

ORDINANCE NO. 2021-1504

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, AMENDING SECTION 9-1-1 OF ARTICLE 9-1 OF CHAPTER 9 (BUILDINGS AND BUILDING REGULATIONS) OF THE GOODYEAR CITY CODE BY REVISING THE SECTIONS OUTLINED BELOW; PROVIDING TERMS FOR IMPLEMENTATION, CORRECTIONS OF SCRIVENERS ERRORS, SEVERABILITY, REPEAL AND AN EFFECTIVE DATE.

WHEREAS, the Mayor and Council deem it necessary, in order to provide accurate language for the administration of the Technical Building Codes, modifications to Sections 104.4.3 PLUMBING and 104.4.11 RESIDENTIAL are provided below; and

WHEREAS, collecting fees at multiple times throughout the plan review and permitting process creates an obstacle to development, the language in section 109.1 PAYMENT OF FEES has been modified to remove the obstacle; and

WHEREAS, confusion with calculating and collecting fees provides potential for error and frustration. Section 109.1.2 BUILDING PLAN REVIEW FEES has been modified below; and

WHEREAS, building permit valuation, as written, creates confusion and generates numerous questions, the language of section 109.3 BUILDING PERMIT VALUATIONS has been modified below; and

WHEREAS, confusion with calculating and collecting fees provides potential for error and frustration. Sections 109.1.3 FIRE PERMIT FEES and 109.1.4 FIRE PLAN REVIEW FEES have been modified below; and

WHEREAS, the Mayor and Council are committed to supporting educational opportunities throughout our community, section 109.7 PUBLIC SCHOOL FEE WAIVER is amended below; and

WHEREAS, the Mayor and Council are committed to customer service and improving the customer experience, therefore this Ordinance 2021-1504 will remove the fire and building plan review and permit fees from the Goodyear City Code and will be added to the Goodyear Municipal User Fee Schedule with the adoption of Resolution 2021-2167 to be approved by Council by separate action.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, AS FOLLOWS:

SECTION 1. AMENDMENT OF SECTION 9-1-1 OF ARTICLE 9-1 OF THE GOODYEAR CITY CODE:

Effective September 1, 2021, Goodyear City Code Chapter 9 (Buildings and Building Regulations), Article 9-1, Technical Codes, hereby amends Section 9-

1-1(A)(1) Administration as follows:

Section 101.4.3 Plumbing, is hereby added as follows:

101.4.3 Plumbing. The provisions of the *International Plumbing Code, including Appendix E* 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. The provisions of the *International Private Sewage Disposal Code* shall apply to private sewage disposal.

Section 101.4.11 Residential, is hereby deleted in its entirety and replaced with the following:

101.4.11 Residential. The provisions of the *International Residential Code For One and Two-Family Dwellings including Appendix Chapter H and K* as adopted and amended by the governing authority shall apply to all matters governing the design and construction of one and two-family dwelling units.

Section 109.1 “Payment of Fees,” is hereby deleted in its entirety and replaced with the following:

109.1 Payment of Fees. A permit shall not be issued and shall not be valid until all fees prescribed by law have been paid, nor shall an amendment to a permit be released until all additional fees, if any, have been paid.

Section 109.1.1 “Building Permit Fees,” is hereby deleted in its entirety and replaced with the following:

109.1.1 Building Permit Fees. Building permit fees for new construction, buildings and additions are to be calculated based on the Goodyear Municipal User Fee Schedule adopted by City Council.

Section 109.1.2 “Building Plan Review Fees,” is hereby deleted in its entirety and replaced with the following:

109.1.2 Building Plan Review Fees. Building plan review fees for permits for new construction, buildings, additions, and tenant improvements are to be calculated based on the Goodyear Municipal User Fee Schedule adopted by City Council.:

Section 109.1.3 “Fire Permit Fees,” is hereby deleted in its entirety and replaced with the following:

109.1.3 Fire permit fees. Fire permit fees for new construction, buildings, additions and tenant improvements are to be calculated based on the Goodyear

Municipal User Fee Schedule adopted by City Council.

Section 109.1.4 “Fire Plan Review Fees,” is hereby deleted in its entirety and replaced with the following:

109.1.4 Fire plan review fees. Fire plan review fees for new construction, buildings, additions and tenant improvements are to be calculated based on the Goodyear Municipal User Fee Schedule adopted by City Council.

Section 109.3 “Building permit valuations,” is hereby deleted in its entirety and replaced with the following:

109.3 Building permit valuations. The applicant for a *permit* shall provide an estimated *permit* value at time of application. *Permit* valuations shall include total value of work, including materials and labor, for which the *permit* is being issued, such as electrical, gas, mechanical, plumbing equipment and permanent systems. If, in the opinion of the *building official*, the valuation is underestimated on the application, the *permit* shall be denied, unless the applicant can show detailed estimates to meet the approval of the *building official*. Final building *permit* valuation shall be set by the *building official*.

For the purposes of determining valuations, the most current building valuation data table published by the International Code Council in Building Safety Journal magazine, shall be used. The valuation for any shell-only buildings shall be permitted to be reduced by 20 percent (20%). The valuation for any foundation-only permit shall be permitted to be reduced by 80 percent (80%), and is in addition to the permit and plan review for the structure. When a foundation only permit is authorized by the Building Official, it shall be permitted to include the foundation, interior underground utilities and any interior slab-work when so specified. Any valuation not specifically provided for shall be determined by the Building Official and shall be classified in the use and construction type it most nearly resembles.

Section 109.7 Public School Permit Fee Waiver is hereby deleted in its entirety and replaced with the following:

109.7 Public School Permit Fee Waiver. Except as otherwise provided herein, the Goodyear Municipal User Fee Schedule adopted by City Council, applicable to vertical construction review and permit fees shall not apply to permitted work for public schools providing educational instruction for pupils in any combination of elementary grades or secondary grades one through twelve. The fee waiver provided herein extends only to work on improvements that are owned by the public school. This waiver does not apply to fees such as inspections outside of normal business hours, reinspection fees, replications of plans, stamping of additional approved plans and providing written responses to requests for information related to the building code or Building Safety Division

policy issues. Public schools for purposes of this section are those schools that are funded wholly by public funds.

Section 109.8 “Fee Schedule,” is hereby deleted in its entirety.

SECTION 2. IMPLEMENTATION

The modifications to Section 9-1-1 of Article 9-1 of Goodyear city code adopted by Ordinance 2021-1504, shall apply to all applications for building permits submitted on or after September 1, 2021 except as provided herein.

SECTION 3. CORRECTIONS.

The City Clerk and his/her designee, the City Attorney and his/her designee, and the codifiers of this ordinance are authorized to make necessary clerical corrections to this ordinance including, but not limited to, the correction of scrivener’s/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

SECTION 4. SEVERABILITY.

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance or parts thereof.

SECTION 5. REPEAL.

All former ordinances or parts thereof conflicting or inconsistent with the provisions of this ordinance hereby adopted are hereby repealed as of September 1, 2021.

SECTION 7. EFFECTIVE DATE.

This Ordinance shall become effective September 1, 2021 and in the manner prescribed by law.

PASSED AND ADOPTED by the Mayor and Council of the city of Goodyear, Maricopa County, Arizona, this _____ day of _____, 20____.

Date: _____

APPROVED AS TO FORM:

Roric Massey, City Attorney

STATE OF ARIZONA)
) ss.
County of Maricopa)

Given under my hand and sealed this _____ day of _____, 20____.

City Clerk