



County Supervisors A S S O C I A T I O N o f a r i z o n a

2015 Legislative Policy Statement

11th Annual CSA Legislative Summit

Mohave County, Arizona

October 13-15, 2015

A. What is the legislative proposal?

A technical correction to A.R.S. § 11-864, which requires that three copies of a County's building codes be kept in the Clerk of the Board's office for inspection; replaced with a requirement that a County maintain three paper copies or, alternatively, one paper copy and make available an electronic copy of its codes. This revision would conform to the change made by the legislature in 2015, HB2557, changing the requirements for municipalities set forth in A.R.S. § 9-802.

In addition, the proposed change would make hard copies available in a county office more convenient to the public, such as the Planning or Community Development Department, than the current requirement that they be available in the Clerk of the Board's office.

B. Describe the problem and explain how the proposal solves it.

The current law, set forth in A.R.S. § 11-864, requiring counties to maintain three hard copies of building codes in the Clerk of the Board's office, is impractical. There are numerous building codes, contained in a series of books, and each code series is extremely expensive. (\$2,331 plus shipping/handling for three sets).

The law is also not necessary. Architects and contractors, who are the most frequent users of building codes, typically keep their own copies of building codes. Members of the public typically call County building officials to help them answer building code questions. Moreover, for those who would prefer to research the building codes themselves, an internet link can be made available.

As for the location of building codes, In Cochise County and probably other counties, members of the public, including contractors, who are looking for copies of the Codes inquire at the Planning, Building or Community Development for information about the codes, not at the Clerk of the Board's office.

In 2015, the Legislature revised the similar requirement for municipalities as follows:

9-802. Procedure for adoption by reference

A municipality may enact the provisions of a code or public record theretofore in existence without setting forth such the provisions, but the adopting ordinance shall be published in full. At least three paper copies or one paper copy and one electronic copy maintained in compliance with section 44-7041 of the code or public record shall be filed in the office of the clerk of the municipality and kept available for public use and inspection. A code or public record enacted by reference may be amended in the same manner.

The proposed amendment to A.R.S. § 11-864 would read as follows:

For more information contact the County Supervisors Association at (602) 252-5521



County Supervisors

A S S O C I A T I O N
o f a r i z o n a

11-864. Publication of ordinance adopting code

Any code authorized by this article may be enacted without setting forth in full such provisions, but the adopting ordinance shall be published in full. At least three paper copies or one paper copy and one electronic copy maintained in compliance with section 44-7041 of the code shall be filed in the office of the clerk of the board of supervisors, or in another county office such as the Planning, Building or Community Development Department, and kept available for public use and inspection. A code enacted by reference may be amended in the same manner.

C. What is the fiscal impact to the state or county budgets of the proposal?

Save the cost of maintaining and updating extra hard copies of building codes.

D. What is the preliminary analysis of the political environment and stakeholders' and affiliates' comments?

This should have no practical impact on stakeholders.

E. Who is the primary county contact information for the proposal (name, phone, email and other relevant information)?

Name: *Britt Hanson, Chief Civil Deputy, Cochise County Attorney*

Phone: *520/432-8755*

E-mail: *bhanson@cochise.az.gov*