

ORDINANCE NO. 2024-05

AN ORDINANCE OF THE COMMON COUNCIL OF THE TOWN OF YOUNGTOWN, ARIZONA, AMENDING THE CODE OF YOUNGTOWN, ARIZONA, TITLE 15 BUILDINGS AND CONSTRUCTION, CHAPTER 15.04 UNIFORM CONSTRUCTION CODES ADOPTED, BY REPEALING AND REPLACING SECTION 15.04.010 ADOPTION BY REFERENCE; AND REPEALING SECTION 15.04.020 AMENDMENTS TO INTERNATIONAL BUILDING CODE, NATIONAL ELECTRICAL CODE, INTERNATIONAL FIRE CODE AND INTERNATIONAL RESIDENTIAL CODE AND REPLACING WITH A NEW SECTION 15.04.020 AMENDMENTS TO INTERNATIONAL BUILDING CODES; DECLARING THE “TOWN OF YOUNGTOWN INTERNATIONAL BUILDING CODES, SEPTEMBER 19, 2024” A PUBLIC RECORD; ADOPTING THE “TOWN OF YOUNGTOWN INTERNATIONAL BUILDING CODES, SEPTEMBER 19, 2024” BY REFERENCE; ALL RELATED TO THE ADOPTION OF UPDATED INTERNATIONAL BUILDING CODES INCLUDING THE INTERNATIONAL BUILDING CODE, 2021 EDITION, THE NATIONAL ELECTRICAL CODE, 2020 EDITION; THE INTERNATIONAL PLUMBING CODE, 2021 EDITION; INTERNATIONAL MECHANICAL CODE, 2021 EDITION; THE INTERNATIONAL FIRE CODE, 2021 EDITION; THE INTERNATIONAL RESIDENTIAL CODE, 2021 EDITION; INTERNATIONAL FUEL GAS CODE, 2021 EDITION; INTERNATIONAL PROPERTY MAINTENANCE CODE, 2021 EDITION; THE INTERNATIONAL EXISTING BUILDING CODE, 2021 EDITION; THE INTERNATIONAL ENERGY CONSERVATION CODE, 2021 EDITION; AND THE INTERNATIONAL POOL AND SPA CODE, 2021 EDITION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR PENALTIES.

WHEREAS, the Mayor and Common Council of the Town of Youngtown desire to amend the Town Code to adopt updated versions of the International Building Codes;

WHEREAS, reasonable regulations relating to building, construction, and property maintenance are in the best interests of residents to protect public health and safety; and

WHEREAS, that certain document entitled “Town of Youngtown International Building Codes, September 19, 2024,” one paper copy and one electronic copy of which are on file with the Town Clerk, is hereby declared a public record and said copies are ordered to remain on file with the Clerk.

NOW THEREFORE, BE IT ORDAINED by the Mayor and Common Council of the Town of Youngtown, Arizona as follows:

Section I. In General.

The Code of Youngtown, Arizona, Title 15 Buildings and Construction, Chapter 15.04 Uniform Construction Codes Adopted, Section 15.04.010 Adoption by Reference is hereby amended by repealing Section 15.04.010 Adoption by Reference in its entirety and adopting a new Section 15.04.010 Adoption by Reference, to read as follows (new text in ALL CAPS):

**SECTION 15.04.010      ADOPTION BY REFERENCE.**

**A. THOSE CERTAIN DOCUMENTS KNOWN AS THE:**

1. INTERNATIONAL BUILDING CODE, 2021 EDITION, INCLUDING APPENDICES C, D, E, F, H, I, AND U;
2. NATIONAL ELECTRICAL CODE 2020 EDITION;
3. INTERNATIONAL PLUMBING CODE, 2021 EDITION, INCLUDING APPENDICES B, C, AND E;
4. INTERNATIONAL MECHANICAL CODE, 2021 EDITION, INCLUDING APPENDICES A, A101;
5. INTERNATIONAL FIRE CODE, 2021 EDITION, INCLUDING APPENDICES B, C, E, F, G, H, I, J, K, L, M, AND N;
6. INTERNATIONAL RESIDENTIAL CODE, 2021 EDITION, INCLUDING APPENDICES AA, AB, AC, AD, AE, AF, AG, AH, AI, AJ, AK, AM, AN, AO, AP, AQ, AND AT;
7. INTERNATIONAL FUEL GAS CODE, 2021 EDITION;
8. INTERNATIONAL PROPERTY MAINTENANCE CODE, 2021 EDITION;
9. INTERNATIONAL EXISTING BUILDING CODE, 2021 EDITION;
10. INTERNATIONAL ENERGY CONSERVATION CODE, 2021 EDITION;
11. INTERNATIONAL POOL AND SPA CODE, 2021 EDITION;
12. THE MARICOPA ASSOCIATION OF GOVERNMENTS BUILDING CODE AMENDMENTS AND STANDARDS, 2021 REVISION TO THE 2020 EDITION, DATED JANUARY 2021.

SHALL BE ADOPTED AND MADE A PART OF THIS TITLE AS IF FULLY SET OUT IN THIS SECTION.

B. ANY PERSON FOUND GUILTY OF VIOLATING ANY PROVISION OF THESE CODES SHALL BE GUILTY OF A CLASS 1 MISDEMEANOR, PUNISHABLE BY A FINE NOT LESS THAN FIVE HUNDRED DOLLARS (\$500.00) NOR MORE THAN TWO THOUSAND FIVE HUNDRED DOLLARS (\$2,500.00), EXCLUSIVE OF PENALTY ASSESSMENTS PRESCRIBED BY LAW, SIX MONTHS IN JAIL, OR BY BOTH SUCH FINE AND IMPRISONMENT. EACH DAY THAT A VIOLATION CONTINUES SHALL BE A SEPARATE OFFENSE.

The Code of Youngtown, Arizona, Title 15 Buildings and Construction, Chapter 15.04 Uniform Construction Codes Adopted, is hereby amended by repealing current Section 15.04.020 Amendments to International Building Code, National Electric Code, International Fire Code, and International Residential Code, and adopting a new Section 15.04.020 Amendments to International Building Codes, to read as set forth in “Town of Youngtown International Building Codes, September 19, 2024,” which is hereby adopted and incorporated by reference in this Ordinance.

**Section II.      Providing for Repeal of Conflicting Ordinances.**

All ordinances and parts of ordinances in conflict with the provisions of this Ordinance or any part of the Code adopted herein by reference are hereby repealed.

Section III. Providing for 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 any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

Section IV. Providing for Penalties.

Any person found guilty of violating any provision of this Ordinance shall be guilty of a class one misdemeanor and, upon conviction thereof, shall be punished by a fine not to exceed Two Thousand Five Hundred Dollars (\$2,500) or by imprisonment for a period not to exceed six (6) months, or both such fine and imprisonment. Each day that a violation continues shall be a separate offense punishable as herein described.

PASSED AND ADOPTED by the Common Council of the Town of Youngtown, Arizona, this 19<sup>th</sup> day of September, 2024, by the following vote:

AYES: 7

NAYES: 0

EXCUSED: 0

ABSENT: 0

ABSTAINED: 0

APPROVED this 19<sup>th</sup> day of September, 2024

  
Michael E. LeVault, Mayor

ATTEST:



Nicole Smart, Town Clerk

APPROVED AS TO FORM:



Trish Stuhan, Town Attorney

I, NICOLE SMART, TOWN CLERK, DO HEREBY CERTIFY THAT A TRUE AND CORRECT COPY OF THE ORDINANCE NO. 2024-05 ADOPTED BY THE COMMON COUNCIL OF THE TOWN OF YOUNGTOWN ON THE 19<sup>th</sup> DAY OF September, 2024, WAS POSTED IN THREE PLACES ON THE 20<sup>th</sup> DAY OF September, 2024.



Nicole Smart, Town Clerk

[Exhibits on File at Town of Youngtown  
Town Clerk's Office 12030 N Clubhouse Square, Youngtown, AZ 85363]