

ORDINANCE NO. 09-48

AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF DEWEY-HUMBOLDT, ARIZONA, ADOPTING BY REFERENCE THAT CERTAIN DOCUMENT KNOWN AS INTERNATIONAL ENERGY CONSERVATION CODE, 2006 EDITION, ADOPTED AS THE INTERNATIONAL ENERGY CONSERVATION CODE FOR THE TOWN OF DEWEY-HUMBOLDT PROVIDING FOR THE REGULATING, AND GOVERNING OF ENERGY EFFICIENT BUILDING ENVELOPES AND INSTALLATION OF ENERGY EFFICIENT MECHANICAL, LIGHTING AND POWER SYSTEMS; EXCEPTIONS THERETO; AMENDMENTS TO THE RELATED TOWN CODES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Whereas, energy efficient structures reduce reliance of non-renewable energy resources and provide for a more durable structure;

Whereas, by reducing operating costs, the IECC reduces the impact of external energy pricing;

Whereas, administering the IECC is not an additional cost to the Town as the plan review and inspection tasking is already in place;

Whereas, 26 Arizona municipalities (including the City of Prescott) and 7 counties (including Coconino and Yavapai) have adopted the IECC;

Whereas, some uniformity is economically advantageous to the Quad-city region; and

Whereas, adoption of the IECC will substantially increase the health and welfare of the Town's citizens by encouraging higher-efficiency buildings with fewer drafts and lower monthly heating costs.

Now therefore, the Town Council of the Town of Dewey-Humboldt does ordain as follows:

1. Adoption. That certain document known as the International Energy Conservation Code, 2006 Edition, as published by the International Code Council, is hereby adopted as the Energy Conservation Code for the Town of Dewey-Humboldt, for regulating and governing energy efficient building envelopes and installation of energy efficient mechanical, lighting and power systems as therein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of the International Energy Conservation Code, 2006 Edition, are hereby referred to, adopted, and made a part hereof as through fully set forth herein, excepting such portions as are hereinafter deleted, modified, or amended.
2. Exceptions. The Mayor and Town Council of the Town of Dewey-Humboldt, Arizona specifically and expressly finds and declares that the nature and uniqueness of the climate, terrain, and location does not necessitate and demand specific amendments to the International Energy Conservation Code, 2006 Edition except as noted below:
 - 2.1. Replace existing Exception 2 to § 101.4.3 with the following: "2. New doors and windows (replacement if same size and type)."

2.2. A new § 101.6 is added to read as follows:

SECTION 101.6 – Administration and Enforcement: The provisions for issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of this code along with procedures for enforcement thereof is hereby referred to as the “Town of Dewey-Humboldt Development Services Administrative and Building Codes 2007 Ordinance No 07-31 as adopted by the Town of Dewey-Humboldt and shall be considered part thereof as set forth herein, excepting such portions as are hereinafter deleted, modified and amended.

2.3. Revise § 403.2.1 to read as follows:

403.2.1 Insulation. Supply and return ducts shall be insulated to a minimum of R-6.

Exception: Ducts or portions thereof located completely inside the building thermal envelope.

2.4. Strike the following words from § 103.1.1: “The code official or other authority having jurisdiction shall be permitted to deem national, state or local energy efficiency programs to exceed the energy efficiency required by this code.”

2.5. § 104.1 is replaced in its entirety as follows: “**104.1 Reserved.**”

2.6. New §403.7 is hereby added as follows: “**403.7 Gas Furnace Efficiency.** All gas furnaces other than packaged HVAC units shall be of the high efficiency type (90+) as determined by A.F.U.E. (Annual Fuel Utilization Efficiency) calculated in accordance with Department of Energy test procedures.”

2.7. Chapter 5, relating to Commercial Energy Efficiency, is hereby replaced in its entirety as follows: “**Chapter 5 Reserved.**”

3. Amendment of related Codes. The following portions of related Town Codes are hereby amended.

3.1. Administrative and Building Code § 101.4.7 is hereby added as follows: “**101.4.7 Energy.** The provisions of the Town of Dewey-Humboldt Ordinance 09-48 THE INTERNATIONAL ENERGY CONSERVATION CODE, 2006 EDITION as modified or amended by the Council of the Town of Dewey-Humboldt shall apply to all matters governing the design and construction of buildings and structures for energy efficiency.

3.2. Administrative and Building Code § 102.7 relating to definitions is hereby amended to include ENERGY CODE to read as follows:

“ENERGY CODE – The International Energy Conservation Code as published by the International Code Council as adopted by this jurisdiction.”

3.3. Administrative and Building Code § 109.3.9 relating to Energy Efficiency Inspection is hereby amended by deletion of the last sentence of the section and revised to read as follows:

“**109.3.9 – Energy efficiency inspection.** Insulation inspection shall be made after frame and exterior lath inspection and all rough plumbing, mechanical, gas, and

electrical systems are approved and prior to covering or concealment. Blown or sprayed roof/ceiling insulation shall be verified by inspection prior to building final inspection."

- 3.4. Mechanical Code § 312.1 is hereby amended as follows: "This § 312.1 shall not apply to residential structures."
- 3.5. Mechanical Code § 603 is hereby amended by appending the following to the end of the existing section: "No design shall be required to be proven and no ductwork layout shall be required to be drawn, but all ductwork shall be sized at 0.08" water column static pressure per 100 feet."
4. The provisions of this ordinance and the code it incorporates are hereby declared to be severable, and if any section, sentence, clause, or phrase of this ordinance shall, for any reason, be held to be invalid or unconstitutional, such decisions shall not affect the remaining sections, sentences, clauses, or phrases of this ordinance, but they shall remain in effect, it being the legislative intent that this ordinance shall stand notwithstanding the validity of any part thereof.
5. That this ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force April 16, 2009, and shall be codified as of July 1, 2009.

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Dewey-Humboldt, Yavapai County, Arizona, this 17th day of March 2009.



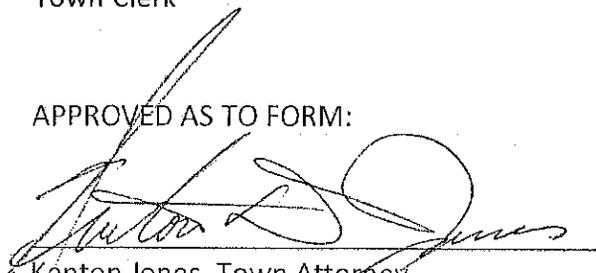
Earl Goodwin,
Mayor

ATTEST:



Judy Morgan
Town Clerk

APPROVED AS TO FORM:



Kenton Jones, Town Attorney