



# Staff Report

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**Agenda Item:**           **ORDINANCE AMENDMENT TO THE BUILDING CODE, CHAPTER 7, ARTICLES 7-1 THROUGH 7-9; ADOPTING THE 2006 INTERNATIONAL CODE COUNCIL BUILDING CODE** – Discussion and consideration of Ordinance #\_\_\_\_, adopting the “Building Code Ordinance Amendment to Chapter 7, Articles 7-1 Through 7-9, Adopting the 2006 International Code Council (ICC) Building Code” to the Code of the Town of Clarkdale repealing conflicting ordinances and providing for severability.

**Staff Contact:**           Mike Baker

**Meeting Date:**           May 27, 2008

**Background:**           The International Code Council publishes new updated building codes every three years. The Community Development Department has determined that by adopting the 2006 ICC versions we will remain in the mainstream of the building code process. We have also made amendments to institute some energy and water conservation measures and address problems that were not covered in the Codes.

**Recommendation:**   Adoption of the “Building Code Ordinance Amendment to Chapter 7, Articles 7-1 Through 7-9, Adopting the 2006 International Code Council (ICC) Building Code” to the Code of the Town of Clarkdale repealing conflicting ordinances and providing for severability

ORDINANCE # \_\_\_\_\_

**AN ORDINANCE OF THE TOWN OF CLARKDALE, ARIZONA, MAKING CHANGES TO THE TOWN CODE BY ADOPTING BY REFERENCE THOSE CERTAIN DOCUMENTS ENTITLED "BUILDING CODE ORDINANCE AMENDMENT TO CHAPTER 7, ARTICLES 7-1 THROUGH 7-9; ADOPTING THE 2006 INTERNATIONAL CODE COUNCIL (ICC) BUILDING CODE" AND REPEALING CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY.**

BE IT ORDAINED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CLARKDALE, ARIZONA:

- Section 1: That the certain documents known as "Building Code Ordinance Amendment to Chapter 7, Articles 7-1 Through 7-9; Adopting the 2006 International Code Council (ICC) Building Code, three (3) copies of which are on file in the Office of the Town Clerk of the Town of Clarkdale, Arizona, which documents were made public record by Resolution # \_\_, are hereby referenced to, and made a part hereof as if fully set forth in this Ordinance; and
- Section 2: That the documents described in Section 1 above are hereby adopted by reference as Town of Clarkdale Code, Chapter 7, Article 7-1 through Article 7-9; and
- Section 3: That all Ordinances and parts of Ordinances in conflict with the provisions of this Ordinance or any part of this document adopted herein by reference are hereby repealed.
- Section 6: Any portion of the Town Code repealed by this Ordinance does not affect rights and duties that matured or penalties that were incurred, and proceedings that were begun before the effective date of the repeal.
- Section 7: If any section, subsection, sentence, clause, phrase or portion of this Ordinance or any part of this document 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 8: This ordinance shall take effect and be in force thirty days after passage by the Council and approval by the Mayor.

PASSED AND ADOPTED by the Mayor and Council of the Town of Clarkdale, Arizona, this 27<sup>th</sup> day of May, 2008.

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Doug Von Gausig, Mayor

ATTEST:

APPROVED AS TO FORM:  
Boyle, Pecharich, Cline & Whittington, P.L.L.C.  
Town Attorneys

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Kathy Bainbridge, Town Clerk

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by Robert Pecharich, Town Attorney