ORDINANCE NO. 5979

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MESA, ARIZONA, AMENDING MESA CITY CODE TITLE 4, CHAPTER 1 (MESA ADMINISTRATIVE CODE). THE AMENDMENTS INCLUDE BUT ARE NOT LIMITED TO: AMENDING SECTION 4-1-2 TITLED "APPLICABILITY" TO UPDATE THE EFFECTIVE DATE; AND AMENDING SECTIONS 4-1-1, 4-1-2, AND 4-1-5 TO CORRECT REFERENCES TO CERTAIN TECHNICAL CODES.

Whereas, the adoption and enforcement of updated editions of fire and building codes promote and protect the health, safety, and general welfare of the public and property within the City.

Whereas, Mesa City Code Title 4, Chapter 1 titled "Mesa Administrative Code" serves as the administrative, organizational, and enforcement rules and regulations for the ten technical codes set forth in Title 4, Chapters 2-10 and Title 7, Chapter 2 that apply to the built environment in the City of Mesa ("City").

Whereas, on December 8, 2025, the City Council adopted ten ordinances that update these ten technical codes to comport with the latest editions of the applicable International Family of Codes as amended.

Whereas, the City desires to amend the Effective Date set forth in Mesa City Code Section 4-1-2 so the Mesa Administrative Code and updated technical codes set forth in Title 4, Chapters 2-10 and Title 7, Chapter 2 govern projects submitted on or after the Effective Date.

Whereas, the City desires to correct references to certain technical codes stated in the Mesa Administrative Code to maintain consistency throughout Title 4.

Be it ordained by the City Council of the City of Mesa, Arizona, as follows:

Section 1: In the sections of this Ordinance that modify the current language of the City Code, deleted language is shown in ~~strikethrough~~ and new language is shown in **BOLD ALL CAPS**.

Section 2: Mesa City Code Section 4-1-1 (General), Subsection (C), subpart 9 is amended as follows:

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

Section 3: Mesa City Code Section 4-1-2 (Applicability), Subsection (A) is amended as follows:

(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 ~~February 10, 2019~~ **JANUARY 8, 2026**. Projects with applications submitted prior to ~~February 10, 2019~~ **JANUARY 8, 2026** shall be required to comply with all ~~Mesa Building Codes~~ **TECHNICAL CODES** in effect on ~~February 9, 2019~~ **JANUARY 7, 2026**, except the owner, at its discretion, may request such project be subject to the requirements of this Chapter and the technical codes.

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(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.

Section 4: Mesa City Code Section 4-1-2 (Applicability), Subsection (F), subpart 3 is amended as follows:

3. National Electric**AL** Code = Mesa Electric**AL** Code

Section 5: Mesa City Code Section 4-1-2 (Applicability), Subsection (H), text on exceptions is amended as follows:

EXCEPTION: Patio covers, as defined in the Mesa Residential Code, are exempted from the Mesa Energy **CONSERVATION** Code.

EXCEPTION: The following need not comply with the Mesa Energy **CONSERVATION** Code provided the energy use of the building is not increased:

Section 6: Mesa City Code Section 4-1-2 (Applicability), Subsection (M) is amended as follows:

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

Section 7: Mesa City Code Section 4-1-2 (Applicability), Subsection (N) is amended as follows:

(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 **CONSERVATION** Code**,** shall be exempt from the thermal building envelope provisions of the Mesa Energy **CONSERVATION** Code:

~~Provisions of the Mesa Energy Code:~~

1. Those with a peak design rate of energy usage less than 3.4 FTH/H-FT^2 (10.7 W/M^2) or 1.0 WATT/FT2 (10.7 W/M^2) of floor area for space conditioning purposes.

2. Those that do not contain conditioned space.

Section 9: Mesa City Code Section 4-1-5 (Inspections), Subsection (B), subpart 10 is amended as follows:

10. Energy Efficiency Inspections. Inspections shall be made to determine compliance with the Mesa Energy **CONSERVATION** Code.

Section 10: 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 11: Preservation of Rights and Duties. This Ordinance does not affect the rights and duties that matured, penalties that were incurred, or proceedings that were begun before the effective date of this Ordinance.

Section 12: Effective Date. The effective date of this Ordinance is 30 days after the adoption of this Ordinance.

Section 13: 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.

Passed and adopted by the City Council of the City of Mesa, Arizona, this 8th day of December, 2025.

APPROVED:

Mark A Freeman

Mark Freeman, Mayor

ATTEST:

Holly Moseley

Holly Moseley, City Clerk

CITY OF MESA CORPORATE SEAL MARICOPA COUNTY, AZ