



Report to the Board of Supervisors

Prepared by the Maricopa County Planning and Development Department

BCAB Hearing Date: January 28, 2014
Commission Hearing Date: March 27, 2014
Board Hearing Date: June 11, 2014
Case # / Title: TA2013005 – Annual Facilities Permit (AFP)
Agenda Item: 9
Supervisor District: All

Applicant: Commission initiated

Request: Text Amendment to the Maricopa County Local Additions & Addenda (MCLAA) revising Section 301 (with reference to Sections 105.1.1 & 105.1.2 of the 2012 International Building Code regarding an annual permit and annual permit records) to create a process for an Annual Facilities Permit (AFP) and adoption of related fees in Section 208

Support/Opposition: No known opposition. One email of support.

Staff Recommendation: **Approve**

BCAB Recommendation: **Approve**

Commission Recommendation: **Approve**

Additional Comments: There are no updates since the Commission report. TA2013005 has been processed through the County's enhanced regulatory outreach program (EROP). Since TA2013005 includes the adoption of new fees there has been a public notice posted at www.maricopa.gov for 60 consecutive days prior to the BOS public hearing. This text amendment is intended to improve customer service, reduce regulatory burden, and streamline the construction permitting process. It will create a subscription service for permit by inspection. The voluntary program will exempt participants from the requirement to obtain individual permits for interior alterations. The

regulatory amendment will take effect 30 days after Board approval. The proposed language is:

Section 301 – 2012 International Building Code:

The 2012 International Building Code has been adopted as the building code for Maricopa County along with the following amendments:

Delete Sections 105.1.1 and 105.1.2 and replace with:

105.1 Annual Facility Permits.

105.1.1. 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 code 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 code, the technical codes, or with other County, State, or Federal laws, nor exempt work from inspection prior to concealment.

105.1.2. Definitions. For purposes of this Section, the following terms shall apply:

AGENT: A full-time or contract employee of a Qualified Facility, who is an architect or engineer registered 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 code and the technical codes.

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 code and the technical codes.

105.1.3. Annual Facilities Permit Transferability. An Annual Facilities Permit is not transferable.

105.1.4. 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 Maricopa County Schedule of Fees. Additional hourly charges will be assessed for each work project. 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 code and subject to penalty.

105.1.5. Annual Facilities Permit Operation. The agent shall notify the Building Official or his/her designee 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 Official shall determine the nature and extent of plan reviews and/or inspections required. Maricopa County shall invoice the Qualified Facility and the Qualified Facility shall pay for the professional services rendered as set forth in the Maricopa County Schedule of Fees.

105.1.6 Annual Facilities Permit Records. The agent shall keep a detailed record of alterations made under an Annual Facilities Permit. The building official shall have access to such records at all times or such records shall be filed with the building official as designated.

Section 208 – Other Inspections and Fees:

14. Annual Facilities Permit Program:

| | |
|---------------------------------|-----------------------|
| <u>Registration Fee</u> | <u>\$750</u> |
| <u>Annual Facilities Permit</u> | <u>\$500 per year</u> |
| <u>Inspection Fee</u> | <u>\$190 per hour</u> |

Presented by: Darren V. Gerard, AICP, Deputy Director

Attachments: DRAFT minutes of the 3/27/14 Commission hearing (1 page, excerpt)
3/27/14 Commission packet (14 pages)

Extract from 3-27-14 Planning and Zoning Commission Draft Minutes:

Text Amendment: TA2013005

All Districts

Applicant: Request for Commission recommendation
Request: Text Amendment to the Maricopa County Local Additions & Addenda revising Section 301(with reference to Sections 105.1.1 & 105.1.2 of the 2012 International Building Code regarding an annual permit and annual permit records) to create a process for an Annual Facilities Permit (AFP) and adoption of related fees in Section 208.

Mr. Darren Gerard, Deputy Director presented the item. There is no known opposition and one email in support. Intended to improve customer service, reduce regulatory burden and to streamline construction permitting process. It will create a voluntary program for a subscription service for permit by inspection. Item is being processed through EROP, staff recommendation is for approval per the language included in staff report.

Chairman Pugmire asked to explain again, a permit by inspection. Mr. Gerard stated that there would be qualifying candidate projects those could be large facilities such as hospitals, possibly shopping center where if there were not substantially structural altering interior renovations or improvements those could be done by a called in inspection. An inspector would be assigned to the project, be familiar with the project and the property owner would pay an annual subscription and pay for the hourly inspection rate. The City of Phoenix uses this at the airport and similar large projects.

COMMISSION ACTION: Commissioner Arnett for item TA2013005 motioned in the case to recommend approval to the Board of Supervisors. Commissioner Deutsch seconded the motion which passed with a unanimous vote of 8-0.



Report to the Planning and Zoning Commission

Prepared by the Maricopa County Planning and Development Department

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|-----------------------------|---|
| Cases: | TA2013005 – Annual Facilities Permit (AFP) |
| Meeting Date: | March 27, 2014 |
| Agenda Item: | 4 |
| Supervisor District: | All |
| Applicant: | Commission initiated |
| Request: | Text Amendment to the Maricopa County Local Additions & Addenda (MCLAA) revising Section 301(with reference to Sections 105.1.1 & 105.1.2 of the 2012 International Building Code regarding an annual permit and annual permit records) to create a process for an Annual Facilities Permit (AFP) and adoption of related fees in Section 208 |
| Support/Opposition: | No known opposition. One email of support. |
| Recommendation: | Approve |
| Discussion: | |

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codes, or with other County, State, or Federal laws, nor exempt work from inspection prior to concealment.

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This item is being processed through the County's Enhanced Regulatory Outreach Program (EROP). A stakeholder meeting was held on October 25, 2013. This item was initiated and recommended for approval at the January 28, 2014 public meeting of the Maricopa County Building Code Advisory Board (BCAB). It was also initiated at the January 30, 2014 Commission public meeting. Assuming positive Commission recommendation, the tentative Board of Supervisors (BOS) hearing for adoption is June 11, 2014 (an extended period due to a statutorily required 60-day enhanced notification prior to BOS adoption of new fees). The regulatory amendment will take effect 30 days after BOS approval.

The proposed language was altered by the BCAB to allow the AFP Agent to reside outside Arizona. There is no known opposition to the proposed language. A single email of support was received via EROP:

From: Darren Gerard - PLANDEVX
Sent: Wednesday, January 08, 2014 6:55 PM
To: 'Plan-Dev@nrdhca.com'
Subject: RE: Regulatory Outreach TA2013005

Ann: thanks for your comment. Darren

From: Plan-Dev@nrdhca.com [<mailto:Plan-Dev@nrdhca.com>]
Sent: Saturday, December 21, 2013 5:45 PM
To: Regulatory
Subject: Regulatory Outreach

Citizen Comments

Issue: PD-TA2013005 – Annual Facilities Permit (AFP)

Citizen's Name: Ann Hutchinson
Organization: New River - Desert Hills Community Association
City: New River
Zip: 85087
Phone Number: 623-742-6514
Phone Type:
Email: Plan-Dev@nrdhca.com

Does citizen want to be contacted:

Comment is regarding: express support

Comments:

New River/Desert Hills Community Association (NR/DHCA) has no objections or concerns for this TA.

Time of Request: 12/21/2013 5:45:13 PM

Recommendation:

Staff recommends the Commission **recommend approval of TA2013005.**

Prepared by Darren V. Gerard, AICP, Deputy Director

Attachment: January 30, 2014 Commission minutes (excerpt, 1 page)
January 28, 2014 BCAB minutes (5 pages)
January 28, 2014 BCAB packet (5 pages)