

ORDINANCE NO. 4658

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MESA, MARICOPA COUNTY, ARIZONA, RELATING TO PUBLIC HEALTH AND SAFETY, AMENDING THE 2003 INTERNATIONAL FIRE CODE; AMENDING TITLE 7, CHAPTER 2 OF THE MESA CITY CODE AND PROVIDING PENALTIES FOR VIOLATIONS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MESA, MARICOPA COUNTY, ARIZONA as follows:

That Title 7, Chapter 2, of the Mesa City Code is hereby amended and shall read as follows:

Section One. SECTION 7-2-2 OF CHAPTER 2 OF TITLE 7 OF THE MESA CITY CODE IS HEREBY AMENDED BY ADDING A THIRD PERMIT TYPE IN CHAPTER ONE TO READ AS FOLLOWS:

Revised

105.1.1 Permits required. Permits required by this code shall be obtained from the fire code official. Permit fees, if any, shall be paid prior to issuance of the permit. Issued permits shall be kept on the premises designated therein at all times and shall be readily available for inspection by the fire code official.

105.1.2 Types of permits. There shall be ~~two~~ **THREE** types of permits as follows:

1. Operational permit. An operational permit allows the applicant to conduct an operation or a business for which a permit is required by Section 105.6 for either:

- 1.1. A prescribed period.
- 1.2. Until renewed or revoked.

2. Construction permit. A construction permit allows the applicant to install or modify systems and equipment for which a permit is required by Section 105.7.

3. FIRE SAFETY OPERATIONAL PERMIT. A FIRE SAFETY OPERATIONAL PERMIT (FSOP) ALLOWS THE APPLICANT TO CONDUCT BUSINESS WITHIN THE CITY OF MESA AND REQUIRES THE APPLICANT TO PROVIDE REQUESTED BUSINESS INFORMATION ANNUALLY AS REQUIRED BY THE FIRE CODE OFFICIAL. THE PERMIT IS VALID FOR ONE YEAR FROM DATE OF ISSUANCE.

EXCEPTION: HOME -BASED BUSINESSES ARE NOT REQUIRED TO OBTAIN A FIRE SAFETY OPERATIONAL PERMIT.

105.1.3 Permits for the same location. When more than one permit is required for the same location, the fire code official is authorized to consolidate such permits into a single permit provided that each provision is listed in the permit.

Section Two. CONFLICTS.

If any part of this Ordinance, including the code and other material adopted herein by reference, conflicts with any other part of this Ordinance, with any other ordinance, regulation or statute, or with any part of any code or other material adopted therein by reference, then the most restrictive provision will govern and shall be deemed to supercede conflicting provisions.

Section Three. PRESERVATION OF RIGHTS AND DUTIES.

The amendment of Chapter 2 of Title 7 of the Mesa City Code does not affect any rights and duties that matured, penalties that were incurred, or proceedings that were begun before the effective date of this ordinance.

Section Four. SEVERABILITY.

If any section, subsection, sentence, clause, phrase or portion of this Ordinance or any part of the code adopted herein by reference is for any reason held to be invalid or unconstitutional by the decision of a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

Section Five. PENALTY.

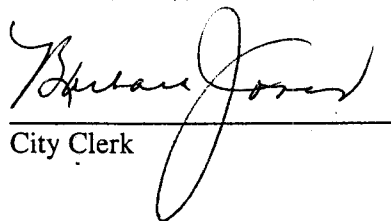
Any person, firm or corporation violating any provision of this Ordinance, or any provision of the Mesa City Code as amended by this Ordinance, shall be guilty of a Class One Misdemeanor, punishable by a fine not exceeding \$2,500.00 or by imprisonment for a period not exceeding six months, or both by such fine and imprisonment; and each day of violation continued shall be a separate offense, punishable as described.

Section Six. EFFECTIVE DATE.

This Ordinance shall become effective pursuant to law.

PASSED AND ADOPTED by the City Council of the City of Mesa, Maricopa County, Arizona this 8TH Day January of 2007.

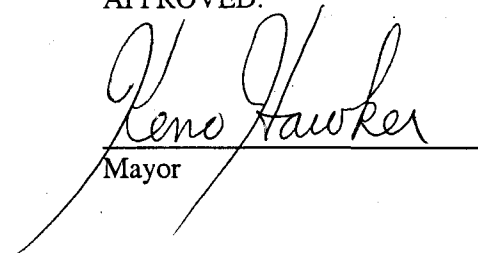
ATTEST:



City Clerk



APPROVED:



Mayor