
Title 15
BUILDINGS AND CONSTRUCTION

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Chapter 15.04
ELECTRICAL CODE ADMINISTRATIVE PROVISIONS ADOPTED

Sections:

- 15.04.010 City of Casa Grande Building and Technical Administrative Code.**
- 15.04.020 Violation-Penalties.**

15.04.010 City of Casa Grande Building and Technical Administrative Code.

That certain document known as the City of Casa Grande Building and Technical Administrative Code which was made a public record by Resolution No. 4874 of the City of Casa Grande, Arizona, three copies of which are on file in the office of the Casa Grande City Clerk, are hereby referred to, adopted and made a part hereof as if fully set out in this section.

(Ord. 1397.08.25 § 3, 2014)

15.04.020 Violation-Penalties.

A. It shall be unlawful for a person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building, structure or building service equipment, or cause or permit the same to be done, in violation of this chapter and the other technical codes adopted by the City of Casa Grande.

B. Any person, firm or corporation violating any of the provisions of this chapter is guilty of a Class 2 misdemeanor; and each such person, firm or corporation shall be guilty of a separate offense for each and every day or portion thereof during which any violation of any provision of the code is committed, continued or permitted. Upon conviction, each violation is punishable by a fine of not more than seven hundred fifty dollars (plus any applicable surcharges), by imprisonment for not more that four months, or by both such fine and imprisonment.

C. The imposition of one penalty for any violation of this chapter shall not excuse the violation or permit it to continue. Application of the above penalty shall not be held to preclude the forced removal of prohibited conditions.

(Ord. 1397.08.20 § 10, 2008)

Chapter 15.06 RESIDENTIAL CODE ADOPTED

Section:

15.06.010 International Residential Code for One- and Two-Family Dwellings.

15.06.020 Violation-Penalties.

15.06.010 International Residential Code for One- and Two-Family Dwellings.

Those certain documents known as (i) "International Residential Code for One- and Two-Family Dwellings, 2012 Edition" including appendices A, B, C, D, E, G, H, J, and K; and (ii) "City of Casa Grande Amendments to the International Residential Code for One- and Two-Family Dwellings, 2012 Edition," as set forth in the document entitled "August 2014 Casa Grande Amendments to the Building, Health, and Safety Codes", both of which were made a public record by Resolution No. 4874 of the City of Casa Grande, Arizona, three copies of which are on file in the office of the Casa Grande City Clerk, are hereby referred to, adopted and made a part hereof as if fully set out in this section.

(Ord. 1397.08.25 § 4, 2014)

15.06.020 Violation-Penalties.

A. It shall be unlawful for a person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building, structure or building service equipment, or cause or permit the same to be done, in violation of this chapter and the other technical codes adopted by the City of Casa Grande.

B. Any person, firm or corporation violating any of the provisions of this chapter is guilty of a Class 2 misdemeanor; and each such person, firm or corporation shall be guilty of a separate offense for each and every day or portion thereof during which any violation of any provision of the code is committed, continued or permitted. Upon conviction, each violation is punishable by a fine of not more than seven hundred fifty dollars (plus any applicable surcharges), by imprisonment for not more that four months, or by both such fine and imprisonment.

C. The imposition of one penalty for any violation of this chapter shall not excuse the violation or permit it to continue. Application of the above penalty shall not be held to preclude the forced removal of prohibited conditions.

(Ord. 1397.08.20 § 10, 2008)

Chapter 15.08 BUILDING CODE ADOPTED

Section:

15.08.010 International Building Code.

15.08.020 Violation-Penalties.

15.08.010 International Building Code.

Those certain documents known as (i) "International Building Code, 2012 Edition" including Appendices C and I; and (ii) "City of Casa Grande Amendments to the International Building Code, 2012 Edition," as set forth in the document entitled "August 2014 Casa Grande Amendments to the Building, Health, and Safety Codes", both of which were made a public record by Resolution No. 4874 of the City of Casa Grande, Arizona, three copies of which are on file in the office of the Casa Grande City Clerk, are hereby referred to, adopted and made a part hereof as if fully set out in this section.

(Ord. 1397.08.25 § 5, 2014)

15.08.020 Violation-Penalties.

A. It shall be unlawful for a person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building, structure or building service equipment, or cause or permit the same to be done, in violation of this chapter and the other technical codes adopted by the City of Casa Grande.

B. Any person, firm or corporation violating any of the provisions of this chapter is guilty of a Class 2 misdemeanor; and each such person, firm or corporation shall be guilty of a separate offense for each and every day or portion thereof during which any violation of any provision of the code is committed, continued or permitted. Upon conviction, each violation is punishable by a fine of not more than seven hundred fifty dollars (plus any applicable surcharges), by imprisonment for not more than four months, or by both such fine and imprisonment.

C. The imposition of one penalty for any violation of this chapter shall not excuse the violation or permit it to continue. Application of the above penalty shall not be held to preclude the forced removal of prohibited conditions.

(Ord. 1397.08.20 § 10, 2008)

**Chapter 15.10
FUEL GAS CODE ADOPTED**

Section:

15.10.010 International Fuel Gas Code.

15.10.020 Violation-Penalties.

15.10.010 International Fuel Gas Code.

Those certain documents known as (i) "International Fuel Gas Code, 2012 Edition" including appendices A, B, and C; and (ii) "City of Casa Grande Amendments to the International Fuel Gas Code, 2012 Edition," as set forth in the document entitled "August 2014 Casa Grande Amendments to the Building, Health, and Safety Codes", both of which were made a public record by Resolution No. 4874 of the City of Casa Grande, Arizona, three copies of which are on file in the office of the Casa Grande City Clerk, are hereby referred to, adopted and made a part hereof as if fully set out in this section.

(Ord. 1397.08.25 § 6, 2014)

15.10.020 Violation-Penalties.

A. It shall be unlawful for a person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building, structure or building service equipment, or cause or permit the same to be done, in violation of this chapter and the other technical codes adopted by the City of Casa Grande.

B. Any person, firm or corporation violating any of the provisions of this chapter is guilty of a Class 2 misdemeanor; and each such person, firm or corporation shall be guilty of a separate offense for each and every day or portion thereof during which any violation of any provision of the code is committed, continued or permitted. Upon conviction, each violation is punishable by a fine of not more than seven hundred fifty dollars (plus any applicable surcharges), by imprisonment for not more that four months, or by both such fine and imprisonment.

C. The imposition of one penalty for any violation of this chapter shall not excuse the violation or permit it to continue. Application of the above penalty shall not be held to preclude the forced removal of prohibited conditions.

(Ord. 1397.08.20 § 10, 2008)

Chapter 15.12 MECHANICAL CODE ADOPTED

Section:

15.12.010 International Mechanical Code.

15.12.020 Violation-Penalties.

15.12.010 International Mechanical Code.

Those certain documents known as (i) "International Mechanical Code, 2012 Edition" and (ii) "City of Casa Grande Amendments to the International Mechanical Code, 2012 Edition," as set forth in the document entitled "August 2014 Casa Grande Amendments to the Building, Health, and Safety Codes", both of which were made a public record by Resolution No. 4874 of the City of Casa Grande, Arizona, three copies of which are on file in the office of the Casa Grande City Clerk, are hereby referred to, adopted and made a part hereof as if fully set out in this section.

(Ord. 1397.08.25 § 7, 2014)

15.12.020 Violation-Penalties.

A. It shall be unlawful for a person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building, structure or building service equipment, or cause or permit the same to be done, in violation of this chapter and the other technical codes adopted by the City of Casa Grande.

B. Any person, firm or corporation violating any of the provisions of this chapter is guilty of a Class 2 misdemeanor; and each such person, firm or corporation shall be guilty of a separate offense for each and every day or portion thereof during which any violation of any provision of the code is committed, continued or permitted. Upon conviction, each violation is punishable by a fine of not more than seven hundred fifty dollars (plus any applicable surcharges), by imprisonment for not more that four months, or by both such fine and imprisonment.

C. The imposition of one penalty for any violation of this chapter shall not excuse the violation or permit it to continue. Application of the above penalty shall not be held to preclude the forced removal of prohibited conditions.

(Ord. 1397.08.20 § 10, 2008)

Chapter 15.14 ENERGY CONSERVATION CODE ADOPTED

Section:

15.14.010 International Energy Conservation Code.

15.14.020 Violation-Penalties.

15.14.010 International Energy Conservation Code.

Those certain documents known as (i) "International Energy Conservation Code, 2012 Edition" and (ii) "City of Casa Grande Amendments to the International Energy Conservation Code, 2012 Edition," as set forth in the document entitled "August 2014 Casa Grande Amendments to the Building, Health, and Safety Codes", both of which were made a public record by Resolution No. 4874 of the City of Casa Grande, Arizona, three copies of which are on file in the office of the Casa Grande City Clerk, are hereby referred to, adopted and made a part hereof as if fully set out in this section.

(Ord. 1397.08.25 § 8, 2014)

15.14.020 Violation-Penalties.

A. It shall be unlawful for a person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building, structure or building service equipment or cause or permit the same to be done in violation of this chapter and the other technical codes adopted by the City of Casa Grande.

B. Any person, firm or corporation violating any of the provisions of this chapter is guilty of a Class 2 misdemeanor, and each such person, firm or corporation shall be guilty of a separate offense for each and every day or portion thereof during which any violation of any provision of the code is committed, continued or permitted. Upon conviction, each violation is punishable by a fine of not more than seven hundred fifty dollars, plus any applicable surcharges, by imprisonment for not more that four months, or by both such fine and imprisonment.

C. The imposition of one penalty for any violation of this chapter shall not excuse the violation or permit it to continue. Application of the above penalty shall not be held to preclude the forced removal of prohibited conditions.

(Ord. 1397.08.25 § 8, 2014)

**Chapter 15.16
PLUMBING CODE ADOPTED**

Section:

15.16.010 International Plumbing Code.

15.16.020 Violation-Penalties.

15.16.010 International Plumbing Code.

Those certain documents known as (i) "International Plumbing Code, 2012 Edition" and (ii) "City of Casa Grande Amendments to the International Plumbing Code, 2012 Edition," as set forth in the document entitled "August 2014 Casa Grande Amendments to the Building, Health, and Safety Codes", both of which were made a public record by Resolution No. 4874 of the City of Casa Grande, Arizona, three copies of which are on file in the office of the Casa Grande City Clerk, are hereby referred to, adopted and made a part hereof as if fully set out in this section.

(Ord. 1397.08.25 § 9, 2014)

15.16.020 Violation-Penalties.

A. It shall be unlawful for a person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building, structure or building service equipment, or cause or permit the same to be

done, in violation of this chapter and the other technical codes adopted by the City of Casa Grande.

B. Any person, firm or corporation violating any of the provisions of this chapter is guilty of a Class 2 misdemeanor; and each such person, firm or corporation shall be guilty of a separate offense for each and every day or portion thereof during which any violation of any provision of the code is committed, continued or permitted. Upon conviction, each violation is punishable by a fine of not more than seven hundred fifty dollars (plus any applicable surcharges, by imprisonment for not more that four months, or by both such fine and imprisonment.

C. The imposition of one penalty for any violation of this chapter shall not excuse the violation or permit it to continue. Application of the above penalty shall not be held to preclude the forced removal of prohibited conditions.

(Ord. 1397.08.20 § 10, 2008)

Chapter 15.20 ELECTRICAL CODE ADOPTED

Section:

15.20.010 National Electrical Code.

15.20.020 Violation-Penalties.

15.20.010 National Electrical Code.

Those certain documents known as (i) "National Electrical Code, 2011 Edition" and (ii) "City of Casa Grande Amendments to the National Electrical Code, 2011 Edition," as set forth in the document entitled "August 2014 Casa Grande Amendments to the Building, Health, and Safety Codes", both of which were made a public record by Resolution No. 4874 of the City of Casa Grande, Arizona, three copies of which are on file in the office of the Casa Grande City Clerk, are hereby referred to, adopted and made a part hereof as if fully set out in this section.

(Ord. 1397.08.25 § 10, 2014)

15.20.020 Violation-Penalties.

A. It shall be unlawful for a person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building, structure or building service equipment, or cause or permit the same to be done, in violation of this chapter and the other technical codes adopted by the City of Casa Grande.

B. Any person, firm or corporation violating any of the provisions of this chapter is guilty of a Class 2 misdemeanor; and each such person, firm or corporation shall be guilty of a separate offense for each and every day or portion thereof during which any violation of any provision of the code is committed, continued or permitted. Upon conviction, each violation is punishable by a fine of not more than seven hundred fifty dollars (plus any applicable surcharges), by imprisonment for not more that four months, or by both such fine and imprisonment.

C. The imposition of one penalty for any violation of this chapter shall not excuse the violation or permit it to continue. Application of the above penalty shall not be held to preclude the forced removal of prohibited conditions.

(Ord. 1397.08.20 § 10, 2008)

Chapter 15.24 SIGN CODE ADOPTED

Sections:

15.24.010 Adoption.

15.24.010 Adoption.

That certain code entitled "Sign Code for the City of Casa Grande," dated April 19, 1976, and adopted by Ordinance No. 583 as amended, and adding Chapter 15.04, Administrative Provisions, is adopted as the "Sign Code" for the city and made a part of this code the same as though specifically set forth in full. At least three copies of the code shall be filed in the office of the city clerk, and kept available for public use and inspection.

(Prior code § 9-7-1)

Chapter 15.28 PROPERTY MAINTENANCE CODE ADOPTED

Sections:

15.28.010 City of Casa Grande Property Maintenance Code.

15.28.020 Violations-Penalties.

15.28.010 City of Casa Grande Property Maintenance Code.

That certain document known as the "City of Casa Grande Property Maintenance Code" which was made a public record by Resolution No. 4874 of the City of Casa Grande, Arizona, three copies of which are on file in the office of the Casa Grande City Clerk, are hereby referred to, adopted and made a part hereof as if fully set out in this section.

(Ord. 1397.08.25 § 11, 2014)

15.28.020 Violations-Penalties.

A. It shall be unlawful for a person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building, structure or building service equipment or cause or permit the same to be done in violation of this chapter and the other technical codes adopted by the City of Casa Grande.

B. Any person, firm or corporation violating any of the provisions of this chapter is guilty of a Class 2 misdemeanor, and each such person, firm or corporation shall be guilty of a separate offense for each and every day or portion thereof during which any violation of any provision of the code is committed, continued or permitted. Upon conviction, each violation is punishable by a fine of not more than seven hundred fifty dollars, plus any applicable surcharges, by imprisonment for not more than four months, or by both such fine and imprisonment.

C. The imposition of one penalty for any violation of this ordinance shall not excuse the violation or permit it to continue. Application of the above penalty shall not be held to preclude the forced removal of prohibited conditions.

(Ord. 1397.08.25 § 11, 2014)

Chapter 15.30 EXISTING BUILDING CODE ADOPTED

Sections:

15.30.010 International Existing Building code.

15.30.020 Violations-Penalties.

15.30.010 International Existing Building Code.

Those certain documents known as (i) "International Existing Building Code, 2012 Edition" including Chapters A1, A2, A3, A4, A5, C1, C2 and C3; Appendix B; Resource A; and Resource A-Appendix; and (ii) "City of Casa Grande Amendments to the International Existing Building Code, 2012 Edition," as set forth in the document entitled "August 2014 Casa Grande Amendments to the Building, Health, and Safety Codes", both of which were made a public record by Resolution No. 4874 of the City of Casa Grande, Arizona, three copies of which are on file in the office of the Casa Grande City Clerk, are hereby referred to, adopted and made a part hereof as if fully set out in this section.

(Ord. 1397.08.25 § 12, 2014)

15.30.020 Violations-Penalties.

A. It shall be unlawful for a person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building, structure or building service equipment or cause or permit the same to be done in violation of this chapter and the other technical codes adopted by the City of Casa Grande.

B. Any person, firm or corporation violating any of the provisions of this chapter is guilty of a Class 2 misdemeanor, and each such person, firm or corporation shall be guilty of a separate offense for each and every day or portion thereof during which any violation of any provision of the code is committed, continued or permitted. Upon conviction, each violation is punishable by a fine of not more than seven hundred fifty dollars, plus any applicable surcharges, by imprisonment for not more that four months, or by both such fine and imprisonment.

C. The imposition of one penalty for any violation of this chapter shall not excuse the violation or permit it to continue. Application of the above penalty shall not be held to preclude the forced removal of prohibited conditions.

(Ord. 1397.08.25 § 12, 2014)

Chapter 15.32 PUBLIC IMPROVEMENT REQUIREMENTS FOR LAND DEVELOPERS

Sections:

15.32.010 Purpose of provisions.

15.32.020 Definitions.

15.32.030 Exceptions.

15.32.040 Purpose of provisions to establish minimum acceptable standards.

15.32.050 Engineering plans required.

15.32.060 Street dedication requirements.

15.32.070 Certain requirements not applicable when.

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15.32.200 Improvement district agreements when.

15.32.210 Notification and approval of work to be done on right-of-way required.

15.32.220 Modifications to regulations allowed when.

15.32.230 Multimodal transportation study adopted by reference.

15.32.010 Purpose of provisions.

A. The purpose of these regulations is to provide for the orderly growth and harmonious development of the city; to ensure that proper off-site facilities are constructed in conjunction with the development of unsubdivided land for commercial, industrial, and multiple-family and single-family residential uses where no subdivision of land is required; to provide for public dedication of such rights- of-way, as streets or easements, as are reasonably required by or related to, the effect of the proposed use; to secure adequate provisions for water supply, drainage, sanitary sewerage, and other health requirements as part of the development.

B. In its interpretation and application, the provisions of these regulations are intended to provide a common ground of understanding and equitable working relationship between public and private interests to the end that both independent and mutual objectives can be achieved in the development of land where no subdivision is required.

(Prior code Art. 19-1)

15.32.020 Definitions.

For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

"Council" means the city council of the city of Casa Grande.

"Developer" means the individual, firm, corporation, partnership, association, syndication, trust or other legal entity that initiates the development of land for commercial, industrial, multifamily or single- family residential purposes in accordance with the provisions of this chapter; and the developer need not be the owner of the property as defined by this chapter.

"Development" means an improvement to a parcel, lot or tract of land for which a building permit is required, or other approval is required under any existing city code or ordinance.

"Easement" means a grant by the owner of the use of a strip of land by the public, a corporation or persons, for specific uses and purposes and so designated.

"Engineering plans" means plans, profiles, cross sections and other required details for the construction of public improvements, prepared by a civil engineer registered in the state of Arizona in compliance with standards of design and construction approved by the council.

"Grantor" means the individual, firm, corporation, partnership, association, syndication, trust or other legal entity that has authority to convey land to the city.

"Irrigation facilities" means and includes canals, laterals, ditches, conduits, gates, pumps and allied equipment necessary for the supply, delivery and drainage or irrigation water and the construction, operation, maintenance of such.

"Owner" means the person or persons holding a title by deed to land, or holding any other title of record.

"Pedestrian way" means a public walk dedicated entirely through a block from street to street and/or providing access to a school, park, recreation area or shopping center.

"Right-of-way" means any public right-of-way, and includes any area required for public use pursuant to any general or specific plan.

"Standard specifications and details" means a set of uniform development specifications approved by the city engineer and adopted by the city council.

"Streets" means any existing or proposed street, avenue, boulevard, road, lane, parkway, place, bridge, viaduct or easement for public vehicular access or street shown in a plat duly filed and recorded in the county recorder's office. A street includes all land within the street right-of-way whether improved or unimproved and includes such improvements as pavement, shoulders, curbs, gutters, sidewalks, parking spaces, bridges and drainage improvements.

1. "Arterial street" means a major street of exceptional continuity that is intended to carry the greatest portion of through traffic from one area of the city to another. All section-line streets shall be designated arterial streets.
2. "Collector street" means a street designed to accommodate traffic within residential neighborhoods with the primary purpose of collecting and distributing traffic to and from the arterial streets.
 - a. "Primary collector street" means a street located at or in the vicinity of mid-section lines.
 - b. "Secondary collector street" means a street located at or in the vicinity of quarter section lines.
3. "Local street" means a residential street which has limited continuity with the primary purpose of serving only those lots which are adjacent to it.
4. "Cul-de-sac" means a short local street having but one end open for vehicular traffic, the opposite end being terminated with a permanent turn-around.
5. "Alley" means a public service way used to provide secondary vehicle access to properties otherwise abutting upon a street.

"Transportation plan" means an element of the Casa Grande Comprehensive Plan, adopted by city council, which indicates collector streets, arterial streets, and other transportation facilities.

"Utilities" means installations or facilities, underground or overhead, furnishing for the use of the public electricity, gas, steam, communications, water, drainage, sewage disposal or flood control, owned and operated by any person, firm, corporation, municipal department or board, duly authorized by state or municipal regulations. Utility or utilities as used herein may also refer to such persons, firms, corporations, departments or board as sense requires.

(Prior code § Art. 19-2)

15.32.030 Exceptions.

All improvements shall be required for all developments in all zoning classifications with the following exceptions:

- A. Curb and gutter, concrete sidewalks shall not be required in low density residential (thirty- five thousand square foot lots minimum) on interior streets. Arterial and collector streets, both primary and secondary, are not exempted from these requirements.
- B. Concrete sidewalks on interior streets shall not be required in an area zoned heavy industrial.

(Ord. 1397.15.4 § 2 (part), 1992; prior code Art. 19-6)

15.32.040 Purpose of provisions to establish minimum acceptable standards.

A. It is the purpose of this chapter to establish in outline the minimum acceptable standards for improvement of public streets and utilities, including dedication of additional rights-of-way where needed, to define the responsibility of the developer in the planning, constructing, and financing of public improvements and to establish procedures for review and approval of engineering plans.

B. All improvements required in streets, alleys or easements which are required as a condition of site plan approval shall be the responsibility of the developer.

(Prior code Art. 19-3 (1))

15.32.050 Engineering plans required.

It is the responsibility of the developer to have prepared by a civil engineer, registered in the state of Arizona, a complete set of engineering plans satisfactory to the city engineer, for construction of required improvements. The plans shall be prepared and submitted to the city building inspector together with the on-site construction plans.

(Prior code Art. 19-3 (2))

15.32.060 Street dedication requirements.

A. No building or structure shall be erected or enlarged and no building permit shall be issued therefor on any parcel of land in any zoning district which abuts any existing or proposed street or alley, if the prospective erection or enlargement of the building or structure and use thereof will affect an increase of traffic in the street right-of-way, unless the one-half of any such abutting right-of-way which is located on the same side of the center of the street or alley as such parcel of land has been dedicated and improved for the full width of the parcel where it abuts so as to meet the standards for each right-of-way as provided in the right-of-way standards and the requirements of subsection C of this section or such dedication and improvement has been assured to the satisfaction of the city engineer. As used in this chapter, the center of the street or alley means the centers of those existing and proposed rights-of-way as they are shown on any adopted plans of the city or as would ordinarily be required and developed under requirements of Chapter 16 of this code.

B. The maximum area of land required to be so dedicated shall not exceed twenty-five percent of the area of any such parcel which was out of record as of the effective date of the adoption of the ordinance codified in this chapter, in the Pinal County recorder's office. In the event such dedication reduces the parcel below a width of an area which is the minimum permitted by Chapter 17 for a lot zoned as the lot is zoned, an application for a variance to the zoning regulations may be made to the board of adjustments.

C. The additional public improvements required to be constructed under subsection A of this section, except when subsection D of this section applies to a parcel and imposes any different requirements outlined in Section 15.32.100.

D. No additional improvements shall be required on such a parcel where complete roadway, paving, curb, gutter, sidewalk, fire hydrants, street lights, and storm drain improvements exist within the present dedication contiguous thereto and which were constructed according to city or county standards applicable at the time of construction for public improvements, if the improvements meet the standards in effect at that time.

(Prior code Art. 19-3 (3))

15.32.070 Certain requirements not applicable when.

Dedications and improvements required by Section 15.32.060 shall not apply to:

A. Additions and accessory buildings incidental to a residential building legally existing on the parcel, provided no additional dwelling units or guest rooms are created;

B. Additions and accessory buildings incidental to other than a residential building existing on the parcel on the date of the adoption of the ordinance codified in this chapter provided that the total cumulative floor area of all such additions and accessory buildings shall not exceed two hundred square feet;

C. In any case where the city engineer finds that the prospective erection or enlargement of the involved building or structure, and the use thereof, will affect no increase in traffic generation on any street as prescribed in Section 15.32.060 of this chapter. Any such determination by the city engineer within the purview of this subsection, whether such determination be affirmative or negative, is appealable to the city council, provided an appeal is presented in writing to the city clerk within ten days of the decision.

(Prior code Art. 19-3 (4))

15.32.080 Grant of easement when.

Any person required to dedicate land by the provisions of this chapter shall provide and offer a grant of easement, or, at his option,

grant deed for the necessary right-of-way in a standard form acceptable to the city attorney. Dedication shall be considered as satisfactorily assured when the document has been accepted for recordation by the city engineer.

(Prior code Art. 19-3 (5))

15.32.090 Right-of-way width requirements.

The minimum right-of-way widths of streets, alleys and ways will be as follows:

- A. Major arterial streets, one hundred thirty feet;
- B. Minor arterial streets, one hundred ten feet;
- C. Collector streets, eighty feet;
- D. Local streets, forty-four feet;
- E. Local half streets, thirty feet;
- F. Cul-de-sacs, forty feet;
- G. Pedestrian ways, eight feet;
- H. Alleys, twenty.

(Ord. 1397.15.4 § 2 (part), 1992)

15.32.100 Required improvement widths-Applicability.

The following required improvement widths set out in Sections 15.32.110 through 15.32.160 shall apply to all streets, alleys, and pedestrian ways within the city limits. All improvements shall be constructed in accordance with city standard specifications and details.

(Prior code Art. 19-5 (part))

15.32.110 Required improvements- Roadway sections.

Paving width measured between backs of curbs shall be as follows:

- A. Major arterial streets, ninety-three feet;
- B. Minor arterial streets, seventy-four feet;
- C. Collector streets, forty-eight feet;
- D. Local streets, thirty-six feet;
- E. Local half streets, twenty-four feet;
- F. Cul-de-sacs, thirty-two feet with terminous roadway radius of forty-four feet.

(Ord. 1397.15.4 § 2 (part), 1992)

15.32.120 Required improvements-Other roadways.

Other roadway improvements shall be:

- A. Sidewalks, four feet, except along arterial streets where sidewalks shall be five feet;
- B. Curb and gutter, twenty-four inches in width;

C. Pedestrian ways, eight feet;

D. Alleys: developments utilizing an alley as access to required parking shall improve the alley full width, two inches of asphaltic concrete on six inches of aggregate base course, to the nearest improved intersecting street;

E. Street name signs: signs shall be placed at all street intersections and be in place by the time the street pavement is ready for use. Specifications for design, construction, location and installation shall be in accordance with city standard specifications.

(Ord. 1397.15.4 § 2 (part), 1992; prior code Art. 19-5 (2))

15.32.130 Required improvements- Storm drainage.

Proper and adequate provision shall be made for disposal or retention of storm- water; this shall apply equally to grading of private properties and to public streets. Existing major watercourses shall be maintained and dedicated as drainage ways. The type, extent, location and capacity of drainage facilities shall be approved for the individual development by the city engineer and shall be constructed in accordance with standards and specifications established by the city standard specifications. The city engineer may require an engineering study by a consulting registered engineer employed by the developer.

(Prior code Art. 19-5 (3))

15.32.140 Required improvements- Sanitary sewage disposal.

Public sanitary sewers shall be installed in accordance with plans, profiles and specifications approved by the county and state health departments and the city engineer and in accordance with the city standard specifications.

(Prior code Art. 19-5 (4))

15.32.150 Required improvements- Irrigation facilities.

All irrigation facilities to remain within the boundaries of the tract or in an abutting one-half street or alley right-of-way shall be tiled or relocated as may be directed by the city engineer. Where street improvements require relocation of control gates or other structures, such relocation and reconstruction shall conform to city engineer's requirements.

(Prior code Art. 19-5 (5))

15.32.160 Required improvements- Water supply.

The development shall be supplied with safe, pure and potable water in sufficient volume and pressure for domestic use and fire protection in accordance with city standard specifications. Fire hydrants shall be installed in accordance with city standard specifications at locations designated by the chief of the fire department and the city engineer.

(Prior code Art. 19-5 (6))

15.32.170 Street lights.

Street lights shall be installed on all streets developed. All lights shall be installed under the direction of the city engineer and in accordance with the city standard specifications.

(Prior code Art. 19-5 (7))

15.32.180 Required improvements- Utilities.

All electric power lines (except lines exceeding thirteen KV), all telephone lines and all cable television lines which are on the site of the development property, including those on land which will be dedicated to public use as part of the development, and those utilities

lines which must be extended to provide such utility services to the development property from an end point outside the development property lines except those lines along arterial or collector streets, shall be installed underground.

(Ord. 1397.15.11 § 1, 1997; prior code Art. 19-5 (8))

15.32.190 Required improvements- Refuse containers.

Each development or combination of developments shall be supplied with a refuse container, at the expense of the developer, to be owned by the city, as approved by the city engineer unless private containers, approved for use by the city engineer are supplied. Enclosures for containers in areas other than single-family residential areas shall be required.

(Prior code Art. 19-5 (9))

15.32.200 Improvement district agreements when.

In the event any of the off-site improvements cause a hardship on the city, or it is not practical to construct the improvements because of the pending formation of an improvement district, the city engineer may temporarily postpone the off-site improvements upon the developer signing an agreement with the city to enter into an improvement district.

(Prior code Art. 19-7)

15.32.210 Notification and approval of work to be done on right-of-way required.

Prior to any work commencing for any purpose on any public right-of-way, the person for whom the work is being completed shall file an application for a right-of-way permit. The city engineer shall require plans and specifications at the time of application, as well as fees for the city review of the maintenance, construction or building plans. The fee shall be established in the City Consolidated Fee Schedule pursuant to Section 1.04.170. Fees shall be made payable to the city. No work shall commence without the written approval of the city engineer.

(Ord. 1397.02.10 § 8, 2008; Ord. 1397.15.20 1, 2004; prior code Art. 19-8)

15.32.220 Modifications to regulations allowed when.

A. When, in the opinion of the council, there exist extraordinary conditions of topography, land ownership, or adjacent development or other circumstances not provided for in these regulations, the council may, upon investigation and recommendation by the city engineer, waive or modify these regulations in such manner and to such extent as it may deem appropriate to the public interest.

B. Where, due to extraordinary conditions, the council waives or modifies these regulations, they may also require such protective covenants, bonds or other legal provisions as will assure future conformity to these regulations.

(Prior code Art. 19-9)

15.32.230 Multimodal transportation study adopted by reference.

A. That a certain document known as "The Casa Grande Multimodal Transportation Study," three copies of which are on file in the office of the City Clerk, and which document was made a public record by Resolution No. 3380, is hereby referred to, adopted by reference and made a part hereof as if fully set out in this section.

B. The provisions of this section and the public record adopted herein are effective from and after December 3, 2003.

C. Any person found guilty of violating any provision of the Casa Grande Multimodal Transportation Study shall be guilty of a class II misdemeanor. Each day that a violation occurs shall be a separate offense punishable as herein above described.

(Ord. 1397.15.18 § 1, 2003)

Sections:

- 15.36.010 Definitions.**
- 15.36.020 General authority.**
- 15.36.030 Enforcement authority.**
- 15.36.040 Parking outside court restricted.**
- 15.36.050 Located in specific zone only.**
- 15.36.060 Court plan requirements.**
- 15.36.070 Water supply requirements.**
- 15.36.080 Service building and accommodation requirements.**
- 15.36.090 Waste and garbage disposal requirements.**
- 15.36.100 Management facilities required-Duties.**
- 15.36.110 License required to operate-Application requirements.**
- 15.36.120 License fee.**
- 15.36.130 Applicability of technical codes.**
- 15.36.140 Revocation or suspension of license when.**
- 15.36.150 Hearing.**

15.36.010 Definitions.

Whenever used in this chapter, unless a different meaning appears from the context, the following terms are defined:

"Trailer" means an automobile trailer, trailer coach, mobile home or any vehicle or structure so designed and constructed in such manner as will permit occupancy thereof as sleeping quarters for one or more persons, the conduct of any business or profession, occupation or trade, or use as a selling or advertising device, and so designed that it is or may be mounted on wheels and used as a conveyance on highways or city streets, propelled or drawn by its own or other motive power, excepting a device used exclusively upon stationary rails or tracks.

"Trailer court" means any park, trailer park, trailer court, mobile home park, court, camp, site, lot, parcel, or tract of land designed, maintained or intended for the purpose of supplying a location or accommodations for any trailer coach or mobile home, and upon which any trailer coach or mobile home is parked, and shall include all buildings used, or intended for use, as part of the equipment thereof, whether a charge is made for the use of the trailer court and its facilities or not. "Trailer court" shall not include automobile, trailer or mobile home sales lots on which unoccupied trailers are parked for purposes of inspection and sale.

"Unit" means a section of ground in a trailer court of not less than twenty-four hundred square feet of unoccupied space in an area designated as the location for only one automobile and one trailer.

(Prior code § 16-1-1)

15.36.020 General authority.

The city health officer shall have power to make such other rules and regulations as are consistent with this chapter, as may be necessary to carry out its provisions.

(Prior code § 16-2-12)

15.36.030 Enforcement authority.

It is made the duty of the city health officer, chief of police, chief of the fire department, building inspector, and plumbing inspector to enforce the provisions of this chapter as set out herein, or as may hereafter be enacted, and, for the purpose of securing such enforcement, any of the above named officials, or their authorized representatives, shall have the right and are empowered to enter upon any premises on which any trailers are located, or are about to be located, and inspect the same.

(Prior code § 16-2-13)

15.36.040 Parking outside court restricted.

A. It is unlawful, within the city limits, for any person to park any trailer on any street, alley or highway, or other public place, or on any tract of land owned by any person, occupied or unoccupied within the city, except as provided in this chapter.

B. No person shall park or occupy any trailer or mobile home on the premises of any occupied dwelling or on any lot which is not a part of the premises of any occupied dwelling, either of which is situated outside of any approved trailer court:

1. Except the parking of only one unoccupied trailer in any accessory private garage building, or in a rear yard in any district, is permitted providing no living quarters shall be maintained or any business practiced in the trailer while a trailer is so parked or stored; and

2. Except in the event of a hardship temporary use permits may be granted by the zoning administrator not in conflict with existing zoning ordinances.

(Prior code § 16-1-2)

15.36.050 Located in specific zone only.

No trailer court shall be located in any district other than as provided in Title 17 of this code, or amendments thereto.

(Prior code § 16-2-2)

15.36.060 Court plan requirements.

A. Every trailer court shall be located on a well-drained area, and the premises shall be properly graded so as to prevent the accumulation of storm or other waters.

B. Units shall be clearly designated and the court shall face or abut on a driveway not less than twenty feet wide, giving easy access from all units to a public street. The driveway shall be maintained in good condition, have natural drainage, be well lighted at night, and shall not be obstructed.

C. The court shall be laid out so that no unit shall be located further than two hundred feet from the toilets and service buildings provided for herein, and walkways to the buildings shall be well lighted at night.

D. Every trailer unit shall be furnished with an electric service outlet. Such outlet shall be equipped with an externally operated switch or fuse of not less than thirty amperes capacity, and a heavy duty outlet receptacle.

E. Every trailer court shall have, on at least three sides, a picket or link fence or comparable structure not less than three feet in height. Suitable openings for driveways or service entrances in the fences shall be provided.

(Prior code § 16-2-3)

15.36.070 Water supply requirements.

A. An adequate supply of pure water furnished through a pipe distribution system connected directly with a water main, with supply faucets located not more than one hundred feet from any trailer, shall be furnished for drinking and domestic purposes.

B. No common drinking vessels shall be permitted, nor shall any drinking water faucets be placed in any toilet room or water closet compartment.

C. An abundant supply of hot water shall be provided at all times for bathing, washing and laundry facilities.

(Prior code § 16-2-4)

15.36.080 Service building and accommodation requirements.

A. Every trailer court shall have erected thereon, at a distance not greater than two hundred feet from any unit it is designed to serve, a suitable building for housing toilets, showers and laundry facilities, as required by this chapter. Such buildings shall be well lighted at all times, day or night, well ventilated with screened openings, and constructed of such moisture proof material as shall permit rapid and satisfactory cleaning, scouring and washing.

B. There shall be provided separate toilet rooms for each sex. Flush toilets provided with an adequate water supply shall be enclosed in separate compartments and shall be provided for each sex in the ratio of one toilet for each ten units or major fraction thereof. Every male toilet room shall have one urinal for each twenty units, but in no case shall any male toilet room be without one urinal. Toilet rooms shall contain lavatories with hot and cold water in the ratio of one lavatory to every four or less water closets.

C. Separate bathing facilities for each sex shall be provided with one shower enclosed in a compartment for each ten units or major fraction thereof.

D. Laundry facilities shall be provided in the ratio of one double tray for each fifteen units, or major fraction thereof.

E. The above accommodations shall be based on the total court capacity according to the accepted plans, provided that in the event trailers occupying a trailer court are equipped with toilet, bathing and laundry facilities, such facilities need not be erected for trailers so equipped, and provided further, that it shall be unlawful to rent trailer space to trailers not so equipped unless such facilities shall have been erected in ratios provided for in subsections A, B and D of this section. If the operator of a trailer court adopts, files with the city and enforces a written rule for the trailer court requiring each trailer parked in his trailer court to have an independent toilet facility, the provisions of subsection B of this section shall not apply except that each trailer court shall have at least one central toilet facility for each sex. If the operator of a trailer court adopts, files with the city and enforces a written rule for the trailer court requiring each trailer parked in his trailer court to have an independent bathing facility, the provisions of subsection C of this section shall not apply.

F. The floors of toilets, showers, and the laundry shall be of concrete, tile or similar material, impervious to water, and easily cleaned and pitched to a floor drain.

(Prior code § 16-2-5)

15.36.090 Waste and garbage disposal requirements.

A. All waste from showers, toilets, laundries, faucets and lavatories shall be drained into a sewer system extended from and connected with the city sewer system, or into approved septic tanks.

B. All sanitary facilities in any trailer which are not connected with the city sewer system, or approved septic tanks, shall be sealed and their use is declared unlawful.

C. There shall be provided a garbage collection stand or stands, so that no unit will be more than two hundred feet from such stand. At least one twenty-gallon substantial fly-tight metal garbage can shall be provided for each five units or major fraction thereof. The garbage collection stand shall be so located as to permit convenient access thereto by garbage collection trucks. The garbage collection stand shall not be permitted to become foul-smelling, unsightly or breeding places for flies.

(Prior code § 16-2- 6)

15.36.100 Management facilities required-Duties.

A. In every trailer court there shall be an office building or rooms in which shall be located the office of the person in charge of the court. A copy of the court license and of the provisions of this chapter shall be posted therein, and the court register shall at all times be kept in the office.

B. It is made the duty of the attendant or person in charge, together with the licensee to:

1. Keep at all times a register of all guests, which shall be open at all times to inspection by state and federal officers and officers of the city, showing for all guests:
 - a. Names and addresses,
 - b. Dates of entrance and departure,
 - c. License number of all trailers and towing or other automobiles,
 - d. States issuing such licenses;
2. Maintain the court in a clean, orderly and sanitary condition, at all times;
3. See that the provisions of this chapter are complied with and enforced, and report promptly to the proper authorities any violations of this chapter or any other violations of law which may come to his attention;
4. Report to the city health officer all cases of persons or animals affected or suspected of being affected with any communicable disease;
5. Prevent the running loose of dogs, cats, or other animals or pets;
6. Maintain in convenient places, approved by the fire department, hand fire extinguishers in the ratio of one to each ten units;
7. Prohibit the lighting of open fires on the premises;
8. Prohibit the use of any trailer by a greater number of occupants than that which it is designed to accommodate.

(Prior code § 16-2-7)

15.36.110 License required to operate-Application requirements.

A. It is unlawful for any person to establish, operate or maintain, or permit to be established, operated or maintained upon any property owned or controlled by him, a trailer court, within the limits of the city, without having first secured a license therefor from the clerk, granted and existing in compliance with the terms of this chapter. Such license shall expire on December 31 of each year, but may be renewed under the provisions of this chapter for additional periods of one year.

B. The application for such license or the renewal thereof shall be filed with the clerk and shall be made on a form furnished by the clerk, and shall include the name and address of the owner of the tract and a legal description of the premises upon which the trailer court is or will be located, as will readily identify and definitely locate the premises. An original application shall be accompanied by two copies of the court plan, showing the following, either existing or as proposed:

1. The extent and area used for court purposes;
2. Roadways and driveways;
3. Location and number of sanitary conveniences, including toilets, washrooms, laundries and utility rooms to be used by occupants of units;
4. Method and plan of sewage disposal;
5. Method and plan of garbage removal;
6. Plan for water supply;
7. Plan for electrical lighting of units.

C. All original applications shall be referred to the city planning and zoning commission, and before the license may be issued, there must be a favorable recommendation by a majority of the city planning and zoning commission, and the premises must be inspected and approved by the city health officer, chief of police, chief of the fire department, building inspector and plumbing inspector, or their duly authorized representatives, as complying with all provisions of this chapter and all other applicable ordinances of the city and provisions of this code.

D. Licenses issued under the terms of the chapter convey no right to erect any building, to do any plumbing work, or to do any electrical work.

(Prior code § 16-2-1)

15.36.120 License fee.

There is imposed a license fee of forty dollars per year, payable quarterly in advance, for a license to operate or maintain a trailer court in the city.

(Prior code § 16-2-8)

15.36.130 Applicability of technical codes.

All plumbing, electrical, building, mechanical and other work on or at any court licensed under this chapter shall be in accordance with the provisions of this code regulating such work.

(Prior code § 16-2-9)

15.36.140 Revocation or suspension of license when.

The city planning and zoning commission is authorized to revoke any license issued pursuant to the terms of this chapter, if, after due investigation, they determine that the holder thereof has violated any of the provisions of this chapter, or that any trailer or trailer court is being maintained in an unsanitary or unsafe manner, or is a nuisance.

(Prior code § 16-2-10)

15.36.150 Hearing.

Any person aggrieved by an order of the city planning and zoning commission granting, denying, renewing, or revoking a license for a trailer court under this chapter, may file a written request for a hearing before the commission within ten days after issuance of the order. The commission shall give notice of public hearing upon this request to be held in not less than five days after service of the notice on the person requesting the hearing. The commission shall also give notice of the hearing to other persons directly interested in the order in question. At such hearing, the commission shall determine whether the granting, denial, renewal or revocation of the license was in accordance with the provisions of this chapter, and shall issue a written findings of fact, and an order to carry out its findings. These findings of fact and order shall be filed with the clerk and served by him upon all interested persons appearing or represented at the hearing.

(Prior code § 16-2-11)

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Article I. Purpose of Provisions

15.40.010 Findings of fact.

A. The flood hazard areas of the city are subject to periodic inundation which may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of tax base, all of which adversely affect the public health, safety and general welfare.

B. These flood losses may be caused by the cumulative effect of obstructions in areas of special flood hazards which increase flood heights and velocities, and when inadequately anchored, damage uses in other areas. Uses that are inadequately floodproofed, elevated or otherwise protected from flood damage also contribute to the flood loss.

(Ord. 1397.15.21 § 1 (part), 2007; prior code § 17-1-1)

15.40.020 Statement of purpose.

It is the purpose of this chapter to promote the public health, safety and general welfare, and to minimize public and private losses due to flood conditions in specific areas by provisions designed:

A. To protect human life and health;

B. To minimize expenditure of public money for costly flood control projects;

C. To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the

general public;

D. To minimize prolonged business interruptions;

E. To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in areas of special flood hazard;

F. To help maintain a stable tax base by providing for the sound use and development of areas of special flood hazard so as to minimize blight areas caused by flooding;

G. To ensure that potential buyers are notified that property is in an area of special flood hazard;

H. To ensure that those who occupy the areas of special flood hazard assume responsibility for their actions; and

I. To maintain eligibility for state disaster relief.

(Ord. 1397.15.21 § 1 (part), 2007; prior code § 17-1-2)

15.40.030 Purpose of provisions.

In order to accomplish its purposes, this chapter includes methods and provisions for:

A. Restricting or prohibiting uses which are dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;

B. Requiring that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;

C. Controlling the alteration of natural flood plains, stream channels and natural protective barriers, which help accommodate or channel flood waters;

D. Controlling filling, grading, dredging, and other development which may increase flood damage; and

E. Preventing or regulating the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards in other areas.

(Prior code § 17-1-3)

Article II. Definitions

15.40.040 Rules of construction and interpretation-Definitions.

Unless specifically defined below, words or phrases used in this article shall be interpreted so as to give them the meaning they have in common usage and to give this chapter its most reasonable application.

(Prior code Art. 17-2 (part))

15.40.045 Accessory structure, low-cost and small.

"Accessory structure, low-cost and small" means a structure that is both:

A. Solely for the parking of not more than two cars; or limited storage (such as a small, low-cost shed); and

B. No more than four hundred eighty-four square feet and costs less than three thousand dollars to construct.

(Ord. 1397.15.21 § 1 (part), 2007)

15.40.050 Appeal.

"Appeal" means a request for review of the floodplain administrator's interpretation of any provision of this article or a request for a variance.

(Prior code Art. 17-2 (part))

15.40.060 Area of shallow flooding.

"Area of shallow flooding" means a designated AO or AH Zone on a community's flood insurance rate map (FIRM) with a one percent or greater annual chance of flooding to an average depth of one to three feet, where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident. Such flooding may be characterized by ponding or sheet flow.

(Ord. 1397.15.21 § 1 (part), 2007; prior code Art. 17-2 (part))

15.40.070 Area of special flood hazard.

"Area of special flood hazard" means the land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year. These areas are designated as Zone A, AE, AO, AH, and A1-A30 on the FIRM and other areas determined by the criteria adopted by the Director of the Arizona Department of Water Resources. (See also "Special flood hazard area.")

(Ord. 1397.15.21 § 1 (part), 2007; prior code Art. 17-2 (part))

15.40.080 Base flood.

"Base flood" means the flood having a one percent chance of being equaled or exceeded in any given year (also called the "100-year flood").

(Ord. 1397.15.21 § 1 (part), 2007; prior code Art. 17-2 (part))

15.40.090 Base flood water surface elevation or base flood elevation.

"Base flood water surface elevation or base flood elevation" means:

A. The elevation shown on the flood insurance rate map for Zones AE, AH, A1-A30, VE and V1-V30 that indicates the water surface elevation resulting from a flood that has a one percent or greater chance of being equaled or exceeded in any given year ; however, when the city determines that it has more accurate base flood water surface elevation data than the data shown on the FIRMs, the more accurate data shall be used;

B. In a regulatory floodway outside the areas identified in paragraph A. above, the base flood water surface elevations shall be those determined by the floodplain delineation accomplished in accordance with the criteria established by the Director of the Arizona Department of Water Resources;

C. For those areas of the city which are not within a regulatory floodway, the base flood water surface elevations shall be those which are established by a drainage report submitted in accordance with the city's requirements.

(Ord. 1397.15.21 § 1 (part), 2007; prior code Art. 17-2 (part))

15.40.095 Basement.

"Basement" means any area of the building having its floor sub-grade, i.e., below ground level, on all sides.

(Ord. 1397.15.21 § 1 (part), 2007)

15.40.100 Breakaway walls.

"Breakaway walls" mean any type of walls, whether solid or lattice, and whether constructed of concrete, masonry, wood, metal, plastic, or any other suitable building material which are not a part of the structural support of the building and which are so designed as to breakaway, during the base flood, without damage to the structural integrity of the building on which they are used or any structures to which they may be carried by floodwaters.

(Prior code Art. 17-2 (part))

15.40.105 Building.

See "structure."

(Ord. 1397.15.21 § 1 (part), 2007)

15.40.110 Critical feature.

"Critical feature" means an integral and readily identifiable part of a flood protection system without which the flood protection provided by the entire system would be compromised.

(Prior code Art. 17-2 (part))

15.40.120 Development.

"Development" means any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, or storage of equipment or materials located within the area of special flood hazard.

(Ord. 1397.15.21 § 1 (part), 2007; prior code Art. 17-2 (part))

15.40.125 Encroachment.

"Encroachment" means the advance or infringement of uses, plant growth, fill, excavation, buildings, permanent structures or development into a floodplain, which may impede or alter the flow capacity of a floodplain.

(Ord. 1397.15.21 § 1 (part), 2007)

15.40.127 Erosion.

"Erosion" means the process of the gradual wearing away of landmasses. This peril is not, per se, covered under the program.

(Ord. 1397.15.21 § 1 (part), 2007)

15.40.130 Existing manufactured home park or subdivision.

"Existing manufactured home park or subdivision" means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by the community.

(Prior code Art. 17-2 (part))

15.40.140 Expansion to an existing manufactured home park or manufactured home subdivision.

"Expansion to an existing manufactured home park or manufactured home subdivision" means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, either final site grading or pouring of concrete pads, or the construction of streets).

(Prior code Art. 17-2 (part))

15.40.150 Financial assistance.

"Financial assistance" means any form of loan, grant, guaranty, insurance, payment, rebate, subsidy, disaster assistance loan or grant, or any other form of direct or indirect federal assistance, other than a general or special revenue sharing or formula grants made to states.

(Prior code Art. 17-2 (part))

15.40.160 Flood or flooding.

"Flood or flooding" means a general and temporary condition of partial or complete inundation of normally dry land areas from:

A. The overflow of floodwaters;

B. The unusual and rapid accumulation or runoff of surface waters from any source; and/or

C. The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in this definition.

(Prior code Art. 17-2 (part))

15.40.170 Flood boundary and floodway map (FBFM).

"Flood boundary and floodway map" means the official map on which the Federal Emergency Management Agency (FEMA) or the Federal Insurance Administration (FIA) has delineated both the areas of special flood hazards and the floodway.

(Ord. 1397.15.21 § 1 (part), 2007; prior code Art. 17-2 (part))

15.40.180 Flood hazard Zones A, AE, AO and AH.

"Flood hazard Zones A, AE, AO and AH" mean the areas on a FIRM which the federal government has determined will be inundated during a one hundred-year flood. These areas are called, collectively, "special flood hazard areas."

(Prior code Art. 17-2 (part))

15.40.190 Flood hazard Zone X shaded or Zone B.

"Flood hazard Zone X shaded or Zone B" means an area on a FIRM which is outside the special flood hazard areas, but is subject to inundation during a five hundred-year flood to a depth of one foot.

(Prior code Art. 17-2 (part))

15.40.200 Flood hazard Zone X unshaded or Zone C.

"Flood hazard Zone X unshaded or Zone C" is an area on a FIRM which is outside both the special flood hazard areas and the Zone X shaded or Zone B areas. It is described as an area of minimal flood hazard.

(Prior code Art. 17-2 (part))

15.40.210 Flood insurance rate map (FIRM).

"Flood insurance rate map (FIRM)" means the official map on which the Federal Emergency Management Agency (FEMA) or the Federal Insurance Administration (FIA) has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

(Ord. 1397.15.21 § 1 (part), 2007; prior code Art. 17-2 (part))

15.40.220 Flood insurance study.

"Flood insurance study" means the official report provided by Federal Emergency Management Agency (FEMA) or the Federal Insurance Administration (FIA) that includes flood profiles, the FIRM, the Flood Boundary Floodway Map (FBFM), and the water surface elevation of the base flood.

(Ord. 1397.15.21 § 1 (part), 2007; prior code Art. 17-2 (part))

15.40.230 Floodplain or flood-prone area.

"Floodplain or flood-prone area" means any land area susceptible to being inundated by water from any source (see definition of "flooding").

(Prior code Art. 17-2 (part))

15.40.240 Floodplain administrator.

"Floodplain administrator" means the city manager who is authorized by the floodplain board to administer and enforce the provisions of this chapter, and to delegate authority to other officials in the city to take such actions or grant or deny development permits in accordance with the provisions of this chapter.

(Ord. 1397.15.21 § 1 (part), 2007; prior code Art. 17-2 (part))

15.40.250 Floodplain board.

"Floodplain board" means the city council of Casa Grande at such times as they are engaged in the enforcement of this chapter.

(Prior code Art. 17-2 (part))

15.40.260 Floodplain management.

"Floodplain management" means the operation of an overall program of corrective and preventive measures for reducing flood damage and preserving and enhancing, where possible, natural resources in the floodplain, including but not limited to emergency preparedness plans, flood control works, floodplain management regulations, and open space plans.

(Ord. 1397.15.21 § 1 (part), 2007; prior code Art. 17-2 (part))

15.40.270 Floodplain management regulations.

"Floodplain management regulations" means zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance and erosion control ordinance) and other applications of police power which control development in flood-prone areas. The term describes the federal, state or local regulations in any combination thereof, which provide standards for the purpose of prevention and reduction of flood loss and damage.

(Ord. 1397.15.21 § 1 (part), 2007; prior code Art. 17-2 (part))

15.40.280 Flood protection system.

"Flood protection system" means those physical structural works for which funds have been authorized, appropriated and expended, and which have been constructed specifically to modify flooding in order to reduce the extent of the area within a community subject to a "special flood hazard" and the extent of the depths of associated flooding. Such a system typically includes dams, reservoirs, levees or dikes. These specialized flood modifying works are those constructed in conformance with sound engineering standards.

(Prior code Art. 17-2 (part))

15.40.290 Floodproofing.

"Floodproofing" means any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

(Prior code Art. 17-2 (part))

15.40.300 Flood-related erosion.

"Flood-related erosion" means the collapse or subsidence of land along the shore of a lake or other body of water as a result of undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by severe storm, or by an unanticipated force of nature, such as a flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding.

(Prior code Art. 17-2 (part))

15.40.310 Floodway.

"Floodway" means the area of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

(Ord. 1397.15.21 § 1 (part), 2007; prior code Art. 17-2 (part))

15.40.320 Functionally dependent use.

"Functionally dependent use" means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

(Prior code Art. 17-2 (part))

15.40.325 Hardship.

"Hardship" means the exceptional hardship that would result from a failure to grant a requested variance pursuant to Article XI of this chapter. A variance must be exceptional, unusual and peculiar to the property involved. Mere economic or financial hardship alone is not exceptional. Inconvenience, aesthetic considerations, physical handicaps, personal preferences, or the disapproval of one's neighbors likewise cannot, as a rule, qualify as an exceptional hardship. All of these problems can be resolved through other means

without granting a variance, even if the alternative is more expensive, or requires the property owner to build elsewhere or put the parcel to a different use than originally intended.

(Ord. 1397.15.21 § 1 (part), 2007)

15.40.330 Highest adjacent grade.

"Highest adjacent grade" means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

(Prior code Art. 17-2 (part))

15.40.335 Historic structure.

"Historic structure" means any structure that is:

- A. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- B. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- C. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of Interior; or
- D. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 - 1. By an approved state program as determined by the Secretary of the Interior; or
 - 2. Directly by the Secretary of the Interior in states without approved programs.

(Ord. 1397.15.21 § 1 (part), 2007)

15.40.340 Levee.

"Levee" means a man-made structure, usually in an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control or divert the flow of water so as to provide protection from temporary flooding.

(Prior code Art. 17-2 (part))

15.40.350 Levee system.

"Levee system" means a flood protection system which consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.

(Prior code Art. 17-2 (part))

15.40.360 Lowest floor.

"Lowest floor" means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided that such enclosure is not built so as to render the structure in violation of the non-elevation design requirements of this chapter.

(Prior code Art. 17-2 (part))

15.40.370 Manufactured home.

"Manufactured home" means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. The term "manufactured home" does not include a "recreational vehicle."

(Prior code Art. 17-2 (part))

15.40.380 Manufactured home park or subdivision.

"Manufactured home park or subdivision" means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for sale or rent.

(Prior code Art. 17-2 (part))

15.40.385 Market value.

"Market value" shall be determined by estimating the cost to replace the structure in new condition, and adjusting that cost figure by the amount of depreciation which has accrued since the structure was constructed.

A. The cost of replacement of the structure shall be based on a square foot cost factor determined by reference to a building cost estimating guide recognized by the building construction industry.

B. The amount of depreciation shall be determined by taking into account the age, physical deterioration and functional obsolescence of the structure, as approved by the floodplain administrator, but shall not include economic or other forms of external obsolescence.

Use of replacement costs or accrued depreciation factors different from those contained in recognized building cost estimating guides may be considered, only if such factors are included in a report prepared by an independent professional appraiser, and supported by a written explanation of the differences.

(Ord. 1397.15.21 § 1 (part), 2007)

15.40.390 Mean sea level.

"Mean sea level" means, for purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929, North American Vertical Datum (NAVD) of 1988, or other datum, to which base flood elevations shown on a community's flood insurance rate map are referenced.

(Ord. 1397.15.21 § 1 (part), 2007; prior code Art. 17-2 (part))

15.40.400 New construction.

"New construction" means, for the purposes of determining insurance rates, structures for which the "start of construction" commenced on or after the effective date of an initial flood insurance rate map, or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, "new construction" means structures for which the "start of construction" commenced on or after the initial effective date of a floodplain management regulation adopted by a community, and includes any subsequent improvements to such structures.

(Ord. 1397.15.21 § 1 (part), 2007; prior code Art. 17-2 (part))

15.40.410 New manufactured home park or subdivision.

"New manufactured home park or subdivision" means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities,

the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by a community.

(Prior code Art. 17-2 (part))

15.40.420 National flood insurance program regulations.

"National flood insurance program regulations" means laws and regulations pursuant to Section 206 of the Flood Protection Act of 1973 (Public Law 93-234), and in accordance with the National Flood Insurance Act of 1968, as amended (Title XIII of the Housing and Urban Development Act of 1968, Public Law 90-448), 42 U.S.C. 40014128, and 44 C.F.R. Part 65.

(Prior code Art. 17-2 (part))

15.40.430 Person.

"Person" means an individual or his agent, firm, partnership, association or corporation, or agent of the aforementioned groups, or this state or its agencies or political subdivisions.

(Prior code Art. 17-2 (part))

15.40.440 Deficiency.

"Deficiency" means a defect in a community's floodplain management regulations or administrative procedures that impairs effective implementation of those floodplain management regulations or of the NFIP standards.

(Prior code Art. 17-2 (part))

15.40.445 Obstruction.

"Obstruction" means any object, including but not limited to, any dam, wall, wharf, embankment, levee, dike, pile, abutment, protection, excavation, channelization, bridge, conduit, culvert, building, wire, fence, rock, gravel, refuse, fill, structure, vegetation or other material in, along, across or projecting into any watercourse which may alter, impede, retard or change the direction and/or velocity of the flow of water, or due to its location, its propensity to snare or collect debris carried by the flow of water, or its likelihood of being carried downstream.

(Ord. 1397.15.21 § 1 (part), 2007)

15.40.447 One hundred-year flood or 100-year flood.

"One hundred-year flood or 100-year flood" means the flood having a one percent chance of being equaled or exceeded in any given year. See also "base flood."

(Ord. 1397.15.21 § 1 (part), 2007)

15.40.450 Recreational vehicle.

"Recreational vehicle" means a vehicle which is:

- A. Built on a single chassis;
- B. Four hundred square feet or less, when measured at the largest horizontal projections;
- C. Designed to be self-propelled or permanently towable by a light-duty truck;

D. Designed primarily not for use as a permanent dwelling, but as temporary living quarters for recreational, camping, travel or seasonal use; and

E. Placed on a site for less than one hundred eighty days.

(Prior code Art. 17-2 (part))

15.40.460 Regulatory flood elevation (RFE).

"Regulatory flood elevation" means an elevation one foot above the base flood elevation for a watercourse, for which the base flood elevation has been determined and shall be determined by the criteria developed by the Director of the Arizona Department of Water Resources for all other watercourses.

(Ord. 1397.15.21 § 1 (part), 2007; prior code Art. 17-2 (part))

15.40.465 Regulatory floodway.

"Regulatory floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

(Ord. 1397.15.21 § 1 (part), 2007)

15.40.470 Remedy a violation.

"Remedy a violation" means to bring the structure or other development into compliance with state or local floodplain management regulations, or, if this is not possible, to reduce the impacts of its noncompliance. Ways that impacts may be reduced include protecting the structure or other affected development from flood damages, implementing the enforcement provisions of the ordinance or otherwise deterring future similar violations, or reducing federal financial exposure with regard to the structure or other development.

(Prior code Art. 17-2 (part))

15.40.480 Riverine.

"Riverine" means relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

(Prior code Art. 17-2 (part))

15.40.490 Special flood hazard area.

"Special flood hazard area" means an area in the floodplain subject to a one percent or greater chance of flooding in any given year. It is shown on a flood boundary and floodway map or flood insurance rate map as Zone A, AO, A1-A30, AE, A99 or AH .

(Ord. 1397.15.21 § 1 (part), 2007; prior code Art. 17-2 (part))

15.40.500 Start of construction.

"Start of construction" means and includes substantial improvement, and means the date the building permit was issued; provided the actual start of construction, repair, reconstruction, placement, or other improvement was within one hundred eighty days of the permit date. The actual start means either the first placement of permanent construction of a structure on the site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as

garages or sheds not occupied as dwelling units or not a part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

(Ord. 1397.15.21 § 1 (part), 2007; prior code Art. 17-2 (part))

15.40.510 Structure.

"Structure" means a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home.

(Prior code Art. 17-2 (part))

15.40.515 Substantial damage.

"Substantial damage" means:

A. Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed fifty percent of the market value of the structure before the damage occurred; or

B. Flood-related damages sustained by a structure on two separate occasions during a ten-year period for which the cost of repairs at the time of each such event, on the average, equals or exceeds twenty-five percent of the market value of the structure before the damage occurred. This is also known as "repetitive loss."

(Ord. 1397.15.21 § 1 (part), 2007)

15.40.520 Substantial improvement.

"Substantial improvement" means any repair, reconstruction, rehabilitation, addition or other improvement of a structure, the cost of which equals or exceeds fifty percent of the market value of the structure before the start of construction of the improvement. The term does not, however, include either:

A. Any project for improvement of a structure to correct existing violations of state or local health, sanitary or safety code specifications which have been identified by the local code enforcement official, and which are the minimum necessary to assure safe living conditions; or

B. Any alteration of an historic structure, provided that the alteration will not preclude the structure's continued designation as a "historic structure."

(Ord. 1397.15.21 § 1 (part), 2007; prior code Art. 17-2 (part))

15.40.530 Variance

"Variance" means a grant of relief from the requirements of this chapter which permits construction in a manner that would otherwise be prohibited by this chapter.

(Prior code Art. 17-2 (part))

15.40.540 Violation.

"Violation" means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in this chapter is presumed to be in violation until such time as that documentation is provided.

(Prior code Art. 17-2 (part))

15.40.545 Water surface elevation.

"Water surface elevation" means the height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929, North American Vertical Datum (NAVD) of 1988, or other datum, of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

(Ord. 1397.15.21 § 1 (part), 2007)

15.40.547 Watercourse.

"Watercourse" means a lake, river, creek, stream, wash, arroyo, channel or other topographic feature on or over which waters flow at least periodically. Watercourse includes specifically designated areas in which substantial flood damage may occur.

(Ord. 1397.15.21 § 1 (part), 2007)

Article III. Applicability, General Provisions and Requirements

15.40.550 Applicability.

This chapter shall apply to all areas of special flood hazards within the corporate limits of the city.

(Prior code § 17-3-1)

15.40.560 Basis for designating areas of special flood hazard.

The areas of special flood hazard identified by the Federal Insurance Administration in a scientific and engineering report entitled, "The Flood Insurance Study for the City of Casa Grande, Pinal County, Arizona," dated September 1989, with accompanying Flood Insurance Studies and accompanying Flood Insurance Rate Map, and all subsequent amendments and/or revisions thereto, including but not limited to those anticipated to occur on December 4, 2007, is adopted by reference and declared to be a part of this chapter. The Flood Insurance Study is on file at the office of the city clerk, 510 East Florence Boulevard, Casa Grande, Arizona. The Flood Insurance Study is the minimum area of applicability of this chapter, and may be supplemented by studies for other areas which allow implementation of this chapter, and which are recommended to the floodplain board by the floodplain administrator. The floodplain board, within its area of jurisdiction, shall delineate (or may, by rule, require developers of land to delineate) for areas where development is ongoing or imminent, and thereafter as development becomes imminent, floodplains consistent with the criteria developed by the Federal Emergency Management Agency and the Director of the Arizona Department of Water Resources.

(Ord. 1397.15.21 § 1 (part), 2007; prior code § 17-3-2)

15.40.570 Compliance required.

All development of land, construction of residential, commercial or industrial structures, or future development within delineated floodplain areas, is subject to the terms of this chapter and other applicable regulations.

(Ord. 1397.15.21 § 1 (part), 2007; prior code § 17-3-3)

15.40.580 Authority of provisions.

This chapter is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this chapter and another chapter, ordinance, easement, covenant or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

(Prior code § 17-3-4)

15.40.590 Interpretation and application of provisions.

In the interpretation and application of this chapter, all provisions shall be:

- A. Considered as minimum requirements;
- B. Liberally construed in favor of the governing body; and
- C. Deemed neither to limit nor repeal any other powers granted under state statutes.

(Prior code § 17-3-5)

15.40.600 City held harmless.

The degree of flood protection required by this chapter is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This chapter does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This chapter shall not create liability on the part of the city, the state of Arizona, the Federal Emergency Management Agency, the Federal Insurance Administration, or any officer or employer thereof, for any flood damages that result from reliance on this chapter or an administrative decision lawfully made hereunder.

(Ord. 1397.15.21 § 1 (part), 2007; prior code § 17-3-6)

15.40.610 Statutory exemptions.

A. In accordance with A.R.S. § 48-3609, nothing in this chapter shall:

1. Affect existing uses of property or the right to continuation of the use under conditions which existed on the initial effective date of this chapter except:

a. If a nonconforming use of land or a building or structure is discontinued for twelve months, or destroyed to the extent of fifty percent of its value as determined by a competent appraiser, any further use shall comply with this article and regulations of the city council; and

b. The requirements for manufactured homes, mobile homes and recreational vehicles;

2. Affect reasonable repair or alteration of property for the purposes for which the property was used on the effective date of the ordinance codified in this chapter (August 3, 1984), or any additional regulations affecting such property take effect, except that any alteration, addition or repair to a nonconforming building or structure which would result in increasing its flood damage potential by fifty percent or more shall be either floodproofed or elevated to or above the regulatory flood elevation; and provided the repair or alteration does not decrease the carrying capacity of the watercourse;

3. Affect reasonable repair of structures constructed with the written authorization required by A.R.S. § 48-3613;

4. Affect or apply to facilities constructed or installed pursuant to a certificate of environmental compatibility issued under the authority of Title 40, Chapter 2, Article 6.2.

B. In accordance with A.R.S. § 48-3613, written authorization shall not be required, nor shall the floodplain board prohibit:

1. The construction of bridges, culverts, dikes and other structures necessary to the construction of public highways, roads and streets intersecting a watercourse;

2. The construction of storage dams for watering livestock or wildlife, structures on the banks of a creek, stream, river, wash, arroyo or other watercourse to prevent erosion of or damage to adjoining land, if the structure will not divert, retard or obstruct the natural channel of the watercourse or dams for the conservation of floodwaters as permitted by Title 45, Chapter 6;

3. Construction of tailing dams and waste disposal areas for use in connection with mining and metallurgical operations. This subdivision does not exempt those sand and gravel operations which will divert, retard or obstruct the flow of waters in any watercourse from any provisions of this chapter or other regulations adopted by the floodplain board;

4. Any flood control district, county, city, town or other political subdivision, from exercising powers granted to it under A.R.S. Title

5. The construction of streams, waterways, lakes and other auxiliary facilities in conjunction with development of public parks and recreation facilities by a public agency or political subdivision;

6. The construction and erection of poles, towers, foundations, support structures, guy wires and other facilities related to power transmission as constructed by any utility, whether a public service corporation or a political subdivision; and

7. Other construction upon determination by the floodplain board that written authorization is unnecessary.

C. Before any construction authorized by this section may begin, the responsible person must submit plans for the construction to the board for review and comment.

D. These exemptions do not preclude any person from liability if that person's actions increase flood hazards to any other person or property.

E. In addition to other penalties or remedies otherwise provided by law, this state, a political subdivision or a person who may be damaged or has been damaged as a result of the unauthorized diversion, retardation or obstruction of a watercourse has the right to commence, maintain and prosecute any appropriate action or pursue any remedy to enjoin, abate or otherwise prevent any person from violating, or continuing to violate, this section or regulations adopted pursuant to this article. If a person is found to be in violation of this section, the court shall require the violator to either comply with this section, if authorized by the floodplain board, or remove the obstruction and restore the watercourse to its original state. The court may also award such monetary damages as are appropriate to the injured parties resulting from the violation, including reasonable costs and attorney fees.

(Ord. 1397.15.21 § 1 (part), 2007; prior code § 17-3-7)

15.40.620 Structure declared public nuisance when.

All new development located or maintained within any area of special flood hazard after August 8, 1973, in violation of this chapter is a public nuisance per se, and may be abated, prevented or restrained by action of this political subdivision.

(Ord. 1397.15.21 § 1 (part), 2007; prior code § 17-3-8)

15.40.630 Procedures to abate violations.

Within thirty days of discovery of a violation of this chapter, the floodplain administrator shall submit a report to the floodplain board, which shall include all information available to the floodplain administrator which is pertinent to the violation. Within thirty days of receipt, the floodplain board shall either:

A. Take any necessary action to effect the abatement of such violation;

B. Issue a variance to this chapter in accordance with the provisions of Article XI of this chapter,

C. Order the owner of the property upon which the violation exists to provide whatever additional information as may be required for the board's determination to the floodplain administrator within thirty days of such order, and he shall submit an amended report to the floodplain board within twenty days. At their next regularly scheduled public meeting, the floodplain board shall either order the abatement of the violation, or it shall grant a variance in accordance with the provisions of Article XI of this chapter;

D. Submit to the administrator of the Federal Emergency Management Agency or the Federal Insurance Administration a decision for denial of insurance, stating that the property is in violation of a cited state or local law, regulation or ordinance, pursuant to Section 1316 of the National Flood Insurance Act of 1968, as amended.

(Ord. 1397.15.21 § 1 (part), 2007; prior code § 17-3-9)

15.40.640 Unlawful acts.

A. It is unlawful for any person to engage in any development, or to divert, retard or obstruct the flow of waters in a watercourse, if it creates a hazard to life or property, without securing the written authorization required by A.R.S. § 48-3613. Where the watercourse is a delineated floodplain, it is unlawful to engage in any development affecting the flow of waters without securing

written authorization required by A.R.S. § 48-3613 .

B. Any person violating the provisions of this section shall be guilty of a Class 2 misdemeanor. Each day that a violation continues shall be a separate offense punishable as hereinabove described.

(Ord. 1397.15.21 § 1 (part), 2007; prior code § 17-3-10)

15.40.650 Intergovernmental agreements.

With the concurrence of the city council, the mayor shall be authorized to enter into agreements between the city and other political subdivisions, county and state agencies to coordinate floodplain management.

(Prior code § 17-3-11)

Article IV. Permits, Reports and Procedural Requirements

15.40.660 Development permit required prior to construction or development.

A. A development permit shall be obtained before construction or development begins, including placement of manufactured homes, within any area of special flood hazard established in Section 15.40.560. Applications for a development permit shall be made on forms furnished by the floodplain administrator and may include, but not be limited to, plans, in duplicate and drawn to scale, showing the nature, location, dimensions and elevation of the area in question; existing of proposed structures, fill, storage of materials, drainage facilities and the location of the foregoing. Specifically, at least the following information shall be required:

1. Proposed elevation in relation to mean sea level of the lowest floor (including basement) of all structures. In Zone AO, elevation of existing highest adjacent natural grade, and proposed elevation of lowest floor of all structures;
2. Proposed elevation in relation to mean sea level to which any nonresidential structure will be floodproofed;
3. Certification by a registered professional engineer or architect that the floodproofing methods for any nonresidential structure meet the floodproofing criteria of this chapter;
4. Base flood elevation data for subdivision proposals or other development greater than the lesser of fifty lots or five acres; and
5. Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.

B. Reports, construction plans, and other data submitted in support of an application for a permit shall comply with the criteria as set out in Sections 15.40.670 through 15.40.790 of this article.

(Ord. 1397.15.21 § 1 (part), 2007; prior code § 17-41 (part))

15.40.670 Development permit application-Drainage reports required.

When a drainage report is required, it must be prepared and sealed by a civil engineer registered as a professional engineer in the state of Arizona, and it must be prepared in accordance with the criteria established by the city. The purpose of the report is to analyze the effect that a proposed development would have upon the rainfall runoff in the vicinity of the development, to provide data to ensure that the development is designed to be protected from flooding, and to provide data supporting the design of facilities to be constructed for the management of rainfall runoff. Each drainage report must consider rainfall runoff from storms with a return frequency up to and including a one hundred-year storm. The complexity of the report depends upon the nature of the development and the site on which the development will occur. A drainage report shall be submitted by an applicant requesting one of the following:

- A. Approval of a subdivision plat or a horizontal regime;
- B. A permit for grading, unless the requirement is waived by the floodplain administrator;
- C. A permit to construct right-of-way improvements;
- D. A permit to construct any structure.

(Prior code 17-4-1 (A))

15.40.680 Development permit application-Drainage patterns.

Rainfall runoff from storms of all return frequencies should enter and depart from property after its development in substantially the same manner as under predevelopment conditions. Any proposals to modify drainage patterns must be fully justified by engineering data which shall demonstrate to the floodplain administrator that hazards to life and property will not be increased by the proposed modifications. Proposed modifications are such that they will not alter a floodway in a manner which will raise the estimated base floodwater surface elevation or will increase flooding hazards upstream or downstream of the altered portion of the floodway.

(Prior code 17-4-1 (B))

15.40.690 Development permit requirements-Street crossing at canal requirements.

A. The crossing structure requirements listed below will normally apply; however, the engineer may depart from these requirements if he can demonstrate to the floodplain administrator's satisfaction that they are inappropriate because of the type of development or the nature of the terrain or natural area development requirements would be violated. In extreme cases, it may be necessary to allow for the entire channel flow to pass over the road.

1. Local and minor collector streets shall have a culvert or bridge which is capable of carrying all of the peak flow of runoff from a two-year frequency storm beneath the roadway and which is also capable of carrying enough of the peak flow of runoff from a ten-year frequency storm beneath the roads so that the portion of the flow over the road is no more than six inches deep.

2. Major collector and major or minor arterial streets shall have a culvert or bridge which is capable of carrying all of the peak flow of runoff from a ten-year frequency storm beneath the roadway and which is also capable of carrying enough of the peak flow of runoff from a twenty-five-year frequency storm so that the portion of the flow over the road is no more than six inches deep.

3. Watercourse crossings for roads shall be designed so that all lots and structures within a development will be accessible from the boundary of that development by at least one route during the period of peak flow by runoff from a one-hundred-year frequency storm. The boundary shall include any adjacent street or streets. Accessibility will be considered to exist if it can be demonstrated by the engineer that at the time of the peak flow the depth of flow over the road will be no greater than one foot.

B. Regardless of the size of the culvert or bridge, the street crossing should be designed to convey the one-hundred-year storm runoff flow under and/or over the road to the area downstream of the crossing to which the flow would have gone in the absence of the street crossing. The construction of a channel crossing must not cause the diversion of drainage flows except when that diversion is part of an approved plan for modification of drainage patterns.

(Prior code 17-4-1 (C))

15.40.700 Development permit application-Streets not to be used as water carriers.

It is expected that streets will carry water from adjacent property and from local areas, but they are not to be used as major water carriers in lieu of natural washes or man-made channels. The maximum depth for water flowing in any street shall be eight inches during the peak runoff from a one-hundred-year frequency storm. The above requirements imply that in some cases water may flow deeper than normal vertical curb height and may flow for a short distance over a sidewalk or other back-of-curb areas, but the flow of the water shall always be confined to the road right-of-way or to drainage easements. Particular care must be taken in street sag locations to ensure that these requirements are met. Catch basins, scuppers, or similar facilities, together with the necessary channels, must be provided at appropriate locations to remove water flowing in the streets so as not to exceed the above described depth limit.

(Prior code 17-4-1 (D))

15.40.710 Development permit application-Design procedures and criteria.

The design procedures and criteria to be used shall be in accordance with those prepared and published by the city.

(Prior code 17-4-1 (E))

15.40.720 Development permit application-Lowest permissible floor elevations in residential structures.

A. In flood hazard Zones A and AE, a new residential structure or the substantial improvement of an existing residential structure shall have its lowest floor constructed at an elevation which is at least one foot above the base flood water surface elevation in the vicinity of the proposed construction site.

B. In flood hazard Zone AO, a new residential structure or substantial improvement of an existing residential structure shall have its lowest floor constructed at an elevation which is at least one foot above the elevation determined by finding the elevation of the highest natural ground adjacent to where the structure will be located and adding to that elevation the depth number specified on the FIRM for that AO Zone.

C. In areas designated as flood hazard Zones X shaded, or Zone B, and Zone X unshaded or Zone C on the FIRM's which are not in regulatory floodway, a new residential structure (single- or multifamily) shall be constructed according to one of the two following requirements, except when the conditions of subsection C.5 below apply:

1. The lowest floor shall be constructed at an elevation which is one foot above the base flood water surface elevation;
2. The lowest floor may be constructed below the base flood water surface elevation, but flood proofing shall be provided for the structure to an elevation which is at least one foot above the base flood water surface elevation.

D. In flood hazard Zones X shaded or Zone B and Zones X unshaded or Zone C, those single-family residential structures which are to be built without a basement and located at a site which the floodplain administrator has determined will not be in the vicinity of a watercourse in which the floor of rainfall runoff might be hazardous to the structure or its occupants, the elevation of the lowest floor may be established by one of the methods described in the subdivisions 1, 2 and 3 below.

1. If the structure is to be located in flood hazard Zone X shaded or Zone B, the lowest floor may be set at an elevation which is fourteen inches above the high point of the natural ground within the area bound by a ten-foot perimeter offset from the structure.
2. If the structure is to be located in flood hazard Zone X unshaded or Zone C, the lowest floor may be set at an elevation which is fourteen inches above the high point of the natural ground within the area bound by a ten-foot perimeter offset from the structure.
3. The floor elevations chosen for the residence may be indicated on a topographic plan of the building site parcel which shows the construction pad site and any grading proposed on the parcel. This plan must be prepared and sealed by a civil engineer or architect registered as a professional engineer or architect in the state of Arizona. The floor elevation(s) indicated on the plan are to be elevations considered by the engineer or architect sufficiently high to provide protection in the event of flooding caused by a one-hundred-year storm.

E. A residential structure to be built adjacent to but not within a regulatory floodway that will have its lowest floor at an elevation lower than one foot above the base floodwater surface elevation in the adjacent regulatory floodway must be flood proofed to an elevation at least one foot above the base floodwater surface elevation.

F. In flood hazard Zones AO and A, a depressed floor area shall be the lowest floor unless there is an area in the structure with a lower floor such as a basement.

G. In areas designated as flood hazard Zone X shaded or Zone B, and Zone X unshaded or Zone C on the FIRM's which are not in regulatory floodway, a depressed floor area does not have to be considered as the lowest floor if there is no door opening directly to the outside which could admit floodwater into the depressed floor area and if the depressed area walls and floor are sealed to prevent the infiltration of water into the depressed area.

(Prior code 17-4-1 (F))

15.40.730 Development permit application-Lowest permissible floor elevations in nonresidential structures.

A. In flood hazard Zones A and AE, a new nonresidential structure or the substantial improvement of an existing nonresidential structure shall be constructed according to one of the two following requirements:

1. The lowest floor shall be constructed at an elevation which is at least one foot above the base floodwater surface elevation in the vicinity of the proposed construction site;
2. The lowest floor may be constructed below an elevation which is one foot above the base floodwater surface elevation, but flood proofing shall be provided for the structure to an elevation which is at least one foot above the base floodwater surface elevation.

B. In flood hazard Zone AO, a new nonresidential structure or the substantial improvement of an existing nonresidential structure shall be constructed according to one of the following requirements:

1. The lowest floor shall be constructed at an elevation which is at least one foot above the elevation determined by finding the elevation of the highest ground adjacent to where the structure will be located and adding to that elevation the depth number specified on the FIRM for that AO Zone;
2. The lowest floor may be constructed below the minimum lowest floor elevation specified in subdivision B.1 above, but flood proofing shall be provided for the structure to an elevation which is at least as high as the minimum lowest floor elevation determined by the method in subdivision B.1 above.

C. In areas designated as flood hazard Zones X shaded or Zone B and Zone X unshaded or Zone C on the FIRM's which are not only in a regulatory floodway, a new nonresidential structure or the substantial improvement of an existing nonresidential structure shall be constructed according to one of the two following requirements:

1. The lowest floor shall be constructed at an elevation which is at or above the base floodwater surface elevation;
2. The lowest floor may be constructed below the elevation of the base floodwater surface elevation but flood proofing shall be provided for the structure to an elevation which is at least as high as the base floodwater surface elevation.

D. Certification by a registered professional engineer or architect that the floodproofing methods for any nonresidential structure meet the floodproofing criteria in 15.40.910(C).

(Prior code 17-4- 1 (G))

15.40.740 Development permit application-Manufactured homes and home parks.

A. The new installation of a manufactured home within a regulatory floodway is prohibited except existing manufactured home parks or subdivisions

B. The new installation of a manufactured home or the replacement of an existing manufactured home outside the special flood hazard areas must be done in a manner that assures that the manufactured home is anchored to the earth so as to prevent flotation, collapse, or lateral movement in the event of flooding.

C. A manufactured home to be installed in a new location or as a replacement for an existing manufactured home in flood hazard Zones A, AE, and AO shall be anchored to resist flotation, collapse, or lateral movement by providing over-the-top and frame ties to ground anchors. The following specific requirements must be met:

1. Over-the-top ties must be provided at each of the four corners of the manufactured home. Manufactured homes fifty feet or more in length must have two additional over-the-top ties per side at intermediate locations, and manufactured homes less than fifty feet in length require only one additional over-the-top tie per side;
2. Frame ties must be provided at each of the four corners of the manufactured home. Manufactured homes fifty feet or more in length must have two additional frame ties per side, and manufactured homes less than fifty feet in length must have one additional frame tie per side;
4. All components of the anchoring system must be capable of resisting forces of at least four thousand eight hundred pounds;
5. Any additions to a manufactured home must be similarly anchored.

D. The owners of the manufactured home parks that are located within special flood hazard areas shall have evacuation plans prepared indicating alternate vehicular access and escape routes. These plans shall be filed with, and approved by both, the State Disaster Preparedness Office and with the city engineer.

E. A manufactured home which is located in flood hazard zones A, AE or AO may be replaced by another manufactured home only if:

1. The manufactured home which is to be replaced was not damaged by the flood;
2. The replacement manufactured home is elevated so that the bottom of the structural frame or at the lowest point of any attached appliances, whichever is lower, is at or above an elevation which is one foot above the base flood water surface elevation.

(Prior code 17-4-1 (H))

15.40.750 Development permit application-Recreational vehicles.

Recreational vehicles which are placed in flood hazard Zones A, AE or AO shall either be fully licensed and ready for highway use or meet the requirements for manufactured homes. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect-type utilities and security devices, and has no permanently attached additions.

(Prior code 17-4-1 (I))

15.40.760 Development permit application-Base floodwater surface elevations to be indicated.

The grading and drainage plans for any development adjacent to a regulatory floodway and the grading and drainage plans for any development which proposes to modify an existing regulatory floodway as a part of the development must indicate the base flood water surface elevations.

(Prior code 17-4-1 (J))

15.40.770 Development permit application-Information pertaining to flood protection.

The following subsections describe requirements for information which shall be placed on building plans for both residential and nonresidential structures. Depending upon the type of structure and its location, one or more of the following subsections will apply:

- A. The proposed elevation of the lowest floor must be shown, regardless of the type of structure or its location;
- B. If the structure is to be built in flood hazard zone A, the base floodwater surface elevation must be shown;
- C. If the structure is to be built in flood hazard zone AO, the elevation of the highest ground adjacent to the structure and the depth number for the AO Zone must be shown;
- D. If the lowest floor is to be established by the use of subsections 15.40.720(D)(1) or (2), the elevation of the highest point of the natural ground within the area bound by a ten foot perimeter offset from the structure must be shown.

(Prior code 17-4-1 (K))

15.40.780 Development permit application-Minimizing the potential for flood damage.

Within any area of the city where the floodplain administrator determines that the land is subject to flooding, including but not limited to the special flood hazard areas, all development, including substantial improvements to structures, must meet the following requirements:

- A. All structures shall be anchored at their foundations to prevent flotation, collapse or lateral movement;
- B. Building construction materials and utility system equipment shall be resistant to flood damage. Electrical, heating, ventilation, plumbing and airconditioning equipment and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding;
- C. The construction methods and practices shall be those which minimize flood damage;
- D. Multiple occupancy developments, such as subdivisions, shopping centers, etc., shall have their public utility systems, such as sewer, water, gas and electric lines, and their associated facilities located and constructed in a manner to minimize or eliminate the potential for flood damage. The developments must be constructed with drainage systems which will minimize the exposure to flood damage;
- E. New and replacement water supply systems shall be designed and constructed to minimize or eliminate infiltration of floodwaters into the systems and the discharge of sewage into the floodwaters;

F. New and replacement sanitary sewage systems shall be designed and constructed to minimize or eliminate infiltration of floodwaters into the systems and the discharge of sewage into the floodwaters.

(Prior code 17-4-1 (L))

15.40.790 Development permit application-Stormwater detention or retention.

A. Except as noted below, the development of land within the city must include provisions for the management of stormwater runoff from the property which is to be developed. This management shall consist of the construction of stormwater detention systems or retention basins. Stormwater detention systems must provide peak rates of runoff flow from the same property under natural conditions with no development. If a suitable outlet for a detention system is not available or if engineering analysis indicates that available outlet systems would be overtaxed by a detention system outflow, a stormwater retention basin shall be constructed in lieu of a detention system. The requirement for construction of a detention system or a retention basin is waived in the following cases:

1. An application for a building permit to construct a single-family residential structure;
2. Development adjacent to a floodway or a drainage channel which has been determined by the city's project review manager to have been designed and constructed to handle the additional runoff flow without increasing the potential for flood damage on downstream property;

B. Stormwater detention and retention facilities shall be designed and constructed according to the procedures and criteria established in Article XII. No detention or retention basin shall retain standing water longer than thirty-six hours if the basin has not been designed and constructed to be a permanent body of water with appropriate health, safety and water quality measures for such a body of water.

(Prior code 17-4-1 (M))

Article V. Floodplain Administrator Powers and Duties

15.40.800 Permit review authority.

The floodplain administrator shall:

- A. Review all development permits to determine that the permit requirements of this chapter have been satisfied;
- B. Ensure that all other required state and federal permits have been obtained;
- C. Review all permits to determine that the site is reasonably safe from flooding;
- D. Review all development permits to determine if the proposed development adversely affects the flood-carrying capacity of the floodway, or of areas where base flood elevations have been determined but a floodway has not been designated. For purposes of this chapter, "adversely affects" means that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point.
- E. Develop procedures for identifying and administering requirements for substantial improvement and substantial damage;
- F. Assure that all procedures detailed in this chapter are coordinated with other city departments and divisions and implemented by staff.

(Ord. 1397.15.21 § 1 (part), 2007; prior code 17-4-2.1)

15.40.810 Review of base flood data.

When base flood elevation data has not been provided in accordance with Section 15.40.560, the floodplain administrator shall obtain, review and reasonably utilize any base flood data available from a federal, state or other source, in order to administer Article VI. Any such information shall be consistent with the requirements of the Federal Emergency Management Agency and the Director of the Arizona Department of Water Resources, and shall be submitted to the floodplain board for adoption.

(Ord. 1397.15.21 § 1 (part), 2007; prior code 17-4-2.2)

15.40.820 Duty to maintain and obtain information.

The floodplain administrator shall obtain and maintain for public inspection and make available as needed for flood insurance policies:

- A. The certified elevation required in subsection 15.40.910(A);
- B. The certification required in subsection 15.40.910(B);
- C. The floodproofing certification required in subsection 15.40.910(C);
- D. The certified elevation required in Section 15.40.980.
- E. The flood vent certification required in subsection 15.40.910(D);
- F. The floodway encroachment certification required in subsection 15.40.1050;
- G. Maintain a record of all variance actions, including justification for their issuance, and report such variances issued in its biennial report submitted to the Federal Emergency Management Agency; and
- H. Obtain and maintain improvement calculations required by this chapter.

(Ord. 1397.15.21 § 1 (part), 2007; prior code 17-4-2.3)

15.40.830 Notification prior to alteration of watercourses.

The floodplain administrator shall:

- A. Notify adjacent communities and the Arizona Department of Water Resources prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Management Agency through appropriate means; and
- B. Require and assure that the flood-carrying capacity of the altered or relocated portion of the watercourse is maintained.

(Ord. 1397.15.21 § 1 (part), 2007; prior code 17-42.4)

15.40.840 New delineation of all floodplains and elevations when.

A. Within one hundred twenty days after completion of construction of any flood control protective works which changes the rate of flow during the flood or the configuration of the floodplain upstream or downstream from or adjacent to the project, the person or agency responsible for installation of the project shall provide to the governing bodies of all jurisdictions affected by the project a new delineation of all floodplains affected by the project. The new delineation shall be done according to the criteria adopted by the Director of the Arizona Department of Water Resources.

B. Base flood elevations may increase or decrease resulting from physical changes affecting flooding conditions. As soon as practicable, but not later than six months after the date such information becomes available, the floodplain administrator shall notify the Federal Emergency Management Agency of the changes by submitting technical or scientific data in accordance with 44 C.F.R. § 65.3. Such a submission is necessary so that, upon confirmation of those physical changes affecting flooding conditions, risk premium rates and floodplain management requirements will be based upon current data.

(Ord. 1397.15.21 § 1 (part), 2007; prior code 17-4-2.5)

15.40.850 Interpretation of FIRM boundaries.

The floodplain administrator shall make interpretations where needed, as to the exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions). The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in Article XI.

(Prior code 17-4-2.6)

15.40.860 Action on violations.

The floodplain administrator shall take actions on violations of this chapter as required in Section 15.40.630 of this chapter.

(Prior code 17-4-2.7)

15.40.870 Notice to county flood control district when.

The floodplain administrator shall advise the flood control district of Pinal County and any adjunct jurisdiction having responsibility for floodplain management in writing, and provide a copy of development plan of all applications for floodplain use permits or variances to develop land in a floodplain or floodway within one mile of the corporate limits of the city. Also, advise the flood control district of Pinal County in writing, and provide a copy of any development plan of any major development proposed within a floodplain or floodway which could affect floodplains, floodways or watercourses within the district's area of jurisdiction. Written notice and a copy of the plan of development shall be sent to the district no later than three working days after having been received by the district

(Prior code 17-4-2.8)

15.40.875 Other notices required.

A. The floodplain administrator shall notify the Federal Emergency Management Agency and the Arizona Department of Water Resources of acquisition, by means of annexation, incorporation or otherwise, of additional areas of jurisdiction.

B. The floodplain administrator shall complete and submit a biennial report to the Federal Emergency Management Agency.

(Ord. 1397.15.21 § 1 (part), 2007)

Article VI. Provisions for Flood Hazard Reduction

15.40.880 Standards to be required.

In all areas of special flood hazards, the standards set out in Sections 15.40.890 through 15.40.910 are required.

(Prior code § 17-5-1)

15.40.890 Anchoring required.

A. All new construction and substantial improvements shall be anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.

B. All manufactured homes shall meet the anchoring standards of Section 15.40.1010.

(Ord. 1397.15.21 § 1 (part), 2007; prior code § 17-5-1.1)

15.40.900 Construction materials and methods.

A. All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.

B. All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.

C. All new construction, substantial improvement and other proposed new development shall be constructed with electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding; and

D. Within Zones AH or AO, adequate drainage paths shall be constructed around structures on slopes to guide floodwaters around and away from proposed structures.

(Ord. 1397.15.21 § 1 (part), 2007; prior code § 17-5-1.2)

15.40.910 Elevation and floodproofing requirements.

A. Residential construction, new or substantial improvement, shall have the lowest floor, including basement:

1. In an AO Zone, elevated to or above the regulatory flood elevation, or elevated at least two feet above the highest adjacent grade if no depth number is specified;
2. In an A Zone where a base flood elevation has not been determined, elevated to or above the regulatory flood elevation, or elevated in accordance with the criteria developed by the Director of the Arizona Department of Water Resources;
3. In Zones AE, AH and A1-A30, elevated to or above the regulatory flood elevation.

B. Upon completion of the structure, the elevation of the lowest floor, including basement, shall be certified by a registered professional engineer or surveyor, and verified by the community's building inspector to be properly elevated. Such certification and verification shall be provided to the floodplain administrator.

C. Nonresidential construction, whether new or substantial, shall either be elevated in conformance with subsections A. and B. of this section, or together with attendant utility and sanitary facilities:

1. Be floodproofed so that below the regulatory flood level the structure is watertight, with walls substantially impermeable to the passage of water;
2. Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and
3. Be certified by a registered professional engineer or architect that the standards of this subsection are satisfied. Such certifications shall be provided to the floodplain administrator.

D. All new construction and substantial improvements with fully enclosed areas below the lowest floor that are subject to flooding (excluding basements and areas that are usable solely for parking of vehicles, building access or storage) shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect to meet or exceed the following minimum criteria:

1. A minimum of two openings, on differing sides of each area, having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided;
2. The bottom of an openings shall be no higher than one foot above grade;
3. Openings may be equipped with screens, louvers, valves, or other coverings or devices, provided that they permit the automatic entry and exit of floodwaters.

If it is not feasible or desirable to meet the openings criteria stated above, a registered engineer or architect may design and certify the openings.

E. Manufactured homes shall meet the above standards and also the standards of Sections 15.40.1010 through 15.40.1030.

F. Garages and low-cost accessory structures shall meet or exceed the following minimum criteria:

1. A garage attached to a residential structure, constructed with the garage floor slab below the regulatory flood elevation, must be designed to allow for the automatic entry of flood waters as set forth in subsection 15,40.910(c). Areas of the garage below the regulatory flood elevation must be constructed with flood-resistant materials.
2. A garage attached to a nonresidential structure must meet the above requirements or be dry floodproofed.

3. An accessory structure used solely for parking (two-car detached garages or smaller) or limited storage (small, low-cost sheds) may be constructed such that its floor is below the regulatory flood elevation, provided the structure is designed and constructed in accordance with the following requirements:

- a. Use of the accessory structure must be limited to parking or limited storage;
- b. The portions of the accessory structure located below the regulatory flood elevation must be built using flood-resistant materials;
- c. The accessory structure must be adequately anchored to prevent flotation, collapse and lateral movement;
- d. Any mechanical and utility equipment in the accessory structure must be elevated or floodproofed to or above the regulatory flood elevation;
- e. The accessory structure must comply with floodplain encroachment provisions in Article X.

Detached garages and accessory structures not meeting the above standards must be constructed in accordance with all applicable standards in this section.

(Ord. 1397.15.21 § 1 (part), 2007; prior code § 17-5-1.3)

Article VII. Materials and Equipment Storage Standards

15.40.920 Prohibited storage.

The storage or processing of materials that are, in time of flooding, buoyant, flammable, explosive, or could be injurious to human, animal or plant life is prohibited in special flood hazard areas.

(Ord. 1397.15.21 § 1 (part), 2007; prior code § 17-5-2.1)

15.40.930 Allowable storage.

Storage of other material or equipment may be allowed if not subject to major damage by floods and if firmly anchored to prevent flotation or if readily removable from the area within the time available after flood warning.

(Prior code § 17-5-2.2)

Article VIII. Standards for Utilities

15.40.940 New and replacement water and sewage systems.

All new and replacement water supply and sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the system and discharge from systems into floodwaters.

(Prior code § 17-5-3.1)

15.40.950 On-site waste disposal system.

On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

(Prior code § 17-5-3.2)

15.40.960 Waste disposal systems.

Waste disposal systems shall not be installed wholly or partially in a floodway.

(Prior code § 17-5- 3.3)

Article IX. Standards for Subdivisions

15.40.970 Preliminary subdivision proposals.

All new subdivision proposals and other proposed development (including proposals for manufactured home parks and subdivisions), greater than fifty lots or five acres, whichever is the lesser, shall identify the flood hazard area and the elevation of the base flood.

(Ord. 1397.15.21 § 1 (part), 2007; prior code § 17-5-4.1)

15.40.980 Final subdivision plans.

All new subdivision plans and plans for other proposed development (including proposals for manufactured home parks and subdivisions), greater than fifty lots or five acres, whichever is the lesser, shall provide on its final subdivision plans the elevation of proposed structure(s) and pads. If the site is filled above the base flood elevation, the final lowest floor and grade elevations shall be certified by a registered professional engineer, architect, or registered land surveyor and provided to the floodplain administrator.

(Ord. 1397.15.21 § 1 (part), 2007; prior code § 17-5-4.2)

15.40.990 Subdivision proposals in general.

All subdivision proposals shall be consistent with the need to minimize flood damage. All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage.

(Prior code § 17-5-4.3)

15.40.1000 Adequate drainage required.

All subdivision proposals shall be reviewed to assure that adequate drainage is provided to reduce exposure to flood hazards.

(Prior code § 17-5-4.4)

15.40.1010 Anchoring requirements.

All manufactured homes, additions to manufactured homes, and substantial improvements thereto, shall be elevated so that the bottom of the structural frame, or the lowest point of any attached appliances, whichever is lower, is at or above the regulatory flood elevation, and shall be anchored to resist flotation, collapse or lateral movement by one of the following methods:

A. By providing an anchoring system designed to withstand horizontal forces of twenty-five pounds per square foot and uplift forces of fifteen pounds per square foot, or such greater amount as may be required by law; or

B. By providing over-the-top and frame ties to ground anchors, specifically:

1. Over-the-top ties be provided to each of the four corners of the manufactured home, with two additional ties per side at intermediate locations, except that manufactured homes less than fifty feet long require only one additional tie per side;

2. Frame ties be provided at each of the four corners of the manufactured home, with two additional ties per side at intermediate locations, except that manufactured homes less than fifty feet long require only one additional tie per side;

3. All components of the anchoring system be capable of carrying a force of four thousand eight hundred pounds, or such greater amount as may be required by law.

(Ord. 1397.15.21 § 1 (part), 2007; prior code § 17-5-5.1)

15.40.1020 Standards to be met.

The following standards are required for all new and replacement manufactured homes:

- A. Adequate surface drainage and access for a hauler shall be provided;
- B. All manufactured homes shall be placed on pads or lots elevated on compacted fill or on pilings so that the bottom of the structural frame, or the lowest point of any attached appliances, whichever is lower, is one foot above the regulatory flood elevation. If elevated on pilings:
 1. The lots shall be large enough to permit steps,
 2. The pilings shall be placed in a stable soil no more than ten feet apart, and
 3. Reinforcement shall be provided for pilings more than six feet above ground level.

(Prior code § 17-5-5.2)

15.40.1030 Placement in floodway prohibited.

No manufactured home shall be placed in a floodway except in existing manufactured home parks or subdivisions.

(Prior code § 17-5-5.3)

15.40.1035 Standards for recreational vehicles.

- A. Be on site for fewer than one hundred eighty consecutive days; or
- B. Be fully licensed and ready for highway use. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect-type utilities and security devices, and has no permanently attached additions; or
- C. Meet the permit requirements of this chapter and the elevation and anchoring requirements for manufactured homes.

(Ord. 1397.15.21 § 1 (part), 2007)

Article X. Floodways

15.40.1040 Provisions specific to.

Locations within areas of special flood hazard established in Section 15.40.560 are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of floodwaters which carry debris, potential projectiles, and erosion potential, the provisions set out in Sections 15.40.1040 through 15.40.1080 apply.

(Prior code § 17-5-6 (part))

15.40.1050 Encroachments prohibited with certain exception.

Prohibit encroachments, including fill, new construction, substantial improvements, and other development, unless certification by a registered professional engineer or architect is provided, demonstrating that encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge.

(Prior code § 17-5-6.1)

15.40.1060 Placement in prohibited.

Prohibit the placement of any manufactured home except in existing manufactured home parks or subdivisions.

(Prior code § 17-5-6.2)

15.40.1070 Compliance with flood hazard reduction provisions required.

If Sections 15.40.1050 and 15.40.1060 are satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of Article VI.

(Prior code § 17-5-6.3)

15.40.1080 Standards for attached garages.

Attached garages are to be treated the same as an enclosure below the elevated floor of a building; specifically, the lowest floor of the residence, if it is used solely for parking, building access, or storage, and meets the additional criteria at A.R.S. § 60.3(a)(3) and § 60.3(c)(5). The standards at A.R.S. § 60.3(a)(3) are interpreted as requiring the following:

- A. No machinery or equipment which services a building, such as furnaces, air conditioners, heat pumps, hot water heaters, washers, dryers, elevator lift equipment, electrical junction and circuit breaker boxes, and food freezers, are permitted below the base flood elevations; and
- B. All interior wall, floor and ceiling materials located below the base flood elevation must be unfinished and resistant to flood damage; and
- C. The walls of any enclosed area below the base flood elevation must be constructed in a manner to prevent flotation, collapse and lateral movement of the structure.

(Prior code § 17-5-6.4)

15.40.1090 Standards for detached garages.

Detached garages shall be elevated to or above the base flood elevation to minimize damage to the garage and to vehicles and contents stored in the garage. However, if a detached garage constituted a minimal investment and was used only for parking or limited storage, that garage could have its floor below the base flood elevation provided that it was constructed in accordance with previously established policy on accessory structures. At a minimum, detached garages which are not elevated so that their floor is one foot above the base flood elevation would have to be designed and constructed to meet the following requirements:

- A. Use of the garage must be limited to parking or limited storage;
- B. The garage must be built using unfinished and flood damage-resistant materials;
- C. The garage must be adequately anchored to prevent flotation, collapse or lateral movement of the structure;
- D. Any mechanical and utility equipment in the garage must be elevated to or above the base flood elevation or floodproofed;
- E. The garage must comply with floodplain encroachment provisions at A.R.S. § 60.3(c)(10) or (d)(3).

(Prior code § 17-56.5)

Article XI. Variances and Appeals

15.40.1100 Appeals and requests for variances.

The floodplain board shall hear and decide appeals and requests for variances from the requirements of this chapter. A fee of two

hundred fifty dollars will be required at the time the appeal or request for variance is filed.

(Prior code § 17-6-1.1)

15.40.1110 Administrative error cause for hearing.

The floodplain board shall hear and decide appeals when it is alleged there is an error in any requirement, decision or determination made by the floodplain administrator in the enforcement or administration of this chapter.

(Prior code § 17-6-1.2)

15.40.1120 Appeal to superior court when.

Those aggrieved by the decision of the floodplain board, or any taxpayer, may appeal the decision to the superior court of Pinal County.

(Prior code § 17-6-1.3)

15.40.1130 Floodplain board to consider-Criteria.

The variance criteria set forth in this chapter are based on the general principle of zoning law that variances pertain to a piece of property and are not personal in nature. A variance may be granted for a parcel of property with physical characteristics so unusual that complying with the requirements of this ordinance would create an exceptional hardship to the applicant or the surrounding property owners. The characteristics must be unique to the property and not be shared by adjacent parcels. The unique characteristic must pertain to the land itself, not to the structure, its inhabitants or the property owners.

It is the duty of the city to help protect its citizens from flooding. This need is so compelling and the implications of the cost of insuring a structure built below the regulatory flood elevation are so serious that variances from the flood elevation or from other requirements in the flood ordinance should be quite rare. The long-term goal of preventing and reducing flood loss and damage can only be met if variances are strictly limited. Therefore, the variance guidelines provided in this section are more detailed and contain multiple provisions that must be met before a variance can be properly granted. The criteria are designed to screen out those situations in which alternatives other than a variance are more appropriate.

In passing upon applications, the floodplain board shall consider its directive as set forth above, all technical evaluations, all relevant factors, standards specified in other sections of the chapter, and:

- A. The danger that materials may be swept onto other lands to the injury of others;
- B. The danger to life and property due to flooding or erosion damage;
- C. The susceptibility of the proposed facility and its contents to flood damage and the effect of the damage on the individual owner;
- D. The importance of the services provided by the proposed facility to the community;
- E. The necessity to the facility of a waterfront location, where applicable;
- F. The availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;
- G. The compatibility of the proposed use with existing and anticipated development;
- H. The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
- I. The safety of access to the property in time of flood for ordinary and emergency vehicles;
- J. The expected heights, velocity, duration, rate of rise, and sediment transport of the floodwaters expected at the site; and
- K. The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities, such as sewer, gas, electrical and water systems, and streets and bridges.

(Ord. 1397.15.21 § 1 (part), 2007; prior code § 17-6-1.4)

15.40.1140 Granting of variance when.

Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size, contiguous to and surrounded by lots with existing structures constructed below the base flood level, provided subsections 15.40.1130(A) through (K) have been fully considered. As the lot size increases beyond one-half acre, the technical justification required for issuing the variance increases.

(Prior code § 17-6-1.5)

15.40.1150 Conditions for issuance of variance.

Upon consideration of the factors of Section 15.40.1130, and the purposes of this chapter, the floodplain board may attach the conditions to the granting of variances as it deems necessary to further the purposes of the chapter.

(Prior code § 17-6-1.6)

15.40.1160 Records to be maintained.

The floodplain administrator shall maintain a record of all variance and appeal actions, including justification for their issuance, and report such variances issued in its biennial report to the Federal Emergency Management Agency.

(Ord. 1397.15.21 § 1 (part), 2007; prior code § 17-6-1.7)

15.40.1170 Exceptions.

Variances may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places, upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure, and the variance is the minimum necessary to preserve the historic character and design of the structure, without regard to the procedures set forth in the remainder of this article.

(Ord. 1397.15.21 § 1 (part), 2007; prior code § 17-6-2.1)

15.40.1180 Variances denied when.

Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.

(Prior code § 17-6-2.2)

15.40.1190 Variances issued when.

Variances shall only be issued upon determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

(Prior code § 17-6-2.3)

15.40.1200 Conditions for issuance of variance.

Variances shall only be issued upon:

- A. A showing of good sufficient cause;
- B. A determination that failure to grant the variance would result in exceptional hardship to the applicant;

C. For facilities meeting the definition of "functionally dependent use," a showing that the use cannot perform its intended purpose unless it is located or carried out in close proximity to water; and

D. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.

(Ord. 1397.15.21 § 1 (part), 2007; prior code § 17-6-2.4)

15.40.1210 Written notice of variance issuance required.

Any applicant to whom a variance is granted shall be given written notice, over the signature of a community official, that the structure will be permitted to be built with a lowest floor elevation below the regulatory flood elevation, that such construction below the base flood level increases risks to life and property, and that the issuance of a variance to construct a structure below the base flood level will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage. The notice will also state that the land upon which the variance is granted shall be ineligible for exchange of state land pursuant to the flood relocation and land exchange program provided for by A.R.S. Title 26, Chapter 2, Article 2. A copy of the notice shall be recorded by the floodplain board in the office of the Pinal County Recorder, and shall be recorded in manner so that it appears in the chain of title of the affected parcel of land.

(Ord. 1397.15.21 § 1 (part), 2007; prior code § 17-6-2.5)

Article XII. Drainage

15.40.1220 Purpose of provisions.

The relatively flat topography and lack of defined drainage patterns necessitates special attention for controlling stormwater collection and retention. Regulatory controls and measures are identified in this article to minimize stormwater problems.

(Ord. 1397.15.5 § 2 (part), 1994)

15.40.1230 Conceptual drainage plan to be submitted-Contents.

A conceptual stormwater collection and retention plan shall be submitted with a preliminary plat or site development plan and approved prior to the approval of the plat or plan. In the design of the development, every effort shall be made to utilize the natural slope of the land for the stormwater collection system. The plan shall include but not be limited to the following:

- A. Method of collection (surface and/or subsurface);
- B. Depth, side slopes and area of retention;
- C. Calculations of volume held and required;
- D. High water elevation and invert of pipes;
- E. Method of disposal of water within thirty-six hours;
- F. Areas tributary to each retention basin;
- G. Any other data to form a complete plan.

(Ord. 1397.15.5 § 2 (part), 1994)

15.40.1240 Subdivisions-Retention and collection facility requirements.

- A. All water which falls within the subdivisions (including the respective one-half of all abutting streets to the subdivision) from a

one-hundred-year storm of a one-hour duration (approximately 2.39 inches), as established by the Arizona Highway Department Hydrological Design and Revised Precipitation Maps, must be retained within the boundaries of the subdivision unless street runoff is allowed per subsection K of this section. The method of collection and retention shall be approved by the city engineer. The method of retention calculation, drainage flows and dry wells shall conform to Section 15.40.1290.

B. Two or more developers may join together to provide a common retention facility. A letter or agreement signed by all developers participating in the common retention must be presented to the city engineer and the recorded plat shall indicate that the retention area is a joint facility. The joint retention area must meet all criteria in a single area.

C. Where possible, all retention basins shall have a design capacity to preclude a water depth in excess of three feet resulting from a one-hundred-year, one-hour storm. The depth of retention shall be measured from nearest adjacent top of curb. Side slopes shall conform to the following slope-depth ratio:

BASIN DEPTH	STEEPEST SLOPE
(measured from top)	(horizontal:vertical)
First 3 feet	4:1
From 3 to 6 feet	8:1

Exceptions to minimum slope requirements will be considered when innovative and aesthetically pleasing design features are presented and public safety is not compromised.

In no event shall stormwater stand in the retention basins longer than thirty-six hours. Where possible, basins may be drained by pumping or controlled gravity flow into existing storm drainage lines, irrigation ditches, or streets when approved by the city engineer. With the permission of the city engineer, the right-of-way area from one foot in back of sidewalk may be used for the retention basin.

D. Retention basins shall be protected from further development by a recorded drainage easement and must be fully improved with landscaping, irrigation systems, lighting and such other aesthetic and recreational improvements as may be required by the city. Conceptual landscape plans showing all required improvements shall be submitted with the preliminary plat. Final improvement plans for retention areas must be submitted for approval with the subdivision improvement plans. It shall be the responsibility of the developer to establish a system acceptable to the city to provide perpetual operation, maintenance and replacement of all retention areas not dedicated to the city. This maintenance system may be the formation of a homeowner's association or some other type of financial guarantee acceptable to the city.

E. On-lot retention is permissible only in single-family developments where each proposed residential lot contains not less than seven thousand square feet of five gross acres or less where each proposed lot contains not less than 1.25 net acres. Each proposed residential lot shall be depressed in the front yard, as defined in Chapter 17.12 of this code, to contain the indicated design storm, including that of the proposed street runoff, unless street runoff is allowed per subsection K of this section. The deed of each lot shall have a restriction indicating on-lot retention shall be maintained in perpetuity. In addition, on-lot retention basins shall be shown as retention easements on the subdivision plat.

F. Curbed streets shall be designed and constructed to carry the stormwater runoff from a ten-year, one-hour storm (approximately 1.60 inches) between curbs.

G. The finish floor elevation of all buildings shall be one foot above the one-hundred-year storm.

H. All storm drain pipe installed in alleys or streets under curb, gutter and pavement shall be constructed of rubber gasket reinforced concrete pipe capable of withstanding H-22 highway loads or an alternate as approved by the city engineer.

I. Lakes or ponds used for stormwater collection will be required to meet all retention basin requirements specified herein except for the water depth, drainage time and side slopes below the normal water level.

J. Commercial/industrial and single lot multifamily (duplex, triples, etc.) subdivisions may provide either community retention basins or on-site retention for each lot including street runoff.

K. Street runoff may be allowed, at the discretion of the city engineer, in those circumstances where stormwater can be quickly conveyed to established drainage facilities.

(Ord. 1397.15.19 § 1, 2004; Ord. 1397.15.5 § 2 (part), 1994)

15.40.1250 Nonsubdivision developments-Retention and collection facility requirements.

A. All stormwater from a one-hundred-year storm of one-hour duration (approximately 2.39 inches) as established by the Arizona Highway Department Hydrological Design and Revised Precipitation Maps, shall be retained on site. All stormwater within the right-of-way adjacent to the site shall be retained within the site unless other means of disposal of the water (i.e., storm drain, irrigation ditch, or drainage way) is designed and constructed to handle that water.

B. A maximum of fifty percent of the required retention can be held upon asphalt, concrete or other hard surface except in a special situation and with permission of the city engineer.

C. The city shall not be responsible for the design, performance, operation or maintenance of the retention basin.

D. The retention basin shall conform to Section 15.40.1240(C) and the calculations, drainage flows and dry wells shall conform to Section 15.40.1290.

(Ord. 1397.15.5 § 2 (part), 1994)

15.40.1260 Residential subdivisions-Preliminary hydrology report required.

Preliminary hydrology reporting requirements for residential subdivisions are as follows:

A. A preliminary drainage report must be presented with the application for subdivision review. No review will be scheduled until this report is obtained.

B. A preliminary report shall discuss the general storm drainage problem and state the method of resolution proposed. Any obvious drainage problems such as existing waste ditches, natural drainage channels, runoff from existing adjacent subdivision, etc. must be discussed in detail.

C. If lot runoff will be retained on the lot, a sample plot plan must be included.

D. A preliminary retention basin design must be presented. This should include the size and depth of the basin and possible methods of draining it.

E. All calculations must be made a part of the report.

(Ord. 1397.15.5 § 2 (part), 1994)

15.40.1270 Residential subdivisions- Final hydrology report required.

A. A final drainage report must be presented before construction plans will be approved.

B. A reduced (eight and one-half inches by eleven inches) copy of the subdivision plat must be included in the report. Drainage areas and peak street flows are to be shown on this plat as well as the location for the retention basin.

C. Detailed street flow calculations are to be made a part of the report. Where the flows exceed the street capacities, pipe flow calculations and sizing data shall be included.

D. Detailed drawings of the retention basin, inlet structures, outlet structures, etc. shall be submitted with the report.

E. If the storm runoff flows onto the property to be subdivided from adjacent properties, this must be included in detail in the report. Drainage area, calculated peak flows, and other pertinent runoff data must be presented. If the flow is in a defined channel, the channel must be improved to carry a one-hundred-year flow with a minimum freeboard of one foot.

F. If improvements in an adjacent subdivision have channeled runoff onto the developing property, this flow should be carried through the new subdivision. It will, however, be necessary to abide by all provisions in Section 15.40.1240.

(Ord. 1397.15.5 § 2 (part), 1994)

15.40.1280 Commercial and industrial developments-Reporting requirements.

Hydrology reporting requirements for commercial and industrial developments shall be as follows:

- A. Show all proposed buildings, asphalt areas, grass areas, concrete or desert landscape, and dimensions of same;
- B. Show existing grades by a grid method or contour lines, especially at property lines and back of sidewalks;
- C. Establish a bench mark (BM) of known or assumed elevation to which every other elevation is referenced;
- D. Indicate direction that roof will drain and the finished floor elevation of all buildings;
- E. Show enough finished grades that drainage direction of asphalt areas, etc., are clearly evident. If it helps, show this direction with arrows. Show the finished grade of all parking and landscaped areas;
- F. Show all items of construction that will affect drainage and retention;
- G. Divide the lot into drainage areas and calculate runoff for each area;
- H. Calculate the retention volume provided for each area. See Section 15.40.1290 for calculations of runoff and retention volume.
- I. Changes or additions to sites which require approval of a site development plan will be required to address drainage on the entire site and meet storm drainage requirements as set forth in this chapter for the complete site.

(Ord. 1397.15.5 § 2 (part), 1994)

15.40.1290 Retention calculations to be submitted.

- A. Retention calculations shall be submitted as follows:

$$V_r = \frac{D(A)(C_w)}{12}$$

12

A = Area (square feet or acres)

V_r = Volume required to be retained (cubic feet or acre feet)

D = 100 year=one hour rainfall (inches) = 2.39

C_w = Runoff factor for tributary areas (weighted factors may be required for multiple retention areas and/or special conditions as determined by the city engineer:

Typical runoff factors:

Pavement (asphalt, concrete brick, etc) 0.95

Roofs 0.95

Grass lawn (average slope 0-7%) 0.20

Grass lawn (steep slope 7% or greater) 0.35

Desert lawn or rock lawn 0.70

Farm land 0.10

Bare ground (vacant lots) 0.40

Undeveloped desert 0.25

Commercial, industrial area: 0.80

Residential area:

Range areas, 18,000 square feet or larger 0.45

Single-family areas less than 18,000 sq. ft. 0.50

Multi-unit area:

Townhouses, patio homes, mobile home parks 0.50

Apartments 0.60

Note: The weighted "C" is obtained from the total summated "C" areas divided by the total area or subareas being developed.

B. The point or points at which a natural drainage way enters, flows through and leaves prior to development shall remain the same after the property has been altered for the development unless the city engineer specifically approves rerouting of flows.

C. Shallow pit percolation tests shall be performed in retention areas to determine natural percolation. Test results shall be submitted to the city engineer prior to approval of drainage plans. Dry wells are permitted to drain surface retention areas only when no other means of disposal is available. Infiltration into the dry well cannot be considered to reduce the size of the retention area. The property owner of record shall be responsible for the design, performance, operation or maintenance of dry wells used with on-site retention. A percolation test must be carried out on the dry well before acceptable. The percolation test results are to be filed with the city engineer.

D. All building construction and development projects shall receive a final grading inspection and approval by the city engineer before issuance of a certificate of occupancy. In the case of single and two-family residential construction, such approval shall be evidenced by the final building inspection.

(Ord. 1397.15.5 § 2 (part), 1994)

15.40.1300 Right of city to drain basin when.

It is unlawful for any person owning or controlling a retention basin to permit stormwater to stand therein longer than thirty-six hours. In addition to any penalty provided by law, should the persons owning or controlling any privately-owned and maintained basin fail, neglect or refuse to drain the retention basin within thirty-six hours, as required in Section 15.40.1240(C), it is the right of the city, upon the authorization of the director of public works, or his appointed agent, to enter upon the privately-owned retention basin property and take such action as may reasonably be necessary to drain the basin. The draining of the basin shall be at the expense of the owners or person controlling the basin.

(Ord. 1397.15.5 § 2 (part), 1994)

15.40.1310 Assessment of drainage costs to city.

Upon completion of the work, the director of public works shall prepare or cause to be prepared, a verified statement of account of the actual cost of draining of the basin, the date the work was completed, and the street address and the legal description of the property on which the work was done, including five percent for inspection and other incidental costs in connection therewith and shall serve a duplicate copy of the verified statement upon the person owning or controlling the property in the manner prescribed in Section 15.40.1320.

(Ord. 1397.15.5 § 2 (part), 1994)

15.40.1320 Appeal to city-Terms and conditions.

The owner or person controlling the property shall have thirty days from the date of service upon him of the assessment to appeal in writing to the council from the amount of the assessment as contained in the verified statement. If an appeal is not filed with the city council within the thirty-day period, then the amount of the assessment, as determined by the director of public works, shall become final and binding. If an appeal is taken, the council shall, at its next regular meeting, hear and determine the appeal and may affirm the amount of the assessment, modify the amount thereof, or determine that no assessment at all shall be made. The decision of the council shall be final and binding upon all persons.

(Ord. 1397.15.5 § 2 (part), 1994)

15.40.1330 Service of notice to property owner.

Notice shall be personally served on the owner or person controlling the property, by an officer of the police department, in the manner provided in Rule 4(d) of the Arizona Rules of Civil Procedure, or mailed to the owner or person controlling the property at his last known address or by certified or registered mail, or the address to which the tax bills for the property were last mailed. If the owner does not reside on the property, a duplicate notice shall also be sent to him by certified or registered mail at his last known address.

(Ord. 1397.15.5 § 2 (part), 1994)

15.40.1340 Lien for drainage of basin when.

If no appeal is taken from the amount of the assessment, or if an appeal is taken and the council has affirmed or modified the amount of the assessment, the original assessment or the assessment as so modified shall be recorded in the office of the county recorder and from the date of its recording, shall be a lien on the lot or tract of land until paid. Said liens shall be subject and inferior to the lien for general taxes and to all prior recorded mortgages and encumbrances of record. A sale of the property to satisfy a lien obtained under the provisions of this section shall be made upon judgment of foreclosure or order of sale. The city shall have the right to bring an action to enforce the lien in a court of competent jurisdiction at any time after the recording of the assessment, but failure to enforce the lien by such action shall not affect its validity. The recorded assessment shall be prima facie evidence of the truth of all matters recited thereof. A prior assessment for the purposes provided in this section shall not be a bar to a subsequent assessment or assessments for such purposes, and any number of liens on the same lot or tract of land may be enforced in the same action.

(Ord. 1397.15.5 § 2 (part), 1994)

Chapter 15.44 MISCELLANEOUS CONSTRUCTION REQUIREMENTS

Sections:

15.44.010 Required setback from canal.

15.44.020 Water main specifications.

15.44.030 Placement of utilities along alleys.

15.44.040 Tearing up of street-Restoration to prior condition required.

15.44.010 Required setback from canal.

Any building constructed, repaired or remodeled shall be set back a distance of at least ten feet from the centerline of any canal; provided, that the term "canal" does not include laterals.

(Prior code § 9-6-1)

15.44.020 Water main specifications.

A. Wherever the word street appears in this section, it shall also be taken to mean an alley.

B. All water mains laid or placed within the city by any utility company, corporation, firm, or person shall be of the following size and manner:

1. All water mains in and along the streets of the business section of the district of the city shall not be less than eight inches in diameter;
2. Water mains in and along any of the streets in the residential sections of the city shall be not less than six inches in diameter;

3. Connections made and pipes laid from the main over to a property line shall be at such distance apart as to accommodate and serve each lot along the street or water main;

4. All water mains laid in and along any paved streets shall be laid under and along the sidewalk of the street.

(Prior code § 9-6-2)

15.44.030 Placement of utilities along alleys.

All water mains, pipe lines of any description, telephone, telegraph, electric light poles, cables or conduits, gas lines or other lines of any kind, shall be placed, laid or erected in, along and through alleys; provided, that in through blocks, where there are no alleys, such water mains, pipe lines, telephone, telegraph poles, cables or conduits, or gas lines, may be placed in and along the streets around the block where there are no alleys.

(Prior code § 9-6-3)

15.44.040 Tearing up of street-Restoration to prior condition required.

Whenever a utility company, corporation, firm or person shall lay, place, or erect any water main, electric light, telephone line, cable, conduit or other pipe line of any description across or along any street or alley where it is necessary to tear up or remove any part of the paving, sidewalk, curb or gutter for the purpose of laying, erecting or placing any water main, electric light or telephone line, cable, conduit or other pipe line, the same shall be repaired, replaced, and put in the same condition as the paving, sidewalk, curb or gutter was before the tearing up or cutting across same.

(Prior code § 9-6-4)

Chapter 15.48 OUTDOOR LIGHT CONTROL*

Sections:

15.48.010 Purpose of provisions.

15.48.020 Conformance with applicable codes required.

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*Editor's Note: Chapter 15.48 consists of Ordinance 911, adopted May 16, 1983 and revised February 23, 1990)

15.48.010 Purpose of provisions.

This chapter is intended to restrict the permitted use of outdoor artificial illuminating devices emitting undesirable rays into the night sky which have a detrimental effect on astronomical observations.

(Ord. 911 § 1.01, 1983)

15.48.020 Conformance with applicable codes required.

A. All outdoor artificial illuminating devices shall be installed in conformance with the provisions of this chapter, Title 17 of this code and any building ordinances which may hereinafter be enacted, as applicable.

B. Where any provisions of any of the Arizona State statutes or any federal law or any companion of the city ordinance comparatively conflicts with the requirements of this outdoor light control chapter, the most restrictive shall govern.

(Ord. 911 § 1.02, 1983)

15.48.030 Provisions nonrestrictive-Approved materials and methods in compliance.

The provisions of this chapter are not intended to prevent the use of any material or method of installation not specifically prescribed by this chapter; provided, any such alternate has been approved. The city zoning inspector may approve any such alternate provided he finds that the proposed design, material or method:

A. Provides approximate equivalence to those specific requirements of this chapter; or

B. Is otherwise satisfactory and complies with the intent of this chapter.

(Ord. 911 § 1.03, 1983)

15.48.040 Definitions.

For the purposes of this chapter, the following terms are defined as set out in this section.

"Individual" means any private individual, tenant, lessee, owner, or any commercial entity including but not limited to companies, partnerships, joint ventures or corporations.

"Installed" means the initial installation of outdoor light fixtures as defined in this section, following the effective date of the ordinance codified in this chapter, but shall not apply to those outdoor light fixtures installed prior to such date.

"Outdoor light fixtures" means and includes outdoor artificial illuminating devices, outdoor fixtures, lamps and other devices, permanent or portable, used for illumination or advertisement. Such devices shall include, but are not limited to search, spot, or flood lights for:

A. Buildings and structures;

B. Recreational areas;

C. Parking lot lighting;

D. Landscape lighting;

E. Billboards and other signage (advertising and other);

F. Street lighting.

This chapter shall not apply to single-family residences unless a single illuminating device exceeds one hundred fifty watts.

(Ord. 911 §§ 2.01-2.03, 1983)

15.48.050 Shielding required.

A. All exterior illuminating devices, except those exempt from this chapter and those regulated by Section 15.48.100 shall be fully or partially shielded as required by Section 15.48.070.

B. "Fully shielded" means that those fixtures shall be shielded in such a manner that light rays emitted by the fixture, either directly from the lamp or indirectly from the fixture, are projected below a horizontal plane running through the lowest point on the fixture where light is emitted.

C. "Partially shielded" means that those fixtures shall be shielded in such a manner that the bottom edge of the shield is below the plane centerline of the light source (lamp), minimizing light above the horizontal.

(Ord. 911 § 3.01, 1983)

15.48.060 Filtration required when.

A. Those outdoor light fixtures requiring a filter in Section 15.48.070 shall be equipped with a filter whose transmission is less than five percent total emergent flux at wavelengths less than three thousand nine hundred angstroms. Total emergent flux is defined as that between three thousand and seven thousand angstrom units.

B. It is recommended that existing mercury vapor fixtures shall be equipped with a filter whose transmission is less than ten percent total emergent flux at wavelengths less than four thousand four hundred angstroms. Total emergent flux is defined as that between three thousand and seven thousand angstrom units.

C. Low pressure sodium lamps are the preferred lamp for minimizing adverse effects on astronomical observations.

(Ord. 911 § 3.02, 1983)

15.48.070 Shielding and filtering requirements.

The requirements for shielding and filtering light emissions from outdoor light fixtures shall be as set forth in Table 15.48.070, codified at the end of this chapter.

(Ord. 911 § 3.03, 1983)

15.48.080 Searchlights prohibited.

The operation of searchlights for advertising purposes within the city limits is prohibited except as provided for in Chapter 15.24 of this title.

(Ord. 911 § 4.01, 1983)

15.48.090 Recreational facility lighting restricted.

No outdoor recreational facility, public or private, shall be illuminated by nonconforming means after eleven p.m. except to conclude a specific recreational or sporting event or any other activity conducted at a ball park, outdoor amphitheater, arena, or similar facility in

progress to eleven p.m.

(Ord. 911 § 4.02, 1983)

15.48.100 Unshielded outdoor illumination prohibited when.

The unshielded outdoor illumination of any building, landscaping, signing or other purpose, is prohibited except with incandescent fixtures less than one hundred fifty watts.

(Ord. 911 § 4.03, 1983)

15.48.110 Installation of mercury vapor fixtures prohibited.

The installation of mercury vapor fixtures is prohibited effective ninety days after the date of adoption of the ordinance codified in this chapter.

(Ord. 911 § 4.04, 1983)

15.48.120 Permanent and special exemptions.

The following are permanent exemptions to the provisions of this chapter.

A. Nonconforming Fixtures. All outdoor fixtures existing and fully installed prior to the effective date of the ordinance codified in this chapter may remain "nonconforming" indefinitely; provided, however, that no change in use, replacement, structural alteration, or restoration after abandonment of outdoor light fixtures shall be made unless it thereafter conforms to the provisions of these regulations.

B. Fossil Fuel Light. Fossil fuel light produces directly or indirectly by the combustion of natural gas or other utility-type fossil fuels.

C. Federal and State Facilities. Those facilities and lands owned, operated or protected by the U.S. Federal Government or the state of Arizona are exempted by law from all requirements of this chapter. Voluntary compliance with the intent of this chapter at those facilities is encouraged.

D. Special Exemption. The zoning inspector may grant a special exemption to the requirements of Section 15.48.070 only upon a written finding that there are extreme geographic or geometric conditions warranting the exemption and that there are no conforming fixtures that would suffice.

(Ord. 911 § 5.01 through 5.04, 1983)

15.48.130 Application to install outdoor lighting required.

A. Any individual applying for a building or use permit under Title 17 of this code intending to install outdoor lighting fixtures shall as a part of the application submit evidence that the proposed work will comply with this chapter.

B. All other individuals intending to install outdoor lighting fixtures shall submit an application to the zoning inspector providing evidence that the proposed will comply with this chapter.

C. Utility companies entering into a duly approved contract with the city in which they agree to comply with the provisions of these regulations, shall be exempt from applying for and obtaining a permit for the installation of outdoor light fixtures, including residential security lighting.

(Ord. 911 § 6.01, 1983)

15.48.140 Application contents.

A. The submission shall contain but shall not necessarily be limited to the following, all or part of which may be part of or in addition

to the information required elsewhere in Title 17 upon application for the required permit:

1. Plans indicating the location on the premises, and the type of illuminating devices, fixtures, lamps, supports, other devices, etc.;
2. Description of illuminating devices, fixtures, lamps, supports and other devices, etc. This description may include but is not limited to, manufacturers catalog cuts, and drawings (including sections where required).

B. The above required plans and descriptions shall be sufficiently complete to enable the city zoning inspector to readily determine whether compliance with the requirements of this chapter will be secured. If such plans and descriptions cannot enable this ready determination, by reason of the nature or configuration of the devices, fixtures or lamps proposed, the applicant shall submit evidence of compliance by certified test reports as performed by a recognized testing lab.

(Ord. 911 § 6.02, 1983)

15.48.150 Permit issuance.

Upon compliance with the requirements of this chapter, the zoning inspector shall issue a permit for installation of the outdoor lighting fixtures, to be installed as in the approved application. In the event the application is part of the building permit application under the zoning regulations, the issuance of the building permit will be made if the applicant is in compliance with this chapter as well as the other requirements for issuance under the zoning regulations. Appeal procedures of the zoning regulations for decisions of the zoning inspector shall apply.

(Ord. 911 § 6.03, 1983)

15.48.160 Amendment to permit when.

Should the applicant desire to substitute outdoor light fixtures or lamps after a permit has been issued, the applicant must submit all changes to the zoning inspector for approval, with adequate information to assure compliance with this chapter.

(Ord. 911 § 6.04, 1983)

15.48.170 Request for temporary exemption.

A. Any individual as defined herein may submit a written request on a form prepared by the planning and zoning department to the zoning inspector for a "temporary exemption" to the requirements of this chapter, such exemption to be valid for thirty days, renewable at the discretion of the zoning inspector. The written request must include:

1. Specific exemptions requested;
2. Type and use of exterior light involved;
3. Duration of time for requested exemption;
4. Type of lamp and calculated lumens;
5. Total wattage of lamp or lamps;
6. Proposed location of exterior light;
7. Previous temporary exemptions, if any;
8. Physical size of exterior light and type of shielding provided.

B. In addition to the above data, the zoning inspector may request any additional information which would enable him to make a reasonable evaluation of the request for temporary exemption.

(Ord. 911 § 7.01, 1983)

15.48.180 Appeal for temporary exemption.

The zoning inspector, within five days from the date of the properly completed request for temporary exemption, shall approve or reject in writing the request. If rejected, the individual making the request shall have the right of appeal to the appropriate board of adjustment for review pursuant to the procedures applicable to any other appeal of a decision of the zoning inspector.

(Ord. 911 § 7.02, 1983)

15.48.190 Violation-Penalty.

Any person, firm, or corporation violating any of the provisions of this chapter shall be deemed guilty of a Class II misdemeanor, and each person shall be deemed guilty of a separate offense for each and every day or portion thereof during which a violation of any of the provisions of this chapter is committed, continued or permitted and upon conviction of any such violation such person, firm, or corporation shall be punished as prescribed in the Arizona Revised Statutes.

(Ord. 911 Art. 8, 1983)

**Table 15.48.070
Requirements for Shielding and Filtering**

Fixture Lamp Type	Shielded	Filtered⁴
Low Pressure Sodium ¹	Partially	None
High Pressure Sodium	Fully	None
Metal Halide ⁶	Fully	Yes
Fluorescent	Fully ⁵	Yes ²
Quartz ³	Fully	None
Incandescent greater than 150 W	Fully	None
Mercury Vapor	Fully ⁷	Yes ⁷
Fossil Fuel	None	None
Glass Tubes filled with Neon, Argon, Krypton	None	None
Other Sources	As approved by the zoning inspector	

Footnotes:

¹ This is the preferred light source to minimize undesirable light into the night sky affecting astronomical observations.

² Warm white and natural lamps are preferred to minimize detrimental effects.

³ For the purposes of this title, quartz lamps shall not be considered an incandescent light source.

⁴ Most glass, acrylic, or translucent enclosures satisfy these filter requirements.

⁵ Outdoor advertising signs of the type constructed of translucent materials and wholly illuminated from within do not require shielding.

⁶ Metal halide display lighting shall not be used for security lighting after 11 p.m. (or after closing hours if before 11 p.m.) unless fully shielded. Metal halide lamps shall be in enclosed luminaries.

⁷ Recommended for existing fixtures. The installation of mercury vapor fixtures is prohibited effective 90 days after the date of adoption of this title.