CHAPTER 1
SCOPE AND ADMINISTRATION

PART 1—GENERAL PROVISIONS

SECTION 101
SCOPE AND GENERAL REQUIREMENTS

101.1 Title. These regulations shall be known as the 2018 International Fire Code with Phoenix Amendments, hereinafter referred to as “this code”, or the Phoenix Fire Code.

101.2 Scope. The provisions of this code shall supplement all laws relating to fire safety and shall apply to all persons without restriction, unless specifically exempted. This code establishes regulations affecting or relating to structures, facilities, processes, premises and safeguards regarding all of the following:

1. The hazard of fire and explosion arising from the storage, handling or use of structures, materials or devices.
2. Conditions hazardous to life, property or public welfare in the occupancy of structures or premises.
3. Fire hazards in the structure or on the premises from occupancy or operation.
4. Matters related to the construction, extension, repair, alteration or removal of fire suppression or alarm systems.
5. Conditions affecting the safety of fire fighters and emergency responders during emergency operations.

101.2.1 Appendices. Provisions in the appendices shall not apply unless specifically adopted. Appendices A, B, D and N are adopted and are considered to be part of this code.

101.2.2 Policies. A diamond (✦) in the margin indicates that a City of Phoenix policy has been created to clarify the application of this code, in accordance with Section 104.7.

101.3 Intent. The purpose of this code is to establish the minimum requirements consistent with nationally recognized good practice for providing a reasonable level of life safety and property protection from the hazards of fire, explosion or dangerous conditions in new and existing buildings, structures, and premises, and to provide a reasonable level of safety to fire fighters and emergency responders during emergency operations.

101.4 Severability. If a section, subsection, sentence, clause or phrase of this code is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this code.

101.5 Validity. In the event any part or provision of this code is held to be illegal or void, this shall not have the effect of making void or illegal any of the other parts or provisions hereof, which are determined to be legal; and it shall be presumed that this code would have been adopted without such illegal or invalid parts or provisions.

SECTION 102
APPLICABILITY

102.1 Construction and design provisions. The construction and design provisions of this code shall apply to:

1. Structures, facilities and conditions arising after the adoption of this code.
2. Existing structures, facilities and conditions not legally in existence at the time of adoption of this code.
3. Existing structures, facilities and conditions where required in Chapter 11.
4. Existing structures, facilities and conditions that, in the opinion of the fire code official, constitute a distinct hazard to life or property.

102.2 Administrative, operational and maintenance provisions. The administrative, operational and maintenance provisions of this code shall apply to:

1. Conditions and operations arising after the adoption of this code.
2. Existing conditions and operations.
102.3 Change of use or occupancy. A change of use or occupancy shall not be made unless the use or occupancy is made to comply with the requirements of this code, the International Building Code, Phoenix Building Code, and the International Existing Building Code.

Exception: Where approved by the fire code official, a change of use or occupancy shall be permitted without complying with the requirements of this code, the Phoenix Building Code, and the International Existing Building Code, provided that the new or proposed use or occupancy is less hazardous, based on life, and fire risk, than the existing use or occupancy, in accordance with the Tarver Ordinance and Table 903.1.5.

102.4 Application of building code. The design and construction of new structures shall comply with the International Building Code, and any alterations, additions, changes in use or changes in structures required by this code, which are within the scope of the International Building Code, shall be made in accordance therewith.

[A] 102.5 Application of residential code. Where structures are designed, constructed in accordance with the International Building Code the provisions of this code shall apply as follows:

1. Construction and design provisions of this code pertaining to the exterior of the structure shall apply including, but not limited to, premises identification, fire apparatus access and water supplies. Where interior or exterior systems or devices are installed, construction permits required by Section 105.7 of this code shall apply.

2. Administrative, operational and maintenance provisions of this code shall apply.

[A] 102.6 Historic buildings. The provisions of this code relating to the construction, alteration, repair, enlargement, restoration, relocation or moving of buildings or structures shall not be mandatory for existing buildings or structures identified and classified by the state or local jurisdiction as historic buildings where such buildings or structures do not constitute a distinct hazard to life or property. Fire protection in designated historic buildings shall be provided with an approved fire protection system in accordance with the provisions of this code.

[A] 102.7 Referenced codes and standards. The codes and standards referenced in this code shall be those that are listed in Chapter 80, and such codes and standards shall be considered to be part of the requirements of this code to the prescribed extent of each such reference and as further regulated in Sections 102.7.1 and 102.7.2.

102.7.1 Conflicts. Where conflicts occur between provisions of this code and referenced codes and standards, the provisions of this code shall apply.

102.7.2 Provisions in referenced codes and standards. Where the extent of the reference to a referenced code or standard includes subject matter that is within the scope of this code, the provisions of this code, as applicable, shall take precedence over the provisions in the referenced code or standard.

102.7.3 Fire protection system conflicts. Where a conflict between a general requirement and a specific requirement for all fire protection systems, the most restrictive requirement shall be applicable.

102.8 Subjects not regulated by this code. Where applicable standards or requirements are not set forth in this code, or are contained within other laws, codes, regulations, ordinances or bylaws adopted by the jurisdiction, compliance with applicable standards of the National Fire Protection Association or other nationally recognized fire safety standards, as approved, shall be deemed as prima facie evidence of compliance with the intent of this code. Nothing herein shall derogate from the authority of the fire code official to determine compliance with codes or standards for those activities or installations within the fire code official’s jurisdiction or responsibility.

102.9 Matters not provided for. Requirements that are essential for the public safety of an existing or proposed activity, building or structure, or for the safety of the occupants thereof, that are not specifically provided for by this code, shall be determined by the fire code official.

102.10 Conflicting provisions. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable. Where, in a specific case, different sections of this code specify different materials, methods of construction or other requirements, the most restrictive shall govern.

102.11 Other laws. The provisions of this code shall not be deemed to nullify any provisions of local, state or federal law.

102.12 Application of references. References to chapter or section numbers, or to provisions not specifically identified by number, shall be construed to refer to such chapter, section or provision of this code.

PART 2—ADMINISTRATIVE PROVISIONS

SECTION 103
DIVISION OF FIRE PREVENTION

103.1 General. The department of fire prevention is established within the jurisdiction under the direction of the fire code official. The function of the department shall be the implementation, administration and enforcement of the provisions of this code.

103.2 Appointment. The fire code official shall be appointed by the chief appointing authority of the jurisdiction; and the fire code official shall not be removed from office except for cause and after full opportunity to be heard on specific and relevant changes by and before the appointing authority.

103.3 Deputies. In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the appointing authority, the fire code official shall have the authority to appoint a deputy fire code official, other related technical officers, inspectors and other employees.

103.4 Liability. The fire code official and other individuals charged by the fire chief with the control or extinguishment of any fire, the enforcement of this code or any other official duties, acting in good faith and without malice in the discharge of their duties, shall not thereby be rendered civilly or criminally liable personally for any damage that may accrue to persons or property as a result of any act or by reason of any act or omission in the discharge of their duties.
103.4.1 Legal defense. Any suit or criminal complaint instituted against any officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by the legal representatives of the jurisdiction until the final termination of the proceedings. The fire code official or any subordinate shall not be liable for costs in an action, suit or proceeding that is instituted in pursuance of the provisions of this code; and any officer of the department of fire prevention, acting in good faith and without malice, shall be free from liability for acts performed under any of its provisions or by reason of any act or omission in the performance of official duties in connection therewith.

SECTION 104
GENERAL AUTHORITY AND RESPONSIBILITIES

104.1 General. The fire code official is hereby authorized to enforce the provisions of this code. The fire code official shall have the authority to render interpretations of this code. The fire code official shall have the authority to adopt policies, procedures, rules and regulations in order to clarify the application of its provisions. Such interpretations, policies, procedures, rules and regulations shall be in compliance with the intent and purpose of this code. Such policies, procedures, rules and regulations shall not have the effect of waiving requirements specifically provided for in this code.

Notice of intention to adopt proposed additions or revisions to the regulations shall be published in one issue of a newspaper published in the City of Phoenix, 30 calendar days before becoming effective. The notice shall state the substance of the proposed additions or revisions. If the fire code official received, within 30 calendar days of the publication date, a written request for a public hearing, the fire code official shall arrange within 15 calendar days of such request a hearing before the Fire Safety Advisory Board.

Any person who wishes to be heard concerning any adopted rule or regulation may make formal application for a hearing before the Fire Safety Advisory Board. See Section 108.

A minimum of one certified Phoenix copy of such rules and regulations shall be filed with the city clerk and shall be in effect immediately thereafter.

104.2 Applications and permits. The fire code official is authorized to receive applications, review construction documents and issue permits for construction regulated by this code, issue permits for operations regulated by this code, inspect the premises for which such permits have been issued and enforce compliance with the provisions of this code.

104.2.1 Exempt buildings. A Federal, State, county agency or municipal corporation may declare itself exempt from the requirements of this code.

104.2.2 Annexation. A building or facility under construction on the effective date of annexation shall be required to secure City building permits and pay fees. From the effective date of annexation, all construction shall conform to the pertinent City construction codes and ordinances.

A building may be allowed to complete the project under the previous Authority Having Jurisdiction and obtain green tags/approvals from that jurisdiction.

Circumstances that would prohibit obtaining City building or fire permits require an appeal.

104.2.3 State fire code. Pursuant to the provisions of Arizona Revised Statute Section 41-2163(A)(2), the City of Phoenix assumes jurisdiction for prescribing and enforcing minimum fire prevention standards within the City of Phoenix, except for state- or County-owned building.

104.3 Right of entry. Where it is necessary to make an inspection to enforce the provisions of this code, or where the fire code official has reasonable cause to believe that there exists in a building or upon any premises any conditions or violations of this code that make the building or on premises unsafe, dangerous or hazardous, the fire code official shall have the authority to enter the building or premises at all reasonable times to inspect or to perform the duties imposed upon on the fire code official by this code. If such building or premises is occupied, the fire code official shall present credentials to the occupant and request entry. If such building or premises is unoccupied, the fire code official shall first make a reasonable effort to locate the owner, the owner’s authorized agent or other person having charge or control of the building or premises and request entry. If entry is refused, the fire code official has recourse to every remedy provided by law to secure entry.

104.3.1 Warrant. Where the fire code official has first obtained a proper inspection warrant or other remedy provided by law to secure entry, an owner, the owner's authorized agent or occupant or person having charge or control of the building or premises shall not fail or neglect, after proper request is made as herein provided, to permit entry therein by the fire code official for the purpose of inspection and examination pursuant to this code.

104.4 Identification. The fire code official shall carry proper identification when inspecting structures or premises in the performance of duties under this code.

104.5 Notices and tags. The fire code official is authorized to issue such notices or orders as are required to affect compliance with this code in accordance with Sections 110.1 and 110.2. Notices or orders that are given verbally shall be confirmed by service in writing. Signs, tags or seals posted or affixed by the fire code official shall not be mutilated, destroyed or tampered with or removed without authorization from the fire code official.

104.6 Official records. The fire code official shall keep official records as required by Sections 104.6.1 through 104.6.4. Such official records shall be retained for not less than 5 years or for as long as the structure or activity to which such records relate remains in existence, unless otherwise provided by other regulations.

104.6.1 Approvals. A record of approvals shall be maintained by fire code official and shall be available for public inspection during business hours in accordance with applicable laws.

104.6.2 Inspections. The fire code official shall keep a record of each inspection made, including notices and orders issued, showing the findings and disposition of each.

104.6.3 Fire records. The fire department shall keep a record of fires occurring within its jurisdiction and of facts concerning the same, including statistics as to the extent of such fires and the damage caused thereby, together with other information as required by the fire code official.
104.6.4 Administrative. Application for modification, alternative methods or materials and the final decision of the fire code official shall be in writing and shall be officially recorded in the records of fire code official.

104.7 Approved materials and equipment. Materials, equipment and devices approved by the fire code official shall be constructed and installed in accordance with such approval.

104.7.1 Material and equipment reuse. Materials, equipment and devices shall not be reused or reinstalled unless such elements have been reconditioned, tested and placed in good and proper working condition and approved.

104.7.2 Technical assistance. To determine the acceptability of technologies, processes, products, facilities, materials and uses attending the design, operation or use of a building or premises subject to inspection by the fire code official. The fire code official is authorized to require the owner or owner’s authorized agent to provide, without charge to the jurisdiction, a technical opinion and report. The opinion and report shall be prepared by a qualified engineer, specialist, laboratory or fire safety specialty organization acceptable to the fire code official and shall analyze the fire safety properties of the design, operation or use of the building or premises and the facilities and appurtenances situated thereon, to recommend necessary changes. The fire code official is authorized to require design submittals to be prepared by, and bear the stamp of, a registered design professional.

104.7.3 Special inspection. The fire code official is authorized to require special inspections. The owner, engineer or architect of record acting as the owner’s agent shall employ one or more special inspectors who shall provide inspections. The special inspector shall be a qualified person who shall demonstrate competence, to the satisfaction of the fire code official, for inspection of the system installation or modification requiring special inspections.

104.7.3.1 Duties and responsibilities of the special inspector. The special inspector shall observe the work assigned for conformance to the approved design drawings and specifications.

The special inspector shall furnish inspection reports to the fire code official, the engineer or architect of record, and other designated persons. All discrepancies shall be brought to the immediate attention of the contractor for correction, then, if uncorrected, to the proper design authority and to the fire code official.

The special inspector shall submit a final signed report stating whether the work requiring special inspection is, to the best of the inspector’s knowledge, in conformance to the approved plans and specifications.

104.8 Modifications. Where there are practical difficulties involved in carrying out the provisions of this code, the fire code official shall have the authority to grant modifications for individual cases, provided that the fire code official shall first find that special individual reason makes the strict letter of this code impractical and the modification is in compliance with the intent and purpose of this code and that such modification does not lessen health, life and fire safety requirements. The details of action granting modifications shall be recorded and entered in the files of the department of fire prevention.

104.9 Alternative materials, design and methods of construction and equipment. The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided that any such alternative has been approved. An alternative material, design or method of construction shall be approved where the fire code official finds that the proposed design, is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, not less than the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability and safety. Where the alternative material, design or method of construction is not approved, the fire code official shall respond in writing, stating the reasons why the alternative was not approved.

104.9.1 Research reports. Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in this code, shall consist of valid research reports from approved sources.

104.9.2 Tests. Where there is insufficient evidence of compliance with the provisions of this code, or evidence that a material or method does not conform to the requirements of this code, or in order to substantiate claims for alternative materials or methods, the fire code official shall have the authority to require tests as evidence of compliance to be made without expense to the jurisdiction. Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the fire code official shall approve the testing procedures. Tests shall be performed by an approved agency. Reports of such tests shall be retained by the fire code official for the period required for retention of public records.

104.10 Fire investigations. The fire code official, the fire department or other responsible authority shall have the authority to investigate the cause, origin and circumstances of any fire, explosion or other hazardous condition. Information that could be related to trade secrets or processes shall not be made part of the public record, except as directed by a court of law.

104.10.1 Assistance from other agencies. Police and other enforcement agencies shall have authority to render necessary assistance in the investigation of fires when requested to do so.

104.10.2 Forensic analysis. The fire code official may also require a forensic analysis of the cause of failure by an independent laboratory approved by the fire code official. A written report generated through the forensic analysis will be forwarded to the fire code official for approval and record keeping.

104.11 Authority at fires and other emergencies. The fire chief or officer of the fire department in charge at the scene of a fire or other emergency involving the protection of life or property, or any part thereof, shall have the authority to direct such operation as necessary to extinguish or control any fire, perform any rescue operation, investigate the existence of suspected or reported fires, gas leaks or other hazardous conditions or situations, or take any other action necessary in the reasonable performance of duty. In the exercise of such power, the fire chief is authorized to prohibit any person, vehicle, vessel or thing from approaching the scene, and is authorized to remove, or cause to be removed or kept away
from the scene, any vehicle, vessel or thing that could impede or interfere with the operations of the fire department and, in the judgment of the fire chief, any person not actually and usefully employed in the extinguishing of such fire or in the preservation of property in the vicinity thereof.

104.11.1 Barricades. The fire chief or officer of the fire department in charge at the scene of an emergency is authorized to place ropes, guards, barricades or other obstructions across any street, alley, place or private property in the vicinity of such operation so as to prevent accidents or interference with the lawful efforts of the fire department to manage and control the situation and to handle fire apparatus.

104.11.2 Obstructing operations. Persons shall not obstruct the operations of the fire department in connection with extinguishment or control of any fire, or actions relative to other emergencies, or disobey any lawful command of the fire chief or officer of the fire department in charge of the emergency, or any part thereof, or any lawful order of a police officer assisting the fire department.

104.11.3 Systems and devices. Persons shall not render a system or device inoperative during an emergency unless by direction of the fire chief or fire department official in charge of the incident.

104.12 False and misleading reports. No person shall willfully submit to the Fire Department and any of its members, any false, fraudulent, misleading, or unfounded reports or statements to misrepresent any fact for the purpose of interfering with the fire department or with the intention of misleading any fire department personnel.

104.13 Unauthorized tampering. Signs, tags or seals posted or affixed by the fire code official shall not be mutilated, destroyed, tampered with or removed without authorization from the fire code official.

SECTION 105 PERMITS

105.1 General. Permits shall be in accordance with Sections 105.1 through 105.25 105.9.

105.1.1 Permits required. A property owner or owner’s authorized agent who intends to conduct an operation or business, or install, repair, or modify or remove fire protection systems and equipment that are regulated by this code, or to cause any such work to be performed, shall first make application to the fire code official and obtain the required permit.

105.1.2 Types of permits. There shall be two types of permits as follows:

1. Operational permit. An operational permit allows the applicant to conduct an operation or a business for which a permit is required by Section 105.6 for either:
   1. A prescribed period.
   2. Until renewed or revoked.

2. Construction permit. A construction permit allows the applicant to install or modify systems and equipment for which a permit is required by Section 105.7 – 105.8.8.

2.1 Fire protection system permits shall only be issued to current business certificate holders.

105.1.3 Multiple permits for the same location. Where more than one permit is required for the same location, the fire code official is authorized to consolidate such permits into a single permit provided that each provision is listed in the permit.

105.1.4 Emergency Repairs. Where equipment replacements and repairs requiring a permit must be performed in an emergency situation, the permit application shall be submitted, within the next working business day, 72 hours of the fire code official.

105.1.5 Repairs. Application or notice to the fire code official is not required for ordinary repairs to structures, equipment or systems. Such repairs shall not include the cutting away of any wall, partition or portion thereof, the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the egress requirements; nor shall any repairs include addition to, alteration of, replacement or relocation of any standpipe, fire protection water supply, automatic sprinkler system, fire alarm system or other work affecting fire protection or life safety.

105.1.5.1 Restoration procedures following a fire, explosion or hazardous materials release. A permit is required to repair damage to a building, premise, storage facility or outdoor area following a fire, explosion or hazardous materials release. All work is subject to field inspector’s approval. Additional permits and approved plans may be required.

105.1.6 Annual permit. Instead of an individual construction permit for each alteration to an already approved system or equipment installation, the fire code official is authorized to issue an annual permit on application therefor to any person, firm or corporation regularly employing one or more qualified tradespersons in the building, structure or on the premises owned or operated by the applicant for the permit.

[A] 105.1.6.1 Annual permit records. The person to whom an annual permit is issued shall keep a detailed record of alterations made under such annual permit. The fire code official shall have access to such records at all times or such records shall be filed with the fire code official as designated.

105.2 Application. Application for a permit required by this code shall be made to the fire code official in such form and detail as prescribed by the fire code official. Applications for permits shall be accompanied by such plans as prescribed by the fire code official.

105.2.1 Refusal to issue permit. If the application for a permit describes a use that does not conform to the requirements of this code and other pertinent laws and ordinances, the fire code official shall not issue a permit, but shall return the application to the applicant with the refusal to issue such permit. Such refusal shall, where requested, be in writing and shall contain the reasons for refusal.

105.2.2 Inspection authorized. Before a new operational permit is approved, the fire code official is authorized to inspect the receptacles, vehicles, buildings, devices, premises, storage spaces or areas to be used to determine compliance with this code or any operational constraints required.

105.2.3 Time limitation of application. An application for a
permit for any proposed work or operation shall be deemed to have been abandoned 180 days after the date of filing, unless such application has been diligently prosecuted or a permit shall have been issued; except that the fire code official is authorized to grant one or more extensions of time for additional periods not exceeding 180 days each.

105.2.4 Action on application. The fire code official shall examine or cause to be examined applications for permits and amendments thereto within a reasonable time after filing. If the application or the construction documents do not conform to the requirements of pertinent laws, the fire code official shall reject such application in writing, stating the reasons therefor. If the fire code official is satisfied that the proposed work or operation conforms to the requirements of this code and laws and ordinances applicable thereto, the fire code official shall issue a permit therefor as soon as practicable.

105.3 Conditions of a permit. A permit shall constitute permission to maintain, store or handle materials; or to conduct processes that produce conditions hazardous to life or property; or to install equipment utilized in connection with such activities; or to install or modify any fire protection system or equipment or any other construction, equipment installation or modification in accordance with the provisions of this code where a permit is required by Section 105.6, or 105.7, or 105.8. All work done on new and existing systems shall meet the requirements of the current adopted codes and standards. Such permission shall not be construed as authority to violate, cancel or set aside any of the provisions of this code or other applicable regulations or laws of the jurisdiction.

[A] 105.3.1 Expiration. An operational permit shall remain in effect until reissued, renewed or revoked, or for such a period of time as specified in the permit. Construction permits shall automatically become invalid unless the work authorized by such permit is commenced within 180 days after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. Before such work recommences, a new permit shall be first obtained and the fee to recommence work, if any, shall be one-half the amount required for a new permit for such work, provided that changes have not been made and will not be made in the original construction documents for such work, and provided further that such suspension or abandonment has not exceeded one year. Permits are not transferable and any change in occupancy, operation, use or hazard, tenancy or ownership shall require that a new permit be issued.

[A] 105.3.2 Extensions. A permittee holding an unexpired permit shall have the right to apply for an extension of the time within which the permittee will commence work under that permit where work is unable to be commenced within the time required by this section for good and satisfactory reasons. The fire code official is authorized to grant, in writing, one or more extensions of the time period of a permit for periods of not more than 180 days each. Such extensions shall be requested by the permit holder in writing and justifiable cause demonstrated.

[A] 105.3.3 Occupancy prohibited before approval. The facility, building or structure shall not be occupied prior to the building official issuing a certificate of occupancy permit and conducting associated inspections indicating the applicable provisions of this code have been met.

Exception: It shall be lawful to occupy portions of buildings or structures under a Temporary Certificate of Occupancy issued by the City of Phoenix, subject to the conditions stated therein.

105.3.8.1 Temporary Certificate of Occupancy.

105.3.3.1 Temporary Certificate of Occupancy. In accordance with Section 110 of the International Building Code the fire code official, in conjunction with the building official, is authorized to approve the conditions necessary to occupy the premises or portion thereof before the entire work or operations on the premises is completed. When issued such portion or portions shall be occupied safely prior to full completion or installation of equipment and operations without endangering life or public welfare.

[A] 105.3.4 Conditional permits. Where permits are required and on the request of a permit applicant, the fire code official is authorized to issue a conditional permit to occupy the premises or portion thereof before the entire work or operations on the premises is completed, provided that such portion or portions will be occupied safely prior to full completion or installation of equipment and operations without endangering life or public welfare. The fire code official shall notify the permit applicant in writing of any limitations or restrictions necessary to keep the permit area safe. The holder of a conditional permit shall proceed only to the point for which approval has been given, at the permit holder’s own risk and without assurance that approval for the occupancy or the utilization of the entire premises, equipment or operations will be granted.

[A] 105.3.5 Posting the permit. Issued permits shall be kept on the premises designated therein at all times and shall be readily available for inspection by the fire code official.

[A] 105.3.6 Compliance with code. The issuance or granting of a permit shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or of any other ordinance of the jurisdiction. Permits presuming to give authority to violate or cancel the provisions of this code or other ordinances of the jurisdiction shall not be valid. The issuance of a permit based on construction documents and other data shall not prevent the fire code official from requiring the correction of errors in the construction documents and other data. Any addition to or alteration of approved construction documents shall be approved in advance by the fire code official, as evidenced by the issuance of a new or amended permit.

105.3.7 Information on the permit. The fire code official shall issue all permits required by this code on an approved form furnished for that purpose. The permit shall contain a general description of the operation or occupancy and its location and any other information required by the fire code official. Issued permits shall bear the signature of the fire code official or other approved legal authorization.

105.3.8 Validity of permit. The issuance or granting of a permit shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or of any other ordinances of the jurisdiction. Permits presuming to give authority to violate or cancel the provisions of this code or...
other ordinances of the jurisdiction shall not be valid. The issuance of a permit based on construction documents, operational documents and other data shall not prevent the fire code official from requiring correction of errors in the documents or other data.

105.4 Construction documents. Construction documents shall be in accordance with this Sections 105.4.1 through 105.4.6.

105.4.1 Submittals. Construction documents and supporting data shall be submitted in two or more sets with each application for a permit and in such form and detail as required by the fire code official. The construction documents shall be prepared by a registered design professional where required by the statutes of the jurisdiction in which the project is to be constructed.

Exception: The fire code official is authorized to waive the submission of construction documents and supporting data not required to be prepared by a registered design professional if it is found that the nature of the work applied for is such that review of construction documents is not necessary to obtain compliance with this code.

105.4.1.1 Examination of documents. The fire code official shall examine or cause to be examined the accompanying construction documents and shall ascertain by such examinations whether the work indicated and described is in accordance with the requirements of this code.

[A] 105.4.2 Information on construction documents. Construction documents shall be drawn to scale on suitable material. Electronic media documents are allowed to be submitted where approved by the fire code official. Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and relevant laws, ordinances, rules and regulations as determined by the fire code official. Two sets of accurate and legible fire protection system component plans shall be submitted to the fire code official for approval, in the following scale:

- Site Plans: 1” = 50’
- Fire Protection Systems: 1” = ¼”
Other scales may be used with prior approval from the fire code official. Electronic submittals require a bar graph scale on each page.

105.4.2.1 Fire protection system shop drawings. Shop drawings for the fire protection system(s) shall be submitted to indicate compliance with this code and the construction documents, and shall be approved prior to the start of installation. Shop drawings shall contain all information as required by the referenced installation standards in Chapter 9.

[A] 105.4.2.2 Life Safety Report. Prior to submitting construction drawings for high-rise buildings, covered mall buildings, buildings containing atriums, or storage height over 40 feet (12 192 mm) or Group F and S occupancies over 500,000 square feet (464 512 M²), structures and other structures as determined by the fire code or building official, a Life Safety Report prepared by an Arizona Professional shall provide a description of the fire protection systems in the building. This description shall include the basic concepts used for suppression, alarm, notification, egress, fire resistive assemblies, smoke control, and other related systems, as well as the coordination of those systems. Additional fire protection and/or life safety systems including hose connections may be required by the fire code official. Upon completion of the project, a copy of the approved documentation shall be maintained at the site and any changes or updates provided to the Fire Department until demolition of the building.

105.4.3 Applicant responsibility. It shall be the responsibility of the applicant to ensure that the construction documents include all of the fire protection requirements and the shop drawings are complete and in compliance with the applicable codes and standards.

[A] 105.4.4 Approved documents. Construction documents approved by the fire code official are approved with the intent that such construction documents comply in all respects with this code. Review and approval by the fire code official shall not relieve the applicant of the responsibility of compliance with this code.

[A] 105.4.4.1 Phased approval. The fire code official is authorized to issue a permit for the construction of part of a structure, system or operation before the construction documents for the whole structure, system or operation have been submitted, provided that adequate information and detailed statements have been filed complying with pertinent requirements of this code. The holder of such permit for parts of a structure, system or operation shall proceed at the holder’s own risk with the building operation and without assurance that a permit for the entire structure, system or operation will be granted.

[A] 105.4.5 Amended construction documents. Work shall be in accordance with the approved construction documents, and any changes made during construction that are not in compliance with the approved construction documents shall be resubmitted for approval as an amended set of construction documents.

[A] 105.4.6 Retention of construction documents. One set of construction documents shall be retained by the fire code official for a period of not less than 180 days from the completion of the permitted work, or as required by state or local laws. One set of approved construction documents shall be returned to the applicant, and said set shall be kept on the site of the building or work at all times during which the work authorized thereby is in progress.

[A] 105.5 Revocation of a permit. The fire code official is authorized to revoke a permit issued under the provisions of this code when it is found by inspection or otherwise that there has been a false statement or misrepresentation as to the material facts in the application or construction documents on which the permit or approval was based, including, but not limited to, any one of the following:

1. The permit is used for a location or establishment other than that for which it was issued.
2. The permit is used for a condition or activity other than that listed in the permit.
3. Conditions and limitations set forth in the permit have been violated.
4. There have been any false statements or misrepresentations as to the material fact in the application for permit or plans submitted or a condition of the permit.

5. The permit is used by a different person or firm than the name for which it was issued.

6. The permittee failed, refused or neglected to comply with orders or notices duly served in accordance with the provisions of this code within the time provided therein.

7. The permit was issued in error or in violation of an ordinance, regulation or this code.

8. The permit holder’s business certificate has expired.

105.5.1 Work without a permit. Operating or starting work without the applicable Fire Prevention permit is strictly prohibited. A penalty equal to 300 percent of the cost of the required construction permit and inspection fees shall be assessed for the work.

105.6 Required operational permits. The fire code official is authorized to issue operational permits for the operations set forth in Sections 105.6.1 through 105.6.15.

Permit applications for bonfires, fire performers, outdoor assembly events, vehicle displays, tents & other membrane structures, fireworks and trade shows and exhibitions shall be submitted 10 business days in advance of the event. This does not include City of Phoenix holidays. A penalty fee of $25 per day shall be assessed for permit applications not received within the 10 business days.

If a permit is denied the applicant has the right to file for an Appeal to the Fire Marshal in accordance with Section 104.6.4.

105.6.1 Aerosol products. An operational permit is required to manufacture, store or handle an aggregate quantity of Level 2 or Level 3 aerosol products in excess of 500 pounds (227 kg) net weight.

105.6.2 Amusement buildings. An operational permit is required to operate a special amusement building.

105.6.3 Aviation facilities. An operational permit is required to use a Group H or Group S occupancy for aircraft servicing or repair and aircraft fuel-servicing vehicles. Additional permits required by other sections of this code include, but are not limited to, hot work, hazardous materials and flammable or combustible finishes.

105.6.4 Carnivals and fairs. An operational permit is required to operate a carnival or fair. See 105.6.36 Outdoor assembly event.

105.6.5 Cellulose nitrate film. An operational permit is required to store, handle or use cellulose nitrate film in a Group A occupancy.

105.6.6 Combustible dust-producing operations. An operational permit is required to operate a grain elevator, flour starch mill, feed mill, or a plant pulverizing aluminum, coal, cocoa, spices or sugar, or other operations producing combustible dusts as defined in Chapter 2.

105.6.7 Combustible fibers. An operational permit is required for the storage and handling of combustible fibers in quantities greater than 100 cubic feet (2.8 m³).

105.6.8 Compressed gases. An operational permit is required for the storage, use or handling at normal temperature and pressure (NTP) of compressed gases in excess of the amounts listed in Table 105.6.8.

<table>
<thead>
<tr>
<th>TYPE OF GAS</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Carbon dioxide used in carbon dioxide enrichment systems</td>
<td>875 (100 lbs.)</td>
</tr>
<tr>
<td>Carbon dioxide used in insulated liquid carbon dioxide beverage dispensing applications</td>
<td>875 (100 lbs.)</td>
</tr>
<tr>
<td>Corrosive</td>
<td>200</td>
</tr>
<tr>
<td>Flammable (except cryogenic fluids and liquefied petroleum gases)</td>
<td>200</td>
</tr>
<tr>
<td>Highly toxic</td>
<td>Any Amount</td>
</tr>
<tr>
<td>Inert and simple asphyxiant</td>
<td>6,000</td>
</tr>
<tr>
<td>Oxidizing (including oxygen)</td>
<td>504</td>
</tr>
<tr>
<td>Pyrophoric</td>
<td>Any Amount</td>
</tr>
<tr>
<td>Toxic</td>
<td>Any Amount</td>
</tr>
</tbody>
</table>

For SI: 1 cubic foot = 0.02832 m³.

105.6.9 Covered and open mall buildings. An operational permit is required for:

1. The placement of retail fixtures and displays, concession equipment, displays of highly combustible goods and similar items in the mall.
2. The display of liquid or gas-fired equipment in the mall.
3. The use of open-flame or flame-producing equipment in the mall.

105.6.10 Cryogenic fluids. An operational permit is required to produce, store, transport on site, use, handle or dispense cryogenic fluids in excess of the amounts listed in Table 105.6.10.

<table>
<thead>
<tr>
<th>TYPE OF CRYOGENIC FLUID</th>
<th>INSIDE BUILDING (gallons)</th>
<th>OUTSIDE BUILDING (gallons)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Flammable</td>
<td>More than 1</td>
<td>60</td>
</tr>
<tr>
<td>Inert</td>
<td>60</td>
<td>500</td>
</tr>
<tr>
<td>Oxidizing (includes oxygen)</td>
<td>10</td>
<td>50</td>
</tr>
<tr>
<td>Physical or health hazard not indicated above</td>
<td>Any Amount</td>
<td>Any Amount</td>
</tr>
</tbody>
</table>

For SI: 1 gallon = 3.785 L.

105.6.11 Cutting and welding. An operational permit is required to conduct cutting or welding operations within the
jurisdiction.

105.6.12 Dry cleaning. An operational permit is required to engage in the business of dry cleaning or to change to a more hazardous cleaning solvent used in existing dry cleaning equipment. **NEW PERMIT**

105.6.13 Exhibits and trade shows. An operational permit is required to operate exhibits and trade shows. **F440**

**Exception:** Exhibits less than 100 aggregate square feet (9290 mm²).

105.6.14 Explosives. An operational permit is required for the manufacture, storage, handling, sale or use of any quantity of explosives, explosive materials, fireworks or pyrotechnic special effects within the scope of Chapter 56. **DISPLAY 704 ADDITIONAL DISPLAY F708**

**Exception:** A permit is not required for authorized employees of the water company that supplies the system or the fire department to use or operate fire hydrants or valves.

105.6.16 Flammable and combustible liquids. An operational permit is required:

1. To use or operate a pipeline for the transportation within facilities of flammable or combustible liquids. This requirement shall not apply to the offsite transportation in pipelines regulated by the Department of Transportation (DOTn) nor does it apply to piping systems.

2. To store, handle or use Class I liquids in excess of 5 gallons (19 L) in a building or in excess of 10 gallons (37.9 L) outside of a building, except that a permit is not required for the following:

   2.1. The storage or use of Class I liquids in the fuel tank of a motor vehicle, aircraft, motorboat, mobile power plant or mobile heating plant, unless such storage, in the opinion of the fire code official, would cause an unsafe condition.

   2.2. The storage or use of paints, oils, varnishes or similar flammable mixtures where such liquids are stored for maintenance, painting or similar purposes for a period of not more than 30 days.

3. To store, handle or use Class II or Class IIIA liquids in excess of 25 gallons (95 L) in a building or in excess of 60 gallons (227 L) outside a building, except for fuel oil used in connection with oil burning equipment.

4. To store, handle or use Class IIIB liquids in tanks or portable tanks for fueling motor vehicles at motor fuel-dispensing facilities or where connected to fuel-burning equipment.

5. To remove Class I or II liquids from an underground storage tank used for fueling motor vehicles by any means other than the approved, stationary on-site pumps normally used for dispensing purposes.

6. To operate tank vehicles, equipment, tanks, plants, terminals, wells, fuel-dispensing stations, refineries, distilleries and similar facilities where flammable and combustible liquids are produced, processed, transported, stored, dispensed or used.

7. To place temporarily out of service (for more than 90 days) an underground, protected above-ground or above-ground flammable or combustible liquid tank.

8. To change the type of contents stored in a flammable or combustible liquid tank to a material that poses a greater hazard than that for which the tank was designed and constructed.

9. To manufacture, process, blend or refine flammable or combustible liquids.

10. To engage in the dispensing of liquid fuels into the fuel tanks of motor vehicles at commercial, industrial, governmental or manufacturing establishments in accordance with Section 5706.5.4 or to engage in on-demand mobile fueling operations in accordance with Section 5707.

11. To utilize a site for the dispensing of liquid fuels from tank vehicles into the fuel tanks of motor vehicles, marine craft and other special equipment at commercial, industrial, governmental or manufacturing establishments in accordance with Section 5706.5.4 or, where required by the fire code official, to utilize a site for on-demand mobile fueling operations in accordance with Section 5707.

12. To conduct pump-out of flammable and/or combustible liquid tanks.

13. To slurry fill and underground tank.

14. To abandon an underground or aboveground tank.

105.6.17 Floor finishing. An operational permit is required for floor finishing or surfacing operations exceeding 350 square feet (33 m²) using Class I or Class II liquids. Buildings under construction or renovation with a valid construction permit do not require a permit to conduct this activity. The activity shall be performed in accordance with this section.

105.6.18 Fruit and crop ripening. An operational permit is required to operate a fruit or crop-ripening facility or conduct a fruit-ripening process using ethylene gas. **NEW PERMIT**

105.6.19 Fumigation and insecticidal fogging. An operational permit is required to operate a business of fumigation or insecticidal fogging, and to maintain a room, vault or chamber in which a toxic or flammable fumigant is used. **NEW PERMIT**

105.6.20 Hazardous materials. An operational permit is required to store, transport on site, dispense, use or handle hazardous materials in excess of the amounts listed in Table 105.6.20. **F213**
### TABLE 105.6.20
PERMIT AMOUNTS FOR HAZARDOUS MATERIALS

<table>
<thead>
<tr>
<th>TYPE OF MATERIAL</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Combustible liquids</td>
<td>See Section 105.6.16</td>
</tr>
<tr>
<td><strong>Corrosive materials</strong></td>
<td></td>
</tr>
<tr>
<td>Gases</td>
<td>See Section 105.8</td>
</tr>
<tr>
<td>Liquids</td>
<td>55 gallons</td>
</tr>
<tr>
<td>Solids</td>
<td>1000 pounds</td>
</tr>
<tr>
<td><strong>Explosive materials</strong></td>
<td></td>
</tr>
<tr>
<td></td>
<td>See Section 105.6.14</td>
</tr>
<tr>
<td><strong>Flammable materials</strong></td>
<td></td>
</tr>
<tr>
<td>Gases</td>
<td>See Section 105.6.8</td>
</tr>
<tr>
<td>Liquids</td>
<td>See Section 105.6.16</td>
</tr>
<tr>
<td>Solids</td>
<td>100 pounds</td>
</tr>
<tr>
<td><strong>Highly toxic materials</strong></td>
<td></td>
</tr>
<tr>
<td>Gases</td>
<td>See Section 105.6.8</td>
</tr>
<tr>
<td>Liquids</td>
<td>Any Amount</td>
</tr>
<tr>
<td>Solids</td>
<td>Any Amount</td>
</tr>
<tr>
<td><strong>Organic peroxides</strong></td>
<td></td>
</tr>
<tr>
<td>Liquids</td>
<td></td>
</tr>
<tr>
<td>Class 1</td>
<td>Any Amount</td>
</tr>
<tr>
<td>Class II</td>
<td>Any Amount</td>
</tr>
<tr>
<td>Class III</td>
<td>1 gallon</td>
</tr>
<tr>
<td>Class IV</td>
<td>2 gallons</td>
</tr>
<tr>
<td>Class V</td>
<td>No Permit Required</td>
</tr>
<tr>
<td>Solids</td>
<td></td>
</tr>
<tr>
<td>Class 1</td>
<td>Any Amount</td>
</tr>
<tr>
<td>Class II</td>
<td>Any Amount</td>
</tr>
<tr>
<td>Class III</td>
<td>10 pounds</td>
</tr>
<tr>
<td>Class IV</td>
<td>20 pounds</td>
</tr>
<tr>
<td>Class V</td>
<td>No Permit Required</td>
</tr>
<tr>
<td><strong>Oxidizing materials</strong></td>
<td></td>
</tr>
<tr>
<td>Gases</td>
<td>See Section 105.6.8</td>
</tr>
<tr>
<td>Liquids</td>
<td></td>
</tr>
<tr>
<td>Class 4</td>
<td>Any Amount</td>
</tr>
<tr>
<td>Class 3</td>
<td>1 gallon</td>
</tr>
<tr>
<td>Class 2</td>
<td>10 gallons&lt;br&gt;&lt;sup&gt;a&lt;/sup&gt;</td>
</tr>
<tr>
<td>Class 1</td>
<td>55 gallons</td>
</tr>
<tr>
<td>Solids</td>
<td></td>
</tr>
<tr>
<td>Class 4</td>
<td>Any Amount</td>
</tr>
<tr>
<td>Class 3</td>
<td>10 pounds&lt;br&gt;&lt;sup&gt;a&lt;/sup&gt;</td>
</tr>
<tr>
<td>Class 2</td>
<td>100 pounds</td>
</tr>
<tr>
<td>Class 1</td>
<td>500 pounds</td>
</tr>
<tr>
<td><strong>Pyrophoric materials</strong></td>
<td></td>
</tr>
<tr>
<td>Gases</td>
<td>Any Amount</td>
</tr>
<tr>
<td>Liquids</td>
<td>Any Amount</td>
</tr>
<tr>
<td>Solids</td>
<td>Any Amount</td>
</tr>
<tr>
<td><strong>Toxic materials</strong></td>
<td></td>
</tr>
<tr>
<td>Gases</td>
<td>See Section 105.6.8</td>
</tr>
<tr>
<td>Liquids</td>
<td></td>
</tr>
<tr>
<td>Class 7</td>
<td>10 gallons</td>
</tr>
<tr>
<td>Class 1</td>
<td>100 pounds</td>
</tr>
</tbody>
</table>

For SI: 1 gallon = 3.785 L, 1 pound = 0.454 kg.

a. 20 gallons where Table 5003.1.1(1) Note k applies and hazard identification signs in accordance with Section 5003.5 are provided for quantities of 20 gallons or less, when such materials are necessary for maintenance purposes, operation, or sanitation of equipment.

b. 200 pounds where Table 5003.1.1(1) Note k applies and hazard identification signs in accordance with Section 5003.5 are provided for quantities of 200 pounds or less when such materials are necessary for maintenance purposes, operation, or sanitation of equipment.

### 105.6.21 HMP facilities. An operational permit is required to store, handle or use hazardous production materials. **New Permit**

### 105.6.22 High-piled storage. An operational permit is required to use a building or portion thereof with more than 500 square feet (46 m²), including aisles, of high piled storage. **F303**

### 105.6.23 Hot work operations. An operational permit is required for hot work including, but not limited to: **F200**

1. Public exhibitions and demonstrations where hot work is conducted.
2. Use of portable hot work equipment inside a structure. **Exception:** Work that is conducted under a construction permit, or work conducted at one-and two-family dwellings.
3. Fixed-site hot work equipment, such as welding booths.
4. Hot work conducted within a wildfire risk area.
5. Application of roof coverings with the use of an open-flame device.
6. Where approved, the fire code official shall issue a permit to carry out a hot work program. This program allows approved personnel to regulate their facility’s hot work operations. The approved personnel shall be trained in the fire safety aspects denoted in this chapter and shall be responsible for issuing permits requiring compliance with the requirements found in Chapter 35. These permits shall be issued only to their employees or hot work operations under their supervision. **F201**

### 105.6.24 Industrial ovens. An operational permit is required for operation of industrial ovens regulated by Chapter 30. **NEW PERMIT**
105.6.25 Lumber yards and woodworking plants. An operational permit is required for the storage or processing of lumber exceeding 100,000 board feet (8333.7 mm). F314

105.6.26 Liquid-fueled or gaseous-fueled or electric vehicles or equipment in assembly buildings. An operational permit is required to display, operate, or demonstrate liquid, or gaseous - or fueled vehicles or electric vehicles or equipment in assembly buildings. F188

Exception: Automobile dealerships.

105.6.27 LP-gas. An operational permit is required for:

1. Storage and use of LP-gas.

Exceptions:

1. A permit is not required for individual containers with a 500-gallon (1893 L) water capacity or less or, multiple container systems having an aggregate quantity not exceeding 500 gallons (1893 L),
2. Containers serving occupancies in Group R-3,
3. Vapor service less than 2,000 gallons (7570 L) water capacity.
2. Operation of cargo tankers that transport LP-gas.
3. Flare off.

105.6.28 Magnesium. An operational permit is required to melt, cast, heat treat or grind more than 10 pounds (4.54 kg) of magnesium. F199

105.6.29 Miscellaneous combustible storage. An operational permit is required to store in any building or on any premises in excess of 2,500 cubic feet (71 m³) gross volume of combustible empty packing cases, boxes, barrels or similar containers, combustible pallets, rubber tires, rubber, cork or similar combustible material. F184

105.6.30 Mobile food preparation vehicles. A permit is required for mobile food preparation vehicles equipped with appliances that produce smoke or grease-laden vapors.

105.6.31 Motor fuel-dispensing facilities. An operational permit is required for the operation of automotive, marine and fleet motor fuel-dispensing facilities. F203

automotive, marine and fleet motor fuel-dispensing facilities.

105.6.32 Open burning or bonfire. An operational permit is required for the kindling or maintaining of an open fire or a fire on any public street, alley, road, or other public or private ground. Instructions and stipulations of the permit shall be adhered to. F182

Exception: Recreational fires.

105.6.33 Open flames and torches. An operational permit is required to remove paint with a torch; or to use a torch or open-flame device in a wildfire risk area. NEW PERMIT

105.6.34 Open flames, candles or flame performers. An operational permit is required to use open flames or candles in connection with fire performers, or assembly areas, dining areas of restaurants or drinking establishments. F189 CANDLES F190 FLAME PERFORMERS

105.6.35 Organic coatings. An operational permit is required for any organic-coating manufacturing operation producing more than 1 gallon (4 L) of an organic coating in one day.

F313

[1] 105.6.36 Outdoor assembly event. An operational permit is required to conduct an outdoor assembly event where planned attendance exceeds 1,000 persons, or when 50 or more persons are in a confined area. F400

105.6.37 Places of assembly. An operational permit is required to operate a place of assembly. F162

105.6.38 Plant extraction systems. An operational permit is required to use plant extraction systems.

105.6.39 Private fire hydrants. An operational permit is required for the removal from service, use or operation of private fire hydrants. NEW PERMIT

Exception: A permit is not required for private industry with trained maintenance personnel, private fire brigade or fire departments to maintain, test and use private hydrants.

105.6.40 Pyrotechnic special effects material. An operational permit is required for use and handling of pyrotechnic special effects material.

105.6.41 Pyroxylin plastics. An operational permit is required for storage or handling of more than 25 pounds (11 kg) of cellulose nitrate (pyroxylin) plastics, and for the assembly or manufacture of articles involving pyroxylin plastics. NEW PERMIT

105.6.42 Refrigeration equipment. An operational permit is required to operate a mechanical refrigeration unit or system regulated by Chapter 6. NEW PERMIT

105.6.43 Repair garages and motor fuel-dispensing facilities. An operational permit is required for operation of repair garages. NEW PERMIT

105.6.44 Rooftop heliports. An operational permit is required for the operation of a rooftop heliport. F300

105.6.45 Spraying or dipping. An operational permit is required to conduct a spraying or dipping operation utilizing flammable or combustible liquids, or the application of combustible powders regulated by Chapter 24. NEW PERMIT

105.6.46 Storage of used, scrap tires and tire byproducts. An operational permit is required to establish, conduct or maintain storage of used or scrap tires and tire byproducts that exceed 2,500 cubic feet (71 m³) of total volume of scrap tires, and for indoor storage of tires and tire byproducts. F185

105.6.47 Temporary membrane structures and tents. An operational permit is required to operate an air-supported temporary membrane structure, a temporary special event structure or a tent having an area in excess of 400 square feet (37.74 m²). F450

Exceptions:

1. Tents used exclusively for recreational camping purposes.
2. Tents open on all sides, which comply with all of the following:
   2.1. Individual tents having a maximum size of 200 square feet (6.65 m²).
   2.2. The aggregate area of multiple tents placed
105.6.51 City of Phoenix permits. The fire code official is authorized to issue operational permits for work as set forth in Sections 105.6.51.1 through 105.6.51.5

105.6.51.1 Agro-industrial and solid biomass facilities. An operational permit is required for the operation and maintenance of an agro-industrial facility, solid biomass facility, or solid biomass facility where the system capacity exceeds the amounts listed in Table 105.6.8 as computed in accordance with this code. Maintenance performed in accordance with this code is not considered to be an alteration and does not require a construction permit.

105.6.51.2 Assisted living facilities. An operational permit is required to operate an assisted living facility. This includes assisted living homes, assisted living centers, group homes R-3, and R-4, care and adult foster care.

105.6.51.3 Behavioral healthcare facility, Group I-1. An operational permit is required to operate a behavioral healthcare facility.

105.6.51.4 Commercial daycare facilities. An operational permit is required to operate a commercial daycare facility for children or adults.

105.6.51.5 Correctional facilities. An operational permit is required to operate a correctional facility.

105.6.51.6 Developmentally disabled group care homes Group I-1. An operational permit is required to operate, developmentally disabled group home.

105.6.51.7 Fireworks, retail sales, indoors. An operational permit is required to conduct retail sales of fireworks indoors.

105.6.51.8 Fireworks, outdoor retail sales. An operational permit is required to conduct retail sales of fireworks outdoors.

105.6.51.9 Fireworks, wholesale sales. An operational permit is required for wholesale sale of consumer fireworks.

105.6.51.10 Fireworks, special effects / theatrical performances. To use fireworks, pyrotechnic or special effect materials using CO2, LP-Gas or other materials for theatrical performances before a proximate audience.

105.6.51.11 Hospital and nursing homes. An operational permit is required to operate a hospital or nursing home.

105.6.51.12 Indoor temporary place of assembly. An operational permit is required conduct a public assembly when the means of egress are altered.

105.6.51.13 Juvenile Group Homes. An operational permit is required to operate a juvenile group home.

105.6.51.14 Junk yard, salvage and wrecking operations. An operating permit is required for the operation of wrecking yards, salvage, and junk yards.

105.6.51.15 Temporary indoor building use (TIBU). An operational permit is required conduct a public assembly event in a building not designed for assembly.

105.7 Required construction permits. The fire code official is authorized to issue construction permits for work as set forth in Sections 105.7.1 through 105.7.8.

105.7.1 Automatic fire-extinguishing systems. A construction permit is required for installation or modification to an automatic fire-extinguishing system.

105.7.2 Battery systems. A construction permit is required to install stationary storage battery systems regulated by Section 1206.2.

105.7.3 Capacitor energy storage systems. A construction permit is required to install capacitor energy storage systems regulated by Section 1206.3.

105.7.4 Compressed gases. When the compressed gases in use or storage exceed the amounts listed in Table 105.6.8 a construction permit is required to install, repair damage to, abandon, remove, place temporarily out of service, or close or substantially modify a compressed gas system.

Exceptions:
1. Routine maintenance.
2. For emergency repair work performed on an emergency basis, application for permit shall be made within two working days of commencement of work.

105.7.5 Cryogenic fluids. A construction permit is required for installation of or alteration to outdoor stationary cryogenic fluid storage systems where the system capacity exceeds the amounts listed in Table 105.6.10.

[A] 105.7.6 Emergency responder radio coverage system. A construction permit is required for installation of or modification to emergency responder radio coverage systems and related equipment. Maintenance performed in accordance with this code is not considered to be a modification and does not require a construction permit.

[A] 105.7.7 Fire alarm and detection systems and related equipment. A construction permit is required for installation of or modification to fire alarm and detection systems and related equipment. Maintenance performed in accordance with this code is not considered to be a modification and does not require a construction permit.

[A] 105.7.8 Fire pumps and related equipment. A
construction permit is required for installation of or modification to fire pumps and related fuel tanks, jockey pumps, controllers and generators. Maintenance performed in accordance with this code is not considered to be a modification and does not require a construction permit.  

[A] 105.7.9 Flammable and combustible liquids. A construction permit is required:

1. To install, repair or modify a pipeline for the transportation of flammable or combustible liquids.
2. To install, construct or alter tank vehicles, equipment, tanks, plants, terminals, wells, fuel-dispensing stations, refineries, distilleries and similar facilities where flammable and combustible liquids are produced, transported, stored, dispensed or used.
3. To install, alter, remove, abandon or otherwise dispose of a flammable or combustible liquid tank.  

Exceptions:
1. To temporarily or permanently install a storage tank or aboveground storage tank or pressure vessel for Class I, II or III-A liquids with less than 125 gallons (473 L) outside a building, or 60 gallons (227 L) inside a building.
2. To temporarily or permanently install a storage tank or aboveground storage tank or pressure vessel less than 1,000 gallons (3785 L) for Class III-B liquids.
3. To slurry fill an underground tank.
4. To neutralize the hazard and abandon an underground or above-ground tank.

[A] 105.7.10 Fuel cell power systems. A construction permit is required to install stationary fuel cell power systems.

[A] 105.7.11 Gas detection systems. A construction permit is required for the installation of or modification to gas detection systems. Maintenance performed in accordance with this code is not considered a modification and does not require a permit.

[A] 105.7.12 Gates and barricades across fire apparatus access roads. A construction permit is required for the installation of or modification to a gate or barricade across a fire apparatus access road.

[A] 105.7.13 Hazardous materials. A construction permit is required to install, repair damage to, abandon, remove, place temporarily out of service, or close or substantially modify a storage facility, hazardous materials storage tank, gas cabinet, exhausted enclosure, gas room or chemical drainage and containment area or other area regulated by Chapter 50 where the hazardous materials in use or storage exceed the amounts listed in Table 105.6.20.

Exceptions:
1. Routine maintenance.
2. For repair work performed on an emergency basis, application for permit shall be made within two working days of commencement of work.

Prior to the installation or modification of piping, systems, or tanks containing hazardous materials or the installation or modification of hazardous materials storage rooms, gas cabinets, exhausted enclosures, gas rooms or chemical drainage and containment areas, plans shall be submitted to the fire code official for approval. A registered professional engineer shall seal and sign the construction drawings.

[A] 105.7.14 High-piled combustible storage. A construction permit is required for the installation of or modification to a structure exceeding 500 square feet (46 m²), including aisles, for high-piled combustible storage. Maintenance performed in accordance with this code is not considered to be a modification and does not require a construction permit.


Exceptions:
1. Routine maintenance.
2. For repair work performed on an emergency basis, application for permit shall be made within two working days of commencement of work.

[A] 105.7.16 LP-gas. A construction permit is required for installation of or modification to an LP-gas system including:

1. Install, alter or modify LP-gas containers used for any purpose.
2. Install, alter or modify racks storing 20-pound cylinders.
3. Install, alter or modify LP-gas containers used for liquid transfer service.
4. A permit is required for individual containers less than 125-gallon (473 L) water capacity serving occupancies in Group R-3, exclusively for vapor service.

[A] 105.7.17 Motor vehicle repair rooms and booths. A construction permit is required to install or modify a motor vehicle repair room or booth. Maintenance performed in accordance with this code is not considered to be a modification and does not require a permit.

[A] 105.7.18 Plant extraction systems. A construction permit is required for installation of or modification to plant extraction systems. Maintenance performed in accordance with this code is not considered to be a modification and does not require a permit.

[A] 105.7.19 Private fire hydrants. A construction permit is required for the installation or modification of private fire hydrants. Maintenance performed in accordance with this code is not considered to be a modification and does not require a permit.

[A] 105.7.20 Smoke control or smoke exhaust management systems. Construction permits are required for installation of or alteration to smoke control, smoke removal, smoke and heat vents or smoke exhaust systems. Maintenance performed in accordance with this code is not considered to be an alteration and does not require a permit.

[A] 105.7.21 Solar photovoltaic power systems. A
construction permit is required to install or modify solar photovoltaic power systems. Maintenance performed in accordance with this code is not considered to be a modification and does not require a permit. ComF135, F335 ResF136, F336

[A] 105.7.22 Special event structure. A single construction permit is required to erect and take down a temporary special event structure.

[A] 105.7.23 Spraying or dipping. A construction permit is required to install or modify a spray room, dip tank or booth. Maintenance performed in accordance with this code is not considered to be a modification and does not require a permit.

[A] 105.7.24 Standpipe systems. A construction permit is required for the installation, modification or removal from service of a standpipe system. Maintenance performed in accordance with this code is not considered to be a modification and does not require a permit. Add FmSpSp

[A] 105.7.25 Temporary membrane structures and tents. A construction permit is required to erect an air-supported temporary membrane structure, a temporary stage canopy or a tent having an area in excess of 400 800 square feet (37 74).

Exceptions:
1. Tents used exclusively for recreational camping purposes.
2. Funeral tents and curtains, or extensions attached thereto, when used for funeral services.
3. Tents and awnings open on all sides, which comply with all of the following:
   3.1. Individual tents shall have a maximum size of 700 1200 square feet (65 111 m²).
   3.2. The aggregate area of multiple tents placed side by side without a fire break clearance of not less than 12 feet (3658 mm) shall not exceed 700 1200 square feet (65 111 m²) total.
   3.3. A minimum clearance of 12 feet (3658 mm) to structures and other tents shall be maintained.

105.8 City of Phoenix required permits. The fire code official is authorized to issue construction permits for work as set forth in Sections 105.8.1 through 105.8.8.

105.8.1 Access, site. A construction permit is required to install or modify premise identification review, fire lanes, identification of fire protection equipment, key boxes, stairwell identification and pedestrian gates. F481

105.8.1.1 Address directories. A construction permit is required to install or modify address directories. F482

105.8.1.2 Alternate surface access roads. A construction permit is required to install or modify alternative surface fire apparatus access roads.

105.8.2 Access and special egress control devices. A construction plan review and permit is required for strike card access and magnetic lock devices. FXXX

105.8.3 Blasting operations. A construction permit is required to conduct blasting operations using explosives. F711

105.8.4 Carbon dioxide compressed gas systems, liquefied. To install or modify a liquefied carbon dioxide compressed gas system (beverage dispensing, etc.).

105.8.5 Carbon dioxide compressed gas systems, high pressure. To install or modify a high-pressure carbon dioxide compressed gas system (beverage dispensing, etc.).

105.8.6 Combustible dust collection system. A construction permit is required to install, modify or alter a dust collection system for combustible dust-producing operations.

105.8.7 Fire apparatus access roads. A construction permit is required to install or modify fire apparatus access roads.

105.8.8 Firefighter breathing air system. A construction permit is required for installation or modification of a firefighter breathing air system. F130 of F330

105.8.9 Fire protection system removal permits. A removal permit allows the applicant to remove systems or equipment. The fire department shall be notified when any system is to be removed. Replacement of a required system shall be within the same business day. Removal permits shall only be issued to current qualified contractors. F900

105.8.10 Fire lines & hydrants. A construction permit is required for the installation or modification of fire lines that serve fire protection systems, fire hydrants, or any combination thereof.

105.8.10.1 Stub-outs and water supply. Stub-outs, which are installed and tested as part of the underground fire line, are included in the fire protection system lead-in charge. When permitted separately from the building’s underground fire line, a separate over-the-counter permit is required for each stub-out. Stub-outs shall not extend more than 10 feet (3048 mm) from outside the building to 6 inches (152 mm) above the finished floor and shall not contain more than one 90-degree bend.

105.8.11 Smoke and heat vents. A construction permit is required to install, alter or modify smoke and heat vents.

105.8.12 Water tank. A construction permit is required to install, alter or modify a static water tank. Add FpAstWtr

105.9 Business permit certificate to conduct business. The fire code official shall issue a business certificate to conduct business to persons or entities qualified contractors that install, modify, alter, add to, test, repair provide required inspections or service any fire alarm system, sprinkler system, standpipe system, fire main, fire pump or any other fire-extinguishing or detection system, device or appliance. Fire protection system construction permits shall only be issued to current business permit certificate holders.

105.9.1 Qualified contractors. The following conditions shall be met to become a qualified contractor:
1. A current Arizona Registrar of Contractors license,
2. State of Arizona privilege tax license,
3. The qualified contractor shall be employed by the company to which the permit is issued. Employment verification may be required.
The qualified contractor applicant knows and understands the requirements of applicable standards and the code requirements appropriate for the business certificate being issued. This knowledge and understanding shall be determined by one of the following methods:

4.1. The fire code official may accept a National Institute of Certifying Engineering Technicians (NICET) Level 3 or 4 certification in lieu of an examination by a recognized testing agency in the following fire protection equipment categories: automatic sprinkler systems; underground fire mains and hydrants; fire alarm systems; and special extinguishing systems, all fire extinguishing systems (i.e. Kitchen hoods).

4.2. The business certificate qualified contractor applicant shall submit and maintain proof to the fire code official that his or her NICET certification is current in the proper fire protection equipment field for which they are applying.

The maintenance of the NICET certification shall be a condition of the business certificate qualified contractor. Failure to maintain the required certification shall void business certificate qualified contractor status.

4.3. The fire code official may accept a valid Arizona Board-certified professional engineer. Required certificates must be maintained for the permit to be valid for qualified contractor status.

4.4. The fire code official may accept a successful completion of an exam by a recognized testing agency.

105.9.2 Responsibilities. The business certificate holder qualified contractor shall be responsible for:

1. Ensuring that all installations, modifications, maintenance and testing performed by the company comply with the applicable codes and standards, and

2. Ensuring that the plans submitted for a permit meet minimum requirements of the codes and standards that apply, and

3. Ensuring that the installation is done correctly and completely, and

4. Ensuring that permits are inspected and green tagged by the Phoenix Fire Department, and

5. Notifying Fire Prevention when an employee designated as a competent party is no longer employed by the company, and

6. Is responsible to ensure that all work is done or supervised by the appropriate competent party.

7. Notifying Fire Prevention in writing of any address change within 10 calendar days after such change. Failure of the individual to give such notification of a change of address is grounds for revocation of business certificate.

8. The qualified contractor shall, upon request, produce and show proper identification and the business certificate to anyone for whom that individual seeks to render services or to the fire code official.

Facility self-inspection. Testing, repairing, or servicing of fire protection equipment, devices or appliances may be conducted by facility employees or employees of qualified contractor both of whom are required to have valid qualifications see Section 105.9.1(4).

105.9.3 Business certificate renewal. Business certificates shall be renewed every three years from the date of issuance. When a certificate has expired, all work shall stop until updated qualifications have been submitted to Fire Prevention and a new certificate issued. Renewal shall take place prior to expiration.

Renewal after expiration. Applications for renewal shall be filed in the same manner as a new application for a qualified contractor.

105.9.4 Suspending a qualified contractor business certificate. The following conditions may result in the suspension of a qualified contractor, permit or certificate:

1. A single instance of performing work or an activity without a permit within a two-year period.

2. Three or more documented instances in a two-year period of two or more significant code violations at one construction project, or the completion or covering of work without inspections.

3. Failure to submit inspection deficiency reports.

This list of conditions is not all-inclusive.

105.9.5 Revocation of a business certificate. The fire code official may revoke a business certificate qualified contractor status and require reexamination for due cause including:

1. Three or more instances of performing work or an activity without a permit within a two-year period.

2. The performance of any fraudulent installation including but not limited to installation of sprinklers without connection to a piping system or installation of fire alarm devices without being connected to a fire alarm control panel.

3. Failure to provide the fire department with proof of insurance.

4. Suspended or revoked Arizona Registrar of Contractors license.

5. Failure to submit inspection deficiency reports.

This list of conditions is not all-inclusive.

105.9.5.1 Suspension or revocation procedures. No suspension or revocation of a permit or certificate is lawful unless, prior to the action, the fire department provides the individual or business with notice and an opportunity for a hearing in accordance with this section. If the fire department finds that the public health, safety or welfare imperatively requires emergency action and incorporates a
finding to that effect in its order, summary suspension of a permit or certificate may be ordered pending proceedings for revocation or other action. These proceedings shall be promptly instituted and determined.

105.9.5.1.2 Serving notice for hearing. All parties shall be afforded an opportunity for a hearing after reasonable notice. Unless otherwise provided by law, the notice shall be given at least 15 business days prior to the date set for the hearing.

105.9.5.1.2.1 Evidence and arguments. Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved.

105.9.5.1.2.2 Informal depositions. Unless precluded by law, informal depositions may be made of any contested case by stipulation, agreed settlement, or default.

105.9.5.1.2.3 Notification. Suspension or revocation shall be effective when the certificate holder is notified by the fire code official.

105.10 Competent party. A competent party shall possess a valid certificate issued by an approve governmental agency, or other approved organization for the type of system and work performed and remain on-site during installation, modifications, maintenance and testing performed on fire protection systems.

105.10.1 Qualifications. The following conditions shall be met to become a competent party.

1. The competent party shall be employed by, or under contract with a company that is a qualified contractor. Verification may be required.

2. The competent party shall be knowledgeable with and comply with the requirements of applicable standards and the code requirements appropriate for the permit(s) issued.

This knowledge and understanding shall be determined by one of the following methods:

2.1. Successfully passing an examination provided by a recognized testing agency in the category for which they are performing the work.

2.2. The fire code official shall accept a current Arizona Registered Engineer or National Institute of Certifying Engineering Technicians (NICET) Level 2 or 1 certification or higher in lieu of the required examination in the following fire protection equipment categories: water-based system layouts, fire alarm systems, and special extinguishing systems.

2.2.1. The applicant shall submit and maintain proof to the fire code official that his or her NICET certification is current, in the proper fire protection equipment category and at the appropriate level within that category.

2.2.2. When the fire code official accepts NICET certification in lieu of the required written exam, the maintenance of the NICET certification shall remain current for the certificate to remain valid.

2.3. Fire alarm installation may be performed by a factory-trained and certified installer in accordance with NFPA 72.

2.4 Sprinkler installers may have current trade certification for installation and design.

2.5 Other qualifications for design and installation acceptable to the fire code official.

105.10.2 Maintenance. Failure to maintain the required certification shall void the competent party certificate. Competent party certificate holders may not use their certifications when expired. It is the responsibility of the individual to maintain their certifications.

105.11 Certificates of fitness. A certificate of fitness is required by persons who use or handle pyrotechnics materials or blasting materials, systems, devices or appliances.

105.11.1 Qualifications. The applicant shall submit evidence attesting to his or her qualifications and experience required for the type of certificate of fitness for which application has been submitted as follows:

Pyrotechnic Operator, Outdoor Fireworks. Pyrotechnic operators shall be a minimum of 21 years of age. The applicant shall require two years of active training with a licensed outdoor fireworks pyrotechnic operator, and the applicant shall have participated in the setting up, loading, and firing of outdoor fireworks in not less than eight electric or manual outdoor fireworks displays.

Pyrotechnic Operator, Theatrical and Special Effects. Pyrotechnic operators shall be a minimum of 21 years of age and shall require two years of active work with a licensed theatrical pyrotechnic operator. The applicant shall have participated in the setting up and loading of pyrotechnics in not less than eight electric theatrical displays.

Blasters. Blasters shall be a minimum of 21 years of age and shall require a minimum of two years of experience in the conduct of blasting operations. Experience shall include the understanding of blasting designs, drilling of holes, loading of holes, decking, stemming, and wiring methods. Military experience in blasting does not qualify as blasting experience under the fire code.

105.11.2 Examinations. Every individual or company applying for a certificate of fitness to conduct pyrotechnic displays or to use explosive materials shall successfully pass a prescheduled written and oral examination approved by the fire code official. The minimum passing score is 80 percent. An applicant who does not pass the examination may reschedule to take the entire examination not less than 30 days from the date of the previous examination. An applicant who does not pass the examination on the second attempt shall not be allowed to retake the examination for a minimum of 30 days.

105.11.3 Letters of recommendation. Applications shall be accompanied by a minimum of three letters of recommendation. The letters shall be written and signed by past and present pyrotechnic or blasting company owners or their authorized representatives. Each letter of recommendation shall document the following information:

1. The name and title of the person recommending the applicant.
2. The recommending person’s employer name, address and telephone number.
3. The applicant’s employment dates.
4. The applicant’s job responsibilities associated with the use of explosive materials.
5. Attest to the applicant’s qualifications, experience, integrity, knowledge and training in the use and handling of explosive materials. The fire code official shall contact all references submitted with the application to confirm qualifications and experience, as well as compliance with state laws and regulations, and competency of the applicant to perform in a safe manner.
6. Proof of United States citizenship, United States birth certificate or United States passport.

**105.11.3 Fingerprints.** Any applicant for a license to use explosive materials or conduct pyrotechnic displays shall submit a full set of fingerprints to the Phoenix Fire Department, Fire Prevention Division. The fingerprints shall be submitted to the Arizona Department of Public Safety for a state and federal criminal history check pursuant to Arizona Revised Statute 41-1750 and Public Law 92-544. The Department of Public Safety may exchange this fingerprint data with the FBI.

**105.11.4 Background verification.** Each applicant who applies to conduct pyrotechnic displays or use explosive materials shall have a background verification conducted by the fire department or other enforcement agency and shall provide a valid ATF license.

**105.11.5 Denial criteria.** A certificate of fitness for blasting or pyrotechnics shall not be issued when it is determined that the applicant:
1. Is under indictment for, or who has been convicted in any court for a crime punishable by imprisonment for a term exceeding 1 year.
2. Is a fugitive from justice.
3. Is a convicted user of a controlled substance as defined in the Controlled Substances Act (21 USC 802).
4. Does not possess the required or applicable valid federal, state or county permits.

**105.11.6 Expiration.** Certificates of fitness shall expire three years after from the date of issuance. When a certificate has expired, all work authorized by that certificate shall stop until the certificate is reinstated or a new certificate is obtained.

**SECTION 106 FEES**

[A] **106.1 Fees.** A permit shall not be issued until the fees have been paid, nor shall an amendment to a permit be released until the additional fee, if any, has been paid.

[A] **106.2 Schedule of permit fees.** A fee for each permit Fire Prevention activities shall be paid as required, in accordance with the schedule as established by the applicable governing authority.

[A] **106.3 Work commencing before permit issuance.** A person who commences any work, activity or operation regulated by this code before obtaining the necessary permits shall be subject to an additional fee established by the applicable governing authority, which shall be in addition to the required permit fees.

[A] **106.4 Related fees.** The payment of the fee for the construction, alteration, removal or demolition of work done in connection to or concurrently with the work or activity authorized by a permit shall not relieve the applicant or holder of the permit from the payment of other fees that are prescribed by law.

[A] **106.5 Refunds.** The applicable governing authority is authorized to establish a refund policy.

**106.6 Permit related fees.** The fire code official is authorized to assess fees for expedited plan review, expedited operational and new construction inspections, operational and new construction reinspections and standby personnel.

**106.7 Fire-fighting operations.** If it is discovered that a fire is the result of a code violation, fees may be assessed to cover fire-fighting operations.

**106.8 Fire-fighting on county islands.** Fees may be assessed to cover fire-fighting operations that occur on county islands.

**106.9 Assessment fees.** The fire code official is authorized to assess fees annually for: agro-industrial or solid biomass facilities and pallet yards; hazardous materials or substances when quantities reach reportable quantities in accordance with Table 8107.1; or facilities with areas larger than 250,000 square feet (23 225 m²) that represent a special hazard as determined by the fire code official.

**Hazardous materials exception:** Tanks used as part of a hazardous waste treatment system are exempt from this requirement.

**Exemptions.** The following hazardous materials, occupancies, or uses are exempt from the annual assessment fee described in Section 106.6. Exemption from the assessment fee does not waive any of the applicable requirements contained or adopted in this code.
1. Radioactive materials regulated in accordance with A.R.S. Title 30, Chapter 4.
2. Fire-extinguishing systems.
3. Any material used or stored for noncommercial purposes at single-family residences.
4. Any material contained in a transportation vehicle when the vehicle is not being used for permanent storage.
5. Small quantity and large quantity hazardous waste generators that follow all applicable regulations in C.F.R Part 262 and Arizona Administrative Code R-18-8-262.
6. Underground storage tanks containing flammable or combustible liquids.
7. Underground storage containers containing flammable or combustible liquids.
8. Underground storage containers containing liquefied petroleum gases.
9. LP-Gas cylinder exchange cabinets.

106.10 Area assessment fees. Facilities that represent special hazards as determined by the fire code official shall be assessed an area assessment fee. Facilities more than 250,000 square feet (23 225 m²), shall be assessed an additional fee calculated on the total area of the site. The assessment fee shall be calculated in intervals of 250,000 square feet (23 225 m²) in accordance with the fee schedule. For those facilities being assessed hazardous material fees area fees will be based on the fee group on accordance with Table 8107.4

SECTION 107
INSPECTIONS

107.1 Inspection authority. The fire code official is authorized to enter and examine any building, structure, marine vessel, vehicle or premises in accordance with Section 104.3 for the purpose of enforcing this code.

107.2 Inspections. The fire code official is authorized to conduct such inspections as are deemed necessary to determine the extent of compliance with the provisions of this code and to approve reports of inspection by approved agencies or individuals. Reports of such inspections shall be prepared and submitted in writing for review and approval. Inspection reports shall be certified by a responsible officer of such approved agency or by the responsible individual. The fire code official is authorized to engage such expert opinion as deemed necessary to report upon unusual, detailed or complex technical issues subject to the approval of the governing body.

The fire code official is authorized to conduct a general inspection fee-for-service program for non-fire code required or voluntary inspections. A fire inspection report will be issued noting compliance with the fire code or noting any issues to be addressed. Reinspections will continue until all compliance issues are resolved. Reinspection fees shall apply.

107.2.1 Inspection requests. It shall be the duty of the holder of the permit or their duly authorized agent to notify the fire code official when work is ready for inspection. It shall be the duty of the permit holder to provide access to and means for inspections of such work that are required by this code.

107.2.2 Approval required. Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the fire code official. The fire code official, upon notification, shall make the requested inspections and shall either indicate the portion of the construction that is satisfactory as completed, or notify the permit holder or his or her agent wherein the same fails to comply with this code. Any portions that do not comply shall be corrected, and such portion shall not be covered or concealed until authorized by the fire code official.

[A] 107.3 Concealed work. It shall be the duty of the permit applicant to cause the work to remain visible and able to be accessed for inspection purposes. Where any installation subject to inspection prior to use is covered or concealed without having first been inspected, the fire code official shall have the authority to require that such work be made visible and able to be accessed for inspection. Neither the fire code official nor the jurisdiction shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

107.4 Approvals. Approval as the result of an inspection shall not be construed to be an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel provisions of this code or of other ordinances of the jurisdiction shall not be valid.

107.5 Annual facilities program. The fire code official may authorize fire department participation in the Annual Facilities Program.

SECTION 108
MAINTENANCE

108.1 Maintenance of safeguards. Where any device, equipment, system, condition, arrangement, level of protection, or any other feature is required for compliance with the provisions of this code, or otherwise installed, such device, equipment, system, condition, arrangement, level of protection, or other feature shall thereafter be continuously maintained in accordance with this code and applicable referenced standards.

108.2 Testing and operation. Equipment requiring periodic testing or operation to ensure maintenance shall be tested or operated as specified in this code.

108.2.1 Reinspection and testing. Where any work or installation does not pass an initial test or inspection, the necessary corrections shall be made so as to achieve compliance with this code. The work or installation shall then be resubmitted to the fire code official for inspection and testing.

108.3 Recordkeeping. A record of periodic inspections, tests, servicing and other operations and maintenance shall be maintained on the premises or other approved location for not less than 3 years or a different period of time where specified in this code or referenced standards. Records shall be made available for inspection by the fire code official, and a copy of the records shall be provided to the fire code official upon request.

The fire code official is authorized to prescribe the form and format of such recordkeeping. The fire code official is authorized to require that certain required records be filed with the fire code official.

108.4 Supervision. Maintenance and testing shall be under the supervision of a responsible person who shall ensure that such maintenance and testing are conducted at specified intervals in accordance with this code.

108.5 Rendering equipment inoperable. Portable or fixed fire-extinguishing systems or devices, and fire-warning systems, shall be provided with ready access and shall not be rendered inoperative, except as necessary during emergencies, maintenance, repairs, alterations, drills or prescribed testing.

108.6 Overcrowding. Overcrowding or admittance of any
person beyond the approved capacity of a building site or facility or a portion thereof shall not be allowed. The fire code official, on finding any overcrowding conditions or obstructions in aisles, passageways or other means of egress, or on finding any condition that constitutes a life hazard, shall be authorized to cause the event to be stopped until such condition or obstruction is corrected.

SECTION 109
FIRE SAFETY ADVISORY BOARD

109.1 Board of appeals established. Fire Safety Advisory Board. In order to hear and decide appeals of orders, decisions or determinations made by the fire code official relative to the application and interpretation of this code, there shall be and is hereby created the Fire Safety Advisory Board. Hereinafter called “the Board,” it shall consist of up to 13 members, a majority of whom are residents of the City of Phoenix. All shall be citizens of the United States and composed and consisting of persons representing the following industries, trades and professions: fire-protection systems contractor; architect; realtor; developer; petroleum industry; liquefied petroleum gas industry; property insurance; fire-protection engineering; owner or manager of a business that would not qualify for membership in another industry; health care industry; special events coordinator; construction contractor; and resident of the City of Phoenix. The Board shall be appointed by the governing body and shall hold office at its pleasure. The fire code official shall be an ex officio member of said board but shall not have a vote on any matter before the Board. The Board shall adopt rules of procedure for conducting its business and shall render all decisions and findings in writing to the appellant with a duplicate copy to the fire code official.

109.2 Limitations on authority. An application for appeal shall be based on a claim that the intent of this code or the rules legally adopted hereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equivalent method of protection or safety is proposed. The board shall not have authority to waive requirements of this code.

109.3 Qualifications. The board of appeals shall consist of members who are qualified by experience and training to pass on matters pertaining to hazards of fire, explosions, hazardous conditions or fire protection systems, and are not employees of the jurisdiction.

109.4 Terms of office. The members and alternates of the Board shall be appointed by the city council for a term of four years. Continued absence of any member from three consecutive regular meetings of the Board shall render any such member liable for immediate removal from office. Removal shall be at the discretion of the city council. Vacancies for an unexpired term shall be filled by the city council.

109.5 Meeting procedures. The Board shall adopt rules of procedure for conducting its business and shall annually elect one of its members to serve as chairperson. The Board shall hold one regular meeting a month unless otherwise directed by the chairperson. Special Board meetings may be called by the fire code official or at the request of a chairperson or any three members of the Board. One half of the voting members plus one voting members of the Board shall constitute a quorum.

No member of the Board shall vote on any questions concerning a property or business in which that member has any direct or indirect personal financial interest. In these instances, the member shall also make full disclosure of his interest to the Board.

The fire code official shall designate an employee to serve as a recording secretary to the Board, who shall keep and maintain a detailed record of all proceedings and perform other secretarial duties as required by the Board.

109.6 Duties and responsibilities. It shall be the duty of the Board to hear appeals to decisions of the fire code official. The Board may submit to the fire code official recommendations on matters pertaining to this code or ordinance provisions and amendments. The duties and powers of the Board shall be in an advisory capacity only.

109.7 Appeal to the Fire Marshal. An appeal shall be submitted to the Fire Marshal in writing. Appeals shall be made within 30 days of receipt of a notice of noncompliance indicating required corrections.

109.7.1 Property Liens. A property lien may be placed on properties when Appeal Stipulations are granted for extended periods of time.

109.8 Appeal to the Fire Safety Advisory Board. Any person may appeal a decision of the Fire Marshal to the Fire Safety Advisory Board following the decision of the Fire Marshal. The appellant shall appear to present the appeal to the Board. The appeal shall be made within 30 days of receiving a decision from the Fire Marshal.

109.9 Appeal to the Superior Court. Any persons aggrieved by a decision of the Board may at any time within 30 days after the Board’s decision, file an appeal with the Superior Court of the county by following the various methods of appeal or review procedures as set forth by the applicable statutes of the State of Arizona.
110.3.2 Compliance with orders and notices. A building, premises or thing shall not be used when in violation of this code as noted on a tag order or notice in accordance with Section 104.5. A notice of violation issued or served as provided by this code shall be complied with by the owner, the owner’s authorized agent, operator, occupant or other person responsible for the condition or violation to which the notice of violation pertains. In case of extreme danger to persons or property, immediate compliance is required.

110.3.3 Prosecution of violations. If the notice of violation is not complied with promptly, the fire code official is authorized to request the legal counsel of the jurisdiction to institute the appropriate legal proceedings at law or in equity to restrain, correct or abate such violation or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of this code or of the order or direction made pursuant hereto.

110.3.4 Civil actions or criminal citations. Any person, firm, or corporation who causes, permits, facilitates, aids or abets any violation of this code, or who fails to perform any act or duty required by this code, is subject to a civil sanction of not less than $500 nor more than $2,500 or a Class I criminal misdemeanor.

110.3.4.1 Commencement of civil action. Any civil action to enforce the provisions of this code shall be commenced, and summons shall be issued, in accordance with the procedures set forth in Arizona Revised Statutes, city ordinance or as provided in the Local Rules of Practice and Procedure City Court City of Phoenix.

110.3.4.2 Admission or denial of allegations; hearing; findings of Court; civil sanctions

1. A person served with a civil citation or complaint shall appear at the time and place stated in the citation or summons, or may appear prior to the time, and admit or deny the allegations of the complaint. Allegations not denied at the time of appearance are deemed admitted.

2. If the allegations are admitted, the Court shall enter judgment for the City and impose a civil sanction.

3. If the person denies the allegations, the Court shall set the matter for hearing. Civil hearings are informal and held without a jury, and the City of Phoenix is required to prove the violation charged by a preponderance of the evidence. Technical rules of evidence do not apply, except for statutory provisions relating to privileged communications. If the person elects to be represented by counsel, the person shall so notify the Court at least 10 days prior to the hearing date. Hearings may be recorded. If the Court finds in favor of the person, the Court shall enter an order dismissing the citation or complaint. If the Court finds in favor of the City, the Court shall enter judgment for the City and impose a civil sanction.

4. If the person served with a civil citation or complaint fails to appear on or before the time directed to appear or at the time set for hearing by the Court, the allegations shall be deemed admitted and the Court shall enter judgment for the City and impose a civil sanction.

110.3.4.3 Criminal penalties. Whenever in any section of this code the doing of any act is required, prohibited or declared to be unlawful, any person, firm or corporation who shall be convicted of a violation of any such section shall be guilty of a Class I misdemeanor.

110.3.4.4 Injunctive Relief. The imposition of any civil action or criminal penalty provided in this Code shall not preclude the fire code official from instituting any appropriate action or proceeding to require compliance with the provisions of this Code and with administrative orders and determinations made hereunder. In the event that any building, structure or building occupancy, equipment is erected, constructed, reconstructed, altered, repaired, converted, demolished, moved or maintained, or any building, structure, premises or system service is used or occupied in violation of this Code, the fire code official may institute any appropriate action or proceedings to prevent unlawful erection, construction, reconstruction, alteration, repair, removal, demolition or utilization a building, occupancy, premises or system regulated by this code.

110.4 Violation penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of a Class I misdemeanor punishable by a fine of not more than $500 per day nor more than $2,500 per day. dollars or by imprisonment not exceeding [number of days], or both such fines and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

[A] 110.4.1 Abatement of violation. In addition to the imposition of the penalties herein described, the fire code official is authorized to institute appropriate action to prevent unlawful construction or to restrain, correct or abate a violation; or to prevent illegal occupancy of a structure or premises; or to stop an illegal act, conduct of business or occupancy of a structure on or about any premises.

110.4.2 Abatement orders. The Municipal Court of the City of Phoenix shall have jurisdiction to issue orders to the property owner of record, as recorded in the Maricopa County Recorder’s Office, to abate unsafe conditions or any other violation of this Code, or to issue orders permitting the City of Phoenix to abate unsafe conditions as defined in this Code. Abatement orders may be issued by the Municipal Court pursuant to a request from the fire code official, or may be
When deemed necessary by the fire code official and in accordance with this section, the fire code official shall issue such notice or orders to remove or remedy the conditions as shall be deemed necessary in accordance with this section, and shall refer the building to the building department for any repairs, alterations, remodeling, removing or demolition required.

111.1 Unsafe conditions. Structures, yards, or any building system, in whole or in part or existing equipment that are or hereafter become unsafe or deficient because of inadequate means of egress or that constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or which involve illegal or improper occupancy or inadequate maintenance, shall be deemed unsafe conditions. A vacant structure that is not secured against unauthorized entry as required by Section 311 shall be deemed unsafe.

111.1.2 Structural hazards. Where an apparent structural hazard is caused by the faulty installation, operation or malfunction of any of the items or devices governed by this code, the fire code official shall immediately notify the building code official in accordance with Section 111.1.

111.2 Evacuation. The fire code official or the fire department official in charge of an incident or inspection shall be authorized to order the immediate evacuation of any occupied building, site or facility or deemed unsafe when such building has hazardous conditions that present imminent danger to building occupants. Persons so notified shall immediately leave the structure or premises and shall not enter or re-enter until authorized to do so by the fire code official or the fire department official in charge of the incident.

111.3 Summary abatement. Where conditions exist that are deemed hazardous to life and property, the fire code official or fire department official in charge of the incident is authorized to abate summarily such hazardous conditions that are in violation of this code.

111.4 Abatement. The owner, the owner’s authorized agent, operator or occupant of a building or premises deemed unsafe by the fire code official shall abate or cause to be abated or corrected such unsafe conditions either by repair, rehabilitation, demolition or other approved corrective action. If the person, firm or corporation responsible for an unauthorized discharge is undetermined or unable to be contacted, then the property owner shall institute and complete all actions necessary to remedy the effects of such unauthorized discharge, whether sudden or gradual, at no cost to the jurisdiction.

When deemed necessary by the fire code official and in the absence of the owner or responsible party, emergency measures may be taken to provide for security of property and its contents. The cost of such actions shall be borne by the property owner or other responsible party. Upon notification, the owner or responsible party may be required to provide for ongoing security of the property if deemed necessary by the fire code official.
SECTION 113
SERVICE UTILITIES

113.1 Authority to disconnect service utilities. The fire code official shall have the authority to authorize disconnection of utility service to the building, structure or system in order to safely execute emergency operations or to eliminate an immediate hazard. The fire code official shall notify the serving utility and, whenever possible, the owner, or the owner’s authorized agent or occupant of the building, structure or service system of the decision to disconnect prior to taking such action if not notified prior to disconnection. The owner, or the owner’s authorized agent or occupant of the building, structure or service system shall be notified in writing as soon as practical thereafter.

SECTION 114
FIRE WATCH

114.1 When required. Fire watch shall be provided as follows:
1. When required by other sections of this code.
2. When the fire code official deems a condition essential for public safety.
3. When the fire officer determines that conditions may result in a rekindle.

114.1.1 Financial responsibility. The property owner, the tenant or the occupant in control of the premises shall be responsible for the cost of providing a fire watch.

114.2 Qualifications. Personnel assigned to fire watch duties shall possess the following minimum qualifications:
1. Shall be at least 18 years of age.
2. Shall be able to speak, read and understand English.
3. Shall be capable of executing the duties and responsibilities as specified in Section 114.4.
4. Shall be capable of operating a mobile telephone or portable radio, or both.
5. Shall be capable of walking the assigned watch area.

114.3 Number and hours. The fire code official shall specify the number of fire watch personnel required and the hours during which they must be present based on the conditions and size of the facility.

114.4 Duties and responsibilities. Fire watch duties and responsibilities include, but are not limited to the following:
1. Know the address of the facility being watched.
2. Be equipped with a mobile telephone that can be used to contact 9-1-1 or a portable radio that can be used to communicate with a constantly attended security/communications center.
3. Continuously make rounds and monitor all assigned areas.
4. Immediately report any sign of smoke, fire or other emergency to 9-1-1 or to the security/communications center.
5. Shall activate the fire alarm system when the building is equipped with such a system or notify those present to evacuate the building or area.
6. Shall assist with the evacuation of people present in the area.
7. Keep a fire watch log that includes the following information:
   7.1. Identifies the building or area by name and address that is under watch.
   7.2. The date and time each round or tour is completed, plus comments on what was observed. Each entry shall contain the name and signature of the person conducting the watch.
   Fire watch logs shall be immediately accessible for review by the fire code official. A copy of the fire watch log shall be submitted to the Phoenix Fire Department, Fire Prevention Division.
8. Continue the fire watch until permission has been received from the Phoenix Fire Department to terminate the fire watch activities.
   Fire watch personnel shall not be assigned additional duties during their fire watch tour.
9. Fire watch personnel shall be trained in the use of portable fire extinguishers.