.1 Neutralizing Device Required for Corrosive Wastes, is hereby deleted in its entirety and replaced as follows:

**803.1 Neutralizing Device Required for Corrosive Wastes.** Special wastes discharge shall be in conformance with City of Tolleson Utilities Department Pretreatment Program.

- (m) The text of Section 903.1.1 Roof Extension Unprotected, is hereby amended by adding the following to the end of the section:

Open vent pipes that extend through a roof shall be terminated not less than 6 inches (153 mm) above the roof and not less than 12 inches (305mm) from any vertical surface.

- (7) The Fuel Gas Code, 2024 Edition, as published by the International Code Council, Inc., with amendments and exclusions as follows:

- (a) The text of Section 101.1 Title, is hereby deleted in its entirety and replaced as follows:

**[A] 101.1 Title.** These regulations shall be known as the Fuel Gas Code of the City of Tolleson, hereinafter referred to as “this code.”

- (b) The text of Section 105.5.4 Extensions, is hereby deleted in its entirety and replaced as follows:

**[A] 105.5.4 Extensions.** An application for a permit for any proposed work shall be deemed to have been abandoned 180 days after the date of filing, unless such application had been pursued in good faith or a permit has been issued; except that the building official is authorized to grant one extension of time for a period not to exceed 180 days. The extension shall be requested in writing and justifiable cause demonstrated.

- (c) The text of Section 108.2 Schedule of Permit Fees, is hereby deleted in its entirety and replaced as follows:

**[A] 108.2 Fee Schedule.** All fees shall be in accordance with City of Tolleson adopted fee schedule.

- (d) The text of Section 108.6 Refunds, is hereby deleted in its entirety and replaced as follows:

**[A] Section 108.6 Fee Refunds.** The code official shall be permitted to authorize refunding of a fee paid hereunder which was erroneously paid or collected. The code official shall be permitted to 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 code official shall be permitted to authorize refunding of not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any examination time has been expended. The code official shall not be permitted to authorize refunding of any fee paid except upon written application filed by the original permittee not later than 180 days after the date of payment.

- (e) The text of Section 112 (IFGC) Means of Appeals, is hereby deleted in its entirety and replaced as follows:

**Section 112 (IFGC) Means of Appeals.**

**[A] 112.1 Means of Appeals.** Decisions of the Chief Building Official shall be appealed to a hearing officer appointed by the City Manager. An application for an appeal of any order, decision or interpretation made by the Chief Building Official shall be filed in writing and shall be delivered to the Building Official within thirty (30) calendar days of the date of the order, decision or interpretation. The decision of the Chief Building Official may be reversed or modified by the hearing officer upon his/ her finding that:

- a. The decision of the Chief Building Official is not supported by a reasonable interpretation of the application of the city code to the specific facts presented, or the city code does not apply to the facts presented.
- b. The reversal or modification of the Chief Building Official's decision will not create or manifest injustice or affect the intent of the city code.
- c. The reversal of the Chief Building Official's decision will not be detrimental to the public health, safety and welfare.

**[A] 112.2 Limitations of Authority.** The hearing officer shall have no authority related to interpretation of the administrative provisions of the codes, nor shall the hearing officer be empowered to waive the requirements of the codes.

- (f) The text of Section 201.4 Terms Not Defined, is hereby amended by adding the following to the end of the section:

Merriam Webster's Unabridged Dictionary of the English Language shall be considered as providing ordinarily accepted meanings.

- (g) The text of Section 404.12 Minimum Burial Depth, is hereby deleted in its entirety and replaced as follows:

**Section 404.12 Minimum Burial Depth.**

Underground piping systems shall be installed at a minimum depth of 12 inches (305mm) below grade for metal piping and 18 inches (457mm) for plastic piping.

- (h) Section 404.12.1 Individual Outdoor Appliances, is hereby deleted in its entirety.

- (8) The International Energy Conservation Code, 2024 Edition, as published by the International Code Council, Inc., with amendments and exclusions as follows:

- (a) The text of Section R101.1 Title, is hereby deleted in its entirety and replaced as follows:

**R101.1 Title.** These regulations shall be known as the Energy Conservation Code of the City of Tolleson, hereinafter referred to as “this code.”

- (b) The text of Section R101.2 Scope, is hereby amended by adding the following to the end of the section:

Group R-2 when defined as a Residential Building by Section R202, shall have the option of complying under the Commercial Provisions of the code, regardless of height. Once defined as such on the submittal documents, all components of the commercial provisions shall be followed.

- (c) Section R102 Applicability, is hereby amended by adding the following section:

**R102.1.2 RESNET Testing and Protocol.** The Residential Energy Services Network (RESNET) Mortgage Industry National Home Energy Rating System Standards Protocol for third party testing and inspections shall be deemed to meet the requirements of sections R402.4.1.1, R402.4.1.2 and R403.2.2 and shall meet the following conditions.

1. Third Party Testing and Inspections shall be completed by a RESNET certified Rater or Field Rating Inspector and shall be subject to RESNET Quality Assurance Field Review procedures.
2. Sampling in accordance with Chapter 6 of the RESNET Standards shall be performed by Raters or Field Inspectors working under a RESNET Accredited Sampling Provider.
3. Third Party Testing is required for the following items:
  - a. R402.4.1.1 – Building Envelope- Thermal Air Barrier Checklist
  - b. R402.4.1.2 – Testing – Air Leakage Rate
  - c. R403.2.2 – Sealing – Duct Tightness
4. The other requirements identified as “mandatory” in Chapter 4 shall be met.
5. Alternate testing and inspection programs and protocols shall be allowed when approved by the Code Official.

(d) The text of Section R106.2 Schedule of permit fees, is hereby deleted in its entirety and replaced as follows:

**R106.2 Schedule of permit fees.** All fees shall be in accordance with the City of Tolleson adopted fee schedule.

(e) The text of Section R106.6 Refunds, is hereby deleted in its entirety and replaced as follows:

**R106.6 Fee Refunds.** The code official shall be permitted to authorize refunding of a fee paid hereunder which was erroneously paid or collected. The code official shall be permitted to 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 code official shall be permitted to authorize refunding of not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any examination time has been

expended. The code official shall not be permitted to authorize refunding of any fee paid except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

- (f) The text of Section R109 Means of Appeals, is hereby deleted in its entirety and replaced as follows:

**Section R109 Means of Appeals.**

**R109.1 Means of Appeals.** Decisions of the Chief Building Official shall be appealed to a hearing officer appointed by the City Manager. An application for an appeal of any order, decision or interpretation made by the Chief Building Official shall be filed in writing and shall be delivered to the Building Official within thirty (30) calendar days of the date of the order, decision or interpretation. The decision of the Chief Building Official may be reversed or modified by the hearing officer upon his/ her finding that:

- a. The decision of the Chief Building Official is not supported by a reasonable interpretation of the application of the city code to the specific facts presented, or the city code does not apply to the facts presented.
- b. The reversal or modification of the Chief Building Official's decision will not create or manifest injustice or affect the intent of the city code.
- c. The reversal of the Chief Building Official's decision will not be detrimental to the public health, safety and welfare.

**R109.2 Limitations of Authority.** The hearing officer shall have no authority related to interpretation of the administrative provisions of the codes, nor shall the hearing officer be empowered to waive the requirements of the codes.

- (g) The text of Section R201.4 Terms Not Defined, is hereby amended by adding the following to the end of the section:

Merriam Webster's Unabridged Dictionary of the English Language shall be considered as providing ordinarily accepted meanings.

- (h) The text of R401.2 Application, is hereby deleted in its entirety and replaced as follows:

**R401.2 Application.** Commercial Buildings shall comply with one of the following:

6. The requirements of ANSI/ASHRAE/IESNA 90.1.
  7. The requirements of Section R402 through R405. In addition, commercial buildings shall comply with Section C406 and tenant improvements shall comply with Section R406.1.1
  8. The requirements of Sections R402.5, R403.2, R403.3 through R403.3.2, R403.4 through R403.4.2.3, R403.5.5, R403.7, R403.8.1 through R403.8.4, R403.10.1 through R403.10.3, R403.11 R403.12, R404, R405, and R407. The building energy cost shall be equal to or less than 85 percent of the standard reference design building.
  9. Compliance with the provisions of Section R408 are optional.
- (i) The Energy Rating Index Not Including OPP of 51 for Climate Zone 2 in Table R406.5 Maximum Energy Rating Index is deleted and replaced with 55.