

ORDINANCE NO. 2025-08

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF CAVE CREEK, MARICOPA COUNTY, ARIZONA REPEALING SECTIONS 151.01 BUILDING CODE; 151.02 RESIDENTIAL CODE; 151.03 MECHANICAL CODE, 151.04 PLUMBING CODE, 151.05 ELECTRICAL CODE, 151.06 FIRE CODE, 151.08 FUEL GAS CODE; 151.09 EXISTING BUILDING CODE AND 151.10 ENERGY CONSERVATION CODE OF CHAPTER 151 OF TITLE XV OF THE TOWN OF CAVE CREEK CODE IN THEIR ENTIRETY AND SUBSTITUTING IN ITS PLACE IN "CHAPTER 151 : BUILDING REGULATIONS"; ADOPTING AND MAKING A PART OF THE CAVE CREEK TOWN CODE THAT CERTAIN DOCUMENT TITLED "2024 INTERNATIONAL BUILDING CODE, 2024 INTERNATIONAL RESIDENTIAL CODE, 2024 INTERNATIONAL PLUMBING CODE, 2024 INTERNATIONAL MECHANICAL CODE, 2024 INTERNATIONAL FIRE CODE, 2024 INTERNATIONAL EXISTING BUILDING CODE, AND 2024 INTERNATIONAL FUEL GAS CODE, 2024 INTERNATIONAL POOL AND SPA CODE, A117.1-2017 STANDARD ACCESSIBLE AND USABLE BUILDINGS AND FACILITIES, 2023 NATIONAL ELECTRICAL CODE/NFPA 70.

WHEREAS, the Town Code may be amended pursuant to Section 10.18 of the Town Code; and

WHEREAS, A.R.S. § 9-802 provides a procedure whereby a municipality may enact the provisions of a code or public record by reference, without setting forth such provisions, provided that the adopting ordinance is published in full; and

WHEREAS, the Mayor and Council deem it necessary, in order to protect the public health, safety and welfare and public and private property, to adopt certain rules and regulations controlling the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use and maintenance of heating, cooling, ventilating, process piping, refrigerator systems, incinerator or other heat-producing appliance and to adopt certain rules and regulations to regulate the erection, construction, enlargement, alteration, repair, moving, removal, and demolition, conversion, occupancy, equipment, use, height, area and maintenance of all buildings or structures in the Town; and

WHEREAS, through the combined efforts of the three national model building code organizations (the International Conference of Building Officials, Building Officials and Code Administrators, and the Southern Building Code Congress International) there is now available a complete family of building, plumbing and mechanical code regulations known as the International Codes which have been developed through a public process permitting involvement and input by all affected parties; and

WHEREAS, this family of codes has been supported by organizations such as the Arizona Building Officials, Inc., the Maricopa County Association of Governments Building Code Committee, the National Association of Homebuilders, the Federal Emergency Management Agency and the American Institute of Architects and

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF CAVE CREEK, ARIZONA as follows:

Section 1: Three (3) copies of amendments to Town Code repealing sections 151.01 Building Code; 151.02 Residential Code; 151.03 Mechanical Code, 151.04 Plumbing Code, 151.05 Electrical code, 151.06 Fire code, 151.08 Fuel Gas code; 151.09 Existing Building Code and 151.10 Energy Conservation Code of chapter 151 of title xv of the town of cave creek code in their entirety and substituting in its place in "Chapter 151: Building Regulations"; adopting and making a part of the cave creek town code that certain document titled "2024 International Building Code, 2024 International Residential Code, 2024 International Plumbing Code, 2024 International Mechanical Code, 2023 National Electric Code, 2024 International Fire Code, 2024 International Existing Building Code, 2024 International Fuel Gas Code, and 2024 INTERNATIONAL POOL" as reflected on Exhibits A.1 and A.2 are on file with the Town Clerk of the Town of Cave Creek, Arizona, and hereby refer to, adopted and made a part hereof and set forth in this Ordinance.

SECTION 2: REPEAL. All former ordinances or parts thereof conflicting or inconsistent with the provisions of this ordinance or of the Code or Standards hereby adopted are hereby repealed as of JANUARY 1, 2026

SECTION 3: SEPARABILITY. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portion(s) thereof.

SECTION 4: EFFECTIVE DATE. This Ordinance and the rules, regulations, provisions, requirements, orders, and matters established and adopted hereby shall take effect and be in full force and effect on January 1, 2026.

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Cave Creek, Arizona this 18th day of November 2025.



Robert Morris, Mayor

ATTEST:



Teresa Riza, Town Clerk

APPROVED AS TO FORM:



William J. Sims, Town Attorney

Exhibit A. 1
International and National Codes Adopted by Reference

International Codes:

1. 2024 International Building Code;
2. 2024 International Residential Code;
3. 2024 International Plumbing Code;
4. 2024 International Mechanical Code;
5. 2023 National Electric Code;
6. 2024 International Fire Code;
7. 2024 International Existing Building Code;
8. 2024 International Fuel Gas Code;
9. 2024 International Energy Conservation Code; and
10. 2024 International Pool and Spa Code.

Exhibit A.2
Amendments to the International Building Codes listed in Exhibit A. 1

SECTION 1: section 151.01 Building Code of Chapter 151 of title XV of the Town of Cave Creek Code is herewith amended to provide as follows. All items not addressed shall remain the same:

A. Effective January 1, 2026 there is herewith adopted, by reference, the International Building Codes, 2024 Edition, as published by the International Code Council, adopted as a public record by Resolution No. R2025-01 of the Mayor and Council of the Town of Cave Creek by reference thereto, as fully and completely as if the terms thereof were fully set forth herein, in total, except as modified or changed as follows:

(1) Chapter 1, "Scope and Administration", is hereby amended as follows:

101.1 Title.

This code shall be known as the Building Code of The Town of Cave Creek and shall be cited as such. It is referred to herein as "this code". When there is a conflict between these provisions and those of another technical code, these provisions shall apply. When there is an administrative provision contained in another technical code and not in this code, then the administrative provision of the technical code shall apply.

101.4.4 Property Maintenance. Shall be deleted in its entirety.

102.6 Existing Structures. Shall be amended as follows:

The legal occupancy of any structure existing on the date of adoption of this code shall be permitted to continue without change, except as otherwise specifically provided in this code, the International Existing Building Code or the International Fire Code.

102.6.2 Buildings Previously Occupied. Shall be amended as follows:

The legal occupancy of any building existing on the date of adoption of this code shall be permitted to continue without change, except as otherwise specifically provided in this code, the International Fire Code or as deemed necessary by the building official for the general safety and welfare of the occupants and the public.

103.1 Creation of enforcement agency.

The Building and Fire Safety Department is hereby created and the official in charge thereof shall be known as the Chief Building Official. The function of the agency shall be the implementation, administration, and enforcement of the provisions of this code.

105.2 Work exempt from permit. Is hereby amended as follows:

Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following:

Building:

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided that the floor area is not greater than 200 square feet and the structure does not contain any electrical, plumbing or mechanical systems.
2. Fences not over 7 feet (2.13 m) high. (All pool barriers require a permit.)

105.3.2 Time limitation of application. Is hereby amended as follows:

An application for a permit for any proposed work shall be deemed to have been abandoned 180 days after the date of filing, unless such application has been pursued in good faith or a permit has been issued; except that the building official is authorized to grant one or more extensions of time for additional periods not exceeding 90 days each. The extension shall be requested in writing and justifiable cause demonstrated.

105.5 Expiration. Is hereby amended as follows:

Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance AS EVIDENCED BY A PASSED INSPECTION, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced AS EVIDENCED BY NOT PASSING AN INSPECTION. The building official is authorized to grant, in writing, one extension of time, for a period not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

109.4 Work Commencing Before Permit Issuance. Shall be deleted in its entirety and replaced with the following:

Any person who commences any work on a building structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to a fee that shall be in addition to the required permit fees. This fee shall be equal to the amount of the permit and plan review fee required by the approved fees. The payment of such fee shall not exempt an applicant from all other provisions of either this code or other requirements nor from the penalty prescribed by law.

109.6 Refunds. Shall be deleted in its entirety and replaced with the following:

1. The Building Official shall be permitted to authorize refunding of a fee paid hereunder that was erroneously paid or collected.
2. The Building Official shall be permitted to authorize refunding of not more than 80% of the permit fee paid when no work has been done under a permit issued in accordance with this code.
3. The Building Official shall be permitted to authorize refunding of not more than 80% of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any examination time has been expended.

(2)Chapter 16 "Structural Design"

Table1607.1 shall be amended in block 26 to read as follows:

Occupancy or Use	Uniform lbs	Concentrated lbs
26. Residential		
One- and two-family dwellings		
Uninhabitable attics without storage	10	
Uninhabitable attics with storage	20	
Habitable attics and sleeping areas	30	
Canopies, including marquees	20	
All other areas	40	
Hotels and Multifamily dwellings		
Private rooms and corridors serving them	40	
Public rooms ^a and corridors serving them	100	

(3) Chapter 31 "Special Construction"

3109.1 GENERAL. Shall read as follows:

The design and construction of a swimming pool, spa, or hot tubs shall comply with the International Swimming Pool and Spa Code. Swimming pool, spa, and hot tub enclosures shall be in compliance with A.R.S. 36-1681.

(4) The following Appendices shall be adopted:

1. H; SIGNS
2. I; PATIO COVERS
3. N; REPLICABLE BUILDINGS

SECTION 2: Section 151.02 Residential Code of Chapter 151 of title XV of the Town of Cave Creek Code is herewith amended to provide as follows. All items not addressed shall remain the same:

- A. Effective January 1, 2026 there is herewith adopted, by reference, the International Residential Codes, 2024 Edition, as published by the International Code Council, adopted by the Mayor and Council of the Town of Cave Creek by reference thereto, as fully and completely as if the terms thereof were fully set forth herein, in total, except as modified or changed as follows. All items not addressed shall remain the same.

(1) Chapter 1, "Scope and Administration", is hereby amended as follows all items not identified shall remain as is:

101.1 Title.

This code shall be known as the Residential Code of The Town of Cave Creek and shall be cited as such. It is referred to herein as "this code". When there is a conflict between these provisions and those of another technical code, these provisions shall apply. When there is an administrative provision contained in another technical code and not in this code, then the administrative provision of the technical code shall apply.

105.2 Work exempt from permit. is hereby amended as follows:

Exemption from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following:

Building:

1. Other than storm shelters, one-story detached accessory structures, provided that the floor area does not exceed 200 square feet (60.96 m²) and the structure does not contain any electrical, plumbing, or mechanical systems.

2. Fences not over 7 feet (2.13 m) high. (All pool barriers require a permit)

10. Uncovered Decks not exceeding 200 square feet (18.58 m²)-in area, that are not more than 30 inches (0.76 m) above grade at any point, are not attached to a dwelling and do not serve the exit door required by Section R311.4.

105.3.2 Time limitation of application. Shall be deleted in its entirety and replaced with the following:

An application for a permit for any proposed work shall be deemed to have been abandoned 180 days after the date of filing unless such application has been pursued in good faith or a permit has been issued. The Building Official is authorized to grant one extension of time for an additional period not exceeding 180 days. The extension shall be requested in writing and justifiable cause demonstrated.

105.5 Expiration. Is hereby amended as follows:

Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance by evidence of a passed inspection, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced by evidence of not passing an inspection. The building official is authorized to grant in writing, one or-me-Fe extensions of time, for a period not more than 180 days. The extension shall be requested in writing and justifiable cause demonstrated.

108.3 Building Permit Valuations. Shall be deleted in its entirety and replaced with the following:

Building permit valuations shall include the total value of work for which a permit is being issued, such as electrical, gas, mechanical, plumbing, equipment, and other permanent systems including materials and labor. Building valuation shall be determined per Title XV Section 151.14 of the Town Code.

108.5 Refunds. Shall be deleted in its entirety and replaced with the following:

1. The Building Official shall be permitted to authorize refunding of a fee paid hereunder that was erroneously paid or collected.
2. The Building Official shall be permitted to authorize refunding of not more than 80% of the permit fee paid when no work has been done under a permit issued in accordance with this code.
3. The Building Official shall be permitted to authorize refunding of not more than 80% of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any examination time has been expended.

108.6 *Work commencing before permit issuance.* Shall be deleted in its entirety and replaced with the following:

Any person who commences any work on a building structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to a fee that shall be in addition to the required permit fees. This fee shall be equal to the amount of the permit and plan review fee required by the approved fees. The payment of such fee shall not exempt an applicant from all other provisions of either this code or other requirements nor from the penalty prescribed by law.

114.4 *Failure to comply.* Is hereby amended as follows:

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 liable of Title XV Section 151.99 penalty of the Town Code.

(2) Chapter 3 "Building Planning" is hereby amended as follows:

Table R301.2 CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA, is amended to read as follows:

TABLE R301.2 CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA	
Wind speed:	105 mph
Seismic design category:	B
Weathering:	Negligible
Frost line depth:	0
Termite:	Moderate to heavy
MANUAL J DESIGN CRITERIA	
Altitude correction factor:	0.970
Elevation:	2,530 feet
Latitude:	34N
Outdoor winter design dry-bulb temperature:	34°F
Outdoor summer design dry-bulb temperature:	104°F
Indoor winter design dry-bulb temperature:	Maximum of 72°F
Indoor summer design dry-bulb temperature:	Maximum of 75°F
Coincident wet bulb:	70°F
Daily range:	30°F

Winter humidity (December):	50% RH
Summer humidity (June):	20% RH

R325.8.2 Cooling

Cooling facilities shall be provided capable of maintaining room temperature of not more than 85°F (29°C) in all habitable rooms, bathrooms, and toilet rooms based on the summer design temperature of 107°F (42°C) per Appendix D of the International Plumbing Code.

Exception:

Cooling systems are not required for interior spaces where the primary purpose of the space is not associated with human comfort.

(3) Chapter 9 Roof Assemblies shall be amended as follows:

R905.5 Mineral-surfaced roll roofing. Is amended by adding the following section:

R905.5.6 Drip edge.

A drip edge shall be provided at eaves and rake edges. Adjacent segments of drip edge shall overlap at least 2 inches (51 mm). Drip edges shall extend at least 1/4 inch (6.4 mm) below the roof sheathing and extend onto the roof deck at least 2 inches (51 mm). Drip edges shall be fastened to the roof deck not less than 12 inches (305 mm) on center with fasteners specified in Section R905.2.5. Underlayment shall be installed over the drip edge along eaves, and under the drip edge along rake edges.

(4) Chapter 10 Chimneys and Fireplaces shall be amended as follows:

Section R1008 Outdoor Chimneys and Fireplaces is added to read as follows:

R1008.1 Outdoor Wood-Burning Devices.

Outdoor fireplaces, woodstoves, fire pits, and other devices capable of burning wood shall be installed at least 10feet from any property line.

Exceptions:

1. When a property line abuts a street or alley, the setback for these devices shall comply with the Zoning Ordinance.
2. The Building Official may allow a smaller setback if safety standards are met.

R1008.2 Outdoor Gas Devices

Outdoor fireplaces, fire pits, and other devices that burn gas only shall be vented as required by IRC Chapter 24 – Fuel Gas.

R1008.3 Chimneys and Flues

Fireplaces, woodstoves, fire pits and other devices with a chimney or flue shall comply with Section R1003.9 Termination.

R1008.4 Code Compliance

1. Construction, installation, and alteration of all outdoor fireplaces, woodstoves, fire pits and similar gas electric and solid fuel burning devices and equipment are subject to the requirements, permits, and inspections of this code.
2. With the permit application, a site plan shall be submitted indicating the location of the device and its proximity to the property line alley public right-of-way and all structures on the property.

(5) Chapter 11 Energy Efficiency shall be deleted in its entirety and replaced with:

Chapter 11 of the 2018 International Residential Code.

(6) Chapter 30 Sanitary Drainage. P3009.12 shall be added as follows:

P3009.12 Small Graywater Systems.

All gray water systems shall comply with the Arizona Department of Environmental Quality requirements. A graywater system requires no percolation test. A single discharge line from a clothes washer to outdoor irrigation requires no permit.

(7) The following Appendices shall be adopted:

1. BF; PATIO COVERS
2. CA; SIZING AND CAPACITIES OF GAS PIPING
3. CB; SIZING OF VENTING SYSTEMS SERVING APPLIANCES EQUIPPED WITH DRAFT HOODS, CATEGORY I APPLIANCES AND APPLIANCES LISTED FOR USE WITH TYPE B VENTS
4. CD; PIPING STANDARDS FOR VARIOUS APPLICATIONS
5. CE; VENTING METHODS
6. CF; SIZING OF WATER PIPING SYSTEM

SECTION 3: section 151.03 Mechanical Code of Chapter 151 of title XV of the Town of Cave Creek Code is herewith amended to provide as follows. All items not addressed shall remain the same:

- A. Effective January 1, 2026 there is herewith adopted, by reference, the International Mechanical Codes, 2024 Edition, as published by the International Code Council, adopted by the Mayor and Council of the Town of Cave Creek by reference thereto, as fully and completely as if the terms thereof were fully set forth herein, in total, except as modified or changed as follows:

(1) Chapter 1, "Scope and Administration", is hereby amended as follows:

101.1 Title.

This code shall be known as the Mechanical Code of The Town of Cave Creek and shall be cited as such. It is referred to herein as "this code". When there is a conflict between these provisions and those of another technical code, these provisions shall apply. When there is an administrative

provision contained in another technical code and not in this code, then the administrative provision of the technical code shall apply.

103.1 Creation of agency. Is hereby amended as follows:

The Building and Fire Safety Department is hereby created and the official in charge thereof shall be known as the Chief Building Official. The function of the agency shall be the implementation, administration, and enforcement of the provisions of this code.

106.3.2 Time Limitation of Application. Is hereby amended as follows:

An application for a permit for any proposed work shall be deemed to have been abandoned 180 days after the date of filing, unless such application has been pursued in good faith or a permit has been issued; except that the code official shall have the authority to grant one extension of time for an additional period not exceeding 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

105.4.3 Expiration. Shall be deleted in its entirety and replaced with the following:

Every permit issued by the code official under the provisions of this code shall expire by limitation and become null and void if the work authorized by such permit is not commenced within 180 days from the date of such permit AS EVIDENCED BY A PASSED INSPECTION or if the work authorized by such permit is suspended or abandoned AS EVIDENCED BY NOT PASSING AN INSPECTION at any time after the work is commenced for a period of 180 days. Before such work recommences, a new permit shall be first obtained and the fee therefor shall be one-half the amount required for a new permit for such work, provided that changes have not been made and will not be made in the original construction documents for such work, and provided further that such suspension or abandonment has not exceeded 1 year.

108.4 Work Commencing before Permit Issuance. Shall be deleted in its entirety and replaced with the following:

Any person who commences any work on a building structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to a fee that shall be in addition to the required permit fees. This fee shall be equal to the amount of the permit and plan review fee required by the approved fees. The payment of such fee shall not exempt an applicant from all other provisions of either this code or other requirements nor from the penalty prescribed by law.

108.6 Fee Refunds. Shall be deleted in its entirety and replaced with the following:

1. The Building Official shall be permitted to authorize refunding of a fee paid hereunder that was erroneously paid or collected.
2. The Building Official shall be permitted to authorize refunding of not more than 80% of the permit fee paid when no work has been done under a permit issued in accordance with this code.
3. The Building Official shall be permitted to authorize refunding of not more than 80% of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any examination time has been expended.

114.4 Violation penalties. Is hereby amended as follows:

Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, or repair mechanical work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty as established in Title XV, Section 151.99, of the Town Code. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

SECTION 4: section 151.04 Plumbing Code of Chapter 151 of title XV of the Town of Cave Creek Code is herewith amended to provide as follows. All items not addressed shall remain the same:

Effective January 1, 2026, there is herewith adopted, by reference, The International Plumbing Code, 2025 edition, as published by the International Code Council, adopted by the Mayor and Council of the Town of Cave Creek by reference thereto, as fully and completely as if the terms thereof were fully set forth herein, in total, except as modified or changed as follows:

(1) Chapter 1 - "Scope and Administration"

101.1 Title. These regulations shall be known as the Plumbing Code of The Town of Cave Creek hereinafter referred to as "this code". When there is a conflict between these provisions and those of another technical code, these provisions shall apply. Where there is an administrative provision contained in another technical code and not in this code, then the administrative provision of the technical code shall apply.

103.1 Creation of Agency.

The Building and Fire Safety Department is hereby created and the official in charge thereof shall be known as the code Chief Building Official as also referenced throughout this code as "Code Official". The function of the agency shall be the implementation, administration, and enforcement of the provisions of this code.

105.3.2. Time Limitation of Application. Shall be deleted in its entirety and replaced with the following:

An application for a permit for any proposed work shall be deemed to have been abandoned 180 days after the date of filing unless such application has been pursued in good faith or a permit has been issued, except that the Building Officials is authorized to grant one extension of time for an additional period not exceeding 180 days. The extension shall be requested in writing and justifiable cause demonstrated.

105.5.3 Expiration. Shall be deleted in its entirety and replaced with the following:

Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance by evidence of a passed inspection or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced by evidence of not passing an inspection. The Building Official is authorized to grant in writing one extension of time for a period not more than 180 days. The extension shall be requested in writing and justifiable cause demonstrated.

108.2 Schedule of permit fees. Shall be deleted in its entirety and replaced with the following: Shall be determined per Title XV Section 151.14 of the Town Code.

108.4 Work Commencing Before Permit Issuance. Shall be deleted in its entirety and replaced with the following:

Any person who commences any work on a building structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to a fee that shall be in addition to the required permit fees. This fee shall be equal to the amount of the permit and plan review fee required by the approved fees. The payment of such fee shall not exempt an applicant from all other provisions of either this code or other requirements nor from the penalty prescribed by law.

108.6 Refunds. Shall be deleted in its entirety and replaced with the following:

1. The building official shall be permitted to authorize refunding of a fee paid hereunder that was erroneously paid or collected.
2. The building official shall be permitted to authorize refunding of not more than 80% of the permit fee paid when no work has been done under a permit issued in accordance with this code.
3. The building official shall be permitted to authorize refunding of not more than 80% of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any examination time has been expended.

115.4 Failure to comply. Shall be amended as follows:

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 liable of Title XV Section 151.99 penalty of the Town Code.

114.4 Violation Penalties. Shall be amended as follows:

- (2) Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair mechanical work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty as established in Title XV, Section 151.99, of the Town Code. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

- (3) Chapter 3 "General Regulations"

305.4.1 Sewer depth. Shall be amended as follows:

Building sewers that connect to private sewage disposal systems shall be installed not less than 12 inches (305 mm) below finished grade at the point of septic tank connection. Building sewers shall be installed not less than 6 to 12 inches (305 mm) below grade.

- (4) Chapter 7 "Sanitary Drainage"

701.2 Connection to sewer required. Shall be amended as follows:

Sanitary drainage piping from plumbing fixtures in buildings and sanitary drainage piping systems from premises shall be connected to a public sewer. Where a public sewer is not available, the sanitary drainage piping and systems shall be connected to a private sewage

disposal system in compliance with state, county or local requirements. Where state or local requirements do not exist for private sewage disposal systems, the sanitary drainage piping and systems shall be connected to an approved private sewage disposal system that is in accordance with the International Private Sewage Disposal Code.

SECTION 5: section 151.05 Electrical Code of Chapter 151 of title XV of the Town of Cave Creek Code is herewith amended to provide as follows. All items not addressed shall remain the same:

- A. Effective January 1, 2026 there is herewith adopted, by reference, the National Electrical Code, 2023 Edition, as published by the National Fire Protection Association, adopted by the Mayor and Council of the Town of Cave Creek by reference thereto, as fully and completely as if the terms thereof were fully set forth herein, in total, except as modified or changed as follows:

(1) Article 90 "Introduction"

90.1 Practical Safeguarding. Shall be amended as follows:

The purpose of this code is the practical safeguarding of persons and property from hazards arising from the use of electricity. Any and all electrical work for light, heat, power or any other purposes shall be installed in conformity with the rules and regulations as set forth in this code and that document titled National Electrical Code 2023 Edition, also known as NFPA 70 and in conformity with the rules, policies, regulations, and amendments as set forth by the Chief Building Official. This code is not intended as a design specification or an instruction manual for untrained persons.

SECTION 6: Section 151.06 Fire Code of Chapter 151 of title XV of the Town of Cave Creek Code is herewith amended to provide as follows. All items not addressed shall remain the same:

- A. Effective January 1, 2026, there is herewith adopted, by reference, the International Fire Code, 2025 Edition, as published by the International Code Council, adopted by the Mayor and Council of the Town of Cave Creek by reference thereto, as fully and completely as if the terms thereof were fully set forth herein, in total, except as modified or changed as follows:

(1) Chapter 1, "Scope and Administration"

101.1 Title. is hereby amended as follows:

This code shall be known as the Fire Code of The Town of Cave Creek and shall be cited as such. It is referred to herein as "this code". When there is a conflict between these provisions and those of another technical code, these provisions shall apply. When there is an administrative provision contained in another technical code and not in this code, then the administrative provision of the technical code shall apply.

103.1 Creation of Agency. Is hereby amended as follows:

The Building and Fire Safety Department is hereby created and the official in charge thereof shall be known as the Chief Building and Fire Code Official. The function of the agency shall be the implementation, administration, and enforcement of the provisions of this code.

105.2.3 Time Limitation of Application. Is hereby amended as follows:

An application for a permit for any proposed work or operation shall be deemed to have been abandoned 180 days after the date of filing, unless such application has been diligently pursued in good faith or a permit shall have been issued; except that the fire code official is authorized to grant extensions of time for additional periods not exceeding 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

105.3.1 Expiration. Is hereby amended as follows:

An operational permit shall remain in effect until reissued, renewed or revoked, or for such a period of time as specified in the permit. Construction permits shall automatically become invalid unless the work authorized by such permit is commenced within 180 days after its issuance BY evidence of a passed inspection or if the work authorized by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced by evidence of not passing an inspection. Before such work recommences, a new permit shall be first obtained and the fee to recommence work, if any, shall be one-half the amount required for a new permit for such work, provided that changes have not been made and will not be made in the original construction documents for such work, and provided further that such suspension or abandonment has not exceeded one year. Operational permits are not transferable and any change in occupancy, operation, tenancy, or ownership shall require that a new permit be issued.

105.3.2 Extensions. Is hereby amended as follows:

A permittee holding an unexpired permit shall have the right to apply for an extension of the time within which the permittee will commence work and pass an inspection under that permit, where work is unable to be commenced within the time required by this section for good and satisfactory reasons. The fire code official is authorized to grant, in writing, one or more extensions of the time period of a permit for A periods of not more than 180 days each. Such extensions shall be requested by the permit holder in writing and justifiable cause demonstrated.

107.4 Work Commencing Before Permit Issuance. Shall be deleted in its entirety and replaced with the following:

Any person who commences any work on a building structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to a fee that shall be in addition to the required permit fees. This fee shall be equal to the amount of the permit and plan review fee required by the approved fees. The payment of such fee shall not exempt an applicant from all other provisions of either this code or other requirements nor from the penalty prescribed by law.

107.6 Refunds. shall be deleted in its entirety and replaced with the following:

1. The Building Official shall be permitted to authorize refunding of a fee paid hereunder that was erroneously paid or collected.
2. The Building Official shall be permitted to authorize refunding of not more than 80% of the permit fee paid when no work has been done under a permit issued in accordance with this code.
3. The Building Official shall be permitted to authorize refunding of not more than 80% of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any examination time has been expended.

108.2 Schedule Of Permit Fees. Shall be deleted in its entirety and replaced with the following:

Shall be determined per Title XV Section 151.14 of the Town Code.

112.4 Violation penalties. is hereby amended as follows:

Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, or repair mechanical work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be as established in Title XV, Section 151.99, of the Town Code. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

114.4 Failure to comply. Is hereby amended as follows:

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 liable of Title XV Section 151.99 penalty of the Town Code Chapter 5, "Fire Service Features".

507.5.1 Where required. is hereby amended as follows:

Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 400 feet (122 m) from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the fire code official.

Exceptions:

1 For Group R-3 and Group U occupancies, the distance requirement shall be 600 feet (183 m) from the property corner for parcels of 5 acres or less.

2. For buildings equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1 .1 or 903.3.1.2, the distance requirement shall be 600 feet (183 m).

(2) CHAPTER 9, delete section 903 "automatic sprinkler systems" in its entirety and replace with the Town's sprinkler code section 151 .07.

(3) CHAPTER 11, "CONSTRUCTION REQUIREMENTS FOR EXISTING BUILDINGS"

1103.5 Sprinkler Systems. is deleted in its entirety and replaced with.

An automatic sprinkler system shall be provided in existing buildings in accordance with the Town's Sprinkler Code Section 151.07. Chapter 23 Motor Fuel-Dispensing Facilities and Repair Garages.

2304.3.1 GENERAL. Shall be deleted and replaced with the following: Unattended self-serve stations are prohibited within the entire town.

Exception: Unattended self-serve stations may be allowed by special permit by the Fire Code Official for private commercial use only. Written request and documentation shall be submitted showing compliance with 2304.3.1 through 2304.3.7 and all other applicable codes and ordinances.

The following Appendices shall be adopted:

1. Appendix B "Fire Flow Requirements for Buildings" Shall be adopted.
2. Appendix D, "Fire Apparatus Access Roads" shall be adopted.

D102.1 Access and Loading. Is hereby amended as follows:

Facilities, buildings or portions of buildings hereafter constructed shall be accessible to fire department apparatus by way of an approved fire apparatus access road with an asphalt, concrete or other approved driving surface capable of supporting the imposed load of fire apparatus weighing up to 50,000 POUNDS.

(4)Annual Fire and Life Safety Inspections

The Fire Code Official shall cause all occupancies and buildings, except one-and two-family dwellings, to be inspected at least once each year for compliance with the provisions of this code and other applicable fire and life safety regulations. The frequency of inspections may be increased based on occupancy hazard classification or at the discretion of the Fire Code Official.

SECTION 7: Section 151.07 Sprinkler Code of Chapter 151 of the XV of the Town of Cave Creek Code is herewith amended to provide as follows:

151.07 SPRINKLER CODE.

(A) Chapter 1, "Scope and Administration", is hereby amended as follows:

101.1 Title. Shall be amended to read as follows:

These regulations shall be known as the Sprinkler Code of the Town of Cave Creek originally adopted from Chapter 9 of the 2003 International Fire Code, July 2004, hereinafter referred to as "this code". When there is a conflict between these provisions and those of another technical code, these provisions shall apply. Where there is an administrative provision contained in another technical code and not in this code, then the administrative provision of the technical code shall apply. This section of the Town Ordinance has remained unchanged since the original adoption in 2004.

SECTION 8: Section 151.08 Fuel Gas Code of Chapter 151 of title XV of the Town of Cave Creek Code is herewith amended to provide as follows. All items not addressed shall remain the same:

Effective January 1, 2026, there is herewith adopted, by reference, The International Fuel Gas Code, 2024 edition, as published by the International Code Council, adopted by the Mayor and Council of the Town of Cave Creek by reference thereto, as fully and completely as if the terms thereof were fully set forth herein, in total, except as modified or changed as follows:

(1) Chapter 1, "Scope and Administration", is hereby amended as follows:

101.1 Title.

This code shall be known as the Fuel Gas Code of The Town of Cave Creek and shall be cited as such. It is referred to herein as "this code". When there is a conflict between these provisions and those of another technical code, these provisions shall apply. When there is an administrative provision contained in another technical code and not in this code, then the administrative provision of the technical code shall apply.

103.1 Creation Of Agency.

The Building and Fire Safety Department is hereby created and the official in charge thereof shall be known as the Chief Building Official as also referenced throughout this code as "Code Official". The function of the agency shall be the implementation, administration, and enforcement of the provisions of this code.

105.3 Time limitation of application. Shall be amended as follows:

An application for a permit for any proposed work shall be deemed to have been abandoned 180 days after the date of filing, unless such application has been pursued in good faith or a permit has been issued; except that the code official shall have the authority to grant one extensions of time for AN additional period not exceeding 180 days each. The extension shall be requested in writing and justifiable cause shall be demonstrated.

105.4.1 Approved construction documents. Shall be amended to read as follows:

When the code official issues the permit where construction documents are required, the construction documents shall be endorsed in writing and stamped "FOR CODE COMPLIANCE" Such approved construction documents shall not be changed, modified, or altered without authorization from the code official. Work shall be done in accordance with the approved construction documents.

105.4.3 Expiration. Shall be deleted in its entirety and replaced with the following:

Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance by evidence of a passed inspection or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced by evidence of not passing an inspection. The building official is authorized to grant in writing one extension of time for a period not more than 180 days. The extension shall be requested in writing and justifiable cause demonstrated.

109.4 Work Commencing Before Permit Issuance. Shall be deleted in its entirety and replaced with the following:

Any person who commences any work on a building structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to a fee that shall be in addition to the required permit fees. This fee shall be equal to the amount of the permit and plan review fee required by the approved fees. The payment of such fee shall not exempt an applicant from all other provisions of either this code or other requirements nor from the penalty prescribed by law.

109.6 Fee Refunds. Shall be deleted in its entirety and replaced with the following:

1. The building official shall be permitted to authorize refunding of a fee paid hereunder that was erroneously paid or collected.

2. The building official shall be permitted to authorize refunding of not more than 80% of the permit fee paid when no work has been done under a permit issued in accordance with this code.

3. The building official shall be permitted to authorize refunding of not more than 80% of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any examination time has been expended.

114.1 Membership of Board. Shall be deleted in its entirety and replaced as follows:

The Board of Appeals shall be created in accordance with Title III Chapter 33 of the Town Code.

SECTION 9: Section 151.09 Existing Building Code of Chapter 151 of title XV of the Town of Cave Creek Code is herewith amended to provide as follows. All items not addressed shall remain the same:

Effective January 1, 2026 there is herewith adopted, by reference, The International Existing Building Code, 2025 edition, as published by the International Code Council, adopted by the Mayor and Council of the Town of Cave Creek by reference thereto, as fully and completely as if the terms thereof were fully set forth herein, in total, except as modified or changed as follows:

(1) Chapter 1, "Scope and Administration" is hereby amended as follows:

101.1 Title.

This code shall be known as the Existing Building Code of The Town of Cave Creek and shall be cited as such. It is referred to herein as "this code". When there is a conflict between these provisions and those of another technical code, these provisions shall apply. When there is an administrative provision contained in another technical code and not in this code, then the administrative provision of the technical code shall apply.

101.4.2 Building previously occupied. Is hereby amended as follows:

The legal occupancy of any building existing on the date of adoption of this code shall be permitted to continue without change, except as is specifically covered in this code, the international fire code, or as is deemed necessary by the code official for the general safety and welfare of the occupants and the public.

103.1 Creation of an agency.

The Building and Fire Safety Department is hereby created, and the official in charge thereof shall be known as the Chief Building Official, also referred to as the "code official" in this code. The function of the agency shall be the implementation, administration, and enforcement of the provisions of this code.

105.3.2 Time limitation of application. Is hereby amended as follows:

An application for a permit for any proposed work shall be deemed to have been abandoned 180 days after the date of filing, unless such application has been pursued in good faith or a permit has been issued; except that the code official is authorized to grant one or more extensions of time for additional periods not exceeding 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

105.5 Expiration. Is hereby amended as follows:

Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance as evidenced by a passed inspection or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced as evidenced by not passing an inspection. The code official is authorized to grant, in writing, one extensions of time for A periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

108.4 Work commencing before permit issuance. Shall be deleted in its entirety and replaced with the following:

Any person who commences any work on a building structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to a fee that shall be in addition to the required permit fees. This fee shall be equal to the amount of the permit and plan review fee required by the approved fees. The payment of such fee shall not exempt an applicant from all other provisions of either this code or other requirements nor from the penalty prescribed by law.

108.6 Refunds. Shall be deleted in its entirety and replaced with the following:

1. The Building Official shall be permitted to authorize refunding of a fee paid hereunder that was erroneously paid or collected.
2. The Building Official shall be permitted to authorize refunding of not more than 80% of the permit fee paid when no work has been done under a permit issued in accordance with this code.
3. The Building Official shall be permitted to authorize refunding of not more than 80% of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any examination time has been expended.

SECTION 10: Section 151.10 Energy Conservation Code of Chapter 151 of title XV of the Town of Cave Creek Code is herewith amended to provide as follows. All items not addressed shall remain the same:

Effective January 1 , 2026, there is herewith adopted, by reference, The International Energy Conservation Code, 2024 edition, as published by the International Code Council, adopted by the Mayor and Council of the Town of Cave Creek by reference thereto, as fully and completely as if the terms thereof were fully set forth herein, in total, except as modified or changed as follows:

(1) Chapter 1, "Scope and Administration", is hereby amended as follows:

C1001.1 Title. Shall be amended to read as follows:

This code shall be known as the Energy Conservation Code of The Town of Cave Creek and shall be cited as such. It is referred to herein as "this code". When there is a conflict between these provisions and those of another technical code, these provisions shall apply. When there is an administrative provision contained in another technical code and not in this code, then the administrative provision of the technical code shall apply.

C106.4 Work Commencing Before Permit Issuance. Shall be deleted in its entirety and replaced with the following:

Any person who commences any work on a building structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to a fee that shall be in addition to the required permit fees. This fee shall be equal to the amount of the permit and plan review fee required by the approved fees. The payment of such fee shall not exempt an applicant from all other provisions of either this code or other requirements nor from the penalty prescribed by law.

C106.6 Refunds. Shall be deleted in its entirety and replaced with the following:

1. The Building Official shall be permitted to authorize refunding of a fee paid hereunder that was erroneously paid or collected.
2. The Building Official shall be permitted to authorize refunding of not more than 80% of the permit fee paid when no work has been done under a permit issued in accordance with this code.
3. The Building Official shall be permitted to authorize refunding of not more than 80% of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any examination time has been expended.

C110.4 Failure to Comply. Shall be amended to read as follows:

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 guilty of Title XV Section 151.99 penalty of the Town Code.

- (2) Chapters R1 through R5 of the Energy Conservation Code's residential section shall be deleted in its entirety and replaced with:
Chapter R1 through R5 of the 2018 Energy Conservation Code.

SECTION 11: Section 151.11 International Swimming Pool and Spa Code of Chapter 151 of title XV of the Town of Cave Creek Code is herewith amended to provide as follows. All items not addressed shall remain the same:

Effective January 1, 2026, there is herewith adopted, by reference, The International Swimming Pool and Spa Code, 2024 edition, as published by the International Code Council, adopted by the Mayor and Council of the Town of Cave Creek by reference thereto, as fully and completely as if the terms thereof were fully set forth herein, in total, except as modified or changed as follows:

- (1) Chapter 1, "Scope and Administration", is hereby amended as follows:

A101.1 Title. Shall be amended to read as follows:

This code shall be known as the Energy Conservation Code of The Town of Cave Creek and shall be cited as such. It is referred to herein as "this code". When there is a conflict between these provisions and those of another technical code, these provisions shall apply. When there is an administrative provision contained in another technical code and not in this code, then the administrative provisions of the technical code shall apply.

A109.4 Work Commencing Before Permit Issuance. Shall be deleted in its entirety and replaced with the following:

Any person who commences any work on a building structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to a fee that shall be in addition to the required permit fees. This fee shall be equal to the amount of the permit and plan review fee required by the approved fees. The payment of such fee shall not exempt an applicant from all other provisions of either this code or other requirements nor from the penalty prescribed by law.

A109.6 Refunds. Shall be deleted in its entirety and replaced with the following:

1. The Building Official shall be permitted to authorize refunding of a fee paid hereunder that was erroneously paid or collected.
2. The Building Official shall be permitted to authorize refunding of not more than 80% of the permit fee paid when no work has been done under a permit issued in accordance with this code.
3. The Building Official shall be permitted to authorize refunding of not more than 80% of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any examination time has been expended.

A114.4 Failure to Comply. Shall be amended to read as follows:

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 guilty of Title XV Section 151.99 penalty of the Town Code.