

ORDINANCE NO. 5890

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MESA, MARICOPA COUNTY, ARIZONA, AMENDING MESA CITY CODE TITLE 4 (BUILDING REGULATIONS), CHAPTER 3, ENTITLED "MESA RESIDENTIAL CODE", AND CHAPTER 9, ENTITLED "MESA ENERGY CODE".

WHEREAS, the City Council adopted the 2018 International Residential Code on February 9, 2019, entitled the Mesa Residential Code.

WHEREAS, the City Council adopted the 2018 International Energy Conservation Code on February 9, 2019, entitled the Mesa Energy Code.

WHEREAS, the City Council is supportive of initiatives that support a clean, safe and environmentally-sound community.

WHEREAS, at the September 5, 2024 City Council Study Session, City Council supported staff recommendations to modify the Mesa City Code related to electric vehicle charging standards for new construction.

WHEREAS, the City Council desires to make changes to the Mesa Building Regulations in Title 4 of the Mesa City Code, Chapter 3 and Chapter 9, related to electric vehicle charging stations as set forth in this Ordinance.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MESA, MARICOPA COUNTY, ARIZONA, AS FOLLOWS:

<p>Text written in BOLD ALL CAPS indicates additional or new language. Text written in strike through indicates deletions.</p>
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Section 1: That Mesa City Code Title 4, Chapter 3 Section 1, entitled "International Residential Code Adopted", is hereby amended as follows:

4-3-1: - INTERNATIONAL RESIDENTIAL CODE ADOPTED

The following publications are hereby adopted by reference as if set out at length in this Code, three copies of which shall be filed in the office of the City Clerk and kept available for public use and inspection:

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(F) CHAPTER 11 Energy Efficiency is amended to read as follows:

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(4) SECTION N1104.2 IS ADDED TO READ AS FOLLOWS:

THE MAIN ELECTRICAL SERVICE PANEL SHALL HAVE A RESERVED SPACE TO

ALLOW INSTALLATION OF A FULL SIZE 2-POLE CIRCUIT BREAKER AND SHALL BE LABELED “FUTURE EV CHARGING”. A RACEWAY SHALL BE INSTALLED FROM THE ELECTRICAL SERVICE PANEL TO A LOCATION WITHIN THE GARAGE, WHERE IT SHALL TERMINATE IN A JUNCTION BOX OR OUTLET AND BE LABELED “FUTURE EV CHARGING”.

Section 2: That Mesa City Code Title 4, Chapter 9, Section 1 of the Mesa City Code, entitled “International Energy Code Adopted”, is hereby amended as follows:

4-9-1: - INTERNATIONAL ENERGY CODE ADOPTED

The following publications are hereby adopted by reference as if set out at length in this Code, three copies of which shall be filed in the office of the City Clerk and kept available for public use and inspection:

(A) Chapter 1 Administration.

(B) **CHAPTER 2, DEFINITIONS, SECTION C202, GENERAL DEFINITIONS, IS AMENDED TO ADD THE DEFINITIONS FOR “EV-CAPABLE SPACE” AND “EV-INSTALLED SPACE” TO READ AS FOLLOWS:**

(1) **EV-CAPABLE SPACE: A DEDICATED PARKING SPACE WITH ELECTRICAL PANEL CAPACITY AND SPACE FOR A BRANCH CIRCUIT DEDICATED TO THE EV PARKING SPACE THAT IS NOT LESS THAN 8.3 KVA (40A, 208/240V) AND EQUIPPED WITH RACEWAYS, BOTH UNDERGROUND AND SURFACE MOUNTED, TO ENABLE THE FUTURE INSTALLATION OF ELECTRIC VEHICLE SUPPLY EQUIPMENT (CHARGER). THE TERMINATION POINT SHALL BE LOCATED IN CLOSE PROXIMITY TO THE PROPOSED LOCATION OF THE EV PARKING SPACE. FOR TWO ADJACENT EV-CAPABLE SPACES, A SINGLE BRANCH CIRCUIT IS PERMITTED. A PERMANENT “EV-CAPABLE” LABEL SHALL BE POSTED AT THE SERVICE PANEL AND AT THE RACEWAY TERMINATION POINT TO IDENTIFY EQUIPMENT TO SUPPORT EV-CAPABLE SPACES.**

(2) **EV-INSTALLED SPACE. A DEDICATED PARKING SPACE WITH A BRANCH CIRCUIT DEDICATED TO THE EV PARKING SPACE THAT IS NOT LESS THAN 8.3 kVA (40A, 208/240V) AND EQUIPPED WITH RACEWAYS, BOTH UNDERGROUND AND SURFACE MOUNTED, AND ELECTRIC VEHICLE SUPPLY EQUIPMENT (CHARGER) LOCATED IN CLOSE PROXIMITY TO THE PROPOSED LOCATION OF THE EV PARKING SPACE. WHERE A BRANCH CIRCUIT SERVES MULTIPLE CHARGING SPACES, AN AUTOMATIC LOAD MANAGEMENT SYSTEM (ALMS) MAY BE USED TO REDUCE THE TOTAL ELECTRICAL CAPACITY PROVIDED THAT ALL CHARGING SPACES ARE CAPABLE OF SIMULTANEOUSLY CHARGING AT A MINIMUM RATE OF 4.1 KVA (20A, 208/240V). FOR TWO ADJACENT EV-INSTALLED SPACES, A SINGLE BRANCH CIRCUIT IS PERMITTED.**

(BC) Chapter 4 Commercial Energy Efficiency is amended to read as follows:

(1) Section C401.2 Application shall be amended by adding new criteria:

C401.2 Application. Commercial buildings shall comply with one of the following:

1. The requirements of ANSI/ASHRAE/IESNA 90.1.2.
 2. The requirements of Sections C402 through C405 and C408. In addition, commercial buildings shall comply with Section C406 and tenant spaces shall comply with Section C406.1.1.3.
 3. The requirements of Sections C402.5, C403.2, C403.3 through C403.3.2, C403.4 through C403.4.2.3, C403.5.5, C403.7, C403.8.1 through C403.8.4, C403.10.1 through C403.10.3, C403.11, C403.12, C404, C405, C407 and C408. The building energy cost shall be equal to or less than 85 percent of the standard reference design building.
 4. Industrial buildings containing unique uses and processes that may conflict with the Energy Code. The Building Official may grant exemptions from Mesa Energy Code requirements for buildings or improvements due to unique or specialized processing systems or components, such as prefabricated paint booths or assembly line enclosures.
- (2) Sections RI 01.2 through RI 09.3 of the International Energy Code are deleted in their entirety.
- (3) **C405.10 NEW MULTIFAMILY BUILDINGS. THE NUMBER OF EV-CAPABLE AND EV-INSTALLED SPACES SHALL BE BASED ON THE PERCENT OF MULTIFAMILY UNITS IN ACCORDANCE WITH TABLE C405.10 WHERE THE CALCULATION OF PERCENT SERVED RESULTS IN A FRACTIONAL PARKING SPACE, IT SHALL BE ROUNDED UP TO THE NEXT WHOLE NUMBER. WHERE EV-INSTALLED SPACES EXCEED THE REQUIRED AMOUNT, THE ADDITIONAL SPACES SHALL BE DEDUCTED FROM THE EV-CAPABLE SPACES REQUIRED.**

TABLE C405.10 EV-CAPABLE AND EV-INSTALLED SPACE REQUIREMENTS FOR MULTIFAMILY BUILDINGS

EV-INSTALLED	EV-CAPABLE
5%	15%

(GD) Chapter 4 Residential Energy Efficiency is amended to read as follows:

Section 3: RECITALS. The recitals above are fully incorporated in this Ordinance by reference, and each recital represents a finding of fact and determination made by the City Council.

Section 4: PRESERVATION OF RIGHTS AND DUTIES. This Ordinance does not affect suits pending, rights and duties that matured or were existing, or penalties that were incurred or proceedings that were initiated prior to the effective date of this Ordinance.

Section 5: EFFECTIVE DATE. The effective date of this Ordinance is thirty (30) days after the adoption of this Ordinance.

Section 6: SEVERABILITY. If any term, provision, section, subsection, sentence, clause, phrase or portion of this Ordinance or any part of the material adopted herein by reference is for

any reason held to be invalid, unenforceable, or unconstitutional by the decision of a court of competent jurisdiction, the remaining provisions of this Ordinance shall remain in effect.

Section 7: PENALTY. Penalties for a violation of Title 4, Chapter 1 are set forth in the Mesa City Code Section 4-1-9(E) which are as follows:

- (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.

PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF MESA, MARICOPA COUNTY, ARIZONA, this November 18, 2024.

APPROVED:



Mayor

ATTEST:



City Clerk

