CHAPTER 1

MESA ADMINISTRATIVE CODE

(1093,1474,1830,2206,2207,2225,2305,2504,
2507,2508,2650,2781,3070,3071,3099,3310,
3434,3435,3958,4067,4106,4579,4807,5055,5273 / RESO. 8108,4109)

SECTION:

4-1-1: GENERAL (4242,5055)
4-1-2: APPLICABILITY (4242,4807)
4-1-3: BUILDING SAFETY (4242)
4-1-4: PERMITS (4242,4493,4807)
4-1-5: INSPECTIONS (4242,4807)
4-1-6: CERTIFICATES (4242,4493,4807)
4-1-7: UNSAFE STRUCTURES AND EQUIPMENT (4242)
4-1-8: FEES (4242,4493,4807)
4-1-9: PENALTIES (4242)

4-1-1: GENERAL: (4242,5055)

(A) Title. These regulations shall be known as the "Mesa Administrative Code," may be cited as such, and will be referred to herein, as "this Chapter." (4242)

(B) Scope. The provisions of this Chapter shall serve as the administrative, organizational, and enforcement rules and regulations for the technical codes which regulate site preparation and construction, alteration, movement, enlargement, replacement, demolition, repair, maintenance, use, and occupancy of buildings, structures, and building service equipment or appurtenances attached thereto within the City of Mesa, Arizona. The intent of the technical codes 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 firefighters and emergency responders during emergency operations. (4242)

(C) Technical Codes. The technical codes shall include all of the following codes applied as indicated, plus the codes and standards referenced in the technical codes shall be considered part of the requirements of the technical codes to the prescribed extent of each such reference. (4242)

1. Building Code. The provisions of the Mesa Building Code shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, removal, and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures. Refer to Chapter 4-2 for the requirements of the Mesa Building Code. (4242)

EXCEPTIONS: (4242,4579)
(a) R-5 occupancies and their accessory structures shall comply with the Mesa Residential Code, Chapter 4-3. (4242, 4579)

(b) Existing buildings undergoing repair, alteration, or additions and change of occupancy shall be permitted to comply with the Mesa existing Building Code, Chapter 4-8. (4242, 4579)

2. Residential Code. The provisions of the Mesa Residential Code shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, removal, and demolition of detached one- (1-) and two- (2-) family dwellings and multiple single-family dwellings (townhouses) not more than three (3) stories above grade plane in height with separate means of egress and their accessory structures. Such dwellings and occupancies shall be designated as R-5 occupancies. Refer to Chapter 4-3 for the requirements of the Mesa Residential Code. (4242, 4579)

3. Electrical Code. The provisions of the Mesa Electrical Code shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings, and appurtenances thereto. Refer to Chapter 4-4 for the requirements of the Mesa Electrical Code. (4242)

EXCEPTION: Electrical work for R-5 occupancies and their accessory structures shall comply with the Mesa Residential Code, Chapter 4-3. (4242, 4579)

4. Plumbing Code. The provisions of the Mesa Plumbing Code shall apply to the installation, alteration, repair, replacement, and maintenance 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. Refer to Chapter 4-5 for the requirements of the Mesa Plumbing Code. (4242)

EXCEPTION: Plumbing work for R-5 occupancies and their accessory structures shall comply with the Mesa Residential Code, Chapter 4-3. (4242, 4579)

5. Mechanical Code. The provisions of the Mesa Mechanical Code shall apply to the installation, alterations, repairs, and replacement of mechanical systems, including equipment, appliances, fixtures, fittings, and/or appurtenances, including ventilating, heating, cooling, air-conditioning, and refrigeration systems, incinerators, and other energy-related systems. Refer to Chapter 4-6 for the requirements of the Mesa Mechanical Code. (4242)

EXCEPTION: Mechanical work for R-5 occupancies and their accessory structures shall comply with the Mesa Residential Code, Chapter 4-3. (4242, 4579)

6. Fuel Gas Code. The provisions of the Mesa Fuel Gas Code shall apply to the installation of gas piping from the point of delivery, gas appliances, and related accessories as covered in Chapter 4-7. These requirements apply to gas piping systems extending from the point of delivery to the inlet connections of appliances and the installation and operation of residential and commercial gas appliances and related accessories. Refer to Chapter 4-7 for the requirements of the Mesa Fuel Gas Code. (4242)
EXCEPTIONS: (4242,4579)

(a) Fuel gas work for R-5 occupancies and their accessory structures shall comply with the Mesa Residential Code, Chapter 4-3. (4242,4579)

(b) Portable LP-gas equipment of all types not connected to a fixed fuel piping system. (4242)

(c) Oxygen-fuel gas cutting and welding systems. (4242)

(d) Industrial gas applications using gases such as acetylene and acetylenic compounds, hydrogen, ammonia, carbon monoxide, oxygen, and nitrogen. (4242)

(e) Petroleum refineries, pipeline compressor or pumping stations, loading terminals, compounding plants, refinery tank farms, and natural gas processing plants. (4242)

(f) Integrated chemical plants or portions of such plants where flammable or combustible liquids or gases are produced by, or used in, chemical reactions. (4242)

(g) LP-gas installations at utility gas plants. (4242)

(h) Liquefied natural gas (LNG) installations. (4242)

(i) Fuel gas piping in power and atomic energy plants. (4242)

(j) Proprietary items of equipment, apparatus, or instruments such as gas-generating sets, compressors, and calorimeters. (4242)

(k) LP-gas equipment for vaporization, gas mixing, and gas manufacturing. (4242)

(l) Temporary LP-gas piping for buildings under construction or renovation not becoming part of the permanent piping system. (4242)

7. Existing Building Code. The provisions of the Mesa Existing Building Code shall apply to existing buildings undergoing repair, alteration, addition, relocation, and change of occupancy. Refer to Chapter 4-8 for the requirements of the Mesa Existing Building Code. (4242)

EXCEPTION: A building or portion of a building not previously occupied, used for its intended purpose, or for which a Certificate of Occupancy has not been issued shall comply with the Mesa Building Code, Chapter 4-2. (4242)
8. Fire Code. The provisions of the Mesa Fire Code shall apply to matters affecting or relating to structures, processes, and premises from the hazard of fire and explosion arising from the storage, handling, or use of structures, materials, or devices; from conditions hazardous to life, property, or public welfare in the occupancy of structures or premises; and from the construction, extension, repair, alteration, or removal of fire suppression and alarm systems or fire hazards in the structure or on the premises from occupancy or operation. (4242)

9. Energy Code. The provisions of the Mesa Energy Code shall apply to the energy efficiency of building thermal envelopes and installation of energy efficient mechanical, lighting and power systems. Refer to Mesa Energy Code, Chapter 4-9 for the requirements. (5055)

(D) Appendices. Provisions in the appendices of the technical codes shall not apply unless specifically adopted. (4242)

(E) Definitions. Unless otherwise expressly stated, the following words and terms shall have the meanings as shown in this Chapter. Definitions located in the technical codes are hereby incorporated into this Chapter. (4242)

BUILDING: Any structure used or intended for supporting or sheltering any use or occupancy. (4242)

BUILDING, EXISTING: A building erected prior to the adoption of this Chapter or one for which a legal certificate of occupancy has been issued for at least one (1) year. (4242)

BUILDING SAFETY DIRECTOR: The officer or other designated authority charged with the administration and enforcement of this Chapter and the technical codes, or a regularly authorized deputy or other designee. The Building Safety Director shall be appointed by the City Manager or his designee. When the term or title administrative authority, Building Official, chief inspector, code enforcement officer, code official, gas official, plumbing official, mechanical official, responsible official, or other similar designation is used in this Chapter or in any of the technical codes, it shall be construed to mean the Building Safety Director. (4242)

BUILDING SERVICE EQUIPMENT: The plumbing, mechanical, electrical, and elevator equipment including piping, wiring, fixtures, and other accessories which provide sanitation, lighting, heating, ventilation, cooling, refrigeration, firefighting, and transportation facilities essential to the occupancy of the building or structure for its designated use. (4242)

JURISDICTION: The City of Mesa, Arizona. (4242)

OWNER: The person, firm, corporation, company, partnership, joint venture, association, estate, trust, receiver, or other legal entity, with legal or equitable interest in a property. (4242, 5273)

PERMIT: The official document issued by the Building Safety Director authorizing performance of a specified, legal activity. (4242)

R-5 OCCUPANCIES: Detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories above grade plane in height with separate means of egress and their accessory structures. (4579)

* Ordinance 4242 was adopted on August 14, 2004, with an effective date of September 18, 2004.
SHALL: As used in this Chapter and the technical codes is mandatory. (4242)

TENANT COMPLETION: The work performed by or on behalf of the initial tenant in a shell building, or space within a shell building, resulting in the completion and occupancy of the building or space. (4579)

TENANT IMPROVEMENT: Work performed by or on behalf of a tenant in a completed building, or space within a building, that has previously received a Certificate of Occupancy. (4579)

4-1-2: APPLICABILITY: (4242, 4579, 4634, 4807, 5055)

(A) Effective Date. This Chapter and the technical codes shall apply to, and shall govern, permit applications received and accepted by the Building Safety Director on or after March 3, 2008. Projects with applications submitted prior to March 3, 2008 shall be required to comply with all Mesa Building Codes in effect on March 2, 2008, except the owner, at its discretion, may request such project be subject to the requirements of this Chapter and the technical codes. (4242, 4579, 4634, 4807)

EXCEPTION: This paragraph shall not affect the Building Safety Director's ability to take action in conformity with the provisions of Subsections 4-1-4(O), 4-1-6(B), or 4-1-6(C) of this chapter, as they relate to account delinquencies owed to the City and to 4-1-7, regardless of the permit application date. (4579, 4634)

EXCEPTION: The Mesa Energy Code shall apply to, and shall govern permit applications received and accepted by the Development and Sustainability Department on or after January 1, 2012. (5055)

(B) Conflicting Provisions. When conflicting provisions or requirements occur between this Chapter, the technical codes, and other codes or laws, the most restrictive shall govern. When conflicts occur between the technical codes, those provisions providing the greater safety to life as determined by the Building Safety Director and the Fire Marshal shall govern. In other conflicts where sanitation, life safety, or fire safety are not involved, the most restrictive provisions shall govern. Where in a specific case different sections of the technical codes specify different materials, methods of construction, or other requirements, the most restrictive shall govern. When there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable. (4242)

(C) Other Laws. The provisions of this Chapter and the technical codes shall not be deemed to nullify any provisions of the Mesa City Code, state, or federal laws. (4242)

(D) Application of References. References to chapter or section numbers, or to provisions not specifically identified by number, shall be construed to refer to such chapter, section, or provision of this Chapter or the technical codes. (4242)

(E) Referenced Codes and Standards. The codes and standards referenced in this Chapter or the technical codes shall be considered part of the requirements of this Chapter and the technical codes to the prescribed extent of each reference. Where differences occur between provisions of this Chapter or the technical codes and the referenced codes and standards, the provisions of this Chapter and the technical codes shall apply. (4242)

(F) International Codes References. Within the technical codes and the referenced codes and standards therein, specific references to the following International Family of Codes shall be deemed and interpreted to mean the specific City of Mesa Codes as listed herein: (4242)

1. International Building Code = Mesa Building Code. (4242)
2. International Residential Code for One- (1-) and Two- (2-) Family Dwellings = Mesa Residential Code. (4242)


5. International Mechanical Code = Mesa Mechanical Code. (4242)


(G) Partial Invalidity. In the event any part or provision of this Chapter or the technical codes is held to be invalid, illegal, unconstitutional, or void, such ruling shall not affect the validity of the remaining portions of this Chapter or the technical codes. (4242)

(H) Additions, Alterations, and Repairs. Additions, alterations, or repairs may be made to a building or its building service equipment without requiring the existing building or its building service equipment to comply with all the requirements of this Chapter and the technical codes, provided the addition, alteration, or repair conforms to the requirements for a new building or building service equipment. Refer to Chapter 4-8 for additional options and requirements governing additions, alterations, and repairs. (4242)

EXCEPTION: Patio covers, as defined in the Mesa Residential Code, are exempted from the Mesa Energy Code. (5055)

EXCEPTION: The following need not comply with the Mesa Energy Code provided the energy use of the building is not increased: (5055)

1. Storm windows installed over existing fenestration. (5055)

2. Glass only replacements in an existing sash and frame. (5055)

3. Existing ceiling, wall or floor cavities exposed during construction provided that these cavities are filled with insulation. (5055)

4. Construction where an existing roof, wall or floor cavity is not exposed. (5055)

5. Reroofing for roofs where neither the sheathing nor the insulation is exposed. Roofs without insulation in the cavity and where the sheathing or insulation is exposed during reroofing shall be insulated either above or below the sheathing. (5055)
6. Alternatives that replace less than 50 percent of the luminaires in a space provided that such alterations do not increase the installed interior lighting power. (5055)

7. Alternatives that replace only the bulb and ballast within the existing luminaires in a space provided that the alteration does not increase the installed interior lighting power. (5055)

(I) Existing Occupancy. The legal occupancy of any building or structure existing on the date of the adoption of this Chapter shall be permitted to continue without change, provided such continued use is not dangerous to life, health, and safety as determined by the Building Safety Director. (4242)

EXCEPTIONS:

1. Change in occupancy or use. Spaces undergoing a change in occupancy that would result in an increase in demand for either fossil fuel or electrical energy shall comply with this code. Where the use in a space changes from one use in Mesa Energy Code Table 505.5.2 to another use in Table 505.5.2, the installed lighting wattage shall comply with Section 505.5. (5055)

2. Change in space conditioning. Any nonconditioned space that is altered to become conditioned space shall be required to be brought into full compliance with this code. (5055)

(J) Maintenance. Buildings, structures, and building service equipment, existing and new, and parts thereof shall be maintained in a safe and sanitary condition. Devices or safeguards, required by the technical codes, shall be maintained in conformance with the technical code under which installed. The owner or the owner's designated agent shall be responsible for the maintenance of building structures and their building service equipment. To determine compliance with this Section, the Building Safety Director may cause a structure to be re-inspected. (4242)

(K) Moved Buildings. Buildings, structures, and their building service equipment moved into or within this jurisdiction shall comply with the provisions of the technical codes for new buildings or structures and their building service equipment. (4242)

(L) Temporary Structures. Temporary structures such as reviewing stands and other miscellaneous structures, sheds, canopies, or fences used for the protection of the public around and in conjunction with construction work may be erected by special permit from the Building Safety Director for a limited period of time not to exceed one hundred eighty (180) days. Buildings or structures erected under a special permit need not comply with the type of construction or fire-resistive time periods required by the Building Code or energy efficiency measures required by the Mesa Energy Code. Temporary buildings or structures shall be completely removed upon the expiration of the time limit stated in the permit. (4242, 5055).

(M) Mixed Occupancies. Where a building contains both residential and commercial occupancies, each occupancy shall be separately considered and meet the applicable provisions of Chapter 4 of the Mesa Energy Code for residential occupancies and Chapter 5 of the Mesa Energy Code for commercial occupancies. (5055)

(N) Low Energy Use Buildings. The following buildings, or portions thereof, separated from the remainder of the building by building thermal envelope assemblies complying with the Mesa Energy Code shall be exempt from the thermal building envelope provisions of the Mesa Energy Code: (5055)

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* Ordinance 4242 was adopted on August 14, 2004, with an effective date of September 18, 2004.
Provisions of the Mesa Energy Code: (5055)

1. Those with a peak design rate of energy usage less than 3.4 BTU/H-FT$^2$ (10.7 W/M$^2$) or 1.0 WATT/FT$^2$ (10.7 W/M$^2$) of floor area for space conditioning purposes. (5055)

2. Those that do not contain conditioned space. (5055)

(O) Historic Buildings. Repairs, alterations, and additions necessary for the preservation, restoration, rehabilitation, or continued use of a building, structure, or its building service equipment may be made without conforming to the requirements of the technical codes when authorized by the Building Safety Director, provided: (4242, 5055)

1. The building or structure has been designated by official action of the legally constituted authority of this jurisdiction as having special historical or architectural significance, and (4242, 5055)

2. Unsafe conditions as described in this Chapter are corrected, and (4242, 5055)

3. The restored building or structure and its building service equipment will be no more hazardous based on life safety, fire safety, and sanitation than the existing building as determined by the Building Safety Director. (4242, 5055)

(P) Historic Buildings. The following is exempt from the Mesa Energy Code: any building or structure that is listed in the State or National Register of Historic Places; is designated as a historic property or under local or state designation law or survey; is certified as a contributing resource with a national register listed or locally designated historic district or with an opinion or certification that the property is eligible to be listed on the National or State Registers of Historic Places either individually or as a contributing building to a historic district by the State Historic Preservation Officer or the keeper of the National Register of Historic Places. (5055)

(Q) Appeals. Orders, decisions, or determinations made by the Building Safety Director may, within thirty (30) days of the receipt of the notice of the decision, be appealed to the Building Board of Appeals, Section 2-11 of the Mesa City Code. The request for an appeal shall be in writing, shall set forth the specific objections to the decision of the Building Safety Director, and this shall form the basis of the appeal. A hearing shall be set as soon as practicable. The decision of the Building Board of Appeals shall be based on the evidence presented. (4242, 5055)

4-1-3: BUILDING SAFETY: (4242)

(A) Creation of Enforcement Agency. There is hereby established a code enforcement agency of the Development Services Department of the City of Mesa known as the Building Safety Division under the administrative and operational charge of the Building Safety Director. (4242)

(B) Duties and Powers. The Building Safety Director is hereby authorized and directed to enforce the provisions of this Chapter and technical codes. The Building Safety Director shall have the authority to render interpretations of this Chapter and the technical codes and to adopt policies and procedures in order to clarify the application of their provisions. Such interpretations, policies, and procedures shall be in compliance with the intent and purpose of this Chapter and the technical codes. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this Chapter or the technical codes. (4242)
Deputies. In accordance with any applicable City procedures, and with the concurrence of the Development Services Manager, the Building Safety Director shall have the authority to appoint deputy building safety directors, technical officers, inspectors, plan examiners, and other employees. Such employees shall have powers as delegated by the Building Safety Director. (4242)

Applications and Permits. The Building Safety Director shall receive applications, review construction documents, and issue permits for the erection, alteration, demolition, and moving of buildings and structures, inspect the premises where such permits have been issued, and enforce compliance with the provisions of this Chapter and the technical codes. The Building Safety Director shall issue all necessary notices or orders to ensure compliance with this Chapter and the technical codes. (4242)

Inspections. The Building Safety Director shall make all of the required inspections, or the Building Safety Director shall have the authority to accept reports of inspection by approved agencies or individuals. Reports of such inspections shall be in writing and be certified by a responsible officer of such approved agency or by the responsible individual. The Building Safety Director is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise, subject to the approval of the Development Services Manager. (4242)

Identification. The Building Safety Director shall carry proper identification when inspecting structures or premises or otherwise in the performance of duties under this Chapter or the technical codes. (4242)

Right of Entry. Where it is necessary to make an inspection to enforce the provisions of this Chapter or the technical codes, or where the Building Safety Director has reasonable cause to believe there exists in a structure or upon a premises a condition contrary to or in violation of this Chapter or the technical codes making the structure or premises unsafe, dangerous, or hazardous, the Building Safety Director is authorized to enter the structure or premises at reasonable times to inspect or to perform the duties imposed by this Chapter or the technical codes, provided that if such structure or premises be occupied, that credentials be presented to the occupant and entry requested. If such structure or premises is unoccupied, the Building Safety Director shall first make a reasonable effort to locate the owner or other person having charge or control of the structure or premises and request entry. If entry is refused, the Building Safety Director shall have recourse to the remedies provided by law to secure entry. (4242)

Department Records. The Building Safety Director shall keep official records of applications received, permits and certificates issued, fees collected, reports of inspections, and notices and orders issued. Such records shall be retained in the official records for the period required for retention in the Division's approved retention schedule. (4242)

Approved Materials and Equipment. Materials, equipment, and devices approved by the Building Safety Director shall be constructed and installed in accordance with such approval. The use of used materials meeting the requirements of this Chapter or the technical codes for new materials is permitted, subject to the approval of the Building Safety Director. (4242)

Modifications. Wherever there are practical difficulties involved in carrying out the provisions of this Chapter or the technical codes, the Building Safety Director shall have the authority to grant modifications for individual cases, upon application of the owner or owner's representative, provided the Building Safety Director shall first find that special individual reason makes the strict letter of the codes impractical and the modification is in compliance with the intent and purpose of this Chapter and the technical codes and that such modification does not lessen health, accessibility, life and fire safety, or structural requirements. The basis for granting modifications shall be recorded and entered in the files of the Building Safety Division. (4242)
(K) Alternative Materials, Design, and Methods of Construction and Equipment. The provisions of this Chapter and the technical codes are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this Chapter or the technical codes, provided any such alternative is approved by the Building Safety Director. An alternative material, design, or method of construction may be approved where the Building Safety Director finds the proposed design is satisfactory and complies with the intent of the provisions of this Chapter and the technical codes, and the material, method, or work offered is, for the purpose intended, at least the equivalent of that prescribed in this Chapter and the technical codes in quality, strength, effectiveness, fire resistance, durability, and safety. Records of alternative materials, design, and methods of construction approvals shall be recorded and entered in the files of the Building Safety Division. Appeals of such determinations shall be to the Building Board of Appeals, Chapter 2-11, of the Mesa City Code. (4242)

1. Research Reports. Supporting data, where deemed necessary to assist in the approval of materials or assemblies not specifically provided for in this Chapter or the technical codes shall be provided and shall consist of valid research reports from approved sources. (4242)

2. Tests. Whenever there is insufficient evidence of compliance with the provisions of this Chapter or the technical codes, or evidence of material or method does not conform to the requirements of this Chapter or the technical codes, or in order to substantiate claims for alternative materials or methods, the Building Safety Director shall have the authority to require tests as evidence of compliance to be made at no expense to the City. Test methods shall be as specified in this Chapter or the technical codes or by other recognized test standards. In the absence of recognized and accepted test methods, the Building Safety Director may approve the testing procedures. Tests shall be performed by an approved agency. Reports of such tests shall be retained by the Building Safety Director for the period required in the Building Safety Division's approved record retention schedule. (4242)

(L) Stop Work Orders. Whenever the Building Safety Director finds any work regulated by this Chapter or the technical codes being performed in a manner either contrary to the provisions of this Chapter or the technical codes or dangerous or unsafe, the Building Safety Director is authorized to issue a stop work order. (4242)

1. Issuance. The stop work order shall be in writing and shall be given to the owner of the property involved, or to the owner's agent, or to the person doing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order, and the conditions under which the cited work will be permitted to resume. (4242)

2. Unlawful Continuance. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties as prescribed by this Chapter and law. (4242)

3. Appeals. Any person aggrieved by a stop work order issued by the Building Safety Director may appeal such stop work order to the Building Board of Appeals in accordance with the requirements of Chapter 2-11, Mesa City Code. (4242)

(M) Occupancy Violations. When a building or structure or building service equipment therein regulated by this Chapter and the technical codes is being used contrary to the provisions of such codes, the Building Safety Director may order such use discontinued by written notice served on any person causing such use to be continued. Such person shall, after receipt of notice, discontinue the use within the time prescribed by the Building Safety Director and make the building, structure, or portion thereof, comply with the requirements of such codes. (4242)
Authority to disconnect utilities. The Building Safety Director or authorized representative shall have the authority to disconnect a utility service or energy supplied to the building, structure, or building service equipment therein regulated by this Chapter or the technical codes in case of emergency where necessary to eliminate an immediate hazard to life or property. The Building Safety Director shall whenever possible notify the serving utility, the owner, and occupant of the building, structure, or building service equipment of the decision to disconnect prior to taking such action, and shall notify such serving utility, owner, and occupant of the building, structure, or building service equipment, in writing, of such disconnection, immediately thereafter. (4242)

Authority to Condemn Building Service Equipment. When the Building Safety Director determines that building service equipment regulated in the technical codes has become hazardous to life, health, or property, or has become unsanitary, the Building Safety Director shall order in writing that such equipment either be removed or restored to a safe or sanitary condition, as appropriate. The written notice shall fix a time limit for compliance with such order. Defective building service equipment shall not be used, operated, or maintained after receiving such notice. (4242)

1. When such equipment or installation is to be disconnected, a written notice of such disconnection and causes therefore shall be given within twenty-four (24) hours to the serving utility, the owner, and occupant of such building, structure, or premises. (4242)

2. When any building service equipment is used, operated, or maintained in violation of the technical codes and in violation of a notice issued pursuant to the provisions of this Section, the individual or individuals responsible for continued use, operation, or maintenance shall be subject to the penalties described in this Chapter and the Building Safety Director shall institute appropriate action to prevent, restrain, correct, or abate the violation. (4242)

Connection After Order to Disconnect. Persons shall not make connections from an energy, fuel, or power supply nor supply energy or fuel to building service equipment that has been disconnected or ordered to be disconnected by the Building Safety Director or the use has been ordered to be discontinued by the Building Safety Director until the Building Safety Director authorizes the reconnection and use of such equipment. (4242)

PERMITS: (4242,4493,4579,4807)

Permits Required. Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert, or replace any electrical, gas, mechanical, or plumbing system, the installation of which is regulated by this Chapter or the technical codes, or to cause such work to be done, shall first make application to the Building Safety Director and obtain the required permit or permits. (4242)

EXCEPTIONS: The following entities are exempt from the requirement to obtain permits: (4242)

1. Mesa Unified School District #4. (4242,4579)

2. Gilbert Unified School District #41. (4242,4579)

3. Higley Unified School District #60 (4579)
4. Queen Creek School District #95 (4579)

5. East Valley Institute of Technology District #401 (4579)

6. Governmental entities that are, as a matter of law, immune from having to obtain a permit. (4242)

7. Annual Facilities Permit Holders. In lieu of an individual permit for each alteration to an already approved electrical, gas, mechanical, or plumbing installation, the Building Safety Director is authorized to issue an Annual Facilities Permit. Such Annual Facilities Permit shall exempt its holder from obtaining individual permits for each project to be performed under the Annual Facilities Permit in accordance with Section 4-1-4(F). (4242)

(B) Work Exempt from Permit. Exemptions from permit requirements of this Chapter shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this Chapter or the technical codes or any other laws or ordinances of the City. Permits shall not be required for the following: (4242)

1. Building Permits. A building permit shall not be required for the following: (4242)

(a) One- (1-) story detached accessory structures ancillary to R-3, R-4 and R-5 occupancies used as tool and storage sheds, playhouses, and similar uses, provided the floor area does not exceed two hundred (200) square feet (18.60m²) and the property is not subject to the Desert Uplands Development Standards, is not located in a Historic Preservation Overlay District or on a site designated as a historic landmark. (4242,4579,4807)

(b) Fences not more than six feet (6') (1,829 mm) high located on property zoned for single residence uses, provided the fence is not located on a property subject to the Desert Uplands Development Standards, is not located in a Historic Preservation Overlay District or on a site designated as a historic landmark and is not located on a public easement. (4242,4579,4807)

(c) Oil derricks. (4242)

(d) Retaining walls which are not over four feet (4') (1,219 mm) in height measured from the bottom of the footing to the top of the wall, provided the retaining wall is not supporting a surcharge, is not impounding Class I, II, or III-A liquids, or is not located on property subject to the Desert Uplands Development Standards, is not located in a Historic Preservation Overlay District or on a site designated as a historic landmark, and is not located on a public easement. (4242,4807)

(e) Water tanks supported directly on grade if the capacity does not exceed five thousand (5,000) gallons (18,925 L) and the ratio of height to diameter or width does not exceed two to one (2:1). (4242)

(f) Sidewalks and driveways not more than thirty inches (30") (762 mm) above grade, not over any basement or story below, not part of an accessible route, is not located on property subject to the Desert Uplands Development Standards, is not located in a Historic Preservation Overlay District or on a site designated as a historic landmark, and is not located on a public easement. (4242,4807)

(g) Painting, papering, tiling, carpeting, cabinets, countertops, and similar finish work. (4242)
(h) Temporary motion picture, television, and theater stage sets and scenery. (4242)

(i) Prefabricated swimming pools accessory to detached one- (1-) and two- (2-) family dwellings, which are eighteen inches (18") (430 mm) or less deep, do not exceed five thousand (5,000) gallons (18,925 L), are installed entirely above ground, are not located on property subject to the Desert Uplands Development Standards, are not located in a Historic Preservation Overlay District or on a site designated as a historic landmark, and are not located on a public easement. (4242,4579,4807)

(j) Shade cloth structures constructed for nursery or agricultural purposes and not including service systems. (4242)

(k) Swings and other playground equipment accessory to detached one- (1-) and two- (2-) family dwellings that are not located on property subject to the Desert Uplands Development Standards. (4242,4579)

(l) Window awnings supported by an exterior wall projecting not more than fifty-four inches (54") (1,372 mm) from the exterior wall and not requiring additional support in detached one- (1-) and two- (2-) family dwellings and Group U occupancies. (4242)

(m) Movable cases, counters, and partitions not over five feet nine inches (5'9") (1,753 mm) in height. (4242)

(n) Replacement roof coverings, provided the replacement roof covering classification is equal to or greater than the existing roofing classification. (4242)

(o) Verification of City records for the issuance of a new Certificate of Occupancy when only the name of the owner or the business is changing. (4242,4807)

(p) Light-gauge, pre-manufactured metal patio covers and awnings, and light-weight pre-manufactured metal frame fabric covered shade structures as an accessory to R-3, R-5 and Group U occupancies that are not located within a recreational vehicle park, are not located on property subject to the Desert Uplands Development Standards, and are not located in a Historic Preservation Overlay District or on a site designated as a historic landmark. (4242,4579,4807)

(q) In addition to items (a) through (p), the Building Safety Director is authorized to waive the requirement to obtain a building permit for additional items where it is found the nature of the work to be performed does not require a permit to obtain compliance with this Chapter, the technical codes and other ordinances of the City. (4807)

2. Electrical Permits. An electrical permit shall not be required for the following: (4242)

(a) Portable motors or other portable appliances energized by means of a cord or cable having an attachment plug end to be connected to an approved receptacle when that cord or cable is permitted by the Mesa Electrical Code. (4242)

(b) Repair or replacement of fixed motors, transformers, or fixed approved appliances of the same type and rating in the same location. (4242)
(c) Temporary decorative lighting. (4242)

(d) Repair or replacement of current-carrying parts of any switch, contactor, or control device. (4242)

(e) Installation of attachment plug receptacles, but not the outlets therefore. (4242)

(f) Repair or replacement of any over-current device of the required capacity in the same location. (4242)

(g) Repair or replacement of electrodes or transformers of the same size and capacity for signs or gas tube systems. (4242)

(h) Taping joints. (4242)

(i) Removal of electrical wiring. (4242)

(j) Temporary wiring for experimental purposes in suitable experimental laboratories. (4242)

(k) The wiring for temporary theater, motion picture, or television stage sets. (4242)

(l) Electrical wiring, devices, appliances, apparatus, or equipment operating at less than twenty-five (25) volts and not capable of supplying more than fifty (50) watts of energy. (4242)

(m) Low-energy power, control, and signal circuits of Class II and Class III as defined in the Electrical Code. (4242)

(n) Installation, alteration, or repair of electrical wiring, apparatus, or equipment or the generation, transmission, distribution, or metering of electrical energy or in the operation of signals or the transmission of intelligence by a public or private utility in the exercise of its function as a serving utility. (4242)

(o) Installation of portable generators for temporary events subject to inspection by Fire Prevention. (4242)

(p) Re-energizing an electric service by the serving electric supplier after a period of zero usage. (4242)

(q) Outdoor lighting fixture installations by Utility Companies under duly approved contracts with the City of Mesa, provided such fixture installations comply with Section 4-4-2 of the Mesa City Code. (4242)

(r) Photovoltaic power systems installed under an incentive program sponsored by a serving utility or government entity. (4807)

(s) In addition to items (a) through (r), the Building Safety Director is authorized to waive the requirement to obtain an electrical permit for additional items where it is found the nature of the work to be performed does not require a permit to obtain compliance with this Chapter, the technical codes and other ordinances of the City. (4807)
3. Fuel Gas Permits. A fuel gas permit shall not be required for the following: (4242)

(a) Portable heating appliance. (4242)

(b) Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe. (4242)

(c) Replacement of gas water heating appliances of equal or less Btu/cfh rating and minor modification to electrical, plumbing, and mechanical connections necessary to serve the new appliance in R-1, R-2, R-3, R-4 and R-5 occupancies, manufactured homes, and recreational vehicles where the appliance serves an individual dwelling unit, provided the serving Gas Utility is notified prior to the appliance being energized. (4242, 4579)

(d) Replacement of gas pool and spa heating appliances of equal or less Btu/cfh rating, and minor modification to electrical, plumbing, and mechanical connections necessary to serve the new appliance in R-1, R-2, R-3, R-4 and R-5 occupancies, manufactured homes, and recreational vehicles where the pool or spa serves an individual dwelling unit, provided the serving Gas Utility is notified prior to the appliance being energized. (4242)

(e) Replacement of gas water heating appliances of equal or less Btu/cfh rating and minor modification to electrical, plumbing, and mechanical connections necessary to serve the new appliance in A-2, A-3, A-4, B, E, F-2, M, S-2, and U occupancies where the appliance serves an individual tenant space, provided the serving Gas Utility is notified prior to the appliance being energized. (4242, 4579)

(f) Re-energizing a gas service by the serving gas supplier after a period of zero usage. (4242)

(g) Replacement of gas air-conditioning units, direct-vented appliances, furnaces, and log lighters, of equal or less Btu/cfh, and minor modification to electrical, plumbing, and mechanical connections necessary to serve the appliance in R-1, R-2, R-3, R-4 and R-5 occupancies, manufactured homes, and recreational vehicles where the appliance serves an individual dwelling unit, provided the serving Gas Utility is notified prior to the appliance being energized. (4242, 4579)

(h) Replacement of gas unit heaters, overhead radiant heaters, vented freestanding heaters, vented overhead heaters, direct gas-fired make-up air heaters, industrial air heaters, and furnaces of equal or less Btu/cfh rating and minor modification to electrical, plumbing, and mechanical connections necessary to serve the new appliance in A-2, A-3, A-4, B, E, F-2, M, S-2, and U occupancies where the appliance serves an individual tenant space, provided the serving Gas Utility is notified prior to the appliance being energized and not including appliances or appurtenances equipped with required fire detection, fire notification, or fire suppression systems. (4242, 4579)

(i) Replacement of gas air-conditioning units and heat pumps of equal or less Btu/cfh rating, same toxicity, and same flammability classification of refrigerants and minor modification to electrical, plumbing, and mechanical connections necessary to serve the new appliance in A-2, A-3, A-4, B, E, F-2, M, S-2, and U occupancies where the appliance serves an individual tenant space, provided the serving Gas Utility is notified prior to the appliance being energized and not including appliances or appurtenances equipped with required fire detection, fire notification, or fire suppression systems. (4242, 4579)
(j) In addition to items (a) through (i), the Building Safety Director is authorized to waive the requirement to obtain a fuel-gas permit for additional items where it is found the nature of the work to be performed does not require a permit to obtain compliance with this Chapter, the technical codes and other ordinances of the City. (4807)

4. Mechanical Permits. A mechanical permit shall not be required for the following: (4242)

(a) Portable heating appliance. (4242)

(b) Portable ventilation equipment. (4242)

(c) Portable cooling unit. (4242)

(d) Steam, hot, or chilled water piping within any heating or cooling equipment regulated by Mesa Mechanical Code. (4242)

(e) Replacement of any part not altering its approval or making it unsafe. (4242)

(f) Portable evaporative cooler. (4242)

(g) Self-contained refrigeration system containing ten (10) pounds (4.54 kg) or less of refrigerant and actuated by motors of one (1) horsepower (746 W) or less. (4242)

(h) In addition to items (a) through (g), the Building Safety Director is authorized to waive the requirement to obtain a mechanical permit for additional items where it is found the nature of the work to be performed does not require a permit to obtain compliance with this Chapter, the technical codes and other ordinances of the City. (4807)

5. Plumbing Permits. A plumbing permit shall not be required for the following: (4242)

(a) Stopping of leaks in drains, water, soil, waste, or vent pipe, not including defective concealed trap, drainpipe, water, soil, waste, or vent pipe requiring removal and replacement. (4242)

(b) Clearing of stoppages or the repairing of leaks in pipes, valves, or fixtures, and the removal and reinstallaton of water closets, not including the replacement or rearrangement of valves, pipes, or fixtures. (4242)

(c) Replacement of electric water heating appliances of equal or less amperage rating, and minor modification to electrical, plumbing, and mechanical connections to serve the appliance in R-1, R-2, R-3, R-4 and R-5 occupancies, manufactured homes, and recreational vehicles where the appliance serves an individual dwelling unit. (4242, 4579)

(d) Replacement of electric water heating appliances of equal or less amperage rating, and minor modification to electrical, plumbing, and mechanical connections to serve the appliance in A-2, A-3, A-4, B, E, F-2, M, S-2, and U occupancies where the appliance serves an individual tenant space. (4242, 4579)
(e) Equal replacement of boilers and water heaters regulated by the State of Arizona, except not including work not in the scope of State regulation in industries, premises, or activities regulated by Mesa City Code, Title 8, Chapters 1 and 4. (4242)

(f) Replacement of electric air-handling units, unit heaters, overhead radiant heaters, freestanding heaters, overhead heaters, and furnaces of equal or less amperage rating and minor modification to electrical, plumbing, and mechanical connections necessary to serve the new appliance in A-2, A-3, A-4, B, E, F-2, M, S-2, and U occupancies where the appliance serves an individual tenant space, not including appliances or appurtenances equipped with required fire detection, fire notification, or fire suppression systems. (4242, 4579)

(g) Replacement of electric air-conditioning units and heat pumps of equal or less Btu/cfu rating, same toxicity and same flammability classification of refrigerants, and minor modification to electrical, plumbing, and mechanical connections necessary to serve the new appliance in A-2, A-3, A-4, B, E, F-2, M, S-2, and U occupancies where the appliance serves an individual tenant space, not including appliances or appurtenances equipped with required fire detection, fire notification, or fire suppression systems. (4242, 4579)

(h) Replacement or new installation of potable water conditioning or treating appliances, and minor modification to electrical, plumbing, and mechanical connections necessary to serve the appliance in R-3, R-4 and R-5 occupancies, manufactured homes, and recreational vehicles where the appliance serves an individual dwelling unit. (4242, 4579)

(i) Replacement or new installation of potable water conditioning or treating appliances, and minor modification to electrical, plumbing, and mechanical connections necessary to serve the appliance in A-2, A-3, A-4, B, E, F-2, M, S-2, and U occupancies where the appliance serves an individual tenant space, not including industries, premises, or activities regulated by Mesa City Code, Title 8, Chapters 1 and 4. (4242, 4579)

(j) Replacement or new installation of solar domestic water heating appliances, and minor modification to electrical, plumbing, and mechanical connections necessary to serve the appliance in R-3, R-4 and R-5 occupancies, manufactured homes, and recreational vehicles where the appliance serves an individual dwelling unit. (4242, 4579)

(k) Replacement or new installation of solar pool and spa heating appliances and minor modification to electrical, plumbing, and mechanical connections necessary to serve the new appliance in R-3, R-4 and R-5 occupancies, manufactured homes, and recreational vehicles where the pool or spa serves an individual dwelling unit. (4242, 4579)

(l) Equal replacement of exterior potable water supply line to a building, not including industries, premises, or activities regulated by Mesa City Code, Title 8, Chapters 1 and 4, and not including work in a PUE, PUFE, or City of Mesa right-of-way. (4242)

(m) Equal replacement of exterior sanitary drainage line from a building, not including industries, premises, or activities regulated by Mesa City Code, Title 8, Chapters 1 and 4 and not including work in PUE, PUFE, or City of Mesa right-of-way. (4242)
(n) Replacement of electric air-conditioning units, air-handling units, heating appliances, heat pumps, radiant heaters, and furnaces, of equal or less amperage, and minor modification to electrical, plumbing, and mechanical connections necessary to serve the new appliance in R-1, R-2, R3, R4 and R-5 occupancies, manufactured homes, and recreational vehicles where the appliance serves an individual dwelling unit. (4242,4579)

(o) Replacement of evaporative coolers of equal or less cfm and amperage rating, and minor modification to electrical, plumbing, and mechanical connections necessary to serve the new appliance in R-3, R-4, and R-5 occupancies, manufactured homes, and recreational vehicles where the appliance serves an individual dwelling unit. (4242,4579)

(p) Replacement of evaporative coolers of equal or less cfm and amperage rating, and minor modification to electrical, plumbing, and mechanical connections necessary to serve the new appliance in A-2, A-3, A-4, B, E, F-2, M, S-2, and U occupancies where the appliance serves an individual tenant space, not including appliances or appurtenances equipped with fire detection, fire notification, or fire suppression systems. (4242,4579)

(q) Installation of a gray water system in compliance with Arizona Department of Environmental Quality Reclaimed Water Type 1 General Permit, and minor modifications to the plumbing system necessary to serve the gray water system in R-3, R-4 and R-5 occupancies, manufactured homes, and recreational vehicles where the system serves an individual dwelling unit. (4579)

(r) Installation of an automatic hot water circulating pump energized by means of a cord or cable having an attachment plug end for connection to a 115-volt receptacle, and minor modification to the electrical and plumbing system necessary to serve the pump in R-3, R-4 and R-5 occupancies, manufactured homes, and recreational vehicles where the system serves an individual dwelling unit. (4579)

(s) Installation of private sub-meters on an existing master-metered potable water supply system. (4807)

(t) In addition to items (a) through (s), the Building Safety Director is authorized to waive the requirement to obtain a plumbing permit for additional items where it is found the nature of the work to be performed does not require a permit to obtain compliance with this Chapter, the technical codes and other ordinances of the City. (4807)

(C) Emergency Repairs. Where equipment replacements and repairs requiring a permit must be performed in an emergency situation, the permit application shall be submitted within the next working business day. (4242)

(D) Ordinary Repairs. Application or notice to the Building Safety Director is not required for ordinary repairs to structures, replacement of lamps, or the connection of approved portable electrical equipment to approve permanently installed receptacles. Such repairs shall not include the cutting away of any wall, partition, or portion thereof, the removal or cutting of any structural beam or load-bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the egress requirements; nor shall ordinary repairs include addition to, alteration of, replacement, or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, soil, waste, vent, or similar piping, electrical wiring, or mechanical or other work affecting public health or general safety. (4242)

EXCEPTION: Work exempt from permits under Section 4-1-4(B) above. (4242)
(E) Public Service Agencies. A permit shall not be required for the installation, alteration, or repair of generation, transmission, distribution, or metering or other related equipment under the ownership and control of public service agencies by established right. (4242)

(F) Annual Facility Permits. (4242)

1. General. The Annual Facilities Permit is an administrative system intended to simplify the permitting and inspection process for qualified facilities by allowing inspectors to review plans and maintaining inspectors familiar with the construction history of such facilities. Qualified facilities electing to participate in this program are exempt from the requirement to obtain individual permits for the work regulated by this Chapter when such work does not increase the floor area, does not constitute a change of use or occupancy classification, and is performed on existing buildings, structures, and utilities associated with that qualified facility. This alternative permit process shall not exempt compliance with the technical requirements of this Chapter, the technical codes, or with other City, County, State, or Federal laws. (4242,4579)

2. Definitions. For purposes of this Section, the following terms shall apply: (4242)

AGENT: A full-time or contract employee of a Qualified Facility, who is an architect or engineer registered and residing in the State of Arizona and who is responsible for complying with the substantive provisions of this Chapter. The agent, as authorized by rules established by the Arizona Board of Technical Registration, shall assure work has been performed in accordance with this Chapter and the technical codes. (4242)

QUALIFIED FACILITY: A firm, corporation, or political entity engaged in manufacturing, processing, service, or property management that occupies and controls specialized buildings and building service equipment to the extent that full-time personnel are required to manage, operate, or maintain such buildings and equipment in compliance with all the provisions of this Chapter and the technical codes. (4242)

3. Annual Facilities Permit Transferability. An Annual Facilities Permit is not transferable. (4242)

4. Annual Facilities Permit Renewal. An Annual Facilities Permit may be renewed every twelve (12) months by payment of a renewal fee as set forth in the City of Mesa Schedule of Fees and Charges. Renewal fees shall be due and payable prior to the permit expiration date, or a new initial application shall be required. Work performed after the permit expiration date shall be in violation of this Chapter and subject to penalty. (4242)

5. Annual Facilities Permit Operation. The agent shall notify the Building Safety Director prior to the start of any work involving alteration of the building structure system, alteration of any fire-resistive wall, floor, or ceiling assembly, alteration of any fire corridor system, or installation of any structural, mechanical, plumbing, or electrical work intended to be enclosed or concealed. The Building Safety Director shall determine the nature and extent of plan reviews and/or inspections required. The City of Mesa shall invoice the Qualified Facility and the Qualified Facility shall pay for the professional services rendered as set forth in the City of Mesa Schedule of Fees and Charges. (4242)
(G) Temporary Structures and Uses. The Building Safety Director 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 one hundred eighty (180) days. The Building Safety Director is authorized to grant extensions for demonstrated cause. Temporary structures and uses shall conform to the structural strength, fire safety, means of egress, accessibility, light, ventilation, and sanitary requirements of this Chapter and the technical codes as determined by the Building Safety Director to ensure the public health, safety, and general welfare. The Building Safety Director is authorized to terminate such permit and to order the temporary structure or use to be discontinued.

(H) Application for Permit.

1. Requirements. To obtain a permit an applicant shall first file an application in writing on a form furnished by the Building Safety Division. Such application, at a minimum, shall contain the following:

(a) Identification and description of the work to be covered by the permit.

(b) Description of the land where the proposed work is to be done by legal description, street address, or similar description readily identifying and definitely locating the proposed building or work.

(c) Indication of the use and occupancy of the proposed work.

(d) Construction documents and other information as required in this Section.

(e) The valuation of the proposed work.

(f) Signature of the applicant, or the applicant's authorized agent.

(g) Certification of the applicant that the documents submitted for permit are in accordance with Mesa City Code requirements, including Titles 4, 7, and 11, and all Planning and Zoning and Design Review Board stipulations, except that the Development Services Manager, after conferring with the Building Safety Director and the Planning Director, may accept applications prior to the completion of all planning processes where the applicant acknowledges they are proceeding "At Risk." In proceeding "At-Risk," the applicant may be required to modify previously approved documents, may incur additional review submittals and fees, and permits shall not be issued until completion of the planning process and the submittal documents adequately demonstrate compliance with all codes, standards, stipulations and requirements.

(h) Proof of valid contractor's license and bond. When the issuance of a permit is required, as part of the application procedures, each applicant for a building permit shall affirm by affidavit compliance with ARS Title 32, Chapter 10, and ARS 42-5005. If the applicant claims an exemption from licensing requirements, the affidavit shall contain the basis of the exemption and the name and license number of contractors performing the work. These named contractors shall then affirm compliance with ARS 42-5005.

(i) Other data and information as required by the Building Safety Director.
2. Annual Facilities Permit Application. Every applicant for an Annual Facilities Permit shall submit an application on a form provided by the Building Safety Director and shall pay an application fee as set forth in the City of Mesa Schedule of Fees and Charges. Such application, at a minimum, shall contain the following: (4242)

(a) The name of the person authorized to act on behalf of the Qualified Facility owner(s). (4242)

(b) The name of the agent who will be responsible for code compliance of the work performed under the Annual Facilities Permit. When the agent is employed by contract, the agent and the person authorized to act on behalf of the Qualified Facility owner(s) cannot be the same individual. (4242)

(c) The location and total square footage of the entire facility at the site(s) intended to be included in the program. (4242)

3. Airport Approval. Permit applications for projects located on Williams Gateway Airport property or Falcon Field Airport property shall provide written documentation of appropriate airport authority approval of the work proposed in the application for permit prior to submission. (4242)

4. Action on Application. The Building Safety Director shall examine or cause to be examined applications for permits and related amendments within a reasonable time after filing. If the application or the construction documents do not conform to the requirements of pertinent laws, the Building Safety Director shall reject such application in writing, identifying the reasons for rejection. In the event that the applicant or the applicant's contractor is delinquent in the payment of privilege and excise taxes levied pursuant to the provisions of Title 5, Chapter 10, of the Mesa City Code or is delinquent in the payment of any other accounts owed to the City of Mesa, the Building Safety Director is authorized, upon notification by the Tax Collector or other City official, to withhold the issuance of permits until such delinquencies have been satisfactorily resolved. (4579)

If the Building Safety Director is satisfied that the proposed work conforms to the requirements of this Chapter, the technical codes and applicable laws and ordinances, the Building Safety Director shall issue a permit as soon as practicable, subject only to the payment of appropriate fees. Before issuing a permit, the Building Safety Director is authorized to examine or cause to be examined buildings, structures, and sites where an application has been filed. If the application is rejected, the applicant may appeal the decision in accordance with Chapter 2-11 of the Mesa City Code. (4242,4579)

5. Time Limitation of Application. An application for a permit for any proposed work shall be deemed to have been abandoned one hundred eighty (180) days after the date of filing, unless such application has been pursued in good faith or a permit has been issued; except the Building Safety Director is authorized to grant one (1) or more extensions of time for additional periods not exceeding ninety (90) days each. Such extension shall be requested in writing with justifiable cause demonstrated. (4242)
(I) Submittal Documents. Plans, specifications, engineering calculations, diagrams, soil investigation reports, special inspection and structural observation programs, and other data as required by the Building Safety Director shall be submitted with each application for a permit. The construction documents shall be prepared by a registered design professional as required by State law and Section 4-1-4(J). Where special conditions exist, the Building Safety Director is authorized to require additional construction documents to be prepared by a registered design professional. (4242)

1. Information on Construction Documents. Construction documents shall be dimensioned and drawn upon suitable material. Electronic media documents are permitted to be submitted when approved by the Building Safety Director. Construction documents shall be of sufficient clarity to indicate the location, nature, and extent of the work proposed and show in detail that it will conform to the provisions of this Chapter, the technical codes, and relevant laws and ordinances. (4242)

2. Title Sheet Information. The construction documents shall contain a title sheet or title sheets indicating the name, address, and phone numbers of project owner(s), design professionals, and contractors (if known). The title sheet shall also contain information regarding the Code review as performed by the design professional, including the size of the building, type of construction, and type(s) of occupancy, area, and height modifications (if any), fire sprinklers (if any), deferred items (if any), and other information as directed by the Building Safety Director. (4242, 4807)

3. Screening. Submittal documents shall be subject to screening by the Building Safety Director for completeness and code compliance prior to being accepted for permit review, as determined by the Building Safety Director. Incomplete submittals or submittals containing readily apparent code violations shall be returned to the applicant without being accepted unless otherwise directed by the Building Safety Director. (4242, 4807)

4. Outdoor Lighting Compliance. Submittal documents for projects proposing outdoor lighting fixtures shall contain, but not be limited to, the following information: (4242)

   (a) Plans indicating the type of illuminating devices, fixtures, lamps, supports, other devices, etc. and their location on the premises. (4242)

   (b) Description of the illuminating devices, fixtures, lamps, supports, and other devices, etc., including manufacturers' catalog cuts. (4242)

   (c) Photometric study, including a plan of the premises showing fixture locations; calculated light levels at various points inside the parking lot, along walkways, or other occupied outdoor areas; expected light levels at the property lines; and maximum, minimum, and average light levels. (4242)

   (d) Certification that the design of the outdoor lighting system complies with Section 4-4-2 of the Mesa City Code. (4242)
5. Deferred Submittals. For the purposes of this Section, deferred submittals are defined as those portions of the design not submitted at the time of the application but are to be submitted to the Building Safety Director within a specified period. The deferral of submittal items shall have the prior approval of the Building Safety Director. The registered design professional of record shall list the deferred submittals on the construction documents for review by the Building Safety Director. All deferred submittals shall be subject to the same plan review and approval process as the original permit application and such approval shall be completed prior to the installation of or request for the inspection of the deferred item for the project. The approved documents shall be incorporated into the permit documents. (4242,4493,4807)

Deferred submittals may include: commercial fire sprinkler systems, residential fire sprinkler systems, commercial fire notification systems, commercial fire detection systems, fire standpipes, alternative fire suppression systems, commercial kitchen hoods, rack storage plans, elevators, elevator recall systems, refrigerant vapor alarm systems, prefabricated metal stairs, prefabricated metal storage systems, overhead cranes, industrial equipment, truss designs, and other deferred submittal items not listed herein, with the prior approval of the Building Safety Director. Items that shall not be deferred include: structural design of elements not included in the list above, building plumbing systems, building mechanical systems, building electrical systems, outdoor lighting systems and landscaping designs. (4807)

Deferred submittals are a special service of the Building Safety Division requiring additional processing and plan review time beyond that required for projects in which all of the required documents are submitted with the initial submission. This special service requires payment of an additional premium fee as established in the latest edition of the Schedule of Fees and Charges, except deferred truss designs shall not be subject to a premium fee. (4493,4807)

Deferred submittals do not constitute the phasing of construction permits and may constitute an addendum to the original permit or application if the deferred submittal involves changes in the design or work meeting the definition of an addendum. (4242)

Deferred submittals are a special service of the Building Safety Division requiring additional processing and plan review time beyond that required for projects in which all of the required documents are submitted with the initial submission. This special service requires payment of an additional premium fee as established in the latest edition of the Schedule of Fees and Charges, except deferred truss designs shall not be subject to a premium fee. (4493,4807)

Deferred submittals do not constitute the phasing of construction permits and may constitute an addendum to the original permit or application if the deferred submittal involves changes in the design or work meeting the definition of an addendum. (4242)

6. Review by Design Professional. Documents for deferred submittal items shall be submitted to the registered design professional of record who shall review them and forward them to the Building Safety Director with a notation indicating the deferred submittal documents have been reviewed and been found to be in general conformance to the design of the building. The deferred submittal items shall not be installed until the design and submittal documents have been approved by the Building Safety Director. (4242)

7. Standard plans. Standard plans are building construction drawings that are designed and intended for use on more than one site. These drawings are plan reviewed in advance of the regular submission for permits. Corrections are made until the standard plans have met all code requirements, except those related to a specific site. Standard plans are retained in Building Safety until needed. The applicant then submits the site drawings, application, and other documents as required for permits to construct the building in accordance with this code and the technical codes. (4493)

The Building Safety Director is authorized to waive the submission of construction documents and other data not required to be prepared by a registered design professional if it is found the nature of the work applied for is such that review of construction documents is not necessary to obtain compliance with this Chapter, the technical codes, and other ordinances of the City. (4242)
Design Professional of Record. When it is required that permit submittal documents be prepared by a registered design professional, the Building Safety Director shall be authorized to require the owner to engage and designate on the building permit application a registered design professional who shall act as the registered design professional of record. If the circumstances require, the owner shall designate a substitute registered design professional of record who shall perform the duties required of the original registered design professional of record. The Building Safety Director shall be notified in writing by the owner if the registered design professional of record is changed or is unable to continue to perform the duties. (4242)

The registered design professional of record shall be responsible for reviewing and coordinating submittal documents prepared by others, including phased and deferred submittal items and equipment lists, for compatibility with the design of the building. Where structural observation is required by Title 4, Chapter 2, the Mesa Building Code, the inspection program shall name the individual or firms who are to perform structural observation and describe the stages of construction where the structural observation is to occur. (4242,4807)

In accordance with the Code of the State Board of Technical Registration, permit documents shall be prepared by a qualified Arizona Registrant for the following: (4242)

1. New buildings or structures that: (4242)
   (a) Exceed two (2) stories in height (including basements); or (4242)
   (b) Exceed three thousand (3,000) square feet of floor area, measured as described in Section 4-1-8(E); or (4242)
   (c) Have structural elements with a span exceeding twenty feet (20'), not including wood or steel trusses or lintels designed by a registered engineer. (4242)

2. Additions or alterations to existing buildings or structures that: (4242)
   (a) Meet or exceed the requirements for new buildings or structures as listed in Section 4-1-4(J)1 above. (4242)
   (b) Exceed the three thousand- (3,000-) square-foot limitation for a one- (1-) time addition for the purpose of storage where the addition does not exceed fifteen hundred (1,500) square feet. (4242)

3. Buildings of any occupancy type resulting in an occupant load greater than twenty (20) persons, as required in Title 4, Chapter 2, Mesa Building Code, that have not been designed by a qualified Arizona registrant. (4242)

4. When deemed necessary by the Building Safety Director to ensure compliance with this Chapter and the technical codes. (4242)

EXCEPTIONS: The following are exempted from the above requirements and do not require preparation by an Arizona registrant: (4242)

(a) Landscaping planting plans, and (4242)

(b) Detached single-family dwellings constructed in accordance with the Mesa Residential Code. (4242)
(K) Examination of Documents. The Building Safety Director shall examine or cause to be examined the permit application and accompanying construction documents and shall ascertain by such examinations whether the construction indicated and described is in accordance with the requirements of this Chapter, the technical codes, and other pertinent laws or ordinances. (4242)

1. Approval of Construction Documents. When the Building Safety Director issues a permit, the construction documents shall be approved, in writing or by stamp, as "Reviewed for Code Compliance." One (1) set of construction documents so reviewed shall be retained by the Building Safety Division as required by the approved Building Safety Division retention schedule. Other sets shall be returned to the applicant with one (1) to be kept at the site of work and open to inspection by the Building Safety Director. When the submittal documents include site and floor plan drawings produced electronically, the applicant shall provide an electronic copy of all site plan and floor plan drawings on compact disk or other approved media to the Building Safety Director. (4242)

2. Previous Approvals. This Chapter and the technical codes shall not require changes in the construction documents, construction, or designated occupancy of a structure for which a lawful permit has been heretofore issued or otherwise lawfully authorized, and the construction of which has been pursued in good faith and has not been abandoned. (4242)

3. Addenda and Revisions to Submittal Documents. The project owner may submit modifications of the application or the attached submittal documents at any time prior to the final completion of the work. Revisions (changes made prior to the issuance of the permit) and addenda (changes made after permit issuance) shall be subject to the same plan review and approval process as the original permit application. Upon approval, revised/modified documents shall supercede and shall be incorporated into the original submission or permit documents. The approved revisions and addenda shall not constitute a new permit request. The review and approval of revisions and addenda constitutes an additional service and is subject to the payment of a premium fee as established in the latest Schedule of Fees and Charges. Projects with revisions or addenda that increase the scope of work, as determined by the Building Safety Director, may be subject to a complete recalculation of fees or to obtaining an entirely new permit. (4242,4493,4579,4807)

When addenda to the design drawings, construction documents or other data are submitted by applicants seeking to change the approved permit documents such that the scope of the original permit is not expanded, an additional fee shall be paid by the applicant in accordance with the latest Schedule of Fees and Charges established by the City. (4493,4579,4807)

4. Staged Approval. The project owner shall determine if the project is to be constructed under one permit for the entire project or under a series of permits (stages) for the project. The Building Safety Director is authorized to issue any number of separate permits for the construction of the site work, underground utilities, buildings and structures needed to complete the whole project in accordance with pertinent requirements of this chapter and the technical codes. The holder of a permit for the construction of any portion of a project shall proceed with the construction operation at the permit holder's own risk and without assurance that additional permits will be granted. Choosing to build in more than one stage will not result in a fee premium. (4493)
5. Phased Approval. The project owner shall determine if the building or structure is to be constructed under one (1) permit for the entire project or under a series of permits (phases) of the building. The Building Safety Director is authorized to issue separate permits for the construction of the building's shell and any number of tenant completion permits needed to complete the whole building in accordance with pertinent requirements of this chapter and the technical codes. The holder of a permit for the shell or other parts of a building or structure shall proceed with the construction operation at the permit holder's own risk and without assurance that additional permits will be granted. Refer to paragraph 6 for foundation permits. (4242,4493,4807)

Choosing to build in more than one phase will result in an increase in the fees charged as established in the latest edition of the Schedule of Fees and Charges. A building constructed under a phased approach is not permitted to be occupied until all of the phases for the building, or portion thereof, have been successfully completed. A shell is an incomplete building and cannot be safely occupied. (4493)

Separating a construction project in multiple permits (staging) for the construction of a project shall not be considered phasing and shall not trigger the assessment of a phasing fee premium. Refer to Section 4-1-8 (L) for information on fee calculations for phased projects. (4493,4807)

6. Foundation Permits. The Building Safety Director is authorized to issue a permit for the construction of foundations or any other part of a building or structure before the construction documents for the whole building or structure have been submitted, provided adequate information and detailed statements have been filed complying with pertinent requirements of this Chapter, the technical codes and the Mesa Zoning Code. The holder of a permit for the foundation or other parts of a building or structure shall proceed with the construction operation at the holder's own risk and without assurance that a permit for the entire structure will be granted. The granting of foundation permits is a special service that will result in an increase in the fees charged as established in the latest Schedule of Fees and Charges. (4493,4579,4807)

7. Expedited Plan Review. For projects on which the owner requests "expedited" or "super-expedited" plan review services (faster than normal turnaround times), and the Building Safety Director agrees to provide such services either in-house or through the use of an outside plan review contractor, the building permit shall be subjected to an additional premium fee as established in the latest Schedule of Fees and Charges. At the time of application, the owner shall request the expedited services and shall pay an additional expedited permit application deposit equal to 100% of the permit application deposit. The Building Safety Director will provide the plan review services needed for the initial review and up to two subsequent reviews within the City's stated plan review turnaround times for expedited projects, or as otherwise agreed. The balance of the expedited premium shall be paid prior to the issuance of the permits. If for any reason the permit is not issued, the entire deposit is forfeited. In the event that the City fails to provide the requested expedited or super-expedited services within the City's stated plan review turnaround times, the expedited or super expedited premium is waived and the premium portion of the deposit will be refunded in accordance with Section 4-1-8(W). (4493,4579,4807)

The total expedited or super-expedited premium shall not be prorated even in the event that some of the plan review submissions for a project are not requested to be expedited. If only one submission is requested to be expedited or super-expedited for that project, the total premium fee shall be charged. (4493,4807)
(L) Annual Facilities Permit Plan Reviews. Plans, drawings, diagrams, and/or other data describing the work to be performed shall be provided for review at the Qualified Facility. When such plans are required to be prepared by a registered architect or engineer or are of a nature that is too complex for on-site review, the Building Safety Director may choose to perform the plan review at a Building Safety Service Center. (4242)

(M) 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 Chapter, the technical codes, or of any other ordinance of the jurisdiction. Permits presuming to give authority to violate or cancel the provisions of this Chapter, the technical codes, or other ordinances of the jurisdiction shall not be valid. The issuance of a permit based on construction documents and other data shall not prevent the Building Safety Director from requiring the correction of errors in the permit documents or in the construction. The Building Safety Director is also authorized to prevent occupancy or use of a structure where in violation of this Chapter, the technical codes, or of any other ordinances of this jurisdiction. Work shall be installed in accordance with the approved construction documents, and any changes made during construction that are not in compliance with the approved construction documents shall be resubmitted for approval as an amended set of construction documents. (4242)

In addition, an Annual Facilities Permit shall be valid only for the time period the named agent remains in the employ of the Qualified Facility in an active capacity. If the named agent should leave the employ, the Qualified Facility shall notify the Building Safety Director within seven (7) calendar days. The Qualified Facility shall obtain a replacement agent within forty-five (45) days of such notification. If, within the prescribed period, the Building Safety Director is not provided with information that a new agent has been obtained, the Annual Facilities Permit will be deemed suspended until such agent is obtained. The acceptance of the new agent shall be subject to the approval of the Building Safety Director. (4242)

(N) Expiration of Permit. Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within one hundred eighty (180) days after its issuance, or if the work authorized on the site by such permit is declared suspended or abandoned by the owner for a period of one hundred eighty (180) days after the date the work is commenced, or if the Building Safety Director declares the permit suspended or abandoned after the expiration of one hundred eighty (180) days from the date of permit issuance. When requested by the permit holder within one hundred eighty (180) days after the expiration of the permit, the Building Safety Director is authorized to grant one (1) or more extensions of time, for periods not more than one hundred eighty (180) days each. The extension shall be requested in writing and justifiable cause demonstrated. Such extension, when granted, shall be in writing. (4242)

Refunds, if applicable, shall be in accordance with section 4-1-4(G). The fee for extending an expired permit shall be as established in the latest Schedule of Fees and Charges. (4493,4579)

(O) Suspension or Revocation. The Building Safety Director is authorized to suspend or revoke a permit issued under the provisions of this Chapter wherever the permit is issued in error or on the basis of incorrect, inaccurate, or incomplete information, or in violation of any ordinance or regulation or any of the provisions of this Chapter, the technical codes, or of any other ordinances of this jurisdiction, including, upon notification by the Tax Collector or other City official, delinquencies in the payment of privilege and excise taxes levied pursuant to the provisions of Title 5, Chapter 10, of the Mesa City Code or delinquencies in the payment of any other accounts owed to the City of Mesa. (4242,4579)
Suspension or Revocation of Annual Facilities Permit. The Building Safety Director may suspend or revoke an Annual Facilities Permit when the Qualified Facility fails to comply with any of the Annual Facilities Permit responsibilities or there exists a willful violation of any provisions of this Chapter. Violations that may result in annual permit revocation include, but are not limited to, one (1) or more of the following: (4242)

1. Performing construction work without an agent as required. (4242)
2. Performing construction work without the agent’s knowledge or consent. (4242)
3. Concealing work without inspection approval or authorization. (4242)
4. Refusal to uncover concealed work. (4242)
5. Construction or installing work contrary to inspection orders. (4242)
6. Failure to report all work done under authority of the annual permit. (4242)
7. Refusal to eliminate unsafe hazards as required in this Chapter. (4242)

If the violation involves work performed, a separate permit as required under Section 4-1-4(A) shall be required. Such permit is subject to regular permit fees and an investigation fee as prescribed in Section 4-1-8. (4242)

An Annual Facilities Permit may be reinstated after all violations have been remedied to the satisfaction of the Building Safety Director. Reinstatement of an annual permit having been revoked requires payment of a new Annual Facilities Permit fee. (4242)

When the Building Safety Director suspends or revokes the Annual Facilities Permit, the Qualified Facility may appeal the decision in accordance with Chapter 2-11 of the Mesa City Code. (4242)

Placement of Permit. The building permit or copy thereof shall be kept on the site of the work until the completion of the project. (4242)

Responsibility. It shall be the duty of every person who performs work for the installation or repair of building, structure, electrical, gas, mechanical, or plumbing systems, for which this Chapter or the technical codes are applicable, to comply with this Chapter and the technical codes. (4242)

Digital / Electronic Drawing Submission. It shall be the responsibility of every permit holder to provide a digital file copy of the permit drawings as required in Section 7-2-3 to the Fire Department through the Building Safety Division prior to the issuance of the permit by the Building Safety Director. Such digital files shall be in accordance with the requirements of Section 7-2-3 as determined by the Fire Marshal, except drawings for permits related to R-3, R-4, and R-5 occupancies, and accessory structures located on the same lot as an R-3, R-4 or R-5 occupancy. (4579,4807)
(T) Required Operational Permits. The Fire Code Official is authorized to issue operational permits as set forth in Title 7, Chapter 2, Mesa Fire Code. (4634)

(U) Permit-by-Inspection Program. The permit-by-inspection program (PBI) is a voluntary alternative to the standard Building Safety plan review and permit issuance processes for simple projects of certain occupancies and degree of complexity. P-B-I is intended to provide a simplified approach to permit review and issuance in which Building Safety Inspectors review permit applications and attached submittals, and approve the issuance of the permit. The owner can choose to utilize this program or the standard approach, subject to acceptance of the Building Safety Director. The inspector then performs the required inspections as the work progresses on that permit. (4807)

1. Eligible projects. Projects eligible for consideration under the P-B-I shall comply with all of the following limitations:

   A. Tenant improvement or tenant completion permits involving Group B (Business), Group M (Mercantile), or Group S (Storage) occupancies; (4807)

   B. Not involving a change of occupancy, except changes between Group B and Group M occupancies; (4807)

   C. Not more than 10,000 square feet in floor area; (4807)

   D. Not involving high piled storage or hazardous materials; and (4807)

   E. Not requiring additional zoning approvals. (4807)

2. Exceptions. The Building Safety Director may accept projects for P-B-I consideration that do not comply with all of the eligible requirements under Subparagraph (T)1 above including remodeling or addition permits for Group R-5 occupancies. (4807)

3. Projects shall comply with all other requirements of Section 4-1-4. (4807)

4-1-5: INSPECTIONS: (4242, 4579, 4807, 5055)

(A) General. Construction or work for which a permit is required shall be subject to inspection by the Building Safety Director and such construction or work shall remain accessible and exposed for inspection purposes until approved. Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this Chapter, the technical codes, or of other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel the provisions of this Chapter or the technical codes or of other ordinances of the jurisdiction shall not be valid. It shall be the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purposes. Neither the Building Safety Director nor the jurisdiction shall be liable for expense entailed in the removal or replacement of any material required to allow inspection. (4242)

It shall be the duty of the permit holder to provide an approved property address, including number and street name, at all construction sites. Such temporary premises identification shall be clearly visible from the street or roadway fronting the property, shall be installed prior to the first inspection, and shall be maintained until the permanent premises identification is installed and approved. (4242)
(B) Required Inspections. The Building Safety Director, upon notification, shall make the inspections set forth in this Section. (4242)

1. Footing and Foundation Inspection. Footing and foundation inspections shall be made after excavations for footings are complete and any required reinforcing steel is in place. For concrete foundations, required forms shall be in place prior to inspection. Inspection shall be made prior to the placement of concrete. Materials for the foundation shall be on the site, except where concrete is ready mixed in accordance with ASTM C 94, the concrete need not be on the site. (4242)

2. Concrete Slab and Under-Floor Inspection. Concrete slab and under-floor inspections shall be made after in-slab or under-floor reinforcing steel and building service equipment, conduit, piping accessories, and other ancillary equipment items are in place, but before any concrete is placed or floor sheathing installed, including the subfloor. (4242,4579)

3. Plumbing, Mechanical, Gas, and Electrical Systems Inspection. Rough inspection of these systems shall be made prior to covering or concealment, before fixtures or appliances have been set or installed, and prior to the framing inspection. (4242)

4. Lowest Floor Elevation. In flood hazard areas, upon placement of the lowest floor and prior to further vertical construction, a copy of the elevation certification required and approved by the Maricopa Flood Control District shall be submitted to the Building Safety Director. (4242,4579)

5. Frame and Masonry Inspection. Framing inspections shall be made after the roof deck or sheathing, masonry, all framing, fireblocking, draftstopping, and bracing are in place and pipes, chimney, and vents to be concealed are complete and the rough electrical, plumbing, heating wires, pipes, and ducts are approved, and after the roof is loaded with roof covering material. (4242)

6. Lath and Gypsum Board Inspection. Lath and gypsum board inspections are required when a part of a fire-resistance-rated assembly or a shear assembly and shall be made after lathing and gypsum board, interior and exterior, is in place, but before any plastering is applied or gypsum board joints and fasteners are taped and finished. (4242)

7. Fire-Resistant Penetrations. Protection of joints and penetrations in fire-resistance-rated assemblies shall not be concealed from view until inspected and approved. (4242)

8. Other Inspections. In addition to the inspections specified above, the Building Safety Director is authorized to make or require other inspections of any construction work to ascertain compliance with the provisions of this Chapter or the technical codes and other laws enforced by the Building Safety Division. (4242)

9. Special Inspections. Special inspections and structural observations shall be as required in Title 4, Chapter 2, Mesa Building Code. (4242)

10. Energy Efficiency Inspections. Inspections shall be made to determine compliance with the Mesa Energy Code. (5055)

11. Final Inspection. The final inspection shall be made after all work required by the building permit is completed. (4242, 5055)
(C) Building Service Equipment Inspections. The Building Safety Director shall inspect building service equipment for which a permit is required by this Chapter or the technical codes. Building service equipment intended to be concealed by a permanent portion of the building shall not be concealed until inspected and approved. When the installation of building service equipment is complete, an additional and final inspection shall be made. Building service equipment regulated by the technical codes shall not be connected to the water, fuel, or power supply, or sewer system until authorized by the Building Safety Director. The requirements of this Chapter shall not be considered as prohibiting the operation of building service equipment installed to replace existing building service equipment serving an occupied portion of the building provided an inspection of such building service equipment has been completed and approved. (4242)

(D) Inspection Agencies. The Building Safety Director is authorized to accept reports of approved inspection agencies, provided such agencies satisfy the requirements as to qualifications and reliability. (4242)

(E) Inspections Requests. It shall be the duty of the holder of the building permit or their duly authorized agent to notify the Building Safety Director when work is ready for inspection. It shall be the duty of the permit holder to provide access to and means for inspections of such work as required by this Chapter. (4242)

(F) Approval Required. Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the Building Safety Director. The Building Safety Director, upon notification, shall make the requested inspections and shall either indicate the portion of the construction is satisfactory as completed, or notify the permit holder or authorized representative wherein the same fails to comply with this Chapter or the technical codes. Portions not complying shall be corrected and shall not be covered or concealed until authorized by the Building Safety Director. Projects with failed inspections may be subjected to additional fees in accordance with the City's latest Schedule of Fees and Charges. There shall be final inspection and approval of all construction when the work is completed and prior to any occupancy or use. (4242,4807)

(G) Gas Certificates. If, upon final gas piping inspection, the installation is found to comply with the provisions of this Chapter and the technical codes, a certificate of inspection shall be issued by the Building Safety Director. A copy of such certificate shall be issued to the serving gas supplier supplying gas to the premises. It shall be unlawful for any serving gas supplier, or person furnishing gas, to turn on, or cause to be turned on, any fuel gas or any gas meter or meters, until such certificate of final inspection, as herein provided, has been issued. (4242)

(H) Tests. Whenever insufficient evidence of compliance with the provisions of this Chapter or the technical codes or evidence that materials or construction do not conform to the requirements of the technical codes, the Building Safety Director may require tests as evidence of compliance to be made at no expense to the jurisdiction. Test methods shall be as specified by the technical codes or by other recognized test standards. In the absence of recognized and accepted test methods, the Building Safety Director shall determine test procedures. Said tests shall be made by an approved agency. Reports of test results shall be submitted to the Building Safety Director for approval and shall be retained by the Building Safety Division as required in the approved records retention schedule. (4242,4579)
(I) Connection to Utilities. Persons shall not make connections from a source of energy, fuel, or power to building service equipment, regulated by the technical codes and for which a permit is required by this Chapter, until approved by the Building Safety Director. The Building Safety Director may authorize the temporary connection of the building service equipment to the source of energy, fuel, or power for testing building service equipment or for use under a temporary certificate of occupancy. The Building Safety Director may also authorize the connection of the building electrical service equipment to supply construction power. Such authorizations shall be conditioned upon the owner or permit holder prohibiting the use of gas-fired generators on the site once the permanent power is operational, except as approved by the Building Safety Director. The use and safe maintenance of the building electrical service equipment during construction shall comply with all applicable local, state and federal regulations. The Building Safety Director may order the disconnection of any service not used or maintained safely, or operated in violation of Section 4-1-6(A). An unauthorized construction fee as established in the latest Schedule of Fees and Charges shall be assessed in the case of a violation of Section 4-1-6(A). (4242,4807)

(J) Annual Facilities Permit Inspections. All structural, architectural, plumbing, mechanical, and electrical installations or constructions shall be inspected by the Building Safety Director prior to covering any such work. Work performed under the Annual Facilities Permit that is exposed and not required to be tested while witnessed by the Building Safety Director, shall be subject to inspection by the Building Safety Director at regular intervals not exceeding six (6) months. (4242)

For all work requiring specific inspections by the Building Safety Director, the Qualified Facility shall make plans available for inspections on-site. A brief outline of all work done under the Annual Facilities Permit shall be prepared by the named agent and shall be made available to the Building Safety Director during periodic inspections. At a minimum, the provided information shall include the location, date, and scope of work. (4242)

The agent and Qualified Facility owner(s) are jointly responsible for assuring all work performed at the Qualified Facility complies with this Chapter and the technical Codes, whether or not the work is specifically inspected by the Building Safety Director. (4242)

4-1-6: CERTIFICATES: (4242,4493,4579,4807)

(A) Use and Occupancy. No building or structure shall be used or occupied, and no change in the existing occupancy classification of a building or structure or portion thereof shall be made until the Building Safety Director has issued a Certificate of Occupancy or other form of authorization therefore as provided herein. Issuance of a Certificate of Occupancy shall not be construed as an approval of a violation of the provisions of this Chapter, the technical codes, or other ordinances of the jurisdiction. (4242)

(B) Certificate of Occupancy. After the Building Safety Director or designee inspects the building or structure and finds no violations of the provisions of this Chapter, the technical, or other laws that are enforced by the Building Safety Division, including, upon notification by the Tax Collector or other City official, compliance with Section 4-1-4(S), the payment of privilege and excise taxes levied pursuant to the provisions of Title 5, Chapter 10 of the Mesa City Code, and the payment of any other accounts owed to the City of Mesa, the Building Safety Director is authorized to issue a Certificate of Occupancy that contains the following: (4242,4579)
1. The building permit number. (4242)

2. The address of the structure. (4242)

3. The name and address of the owner. (4242)

4. A description of the portion of the structure for which the certificate is issued. (4242)

5. A statement that the described portion of the structure has been inspected for compliance with the requirements of this Chapter and the technical codes for the occupancy and division of occupancy and the use for which the proposed occupancy is classified. (4242)

6. The name and signature of the Building Safety Director or designee. (4242)

7. The edition of the code under which the permit was issued. (4242)

8. The occupancy, in accordance with the provisions of Title 4, Chapter 2. (4242)

9. The type of construction as defined in Title 4, Chapter 2. (4242)

10. The design occupant load. (4242)

11. If an automatic sprinkler system is provided, whether the sprinkler system is required. (4242)

12. Any special stipulations and conditions of the building permit. (4242)

   EXCEPTION: Group R-3, R-5 and Group U occupancies, unless specifically requested by the permit holder. For such occupancies, occupancy and use is authorized upon the satisfactory completion of the final building inspection. (4242,4579)

An original of the Certificate of Occupancy shall be provided to the permit holder at no added charge. Additional duplicate copies shall be provided for a fee as established in the latest Schedule of Fees and Charges. The Building Safety Director may require an inspection of an existing building prior to issuing a duplicate certificate of occupancy for any building more than one year after the issuance of the original certificate of occupancy. (4493,4579,4807)

A Certificate of Occupancy shall be provided for a partial occupancy approval by the Building Safety Director when requested by the permit holder. Such certificate shall clearly identify the portion or portions of the building that are approved for final occupancy. There shall be no premium fee for a partial Certificate of Occupancy for the occupancy of a tenant space in a shell building issued at the completion of the tenant completion permit. (4493)
(C) Certificate of Completion. After the Building Safety Director or designee inspects the building, structure, electrical, fire protection, plumbing, mechanical, gas, or similar system or structure that cannot be occupied, and finds no violations of the provisions of this Chapter, the technical codes, or other laws that are enforced by the Building Safety Division, including, upon notification by the Tax Collector or other City official, compliance with Section 4-1-4(S), the payment of privilege and excise taxes levied pursuant to the provisions of Title 5, Chapter 10 of the Mesa City Code, and the payment of any other accounts owed to the City of Mesa, the Building Safety Director is authorized to issue a Certificate of Completion. Such Certificate of Completion certifies that the work to be performed under the permit has been satisfactorily completed. The Certificate of Completion does not authorize the occupancy of an incomplete shell, building or structure. The Certificate of Completion shall contain the following:

1. The building permit number. (4242)
2. The address of the structure. (4242)
3. The name and address of the owner. (4242)
4. A description of the permitted work for which the certificate is issued. (4242)
5. A statement that the permitted work has been inspected for compliance with the requirements of this Chapter and the technical codes. (4242)
6. The name and signature of the Building Safety Director or designee. (4242)
7. The edition of the code under which the permit was issued. (4242)
8. Any special stipulations and conditions of the permit. (4242)

(D) Temporary Certificate of Occupancy. The Building Safety Director is authorized to issue a Temporary Certificate of Occupancy before the completion of the entire work covered by the permit, provided that such portion or portions shall be occupied safely. The Building Safety Director shall set the time period during which the Temporary Certificate of Occupancy is valid and the conditions, if any, for such temporary occupancy. Any use of a partially constructed building or structure, except for construction purposes, shall constitute occupancy that requires prior approval of the Building Safety Director. Each such subsequent use shall require separate approvals. (4242,4493)

(E) Revocation. The Building Safety Director is authorized to suspend or revoke, in writing, a Certificate of Occupancy, Certificate of Completion, or Temporary Certificate of Occupancy issued under the provisions of this Chapter wherever such certificate is issued in error, or on the basis of incorrect information supplied, or where it is determined the building or structure or portion thereof is in violation of any ordinance or regulation or any of the provisions of this Chapter or the technical codes. (4242)
4-1-7: UNSAFE STRUCTURES AND EQUIPMENT: (4242,4579)

(A) Conditions. Structures or existing equipment that are or hereafter become unsafe, unsanitary, or deficient because of inadequate means of egress facilities, inadequate light and ventilation, or that constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or that involve illegal or improper occupancy or inadequate maintenance, shall be deemed an unsafe condition. A vacant or abandoned structure that is not secured against entry shall be deemed an unsafe condition. Unsafe conditions and structures shall be taken down and removed or made safe, as the Building Safety Director deems necessary and as provided in this Chapter. (4242,4579)

For the purpose of this Chapter, a building or structure having any or all of the conditions or defects hereinafter described shall be deemed to be an unsafe building, provided such conditions or defects exist to the extent the life, health, property, or safety of the public or its occupants are endangered: (4242)

1. Whenever any door, aisle, passageway, stairway, or other means of exit is not of sufficient width or size or is arranged so as to not provide safe and adequate means of exit in case of fire or panic. (4242)

2. Whenever the walking surface of any aisle, passageway, stairway, or other means of exit is so warped, worn, loose, torn, or otherwise unsafe as to not provide safe and adequate means of exit in case of fire or panic. (4242)

3. Whenever the stress in any materials, member, or portion thereof, due to all dead and live loads, is more than one and one-half (1-1/2) times the working stress or stresses allowed in Title 4, Chapter 2 or 3, as appropriate, for new buildings of similar structure, purpose, or location. (4242)

4. Whenever any portion thereof has been damaged by fire, earthquake, wind, flood, or by any other cause to such an extent the structural strength or stability thereof is materially less than it was before such catastrophe and is less than the minimum requirements of Title 4, Chapter 2 or 3, as appropriate, for new buildings of similar structure, purpose, or location. (4242)

5. Whenever any portion or member or appurtenance thereof is likely to fail, or to become detached or dislodged, or to collapse and thereby injure persons or damage properties. (4242)

6. Whenever any portion of a building, or any member, appurtenance, or ornamentation on the exterior thereof is not of sufficient strength or stability, or is not so anchored, attached, or fastened in place so as to be capable of resisting a wind pressure of one-half (1/2) of that specified in Title 4, Chapter 2 or 3, as appropriate, for new buildings of similar structure, purpose, or location without exceeding the working stresses permitted in Title 4, Chapter 2 or 3, as appropriate, for such buildings. (4242)

7. Whenever any portion thereof has wracked, warped, buckled, or settled to such an extent that walls or other structural portions have materially less resistance to winds or earthquakes than is required in the case of similar new construction. (4242)
8. Whenever the building or structure, or any portion thereof, because of: (4242)
   
   (a) Dilapidation, deterioration, or decay; (4242)
   
   (b) Faulty construction; (4242)
   
   (c) The removal, movement, or instability of any portion of the ground necessary for the purpose of supporting such building; (4242)
   
   (d) The deterioration, decay, or inadequacy of its foundation; or (4242)
   
   (e) Any other cause, (4242)

   is likely to partially or completely collapse. (4242)

9. Whenever, for any reason, the building or structure, or any portion thereof, is manifestly unsafe for the purpose for which it is being used. (4242)

10. Whenever the exterior walls or other vertical structural members list, lean, or buckle to such an extent that a plumb line passed through the center of gravity does not fall inside the middle one-third (1/3) of the base. (4242)

11. Whenever the building or structure, exclusive of the foundation, shows thirty-three percent (33%) or more damage or deterioration of its supporting member or members, or fifty percent (50%) damage or deterioration of its nonsupporting members, enclosing, or outside walls or coverings. (4242)

12. Whenever the building or structure has been so damaged by fire, wind, earthquake, or flood, or has become so dilapidated or deteriorated as to become: (4242)

   (a) An attractive nuisance to children; (4242)

   (b) A harbor for vagrants, criminals, or immoral persons; or as to (4242)

   (c) Enable persons to resort thereto for the purpose of committing unlawful or immoral acts. (4242)

13. Whenever any building or structure has been constructed, exists, or is maintained in violation of any specific requirements or prohibition applicable to such building or structure provided by the building regulations of this jurisdiction, as specified in Title 4, Chapter 2 or 3, as appropriate, or of any law or ordinance of this State or jurisdiction relating to the condition, location, or structure of buildings. (4242)
14. Whenever any building or structure, whether or not erected in accordance with all applicable laws and ordinances, has in any nonsupporting part, member, or portion less than fifty percent (50%), or in any supporting part, member, or portion less than sixty-six percent (66%) of the:

(a) Strength, (4242)

(b) Fire-resisting qualities or characteristics, or (4242)

(c) Weather-resisting qualities or characteristics required by law in the case of a newly constructed building of the like area, height, and occupancy in the same location. (4242)

15. Whenever a building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, air, or sanitation facilities, or otherwise, is determined by the health officer to be unsanitary, unfit for human habitation, or in such a condition that is likely to cause sickness or disease. (4242)

16. Whenever any building or structure, because of obsolescence, dilapidated condition, deterioration, damage, inadequate exits, lack of sufficient fire-resistive construction, faulty electric wiring, gas connection or heating apparatus, or other cause, is determined by the fire marshal to be a fire hazard. (4242)

17. Whenever any building or structure is in such a condition as to constitute a public nuisance known to the common law or in equity jurisprudence. (4242)

18. Whenever any portion of a building or structure remains on a site after the demolition or destruction of the building or structure or whenever any building or structure is abandoned for a period in excess of six (6) months so as to constitute such building or portion thereof an attractive nuisance or hazard to the public. (4242)

(B) Notice. If an unsafe condition, as described herein, is found, the Building Safety Director shall serve on the owner, agent, or person in control of the structure, a written notice describing the condition deemed unsafe and specifying the required repairs or improvements to be made to abate the unsafe condition, or requiring the unsafe structure to be demolished within a stipulated time. Such notice shall require the person thus notified to declare as soon as possible but not later than seven (7) business days to the Building Safety Director the acceptance or rejection of the terms of the order. (4242)

(C) Method of Service. Such notice shall be deemed properly served if a copy thereof is: (4242)

1. Delivered to the owner or agent personally, (4242)

2. Sent by certified or registered mail addressed to the owner at the last known address with return receipt requested, or (4242)

3. Served in any manner permitted by state statute or by the Arizona Rules of Civil Procedure for service of process. (4242,4579)

Service shall first be attempted through personal service. If the City is unable to personally serve the notice, other methods of service may be utilized and the notice shall be posted in a conspicuous place in or about the structure affected by such notice. Service of such notice in the foregoing manner upon the owner's agent or upon the person responsible for the structure shall constitute service of notice upon the owner. (4242,4579)
(D) Procedures. The Building Safety Director shall establish the necessary procedures to be utilized in the enforcement of this Section. Such procedures shall be consistent with the requirements of this Section and, if necessary, shall be enacted by resolution of the Mesa City Council. (4242)

(E) Hazard Marking System. The Building Safety Director, with the approval of the Fire Chief, is authorized to establish a hazard identification marking system to provide firefighters responding to a fire or other emergency with a visual identification marking that the property is vacant, abandoned, or contains hazards to firefighters. (4579)

(F) Restoration. The structure or equipment determined to be unsafe shall be permitted to be restored to a safe condition. To the extent repairs, alterations, or additions are made or a change of occupancy occurs during the restoration of the structure, such repairs, alterations, additions, or change of occupancy shall comply with the requirements of this Chapter and the technical codes, or the structure shall be demolished and the site cleaned. (4242, 4579)

(G) Emergency Repairs. In the event the property owner fails to take needed corrective action in the manner and time as acceptable to the Building Safety Director, the Building Safety Director is authorized to employ the necessary labor and materials to perform the required work as expeditiously as possible. Costs incurred in the performance of the emergency work shall be paid by the City of Mesa and the City may file an action to recover all fees and costs related to the emergency repairs. (4242, 4579)

(H) Demolition. The Building Safety Director shall order the owner of any premises upon which is located any structure that in the Building Safety Director's judgment is so old, dilapidated, or has become so out of repair as to be dangerous, unsafe, unsanitary, or otherwise unfit for human habitation or occupancy, and such that it is unreasonable to repair the structure, to demolish and remove such structure; or if such structure is capable of being made safe by repairs, to repair and make safe and sanitary or to demolish and remove at the owner's option; or where there has been a cessation of normal construction of any structure for a period of more than two (2) years, to demolish and remove such structure. (4242, 4579)

If the owner of a premises fails to comply with a demolition order within the time prescribed, the Building Safety Director shall cause the structure to be demolished and removed, either through an available public agency or by contract or arrangement with private persons, and the cost of such demolition and removal shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate. (4242)

(I) Record. The Building Safety Director shall cause a report to be filed on an unsafe condition. The report shall state the occupancy of the structure and the nature of the unsafe condition. (4242, 4579)

4-1-7: FEES: (4242, 4493, 4579, 4807)

(A) Purpose. The purpose of the permit fees for the construction of buildings and structures in the City of Mesa is to ensure that the costs for providing enforcement and administration services are borne entirely by the construction activity prompting the need for such services. (4493)
(B) Schedule of Fees and Charges. The fee for each permit and other services provided by the Building Safety Division and other City departments and divisions shall be as set forth in the most recently adopted City schedule of fees and charges. Such fees shall be periodically reviewed and adjusted by the City Council to generate sufficient total revenue to offset the current estimated City costs for providing permit processing, plan review, field inspection, and other development related services, including necessary capital expenditures. The effective date for revisions to the schedule of fees and charges shall be as stated in the resolution adopted by the City Council. (4493)

(C) Permit Fees. Where the development of land and construction of buildings, structures, systems or other improvements require a building permit from the City of Mesa, fees for each building permit shall be paid as required and in accordance with the Schedule of Fees and Charges established by the City. (4493, 4579)

Exceptions: The following entities are exempt from paying permit fees:

1. Governmental entities that are, as a matter of law, immune from having to submit to permit fees. (4493)

2. Utility companies and other entities whose permit fees have been waived by agreement or resolution of the Mesa City Council. (4493)

A building permit shall not be issued nor considered valid until all applicable fees established by the City have been paid, nor shall an amendment to a permit be released until the additional fee(s), if any, has been paid. (4493)

(D) Permit Application Deposits. When permits are required, a deposit fee shall be paid at the time of initial submittal of plans and documents for review. The deposit fee shall be calculated on the construction valuation according to the latest Schedule of Fees and Charges. Permit application deposit fees are a part of the building permit fee and the civil engineering fee and shall be credited against the total permit fees at permit issuance. (4493, 4579, 4807)

Permit application deposit fees pay for the initial plan review and two (2) subsequent re-submittals for the same project made within the prescribed time limitations. If more than three (3) plan reviews are required, or if the permit application shall expire by time limitation, additional fees may be assessed as determined appropriate by the Building Safety Director. At the time of permit issuance, additional fees for any increase in evaluation shall be assessed as a condition of permit issuance. (4493)

Exceptions. The following project types are exempted from the payment of permit deposit fees:

1. Recreational vehicle and manufactured housing; including awnings, storage sheds, etc. (4493)

2. Residential swimming pools and spas. (4493)

3. Master plans for single family residences. (4493)

4. Master site plans for single family residences. (4493)

5. Residential additions and remodels less than $25,000 in total valuation. (4493)

6. Stand alone residential plumbing, mechanical and electrical permits. (4493)
Only the advance payment of the deposit is waived for the exceptions listed above. The total permit fee shall be assessed and collected at permit issuance, including applicable expedited, phasing and other premium fees. (4493)

(E) Building Permits. Permits for new construction, both residential and commercial, shall be a single combined permit covering all construction trade work for the project, including plumbing, mechanical, electrical, fire protection, and applicable civil engineering. (4493)

(F) Building Permit Fee Calculations - new commercial permits. The calculation of the required building permit fees for new commercial construction projects shall be as follows:

1. Occupancy type and construction type are applied to the most recent ICC table to obtain the construction cost per sq foot [from ICC table] multiplied by the building area [in square feet] equals construction valuation [in dollars]. (4493)

2. Construction valuation is then applied to the commercial rate schedule [as established in the schedule of fees and charges] to obtain the building permit fee. (4493)

(G) Occupancy and Construction Types. The specific occupancy type and construction type for the project shall be as established in the Mesa Building Code. (4493)

(H) Construction Cost. The cost of construction per square foot of building shall be determined by applying the project specific occupancy type and construction type to the current square foot construction costs table as published by International Code Council (ICC). (4493)

Exceptions:

1. Non-livable areas of one and two family dwelling units shall be valued using 50% of the tabular amount for the project specific occupancy type and construction type. (4493)

2. Covered canopies fabricated entirely of metal or membrane-covered shall be valued at 50% of the tabular amount for construction type V-B and utility occupancy. (4493,4807)

Regional modifiers shall not be utilized in the calculation of valuation. Updated publications of the square foot construction cost table by the ICC shall be effective on the first Saturday of the second month following the month of publication. (4493)

(I) Building Area. For fee calculation purposes, the building area in square feet shall be the total area of all floors under roof and enclosed within the outer surfaces of the exterior surrounding walls or columns. Building area includes membrane-covered or metal-covered or other roofed patios, roofed porches, bay windows, basements, mezzanines, penthouses and other mechanical spaces. Building area does not include roof eaves not exceeding 3 feet in horizontal projection, overhangs not exceeding 3 feet in horizontal projection, courts open at the top, vent shafts open at the top, unroofed patios, unroofed porches, and areas covered by perforated or slatted or trellis coverings. (4493,4807)

Building areas for new residential projects shall be comprised of two components - livable areas and non-livable areas. Livable areas shall be those spaces that are the total area of all floors under roof and enclosed within the outer surfaces of the exterior surrounding walls or columns, minus non-livable areas. Non-livable areas include, but are not limited to, garages, carports, roofed patios, roofed porches, mechanical spaces accessed from the exterior, and similar areas. (4493)
(J) Construction Valuation. The valuation of construction for building permit fee calculation purposes shall be the product of the building area in square feet multiplied by the construction cost per square foot. Valuations include all design and construction work, including materials, labor and overhead, for which the permit is being issued, such as finish work, painting, roofing, electrical, gas, mechanical, plumbing equipment, heating, air-conditioning, elevators, fire extinguishing systems, other permanent systems/equipment, grading, landscaping, and other site related improvements. Construction valuation shall be rounded to the nearest whole dollar before calculating the building permit fee (i.e. 8.50 rounds up to 9; 8.49 rounds down to 8). The City Manager or designee is authorized to adjust the resultant valuation amount when deemed necessary for establishing an equitable permit fee. (4493)

(K) Rate Schedules. The City of Mesa shall adopt appropriate rate tables for residential and commercial projects. Refer to the latest Mesa schedule of fees and charges to obtain the required rate for calculating the building permit and civil engineering permit fees. (4493)

(L) Phased Projects. When the applicant determines that a building is to be constructed under multiple permits (phases) as described in Section 4-1-4(K)5, the Building Safety Director shall utilize the following for calculating the shell permit and tenant completion permit fees:

1. Shell permit fee [in dollars] equals 100% of the building permit fee [in dollars] as calculated in 4-1-8(F). (4493, 4807)

2. Tenant completion permit fee [in dollars] equals 100% of the building permit fee [in dollars] as calculated in 4-1-8(O). (4493, 4807)

The occupancy type for shells, or portions thereof, that are not specifically identified by the owner at the time of permitting shall be deemed to be group M (Mercantile) occupancy for the computation of the building permit fee. Any adjustment in the building permit fee required by a change in the occupancy, a change in the valuation of the construction of the building, or in the scope of the project after the issuance of the shell permit shall be assessed and paid in conjunction with the issuance of the tenant completion permit. (4493, 4807)

(M) Building Permit Fee Calculations - new residential permits. The calculation of the building permit fees for new residential projects shall be the same as for new commercial projects, with the following exceptions:

Exceptions:

1. The construction cost per square foot for non-livable building areas shall be determined by multiplying the construction cost per square foot as determined from the ICC table by fifty percent (50%). (4493)

2. The sum of the calculated valuation for livable and non-livable areas shall be applied to the residential rate schedule to obtain the building permit fee. (4493)

The calculation of the required building permit fees for new residential construction projects shall be as follows:
1. Occupancy type and construction type are applied to the most recent ICC table to obtain the construction cost per sq foot [from ICC table] (4493)

2. Construction cost per sq foot [from ICC table] is multiplied by the livable building area [in square feet] to obtain the livable construction valuation [in dollars]. (4493)

3. Fifty percent of the construction cost per sq foot [from ICC table] is multiplied by the non-livable building area [in square feet] to obtain the non-livable construction valuation [in dollars]. (4493)

4. Livable construction valuation is added to the non-livable construction valuation to obtain the total construction valuation. (4493)

5. Total construction valuation is then applied to the residential rate schedule [as established in the schedule of fees and charges] to obtain the building permit fee. (4493)

(N) Building Permit Fee Calculations - additions permits. The calculation of the building permit and civil engineering permit fee for an addition to an existing building shall be the same as described in this section for commercial and residential projects, as appropriate. (4493)

(O) Building Permit Fee Calculations - renovations/remodeling permits. The calculation of the building permit fee for the renovation or remodeling of an existing building shall be the same as described in this code for commercial and residential projects, as appropriate, except as follows:

**EXCEPTIONS:**

The applicant for a permit shall provide an estimated construction valuation amount at the time of the initial permit application. The submitted valuation shall include the estimated costs of all of the items listed in construction valuation in Section 4-1-8(J). The submitted valuation shall be reviewed by the Plans Examiner for reasonableness and adequacy. The Plans Examiner may use published construction cost estimating guides to assist in the acceptance or adjustment of the submitted valuation. The valuation as approved or modified by the Plans Examiner shall be applied to the appropriate rate schedule to determine the building permit fee. (4493)

(P) Building Permit Fee Calculations - stand alone permits. The calculation of the building permit fee for plumbing, mechanical, electrical, and fire protection permits for work that does not also require a building permit (stand alone), and for shell up-grade permits not resulting in occupiable spaces or buildings, shall be the same as described in this section for commercial and residential projects, as appropriate, except as follows:

Exceptions:

The applicant for a permit shall provide an estimated construction valuation amount at the time of the initial permit application. The submitted valuation shall include the estimated costs of all of the items listed in the construction valuation in Section 4-1-8(J). The submitted valuation shall be reviewed by the Plans Examiner for reasonableness and adequacy. The Plans Examiner may use published construction cost estimating guides to assist in the acceptance or adjustment of the submitted valuation. The valuation as approved or modified by the Plans Examiner shall be applied to the appropriate rate schedule to determine the building permit fee. (4493)
(Q) Civil Engineering Fees. The fees for the civil engineering work related to new construction shall be based upon the number of sheets of drawings related to the civil engineering and landscaping work, for both on-site and off-site, needed to accurately and completely depict the work. The amount of the fee to be applied to the number of sheets involved shall also be dependent upon the size of the sheets and the information depicted upon the sheets. Civil engineering fees for on-site work only or off-site work only or for other portions of a project shall also be based upon the number, information shown, and size of sheets of the drawings needed to depict the work. The applicant shall pay all of the civil engineering fees established in the latest Schedule of Fees and Charges, and the subordinate permits for various engineering and landscaping trades, if any, shall be issued without additional fees. (4493,4579)

Number of civil engineering and landscaping sheets is multiplied by the civil engineering rate schedule [in dollars/sheet; as published in the Schedule of Fees and Charges] to obtain the civil engineering permit fee [in dollars]. (4493)

For civil engineering work not requiring drawings, the civil engineering fee shall be the minimum civil engineering fee as shown in the latest Schedule of Fees and Charges. (4493,4579)

(R) Total Permit Fee. The total permit fee shall be the sum of the Civil engineering fee to the building permit fee, plus applicable expedited, phasing or other premium fees. (4493)

(S) Miscellaneous Engineering Fees. Permits for the following engineering related work shall be required in addition to the civil engineering portion of the total permit fees:

1. "Onsite" grading permit shall be obtained prior to beginning any grading on private property at a proposed development site within the boundaries of Mesa's "Desert Uplands" area where native plant preservation is required, or located in a Historic Preservation Overlay District, or on a site designated as a historic landmark, or located in a flood plain as designated by Maricopa County Flood Control, or any areas required to comply with federal regulations regarding storm water pollution prevention. (4493,4807)

2. Subdivision "at risk" grading permit shall be obtained prior to beginning any grading work/activities for a subdivision. This permit is intended to provide notice to the City and adjacent property owners of the start of grading operations. Approved plans are not required as a condition of permit issuance. (4493)

3. Right-of-way encroachment permit shall be obtained in accordance with Section 9-2 of the Mesa City Code for all requests for encroachments into the public right-of-way or easements. (4493)

(T) Unauthorized Construction Fee. Any person who commences work within a City of Mesa ROW, PUE, PUFE; or on a building, structure, electrical, gas, mechanical, fire protection, plumbing system or grubbing, grading or any other disturbance of the site before obtaining the necessary building permits shall be subject to an unauthorized construction fee as established in the schedule of fees and charges that shall be in addition to the required permit fees. An unauthorized construction fee shall be collected whether or not a permit is then or subsequently issued. The payment of an unauthorized construction fee shall not exempt an applicant from compliance with all other provisions of this chapter and the technical codes or the penalties prescribed by Section 4-1-9. (4493,4807)

The Building Safety Director may reduce the unauthorized construction fee percentage in the case of a cooperative homeowner that acts to resolve the violation within 30 days after receiving notice of the violation. (4493)
(U) Reduction of Fees. Notwithstanding any other section of the Mesa City Code, the City Manager or designee may, in accordance with established procedures, waive or reduce fees that are set forth in the most recent schedule of fees and charges. In so doing, the City Manager or designee shall make such waiver or reduction of fees in writing, identifying the project, owner and location, stating the amount of fees affected and describing the circumstances warranting the departure from requiring the standard fees. (4493)

(V) Refunds. The Building Safety Director or designee may authorize, in accordance with established procedures, refunding of a fee, or portion thereof, paid hereunder that was erroneously assessed and/or collected. The Building Safety Director may authorize refunding of thirty-five percent (35%) of the total permit fee paid for a permit issued in accordance with this code when no work has been started on that permit. The Building Safety Director shall only authorize the refunding of a permit fee paid upon receipt of a written request filed by the payer of the permit fee within one-hundred-eighty (180) days after the date of the payment. (4493)

(W) Refunds for Failure to Meet Plan Review Turnaround Times. The Building Safety Director or designee may authorize, in accordance with established procedures, a permit fee refund or credit against the total permit charges due at the time of issuance of the permit in the event that the City's stated plan review turn-around time performance goals are not achieved for the initial and two (2) subsequent re-submittals for that specific project. Such fee refund or credit shall be calculated as a percentage of the total permit fee (not including impact fees) in accordance with the following:

<table>
<thead>
<tr>
<th>Time in Excess of Stated Goals</th>
<th>Refund/Credit</th>
</tr>
</thead>
<tbody>
<tr>
<td>1-5 Working Days</td>
<td>1.0%</td>
</tr>
<tr>
<td>6-10 Working Days</td>
<td>2.0%</td>
</tr>
<tr>
<td>11+ Working Days</td>
<td>3.0%</td>
</tr>
</tbody>
</table>

The failure to meet the City's stated turnaround time for any one of the technical areas on any permit submission shall cause the authorization of the fee refund/credit. In the case of multiple plan review submissions, the failure to meet the City's stated turnaround time for any one of the technical areas on any one of the plan review submissions shall cause the authorization of the fee refund/credit. In the event of multiple failures to meet the stated turnaround times on any project, only one refund or credit shall be authorized and such refund/credit shall be calculated on the total of all of the days in excess of the stated goals as applied to the above schedule. (4493)

The City Manager may suspend refunds for failures to meet stated turnaround times following the occurrence of a catastrophic event. (4579)

The Building Safety Director may authorize refunding or not charging the expedited premium when BSD fails to provide the requested service within the stated expedited timelines. (4493)

The Building Safety Director or designee shall not authorize a refund or credit when the actions or inactions of the permit applicant result in delays causing the City's failure to meet the City's stated plan review turnaround times. (4493)
Adjustments. The Building Safety Director is authorized to make corrections, refunds or other adjustments to fee assessments or collections that were erroneously assessed or collected within twenty-four (24) months of the date of permit issuance. (4579, 4807)

Exception: The Building Safety Director may extend the adjustment time limit beyond twenty-four (24) months when warranted by the size or complexity of the project. (4579)

Building Permit Fee Calculations - Permit-By-Inspection Projects. The calculation of the building permit fee for a project under the permit-by-inspection (P-B-I) program shall be the same as described in this code for commercial and residential projects, as appropriate, except as follows:

1. The applicant for a permit shall provide an estimated construction valuation amount at the time of the initial permit application. The submitted valuation shall include the estimated costs of all of the items listed in construction valuation in Section 4-1-8(J). The submitted valuation shall be reviewed by the Building Inspector for reasonableness and adequacy. The Building Inspector may use published construction cost estimating guides to assist in the acceptance or adjustment of the submitted valuation. The valuation as approved or modified by the Building Inspector shall be applied to the appropriate rate schedule to determine the building permit fee. (4807)

2. P-B-I projects shall be subject to a premium fee in addition to the building permit fee, as established in the latest Schedule of Fees and Charges of the City. (4807)

4-1-9: PENALTIES: (4242, 5273)

(A) Unlawful Acts. It shall be unlawful: (4242, 5273)

1. For any owner, person, firm, or corporation to erect, construct, alter, extend, repair, move, remove, demolish, or operate, any building, structure, or equipment regulated by this Chapter, or cause same to be done, in conflict with or in violation of any of the provisions of this Chapter and the technical codes. (5273)

2. For any owner, person, firm, or corporation to occupy, or for any owner to allow occupancy or fail to prevent occupancy of, any building or structure regulated by this Chapter, or cause same to be done, in conflict with or in violation of any of the provisions of this Chapter and the technical codes. (5273)

3. For an owner, person, firm, or corporation to fail to comply with a lawful written notice of violation or order to discontinue and abate a violation of any of the provisions of this Chapter and the technical codes. (5273)

(B) Notice of Violation. The Building Safety Director is authorized to serve a notice of violation or order on the person responsible for the erection, construction, alteration, extension, repair, moving, removal, demolition, or occupancy of a building or structure in violation of the provisions of this Chapter, the technical codes, or in violation of a permit or certificate issued under the provisions of this Chapter. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation. (4242)
(C) Prosecution of Violation. If the notice of violation is not complied with in the time frame specified in the notice, the City may institute the appropriate proceeding at law or in equity to restrain, correct, or abate such violation, or to require the removal or termination of the unlawful occupancy of the building or structure in violation of the provisions of this Chapter or of the technical codes or of the order or direction made pursuant thereto. (4242)

(D) Remedies Not Exclusive. Violations of this Chapter or the technical codes are in addition to any other violation established by law, and this Chapter shall not be interpreted as limiting the penalties, actions, or abatement procedures that may be taken by the City or other persons under the laws, ordinances, or rules. (4242)

(E) Penalty Clause. Any owner, person, firm, or corporation who shall violate any of the provisions of this Chapter of the Mesa City Code as amended shall be guilty of a Class One misdemeanor and upon conviction shall be punished by a fine not to exceed two thousand five hundred dollars ($2,500.00) or by imprisonment in the City jail for a period not to exceed six (6) months, or by both such fine and imprisonment, and each day of violation continued shall be a separate offense, punishable as described above. (4242, 5273)