

ORDINANCE NO. 1476

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF APACHE JUNCTION, ARIZONA, AMENDING APACHE JUNCTION CITY CODE, VOLUME I, CHAPTER 3: ADMINISTRATION, ARTICLE 3-9: DEPARTMENT OF DEVELOPMENT SERVICES, BY REPEALING AND REPLACING IN ITS ENTIRETY SECTION 3-9-4, DIVISION OF BUILDING SAFETY AND INSPECTION; REPEALING ANY CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Apache Junction City Code ("A.J.C.C."), Vol. I, Section 3-9-4 was last amended in September 1998 under Ordinance No. 1043 to correct clerical nomenclature required under previous versions of the Uniform Building Code; and

WHEREAS, Arizona Revised Statutes § 9-276(15) allows cities and towns to appoint a building supervisor to enforce building codes; and

WHEREAS, A.J.C.C., Vol. I, Chapter 3, Article 3-9 establishes a division of building safety and inspection under the development services department and it is necessary to change the title of the division manager from "building official and safety manager" to "building and safety manager" to be consistent with other code amendments being made in Chapter 7 of this code.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF APACHE JUNCTION, ARIZONA, AS FOLLOWS:

SECTION I IN GENERAL

Apache Junction City Code, Volume I, Chapter 3: Administration, Article 3-9: Department of Development Services, is hereby amended by replacing current Section 3-9-4, Division of Building Safety and Inspection, in its entirety, with new language, to read as follows:

Section 3-9-4, Division of Building Safety and Inspection

The division of building safety and inspection shall be managed by the building and safety manager, who is responsible for exercising the powers and duties of the building official as more fully detailed in Chapter 7: Buildings; enforcing all applicable city ordinances and codes, including state and federal laws relating to buildings; ordering all work stopped on the construction, alteration or repair of buildings in the city when such work is being done in violation of any provision of any code or ordinance related thereto; and for purposes of inspection, making or causing entry into any building or premises where alteration, repairing or construction of any building or structure is occurring.

SECTION II

REPEALING ANY CONFLICTING PROVISIONS

All other ordinances and parts of ordinances in conflict with the provisions of this ordinance or in conflict with any part of the code adopted herein by reference are also hereby repealed.

SECTION III

PROVIDING FOR SEVERABILITY

If any section, subsection, sentence, phrase, clause or portion of this ordinance, or any part of the code adopted herein by reference is for any reason held to be invalid, pre-empted or unconstitutional by the decision of any court of competent jurisdiction, such decisions shall not affect the validity of the remaining portions thereof.

SECTION IV

ESTABLISHING AN EFFECTIVE DATE

The provisions of this ordinance shall take effect on July 8, 2019.

PASSED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF APACHE JUNCTION, ARIZONA, THIS _____ DAY OF _____, 2019.

SIGNED AND ATTESTED TO THIS _____ DAY OF _____, 2019.

JEFF SERDY
Mayor

ATTEST:

KATHLEEN CONNELLY
City Clerk

APPROVED AS TO FORM:

R. JOEL STERN
City Attorney