

**Phoenix Building Construction Code  
Updated Amendments to the  
Administrative Provisions**



## CHAPTER 1 ADMINISTRATION

### Section 101.2 Change to read as shown:

**101.2 Scope.** The provisions of this Code shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures.

Detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories above grade plane in height with a separate means of egress and their accessory structures shall comply with the *International Residential Code*.

Existing buildings undergoing repair, alterations or additions and change of occupancy shall be permitted to comply with the *International Existing Building Code*.

#### Exceptions:

1. Federally owned or state owned projects (building and land) are exempt from the required permits, inspections and fees of Appendix A.2 of the *Phoenix City Code*.
2. Work primarily located within a public way such as streets, roads, sidewalks, bridges, drainage structures, street lights and traffic control signs or equipment. Pedestrian tunnels or bridges which cross a public way are regulated by this Code when they directly connect one or more buildings located outside of the public way.
3. Canals, dams and hydraulic flood control structures constructed by or under contract with a governmental agency or jurisdiction.
4. Utility towers, poles, equipment or systems under the exclusive control of an electric utility and directly used to generate, transmit, transform, control or distribute electrical energy to utility customers. Electrical installations in buildings used by the electric utility, such as office buildings, that are not an integral part of a generating plant, substation or control center, and electrical installations located on the premises of a utility customer, such as exterior lighting, service entrance equipment or customer-owned substation equipment, are regulated by this Code.
5. Installation of communications equipment under the exclusive control of communications utilities and located outdoors or in building spaces used exclusively for such installations. Communications wiring run inside a building is regulated by this Code.
6. Piping and equipment owned and operated by a public service utility and directly used to produce, treat, distribute or meter water to utility customers, or directly used to collect, treat or dispose of sewage or waste water from utility customers. Domestic plumbing systems within water or sewer utility plants are regulated by this Code.
7. Piping and equipment owned and operated by a public service utility and directly used to produce, distribute or meter natural gas to utility customers.
8. Construction methods and sequencing. This Code does not regulate construction methods or the scheduling or coordination of construction work, except that the contractor(s) and property owner(s) are responsible for obtaining all permits, tests and city inspection approvals as specified in this Code.
9. Construction site safety. This Code does not regulate construction means, methods or safety. The property owner(s), the contractor(s) and all construction workers are each responsible for compliance with applicable federal and state occupational health and safety laws and regulations.

### Section 105.1 Change to read as shown:

**105.1 Permits required.** Except as specified in Section 105.2 of these administrative provisions, no building, structure or building service equipment regulated by this Code shall be erected, constructed, enlarged, altered, repaired, moved, improved, removed, converted or demolished unless appropriate permits for each building, structure or building service equipment has first been obtained from the Development Services Department.

#### Section 105.2.1 Change to read as shown; exceptions not shown have not changed:

**105.2.1 Building.** A building permit shall not be required for the following:

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet (11.15 m<sup>2</sup>), when accessory to a residential Group R-3 or R-4 occupancy, one- and two-family dwellings and townhouses.
2. Fences not over 3 feet (914 mm) high, accessory to one- and two-family dwellings and townhouses.
14. Ground- or roof-supported structures, such as radio and television antenna towers and flagpoles which do not exceed 200 pounds (90 kg) in weight or 45 feet (13 700 mm) in height about the ground surface.
16. Re-roofing of Group U and Group R-3 or R-4 occupancies, one- and two-family dwellings and accessory buildings or structures with the same type of material as the original roofing and provided not more than two layers of asphalt shingles are applied over an existing asphalt shingle roof.
17. Installation of a nonstructural weatherproof exterior covering over an existing weatherproof covering on an existing structure so long as the new covering will not affect the fire-resistive classification of the existing structure.

**Exception:** Installation of an insulated exterior finish system.

**Section 105.3 Change to read as shown; exceptions not shown have not changed:**

**105.3 Application for permit or standard plan.** Only the owner or owner's agent may apply for a permit. Only licensed contractors may submit standard plan applications. To obtain a permit or standard plan authorization, the applicant shall first file an application in writing on a form furnished by the Development Services Department for that purpose. The application shall:

1. Identify and describe the work to be covered by the permit or standard plan for which the application is made.
6. Be signed by the owner, or the owner's authorized agent.

**Section 105.3.1 Change to read as shown:**

**105.3.1 Action on application.** The Development Services Department shall examine applications for permits and standard plans, and revisions thereto within a reasonable time after filing. If the application or the construction documents do not conform to the requirements of pertinent laws, the department shall reject the application in writing. If the proposed work conforms to the requirements of this Code and applicable laws and ordinances, the department shall issue a permit as soon as practicable.

**Section 105.3.2 Change to read as shown:**

**105.3.2 Time limitation of application.** An application for a permit for any proposed work or standard plan shall be deemed to have been abandoned 180 days after the date of filing, unless the application has been pursued in good faith or a permit has been issued; except that the building official is authorized to grant an extension of time not to exceed a period of 180 days upon written request by the applicant or owner showing that circumstances beyond the control of the applicant have prevented action from being taken. No application shall be extended more than once.

An application for extension shall include payment of a nonrefundable administrative processing fee as set forth in Appendix A.2 of the *Phoenix City Code*.

**Section 105.4 Change to read as shown:**

**105.4 Validity of permit.** The issuance or granting of a permit shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this Code or of any other city ordinance. Permits presuming to give authority to violate or waive the provisions of this Code or other city ordinances, or which are issued in error or on the basis of incorrect, inaccurate, or incomplete information shall not be valid. The issuance of a permit based on construction documents and other data shall not prevent the building official from requiring the correction of errors in the construction documents and other data. The building official may also prevent occupancy or use of a structure in violation of this Code or of any other city laws or ordinances.

A previously issued permit shall be valid based on the terms of the code under which it was issued.

**Section 105.5 Change to read as shown:****105.5 Expiration, extension and reinstatement.****Section 105.5.1 Change to read as shown:**

**105.5.1 Expiration.** Every permit issued by the Development Services Department under the provisions of this Code shall expire if the building or work authorized is not commenced and completed within the time limitations set forth in this section.

**Section 105.5.1.1 Add new section to read as shown:**

**105.5.1.1 Standard plans.** Once standard plans are authorized for use, permits must be issued within 180 days of authorization and at least once every 180 days thereafter or the standard plan will expire. Standard plans expire by limitation upon the effective date of the adoption of a new construction code. Authorized use of standard plans beyond the effective date of a new code may be approved by the building official. Request for such use must be made prior to the effective date of the new code. No other extensions shall apply.

**Section 105.5.2 Change to read as shown:**

**105.5.2 Commencing of work.** Every permit issued by the Development Services Department, except demolition permits, shall expire if the building or work authorized by such permit is not commenced within 180 days from the date of such permit, or if the building or work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of 180 days. The work shall not be considered suspended or abandoned if the permit holder has done one or more of the following:

1. Requested one or more Development Services inspections indicating substantial progress in construction;
2. Conducted legally authorized site preparation such as demolition, clearing or excavation; or
3. Pursued other activities deemed by the building official to indicate intent to start and complete the project.

The building official may require the permit holder to document these activities.

**Section 105.5.6 Renumber and change to read as shown:**

**105.5.3 Reinstatement.** When a permit has expired, as described in Section 105.2, the permit can be reinstated and the work authorized by the original permit can be recommenced provided all the following conditions are met:

1. The code under which the original permit was issued and other laws which are enforced by the Development Services Department have not been amended in any manner which affects the work authorized by the original permit; and
2. No changes have been made or will be made in the original plans and specifications for such work; and
3. The original permit expired less than one year from the request to reinstate.

The fee for a reinstated permit shall be one-half the amount required for a new permit as set forth in Appendix A.2 of the *Phoenix City Code*.

Where the request for reinstatement does not comply with the preceding criteria, a new permit shall be required, including payment of full plan review and permit fees.

**Section 105.5.3 Renumber and change to read as shown:**

**105.5.4 Completing work and final inspection.** Every permit issued by the department, except demolition permits, sign permits and temporary use or structure permits, shall expire 24 months after the date of permit issuance. If the building or work authorized by such permit has not received final inspection approval prior to the permit expiration date, all work shall stop until a new permit is obtained for the value of the work remaining unfinished.

**Exception:** The building official may approve a period exceeding 24 months for completion of work when the permit holder can demonstrate that the complexity or size of the project makes completing the project within 24 months unreasonable.

**Section 105.5.4 Renumber as shown:**

**105.5.5 Expired permits.** When a permit has expired, all work authorized by that permit shall stop until the permit is reinstated or a new permit is obtained. No refund of permit fees for expired permits shall be made.

**Section 105.5.5 Renumber as shown:**

**105.5.6 Extension.** Anyone holding an unexpired permit may apply for an extension of the time within which work is to be completed under that permit when the permit holder is unable to complete work within the time required by this section for good and satisfactory reasons. The building official may extend the time for action by the permit holder for a period not to exceed 180 days on written request, provided that it is demonstrated that circumstances beyond the control of the permit holder have prevented work from being completed. The fee for a permit time extension shall be as set forth in Appendix A.2 of the *Phoenix City Code*. No permit shall be extended more than once.

**Section 105.7 Change to read as shown:**

**105.7 Record changes.**

**Section 105.7.7 Add new section to read as shown:**

**105.7.7 Fees.** The fee for record changes shall be as set forth in Appendix A.2 of the *Phoenix City Code*.

**Section 106.1 Change to read as shown:**

**106.1 Submittal documents.** Plans, specifications, engineering calculations, diagrams, soil investigation reports, special inspection and structural observation programs and other data shall constitute the submittal documents and shall be submitted in one or more sets with each application for a permit. When required, the construction documents shall be prepared by a registered design professional as required by the State of Arizona Board of Technical Registration.

Where special conditions exist, the building official may require plans, computations and specifications to be prepared

and designed by a registered design professional licensed by the state to practice as such even if not required by state law.

The building official may waive the submission of construction documents and other data if it is found that the nature of the work applied for is such that review of construction documents is not necessary to obtain compliance with this Code.

**Section 106.3.4.2 Change to read as shown; exceptions not shown have not changed:**

**106.3.4.2 Deferred submittals.** Deferral of any submittal items shall have the prior approval of the building official and shall be in accordance with the written criteria, policies and procedures adopted by the Development Services Department for this purpose. The registered design professional in responsible charge shall list the deferred submittals on the construction documents for review by the building official. Items eligible for consideration as deferred submittals include the following:

3. Deferred submittal of specific design details for pre-engineered building systems such as curtain wall systems, automatic sprinkler systems and fire alarm systems.

**Section 106.5 Change to read as shown:**

**106.5 Retention of construction documents.** One set of approved construction documents shall be retained by the Development Services Department for a period of not less than 90 days from date of completion of the permitted work for small commercial projects and all residential projects, and for a period of not less than 180 days from the date of completion of the permitted work for all other projects, or as required by state or local laws.

Approved construction documents that do not have permits issued and work commenced within 180 days of plan approval will expire and the department will discard submitted construction documents according to state approved procedures.

Construction documents for projects designed and built to the ICC *Performance Code* shall be retained in the records of the Development Services Department for the life of the building, structure or service approved under such code. Documentation shall be made available in an electronic format acceptable to the Development Services Department for records retention purposes.

**Section 106.5.1 Change to read as shown:**

**106.5.1 Expired construction documents.** The department will discard construction documents that expire immediately following the expiration date.

**Section 106.5.2 Change to read as shown:**

**106.5.2 Standard plans.** Standard plans are valid under the code in effect at the time of submittal and valid for the duration of the code cycle as long as the plan remains active. All standard plans will expire upon the adoption of a new code and will be discarded by the department according to state approved procedures. Standard plans that expired as described in Section 105.5.1.1 shall be discarded by the department according to state approved procedures.

**Section 106.5.3 Change to read as shown:**

**106.5.3 Site planning.** Approved final site plans and subsequent approved amendments will be kept for the life of the site or until superseded. Final approved site plans and subsequent approved amendments will be retained in the Records Section of the department. Site plans with preliminary approval will expire in accordance with the *City of Phoenix Zoning Ordinance*. Expired unapproved plans will be discarded by the department according to state approved procedures.

**Section 106.5.4 Change to read as shown:**

**106.5.4 Civil engineering.** Approved civil engineering plans will be kept for a period of three years after the projects are completed. Water and sewer as-builts will be forwarded to the Water Services Department. Right-of-way as-builts will be forwarded to the Engineering and Architectural Services Department. Expired plans will be discarded by the department according to state-approved procedures.

**Section 107.1 Change to read as shown:**

**107.1 General.** The building official is authorized to issue a permit for temporary structures and temporary uses. Such permits shall be limited as to time of service, but shall not be permitted for more than 180 days. The building official is authorized to grant extensions for demonstrated cause.

**Exception:** Temporary fences not associated with a construction project shall not be permitted for more than one year unless approved by a use permit granted by the Planning Department.

**Section 108.10 Change to read as shown:**

**108.10 Fee payments.** Any fee required by this Code shall be paid in cash or may be paid by draft, check or credit card in accordance with administrative procedures established by the Development Services Department.

Any permit holder may elect to pay permit and other fees required by this Code on a charge account basis, provided the permit holder has first deposited with the Development Services Department a bond for the benefit of the City of Phoenix in the sum of not less than \$1,000 or, in lieu thereof, a deposit of cash in the amount of not less than \$1,000. The bond shall be executed by said person or firm and by a surety company maintaining an agency within the City of Phoenix. All bonds shall stipulate that the person or firm named therein shall pay within 30 days of issuance of any permit all fees accrued under this Code. Bonds shall not be transferable.

Payment for charges accrued during each month shall be promptly remitted to the City within 30 days or as often during the month as accrued charges equal the value of the bond. If the person or firm fails or refuses to pay such accrued fees and the account becomes delinquent, the Development Services Department shall refuse any further permits until such time as all fees have been paid.

**Section 111.2 Change to read as shown:**

**111.2 Temporary utility clearance.** The building official may issue temporary utility clearances for temporary connection of

gas, electricity or water service to a building for testing or construction purposes, or for early connection of permanent gas, electricity or water service to a building prior to full completion of all construction.

The building official may adopt rules and regulations pertaining to applications, inspections and minimum safety conditions necessary for approving temporary utility connections. The building official may set conditions or stipulations for such clearance, and may revoke the clearance and order the utility disconnected if a safety hazard is found, if a condition of the clearance has been violated or if the building is occupied prior to issuance of a certificate of occupancy.

The building official shall deny a request for temporary utility clearance if it is determined that a hazardous condition would likely result from connecting the utility.

As set forth in Section 108 of these administrative provisions, a nonrefundable application and inspection fee shall be paid with each request for temporary utility release.

**Section 113.6.6 Change to read as shown:**

**113.6.6 Certificate of Occupancy.** It shall be unlawful and a violation of this Code for any person, firm or corporation to occupy or use any building or structure without first having obtained a Certificate of Occupancy as required by the provisions of this Code.

It shall be unlawful and a violation of this Code for any person, firm or corporation to occupy or use any building or structure for any use or activity other than that authorized by a Certificate of Occupancy for such building or structure.

It shall be unlawful and a violation of this Code for any person, firm or corporation to change the occupancy, use or character or use of any building or structure without first obtaining a new Certificate of Occupancy for such new use.

It shall be unlawful and a violation of this Code for any person, firm or corporation to continue to occupy or use any building or structure in violation of the conditions of any temporary Certificate of Occupancy or after the expiration of a temporary Certificate of Occupancy.

**Section 113.6.7 Change to read as shown:**

**113.6.7 Unsafe buildings and building service equipment.** It shall be unlawful and a violation of this Code for any person, firm or corporation to cause or to create any unsafe condition as defined in this Code.

It shall be unlawful and a violation of this Code for any person, firm or corporation to use or occupy any building or structure, or to use or operate any building service equipment, when such building, structure or building service equipment has been declared unsafe in accordance with the provisions of this Code. These requirements shall apply to all buildings, structures and building service equipment, whether new, existing, under construction or being demolished.

It shall be unlawful and a violation of this Code for any person, firm or corporation to fail to make repairs or otherwise fail to correct or abate any unsafe condition as defined in this Code.

It shall be unlawful and a violation of this Code for any person, firm or corporation to fail to comply with an unsafe condition abatement order issued by the Director or designee in accordance with Section 115.8 of these administrative provisions.

### Section 118.1 Change to read as shown:

**118.1 License required.** All work performed on plumbing and mechanical systems where a permit is required according to Section 105 of these Administrative Provisions is required to be performed by a licensed Journeyman or by an Apprentice as defined in this section.

A person licensed by the State of Arizona as a licensed contractor (qualified person) in the appropriate category (C-37, C-37R, K-37, L-37) need not obtain a Journeyman license or be an Apprentice to observe or perform work covered by the *Phoenix Building Construction Code*.

The owner/occupant of a single family residence when performing work covered by this section on their residence or accessory buildings or structures need not obtain a Journeyman license or be an Apprentice as long as the work performed meets the requirements of this code.

Persons employed by a qualified facility as set forth in Section 116 need not obtain a Journeyman license or be an Apprentice when doing work under an Annual Facility Permit as long as the work meets the requirements of this code.

Employees of a building maintenance registrant must be an Apprentice and perform work under the observation of a licensed Journeyman.

Persons installing private sewer or private sewage disposal systems defined in the *Arizona State Plumbing Code* need not obtain a Journeyman license or be an Apprentice.

Persons installing yard piping need not obtain a Journeyman license or be an Apprentice.

### Section 118.2 Change to read as shown:

**118.2 Definitions.** For purposes of this section, the following terms are defined as follows:

**JOURNEYMAN LICENSE** is the authority to perform or observe work requiring certain skills as identified in this section and is issued by the building official upon successful completion of an examination administered by the City of Phoenix.

**LICENSED JOURNEYMAN** is a person skilled in an area of work covered by this section with sufficient work experience to pass the Journeyman test administered by the City of Phoenix and is capable of performing work covered by their Journeyman license and supervising the work of Apprentices covered by this section.

**APPRENTICE** is a person learning a skill and working in an area of work covered by this section and working under the direct supervision of a licensed Journeyman or State of Arizona licensed contractor.

**YARD PIPING** is any piping within the private property lines, within 5 feet (1524 mm) of the building and not interior to the building.

### Section 118.3 Change to read as shown:

**118.3 Licenses.** Licenses shall be divided into classifications as follows:

1. **Journeyman plumber.** A journeyman plumber may install plumbing systems within the scope of the *Arizona State Plumbing Code*.
2. **Journeyman gas fitter.** A journeyman gas fitter may install gas appliances, including the piping and venting of these appliances within the scope of the *Arizona State Plumbing* and *International Mechanical Code*.
3. **Journeyman mechanical systems installer.** A journeyman mechanical systems installer may install all heating, ventilating, cooling, refrigeration or other mechanical systems and equipment within the scope of the *International Mechanical Code*.
4. **Apprentice.** An Apprentice license may be issued to an individual who cannot qualify for Journeyman status in one of the categories listed above. Apprentice licenses are valid for a period of one year.

### Section 118.4 Change to read as shown:

**118.4 Apprentice.** An Apprentice must work under the supervision of a licensed Journeyman or state licensed contractor at all times work is being performed. The licensed Journeyman or state licensed contractor is responsible for the work of the Apprentice.

