

**ORDINANCE NO. 2019-17**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FLAGSTAFF, ARIZONA, ADOPTING “THE INTERNATIONAL FIRE CODE, 2018 EDITION, AND THE 2019 AMENDMENTS TO FLAGSTAFF CITY CODE, TITLE 5, FIRE REGULATIONS” BY REFERENCE AND FIXING THE EFFECTIVE DATE THEREOF; REPEALING ALL SECTIONS OF SAID CODE IN CONFLICT WITH THIS ORDINANCE; PRESERVING RIGHTS AND DUTIES THAT HAVE ALREADY MATURED AND PROCEEDINGS THAT HAVE ALREADY BEGUN THEREUNDER AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF**

**RECTIALS:**

**WHEREAS**, that certain document known as “*The International Fire Code, 2018 Edition, and the 2019 Amendments to Flagstaff City Code, Title 5, Fire Regulations*” one copy of which is on file in the office of the City Clerk of the City of Flagstaff, Arizona, made a public record by Resolution No. 2019-17; and;

**WHEREAS**, the City Council has determined that adopting “*The International Fire Code, 2018 Edition, and the 2019 Amendments to Flagstaff City Code, Title 5, Fire Regulations*” is necessary for providing the standards to provide safety to firefighters and emergency responders during emergency operations; and

**WHEREAS**, the City Council has determined that adopting “*The International Fire Code, 2018 Edition, and the 2019 Amendments to Flagstaff City Code, Title 5, Fire Regulations*” is necessary for the issuance of permits and collection of fees pursuant thereto, and for implementing and enforcing each and all of the regulations, provisions, penalties, conditions and terms of an updated Flagstaff Fire Code; and

**ENACTMENTS:**

**NOW, THEREFORE, BE IT ORDAINED** by the Flagstaff City Counsel as Follows:

SECTION 1: That the certain document known as “*The International Fire Code, 2018 Edition, and the 2019 Amendments to Flagstaff City Code, Title 5, Fire Regulations*”, one hard copy and one electronic copy of which are on file in the office of the City Clerk of the City of Flagstaff, Arizona, which was made a public record by Resolution No. 2019-17 of the City of Flagstaff, is hereby referred to, adopted and made a part hereof as if fully set out in this ordinance.

Section 2. That the current Fire Code Regulations, as amended, will remain effective through December 31, 2019, to provide a grace period for projects that are being planned based on the current Fire Code regulations, as amended. Applicants for building permits who submit applications prior to January 1, 2020, may choose to have the current Fire Code Regulations, as amended, or the “*The International Fire Code, 2018 Edition, and the 2019 Amendments to Flagstaff City Code, Title 5, Fire Regulations*”, apply to the construction that is the subject of the permit.

Section 3. That the Flagstaff City Code and 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, effective as of the 1st day of January 2020.

Section 4. That the repeal of prior ordinances and parts of ordinances referenced in Section 3 above does not affect the rights and duties that matured or penalties that were incurred and proceedings that were begun before the effective date of the repeal.

Section 5. Any person, firm, or corporation violating any provision of *“The International Fire Code, 2018 Edition, and the 2019 Amendments to Flagstaff City Code, Title 5, Fire Regulations”*, shall be deemed guilty of a class one misdemeanor, and upon conviction thereof, shall be punishable by a fine and/or imprisonment set forth by the Flagstaff City Code, Title 5, Section 5-02-001-0004 Violations and Penalties. Each separate day or any portion thereof, during which any violation of *“The International Fire Code, 2018 Edition, and the 2019 Amendments to Flagstaff City Code, Title 5, Fire Regulations”* occurs or continues, shall be deemed to constitute a separate offense.

Section 6. That 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 7. This ordinance shall become effective thirty (30) days following adoption by the City Council.

PASSED AND ADOPTED by the City Council of the City of Flagstaff this 18<sup>th</sup> day of June, 2019.

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MAYOR

ATTEST:

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CITY CLERK

APPROVED AS TO FORM:

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CITY ATTORNEY