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Section 13-1-1 Created; Composition

There is hereby created a Fire Department for the Town, provided, however, that said Department shall not be activated until such time as the Council deems it advisable. In the event the Town enters into a contract for fire protection services, the Fire Department shall consist of said entity and its employees.

Section 13-1-2 Entry upon Adjacent Property

It shall be lawful for any firefighter to enter upon the premises adjacent to or in the vicinity of any building or other property that is on fire for the purpose of extinguishing such fire, and no person shall hinder, resist or obstruct any firefighter in the discharge of his or her duty as herein-before provided.

Section 13-1-3 Providing Fire Protection outside the Town

The Town may enter into agreements to furnish or secure fire protection outside the Town or enter into mutual aid or automatic agreements.

Section 13-1-4 Acknowledgement of Right of Way

All clearly marked fire apparatus operating with emergency lights shall have right of way over all other traffic. No unauthorized vehicle shall follow within six hundred feet of any fire apparatus, nor park any vehicle within three hundred feet of a fire. No person shall park any vehicle or otherwise cause any obstruction to be placed within seventy-five feet of the entrance to any fire station or other place where fire apparatus is stored, or within fifteen feet of any fire hydrant or standpipe. No person shall drive any vehicle over a fire hose except upon specific orders from the Chief or other officer in charge where the hose is used.

Section 13-1-5 Fire Alarms

It shall be unlawful for any person to intentionally turn in or cause to be turned in a false alarm.

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Section 13-1-6 Fire Flows

- A. The minimum fire flow from all hydrants in the Town will be 1,500 gallons per minute (5,678.1 liters per minute).
- B. The Fire Marshal may increase or decrease minimum hydrant flows based on review of hazard and water distribution system.

Article 13-2 ADOPTION OF INTERNATIONAL FIRE CODE; PERMIT FEES; VIOLATION

13-2-1	Adoption of International Fire Code, 2015 Edition ⁶⁴⁸
13-2-2	Fire Marshal Authority
13-2-3	Penalty
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Section 13-2-1 Adoption Of International Fire Code, 2015 ⁶⁴⁸ Edition

The International Fire Code, 2015 Edition, as published by the International Fire Code Council and all appendices are adopted by reference and shall be the Fire Code for the Town of Paradise Valley. Three (3) copies of same shall at all times remain in Town Offices available for public use and inspection.

Exceptions:

I.F.C. Appendices B, E, F, and G are adopted as Code.

I.F.C. Appendix A is deleted from adoption.

Section 13-2-2. Fire Marshal Authority

The Town assigns to the Fire Marshal responsibility and authority to enforce and interpret International Fire Code requirements.

Section 13-2-3 Penalty

Except when a different punishment is prescribed, an unlawful act or omission of this Article is punishable as provided for in Article 1-9 of the Town Code. Each day that a violation continues shall be a separate offense punishable as described.

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Section 13-2-4 Definitions

Definitions: the following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this Section, except where the context clearly indicates a different meaning:

“Code” or “Fire Code” shall mean the International Fire Code, 2015 Edition as published by the International Fire Code Institute.

“Fire Marshal” shall be the person(s) designated by the Town, having authority to interpret, enforce, and implement the Fire Code and associated standards in the Town of Paradise Valley. The Fire Marshal shall also have all the duties and authorities designated for the Fire Chief and Fire Department throughout the Fire Code.

“NICET” means: the National Institute for the Certification of Engineering Technologies, 1420 King Street, Alexander, VA 22314-2915.

“NFPA” means the National Fire Protection Association.

“OSHA” means the Occupational Safety and Health Administration.

“Town” means: the Town of Paradise Valley, Arizona

“Town Code” means: the Town Code of the Town of Paradise Valley, Arizona

“International Building Code” shall mean: the International Building Code as adopted by the Town and as published by the International Code Council, located at 5360 Workman Mill Road, Whittier California 90601-2298

13-2-5 Amendments to the 2015 International Fire Code ^{509 563 589 648}

A. Section 102, subsection 102.9.1 is amended to read:

Section 102.9.1 Conflicting Provisions. When a provision of the 2015 International Fire Code is in conflict with a provision of the National Fire Protection Association (NFPA) standards, and the conflict relates to life and building safety performance requirements, the Fire Marshal shall have the discretion to determine which provision shall apply.

B. Section 104, subsections 104.8.1, 104.12.1, 104.12.2 are added to read:

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Section 104.8.1 Indemnity. In the event that the Fire Marshal, Town Manager or Town Council has authorized alternate materials and methods, or approved significant departures from the standards of this code (hereinafter, collectively, “code deviations”), in recognition of practical difficulties or otherwise, the Town may require that the person or entity benefiting from the code deviations execute: 1) an indemnification agreement, in a form satisfactory to the Town, that releases the Town of Paradise Valley, its agents, employees and the default fire protection licensee, from liability related to the code deviations; and 2) a notice of indemnification obligation to be recorded with the Maricopa County Recorder against the property benefiting from the code deviations that obligates all successors in interest to the property to complete and fulfill the terms of the indemnification agreement.

Section 104.12.1 Fee Schedule. A fee schedule outlining charges for permits, plans review and other services, which may be amended from time to time, shall be those specified in the default provider license agreement, as provided for in Article 13-2 of the Town Code.

Section 104.12.2 Valuation. The building official shall make the determination of value or valuation under any of the provisions of this code. The value to be used in computing the building permit and building plan review fees shall be the total value of all construction work for which the permit is issued as well as all finish work, painting, roofing, electrical, plumbing, heating, air conditioning, elevators, fire-extinguishing systems and any other permanent equipment.

C. Section 108, subsection 108.1 is amended to read:

Section 108.1 Boards Of Appeal. If a person or entity applying for a permit subject to compliance with this code does not incorporate design recommendations made by the Fire Marshal for fire protection purposes, or contests a decision made by the Fire Marshal on the suitability of alternative materials and types of construction, or on the interpretation of the Code, (hereinafter “decision”) a formal written appeal may be made to the Town Manager. The Town Manager may change or alter the decision of the Fire Marshal regarding requirements for issuance of a permit. If said person is aggrieved by the finding of the Town Manager on appeal, said person may, within 30 days of the final decision by the Town Manager, file a written request for an appeal to the Town Council. The Town Manager shall then forthwith transmit to the Council all papers constituting the record, if any, upon which the decision appealed was taken. The Council shall hear and decide the appeal, and shall thereafter affirm, modify or reverse the decision of the Town Manager.

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- D. Section 202, institutional Group I-1, residential Group R, R-3, R-4 are amended to read:

Group I-1. This occupancy shall include a building or part thereof housing more than 10 persons, on a 24-hour basis, who because of age, mental disability or other reasons, live in a supervised residential environment but which provides personal care services. The occupants are capable of responding to an emergency situation without physical assistance from staff. This Group shall include, but not be limited to, the following: residential board and care facilities, assisted living facilities, half-way houses, group homes, congregate care facilities, social rehabilitation facilities, alcohol and drug centers and convalescent facilities. A facility such as the above with five or less persons will be classified as Group R-3. A facility such as above, housing at least six and not more than 10 persons shall be classified as Group R-4.

Group R-3. Residential occupancies where the occupants are primarily permanent in nature and not classified as R-1, R-2, R-4 or I and where buildings do not contain more than two dwelling units or adult and child care facilities that provide accommodations for five or fewer persons of any age for less than 24 hours. Adult and childcare facilities that are within a single-family home are permitted to comply with the *International Residential Code*.

Group R-3 residential care/assisted living facilities occupancies in existing structures with one (1) to five (5) client shall meet the following requirements:

- A. Interconnected smoke detectors shall be installed in all livable areas in accordance with Town of Paradise Valley Code.
- B. Posted evacuation map and emergency procedures
- C. Portable fire extinguishers

Group R-4. Residential occupancies shall include buildings arranged for occupancy as residential care/assisted living facilities including more than five but not more than 10 occupants, excluding staff.

Group R-4 residential care/assisted living facilities occupancies shall meet the requirements for construction as defined in Group R-3 except for the height and area limitations provided in Section 503 of the *International Building Code*.

Group R-4 residential care/assisted living facilities occupancies in existing structures with six (6) to ten (10) clients and all new structures shall meet the following requirements:

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- A. Interconnected smoke detectors shall be installed in all livable areas in accordance with Town of Paradise Valley Code.
 - B. Posted evacuation map and emergency procedures, per Fire Marshal.
 - C. Portable fire extinguishers in accordance with Town of Paradise Valley Code.
 - D. An automatic fire sprinkler system in accordance with the Town of Paradise Valley Code.
- E. Section 303, *subsections Section 303.3, 303.10, and 307.3* are amended to read:

Section 303.3 Location of Fuel Sources. The fuel source shall be a minimum of twenty-five (25) feet (7620 mm) feet from the kettle and supported in an upright position during operation of the kettle.

Section 303.10 Permits Required. A permit shall be obtained from the Fire Marshal by all operators or owners of asphalt or tar kettles at least forty-eight (48) hours prior to starting work on any structure within the Town limits.

Section 307.3 Extinguishment Authority. The Fire Marshal, or any sworn police officer of the Town, is authorized to order the extinguishment by the person responsible or the fire department of open burning that creates or adds to a hazardous or objectionable situation.

- F. Section 308, subsections 308.3.1 and 308.3.1.1 are amended to read:

Section 308.3.1 Open-Flame Cooking Devices. Charcoal burners, portable barbecues and other open flame devices shall not be operated on combustible balconies or within ten (10) feet (3048 mm) of combustible construction.

Exception: one and two family dwellings.

Section 308.3.1.1 Liquefied- Petroleum- Gas- Fueled Cooking Devices. No person shall use individual fixed or portable LP-gas burners or barbecues on or under any attached covered patios, balconies, covered walkways, stair or roof overhangs and shall not be located within ten (10) feet (3048 mm) of combustible construction.

Exception: Single dwellings.

Section 308.3.1.2 Storage. Storage of barbecues on or under balconies will be allowed unless the Fire Marshal receives complaints or suspects the barbecue is being used, in which case the Fire Marshal will require the barbecue be removed from the premises.

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- G. Section 503, subsection 503.2.7, 503.3 and 503.4.1 are amended and subsections 503.1.4.1, and 503.6.1 are added to read:

Section 503.1.4.1 Temporary Fire Department Access. Temporary Fire Department access roadway prior to and during construction of every facility, building or portion of a building shall install and maintain a roadway 16 feet (4,877 mm) wide, with a minimum four (4) inches (101.6 mm) thickness of aggregate base course or decomposed granite compacted to a 90% density where natural soil will not meet compaction requirements.

Section 503.2.7 Grade. The grade of the fire apparatus access road shall be within the limits established by the Fire Marshal or the Town based on the Fire Department's apparatus. Access roads shall comply with the following:

1. The grade of access for non-sprinklered properties shall not exceed 12%.
2. The grade of access for sprinklered properties shall not exceed 15%.
3. All grades of access in excess of 15% require approval by the Fire Marshal.

Section 503.3 Marking. The Fire Marshal may establish fire lanes on public and private property for access and setup of firefighting equipment apparatus and vehicles. All fire lanes shall be marked in the following manner:

1. The curb shall be painted red to indicate fire lane and labeled "Fire Lane No Parking" in white block letters three (3) inches (76.2 mm) in height, ¾ inch (19.5 mm) stroke, on the vertical face of the curb.
2. Lettering shall not be greater than fifty (50) feet (15.24 m) apart and shall be posted at the beginning and end of the fire lane.
3. Using different paving material than the driving surface to indicate a fire lane may mark the street or driveway. Appropriate signage must be posted to indicate the presence of the fire lane.

Section 503.4.1 Obstruction of Fire Lane, Penalty. It shall be unlawful for any vehicle, equipment or device to park in or block the fire lane. Any vehicle, equipment or device found parked in, or blocking a fire lane shall be cited by Police or Fire Marshal.

Section 503.6.1 Key Switch and Sensor Pre-Emption Location. A key switch or pre-emption sensor shall be required on all electric entry control gates. Key switch shall be installed in a location on the gate control panel that is readily visible and accessible. The pre-emption sensor shall be at or behind gate.

- H. Section 506, subsection 506.1.2 is added to read:

Section 506.1.2 Key Box Location. A key box shall be required on all commercial structures that contain off-site monitored fire systems or when required by the Fire Marshal. The key box shall be installed in a location adjacent

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to the main entrance of the structure, four (4) feet (1.219 m) to six (6) feet (1.829 m) above finished grade.

- I. Section 508, subsections 508.5.1.1, 508.5.1.2, and 508.5.7, are added and subsection 508.5.4 is amended to read:

Section 508.5.1.1 Dead ends. On cul-de-sacs in residential and commercial developments, the maximum distance to a hydrant shall not exceed one half (1/2) of the maximum allowable distance between fire hydrants designated in 508.5.1 exceptions.

Exception: hillside shall have a maximum of six hundred (600) feet (182,880 mm) from a hydrant to the dead end.

Section 508.5.1.2 Modifications. Subsections 508.5.1 and 508.5.1.1 of this Section may be modified by the Fire Marshal or designee when features of the area, building construction details or practical difficulties prohibit the enforcement of the Code, provided that the spirit of the Code shall be observed, public safety secured.

Section 508.5.4 Obstruction. Posts, fences, vehicles, growth, trash, storage and other materials or objects shall not be placed or kept near fire hydrants, Fire Department inlet connections or fire protection system control valves in a manner that would prevent such equipment or fire hydrants from being immediately discernible. The Fire Department shall not be deterred or hindered from gaining immediate access to fire protection equipment or fire hydrants. A thirty (30) foot wide no parking area directly in front of fire hydrants and fire protection equipment shall be maintained free from vehicle obstructions.

Section 508.5.7 Reflective Markers. All fire protection equipment, fire fighting connections and hydrants shall be clearly identified by installation of reflective blue markers.

- J. Section 901, subsections 901.2.2, 901.2.3, 901.2.4, 901.2.5 and 901.6.3 are added to read:

Section 901.2.2 Plan Certification for Fire Alarm Systems and Occupant Notification. All fire alarm and occupant notification system plans submitted to the Fire Marshal for review and approval shall bear a review certification of a minimum level III NICET for fire alarms.

Section 901.2.3 Plan Certification for Fire Sprinkler Systems. All fire sprinkler plans submitted to the Fire Marshal for review and approval shall bear a review certification of a minimum level III NICET for fire sprinklers.

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Section 901.2.4 Plan Certification for all Other Fire Protection Systems. Plan certification for all other fire protection systems will be accompanied by a certification of competence when required.

Section 901.2.5 On-site Plans. Plans and specifications shall be submitted to the Fire Marshal for review and approval prior to construction. One set of Fire Marshal approved plans shall be on the job site for each inspection.

Section 901.6.3 Annual Inspection. Sprinkler systems in commercial and multi-family occupancies shall be inspected and tested in accordance with NFPA Standard 25 and the Fire Marshal sprinkler guidelines by a contractor with an Arizona State L-16 license.

- K. Section 903, subsections 903.2, 903.2.1, 903.2.2, 903.2.4, 903.2.5, 903.2.6, 903.2.7, 903.2.8, 903.2.8.1, 903.2.9, 903.2.9.1, 903.2.10, 903.3, 903.3.6, 903.3.7, and 903.4.2 are amended and subsections 903.2.14, 903.3.7.1, 903.3.7.2, 903.3.7.3 and 903.3.7.4 are added to read:

Section 903.2 Where Required⁵⁶³. An automatic sprinkler system shall be installed throughout all levels of all new Group A, B, E, F, H, I, M, R, S and U occupancies of more than zero (0) square feet; in accordance with Section 903 as set in this Section.

1. In every story or basement of all buildings. Fire resistive substitutions in accordance with provisions in the *International Building Code*, Chapter 6, footnote "D" are allowed for this subsection for Group R occupancies and for other occupancies, provided that the automatic sprinkler is not otherwise required throughout the building by any other provision or Section of the unamended building code.
2. At the top of rubbish and linen chutes and in their terminal rooms. Chutes extending through three or more floors shall have additional sprinkler heads installed within such chutes at alternate floors. Sprinkler heads shall be accessible for servicing.
3. In rooms where nitrate film is stored or handled. See also Section 306.
4. In protected combustible fiber storage vaults.
5. In any building that has a change in occupancy as defined in the building code.
6. In the attic space of single family residences as deemed necessary by the Fire Marshal.

Exceptions: the following accessory structures shall be exempt from fire sprinkler requirements:

1. Gazebos and ramadas for residential and public use.

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2. Independent rest room buildings that are associated with golf courses, parks and similar uses.
3. Guardhouses for residential and commercial developments.
4. Detached non-combustible carports for residential and commercial developments with covered parking less than 15,000 square feet (1,394 m).
5. Barns and agricultural buildings for private, residential, non-commercial use, not exceeding 1,500 square feet (139.35 m) with no habitable areas.
6. Detached storage sheds for private, residential, non-commercial use, not exceeding 1,500 square feet (139.35 m).
7. Open shade horse stalls of non-combustible construction for private, residential, non-commercial use, not exceeding 5,000 square feet (464.52 m) and no storage of combustible products, vehicles or agricultural equipment.
8. Detached one story accessory building used as tool and storage shed of non-hazardous materials, and not exceeding 200 square feet (11.15 m).
9. Special use non-combustible structures as approved by the Fire Marshal

Section 903.2.1 Group A. An automatic sprinkler system shall be installed throughout all Group A occupancies in accordance with NFPA 13 installation of sprinkler systems and Fire Marshal interpretations.

Section 903.2.2 Group E. An automatic sprinkler system shall be installed throughout all Group E occupancies in accordance with NFPA 13 installation of sprinkler systems and Fire Marshal interpretations.

Section 903.2.3 Group F. An automatic sprinkler system shall be installed throughout all Group F occupancies in accordance with NFPA 13 installation of sprinkler systems and Fire Marshal interpretations.

Section 903.2.4 Group H. An automatic sprinkler system shall be installed throughout all Group H occupancies in accordance with NFPA 13 installation of sprinkler systems and Fire Marshal interpretations.

Section 903.2.5 Group I. An automatic sprinkler system shall be installed throughout all Group I occupancies in accordance with NFPA 13 installation of sprinkler systems and Fire Marshal interpretations.

Exception: in jails, prisons and reformatories, the piping system may be dry, provided a manually operated valve is installed at a continuously monitored location. Opening of the valve will cause the piping system to be charged. Sprinkler heads in such systems shall be equipped with fusible elements or the system shall be designed as required for deluge systems in the building code.

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Section 903.2.6 Group M. An automatic sprinkler system shall be installed throughout all Group M occupancies in accordance with NFPA 13 installation of sprinkler systems and Fire Marshal interpretations.

Section 903.2.7 Group R. An automatic sprinkler system shall be installed throughout all Group R occupancies in accordance with NFPA 13 installation of sprinkler systems and Fire Marshal interpretations.

Section 903.2.8 Group S. An automatic sprinkler system shall be installed throughout all Group S occupancies in accordance with NFPA 13 installation of sprinkler systems and Fire Marshal interpretations.

Section 903.2.8.1 Repair Garages. An automatic sprinkler system shall be installed throughout all repair garages in accordance with NFPA 13 installation of sprinkler systems and Fire Department interpretation and applications manual.

Section 903.2.9 Group S-2 Occupancies. An automatic sprinkler system shall be installed throughout all Group S-2 occupancies in accordance with NFPA 13 installation of sprinkler systems and Fire Marshal interpretations.

Section 903.2.9.1 Commercial Parking Garages. An automatic sprinkler system shall be installed throughout all commercial parking garages in accordance with NFPA 13 installation of sprinkler systems and Fire Marshal interpretations.

Section 903.2.10 all Group R-3 and U Occupancies. An automatic sprinkler system shall be installed throughout all new Group R-3 and U occupancies in accordance with NFPA 13 installation of sprinkler systems and Fire Marshal interpretations.

Section 903.2.14 Group B Occupancies. An automatic sprinkler system shall be installed throughout all Group B occupancies in accordance with NFPA 13 installation of sprinkler systems and Fire Marshal interpretations.

Section 903.3 Installation Requirements. Automatic sprinkler systems shall be designed and installed in accordance with NFPA 13, 13-R, 13-D 13 installation of sprinkler systems as modified by Fire Marshal interpretations.

Section 903.3.6 Hose Threads. Fire hose threads used in connection with automatic sprinkler system shall be national standard threads.

Section 903.3.7 Fire Department Connections. Fire Department connections shall be located within four (4) feet (1219.2 mm) to eight (8) feet (2438.4 mm) of the curb line of an access road or public street, or as otherwise specified, or as approved by the Fire Marshal. The Fire Department connection line shall be a wet line with a check valve at the hose connection above grade. The access to the Fire Department connection shall be at curb grade.

Section 903.3.7.1 Wall Mounted. Systems may have wall mounted Fire Department connection only on light and ordinary Hazard Group 1 Systems.

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When there are no structural openings or combustible overhangs within 15 feet (4572 mm) horizontally or vertically from inlet connection.

Section 903.3.7.2 Additions, Alterations and Repairs. When permits are approved for structural additions, alterations or repairs which are covered by a single building permit or by multiple building permits issued within a twenty-four (24) month period, which permits will permit construction which affects or expands an existing structure by fifty percent (50%) of the square footage of an existing building or structure before the issuance of such permit or permits, such building or structure shall be altered to conform to the requirements for fire sprinklers for new buildings or structures. For purposes of this Section, the term “square footage” means livable space plus garages and mechanical rooms, but does not include enclosed patios.

Section 903.3.7.3 Partial Systems Prohibited. In all new additions to existing non-sprinklered buildings and structures, an automatic sprinkler system shall be installed in accordance with this Section. There shall be no partially sprinklered compartments. Sprinklered and unsprinklered areas of a structure shall be separated in accordance with all applicable codes and standards.

Section 903.3.7.4 Sprinklers. Systems supplied by domestic water shall use quick response residential sprinkler heads with small orifices for low water discharge throughout all occupied areas in accordance with UL listing and written Fire Marshal interpretations.

Section 903.4.2 Alarms. Approved audible devices shall be connected to every automatic sprinkler system. Such sprinkler water-flow alarm device shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Alarm devices shall be provided on the exterior of the building in an approved location. An interior alarm to alert the occupants shall be provided in the interior of the building in a normally occupied location. Where a fire alarm system is installed, activation of the automatic sprinkler system shall actuate the building fire alarm system.

- L. Section 905, subsections 905.2, 905.3.4, 905.3.4.2 are amended and subsection 905.3.1.1 is added to read:

Section 905.2 Installation Standards. Standpipe systems shall be installed in accordance with this Section as modified by the Fire Marshal interpretations.

Section 905.3.1.1 Building Area. In commercial buildings exceeding 10,000 square feet (929 square meters) in area per story, Class I automatic wet standpipes shall be provided and where any portion of the building’s interior area is more than 200 feet (60.96 m) of travel, vertically and horizontally, from the nearest point of Fire Department vehicle access.

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Exceptions:

1. Single story structures are not required to have hose connections, except in those interior portions of the building that exceed 200 feet (60.96 m) of travel from an emergency access road.
2. Required wet standpipes may be an integral part of an approved sprinkler system and may be connected to the sprinkler systems horizontal cross-mains. Calculations for required hose demand shall be submitted with sprinkler plans.
3. Unless required by Fire Marshal interpretations, hose connections are not required in Group R-3 occupancies.

Section 905.3.4 Stages. Stages greater than 1,000 square feet (93 square meters) shall be equipped with a Class I wet standpipe system with 2.5 inch (64 mm) hose connections on each side of the stage supplied from the automatic fire sprinkler system and shall have a flow rate of not less than the required for Class I standpipes.

Section 905.3.4.1 Hose and Cabinets. The hose and hose cabinets are deleted in their entirety.

- M. Section 907, subsections 907.2, 907.7 are amended and subsections 907.3.1.9, 907.3.1.9.1, 907.3.1.10 and 907.3.1.11 are added to read:

Section 907.2 Where Required, New Buildings and Structures. An approved manual, automatic, or manual and automatic fire alarm system shall be provided in new buildings and structures in accordance with sections 907.2.1 through 907.2.23 and Fire Marshal interpretations. Where automatic sprinkler protection is installed in accordance with Section 903.3.1.1 or 903.3.1.1 and Fire Marshal interpretations and connected to the building fire alarm system, automatic heat detection required by this Section shall not be required.

An approved automatic fire detection system shall be installed in accordance with the provisions of this code and NFPA 72. Devices, combination of devices, appliances and equipment shall comply with Section 907.1.2. The automatic fire detectors shall be smoke detectors, except that an approved alternative type of detector shall be installed in spaces such as boiler rooms where, during normal operation, products of combustion are present in sufficient quantity to actuate a smoke detector.

Section 907.3.1.9 Owner Landlord and Occupant Responsibilities. Devices provided and maintained. In a dwelling unit occupied under the terms of a rental agreement and under a month-to-month tenancy:

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1. At the time of each occupancy, the landlord shall provide smoke detection devices in working condition and, after written notification by the tenant, shall be responsible for replacement; and
2. The tenant shall keep the devices in working condition by keeping charged batteries in battery-operated devices, by testing the devices periodically, and by refraining from permanently disabling the devices.

Section 907.3.1.9.1 Written Notification. If a landlord or owner did not know and had not been notified in writing of the need to repair or replace a smoke detection device, the landlord's or owners failure to repair or replace the device may not be considered as evidence of negligence in a subsequent civil action arising from death, property loss, or personal injury.

Section 907.3.1.10 Definitions. In this Section, 'dwelling unit', 'landlord', 'rental agreement' and 'tenant' have the meanings given in Arizona Revised Statutes.

Section 907.3.1.11 Records and Maintenance. The landlord or owner of any rental property shall inspect all smoke detection devices as required under NFPA 72 annually and a record of all inspections and maintenance activities shall be kept by the landlord or owner and available for inspection upon request by the Fire Marshal

Section 907.7 Activation. Where an alarm notification system is required by another Section of this Code, it shall be activated by:

1. Required automatic fire alarm system.
2. Sprinkler water-flow devices
 - A. Multi-level structures. All multi-level structures are required to have a flow switch and tampered control valve per floor.

Exception: Group R-1 and R-2, occupancies with a domestic water supply serving 6 units or less and Group R-3. See Fire Department interpretation and applications manual.
3. Required manual fire alarm boxes.

N. Section 2201, subsection 2201.4 is amended and subsection 2201.7 is added to read:

Section 2201.4 Indoor Service Stations. Motor vehicle fuel-dispensing stations located inside buildings is prohibited within the entire Town.

Section 2201.7 Fire Protection. Fire sprinkler protection shall be designed in accordance with the building code as required for ordinary hazard Group 2.

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- O. Section 2204, subsection 2204.3.1 is amended to read:

Section 2204.3.1 General, Unattended Self-Serve Stations. Unattended self-serve stations are prohibited within the entire Town.

Exception: unattended dispensing of motor vehicle fuel may be allowed by special permit by the Fire Marshal for private commercial use only. Written request and documentation shall be submitted showing compliance with 2204.3 and all other applicable codes and ordinances.

- P. Section 2206, subsections 2206.2.2 and 2206.2.3 are amended to read:

Section 2206.2.2 Above ground Tanks Located Inside Buildings. Above ground tanks for the storage of Class I, II, or IIIA liquid fuels are prohibited within the entire Town.

Section 2206.2.3 Above Ground Tanks Located Outside Buildings. Above ground tanks for the storage of Class I, II, or IIIA liquid fuels outside of buildings is prohibited within the entire Town.

Exception: Installations of 2,000 gallons (7,570.8 l) or less aggregate quantity may be approved by special permit by the Fire Marshal.

- Q. Section 2403, subsection 2403.8.2 exceptions is amended to read:

Exceptions:

2. Membrane structures, tents or canopies need not be separated from buildings provided throughout with an automatic sprinkler system when all of the following conditions are met:
 - 2.1 The aggregate floor area of the membrane structure, tent or canopy shall not exceed 10,000 square feet (929 square meters).
 - 2.2 The aggregate floor area of the building and membrane structure, tent or canopy shall not exceed the allowable floor area including increases as indicated in the *International Building Code*.
 - 2.3 Required means of egress provisions are provided for both the building and the membrane structure, tent or canopy, including travel distance.
 - 2.4 Fire apparatus roads are provided in accordance with Section 503.

- R. Section 3301, subsection 3301.2.3 is amended to read:

Section 3301.2.3 Permit Restrictions. The storage of explosives and blasting agents is prohibited within the entire town, except for temporary storage for use in connection with approved blasting operations. However, this prohibition shall not apply to wholesale and retail stocks for small arms ammunition, explosive bolts,

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explosive rivets or cartridges for explosive-actuated power tools in quantities involving less than 500 pounds (226.8 kg) of explosive materials.

- S. Section 3308, subsections 3308.1.1 and 3308.6.1 is added to read:

Section 3308.1.1 Fireworks Display. Firework displays are allowed only on special use permit properties and only with approved Town Special Event Permits.

Section 3308.6.1 maximum size of mortars. The maximum diameter of the mortar for an approved firework display is six (6) inches.

- T. Section 3404, subsection 3404.2.9.5.1.1 and 3404.2.13.1.4 are amended to read:

Section 3404.2.9.5.1.1 Locations Where Above Ground Tanks are Prohibited.

Storage of Class I and II liquids in above ground tanks outside of buildings is prohibited within the entire Town.

Exception: installations of 2,000 gallons (7,570.8 l) or less aggregate quantity may be approved by special permit by the Fire Marshal.

Section 3404.2.13.1.4 Tanks Abandoned in Place. The abandonment of tanks in place shall be prohibited within the entire Town.

- U. Section 3406, subsection 3406.2.5.2 is amended to read:

Section 3406.2.5.2 Tanks for Gravity Discharge. Tanks with a connection in the bottom of the end for gravity dispensing of flammable or combustible liquids shall not be permitted within the entire Town.

- V. Section 3801, subsection 3801.2 exception is added to read:

Section 3801.2 Exceptions: A permit is not required to install or maintain portable containers of less than 10 gallons (37.9 l) aggregate water capacity. Distributors shall not fill any LP-gas containing for which a permit is required unless a permit for installation has been issued for that location by the Fire Marshal.

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W. Section 3804, table 3804.3, footnote e-5 is added to read:

Table 3804.3, footnote E-5.

E-5 a container less than 125 gallons (43.2 l) may be located next to a block fence when the tank is not within 5 feet (1524 mm) of a structure on an adjoining property.

X. *Appendix H control and suppression of hazardous fire areas* is added to read:

Y.

Control and suppression of hazardous fire areas

Section H101

General

H101.1 Scope. The unrestricted use of grass-, grain-, brush- or forest-covered land and drainage easements throughout the Town in hazardous fire areas is a potential menace to life and property from fire and resulting erosion. Safeguards to prevent the occurrence of fire and provide adequate fire-protection facilities to control the spread of fire which might be caused by recreational, residential, commercial, industrial or other activities conducted in hazardous fire areas shall be in accordance with Appendix H.

Section H102

Definitions

H102.1 Definitions. For the purpose of Appendix H, certain terms are defined as follows:

“Tracer” is any bullet or projectile incorporating a feature that marks or traces the flight of said bullet or projectile by flame, smoke or other means which resulting fire or heat.

“Tracer charge” is any bullet or projectile incorporating a feature designed to create a visible or audible effect by means which results in fire or heat and shall include any incendiary bullets or projectiles.

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Section H103

Permits

H103.1 Permits. The Fire Marshal is authorized to stipulate conditions for permits. Permits shall not be issued when public safety would be at risk, as determined by the Fire Marshal.

Section H104

Restricted entry

H104.1 Restricted Entry. The Fire Marshal shall determine and publicly announce when hazardous fire areas shall be closed to entry and when such areas shall again be opened to entry. Entry on and occupation of hazardous fire areas, except public roadways, inhabited areas or established trails which have not been closed during such time when the hazardous fire is closed to entry, is prohibited.

Exception:

1. Residents and owners of private property within hazardous fire areas and their invitees and guests going to or being upon their land.
2. Entry, in the course of duty, by peace or police officers, and other duly authorized public officers and members of a Fire Department.

Section H105

Trespassing on posted property

H105.1 General. When the Fire Marshal determines that a specific area within a hazardous fire area presents an exceptional and continuing fire danger because of the density of natural growth, difficulty of terrain, proximity to structures or accessibility to public, such areas shall be closed until changed conditions warrant termination of closure. Such areas shall be posted as hereafter provided.

H105.2 Signs. Approved signs prohibiting entry by unauthorized persons and referring to Appendix H shall be placed on every closed road.

H105.3 Trespassing. Entering and remaining within areas closed and posted is prohibited.

Exception: Owners and occupiers of private or public property within closed and posted areas, their guests or invitees, local state and federal public officers and their authorized agents acting in the course of duty.

Section H106

Smoking

H106.1 General. Lighting, igniting or otherwise setting fire to or smoking tobacco, cigarettes, pipes or cigars in hazardous fire areas is prohibited.

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Exception: Places of habitation or within the boundaries of established smoking areas as designated by the Fire Marshal.

Section H107

Spark arresters

H107.1 Spark Arresters. Chimneys used in conjunction with fireplaces, barbecues, incinerators or heating appliances in which solid or liquid fuel is used, upon buildings, structures or premises located within 200 feet (60,960 mm) of hazardous fire areas, shall be provided with a spark arrester constructed with heavy wire mesh or other noncombustible material with openings not to exceed ½ inch (12.7 mm).

Section H108

Tracer bullet, tracer charges, rockets and model aircraft

H108.1 General. Tracer bullets and tracer charges shall not be possessed, fired or caused to be fired into or across hazardous fire areas.

Rockets, model planes, gliders and balloons powered with an engine, propellant or other feature liable to start or cause fire shall not be fired or projected into or across hazardous fire areas.

Section H109

Explosives and blasting

H109.1 Explosives and Blasting. Explosives shall not be possessed, kept, stored, sold, offered for sale, given away, used, discharged, transported or disposed of within hazardous fire areas except by permit from the Chief.

Section H110

Fireworks

H110.1 Fireworks. Fireworks shall not be used or possessed in hazardous fire areas. The Fire Marshal and any Police Officer are authorized to seize, take, remove or cause to be removed fireworks in violation of Section H110.

Section H111

Apiaries

H111.1 Apiaries. Lighted and smoldering material shall not be used in connection with smoking bees in or upon hazardous fire areas except by permit from the Fire Marshal.

CHAPTER 13 FIRE PROTECTION

Section H112

Open-flame devices

H112.1 Open-flame Devices. Welding torches, tar pots, decorative torches and other devices, machines or processes liable to start or cause fire shall not be operated or used in or upon hazardous fire areas, except by permit from the Fire Marshal.

Exception: Use within habited premises or designated campsites that are a minimum of 30 feet (9144 mm) from grass-, grain-, brush-, or forest-covered areas.

Flame-employed devices, such as lanterns or kerosene road flares, shall not be operated or used as a signal or marker in or upon hazardous fire areas.

Exception: The proper use of fuses at the scene of emergencies or as required by standard operating guidelines.

Section H113

Outdoor fires

H113.1 Outdoors Fires. Outdoor fires shall not be built, ignited or maintained in or upon hazardous fire areas, except by permit from the Fire Marshal.

Exception: Outdoors fires within habited premises or designated campsites where such fires are built in a permanent barbecue, portable barbecue, outdoor fireplace, incinerator or grill and are a minimum of 30 feet (9144 mm) for grass-, grain-, brush-, or forest-covered areas.

Permits shall incorporate such terms and conditions that will reasonable safeguard public safety and property. Outdoor fires shall not be built, ignited or maintained in or upon hazardous fire areas under the following conditions:

1. When high winds are blowing
2. When a person age 17 or over is not present at all times to watch and tend fire, or
3. When public announcement is made that open burning is prohibited.

Permanent barbecue, portable barbecues, outdoor fireplaces or grills shall not be used for the disposal of rubbish, trash or combustible waste material.

Section 114

Incinerators and fireplaces

Section 114.1 Incinerators and Fireplaces. Incinerators, outdoor fireplaces, permanent barbecues and grills shall not be built, installed or maintained in hazardous fire areas without prior approval of the Fire Marshal.

CHAPTER 13 FIRE PROTECTION

Incinerators, outdoor fireplaces, permanent barbecues and grills shall be maintained in good repair and in safe condition at all times. Openings in such appliances shall be provided with an approved spark arrestor, screen or door.

Exception: When approved, unprotected openings in barbecues and grills necessary for proper functioning.

Section 115

Clearance of brush or vegetation growth from structures

Section 115.1 Clearance of Brush or Vegetation Growth From Structures.

Persons owning, leasing, controlling, operating or maintaining buildings or structures in, upon or adjoining hazardous fire areas, and person owning, leasing or controlling land adjacent to buildings or structures, shall, at all times:

1. Maintaining and effective firebreak by removing and clearing away flammable vegetation and combustible growth from areas with 30 feet (9,144 mm) of such buildings or structures;
Exception: Single specimens of trees, ornamental shrubbery or similar plants used as ground covers, provided that they do not form a means of rapidly transmitting fire from the native growth to any structure.
2. Drainage easements must be kept clear of any dead brush, and trees trimmed to a height of at least 5 feet.
3. Maintain addition fire protection or firebreak by removing brush, flammable vegetation and combustible growth located from 30 feet to 100 feet (9,144 mm to 30,480 mm) from such buildings or structures, when required by the Fire Marshal because of extra-hazardous conditions causing a firebreak of only 30 feet (9,144 mm) to be insufficient to provide reasonable fire safety;
Exception: Grass and other vegetation located more than 30 feet (9,144 mm) from buildings or structures and less than 18 inches (457 mm) in height above the ground need not be removed where necessary to stabilized the soil and prevent erosion.
4. Remove portions of trees which extend within 10 feet (3,048 mm) for the outlet of a chimney;
5. Maintain trees adjacent to or overhanging a building free of deadwood; and
6. Maintain the roof of a structure free of leaves, needles or other dead vegetative growth.

Section 115.2 corrective actions. The Fire Marshal shall give notice to the owner of the property upon which conditions regulated by Section 115.1 to correct such conditions. If the owner fails to correct conditions, such condition shall be declared a public nuisance and action taken pursuant to Section 8-5.

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Section H116

Clearance of brush or vegetation growth from roadways

Section H116.1 Clearance of Brush or Vegetation. The Fire Marshal is authorized to cause areas within 10 feet (3,0498 mm) on each side of portions of highways and private streets which are improved, designed or ordinarily used for vehicular traffic to be cleared of flammable vegetation and other combustible growth. The Fire Marshal is authorized to enter upon private property to do so.

Exception: Single specimens of trees, ornamental shrubbery or cultivated ground such as green grass, ivy, succulents or similar plants used as ground cover, provided that they do not form a means of readily transmitting fire.

Section H117

Unusual circumstances

Section H117.1 Unusual Circumstances. If the Fire Marshal determines that difficult terrain, danger of erosion or other unusual circumstances make strict compliance with the clearance of vegetation provisions of Sections 115, 116 or 117 of Appendix H undesirable or impractical, enforcement thereof may be suspended and reasonable alternative measures shall be provided.

Section H118

Dumping

Section H118.1 Dumping. Garbage, cans, bottles, papers, ashes, refuse, trash, or rubbish or combustible waste material shall not be placed, deposited or dumped in or upon hazardous fire areas or in, upon, along trails, roadways or highways in hazardous fire areas.

Exception: Approved public and private dumping areas.

Section H119

Disposal of ashes

Section H119.1 Disposal of Ashes. Ashes and coals shall not be placed, deposited or dumped in or upon hazardous fire areas.

Exceptions:

1. In the hearth of an established fire pit, camp stove or fireplace
2. In a noncombustible container with a tight fitting lid, which is kept or maintained in a safe location not less than 10 feet (3,048 mm) from combustible vegetation or structures.

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3. Where such ashes or coals are buried and covered with 1 foot (304.8 mm) of mineral earth not less than 25 feet (7,620 mm) from combustible vegetation or structures.”

Section H120

Use of fire roads and firebreaks

Section H120.1 Use of Fire Roads and Firebreaks. Motorcycles, motor scooters and motor vehicles shall not be driven or parked upon, and trespassing is prohibited upon, fire roads or firebreaks beyond the point where travel is resisted by a cable, gate or sign, without the permission of the property owners. Vehicles shall not be parked in a manner that obstructs the entrance to a fire road or firebreak.

Exception: Public officers acting within their scope of duty.

Radio and television aerials, guy wires thereto, and other obstructions shall not be installed or maintained on fire roads or firebreaks unless located 16 feet (5,877 mm) or more above such fire road or firebreak.

Section H121

Use of motorcycles, motor scooters and motor vehicles

Section H121.1 Use of Motorcycles, Motor Scooters and Motor Vehicles. Motorcycle, motor scooters and motor vehicles shall not be operated within hazardous fire areas, without a permit from the Fire Marshal, except upon clearly established public or private roads. Permission from the property owner shall be presented when requesting a permit.

Exception: Public officers acting within their scope of duty.

Section H122

Tampering with Fire Department locks, barricades and signs

Section H122.1 Tampering with Fire Marshal Locks, Barricades and Signs. Locks, barricades, seals, cables, signs and markers installed within hazardous fire areas, by or under the control of the Fire Marshal, shall not be tampered with, mutilated, destroyed or removed.

Gates, doors, barriers and locks installed by or under the control of the Fire Marshal shall not be unlocked.

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Section H123

Liability for Damage

Section H123.1 Liability for Damage. The expenses of fighting fires, which result from a violation of Appendix H, shall be a charge against the person whose violation of Appendix H caused the fire. Damages caused by such fires shall constitute a debt of such person and are collectable by the Fire Marshal in the same manner as in the case of an obligation under a contract, expressed or implied.

Division 2: new construction design criteria in fully sprinklered developments

Section 13-2-6 Hydrant spacing

- A. Commercial and Multifamily (R-1 and R-2) development hydrant spacing will be a maximum of 700 feet (213,360 mm) on center.
- B. Non-Hillside. One and two family dwellings (R-3) development hydrant spacing will be a maximum of 1,200 feet (365,760 mm) on center.

CHAPTER 13 FIRE PROTECTION

Article 13-3 FIREWORKS ^{626 679 2020-02}

- 13-3-1 Purpose
- 13-3-2 Definitions
- 13-3-3 Fireworks Prohibited; exceptions
- 13-3-4 Sale of Fireworks
- 13-3-5 Posting of signs by persons engaged in the sale of fireworks;
civil penalty
- 13-3-6 Authority to enforce violations of this article; means of
enforcement
- 13-3-7 Liability for emergency responses related to use of fireworks;
definitions

Section 13-3-1 Purpose ⁶⁷⁹

The Town Council hereby recognizes that the desert environment of Arizona has unique fire risks and adopts this article law to enhance the public safety and welfare of its citizens and the community by regulating the use and sale of fireworks within the Town.

Section 13-3-2 Definitions ⁶⁷⁹

- A. The following words, terms and phrases, when used in this article, have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:
1. *Display fireworks* means those fireworks defined by Arizona Revised Statutes Section 36-1601.
 2. *Fireworks* means display fireworks, consumer fireworks and permissible consumer fireworks as defined by Arizona Revised Statute Section 36-1601.
 3. *Novelty items* means federally deregulated novelty items that are known as snappers, snap caps, party poppers, glow worms, snakes, toy smoke devices and sparklers as defined in Arizona Revised Statute 36-1601.
 4. *Permissible consumer fireworks* has the same meaning as Arizona Revised Statutes Section 36-1601.
 5. *Supervised show* means a monitored performance of display fireworks open to the public authorized by permit by the Town Fire Marshal or designee.

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Sec 13-3-3 Fireworks prohibited; exceptions ^{679 2020-02}

- A. The use of fireworks including permissible consumer fireworks within the Town is prohibited except for the limited use of permissible consumer fireworks during the time frame as specified in ARS §36-1606.
- B. The use of permissible consumer fireworks within the Town is prohibited on all publicly owned property which includes, but is not limited to, Town buildings, Town parking lots, public schools and Town streets, unless there is a supervised show of fireworks authorized by permit issued by the Fire Marshal or designee.
- C. The use of permissible consumer fireworks within the Town is prohibited within 500 yards of the Mummy Mountain Preserve.

Section 13-3-4 Sale of Fireworks ^{679 2020-02}

- A. No person shall sell or permit or authorize the sale of permissible consumer fireworks to a person who is under eighteen years of age.
- B. No person shall sell or permit or authorize the sale of permissible consumer fireworks in conflict with state law.
- C. No person shall sell, resell or manufacture consumer or display fireworks unless authorized by state law or town permit, or otherwise authorized by this article.
- D. No person shall sell permissible consumer fireworks to the public except as specified in ARS §36-1606.
- E. Violations of this section shall be punishable as provided in Section 1-9-3 of the Town Code.

Section 13-3-5 Posting of signs by persons engaged in the sale of fireworks; civil penalty ^{679 2020-02}

- A. Prior to the sale of permissible consumer fireworks, every person engaged in such sales shall prominently display signs indicating the following:
 - 1. The use of all fireworks including permissible consumer fireworks (as defined under state law) within the Town of Paradise Valley is prohibited except on private property with the consent of the owner as specified in ARS §36-1606.

CHAPTER 13 FIRE PROTECTION

2. Consumer fireworks authorized for sale under state law may not be sold to or used by persons under the age of 18.
 3. Persons using permissible consumer fireworks are liable for any emergency response costs related to the use of fireworks.
- B. Signs required under this section shall be placed in each area where fireworks are displayed for sale.
- C. The Fire Marshal or designee shall develop regulations concerning the size and color of the required signs and develop a model sign. The required sign regulations and model sign shall be posted on the Town's website and filed with the Town Clerk's office.
- D. Failure to comply with subsections A or B above is a civil offense punishable by a minimum fine of two hundred fifty dollars (\$250.00). A second or subsequent violation of subsections A or B is a civil offense punishable by a minimum fine of five hundred dollars (\$500.00). A third or subsequent violation of subsections A or B within two years are class one misdemeanors.

Section 13-3-6 Authority to enforce violations of this article; means of enforcement

- A. The Fire Marshal or designee, a Paradise Valley police officer or the Town Attorney may issue civil complaints to enforce violations of this article designated as civil offenses.
- B. Any person authorized pursuant to this section to issue a civil complaint may also issue a notice of violation specifying actions to be taken and the time in which they are to be taken to avoid issuance of a civil or criminal complaint.
- C. A Paradise Valley police officer or the Town Attorney may issue criminal complaints to enforce this article.

Section 13-3-7 Liability for emergency responses related to use of fireworks; definitions

- A. A person who uses, discharges or ignites permissible consumer fireworks, prohibited novelty items, or anything that is designed or intended to rise into the air and explode or to detonate in the air or to fly above the ground, is liable for the expenses of any emergency response that is required by such use, discharge or ignition. The fact that a person is convicted or found responsible for a violation(s) of this article is prima facie evidence of liability under this section.

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- B. The expenses of an emergency response are a charge against the person, parent or legal guardian if a minor, liable for those expenses pursuant to subpart a of this section. The charge constitutes a debt of that person and may be collected proportionately by the public agencies, for-profit entities or not-for-profit entities that incurred the expenses. The liability imposed under this section is in addition to and not in limitation of any other liability that may be imposed. The emergency response charges shall not include charges assessed by an ambulance service that is regulated pursuant to Title 36, Chapter 21.1, Article 2.
- C. For the purposes of this section:
1. *Expenses of an emergency response* means reasonable costs directly incurred by public agencies, for-profit entities or not-for-profit entities that make an appropriate emergency response to an incident.
 2. *Reasonable costs* includes the costs of providing police, fire fighting, rescue and emergency medical services at the scene of an incident and the salaries of the persons who respond to the incident.

CHAPTER 13 FIRE PROTECTION

Article 13-4 LICENSED FIRE SERVICE PROVIDER PREVENTION AND CONTROL⁶³⁵

- 13-4-1 Definitions
- 13-4-2 Alternatives^{650 701 702}
- 13-4-3 License Required
- 13-4-4 Obligations of the Default Provider and of Property Owners to the Default Provider
- 13-4-5 Police Powers
- 13-4-6 The License Area
- 13-4-7 Grant of License
- 13-4-8 Contents of Application for New License, Renewal License, or Default Provider License
- 13-4-9 Transfers
- 13-4-10 Fees
- 13-4-11 Schedule of Payments
- 13-4-12 Auditing and Financial Records
- 13-4-13 Rates
- 13-4-14 Local Business Office
- 13-4-15 Response Time, Incident Response, and Manpower Response Requirements
- 13-4-16 Fire Apparatus Removal Criteria
- 13-4-17 Reports
- 13-4-18 Subscriber Information
- 13-4-19 Billing Practices Information and Procedures⁶⁷¹
- 13-4-20 Billing and Privacy Complaints
- 13-4-21 Distribution of Subscriber Information
- 13-4-22 Subscriber's Rights to Inspect and Verify Information
- 13-4-23 Performance Bond
- 13-4-24 Violation by Licensee
- 13-4-25 Administrative Hearing
- 13-4-26 By Town Council
- 13-4-27 Alternative Remedies
- 13-4-28 Non-Enforcement
- 13-4-29 Insurance and Liability
- 13-4-30 Indemnification by Licensee
- 13-4-31 Severability

CHAPTER 13 FIRE PROTECTION

Section 13-4-1. Definitions

In this Article the following words shall have the following meanings:

(1) "License" means a license issued under the terms of this Article to a provider of fire control and prevention services, including a license as a Default Provider.

(2) "Licensee" means a person or entity to whom a License is issued under this Article.

(3) "Applicant" means an applicant for a License under this Article.

(4) "Default Provider" and "Default Provider Licensee" means the Town of Paradise Valley Fire Services Department.

(5) "Town Contract Administrator" means the person designated by the Town to supervise the administration of the provisions of this Article and of Licenses granted under this Article.

(6) "Town" means the Town of Paradise Valley, acting through the Town Council or other authorized official.

Section 13-4-2. Alternatives ^{650 701 702}

(1) The Town Council has elected to require property owners within the Town to provide for fire prevention and control by contracting for such service with a private or public provider licensed by the Town pursuant to this Article.

(2) Pursuant to the foregoing subsection, on or before February 15, 2013, all owners of real property within the Town limits shall obtain fire prevention and control service in accordance with the requirements of this Article from a provider licensed by the Town pursuant to this Article, provided that the Town has licensed a Default Provider under this Article 13-4. Property owners who do not obtain such services from another licensed provider shall be liable to the Default Provider licensed by the Town according to the terms and conditions of this Article and the Default Provider's License and shall also be deemed to be in violation of the requirement to have obtained, through contract or other means, fire prevention and control services from a provider licensed by the Town.

(3) Any violation of this section shall be deemed a civil offense and any person found responsible shall be liable to pay to the Town a civil sanction in an amount not to exceed seven hundred and fifty (\$750) dollars. Each day that a violation continues shall be a separate offense punishable as described.

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Section 13-4-3. License Required

(1) Any provider of fire prevention and control services to property owners in satisfaction of the obligations of property owners under Section 13-4-2(2) must be licensed pursuant to this Article.

(2) A Licensee shall also provide first responder emergency medical service to its subscribers or other property owners to whom it is obligated to provide fire protection service. Such services shall include those medical services that can be provided by fire personnel first responding to the fire or emergency scene call.

Section 13-4-4. Obligations Of The Default Provider And Of Property Owners To The Default Provider

(1) A Licensee who applies for and is granted a License as the Default Provider shall have the additional rights and obligations as provided in this Section and in the License, and the property owners shall have the rights and obligations with respect to the Default Provider as provided in this Section.

(2) All Licensees other than the Default Provider shall notify the Default Provider of all property owners who have obtained fire protection and emergency medical services from the Licensee within 10 days of the date the Licensee agrees to provide such services. The Licensee shall be obligated to provide services to such property owners until 30 days after the Licensee has given notice to the Default Provider that the property owner will no longer be provided such service by the Licensee.

(3) All property owners who do not contract directly with another Licensee for fire protection and emergency medical service and maintain such service must subscribe for such service from the Default Provider under the terms in the Default Provider's License.

(4) All Property Owners who are not being provided such service by another Licensee and who are not currently identified by another Licensee pursuant to subsection (2) above, as having such service from another Licensee shall be provided such service by the Default Provider, whether or not the property owner has voluntarily subscribed for such services from the Default Provider or is in default for payment for service.

(5) Property owners who are required to subscribe but who have not subscribed or who have previously subscribed but are more than 30 days delinquent in paying for such service from the Default Provider shall be liable to the Default Provider for the following, for which an action may be brought in a court on competent jurisdiction:

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(a) The fees, payable annually, or at such intervals as shall be proscribed by the Town, in advance, for fire protection service which the Default Provider is permitted to charge to property owners of the same class under the terms of the Default Provider's License for the times when the Default Provider is required to provide service to the property owner under subsection (3) above; and

(b) The amount of the actual cost (including a reasonable profit) to the Default Provider of providing any service actually furnished; and

(c) All costs and expenses of litigation, including attorneys' fees, incurred by the Default Provider in any action against the property owner to recover payment of the obligations stated in this Article;

Section 13-4-5. Police Powers

Nothing in this Article or in any agreement awarding a License shall be construed as an abrogation by the Town of any of its lawful police powers.

Section 13-4-6. The License Area

The area that shall be served under the License shall be the entire area within the corporate limits of the Town of Paradise Valley. The Town may grant a License for the entire Town only and not for a portion or portions of the Town.

Section 13-4-7. Grant of License

(1) Grant. If the Town grants or renews a License, the License shall create both a right and an obligation to provide the services of fire prevention and control and first responder emergency medical services to those property owners contracting with the Licensee or, in the case of the Default Provider, to all property owners in the Town who have not provided evidence according to Section 13-4-4(3) that they have obtained and are maintaining such service from another Licensee. Any License granted under the terms of this Article shall be consistent with federal and state law. If there is a conflict between the terms of the License or the terms of this Article and federal law or state statute, federal law and state statute shall control.

Any License granted is subject to the general provisions of this Article in effect at the time the License is granted. If there is a conflict between the terms of the License and other codes and ordinances of the Town, the License shall control, except that the License may not waive the requirements of the other codes and ordinances of the Town regarding permits, fees to be paid, or manner of operation.

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(2) Establishment of License Requirements. The Town may establish appropriate requirements for New Licenses or Renewal Licenses and may modify such requirements from time to time to reflect changing conditions or technology.

(3) Duration. The term of any License and all rights, privileges, obligations, and restrictions pertaining thereto may be from one to five years and shall be as established in the License, unless terminated sooner according to the terms of this Article or of the License.

(4) License Non-Exclusive. Any License granted other than a license as a Default Provider shall be non-exclusive. The Town reserves the right to grant, at any time, such additional Licenses as it deems best, provided however, that such additional grants shall not operate to materially modify, revoke, or terminate any exclusive rights previously granted to a Default Licensee.

(5) License Applications. Applicants for a License shall submit to the Town written applications using the standardized format provided by the Town and including the application fees herein provided.

(6) Grant Procedure.

(a) All applications for a new or Renewal License when filed shall be available for public inspection. In not less than 30 days but not more than 90 days after the application is completed, a public hearing shall be held on the application. A decision shall be made by the Town not later than 45 days after public hearings based upon an evaluation of the application, the hearing, and other information that the Town may deem relevant. The Town may grant one or more Licenses, or may decline to grant any License;

(b) All applications for a renewal License, other than an application for renewal of a Default Provider License, submitted by a Licensee shall be available for public inspection. Applications shall be granted or denied based on:

(1) the Licensee is in substantial compliance with the material terms of the existing License and with applicable law; and

(2) the quality of the Licensee's service, response to subscriber complaints, and billing practices; and

(3) the Licensee's financial, legal, administrative and technical ability to provide the services, facilities, and equipment as set forth in the proposal; and

(4) the Licensee's prospect of reasonably meeting the future

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community needs and interests, taking into account the cost of meeting such needs and interests.

(c) Applications for renewal of a License as Default Provider shall be granted or denied in the sole discretion of the Town Council based upon which of the qualified competing applications is most advantageous to the Town and its residents. The Default Provider Licensee shall have no right to renewal of its License upon expiration or termination.

Section 13-4-8. Contents of Application for New License, Renewal License, or Default Provider License

Applications for a new License, a renewal License, or a Default Provider License shall include such information as may be requested by the Town Manager, including:

(1) The identity of the applicant. This must include the name and address of the applicant, the nature of the business entity or public body, and evidence that the applicant is in good legal standing, where relevant.

(2) Evidence that the applicant has the financial, legal, administrative and technical ability to provide the services, facilities, and equipment necessary to meet the requirements and to perform the services required under this Article and under the License. At a minimum, the applicant must meet the following criteria:

(a) The applicant must have at least two years' experience as a provider of fire department services. As used herein, fire department services shall include tactical fire suppression, prevention, and additional support to such services;

(b) The applicant must have currently, or have maintained for at least two years in the past, a secondary 9-1-1 system answering point including all hardware and computer software necessary for the reception of 9-1-1 calls;

(c) The applicant must maintain a computer aided dispatch system capable of establishing a geographic information system based files for the Town of Paradise Valley;

(d) The applicant must have practical experience in the suppression of wildland fires according to the United States Forest Service and must have currently and continue to maintain an in-house training program providing for the certification of assigned personnel to a minimum of specifications 130-190 of the United States Forest Service.

(3) A detailed License proposal stating how the applicant will comply with the requirements of this Article.

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(4) A Licensee that elects to apply for a renewal process must do so at least six months before expiration of the existing License. Upon receipt of the renewal application, the Council shall publish notice of its receipt. The Council shall review and evaluate the future community needs and interests and Licensee's past performance. The review and evaluation process shall include opportunity for public comment. The process must be completed within 90 days of the receipt of Licensee's renewal application.

(5) After an opportunity for public comment, the Town Council shall act on the renewal application by Council Resolution.

Section 13-4-9. Transfers

(1) A License shall not be transferable or assignable except in connection with the transfer of substantially all the operating assets of the licensee used in providing services under the License. Such transfer shall not be made without the consent of the Town, which shall not be unreasonably withheld.

(2) The proposed assignee must show technical ability, financial capability, management experience, all qualifications, and general character qualifications as determined by the Town and must agree to comply with all provisions of the License. Town shall be deemed to have approved a proposed transfer or assignment if the Town does not notify Licensee within 120 days following receipt of written notice of the proposed transfer or assignment and all information requested by the Town that the transfer has been denied.

(3) The Licensee shall notify the Town before any change in, or transfer of, control of the Licensee. The word "control" means ownership of 50% or more of voting control of the licensee's governing body, if a private entity. Every change, transfer, or acquisition of control of the Licensee shall make the License subject to cancellation until the Town shall have consented thereto, which consent shall not be unreasonably withheld. To determine whether it shall consent to such change, transfer or acquisition of control, the Town may inquire into the qualifications of the prospective controlling party and the Licensee shall assist the Town in any such inquiry.

(4) The consent or approval of the Town Council to any transfer of a License shall not constitute a waiver or release of the rights of the Town in and to the streets, and any transfer shall by its terms, be expressly subordinate to the terms and conditions of a License.

(5) The Town may reserve the right of first refusal to purchase a Licensee's System so provided in the License.

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(6) In no event shall a transfer of ownership or control be approved without the successor in interest becoming a signatory to the License agreement.

Section 13-4-10. Fees

(1) Application Fee

A non-refundable application fee of \$3,500.00 from all applicants for a license, or \$5,000.00 from an applicant for a Default Provider License.

(2) Transfer Fee

A non-refundable application fee of \$1,500.00 shall be paid to cover the costs of transfer and/or re-issuance of Licenses issued pursuant to this Chapter.

(3) License Fee

For the purposes of providing revenue with which to defray the costs of administration and regulation arising out of the granting of licenses under this Article, each Licensee shall pay license fees in the amount of \$5,000.00 per quarter, payable at the times set forth in Section 13-4-11.

Section 13-4-11. Schedule of Payments

Licensee shall pay the fees due to the Town for the preceding calendar quarter not later than August 1, November 1, February 1, and May 1. The Licensee must file with the Town not later than the date of each such payment a statement showing the Gross Revenue received by Licensee during the preceding quarter from services provided under the License.

Section 13-4-12. Auditing and Financial Records

(1) During the term of each License, the Town may, not more frequently than once each year, conduct an audit of the apparatus, equipment, books, records, and accounts of the Licensee. A principal responsibility of the auditors shall be to validate the financial viability of the Licensee. The audit may be conducted by an independent certified public accounting firm retained by the Town, and shall be conducted at the sole expense of the Town.

(2) Each Licensee must disclose to the auditor its books, accounts, and all other financial records reasonably necessary to conduct the audit. The Town acknowledges that the source data disclosed to the auditor are proprietary to the Licensee.

Section 13-4-13. Rates

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(1) All rates shall be approved by the Town and stated in the License.

(2) The Licensee shall not discriminate in the assessment, levy, charge, imposition or collection of rates on the basis of age, race, creed, color, religion, national origin, gender, marital status, or disability.

(3) The rates charged by the Licensee shall be directly related to the actual cost of providing fire protection services to owners of three categories of property:

(a) residential properties,

(b) vacant land, and

(c) all others (including but not limited to, commercial, country clubs, churches, schools, resorts and medical clinics).

No subscriber in any of the above-mentioned categories shall be charged rates which in the legislative judgment of the Town are not directly related to the actual cost of providing fire protection or which are different from the rates charged to other subscribers in the same category. The Town may from time to time with reasonable notice require the Licensee to explain or defend its rate structure, and may request changes in the rate structure.

Section 13-4-14. Local Business Office

A Licensee shall maintain and operate a business office for receiving inquiries regarding new service, paying bills and receiving complaints, within five miles of the Town's corporate limits.

Section 13-4-15. Response Time, Incident Response, and Manpower Response Requirements

All response times, incident responses and manpower responses shall be based on service levels similar to those provided by adjacent cities as set forth in their operational guidelines and procedures.

Section 13-4-16. Fire Apparatus Removal Criteria

(1) The primary service area shall be the geographical area within the corporate limits of the Town of Paradise Valley.

Section 13-4-17. Reports

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(1) Each Licensee shall file the following yearly reports with the Town:

(a) Response Time Performance by Licensee for license area;

(b) Exception reports;

(c) Response out of primary service area. The report shall include the number of apparatus sent to each incident and the total time the apparatus is gone from the primary service area. Responses into primary service area from Licensee's other response areas;

(d) Total number of incidents responded to in the Town by service type and dollar loss;

(e) Fire Cause Analysis report of structure fires;

(f) Report of Fire Prevention Activities;

(g) Report of estimated water usage for training, fire suppression activities and fire prevention;

(h) Average response time for each of the stations in the License area;

(i) If requested by the Town, a response time report that shows the time a call is received by Licensee, time apparatus goes enroute to the call, and time each emergency unit arrives on the scene.

Section 13-4-18. Subscriber Information

Licensee shall provide all prospective Subscribers and active Subscribers with complete, clear and concise written information, before, or at, the time of service, concerning all services and rates by Licensee.

Section 13-4-19. Billing Practices Information and Procedures ⁶⁷¹

(1) Licensee shall provide all Subscribers with complete information respecting billing and collection procedures, procedures for ordering changes in or termination of services, and refund policies, upon solicitation of service and before the consummation of any agreement for installation of service. Such information shall be provided to Subscribers in easy-to-understand language.

(2) Subscribers of any Licensee and Subscribers and property owners to whom the Default Provider must provide services shall be billed annually, or at such intervals specified in the Licensee's License Agreement, or as otherwise proscribed by the Town,

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with payment required in advance. Fees not paid within 30 days of billing shall accrue interest at the rate of 10% per annum, compounded annually.

(3) All Licensed Providers shall charge rates that are based on livable square feet.

(4) All Licensed Providers who utilize a monthly billing method may offer their customers a one month discount on the total amount that would otherwise be paid for the full year's worth of payments provided the customer pays for the full year's amount (that is, payment for 11 months) in advance at the beginning of each annual billing year.

Section 13-4-20. Billing and Privacy Complaints

Licensee shall establish a procedure for resolution of Subscriber's billing disputes and complaints, including privacy complaints. Licensee shall provide a complete, written description of these procedures to all Subscribers, and the Town, within four months of the execution of the License pursuant to this section.

Section 13-4-21. Distribution of Subscriber Information

Licensee and its agents or employees shall not provide to any third party, other than the Town, data identifying or designating any Subscriber either by name or address.

Section 13-4-22. Subscriber's Rights to Inspect and Verify Information

(1) Licensee shall make available for inspection by a Subscriber at a reasonable time and place, all personal Subscriber information that Licensee maintains regarding said Subscriber.

(2) A Subscriber may obtain from Licensee a copy of any or all the personal Subscriber information regarding him or her maintained by Licensee. Licensee may require a reasonable fee for making a copy.

(3) A Subscriber or user may challenge the accuracy, completeness, retention, use or dissemination of any item of personal Subscriber information. Challenges and related inquiries about the handling of Subscriber information shall be directed to the Licensee.

Section 13-4-23. Performance Bond

(1) Each application for a new License or renewal License shall file with its application, and maintain in full effect at all times thereafter, a corporate surety bond issued by a surety licensed by the State of Arizona and approved by the Town Council, or such other assurance approved by the Town Council, in an amount equal to

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\$1,000,000.00; which may be waived for municipal Licensees who have adequate reserves to offset any bonding requirements set forth herein.

(2) Such bond or other assurance shall be maintained always thereafter during the term of the License.

(3) Any bond required by this Section and replacements thereof, shall be effective for the entire term of the License and conditioned that in the event the Licensee shall fail to comply with any one or more of the provisions of the License, then there shall be recoverable jointly and severally from the principal and surety of such bond, any damages, delinquent License fees, penalties, compensation and costs of repairing or completing the System and cost of removal or abandonment of property and repair of streets and other public improvements, up to the full amount of the bond; said condition to be a continuing obligation for the duration of the License and thereafter until Licensee has satisfied all of its obligations that may have arisen from the acceptance of the License, or from the exercise of any privileges thereunder. The surety bond shall provide that the obligations of the surety shall not cease for any reason until 30 days after receipt by the Town of written notice of cancellation, or intent not to renew.

(4) Neither the provisions of this Section, nor the terms of any bond accepted by the Town, nor the recovery of any damages under the bond, shall be construed to excuse faithful performance by the Licensee or to limit the liability of the Licensee for damages.

Section 13-4-24. Violation by Licensee

(1) If the Town gives the Licensee written notice that the Town believes Licensee violated any material provision of the License, the Licensee shall within 30 days of receipt of written notice from the Town:

(a) Advise the Town in writing if the Licensee contests the Town's assertion of violation and shall provide such information or documentation as may be necessary to support Licensee's position; or

(b) Cure any such violation and provide written evidence of the cure, or, if the Violation cannot be cured within such 30 day period, take all necessary steps to cure the violation and diligently continue such efforts until said violation is cured. Licensee shall report to the Town, in writing, at 30 day intervals as to Licensee's efforts, indicating the steps taken by Licensee to cure said violation and reporting Licensee's progress until such violation is cured.

(2) In the event that Licensee contests the Town's assertion of violation or fails to respond to the Town's notice of violation, within 15 days the Town shall convene hearings in accordance with the procedures set forth in Section 13-4-30.

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Section 13-4-25. Administrative Hearing

(1) An administrative hearing must be conducted by the Town Manager, unless Licensee waives such administrative hearing in writing, whereupon a hearing before the Town Council as provided for in Section 13-4-31 shall be held. This shall be a public hearing, and Licensee shall be afforded an opportunity to be heard and to present evidence. Within 15 days after such hearing, the Town Manager shall issue a determination. In that determination the Town Manager may:

(a) find that Licensee is not in violation of the terms of the License;

(b) find that the Licensee is in violation, but that such violation was with just cause and waive any sanction that might otherwise be imposed;

(c) find that Licensee is in violation of the terms of the License, take corrective action and foreclose on all or any appropriate part of the surety provided pursuant to Section 13-4-28 to pay the cost thereof;

(d) find that Licensee is in violation of the terms of the License and impose a penalty of up to \$100.00 per day for each day the violation continues;

(e) in the case of a material violation recommend that the Town Council declare the Licensee in violation and terminate the License, provided that the Town Council may take action on any such recommendation only after a public hearing as set forth in subsection 13-4-30.

(2) If the Town Manager determines that Licensee has committed a violation, the determination shall be accompanied by a statement of reasons for the determination, including findings of fact.

(3) The Town Manager's decision shall become final unless Licensee requests a public hearing before the Town Council within 15 days of its receipt of the Town Manager's statement of reasons and findings of fact.

Section 13-4-26. By Town Council

If a public hearing before the Town Council is requested by Licensee or if held pursuant to a request by the Town, it shall be de novo and it shall convene within 30 days of the request therefor. All witnesses shall be sworn and shall be subject to cross-examination; however, formal rules of evidence shall not apply. The Town Council's decision shall be made not later than 45 calendar days after the hearing. In that decision, the Town Council may:

(1) Find that Licensee is not in violation of the terms of the License;

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(2) Find that Licensee is in violation but that such violation was with just cause and waive any penalty that may otherwise be imposed;

(3) Find that Licensee is in violation of the terms of the License, take corrective action and foreclose on all or any appropriate part of the surety provided pursuant to Section 13-3-27 to pay the cost thereof;

(4) Find that Licensee is in violation of the terms of the License and impose a penalty of up to \$100.00 per day for each day the violation continues;

(5) In the case of a material violation of the License declare the Licensee in violation and terminate the License.

Section 13-4-27. Alternative Remedies

No provisions of this Article shall be deemed to bar the right of the Town or the Licensee to seek or obtain judicial relief otherwise available to it. Neither the existence of other remedies identified in this Article nor the exercise thereof shall be deemed to bar or otherwise limit the right of the Town or the Licensee to recover monetary damages or judicial enforcement of the Licensee's or the Town's obligations by means of specific performance, injunctive relief or mandate, or any other judicial remedy at law or in equity.

Section 13-4-28. Non-Enforcement

A Licensee shall not be relieved of any obligation to comply with any of the provisions of the License or any rule, regulation, requirement or directive promulgated thereunder by reason of any failure of the Town or its officers, agents or employees to enforce prompt compliance.

Section 13-4-29. Insurance and Liability

(1) Upon the execution of a License, a Licensee shall file with the Town, and maintain in effect throughout the term of the License, insurance policies issued by an insurer licensed to conduct business in the State of Arizona, insuring with respect to the operation and maintenance of the System, comprehensive general and automobile liability coverage, including but not limited to:

- (a) blanket contractual liability;
- (b) completed operations liability;
- (c) broad form property damage endorsement, including but not limited

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to, coverage for explosion, collapse and underground incidents; and

(d) automobile non-ownership liability.

The Town expressly reserves the right to modify any insurance and liability requirements when it deems such action necessary to protect the public interest and welfare.

(2) This insurance shall include coverage which meets or exceeds the following minimum amounts, or exposure to loss:

(a) For bodily injury, including death, in the amount of \$2,000,000 combined single limit;

b) For property damage in the minimum amount of \$1,000,000;

(c) Comprehensive automobile liability for bodily injury of \$2,000,000 combined single limit;

(d) Worker's compensation coverage as required by the laws, rules and regulations of the State of Arizona.

(3) Any insurance policy obtained by Licensee in compliance with this Section shall include the Town as an additional insured, shall be primary, and must be approved by the Town Risk Manager/Town Attorney. Such insurance policy shall be filed and maintained with the Town during the term of the License, and may be changed from time to time to reflect changing liability limits. Licensee shall immediately advise the Town of any litigation that would affect this insurance or reduce the amount of coverage. Any insurance or self-insured coverage carried by the Town shall be excess coverage and not contributory insurance to that provided by a Licensee.

(4) Neither the provisions of this Section nor any damages recovered by the Town thereunder shall be construed to limit the liability of Licensee to the Town for damages.

(5) All insurance policies shall contain the following endorsement:

"This insurance policy may not be canceled by the insurance carrier, nor may the insurance carrier fail to renew this policy until thirty (30) days after receipt by the Town of Paradise Valley of the insurance carrier's written notice of its intention."

(6) Licensee shall be solely responsible for all premiums due and payable with respect to the insurance coverage required.

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(7) All deductible amounts applicable to liability insurance coverage must be approved by the Town.

(8) Licensee may self-insure the above-described policy coverage if Licensee or its parent is of sufficient financial standing to reasonably provide such insurance. A Licensee that elects to self-insure shall file with the Town a Certificate of Insurance as specified by the Town.

Section 13-4-30. Indemnification by Licensee

Each Licensee shall, at its sole expense, fully indemnify, defend, and hold harmless the Town, and in their respective capacities, the officers, agents, and employees of the Town, for, from, and against any and all claims, suits, actions, liability and judgments for damages for actual or alleged injury to persons or property, including loss of property due to an occurrence, whether or not such property is physically damaged or destroyed, wherein such injury or loss arises in whole or in part through the acts or omissions of the Licensee or of the Town, of their officers, agents, employees or contractors in connection with fire protection and emergency medical service. Such indemnification, however, shall not be construed to include liability or loss arising out of actions of Town police officers acting in the course and scope of their employment.

Nothing herein shall be deemed to prevent the Town from participating in the defense of any litigation by its own counsel at the Licensee's sole expense. Such participation shall not under any circumstances relieve the Licensee from its duty of defense against liability or of paying any judgment entered against the Town, or its officers, agents and employees.

Section 13-4-31. Severability

If any section, subsection, sentence, clause, phrase, or portion of this Article is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions hereof.

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FOOTNOTES

95 Ordinance #199 - 01/27/83
356 Ordinance #356 - 06/24/93
407 Ordinance #407 - 09/07/95
466 Ordinance #466 - 08/27/98 Repealing Section 13-2-25
495 Ordinance # 495 - 02/10/00
509 Ordinance # 509 - 11/16/00
526 Ordinance # 526 – 3/26/03
556 Ordinance # 556 – 04/14/2005
563 Ordinance # 563 – 06/23/2005 (sprinkler requirement)
589 Ordinance # 589 – 02/22/2007
593 Ordinance #593 – 05/10/2007
626 Ordinance #626 – 11/08/2010 (Section 13-3 added)
635 Ordinance #635 – 05/12/2011 (Added Section 13-4)
650 Ordinance #650 – 05/12/2012
648 Ordinance #648 – 11/15/2012
701 Ordinance #701 – 11/15/2012
671 Ordinance #671 – 12/19/2013
679 Ordinance #679 – 06/26/2014
702 Ordinance #702 – 06/11/2015
2016-02 Ordinance 2015-02 05/26/2016
2020-02 – Adopted 2/13/2020 Effective 3/14/2020