



TOWN OF
QUEEN CREEK
ARIZONA

TO: HONORABLE MAYOR AND TOWN COUNCIL

THROUGH: JOHN KROSS ICMA-CM, TOWN MANAGER

FROM: BRETT BURNINGHAM, DEVELOPMENT SERVICES DIRECTOR, MICHAEL WILLIAMS, BUILDING OFFICIAL

RE: CONSIDERATION AND POSSIBLE APPROVAL OF ORDINANCE 797-22 AMENDING THE QUEEN CREEK TOWN CODE, CHAPTER SEVEN, ARTICLE 7.1 "ADMINISTRATION" AND ARTICLE 7.2 "AMENDMENTS"; ADOPTING UPDATED BUILDING CONSTRUCTION CODES AND STANDARDS; PROVIDING FOR PENALTIES AND ENFORCEMENT; REPEALING ALL ORDINANCES OF THE TOWN OF QUEEN CREEK IN CONFLICT THEREWITH AND SETTING AN EFFECTIVE DATE.

DATE: October 19, 2022

Suggested Action:

To approve Ordinance 797-22, amending the Queen Creek Town Code, Chapter Seven, Article 7.1 "Administration" and Article 7.2 "Amendments"; adopting updated building construction codes and standards; providing for penalties and enforcement; repealing all ordinances of the Town of Queen Creek in conflict therewith and setting an effective date of January 1, 2023, with a 90-day grace period.

Relevant Council Goal(s):

Council Goal #2: Continue to provide for a safe community in the Town of Queen Creek.

Discussion:

Purpose:

Adopting a contemporary set of building construction codes and standards, such as the 2021 International Codes and the 2020 National Electrical Code, will enable Queen Creek to maintain reasonable, minimum fire and life safety standards within the built environment. Adopting the 2021 I Codes will mitigate factors contributing to substandard or hazardous conditions that can risk business continuity, public health, safety, and general welfare.

Therefore, adopting these modern construction codes contributes to the quality of life and standards of safety that society enjoys and expects.

This concept is summed up by the intent of the building code, which is as follows:

The purpose of this code is to establish the minimum requirements to safeguard the public health, safety and general welfare through structural strength, means of egress facilities, stability, sanitation,

adequate light and ventilation, energy conservation, and safety to life and property from fire and other hazards attributed to the built environment and to provide safety to fire fighters and emergency responders during emergency operations.

Historical Context:

The Town's first Building Codes were adopted in 1990 and updated in 1997, 1999, 2001, 2004, 2008, and 2014. The Town's current building code is the 2012 International Codes, published by the International Code Council (ICC).

The ICC updates these International Codes every three years through an "open" process in which all stakeholders are encouraged to participate. Any concerned individual or organization may make code change recommendations.

The list of other local municipalities that have recently adopted the 2018 I Codes includes:

Apache Junction
Avondale
Buckeye
Cave Creek
Chandler Recently adopted the 2021 I Codes
Fountain Hills
Gilbert
Glendale
Goodyear
Litchfield Park
Maricopa
Maricopa County
Mesa
Peoria
Phoenix
Surprise
Tempe
Tolleson

Benefits:

Improved Safety and Property Values: Adopting this building code update is considered to be in the best interest of the citizens of the Town of Queen Creek because it allows the use of improved, technologically advanced construction materials and methods, which continue to evolve at record rates. This code update provides the minimum fire and life safety standards and sustains property values in the built environment.

Flexibility and Use of Modern Building Materials and Design: The adoption of the 2021 I Codes is recognized as a benefit to the development of the state land in Queen Creek. Industrial and commercial developers have requested that the Town adopt the 2021 I Codes so they may incorporate the latest materials and methods into the design and construction of their substantial, complex, sophisticated industrial buildings and their support structures.

Insurance Services Organization BCEGS Rating: The Building Code Effectiveness Grading Schedule (BCEGS®) assesses community building codes and their enforcement, emphasizing mitigating losses from natural hazards. Municipalities with well-enforced, up-to-date codes demonstrate better loss experience, which can be reflected in lower insurance rates. The prospect of lessening catastrophe-related damage and ultimately lowering insurance costs incentivizes communities to enforce contemporary building codes especially as they relate to windstorm and earthquake damage. The anticipated benefits are safer buildings, less damage, and lower insured losses from catastrophes.

The Process:

The Town sent announcements of the proposed adoption of 2021 I Codes out via multiple mass emails to a list of approximately 2000 architects, engineers, contractors, designers, developers, and business owners. Feedback from these stakeholders included their questions, concerns, and recommendations. The Town addressed stakeholder feedback and included it in the code update. The Home Builders Association of Central Arizona also offered code change proposals, which were incorporated into the proposed amendments. Stakeholders and their questions, concerns and recommendations were addressed as part of this code update. The Home Builders Association of Central Arizona offered proposals, many of which are incorporated in the proposed amendments.

The codes which are being proposed for adoption include:

- International Building Code, 2021 edition
- International Residential Code, 2021 edition
- International Mechanical Code, 2021 edition
- National Electrical Code, 2020 edition
- International Fuel Gas Code, 2021 edition
- International Existing Building Code, 2021 edition
- International Energy Conservation Code, 2021 edition
- International Property Maintenance Code, 2021 edition
- International Urban-Wildland Interface Code, 2021 edition
- International Pool and Spa Code, 2021 edition
- International Fire Code, 2021 edition

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Many of these codes have amendments, which are incorporated into the proposed Town Building Code. These amendments are either pre-existing from previous regulations, recommendations from the Arizona Building Officials (AZBO), the Home Builders Association of Central Arizona, MAG Building Codes Committee, Town of Gilbert, Pinal County, and others. The goal was to keep amendments to a bare minimum yet promote regional uniformity.

The administrative chapters of most of these Codes have been consolidated into Section 7.1 of the Town Code in an effort to create consistent administration across the various codes. The Administration Chapter has been updated to provide penalties and enforcement of the fire and life

safety provisions of the code to preserve public safety, business continuity, and property values.

Letters of Support:

Letters of support have been received from the Home Builders Association of Central Arizona, Salt River Project, Sketch Architecture, and other architectural firms.

Recommendation:

It is staff's recommendation that the Council approve this building code update with an effective date of January 1, 2023 and allow ninety (90) days as a grace period before the Codes go into full exclusive effect, similar to the grace period of previous adoptions. This should provide adequate time for builders and designers to prepare for the new requirements and submit their plans based on the newly adopted 2021 International Codes.

Fiscal Impact:

Minimal impact - some training of building inspectors and our plan reviewer has already been accomplished and will be supplemented with additional training in-house.

Alternatives:

Council could choose to continue with the 2012 codes adopted by the Town in 2014.

Attachment(s):

1. [Ordinance 797-22.docx](#)
2. [Exhibit A to Building Code Amendment Ordinance.docx](#)