



Phoenix Building Construction Code, Administrative Provisions Section 114 Enforcement states it shall be unlawful for any person, firm or corporation to perform any work for which a permit is required by this code before first obtaining the required permits as set forth in Section 105 of these administrative provisions.

**Section 115.2 – Stop Work Order**

The stop work order shall be in writing and shall be given to the owner of the property involved, or to the owners' agent, or to the person doing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order, and the conditions under which the cited work will be permitted to resume.

**Section 114.2 – Notice of Violation (NOV)**

Notices of violation of this code shall be in writing and shall be served by personal service or by certified mail with return receipt requested. Service shall be deemed complete upon delivery. These are generally issued shortly after the Stop Work Order but can be expedited based on the severity of the violation or need for immediate action.

**Section 114.2.1 – Recording a Violation**

The City of Phoenix may record a notice of violation with the County recorder. A recorded notice of violation shall run with the land. Failure to record a notice of violation shall not affect the validity of the notice as to persons who receive the notice. When the property is brought into compliance, a satisfaction of notice of violation shall be filed at the request of the owner or responsible party at the requester's expense.

**Section 114.4.1 – Civil Action**

Any person, firm or corporation who causes, permits, facilitates, aids, or abets any violation of 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. PDD will typically issue civil citations when any of the following occur:

- The owner refuses to abate an imminent unsafe condition
- Owner continues to build after a Stop Work Order
- Construction is unsafe and the owner continues to allow occupancy
- Construction is a documented nuisance or public safety concern to the neighborhood
- The owner is a documented recidivist

Non-Permitted Construction Staff must get approval from the Inspections Division Deputy Director prior to issuance of civil citations.

**Section 114.3 – Criminal Penalties**

Criminal citations are used infrequently and generally only after all other enforcement options have been unsuccessful. Non-Permitted Staff must get approval from the Inspections Division Deputy Director and the City Prosecutor prior to issuance of criminal citations.

**Section 116.8.2(7) & (8) – Abatement Orders**

In extreme situations, the Municipal Court of the City of Phoenix may issue orders to abate unsafe conditions or any other code violations.