



# Maricopa County

## Planning & Development Department

### Department Directive

Department Directive:  
DD-2014-01

Supersedes: DD-2012-09  
DD-2011-01  
DD-2009-02  
DD-2007-08  
DD-2006-01

Effective: Immediately

Initiator: Tom Ewers *TE*

Director: Debra Stark *DS*

**Purpose:** To clarify plan review, permit and inspection responsibilities for facilities owned by Maricopa County and located in any jurisdiction.

**Applicability:** Maricopa County-owned facilities include (i) any property owned by Maricopa County, (ii) any property owned by entities related to Maricopa County, (iii) any property owned by any entity for which the Maricopa County Board of Supervisors is designated as its Board of Directors, (iv) any property owned by any entity for which the members of the Maricopa County Board of Supervisors are designated as its Board of Directors, or (v) any other property or facility operated as a facility of the County. This includes all county departments such as: Air Quality, Environmental Services, Facilities Management, Flood Control District, Library District, Parks and Recreation, Public Works, Solid Waste, and Transportation. This does not include any property owned by Maricopa County Community Colleges or Maricopa Integrated Health Systems.

#### References:

1. ARS 34-461 (A): Public buildings shall be constructed in compliance with the state fire code unless a fire code has been adopted by the city, town, county or fire district in which the building is located. Public buildings shall be constructed in compliance with applicable building, plumbing, electrical, fire prevention and mechanical codes adopted by the city, town, county or fire district in which the building is located. The owner of the public building is subject to the same fees required of other persons. Public buildings are subject to inspection during construction pursuant to these codes to determine compliance.
2. Maricopa County Attorney Opinion No. 2002-003: ARS 34-461 allows the county to apply its own building, plumbing, electrical, fire prevention and mechanical codes and permitting processes to public buildings constructed in both incorporated and unincorporated areas of the County.
3. The current editions of the building codes adopted by Maricopa County:
  - International Building Code 2012
  - International Fire Code 2003 (applicable only to County owned facilities)
  - International Residential Code 2012
  - International Plumbing Code 2012
  - International Mechanical Code 2012
  - International Fuel Gas Code 2012
  - National Electrical Code 2011
  - International Existing Building Code 2012
  - International Energy Conservation Code 2012 (Optional)
  - International Green Construction Code 2012 (Optional)
  - Local Additions and Addenda 2013
4. Maricopa County Zoning Ordinance and case law that exempts county-owned facilities from zoning requirements.
5. Maricopa County Drainage Regulations Section 404.C:

This Regulation shall not pertain to or otherwise regulate cities, towns or other incorporated municipalities, the State or its agencies or political subdivisions. This

paragraph does not exempt school districts, private utilities, and private emergency or fire services from compliance with the provisions of this Regulation.

6. Drainage Policies and Standards for Maricopa County.
7. Intergovernmental Agreement between Maricopa County and the City of Phoenix 11865 (C4406001000) dated August 24, 2005.
8. Memorandum of Understanding between the Arizona Office of State Fire Marshal and the City of Phoenix Fire Department dated June 7, 2012.

**Policy/Procedures:**

1. Maricopa County-owned facilities shall be exempt from county or municipal zoning ordinances. However, Maricopa County will cooperate with other jurisdictions in matters of off-site improvements.
2. Maricopa County departments are exempt from the Maricopa County Drainage Regulations. However, county departments are responsible for any adverse drainage-related impacts associated with their construction. The Planning and Development Department will perform drainage reviews for compliance with Maricopa County Drainage Regulations upon request and payment of applicable fees. Upon written request from a Department Representative an exemption from the Drainage Regulations may be granted.
3. Maricopa County-owned facilities will comply with floodplain management regulations prescribed by ARS 48-3609 that has established minimum flood protection elevations and flood damage prevention requirements for uses, structures and facilities that are vulnerable to flood damage. These regulations are enforced by the governing body as specified in ARS 48-3610, which may be the Flood Control District of Maricopa County or any incorporated city or town currently engaged in floodplain management in its area of jurisdiction that has passed a resolution declaring its intent to do so.
4. Maricopa County will use best management practices for proper storm water design for its facilities in accordance with the Drainage Policies and Standards for Maricopa County and shall obtain an ADEQ AZDES storm water permit for any construction activity that disturbs more than one acre.
5. Maricopa County-owned facilities will comply with the adopted building codes listed on page one of this directive. Plan review, permit and inspection responsibilities will be completed by the Planning and Development Department as governed by those codes, the Maricopa County Local Additions and Addenda, and any subsequent revisions or updates approved by the Board of Supervisors.
6. Maricopa County-owned facilities will comply with ADEQ standards for on-site private sewage disposal systems, water treatment systems, and on-site sewage disposal systems. The county must request plan approval for these water and sewer systems directly from ADEQ.
7. Maricopa County-owned facilities, located within the corporate limits of City of Phoenix, will comply with the Intergovernmental Agreement referenced above. More specifically:
  - a. Maricopa County will work diligently with Phoenix's fire and police departments to ensure that all of the information needed to provide police and fire services and

access to county-owned facilities, at reasonable times, for the purpose of training, testing and evaluation:

- Fire department access including current keys
- Operational readiness of fire protection equipment and systems as verified by the City Fire Marshal or designee
- Fire fighter communication systems
- Field testing fire command room equipment

- b. For new construction and existing structures when there is a change of use or occupancy, Maricopa County will comply with the city sprinkler ordinance and the 2003 International Fire Code referenced above, which is also used as the State Fire Code.
  - c. As per the Memorandum of Understanding referenced above, the Phoenix Fire Department will review plans, issue permits, and conduct inspections for all new or retrofitted County projects that include fire alarm, fire sprinkler or range hood fire suppression systems or other systems listed in Chapter 9 of the 2012 IBC and the Phoenix Fire Code. Permits for this type of work must also be obtained for Planning and Development as specified in Policy Number 5 above.
  - d. While Maricopa County is not obligated to comply with the City of Phoenix Zoning Ordinance, the county is encouraged to conduct a pre-application meeting, at no cost to the county, with the City of Phoenix Development Services Department staff to review each county-owned facility site plan to obtain suggested development and design requirements for advisory purposes.
8. In accordance with State requirements, Maricopa County Facilities Management Department will ensure the inspection and approval of all elevators in county-owned facilities.
  9. Permits, in accordance with approved building codes, must be obtained for all work on county-owned facilities. However, some county-owned projects may be exempt from building permit requirements. Currently, Section 105.2 of the 2012 International Building Code provides this exemption. Additionally, the following definitions of work to be accomplished by the Maricopa County Facilities Management Department will not require plan review, permitting or field inspection by the Planning and Development Department:
    - a. "Like for like" replacement of existing HVAC, plumbing and general mechanical equipment within reasonable bounds. In the event that a particular unit is no longer available, a suitable replacement may be identified that shares the majority of attributes of the original while not requiring significant additional work for the change out to be accomplished. As an example, a 5-ton unit may be replaced by a 7.5-ton unit so long as the change does not involve extensive modifications to other utility systems such as electrical. Systems and engineering designs that require the seal of a professional registrant will be required to meet this requirement.
    - b. New electrical items including:
      - 120/208 volt circuits – 50 amps or less
      - 277/480 volt circuits – 20 amps or less
      - 120 volt receptacles – eight or fewer in number
      - Installation of new lighting fixtures – five or less in number
      - Low voltage installation of specialty items such as card readers and door actuators
    - c. The Facilities Management Department will compile an accurate logbook of such projects and make the logbook available to the Planning and Development Department upon request.

10. County departments like Facilities Management will appoint one contact person for each permit application. That person will deal directly with the Plan Review Division Manager in the Planning and Development Department. This responsibility must not be deferred to consultants, architects or contractors. During the course of plan review and construction, the contact person should remain in communication with the Plan Review Manager concerning the progress of applications, resubmittals and inspections.
11. County agencies must arrange pre-submittal meetings with Planning and Development Department staff prior to application for permits to ensure that proper plan and application materials are submitted for permits. Typically, such materials will include a Development Activity Application, Supplemental Contact Form, Financial Disclaimer Form, property deed, seven copies of site plans and three copies of building plans. Pre-submittal meetings are scheduled for Thursdays at 10:00 a.m. in the Bronze Conference Room at the Planning and Development Department. Meetings will be scheduled by the Plan Review Division Manager or the Planning and Development Department receptionist. Alternate meeting times may be arranged directly with the Plan Review Division Manager.
12. County agencies must provide an accounting string on each permit application so permit fees can be expeditiously handled through the journal voucher system.

**MEMORANDUM OF UNDERSTANDING (COMPREHENSIVE)**

**BETWEEN**

**ARIZONA DEPARTMENT OF FIRE, BUILDING AND LIFE SAFETY  
OFFICE OF STATE FIRE MARSHAL**

**AND**

**PHOENIX FIRE DEPARTMENT**

This Memorandum of Understanding ("MOU" is between the Office of State Fire Marshal ("OSFM") and the Phoenix Fire Department concerning the review of plans for construction, remodeling, alterations and additions (collectively referred to as "plans") of state, county and public school buildings and grounds [A.R.S. § 41-2163(C)] and the inspections performed in conjunction therewith; as well as regularly scheduled inspections of state and county owned buildings and all public and private schools [A.R.S. § 41-2163(A)(4)].

**I. RECITALS**

- A. **WHEREAS**, pursuant to A.R.S. § 41-2161, the purpose of OSFM is to promote public health and safety and to reduce hazards to life, limb and property by performing inspections and fire investigations, by providing public education and by adopting fire protection codes
- B. **WHEREAS**, Arizona has adopted the International Fire Code 2003 edition as modified by A.A.C. R4-36-201 as the Arizona State Fire Code, and all Fire Department and Fire Districts must comply with the Arizona State Fire Code or a code adopted by the controlling political subdivision which is equivalent to, or more stringent, than the Arizona State Fire Code (collectively referred to as "Fire Code").
- C. **WHEREAS**, pursuant to A.R.S. § 41-2163(A)(4), OSFM is charged with conducting regularly scheduled inspections of state and county owned building and public and private schools throughout Arizona, and
- D. **WHEREAS**, pursuant to A.R.S. § 41-2163(C), OSFM is charged with the review of plans and specifications for new construction, remodeling, alterations and additions and performing inspections in conjunction therewith for state, county and public school building and grounds, and
- E. **WHEREAS**, the State Fire Marshal is empowered under A.R.S. § 41-2162(A)(2) to engage in such assistance as deemed necessary, and

- F. **WHEREAS**, the Phoenix Fire Department confirms that its personnel possesses the necessary proficiency in the understanding, interpretation and application of the applicable fire code, and
- G. **WHEREAS**, the Phoenix Fire Department and OSFM desire to cooperate in the duties which each is charged to conduct.

## II. TERMS

- A. OSFM agrees to allow the Phoenix Fire Department to conduct review of plans for construction, remodeling, alterations and additions of state, county and public school buildings on behalf of OSFM and complete any inspections required in conjunction therewith.
- B. OSFM agrees to allow the Phoenix Fire Department to conduct regularly scheduled inspections of state and county owned buildings and all public and private schools on behalf of OSFM.
- C. The Phoenix Fire Department agrees to submit activity reports to OSFM, on a routine basis, at the conclusion of each review or inspection.
  - 1. Activity reports shall contain a list of review of plans and specifications for new construction, remodeling, alterations and additions, fees collected, and inspections in conjunction therewith for state, county and public school buildings and grounds.
- D. In the course of completing its review or inspection, the Phoenix Fire Department shall transmit the information electronically to OSFM.
- E. OSFM shall provide reporting requirements, forms, and guidance to Phoenix Fire Department to maintain visibility and accountability over activity in conjunction therewith.
- F. All books, accounts, reports, files and other records relating to this MOU shall be subject at all reasonable times to inspection and audit by OSFM for five (5) years after termination or completion of this Agreement.
- G. The Phoenix Fire Department is subject to periodic audits in conjunction with the performance and activity in relation to this MOU by OSFM. Notice of audit will be provided in advance to jurisdiction with a list of information to be provided at time of audit.

H. Jurisdictions who enter into the MOU with OSFM may, contract with local or county building departments for the purposes of:

1. Conducting review of plans and specifications for new construction, remodeling, alterations and additions.
2. Permitting for inspection.
3. Establishing a fee schedule, and collecting fees.
4. Phoenix Fire Department shall notify OSFM and provide documentation describing shared services.
5. Review of plans by local or county building departments, in conjunction with this MOU, shall be conducted by personnel who have exhibited the necessary proficiency in the understanding, interpretation and application of the Fire Code.
6. Phoenix Fire Department and local or county building departments shall be subject to periodic audits, with advance notice.

I. Any costs incurred by Phoenix Fire Department to implement this MOU shall be borne by the Phoenix Fire Department.

J. Phoenix Fire Department may collect such fees as permitted by its political subdivision. Any funds collected by the Phoenix Fire Department to implement this MOU are made under the authority granted to that jurisdiction and are not subject to attachment by OSFM.

K. This MOU does not grant the authority to inspect installation or removal of underground fuel storage tanks. That task remains the sole authority and responsibility of OSFM as granted by the Arizona Department of Environmental Quality. OSFM recognizes some jurisdictions have a separate agreement to perform such inspections for Arizona Department of Environmental Quality.

L. This MOU may be terminated by either party upon 30-days written notice to the other party.

M. The term of this Agreement shall be for five (5) years from the effective date of this MOU.

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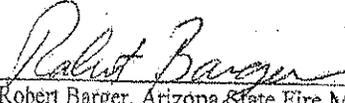
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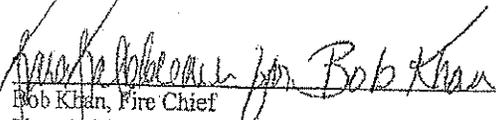
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ARIZONA STATE FIRE MARSHAL

  
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JUNE 7, 2012  
Effective Date

PHOENIX FIRE DEPARTMENT

  
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JUNE 4, 2012  
Date Signed