



PRESCOTT CITY COUNCIL JOINT STUDY SESSION/ SPECIAL MEETING AGENDA

PRESCOTT CITY COUNCIL
JOINT STUDY SESSION/SPECIAL MEETING
TUESDAY, SEPTEMBER 16, 2008
3:00 P.M.

Council Chambers
201 S. Cortez Street
Prescott, AZ 86303
(928) 777-1100

The following Agenda will be considered by the Prescott City Council at its Joint Study Session/Special Meeting pursuant to the Prescott City Charter, Article II, Section 13. Notice of this meeting is given pursuant to Arizona Revised Statutes, Section 38-431.02.

◆ **CALL TO ORDER**

◆ **INTRODUCTIONS**

◆ **INVOCATION:** Reverend Julia McKenna Johnson

◆ **PLEDGE OF ALLEGIANCE:** Councilwoman Suttles
(Performed by the Aerospace Science
Leadership Academy Color Guard of
Prescott High School)

◆ **ROLL CALL:**

MAYOR AND CITY COUNCIL:

Mayor Wilson	
Councilman Bell	Councilman Luzius
Councilman Lamerson	Councilman Roecker
Councilwoman Lopas	Councilwoman Suttles

◆ **SUMMARY OF CURRENT OR RECENT EVENTS**

NOTE: Anyone wishing to speak regarding an item on the agenda must address the Council using the microphone at the podium. **PLEASE NOTE:** Comments from the public regarding any item on the agenda will be limited to five (5) minutes. Please refer to the Clerk's desk for the timing sequence of the lighting signals: **GREEN** at the beginning of comments, **YELLOW** with one minute remaining, and **RED** when time has ended.

THE CITY OF PRESCOTT ENDEAVORS TO MAKE ALL PUBLIC MEETINGS ACCESSIBLE TO PERSONS WITH DISABILITIES. WITH 48 HOURS ADVANCE NOTICE, SPECIAL ASSISTANCE CAN BE PROVIDED FOR SIGHT AND/OR HEARING IMPAIRED PERSONS AT PUBLIC MEETINGS. PLEASE CALL 777-1272 OR 777-1100 (TDD) TO REQUEST AN ACCOMMODATION TO PARTICIPATE IN THIS MEETING.

STUDY SESSION

I. PROCLAMATION

- A. September 2008 – *National Alcohol and Drug Addiction Recovery Month*

II. DISCUSSION ITEMS

- A. Fire Department City Code Amendments:
1. Adoption of Resolution No. 3847-0910 – A resolution of the Mayor and Council of the City of Prescott, Yavapai County, Arizona, declaring as a public record those certain documents filed with the City Clerk and entitled the “2006 International Fire Code” as adopted by the International Code Council, Inc., and that certain document entitled “City of Prescott 2008 Amendments to the 2006 International Fire Code” as a public record, and directing the City Clerk to retain three copies thereof on file.
 2. Adoption of Resolution No. 3849-0912 – A resolution of the Mayor and Council of the City of Prescott, Yavapai County, Arizona, adopting by reference that certain document entitled “2008 City of Prescott Explosives/Blasting Standard, a Supplement to Chapter 33 of the 2006 International Fire Code” as a public record, and directing the City Clerk to retain three copies thereof on file.
 3. Adoption of Resolution No. 3846-0909 – A resolution of the Mayor and Council of the City of Prescott, Yavapai County, Arizona, rescinding Resolution Number 3454 and adopting a new resolution establishing and adopting a revised fee schedule pertaining to Fire Department permits, inspection fees, licensing and certification fees, plan and plat review fees ad miscellaneous fire services fees.
 4. Adoption of Resolution No. 3848-0911 – A resolution of the Mayor and Council of the City of Prescott, Yavapai County, Arizona, adopting those certain documents entitled the “2006 International Wildland-Urban Interface Code,” as adopted by the International Code Council, Inc., and that certain document entitled “City of Prescott 2008 Amendments to the 2006 International Wildland-Urban Interface Code” as a public record, and directing the City Clerk to retain three copies thereof on file.
- B. Approval of Amendment Two to Contract #2008-024 with PBS&J for Zone 39 Water Mains and Pump Station Upgrade Project engineering and design services in an amount not to exceed \$147,408.00, and project update and petition response.

- C. Award of bid for the Airport Centrifuge Building and Equipment Installation Project to Fann Environmental, Inc., in the amount of \$650,724.00.
- D. Approval of a one-year funding agreement with Prescott Community Access Channel.
- E. Approval of funding in the amount of \$26,324.65, plus tax, for the PRCC Phase II, 9-1-1- wireless upgrade.
- F. Adoption of Ordinance No. 4668-0911 - An ordinance of the Mayor and Council of the City of Prescott, Yavapai County, Arizona, accepting a public sewer easement from Project Aware, Inc., in the vicinity of 215 West Leroux Street in the Prescott Original Townsite and authorizing the Mayor and City staff to take necessary steps to complete acceptance and dedication as a City of Prescott public sewer easement.
- G. Approval of the Minutes of the Prescott City Council Joint Study Session/Special Meeting of September 2, 2008, and the Regular Voting Meeting of September 9, 2008.
- H. Selection of items to be placed on the Regular Voting Meeting Agenda of September 23, 2008.

III. ADJOURNMENT

SPECIAL MEETING

- 1. Call to Order.
- 2. Recess into Executive Session.
- 3. EXECUTIVE SESSION:
 - A. Discussion or consultation for legal advice with the attorney or attorneys of the public body, pursuant to A.R.S. Section 38-431.03(A)(3).
 - i. Adelle Williams Agreement.
 - B. Discussion or consideration of employment, assignment, appointment, promotion, demotion, dismissal, salaries, disciplining or resignation of a public officer, appointee or employee of any public body, except that, with the exception of salary discussions, an officer, appointee or employee may demand that the discussion or consideration occur at a public meeting, pursuant to A.R.S. Section 38-431.03(A)(1).
 - i. Annual evaluation of City Manager.

4. POST EXECUTIVE SESSION:
 - A. Consideration of amendment to Employment Contract with Steve Norwood.
5. Adjournment.

CERTIFICATION OF POSTING OF NOTICE

The undersigned hereby certifies that a copy of the foregoing notice was duly posted at Prescott City Hall on _____
_ at _____ .m. in accordance with the statement filed by the Prescott City Council with the City Clerk.

Elizabeth A. Burke, City Clerk

I-A

“National Alcohol and Drug Addiction Recovery Month”

September 2008

WHEREAS, substance use disorders are a serious and treatable health problem, and as many as 63 percent of Americans say that addiction to alcohol or other drugs has had an impact on them at some point in their lives, whether it was the addiction of a friend or family member or another experience, such as their own personal addiction; and

WHEREAS, assessing out citizens' needs for addiction treatment and referring them to appropriate treatment – and their family members support services – is a crucial first step in helping people realize that recovery is possible and treatment is effective; and

WHEREAS, barriers to accessing treatment programs that can help heal lives, families, and our community are a significant problem for our neighbors, friends, co-workers, and family members with substance use disorders; and

WHEREAS, Community members seeking treatment deserve affordable, individualized treatment programs; and

WHEREAS, celebrating individuals in recovery and their families, and saluting the healthcare providers who helped them obtain treatment, educate our community about the benefits of treatment and affirms that such providers deserve adequate compensation for their services; and

WHEREAS, to help achieve this goal, the Substance Abuse and Mental Health Services Administration within the U.S. Department of Health and Human Services; the White House Office of National Drug Control Policy; and the Yavapai County Recovery month committee invite all residents of Prescott to participate in *National Alcohol and Drug Addiction Recovery Month*.

NOW THEREFORE, I, Jack D. Wilson, Mayor of the City of Prescott, Arizona, by virtue of the authority vested in me by the laws of Prescott, Arizona do hereby proclaim the month of September 2008 as

NATIONAL ALCOHOL AND DRUG ADDICTION RECOVERY MONTH

In Prescott Arizona and call upon the people of Prescott to observe this month with appropriate program, activities, and ceremonies supporting this year's theme. “Join the voices for recovery: Real People, Real Recovery”.

IN WITNESS THEREOF, I have hereunto set my hand and caused the Seal of the City of Prescott to be affixed this 16th day of September 2008.



A handwritten signature in black ink, appearing to read "Jack D. Wilson", is written over a horizontal line.

JACK D. WILSON, MAYOR
City of Prescott

ATTEST:

60

COUNCIL AGENDA MEMO – (09-16-08)
DEPARTMENT: Fire
AGENDA ITEM: Adoption of the 2006 Edition of the International Fire Code with the 2008 amendments, as proposed.

Approved By:	Date:
Department Head: Darrell Willis	
Finance Director: Mark Woodfill	
City Manager: Steve Norwood <i>[Signature]</i>	<i>09/14/08</i>

Background

New editions of the International Fire Code are published by the International Code Council (ICC) every three years. When the most current fire code edition becomes available, it is reviewed by the fire department along with other special interest groups. In the review and comment phases, such groups are invited to various public meetings and solicited for their input when writing updated amendments to the new code.

These groups include local realtors, architects, engineers, general and fire protection contractors, other local fire jurisdictions, insurance companies, the Prescott-Yavapai Indian Tribe, Yavapai County Contractors Assoc., Yavapai County Building & Safety Dept., the COP Building, P & Z, Engineering, Unified Development Code (UDC) Committee and Legal departments, etc., and the Fire Board of Appeals. All have contributed toward the process and have given their approval to the final document. There have been a total of eleven (11) open public meetings along with twenty (20) plus one-on-one meetings/contacts with these interest groups.

Financial Impact

Includes fees for fire protection system (alarm, sprinkler, alternative, spray booth and kitchen hood, etc.) plan reviews and inspections, temporary use tents, canopies and membrane structures, construction and operational permits, along with commercial burn, blasting, and other fire code related permits. All fees collected, which is estimated to be approximately \$55,000 this fiscal year, are intended to off-set our costs of doing business.

- Attachments**
- A) Summary of proposed changes to 2006 International Fire Code**
 - B) Listing of Community Interest Groups / Review**

Recommended Action: MOVE to adopt Resolution No. 3847-0910.
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RESOLUTION NO. 3847-0910

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, DECLARING AS A PUBLIC RECORD THOSE CERTAIN DOCUMENTS FILED WITH THE CITY CLERK AND ENTITLED THE "2006 INTERNATIONAL FIRE CODE" AS ADOPTED BY THE INTERNATIONAL CODE COUNCIL, INC., AND THAT CERTAIN DOCUMENT ENTITLED "CITY OF PRESCOTT 2008 AMENDMENTS TO THE 2006 INTERNATIONAL FIRE CODE" AS A PUBLIC RECORD, AND DIRECTING THE CITY CLERK TO RETAIN THREE COPIES THEREOF ON FILE

RECITALS:

WHEREAS, that certain document entitled the "*2006 International Fire Code*" as adopted by the International Code Council, Inc., three copies of which are on file in the office of the City Clerk, is hereby declared to be a public record, and said copies are ordered to remain on file with the city clerk; and

WHEREAS, that certain document entitled the "*City of Prescott 2008 Amendments to the 2006 International Fire Code*", three copies of which are on file in the office of the City Clerk, is hereby declared to be a public record, and said copies are ordered to remain on file with the city clerk.

ENACTMENTS:

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PRESCOTT AS FOLLOWS:

Section 1. THAT certain document entitled the "*2006 International Fire Code*" as adopted by the International Code Council, Inc., is hereby declared to be a public record.

Section 2. THAT certain document entitled the "*City of Prescott 2008 Amendments to the 2006 International Fire Code*", Exhibit A attached hereto and made a part hereof, is hereby declared to be a public record.

Section 3. THAT the City Clerk is hereby directed to maintain three (3) copies of the above referenced public documents on file at all times for inspection by the public.

PASSED AND ADOPTED by the Mayor and Council of the City of Prescott this 23rd day of September, 2008.

JACK D. WILSON, Mayor

ATTEST:

APPROVED AS TO FORM:

ELIZABETH A. BURKE, City Clerk

GARY D. KIDD, City Attorney

EXHIBIT 'A'

CITY OF PRESCOTT 2008 AMENDMENTS TO THE
2006 INTERNATIONAL FIRE CODE

- (A) Section 102.6 entitled "Administration; Applicability; Referenced codes and standards" is hereby amended by adding an exception thereto, to read as follows:

"102.6 Referenced codes and standards.

Exception: The NFPA Standard referenced in this Code shall be the most recent editions and annexes as they are published or as specified by the fire code official.

- (B) Section 102.9 entitled "Administration; Applicability; Conflicting Provisions" is hereby amended to read as follows:

"102.9 Conflicting provisions. Where there is conflict between a general requirement and a specific requirement, the specific requirement shall be applicable to ensure the safety and protection of the public and firefighters. The Fire Chief will have final approval to enforce the code provisions for such purposes, when such conflicts arise."

- (C) Section 105.2.1 entitled "Permits; Application; Refusal to issue permit" is hereby amended by adding a second paragraph thereto, to read as follows:

"The City of Prescott shall not issue a permit to any corporation, company, partnership, firm, or individual operating a business that has had two or more permits, which have been issued under city code Title 6-1 or a code adopted by Title 6-1, revoked during a two year period preceding a permit application, or as otherwise approved by the fire code official."

- (D) Section 105.3 entitled "Permits; Conditions of a permit" is hereby amended by adding a new subsection 105.3.8 entitled "Additional Requirements" thereto, to read as follows:

"105.3.8 Additional requirements. The issuance of a permit shall not preclude the fire code official from imposing additional requirements on the applicant or supplementing any existing requirement whenever, in the opinion of the fire code official, later information or newly discovered conditions justify such actions."

- (E) Section 105.4 entitled "Administration; Permits; Construction Documents" is hereby amended by adding a new subsection 105.4.1.1 entitled "Plan review and inspection fee" thereto, to read as follows:

"105.4.1.1 Plan review and inspection fee. Plan review and inspection fees are required for fire protection systems as determined by the City. The fee entitles the submitter to an initial plan review and one re-submittal to correct errors or omissions. The fee also entitles the submitter to one inspection and one re-inspection to correct errors or omissions. A fee equal to the original submittal fee shall be charged for each re-submittal beginning with the second re-submittal if the same corrections must again be noted. This fee shall not be refunded once a plan check has begun. The required inspections shall be included in the permit fees. An additional fee shall be charged for each re-inspection beginning with the second re-inspection if the system is not ready for the inspection as scheduled.

Exception: Plan review and inspection fees for sprinkler system installations in residential, single-family dwellings are waived when the installation is not required by this code."

- (F) Section 105.6 entitled "Administration; Permits; Required operational permits" is hereby amended to read as follows:

"105.6 Required operational permits. The fire code official is authorized to issue operational permits for the operations set forth in Sections 105.6.1 through 105.6.47."

- (G) Section 105.6.4 entitled "Administration, Permits; Carnivals and fairs" is hereby amended to read as follows:

"105.6.4 Carnivals and fairs. An operational permit is required to conduct a carnival or fair. See Prescott City Code, Title IV, Chapter 8."

- (H) Section 105.6.30 entitled "Administration; Permits; Open burning" is hereby amended to read as follows:

"105.6.30 Open burning. An operational permit is required for the kindling or maintaining of an open fire or a fire on any public street, alley, road, or other public or private ground. Instructions and stipulations of the permit shall be adhered to. Where permits are issued to conduct burning on public property or the property of someone other than the permit applicant, the permit applicant shall demonstrate that permission has been obtained by the appropriate government agency, the owner, or the owner's authorized agent. See Section 307." [The exception remains]

- (I) Section 105.6.43 entitled "Administration; Permits; Temporary membrane structures, tents and canopies" is hereby amended to read as follows:

“105.6.43 Temporary membrane structures, tents and canopies. An operational permit is required to operate an air-supported temporary membrane structure or a tent having an area in excess of 400 square feet (121920 mm), or a canopy in excess of 700 square feet (213360mm).

Exception: Tents used exclusively for recreational camping purposes.”

- (J) Section 105.6 entitled “Administration; Permits; Required operational permits” is hereby amended by adding a new subsection 105.6.47 thereto entitled "Access control devices, security gates", to read as follows:

“105.6.47 Access control devices, security gates. An operational permit is required to install any access control device across a required fire apparatus access road.”

- (K) Section 105.7.13 entitled “Administration; Permits; Temporary membrane structures, tents and canopies” is hereby amended to read as follows:

“105.7.13 Temporary membrane structures, tents and canopies. A construction permit is required to erect an air-supported temporary membrane structure or a tent having an area in excess of 400 square feet (121920mm), or a canopy in excess of 700 square feet (213360mm).

Exception: Tents used exclusively for recreational camping purposes.”

- (L) Section 105.7 entitled “Administration; Permits; Required construction permits” is hereby amended by adding a new subsection 105.7.14 thereto entitled “Fire apparatus and personnel access”, to read as follows:

“105.7.14 Fire apparatus and personnel access. A construction permit is required for the following:

1. To install or modify any access control device across a fire apparatus access road.
2. To modify or encroach on any fire apparatus access road.
3. To modify any personnel access point into buildings or facilities.”

- (M) Section 109.3 entitled "Administration; Violation penalties" is hereby amended to provide for either a criminal penalty or civil penalty as set forth in Ordinance No, 4607-0809 which Ordinance adopts the 2006 International Fire Code and this code, (the City of Prescott 2008 Amendments to the 2006 International Fire Code).

- (N) Section 109.3 entitled "Administration; Violations; Violation penalties" is hereby amended by adding a new subsection 109.3.2 entitled "Abatement of environmental, health, fire or life safety hazards by fire code official" to read as follows:

"109.3.2 Abatement of environmental, health, fire or life safety hazards by fire code official. If any person fails to comply with the orders of the fire code official, or if the fire code official is unable to locate the owner, operator, occupant or other person responsible within a reasonable time, the fire code official or any authorized representative may take such immediate steps as are necessary to abate the hazard for the protection and safety of the public. In no event is notice necessary before abatement, when the hazard is a clear and present danger to the public welfare. Any person owning, operating, or controlling any building or structure will be held responsible for all costs and attorneys fees relating to the control or abatement of such hazard."

- (O) Section 111.4 entitled "Administration; Stop Work Order; Failure to comply" is hereby amended to read as follows:

"111.4 Failure to comply. It shall be unlawful for any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition."

- (P) The definition of Day care of Section 202 entitled "Definitions; General Definitions; Occupancy Classification; [B] Educational Group E, Day care" is hereby amended to read as follows:

"Day care. A "child care group home" complying with the requirements of ARS 36-897 and providing child care for less than 24 hours per day for not less than five (5) children but no more than ten (10) children through the age of twelve years old shall be classified as group R-3, provided that all child care rooms are located on the level of exit discharge and each child care room has an exit door directly to the exterior."

- (Q) Section 202 entitled "Definitions; General Definitions; Occupancy Classification; [B] Institutional Group I; Group I-1" is hereby amended to read as follows:

Group I-1. This occupancy shall include buildings, structures or parts thereof housing more than 10 persons, on a 24-hour basis, who because of age, mental disability or other reasons, live in a residential environment that provides supervisory 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:

Alcohol and drug abuse centers
Assisted living centers

Congregate care facilities
Convalescent facilities
Group homes
Halfway houses
Residential board and care facilities
Social rehabilitation facilities

A facility, such as above, with 10 or fewer persons shall be classified as a Group R-4 Condition 1."

- (R) Section 202 entitled "Definitions; General Definitions; Occupancy Classifications; [B] Institutional Group I; Group I-2" is hereby amended to read as follows:

"Group I-2. This occupancy shall include buildings and structures used for psychiatric, nursing, custodial personal, or directed care on a 24-hour basis of more than five persons who are not capable of self-preservation by responding to an emergency situation without physical assistance from staff. This group shall include, but not be limited to, the following:

Hospitals Nursing homes (both intermediate-care facilities and skilled nursing facilities), Mental hospitals, Detoxification facilities. A facility such as above with five or fewer persons shall be classified as Group R-3 or shall comply with the International Residential Code in accordance with Section 101.2."

- (S) Section 202 entitled "Definitions; General Definitions; Occupancy Classifications; [B] Residential Group R; R-4" is hereby amended to read as follows:

"R-4. Residential occupancies shall include buildings arranged for occupancy as residential care and assisted living homes including not more than 10 occupants, excluding staff.

R-4 Condition 1. This occupancy shall include facilities licensed to provide supervisory care services, in which occupants are capable of self-preservation by responding to an emergency situation without physical assistance from staff. Condition 1 facilities housing more than 10 persons shall be classified as a Group I-1.

R-4 Condition 2. This occupancy condition shall include facilities licensed to provide personal or directed care services, in which occupants are incapable of self-preservation by responding to an emergency without physical assistance from staff. Condition 2 facilities housing more than 10 persons shall be classified as Group I-2."

- (T) Section 202 entitled "Definitions; General Definitions; Occupancy Classifications" is hereby amended by adding the following definitions:

DIRECTED CARE SERVICES. Care, including personal care services, of residents who are incapable of recognizing danger, summoning assistance, expressing need, or making basic care decisions.

PERSONAL CARE SERVICE. Assistance with activities of daily living that can be performed by persons without professional skills or professional training and includes the coordination or provision of intermittent nursing services and the administration of medications and treatments.

RESIDENTIAL CARE/ASSISTED LIVING HOME. A building or part thereof housing a maximum of 10 persons, excluding staff, on a 24-hour basis, who because of age, mental disability or other reasons, live in a supervised residential environment which provides supervisory, personal, or directed services. This classification shall include, but not be limited to the following:

- Alcohol and drug abuse centers
- Assisted living centers
- Congregate care facilities
- Convalescent facilities
- Group homes
- Halfway houses
- Residential board and care facilities
- Social rehabilitation facilities

SUPERVISORY CARE SERVICE. General supervision, including daily awareness of resident functioning and continuing needs."

- (U) Section 202 entitled "Definitions; General Definitions" is hereby amended by adding a definition for a "Sprinkler Alternative Wall" to read as follows:

SPRINKLER ALTERNATIVE WALL (SAW). A SAW is a fire resistive wall constructed as an alternative to fire sprinkler requirements for certain buildings. The SAW is constructed of 8-inch solid grouted masonry; 8-inch poured in place or tilt-up concrete. The SAW has no allowable openings or penetrations and extends 30 inches above the roof-line and to the outer edge of all horizontal projecting elements such as balconies, roof overhangs, canopies, marquees and architectural projections, etc. that are within 4 feet (1219mm) of the sprinkler alternative wall (SAW).

- (V) Section 502.1 entitled "Definitions; Definitions" is hereby amended by changing the definition of "Fire Lane" and adding a definition for "Driveway" to read as follows:

"DRIVEWAY. A vehicular ingress and egress route that serves no more than two buildings or structures, not including accessory structures, or more than two dwelling units.

FIRE LANE. A road or other passageway intended to allow the passage of fire apparatus. Within every fire apparatus access roadway, which are public or private streets, there is an unobstructed 20-foot wide fire lane. A fire lane may also be a stand-alone passageway into and around individual structures or facilities which is not necessarily intended for regular vehicular traffic other than fire apparatus. A fire lane shall have a minimum unobstructed width of not less than 20 feet (6096mm)."

(W) Section 503.1.1 entitled "Fire Service Features; Fire Apparatus Access Roads; Where required; Buildings and Facilities" is hereby amended by deleting exception 3.

(X) Section 503.1.2 entitled "Fire Service Features; Fire Apparatus Access Roads; Where Required; Additional access" is hereby amended by adding a new exception thereto to read as follows:

"Exception: Where all buildings are equipped throughout with approved automatic fire sprinkler systems. See Appendix D for additional details."

(Y) Section 503.2 entitled "Fire Service Features; Fire Apparatus Roads; Specifications" is hereby amended by adding a sentence thereto at the end of the paragraph to read as follows.

"See appendix D for access road details."

(Z) Section 503.2.1 entitled "Fire Service Features; Fire Apparatus Access Roads; Specifications; Dimensions" is hereby amended by adding a new paragraph at the end of this section to read as follows:

"The driving surface width of any public or private street shall be engineered, designed and maintained to meet the City requirements for streets. The driving surface width may include a ribbon curb as part of the overall street dimension width when, the ribbon curb is engineered the same as the street surface requirements, and is approved by City of Prescott Engineering. Parking restrictions and other potential obstructions shall comply with Section 503.2.8 of this code."

(AA) Section 503.2.7 entitled "Fire Service Features; Fire Apparatus Access Roads; Specifications; Grade" is hereby amended by adding a second paragraph to read as follows:

"The grade of the fire apparatus access road shall be within the limits established by the fire code official based on the fire department's apparatus. The grade for fire apparatus access roads shall not exceed 12% without the approval of the City Council.

When a grade is approved by the City Council in excess of 12% on a fire department vehicle access roadway, fire sprinkler protection is required to be installed in accordance with Section 903 of the fire code."

- (BB) Section 503.2 entitled "Fire Service Features; Fire Apparatus Access Roads; Specifications" is hereby amended by adding a new subsection entitled "503.2.8 Parking Restrictions" to read as follows:

"503.2.8 Parking Restrictions. The following provisions shall apply to any new or proposed subdivision. The fire code official may require additional off-street parking be provided where City Council approved streets are less than 28 feet (8534mm) wide. Streets that are 28 feet (8534mm) wide shall be permitted to have parking on one side of the street only. No parking is permitted on any street that is less than 28 feet (8534mm) wide.

The fire code official shall require approved no parking signs be installed on any street that is 28 feet (8534mm) wide or less. Approved no parking signs shall be installed on both sides of any street that is less than 28 feet (8534mm) wide. When no parking signs are required, they shall be in accordance with Appendix D, Section D103.6 Signs.

- (CC) Section 503.6 entitled "Fire Apparatus Access Roads; Security Gates" is hereby amended by adding a subsection 503.6.1 thereto entitled "Existing gates", to read as follows:

"503.6.1 Existing gates. When required by the fire code official, existing non-conforming gates shall comply with the Fire Department detail for security gates and control device details."

- (DD) The last sentence of Section 505.1 entitled "Fire Service Features; Premises Identification; Address numbers" is hereby amended to read as follows:

"Numbers shall be a minimum of 6 inches high with a minimum stroke width of 0.5 inch."

- (EE) Section 505 entitled "Fire Service Features; Premises Identification" is hereby amended by adding a new subsection 505.3 entitled "Change of address" thereto, to read as follows:

"505.3 Change of address. When required by the fire code official or the City Council, addresses shall be changed within 90 days to enhance the Fire Department's ability to locate the scene in response to an EMS or fire call."

- (FF) Section 506.1 entitled "Fire Service Features; Key Boxes; Where required" is hereby amended to read as follows:

"506.1 Where required. Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, or where there is an automatic fire sprinkler or fire alarm system, the fire code official is authorized to require a key box to be installed in an accessible location. The key box shall be an approved type and shall contain keys to gain access as required by the fire code official."

- (GG) Section 508.1 entitled "Fire Service Features; Fire Protection Water Supplies; Required water supply" is hereby amended by adding a new subsection 508.1.1 thereto entitled "Fire line construction", to read as follows

"508.1.1 Fire line construction. The fire line, from the control valve at the main to the flange within the building, shall be constructed of ductile iron pipe (350) unless otherwise permitted by the fire code official."

- (HH) Section 508.5.1 entitled "Fire Service Features; Fire Protection Water Supplies; Fire hydrant systems; Where required" is hereby amended to read as follows:

"508.5.1 Where required. Fire hydrants shall be provided in accordance with Appendix C and where required by the fire code official."

- (II) Section 508.5.4 entitled "Fire Service Features; Fire Protection Water Supplies; Fire hydrant systems; Obstruction" is hereby amended to read as follows:

"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. Parking shall not be permitted within 15 feet (4572mm) of a fire hydrant, fire department inlet connection or fire protection system control valves, except as otherwise approved by the fire code official."

- (JJ) Section 510 entitled "Fire Service Features; Fire Department Access to Equipment" is hereby amended by adding a new subsection 510.2 thereto entitled "Access to sprinkler riser room", to read as follows:

"510.2 Access to sprinkler riser room. An exterior door leading directly into the riser room, containing the fire sprinkler riser and shut-off controls, shall be required unless otherwise approved by the fire code official.

Exceptions:

1. When an approved alternate method of controlling the sprinkler water supply from the outside of the structure is provided and is accessible to the firefighters.
 2. When other access is approved by the fire code official.”
- (KK) Chapter 7 entitled “Fire-Resistance-Rated Construction” is hereby amended by adding a new section 705 thereto entitled “Sprinkler Alternative Walls (SAW)”, to read as follows:

**“SECTION 705
SPRINKLER ALTERNATIVE WALLS (SAW)**

Section 705.1 Sprinkler Alternative Wall. Sprinkler alternative walls are fire resistive walls constructed to relieve the building of the requirements of the City of Prescott fire sprinkler requirements and shall comply with Sections 705.1.1 through 705.1.11 of this code and sections 705.12.1 through 705.12.11 of the *International Building Code (IBC)*.

Section 705.1.1 Structural stability. Sprinkler alternative walls shall comply with IBC Section 705.2 for structural stability.

Section 705.1.2 Materials. Sprinkler alternative walls shall be constructed of 8 inch (203.2mm) solid grouted masonry, 8-inch (203.2mm) poured in place or tilt-up concrete.

Section 705.1.3 Horizontal continuity. Sprinkler alternative walls shall be continuous from exterior wall to exterior wall and shall extend at least 18 inches (457 mm) beyond the exterior surface of exterior walls.

Section 705.1.4 Exterior walls. Where the sprinkler alternative wall intersects the exterior wall, the exterior wall shall comply with IBC Section 705.5.1.

Section 705.1.5 Horizontal projecting elements. Sprinkler alternative walls shall extend to the outer edge of horizontal projecting elements such as balconies, canopies, marquees and architectural projections that are within 4 feet (1219mm) of the sprinkler alternative wall.

Section 705.1.6 Vertical continuity. Sprinkler alternative walls shall extend from the foundation to a termination point at least 30 inches (762mm) above both adjacent roofs.

Exception: Stepped buildings in accordance with IBC Section 705.12.6.1.

Section 705.1.6.1 Stepped buildings. Where a sprinkler alternative wall serves as an exterior wall for a building and separates buildings having different roof levels, such wall shall terminate at a point not less than 30 inches (762mm) above the upper roof level.

Section 705.1.7 Combustible framing in sprinkler alternative walls. Combustible framing as specified in IBC Section 705.7 is not allowed in sprinkler alternative walls.

Section 705.1.8 Openings. Openings in sprinkler alternative walls shall not be allowed.

Section 705.1.9 Penetrations. Penetrations in sprinkler alternative walls shall not be allowed.

Section 705.1.10 Joints. Joints in sprinkler alternative walls shall comply with Section 713 of the *International Building Code*.

Section 705.1.11 Ducts and air transfer openings. Ducts and air transfer openings in sprinkler alternative walls are not allowed."

- (LL) Section 901.2 entitled "Fire Protection Systems; General; Construction documents" is hereby amended by adding a new paragraph at the end thereof to read as follows:

"Automatic sprinkler systems designed in accordance with NFPA 13, 13D and 13R shall be submitted and reviewed bearing a review certification and signature of a minimum level III NICET Certified Engineering Technician (CET) or Arizona registrant. Fire alarm systems designed in accordance with NFPA 72 shall be reviewed and submitted bearing a review certification and signature of a minimum level III NICET Certified Engineering Technician or Arizona registrant."

- (MM) Section 901.4 entitled "Fire Protection Systems; General; Installation" is hereby amended by adding a new subsection thereto entitled "Qualified personnel" to read as follows:

"901.4.5 Qualified Personnel. Fire sprinkler and fire alarm system installation, modification or maintenance work shall receive direct supervision from a competent on-site person(s). The competent on-site person shall have in their possession documentation which proves their qualifications and a picture I.D. These documents must be presented to the fire code official upon request

The following certification cards are approved forms of qualification identification documents.

1. National Institute of Certification in Engineering Technology (NICET) fire alarm level 1 or fire sprinkler level 1; or
2. National Fire Protection Association (NFPA) certification or
3. Other certification acceptable to the fire code official such as; Factory trained and/or sponsored individual(s); or
4. A Codes and Standards Assessments (CSA) ID card for the appropriate level of work.

(NN) Section 902.1 entitled "Fire Protection Systems; Definitions" is hereby amended by adding the following definitions thereto:

"902.1 Definitions.

DETACHED BUILDING: A separate stand alone structure that is separated from other buildings by an approved distance in accordance with the requirements of the *International Building Code*.

EXISTING BUILDING: A building structure or facility which, is already in existence and constructed prior to the adoption of this code.

SPECULATIVE WAREHOUSE. A building designed for high piled combustible storage without a known commodity designation specified."

(OO) Section 903.2 entitled "Fire Protection Systems; Automatic Sprinkler Systems; Where required" is hereby amended by adding new paragraphs after the exception, to read as follows:

"In addition to the requirements of the fire and building codes, an approved automatic monitored sprinkler system shall be installed throughout all levels of all new Group B, E, F, M, R-3, U and S occupancies 5,000 square feet (1524000mm) or greater and in all buildings over 2 stories in height regardless of the total square footage. In Group R-3 occupancies, the calculated area shall include all livable and unfinished space, the area of any attached garage, concealed or accessible spaces intended for storage use and/or future living space, as determined by the Building Official. The installation of an approved Sprinkler Alternative Wall (SAW), when installed in accordance with this code and the IBC, may be used as a substitute for fire sprinkler requirements when approved by the fire code official.

Exceptions:

1. All Group R-1, R-2 and R-4 occupancies shall have an approved, monitored, automatic sprinkler system installed regardless of the square foot size.

2. All Group A occupancies shall have an approved, monitored, automatic, sprinkler system installed where there is an occupant load of 50 or greater.
3. Automatic sprinkler systems in R-3 and U occupancies shall not be required to be monitored.

Such systems shall be in accordance with the International Fire Code, *International Building Code* and installed in accordance with NFPA 13, 13D or 13R as specified by the fire code official.

Notwithstanding the foregoing, an automatic monitored fire sprinkler system may be installed in any building regardless of floor area."

- (PP) Section 903.2.1.1 entitled "Fire Protection Systems, Automatic Sprinkler Systems; Where Required; Group A-1 is hereby amended to read as follows:

"903.2.1.1 Group A-1.

An automatic sprinkler system shall be provided for all Group A-1 occupancies."

- (QQ) Section 903.2.1.2 entitled "Fire Protection Systems, Automatic Sprinkler Systems; Where Required; Group A-2" is hereby amended to read as follows:

"903.2.1.2 Group A-2

An automatic sprinkler system shall be provided for all Group A-2 occupancies.

- (RR) Section 903.2.1.3 entitled "Fire Protection Systems, Automatic Sprinkler Systems; Where Required; Group A-3" is hereby amended to read as follows:

"903.2.1.3 Group A-3

An automatic sprinkler system shall be provided for all Group A-3 occupancies.

- (SS) Section 903.2.1.4 entitled "Fire Protection Systems, Automatic Sprinkler Systems; Where Required; Group A-4" is hereby deleted.

"903.2.1.4 Group A-4

An automatic sprinkler system shall be provided for all Group A-4 occupancies.

- (TT) Section 903.2.2 entitled "Fire Protection Systems, Automatic Sprinkler Systems; Where Required; Group E" is hereby amended to read as follows:

"903.2.2 Group E

1. An automatic, monitored, sprinkler system shall be provided throughout all Group E fire areas 5,000 square feet (1524000mm) and greater in area or, the structure exceeds two stories in height. "

(UU) Sections 903.2.3 entitled "Fire Protection Systems, Automatic Sprinkler Systems; Where Required; Group F-1" is hereby amended to read as follows:

"903.2.3 Group F-1

1. "Where a Group F-1 fire area is 5,000 square feet (1524000mm) or greater.
2. Where a Group F-1 fire area is located more than two stories above grade; or;
3. Where the combined area of all Group F-1 fire areas on all floors, including any mezzanines, 5,000 square feet (1524000mm) or greater."

(VV) Numbers 1, 2 and 3 of Section 903.2.6 entitled "Fire Protection Systems; Automatic Sprinkler Systems; Where Required; Group M" is hereby amended to read as follows:

- "1. "Where a Group M fire area is 5,000 square feet (1524000mm) or greater.
2. Where a Group M fire area is located more than two stories above grade; or;
3. Where the combined area of all Group M fire areas on all floors, including any mezzanines, 5,000 square feet (1524000mm) or greater."

(WW) Section 903.2.7 entitled "Fire Protection Systems; Automatic Sprinkler Systems; Where Required, Group R" is hereby amended to read as follows:

"903.2.7 Group R. An automatic fire sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings within a Group R fire area. In Group R-3 occupancies 5,000 square feet (1524000mm) or greater, an automatic sprinkler system shall be installed throughout in accordance with Sections 903.2, 903.3 and 903.3.1.3 and when any of the following apply:

- A. The fire department access roads are obstructed by low water crossings without approved secondary access.
- B. The building site is located on a dead-end roadway which exceeds 1,300 feet (396240mm) from the nearest thoroughfare's intersection.

- C. The fire department access road exceeds a 12% grade.
- D. The fire hydrant spacing exceeds 500 feet (152400mm) on the nearest fire department access road or the required fire flow is not available.
- E. The most remote point of a building is located more than 150 feet (45720mm) from the closest point on fire apparatus access roadway(s) as measure by an approved route around the exterior of the building.
- F. There are congregate living facilities with more than 10 persons.
- G. If the structure is higher than two (2) stories as defined in the International Building Code.

Exceptions:

- 1. Manufactured mobile home built on a chassis, designed and built as a dwelling unit; and recreational vehicles that were not site built and are portable in nature.
 - 2. All new, detached, non-commercial use, U occupancy buildings, to include but not limited to Ramada's, gazebos, barns, sheds, private garages, or shops, etc., constructed on any residential R-3 parcel(s), not exceeding 700 square feet, and not having habitable space, separated from another adjoining structure by no less than 30 feet and located no more than 300 feet from an approved fire department access roadway, as accessed via an approved route to the structure, shall not be required to install a residential fire sprinkler system.
- (XX) Numbers 1, 2 and 3 of Section 903.2.8 entitled "Fire Protection Systems, Automatic Sprinkler Systems; Where Required; Group S-1" are hereby amended to read as follows:
- "1. "Where a Group S-1 fire area is 5,000 square feet (1524000mm) or greater.
 - 2. Where a Group S-1 fire area is located more than two stories above grade; or;
 - 3. Where the combined area of all Group S-1 fire areas on all floors, including any mezzanines, 5,000 square feet (1524000mm) or greater."

(YY) Section 903.2.8.1(1) and (2) entitled "Fire Protection Systems, Automatic Sprinkler Systems; Where Required; Group S-1; Repair Garages" is hereby amended to read as follows:

"903.2.8.1 Repair garages.

1. Buildings two (2) or more stories in height, including basements, with a fire area containing a repair garage is 5,000 square feet (1524000mm) or greater.
2. One-story buildings with a fire area containing a repair garage is 5,000 square feet (1524000mm) or greater."

(ZZ) Section 903.2.9 entitled "Fire Protection Systems, Automatic Sprinkler Systems; Where Required; Group S-2" is hereby amended to read as follows and by adding exceptions thereto:

"903.2.9 Group S-2. An automatic sprinkler system shall be provided throughout buildings where the fire area containing a Group S-2 occupancy is 5,000 square feet (1524000mm) or greater, including basements or where more than two stories in height.

Exceptions:

1. Open, non-combustible parking garages
2. Unenclosed, non-combustible shade structures or hangars"

(AAA) Section 903.2.10 entitled "Automatic Sprinkler Systems; Where Required; Windowless stories in all occupancies" is hereby amended to read as follows:

"903.2.10 All occupancies except Group R-3 and U. An automatic sprinkler system shall be installed in the locations set forth in Sections 903.2.10.1 through 903.2.10.3."

(BBB) Section 903 entitled "Fire Protection Systems; Automatic Sprinkler Systems" is hereby amended by adding a new subsection 903.2.14 thereto entitled "Fire Protection Systems; Automatic Sprinkler Systems; Where Required; Group B", to read as follows:

"903.2.14 Group B. An automatic monitored sprinkler system shall be provided throughout all Group B occupancies where any of the following exist:

1. Where Group B fire area is 5,000 square feet (1524000mm) and greater,
or

2. Where Group B fire area is located more than two stories above grade."

(CCC) Section 903.3.1.1.1 entitled "Fire Protection Systems; Automatic Sprinkler Systems; Installation requirements; Exempt locations" is hereby amended by deleting item number 4:

(DDD) Section 903.3.1.3 entitled "Fire Protection Systems; Automatic Sprinkler Systems; Installation requirements; NFPA 13D sprinkler systems" is hereby amended to read as follows:

"903.3.1.3 NFPA 13D sprinkler systems. Where installed, automatic sprinkler systems in one and two-family dwellings shall be constructed throughout in accordance with NFPA 13D, 901.2.1, and this code. NFPA 13-D systems shall include sprinklers in vehicle garages, livable spaces, and concealed or accessible spaces intended for storage use and/or future living space, as determined by the Building Official. Automatic sprinkler systems shall be provided throughout a fire area containing a Group R-3 occupancy where the fire area exceeds 5,000 square feet (1524000mm)."

(EEE) Section 903.3.5 entitled "Fire Protection Systems; Automatic Sprinkler Systems; Installation requirements; Water supplies" is hereby amended to read as follows:

"903.3.5 Water supplies. Water supplies for automatic sprinkler systems shall comply with this section and the standards in Section 903.3.1 through Section 903.3.7. The potable water supply shall be protected against backflow. The introduction of any toxic substance shall be prohibited. If a sprinkler system is connected to a potable water supply, the use of solutions other than that of pure glycerin (C.P. or U.S.P. 96.5 percent grade) or propylene glycol shall not be permitted."

(FFF) Section 903.3.5 entitled "Fire Protection Systems; Automatic Sprinkler Systems; Installation requirements; Water supplies" is hereby amended by adding a new subsection 903.3.5.3 entitled "Underground fire line" and 903.3.5.4 "Water requirements" thereto, to read as follows:

"903.3.5.3 Underground fire line. All underground fire lines shall be installed per, plans sealed by an Arizona registered Professional Engineer, NFPA 24, YAG Standards, approved by the fire code official, and installed, inspected, and certified by the design engineer, his representative or the fire code official."

"903.3.5.4 Water requirements. Automatic sprinkler system hydraulic calculations shall be based on the water supply data curve that is 90 percent of the available water supply curve (10% cushion)."

(GGG)Section 903.3 entitled "Fire Protection Systems; Automatic Sprinkler Systems; Installation requirements" is hereby amended by adding a new subsection

903.3.8 entitled "Speculative warehouse special requirements" thereto, to read as follows:

"903.3.8 Speculative warehouse special requirements. Speculative warehouses shall comply with Chapter 23, and this Chapter. Where the maximum allowable storage height can exceed 12 feet (3658mm) but less than 22 feet (6706mm) the following shall apply:

1. Design for a Class IV non-encapsulated commodity, double row rack storage, 8 foot (2,438mm) aisles and 286 degree sprinklers; and
2. Hydraulically design to protect the maximum possible clear height of storage without in-rack sprinklers; and
3. Add 500 GPM at the base of the riser for inside hose to hydraulic calculations, and provide the hose stub-outs for future installation or use existing columns for hose installing locations.

Where the maximum allowable storage height can exceed 22 feet (6706mm) the following shall apply:

1. Hydraulically design system to protect the maximum possible clear height of storage without in-rack sprinklers; and
2. Provide .64 GPM per square foot over the hydraulically most remote 2,000 square feet (609600mm); or use an approved alternative design such as ESFR sprinklers."

(HHH) Section 903.4 entitled "Fire Protection Systems, Automatic Sprinkler System; Sprinkler system monitoring and alarms" is hereby amended by deleting Exception Number 2 thereto.

(III) Section 903.4.2 entitled "Fire Protection Systems, Automatic Sprinkler System; Sprinkler system monitoring and alarms; Alarms" is hereby amended by adding new subsection 903.4.2.1 entitled "Occupant notification" thereto, to read as follows:

"903.4.2.1 Occupant notification. Approved occupant notification devices connected to the automatic fire sprinkler system shall be provided in the interior of the building, in normally occupied locations, as approved by the fire code official. Occupant notification alarms shall be in compliance with NFPA 72 and this code.

Exception: R-3 occupancies"

(JJJ) Section 903.4.3 entitled "Automatic Sprinkler Systems; Sprinkler System Monitoring and Alarms; Floor control valves" is hereby amended to read as follows:

"903.4.3 Floor control valves. When a building exceeds two (2) stories in height approved, supervised, indicating, control valves shall be provided at the point of connection to the riser on each floor.

Exception: R-3 occupancies"

(KKK) Section 903.6 entitled "Fire Protection Systems, Automatic Sprinkler System; Existing buildings" is hereby amended to read as follows:

"903.6 Existing buildings. The provisions of this section are intended to provide a reasonable degree of safety in existing structures not complying with the minimum requirements of the *International Building Code* by requiring installation of an automatic fire-extinguishing system. An approved, automatic, monitored, fire extinguishing system shall be provided throughout all existing buildings when Table 903.6 or any of the following occur / apply:

1. Any addition, to the interior or exterior of the structure, that increases the total floor area to 5,000 square feet (1524000mm) or greater or,
2. Any addition or conversion to an existing assembly occupancy that increases the occupant load by 10% or more or,
3. Any modification or alteration to an existing building, with a total floor area of 5,000 square feet (1524000mm) or greater, that breeches or removes a required fire rated wall assembly.
4. Occupied, unoccupied, and unused spaces within existing buildings, outside the scope of the change of use area, shall be provided with approved fire sprinkler and fire alarm system protection within 36 months of the fire protection system installation permit or as otherwise determined by the Fire Marshal with the approval of the Fire Chief.

The installation of a Sprinkler Alternative Wall (SAW) constructed in accordance with Section 705 of this code and Section 705.12 of the IBC may be used, in some cases, as a substitute for fire sprinkler requirements."

Exception: Group R-3 occupancies."

TABLE 903.6

SPRINKLER REQUIREMENTS BASED ON CHANGE OF OCCUPANCY FOR EXISTING STRUCTURES

		Current Occupancy Classification																											
		A-1	A-2	A-3	A-4	A-5	B	E	F-1	F-2	H-1	H-2	H-3	H-4	H-5	I-1	I-2	I-3	I-4	M	R-1	R-2	R-3	R-4	S-1	S-2	U		
Proposed Occupancy Classification	A-1	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	
	A-2	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R
	A-3	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R
	A-4	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R
	A-5	NA ¹	NA ¹	NA ¹	NA ¹	NA ¹	NA ¹	NA ¹	NA ¹	NA ¹	NA ¹	NA ¹	NA ¹	NA ¹	NA ¹	NA ¹	NA ¹	NA ¹	NA ¹	NA ¹	NA ¹	NA ¹	NA ¹	NA ¹	NA ¹	NA ¹	NA ¹	NA ¹	
	B	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
	E	NR ²	NR ²	NR ²	NR ²	NR ²	NR ²	NR ²	NR ²	NR ²	NR ²	NR ²	NR ²	NR ²	NR ²	NR ²	NR ²	NR ²	NR ²	NR ²	NR ²	NR ²	NR ²	NR ²	NR ²	NR ²	NR ²	NR ²	
	F-1	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR
	F-2	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR
	H-1	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R
	H-2	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R
	H-3	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R
	H-4	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R
	H-5	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R
	I-1	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R
	I-2	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R
	I-3	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R
	I-4	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R
	M	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR
	R-1	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R
	R-2	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R
	R-3	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR
	R-4	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R
	S-1	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR
	S-2	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR
	U	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA

R = Sprinklers required for proposed occupancy
 NR = Sprinklers not required EXCEPT when proposed occupancy is 5,000 square feet or greater.
 NA = Not Applicable, except under special circumstances. See Fire Code Official for current Fire Code/Amendment exceptions/requirements
¹ = Sprinklers are required for all concession stands, retail areas, press boxes, and accessory uses 1,000 square feet or greater
² = Any portion of an "E" occupancy that becomes an Assembly use within that occupancy classification will be required to install fire sprinklers

(LLL) Section 907.2 entitled "Fire Protection Systems; Fire Alarm and Detection Systems; Where required--new building and structures" is hereby amended to read as follows:

"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. Where automatic sprinkler protection, installed in accordance with Section 903.3.1.1 or 903.3.1.2, is provided and connected to the building fire alarm system, automatic heat detection required by this section shall not be required.

Where automatic sprinkler protection is provided, approved fire alarm system notification appliances shall be installed in all occupancies over 5,000 square feet (1524000mm) of floor area and in all buildings over two stories in height regardless of total square footage.

Exception: Group R-3 occupancies."

(MMM)Section 907.2.1 entitled "Fire Protection Systems; Fire Alarm and Detection Systems; Where required--new building and structures; Group A" is hereby amended by adding a new subsection 907.2.1.3 entitled "Audibility in new and existing buildings" thereto, to read as follows:

"907.2.1.3 Audibility in new and existing buildings. To ensure that audible, public mode, signals are clearly heard, a fire alarm system shall be arranged to stop or reduce ambient noise, when required by the fire code official."

(NNN) Section 907.20 entitled "Fire Protection Systems; Fire Alarm and Detection Systems; Inspection, testing and maintenance" is hereby amended by adding a new subsection 907.20.6 entitled "Required monitoring" thereto, to read as follows:

"907.20.6 Required Monitoring. When required by the fire code official, fire alarm systems shall be monitored by an approved central, proprietary, or remote station. Owners/tenants of buildings with required fire alarm systems must report to the fire department the name and location of the monitoring company for that system. The fire code official shall be notified within 24 hours of any change or cancellation by the monitoring company or of any changes thereto."

(OOO)Section 912.5 entitled "Fire Protection Systems; Fire Department Connections; Backflow protection" is hereby deleted in its entirety.

(PPP) Section 1008.1.2 entitled "Means of Egress; Door, Gates, and Turnstiles; Door swing" is hereby amended by amending Exception Number 4 to read as follows:

"4. Doors within or serving a single dwelling unit in Groups R-2, R-3 as applicable in Section 101.2 of the City of Prescott Code, and R-4."

(QQQ)Section 1410 entitled "Fire Safety During Construction and Demolition; Access for Fire Fighting" is hereby amended by adding a new subsection 1410.3 entitled "Access road and signage" thereto, to read as follows:

"1410.3 Access road and signage. During construction, approved signs shall be located, to direct emergency responders into and through the construction site, as required by the fire code official."

(RRR) Section 2403.2 entitled "Tents, Canopies and Other Membrane Structures; Temporary Tents, Canopies and Membrane Structures; Approval required" is hereby amended to read as follows:

"2403.2 Approval required. Tents and membranes structures having an area in excess of 400 square feet (121920mm) or canopies in excess of 700 square feet (213360mm) shall not be erected, operated or maintained for any purpose without first obtaining a permit and approval from the fire code official.

Exception: Tents used exclusively for camping purposes."

(SSS) Section 2403.5 entitled "Tents, canopies and other membrane structures; General; Use period" is hereby amended by adding a new paragraph and exception at the end thereof to read as follows:

"Use periods in excess of 180 days shall be regulated under the provisions of the International Building Code.

Exception: Use period may be extended as permitted by the fire code official."

(TTT) Section 2702.1 entitled "Hazardous Materials – General Provisions; Definitions; Definitions" definition of "Secondary Containment" is hereby amended to read as follows:

"SECONDARY CONTAINMENT. That level of containment that is external to and separate from primary containment and is capable of safely and securely containing the material, without discharge, for a period of time reasonably necessary to ensure detection and remedy of the primary containment failure."

(UUU) Section 3803.2.1.7 entitled "Liquefied Petroleum Gases; Installation of Equipment; Use of LP-gas containers in buildings; Portable containers; Use for food preparation" is hereby amended to read as follows:

"3803.2.1.7 Use for food preparation. Listed and approved LP-Gas commercial food service appliances shall be permitted to be used inside restaurants and in commercial food catering operations that are attended. No commercial food service appliances shall have more than two 10-ounce non-refillable butane gas containers with a maximum water capacity of 1.08 pounds per container connected directly to the appliance at any time.

Containers shall not be connected together by a manifold. The appliance fuel container(s) shall be an integral part of the listed, approved commercial food service device and shall be connected without the use of a hose. Butane containers shall be listed.

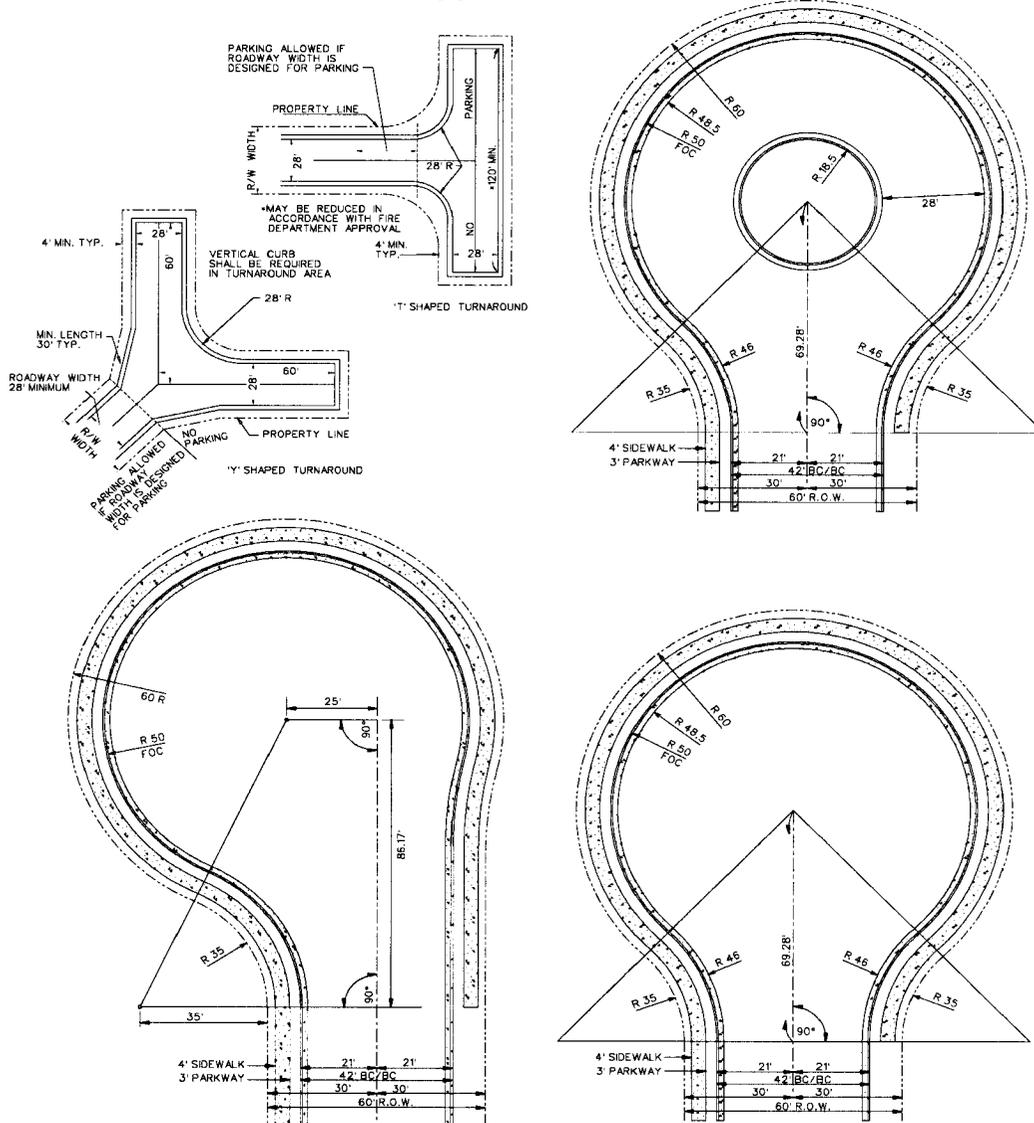
Storage in restaurants and at food service locations of 10-ounce butane non-refillable containers shall be limited to not more than twenty-four containers."

(VVV) Section D103.1 of Appendix D entitled "Fire Apparatus Access Roads; Minimum Specifications; Access road with a hydrant" is hereby amended by deleting this section in its entirety.

(WWW) Figure D103.1 entitled "Dead-End Fire Apparatus Access Road Turnaround" is hereby amended by replacing the illustration figure with an amended figure to illustrate and to read as follows:

[see illustration below]

**Figure D103.1
Dead-end fire apparatus access road turnaround**



(XXX) Section D103.2 entitled "Fire Apparatus Access Roads; Minimum Specifications; Grade" is hereby amended by deleting the exception and adding a new sentence at the end of section D103.2 to read as follows:

"D103.2 Grade. When a grade is approved by City Council in excess of 12 % on a fire department vehicle access roadway, fire sprinkler protection is required to be installed in accordance with Section 903 of the fire code. Any grades of 12% or greater shall not be permitted without prior approval of the City Council."

(YYY) Table D103.4 of Appendix D entitled "Requirements for Dead-End Fire Apparatus Access Roads" is hereby amended to read as follows:

**TABLE D103.4
REQUIREMENTS FOR DEAD-END FIRE APPARATUS ACCESS ROADS**

LENGTH (feet)	WIDTH (feet)	TURNAROUNDS REQUIRED
0-150	28	None required
151-750	28	120 feet Hammerhead, 60 feet "Y" or 100 feet diameter cul-de-sac in accordance with Figure D103.1
Over 750	Special approval required	Special approval required

(ZZZ) Figure D103.6 of Appendix D entitled "Fire Lane Signs" is hereby deleted in its entirety.

(AAAA) Section D103.6 of Appendix D entitled "Fire Apparatus Access Roads; Minimum Specifications; Signs" is hereby amended to read as follows:

"D103.6 Signs. Where required, by the fire code official, fire apparatus access roads shall be marked with permanent NO PARKING – FIRE – LANE signs complying with the provisions of the City of Prescott Fire Department fire lane sign detail."

(BBBB) Section D103.6 of Appendix D entitled "Roads 20 (6096mm) to 26 feet (7925mm) in width" is hereby amended by deleting Sections D103.6.1 and D103.6.2 in their entirety.

(CCCC)Section D107.1 entitled "Fire Apparatus Access Roads; One-or two-family residential developments" is hereby amended by deleting exception two and adding a new paragraph at the end thereof to read as follows:

"One or two family residential developments having more than 100 dwelling units shall be provided with two separate and approved fire apparatus access roads. One and two family residential developments having more than 200 dwelling units shall be provided with three or more approved fire apparatus access roads or as otherwise required through the discretion of the fire code official."



Prescott Fire Department
2086 Willow Creek Rd.
Prescott, AZ 86305
(928) 777-1760

Below are the proposed amendment changes to the 2006 International Fire Code.

The "Old" column represents amendments adopted with the 2003 International Fire Code. Amendments yet to be adopted are shown in the column titled "New".

Code	Old	New
Section 102.9 Conflicting Provisions	When code conflicts arise, the specific requirement shall be applicable.	Fire Chief will have final approval to enforce the code provisions when conflicts arise.
Section 503.2.8 Off-Street Parking	No off-street parking restrictions in the code	Off-street parking requirements where Council has approved streets less than 28' wide.
Section 901.2 Construction Documents	Minimum Level II NICET stamp required on fire sprinkler plans	Minimum Level III NICET stamp required on fire sprinkler and fire alarm plans.
Section 901.4.5 Qualified Personnel	No qualifications required to install a fire sprinkler and/or fire alarm system.	Qualified person shall install or supervise the installation of all fire sprinkler and fire alarm sys.
Section 903.2.7 Group R	New structures on residential lots such as sheds, barns, garages, shops, are required to install fire sprinkler systems when certain requirements apply.	Exception: New, non-commercial structures, such as barns, sheds, garages, etc., detached by 30 ft. or more, 700 sq. ft. or less of non-habitable space, 300 ft. or less from FD access road with clear access from the street to the structure.
Section 903.6 Existing Buildings	Fire sprinkler/alarm systems required to be installed in existing buildings when any one of the following occur: <ul style="list-style-type: none"> - Addition increasing sq. ft. to \geq 5,000 - Changing any portion of the building to an assembly use - Any building \geq 5,000 sq. ft. that has any change of occupancy to a more or less hazardous use. 	Fire sprinklers/alarms required to be installed in existing buildings when any of the following occur or per Table 903.6: <ul style="list-style-type: none"> - Any addition increases the sq. ft. to \geq 5,000 or - An addition or conversion of existing assembly occupancy that increase occupant load by 10% or more or - Any modification or alteration that breeches a fire wall or - Occupied, unoccupied or unused spaces in existing buildings, outside of the scope of the change of use area, will be required to have fire sprinkler/alarm systems installed within thirty-six (36) months or as required by the Fire Marshal and approved by the Fire Chief
Section 3301 Explosives and Fireworks	Amendments require minimal documentation to approve any blasting related activities.	New Explosives / Blasting requirements are moved to a separate standard, entitled "COP Explosives / Blasting Standards". The new Standard requires more precautions be taken by the contractor to ensure public safety.
Fee Schedule	Fees not current with industry standards	Make fees current with industry standards will provide resource for recovering costs to provide services.

**Community Interest Groups That Have Reviewed the
International Fire Code Amendments,
Explosives/Blasting Standards and Revised Fire Code Fees**

Interest Group	Method of Communication	Comments
1. Prescott Area Association of Realtors	E-mail	No comments
2. Yavapai Prescott Indian Tribe	E-mail	No comments
3. Architect International Assoc. Grand Canyon Chapter (Prescott)	E-mail	No comments
4. Prescott Chamber of Commerce	E-mail	No comments
5. Yavapai County Contractors Association	Meetings/E-mail July 24, 2007, June 12, 2008, June 13, 2008	Resolved issues; came to consensus
6. Local Blasting Contractors	Numerous Meetings	Resolved issues; came to consensus
7. Blasting Consultants	Numerous E-mails, & Meetings April 1, 2008	Commented
8. Fire Board of Appeals	Calls, E-mail, Meetings April 17, 2006, September 27, 2006, July 25, 2007, June 5, 2008, August 21, 2008	Commented
9. Sprinkler Contractors	Meetings	No Comments
10. Insurance Company	E-mail	No Comments
11. Prescott's City Council Members	E-mail	No Comments
12. Prescott's City Manager	E-mail	No Comments
13. Prescott's City Attorney	Numerous E-mails and Meetings	Resolved issues; came to consensus
14. Internal Departments, e.g. Building, Planning & Zoning, Public Works, Engineering, Legal	Meetings	Compared code & Fees
15. External Departments: Central Yavapai Fire District, Bullhead, Goodyear, Surprise, Lake Havasu, Oro Valley	Phone calls, E-mail and Meetings	Compared Fees
16. Yavapai County Building & Safety Department	Phone Calls, E-mail and Two Meetings	No Comments
17. Unified Development Committee	Meeting August 9, 2007	Consensus on off-street parking

COUNCIL AGENDA MEMO – (09-16-08)
DEPARTMENT: Fire
AGENDA ITEM: Adoption of the 2006 Explosives/Blasting Standard, a supplement to Chapter 33 of the 2006 Edition of the International Fire Code with, as proposed.

Approved By:	Date:
Department Head: Darrell Willis	
Finance Director: Mark Woodfill	
City Manager: Steve Norwood <i>Edward</i>	<i>09/11/08</i>

Background

The new edition of the International Fire Code (IFC), as published by the International Code Council (ICC) every three years is lacking an explosives/blasting standard. The fire department has created such a standard detailing a, "how to do what's required", document to supplement the "Explosives...Ch.33" of the 2006 Fire Code. The intent of this standard is to strengthen the protection of our community from blasting incidents.

In five (5) public and 20+ one-on-one meetings we have solicited input from diverse groups which include: local blasting contractors, Colorado and New Mexico explosives/blasting engineers, general contractors, other local fire authorities, Insurance Companies, the Prescott-Yavapai Indian Tribe, Yavapai County Contractors Assoc., Yavapai County Building & Safety Dept., the COP Building, P & Z, Engineering, Legal departments, Unified Dev. Code (UDC) Committee etc., and the Fire Board of Appeals. After these various public and one-on-one meetings all have come to endorse the adoption of the new explosives/blasting standard.

The adoption of this Explosives/Blasting Standard, as a supplement to the IFC, will provide more precautions, to ensure both public and firefighter safety, and will:

- ensure reasonable safety in the use, handling, and storage of explosives,
- clarify civilian safety requirements for blasters and fire inspectors,
- create equitable requirements for all blasters, dictate conditions for revoking permits, provide ground motion/air-blast records from required seismographs &
- will dictate what a non-compliant blast incident report is & adhere to pre-blast survey as required, etc.

Financial Impact

Our annual explosives/blasting revenues are in the \$1,000 to \$1,200 range for magazine and blasting permits. These funds help to off-set our costs for reviewing plans, conducting inspections, and writing permits.

Recommended Action: MOVE to adopt Resolution No. 3849-0912.
--

RESOLUTION NO. 3849-0912

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, ADOPTING BY REFERENCE THAT CERTAIN DOCUMENT ENTITLED "2008 CITY OF PRESCOTT EXPLOSIVES/BLASTING STANDARD, A SUPPLEMENT TO CHAPTER 33 OF THE 2006 INTERNATIONAL FIRE CODE" AS A PUBLIC RECORD, AND DIRECTING THE CITY CLERK TO RETAIN THREE COPIES THEREOF ON FILE

RECITALS:

WHEREAS, the City of Prescott wishes to adopt by reference that certain document entitled the "2008 City of Prescott Explosives/Blasting Standard, a supplement to Chapter 33 of the 2006 International Fire Code," as a public record.

ENACTMENTS:

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PRESCOTT AS FOLLOWS:

Section 1. THAT certain supplement to the 2006 International Fire Code entitled "2008 City of Prescott Explosives/Blasting Standard, a supplement to Chapter 33 of the 2006 International Fire Code," Exhibit A attached hereto and made a part hereof, is hereby declared to be a public record.

Section 2. THAT the City Clerk is hereby directed to maintain three (3) copies of the above referenced public documents on file at all times for inspection by the public.

PASSED AND ADOPTED by the Mayor and Council of the City of Prescott this 23rd day of September, 2008.

JACK D. WILSON, Mayor

ATTEST:

APPROVED AS TO FORM:

ELIZABETH A. BURKE, City Clerk

GARY D. KIDD, City Attorney

EXHIBIT 'A'**2008 CITY OF PRESCOTT EXPLOSIVES/BLASTING STANDARD
A SUPPLEMENT TO CHAPTER 33 OF THE 2006 INTERNATIONAL FIRE CODE****3309
PRESCOTT - GENERAL**

3309.1 Scope. This standard shall apply to the use, handling, manufacturing, and storage of explosive materials and to all blasting within the City limits of the City of Prescott (COP).

3309.2 Purpose. This standard is intended to provide reasonable safety in the use, handling, manufacturing, and storage of explosive materials. This "Explosives/Blasting Standard" shall serve as a supplement to the 2006 Edition of the International Fire Code, Chapter 33 and adopted amendments and shall direct fire department activities in managing all aspects of fire code compliance relating to explosives in the City of Prescott.

3309.3 Marked items

Any remaining explosive items or devices marked EXPLOSIVES or detonators (spent or non-spent) shall be removed from the blast site at the end of each day and properly stored or disposed of in the manner recommended by the manufacturer.

3309.4 Abandonment

Explosive materials or loaded holes shall not be left unattended at any time other than the proper storage in approved magazines.

3309.5 Misfires

The Blaster in Charge shall provide proper safeguards for excluding all unauthorized persons from the blast area whenever a misfire is found.

Misfires shall be handled under the direction of the Blaster in Charge of the blasting operation.

No other work shall be done except that necessary to remove the hazard of the misfire and only those individuals necessary to handle the misfire, under the direction of the Blaster in Charge, shall remain in the blast area.

Explosives shall not be extracted from a hole where there has been a misfire unless it is impossible or hazardous to detonate any unexploded materials by insertion of an

additional primer. If there are any misfires, everyone shall remain away from the blast area for at least:

1. one hour when using fuse detonators and safety fuse.
2. thirty minutes when using electric detonators.
3. 15 minutes when using a non-electric initiation system other than safety fuse.
4. 30 minutes when using electronic detonators unless the manufacturer recommends additional time before returning to the blast area.

If explosives are suspected of burning in a blast hole, all persons in the endangered area shall move to a safe location and no one shall return to the hole for at least one hour after evidence of combustion ceases.

Explosive materials recovered from misfires shall not be reused and shall be disposed of in the manner recommended by the manufacturer.

3309.6 Transfer of materials between vehicles, breakdown or collision

Explosive materials shall not be transferred from one vehicle to another, within the city limits, without informing the Fire Marshal or his/her designee first. In the event of a breakdown or collision of vehicles transporting explosive materials, the Fire Chief and Fire Marshal shall be immediately notified.

3309.7 Parking and Garaging

A vehicle transporting explosive materials shall not be parked before reaching its destination on any street, adjacent to or in the proximity of any bridge, tunnel, dwelling, building or place where people work, congregate, or assemble. Parking and garaging requirements for vehicles transporting explosives may be modified by the Fire Marshal or his/her designee.

3309.8 Blast Scheduling

All blasting shall be conducted between the hours of 9:00am and 4:00pm, Monday through Friday.

Exception: The Fire Marshal or his/her designee may approve alternative time periods for blasting, at their sole discretion, as deemed appropriate.

3309.9 Traffic and Access Control Plan A traffic and access control plan shall include warning signage, flagging, temporary road closures, and detour routes for blasting operations, or as otherwise required by Federal, State, or local Fire authorities / regulations or the Marshal or his/her designee.

Exception: Permit areas that are secured from entry by the general public or public roads that are beyond the blast area.

When using electric detonators, signs reading "BLASTING ZONE AHEAD" and "TURN OFF 2-WAY RADIOS" must be displayed on all roads within 1,000 feet of blasting operations.

During the loading and detonation of explosive materials, signs shall be conspicuously placed reading "Blasting Area" along the perimeter of any blasting area.

Access within the blasting area shall be controlled to prevent the presence of unauthorized persons during blasting and until an authorized representative of the Blaster in Charge has reasonably determined that no unusual hazards, such as misfired charges exist and access to, and travel within, the blasting area can be safely resumed.

3310 PRESCOTT - PROCEDURE

3310.1 General Blasting Requirements

3310.1.1 Explosives Permit to Operate a Blasting Business. Blasting contractors are required to have an "Explosives Permit to Operate a Blasting Business" in the COP. Blasting contractors are required to have at least one person associated with the business that holds a Certificate of Fitness Card. To obtain this permit, the applicant shall make application and submit or have on file the following:

- A valid Arizona Contractor's License document
- A valid Certificate of Insurance document
- A valid Certificate of Fitness Card or Card number in its employ
- A valid Federal Permit or Federal Explosives License
- Submit the required permit fee (A deposit of \$100.00 may be made to establish a permit pre-payment account).

3310.1.2 Explosives Magazine Permit. The use of an explosives magazine to store explosives within the COP requires an "Explosives Magazine Permit." To obtain an "Explosives Magazine Permit" the applicant, under the authority of the Licensed Contractor, shall make application at least three days prior to the temporary storage of explosive materials within the City limits and submit or have on file the following:

- A valid Arizona Contractor's License document
- A valid Certificate of Insurance document
- A valid Certificate of Fitness Card or Card number in its employ
- Payment of the required permit fee(s)

- A valid Federal Permit or Federal Explosives License.
- 2 copies of a scaled site plan of the proposed storage location for the magazine, showing distances to the closest inhabited dwellings, structures, utilities, and public right of ways.

An "Explosives Magazine Permit" will only be issued after plans have been submitted, reviewed, approved and the Fire Marshal or his/her designee has conducted an inspection of the site. A permit shall not be valid for more than 90 days without approval by the Fire Marshal or his/her designee.

3310.1.3 Site Blasting Permit Requirements.

3310.1.3.1 Qualifications. Blasting permits shall be issued to only those persons or entities who are licensed or permitted, as required by the Bureau of Alcohol, Tobacco, Firearms and Explosives in accordance with CFR PART 55, who are the holder of or are operating under a valid and current Arizona State Contractor's License, and who are a Certificate of Fitness cardholder as approved by the Prescott Fire Marshal or his/her designee.

Explosives handlers are required to obtain a "Site Blasting Permit" to conduct blasting in the City of Prescott. Site Blasting Permits are valid for 3 days or 30 days and are for a particular location. Site Blasting Permits may be obtained by phone or in person at the Fire Prevention Office. To obtain a "Site Blasting Permit" the applicant shall make application and submit or have on file the following:

1. A copy of a valid Certificate of Fitness card issued by the Fire Marshal or his/her designee to the blaster in charge.
2. A copy of the current contractor's license, issued by the State of Arizona Registrar of Contractors, for the type of operations proposed to be conducted such as an A-General Engineering, A-3, Blasting, AE (As restricted by Registrar) or C-15 license.
3. Certificate of Insurance. A valid copy of the contractor's insurance policy in the amount of no less than \$1,000,000, in favor of the city, subject to approval by the COP Attorney as to form and limits of coverage, shall be on record at the fire department.
4. Completed Permit Application.
5. A copy of the applicant's current Federal Permit or Federal Explosives License.
6. A blasting plan, for each job site, shall be submitted when required by the Fire Marshal or his/her designee. The blasting plan shall include, but is not limited to, burden and spacing, hole diameter, hole depth, blast design layout, weight of

explosives per hole, amount of stemming, powder factor, sequence of firing, maximum charge weight per time delay, type of covering if used (matting, dirt, etc.), etc.

7. A Hold Harmless and Indemnification Agreement in favor of the City of Prescott as approved by the City Attorney. (See page 4)
8. Pre-blast survey reports as required by the Fire Marshal or his/her designee. A waiver denying a pre-blast survey, signed by the building owner, may be required by the Fire Marshal or his/her designee.
9. Applicants shall submit a scaled blast site map. The map shall show the distance from the blast site to the nearest structure to include the location, and identity of all structures, buildings, and underground utilities that may be adversely affected by the blast, or as otherwise required by the Fire Marshal or his/her designee. The distance at which the blast may adversely affect the existing condition of structures, buildings, underground utilities shall be determined by the Blaster in Charge.
10. The applicant or contractor may be required to furnish, at his own expense, such additional information, as determined by the Fire Marshal or his/her designee, to evaluate the permit application. This may include, but is not limited to, the submission of a report prepared by a licensed professional engineer registered in the State of Arizona, Nevada, California, Utah, New Mexico, Colorado, or as otherwise required by the Fire Marshal or his/her designee.
11. Payment of all applicable fees. When the required information is verified and approved by the Fire Department a "Site Blasting Permit" and a permit number will be issued to the applicant.

3310.1.4. Details of Requirements for Obtaining Blasting Permits

3310.1.4.1 Permit Fees. All permit fees are in accordance with the current fee schedule adopted by City Resolution. Explosives permits and fees are required for the following activities:

- Certificate of Fitness cards – Good for 3-years
- 3-day site Blasting Permit – Good for 3-days at a specified location
- 30-day site Blasting Permit – Good for 30 days at a specified location
- Explosives Magazine Permit - Undetermined

3310.1.4.2 Financial responsibility. Before a permit is issued, as required by the International Fire Code Section 3301.2, the applicant shall file with the City of Prescott a surety bond in the principal sum of \$1,000,000 (one million dollars) or a public liability insurance policy for the same amount, for the purpose of payment of all damages to persons or property which arise from, or are caused by, the conduct of any act

authorized by the permit upon which any judicial judgment results. The Fire Marshal or his/her designee is authorized to specify a greater or lesser amount when, in his/her opinion, conditions at the location of use indicate a greater or lesser amount is required.

3310.1.4.3 Proof of Insurance. A valid Certificate of Insurance shall be on record with the Division of Fire Prevention or submitted to the Fire Marshal or his/her designee with each application, when applying for a permit, to conduct blasting operations.

The certificate shall be issued by an insurance company authorized to transact business in the State of Arizona, and the following information shall be identified:

1. The contractor shall be named as the insured. If the insurance is provided by an individual, company or partnerships other than the contractor, the contractor shall be named as an additional insured.
2. The City of Prescott, its officers, agents, employees and volunteers shall be named as additional named insures and additional certificate holder.
3. Commercial general liability limits, including contractual liability, in the minimum amount of \$1,000,000.00, per occurrence.

3310.1.4.4 Indemnification. Each permit, issued under the authority of this Chapter, shall contain the following indemnification provision:

"The permitted hereby fully indemnifies, holds harmless and agrees to defend the City of Prescott, its agents, officers and employees from any and all claims, expenses, losses, liability, actions, suits or demands, including legal defense costs thereof, of whatever nature, arising out of or connected with this blasting permit."

Exception: Government entities shall be exempt from this bond requirement.

3310.1.4.5 Certificate of Fitness Card Requirements. A Certificate of Fitness card shall be issued to individuals who submit the appropriate documentation issued by the U.S. Department of Justice Bureau of Alcohol, Tobacco, Firearms and Explosives, etc., or, who complete and pass an oral and/or written Fire Department exam, as approved by the Fire Marshal or his/her designee, and submit the completed application including finger prints and required permit fee(s).

Certificate of Fitness cards shall be valid for three years from the date of issuance unless revoked or suspended by the Fire Marshal or his/her designee.

Certificate of Fitness cardholders shall be re-certified every three years, on or before the date of issuance, by re-testing and passing, or having documentation of 16 hours of approved continuing education in the use, handling, and storage of explosive materials.

3310.1.4.6 Revocation or Suspension of Permit and/or Fitness Card. The Fire Marshal or his/her designee is authorized to suspend or revoke any permit or portion thereof or any Certificate of Fitness Card under the following circumstances:

1. The permit holder or Certificate of Fitness cardholder fails to follow the requirements of any Federal, State, or local regulations;
2. The permit holder or Certificate of Fitness cardholder fails to follow any condition of the permit;
3. The permit holder or Certificate of Fitness cardholder intentionally misrepresents or gives false information to the Fire Marshal or his/her designee in order to obtain or maintain a permit or Certificate of Fitness card;
4. The permit holder or Certificate of Fitness cardholder intentionally falsifies any record or report required to be submitted or kept by these regulations.
5. The use or storage of explosive materials under the authority of the Licensed Contractor or his/her Certificate of Fitness cardholder causes or may cause an imminent hazard to public health, safety, or welfare.

Upon notification, that a permit or Certificate of Fitness card has been suspended or revoked, all storage of explosive materials and blasting and drilling activities, as specified in the order, shall immediately cease and desist. All operations and all explosive materials shall be removed from the permit area immediately. Such notification shall be by any of the following methods:

1. Posting the notice at the permit area;
2. Personal service on individuals performing blasting operations;
3. Facsimile;
4. Telephone;
5. Electronic mail; or
6. First Class U.S. mail.

The Fire Marshal or his/her designee is authorized, but not required, to reinstate a suspended permit and/or Certificate of Fitness card at such time as the conditions that caused the suspension have been corrected. If the conditions have not been corrected, to the satisfaction of the Fire Marshal or his/her designee within 5 business days of the serving of the notice of suspension, the permit shall be automatically revoked. A permit and/or Certificate of Fitness card that has been revoked may not be reinstated to the original permit holder or original Fitness cardholder.

3311
PRESCOTT - SEISMOGRAPH

3311.1 Seismograph Monitoring Location(s) A minimum of one seismograph shall be placed and activated at the nearest structure or building to the blast site during each blast. Additional seismographs may be required by the Fire Marshal or his/her designee.

3311.2 Seismograph Monitoring Equipment The operation of all seismographs shall adhere to the following:

1. Blasting seismographs shall meet all specifications and be deployed in the field in accordance with the current International Society of Explosive Engineers (ISEE) guidelines entitled "Field Practice Guidelines for Blasting Seismographs" (www.isee.org).
2. The ground vibration and airblast measuring systems shall have a flat response between 2 and 200 Hz.
3. The ground vibration channels shall be set to trigger at 0.05 in/sec and the airblast channel shall be set to trigger at 125 dB and set on the maximum range. A higher airblast trigger of 132 dB shall be used during high wind conditions.
4. A wind screen shall be used to cover the airblast transducer to eliminate wind pressure interference with the airblast.
5. Geophones shall be well-coupled to the ground.
6. Seismograph settings shall prevent the overwriting of any and all seismograph events captured during blasting.
7. Seismic monitoring shall be conducted by someone who has had some training and experience to operate according to the manufacturer's guidelines.

3311.3 Ground Vibrations

1. Ground vibration shall be limited in accordance with Figure 1 on page 10. The use of Figure 1 requires seismograph monitoring at the closest structure.
2. Seismograph reports will be furnished to the Fire Marshal or his/her designee upon request to the blasting contractor. Seismograph reports shall include:
 - a. Date and time of recording(s)
 - b. Name of the person and firm taking the reading
 - c. Name of the person and firm analyzing the seismographic record

- d. Type of instrument, serial number and calibration signal or certification of annual calibration
- e. Trigger levels used for the ground motion and airblast
- f. Show location on a scaled map for each seismograph by address, if applicable
- g. Measured distance and direction from the blast to each seismograph
- h. Ground motion time histories for three mutually perpendicular components
- i. Airblast time history
- j. Peak particle velocity (PPV) and the frequency at the PPV
- k. Peak airblast in decibels (dB) and pounds per square foot (psf) and the frequency at the peak
- l. Maximum pounds of explosives per 8 milli-second (ms) delay for the blast

3311.4 Airblast Airblast shall not exceed the maximum limit of 133 dB sound pressure level equivalent of air pressure measured on a linear-weighted scale at the location of any building.

3311.5 Fly Rock Provisions to prevent and control fly rock shall be used when blasting in congested areas or in close proximity to a structure, railway, or highway or any other installation where the blasting may cause injury or damage as determined by the Blaster in Charge or the Fire Marshal or his/her designee.

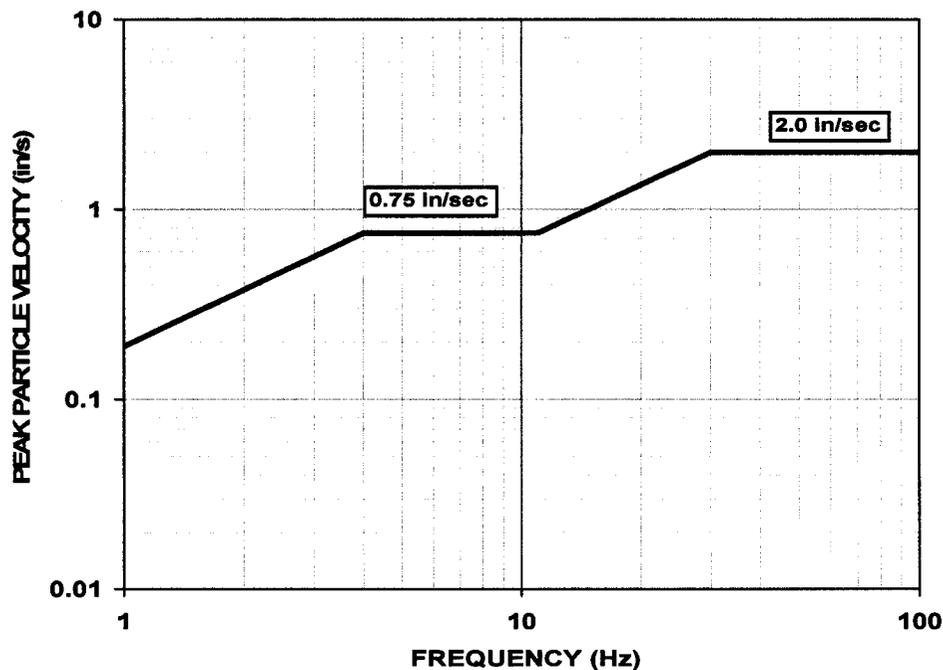


Figure 1: Maximum allowable peak particle velocity versus blast vibration frequency (NFPA Figure 11.1.2.1[b])

**3312
PRESCOTT – NOTIFICATION PLAN**

3312.1 Fire Communications Notification. The permit holder is required to contact Regional Communications Center at (928) 445-5357, a non-emergency dispatch telephone number, within 30 minutes prior to the five (5) minute warning signal or initiating any permitted blasting. The applicant shall provide information to Fire Dispatch as follows:

- Permit number
- Contractors name providing the blasting service
- Location of blasting site
- Date and time the blasting is proposed

3312.2 Written Public Notification. The contractor or his designee (permit holder) shall provide verbal and/or written notification to anyone within the distance required by the notification chart (Figure 2) no less than twelve (12) hours prior to the blast and/or as otherwise required by the Fire Marshal or his/her designee.

A blasting notification mailing shall be sent to all property owners, and homeowners associations with a copy provided to the Fire Marshal or his/her designee within the scaled notification distance from the perimeter of the Assessor’s parcel numbers or applicant’s designated blast site(s) upon which the blasting permit is requested no less than 7 days and no greater than 21 days prior to the start of blasting operations. When fewer than five (5) different property owners are within the notification distance, the applicant may propose a custom plan for informing these owners pursuant to this section. The Fire Chief and Fire Marshal may accept or modify this plan.

The notification distance for a blasting notification mailing shall be based on Figure 2. The distance from the perimeter of the Assessors Parcel Number containing the closest blast site for notifying property owners is the point where the weight intersects the line

Figure 2

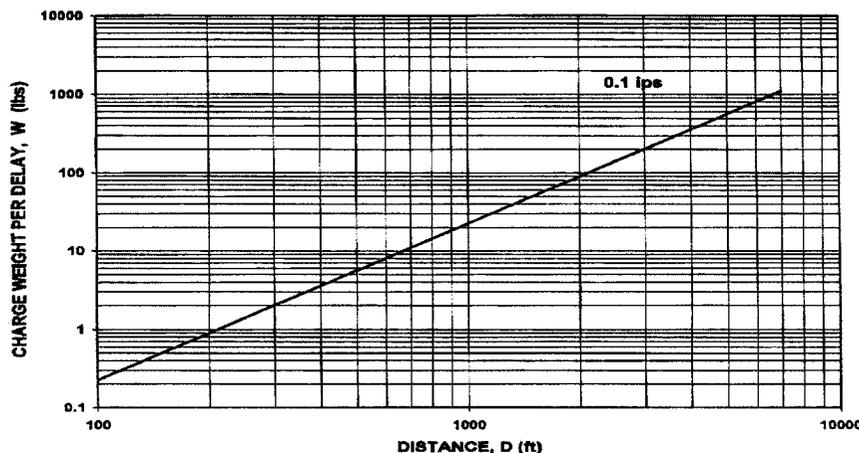


Figure 2 is based on the following equation: $D \text{ (ft)} = 210 * W^{1/2} \text{ (lbs)}$ where D is the scaled notification distance and W is the maximum charge weight per 8 ms delay.

on the chart. The weight is based on the applicant's statement stating the maximum anticipated pounds of explosives in any single delay.

3312.3 Notification Format. In the event notification is not "face to face" a door-hanger type of notice shall be hung on every occupancy within the distance required by the notification chart and shall include information as follows:

1. The contractor's and his/her company's name and phone number
2. The company's Blaster in Charge name and phone number
3. Dates and times blasting will be conducted
4. Duration of the blasting project

3313 PRESCOTT - REPORTING

3313.1 Blast Reports

The Certificate of Fitness cardholder shall maintain an accurate blast report for each blast. Blast reports shall be retained for at least 5 years. When requested, a copy of the blast report shall be submitted to the Fire Marshal or his/her designee.

The blast report shall contain, at a minimum, the following:

1. Name, signature and permit number of the Blaster in Charge and person for whom blasting operations are conducted
2. Date and time of detonation and location or address of the blast site
3. Type of material blasted
4. Total number of drill holes, their depth, diameter, and sub-drill depth
5. Burden, and spacing used in the blasting pattern
6. Type and height or length of stemming
7. Total pounds of each type of explosive used
8. Initiation system and delay periods used in design
9. Schematic showing the drill-hole pattern and detonation timing of each blast hole
10. Weather conditions, including those which may cause possible adverse blasting effects
11. The maximum weight of explosives detonated in an 8-millisecond period
12. Type and size of any fly rock protection devices used, if any
13. Distances in feet to and addresses of all closest buildings to the blast site in all directions
14. Reasons and conditions for each unscheduled blast

15. Type of delay caps used and delay periods used
16. The person taking the seismograph reading shall accurately indicate exact location of the seismograph and shall show the distance of the seismograph from the nearest point at the blast site in feet
17. Name of person and firm analyzing the seismograph record and readings
18. Sketch of blast pattern including number of holes, burden and spacing distance, delay pattern, hole profile and decking if used.

3313.2 Noncompliant Incident Report

When a blast exceeds established limits such as, but not limited to, ground vibration, airblast, or fly rock, as specified herein, the permit holder shall provide both written (e-mail, fax or hand delivered) and verbal (telephone or in-person) notification to the Fire Marshal or his/her designee using an approved form. The noncompliant incident report shall include all of the following:

1. State what specified limit was exceeded.
2. Complete copies of all seismograph reports showing full wave form time-histories, location of each seismograph and distances between each seismograph and the blast. If claiming a false wind event, a pre-blast noise event report (sensor confirmation test) must be submitted for one event before the actual blast in question, to demonstrate wind influence that may mask actual airblast time histories.
3. Explain why the specified limit was exceeded.
4. Outline corrective measures taken to prevent similar future occurrences.

If the incident caused injury, or damage to property, written notice shall be provided to the Fire Marshal or his/her designee within 1-hour of the time of the blast. This notice shall provide the City with the preliminary seismograph information and a preliminary damage assessment. A follow-up written report detailing the magnitude of the incident shall be provided within 24 hours of the time of the blast.

When a blast exceeds established limits as specified herein, and does not cause injury, or damage to property the permit holder shall file a written noncompliant incident report with the Fire Marshal or his/her designee within 24 hours of the event.

3313.3 Pre-blast Surveys

Pre-blast surveys shall comply with the following:

1. At the time of application for a blasting site permit, the blasting contractor, his designee, or his Certificate of Fitness cardholder may be required to provide written notification to all property owners within an area designated by the Fire

Marshal or his/her designee of their eligibility and procedure to request a pre-blast survey, prior to the issuance of a blasting permit. The blasting contractor, his designee, or his Certificate of Fitness cardholder, when required, shall provide a pre-blast survey to all requesting property owners within the area designated by the Blaster in Charge, Fire Marshal, or his/her designee.

2. When a pre-blast survey is conducted a high resolution digital camera shall be used.
3. The individual conducting the survey shall determine the condition of the building and shall document in writing, photographs and any supplemental sketches, any pre-blast damage and other physical factors that could reasonably be affected by the blasting to include the following:
 - A. Location and size of all existing cracks using a ruler or tape to depict size of crack.
 - B. Identify all walls and cracks both inside and outside with respect to compass orientation
 - C. Describe the drainage, (are eaves/down spouts away from the building?) type of roof, additions, foundation(s), vegetation and date the year the structure was built.
4. Utilities such as pipelines, cables, transmission lines, cisterns, wells, and other water systems warrant special attention; however, the assessment of these may be limited to surface conditions and other readily available data.
5. The written report of the survey shall be signed and dated by the person who conducted the survey.
6. Copies of pre-blast survey reports and any owner refusals shall be provided to the property owner and/or City of Prescott Fire Department upon request.

The Blaster in Charge shall use a seismograph to monitor each blast to assure compliance with (Figure 1), the Maximum Allowable Peak Particle Velocity versus Blast Vibration Frequency

3314

PRESCOTT - DEFINITIONS

AIR BLAST. An airborne pressure wave resulting from the detonation of explosives.

ATTEND. An unobstructed view of explosive material storage or within 100 feet (30.4m) of an explosive material transportation vehicle.

BLAST. Any detonation(s) of an explosive(s) being initiated simultaneously by a single energy source.

DECIBEL. Abbreviated as "dB"

BLAST AREA. The maximum distance surrounding the blast where flyrock, dust and toxic gases are expected to reach.

BLAST SITE. The area in which explosives materials are being or have been loaded and which includes all holes loaded or to be loaded for the same blast and for a distance of 50 (15 240mm) feet from the nearest hole in all directions.

BLASTER IN CHARGE (BIC). A person who holds a valid Certificate of Fitness card issued by the City of Prescott Fire Marshal or his/her designee and qualified to be in charge of and responsible for the design, loading and firing of an explosive and is responsible for compliance with the requirements of Federal, State, and Local Regulations.

BLAST HOLE. A hole drilled in the material to be blasted, for the purpose of containing an explosive charge, also called borehole or drill hole.

CERTIFICATE OF FITNESS. A card issued to an individual by the Prescott Fire Department upon successfully passing a written and/or oral examination, or possession of a valid Certificate of Fitness card issued by an authority approved by the Fire Marshal or his/her designee for the use, handling, manufacturing or storage of explosive materials within the City of Prescott.

EXPLOSIVE. Any chemical compound, mixture or device, the primary or common purpose of which is to function by explosion; including, but not limited to, water gel, slurries, emulsion, dynamites, pellet power, blasting caps, cast primers and boosters, detonating cord, detonating cord delay connectors, and blasting agents.

FIGURE 1. See page number 10. Maximum allowable peak particle velocity versus blast vibration frequency (NFPA Figure 11.1.2.1[b])

FLY ROCK. Rock and/or earth propelled from the blast area through the air or along the ground by the force of the detonated explosives.

MISFIRE. A charge of explosive material that fails to detonate completely after initiation.

PERMIT AREA. The area within the perimeter of the parcel(s) on which a blast site(s) exists.

PRE-BLAST SURVEY. A visual and written record of the examination of the existing observable conditions of a given building near an area where blasting is to be conducted. The purpose of the survey is to record the pre-blasting condition of the building and to document any observable defects or damage.

SPECIAL INSPECTION. Inspection(s) required by these regulations for the preparation and conducting of regulated blasting operations. The City reserves the right to conduct inspections at any time throughout the duration of the permit.

STORAGE (PERMANENT). Shall mean more than 90 days but less than 360 days. Permanent storage – 90 to 360 days. as defined in Chapter 33 (meaning over 90 days but less than 360) may be allowed by the Fire Marshal or his/her designee and shall be placed in an approved magazine for the storage of explosive materials and explosives and shall comply with Sections 3304.5.1 through 3304.5.3.3."

STORAGE (TEMPORARY). Shall mean no more than 90 days." Temporary storage – up to 90 days. As defined in Chapter 33, Temporary storage (up to 90 days) may be allowed by the Fire Marshal or his/her designee and shall be placed in an approved magazine and location for the storage of explosives and explosive materials and shall comply with Sections 3304.5.1 through 3304.5.3.3.

UTILITY. Any water, sewer, natural gas, electrical service, including unoccupied utility buildings, telecommunication line or distribution component, towers, and similar structures.

VELOCITY. The measurement of speed.

VELOCITY, PARTICLE. The velocity at which the earth vibrates, measured in inches per second.

VELOCITY, PEAK PARTICLE. The highest recorded particle velocity in any one of three mutually perpendicular directions.

VELOCITY, SEISMIC. The velocity at which a vibration or seismic wave travels outward from the source. It is measured in thousands of feet per second.

VIBRATION, BLASTING. The energy from a blast that manifests itself in vibrations which are transmitted through the earth away from the immediate blast area.

VIBRATION, GROUND. Shaking the ground, by elastic waves emanating from a blast; usually measured in inches per second of particle velocity.

VIBRATION, FREQUENCY. The number of cycles of vibration per unit of time. The units of frequency are in cycles per second or Hertz (Hz).

WIND SCREEN. A device used to cover the transducer end of an air pressure sensor to filter out high frequencies associated with wind-induced air pressure pulses.

COUNCIL AGENDA MEMO – (09-16-08)
DEPARTMENT: Fire
AGENDA ITEM: Adoption of the 2008 Revised Fee Schedule to the 2006 Edition of the International Fire Code, as proposed.

Approved By:	Date:
Department Head: Darrell Willis	
Finance Director: Mark Woodfill	
City Manager: Steve Norwood <i>[Signature]</i>	<i>09/14/08</i>

Background

New editions of the various fire codes are published by the International Code Council (ICC) every three years. As these codes become available they are reviewed by the fire department in conjunction with various community interest groups.

All of our current and proposed fees have always been calculated by comparison with other Arizona fire authorities within cities such as Sedona, Sun City, Lake Havasu, Sun City West, Avondale, Casa Grande, Bullhead City and Prescott Valley (Central Yavapai Fire District).

Since our fee schedule has been static, and not changed in the last five years, it is necessary that we re-evaluate our current situation and bring our fees more in line with our counterparts within similar size cities and towns in Arizona. While the cost of doing business is increasing, it is imperative that we adjust the fee schedule in order to maintain a cost effective Fire Prevention Division.

Attachment B shows the Revenue Trends for the past several years. Most of this revenue is generated by the sprinkler system and fire alarm system fees. The number shown on this chart for FY09 is for the first two months of this fiscal year.

Financial Impact

All fees collected, which is estimated to be approximately \$55,000 this fiscal year, are intended to off-set our costs of doing business. This revenue covers approximately one-eighth (1/8) of our total Fire Prevention budget.

- Attachments:**
- A) Comparison of Proposed Fees vs. Current Fees
 - B) Fire Prevention Revenue Trends – 07/98 to 08/09 (estimated)

Recommended Action: MOVE to adopt Resolution No. 3846-0909.
--

RESOLUTION NO. 3846-0909

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, RESCINDING RESOLUTION NUMBER 3454 AND ADOPTING A NEW RESOLUTION ESTABLISHING AND ADOPTING A REVISED FEE SCHEDULE PERTAINING TO FIRE DEPARTMENT PERMITS, INSPECTION FEES, LICENSING AND CERTIFICATION FEES, PLAN AND PLAT REVIEW FEES AND MISCELLANEOUS FIRE SERVICES FEES

RECITALS:

WHEREAS, the City Council has previously established fees pertaining to fire inspection, permitting, licensing and other related fees pursuant to Resolution No. 3454 and the Council wishes to now rescind this resolution and establish a new resolution setting forth current fees for such services commencing upon the effective date of this resolution.

ENACTMENTS:

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PRESCOTT AS FOLLOWS:

SECTION 1. THAT Resolution Number 3454 is hereby rescinded in its entirety.

SECTION 2. THAT the attached fee schedule, Exhibit A attached hereto, is hereby adopted.

SECTION 3. THAT the Mayor and staff are hereby authorized to take such steps as may be necessary to effectuate this resolution

PASSED AND ADOPTED by the Mayor and Council of the City of Prescott this 23rd day of September, 2008.

JACK D. WILSON, Mayor

ATTEST:

APPROVED AS TO FORM:

ELIZABETH A. BURKE, City Clerk

GARY D. KIDD, City Attorney

EXHIBIT A

FIRE CODE PLAN REVIEWS AND PERMITS		FEE
FIRE ALARM & DETECTION SYSTEM PLAN REVIEW & INSPECTIONS		
New installation under 5,000 sq. ft.		\$300
New installation 5,001 and over sq. ft.		\$300 + \$.005 per sq. ft.
Modifications		
Modification (including TI), 1 – 6 devices		\$100
Modification (including TI), 7 or More		\$150
AUTOMATIC FIRE SPRINKLER SYSTEM PLAN REVIEW & INSPECTIONS		
New Commercial Installation under 5,000 sq. ft.		\$375
New Commercial Installation 5,001 – or More sq. ft.		\$375 + \$.005 per sq. ft.
Modifications		
Modification 1 – 50 sprinklers		\$100
Modification 51 – or More sprinklers		\$150
AUTOMATIC FIRE SPRINKLER SYSTEM (13D RESIDENTIAL) PLAN REVIEW & INSPECTIONS		
New Residential Installation		\$160
Modifications/Additions		\$50
ALTERNATIVE FIRE-EXTINGUISHING SYSTEM PLAN REVIEW & INSPECTIONS		
New installation: foam, CO2, clean agent, chemical, etc.		\$200
New installation commercial cooking (Hood) - single system		\$165
FIRE PUMP		
New installation and modified		\$450
UNDERGROUND FIRE LINES		
Installation		\$220
SPRAY BOOTHS/DIPPING PLAN REVIEW & INSPECTIONS		
Pre-Manufactured Spray Booth		\$155
Non-Pre-Manufactured Spray Booth		\$350
FIRE DEPARTMENT ACCESS (PERMANENT)		
New installation - access gate (each)		\$100
LIQUID PERTROLEUM GAS PLAN REVIEW & INSPECTION		
New installation - Tank 250 – 500 Gallons		\$50
New installation – Tank 501 or More Gallons		\$100
HIGH-PILED COMBUSTIBLE STORAGE		
Plan Review		\$100

OTHER FIRE CODE PERMITS	FEE
TEMPORARY USE AND OPERATIONAL PERMITS	
TENTS, CANOPIES, MEMBRANE STRUCTURES	
Single tent 400 sq. ft. or greater installation	\$50
Single canopy 700 sq. ft. or greater installation	\$50
Each additional tent, canopy, or membrane structure installation	\$25
FIREWORKS/PYROTECHNICS DISPLAY	\$300
CARNIVALS AND FAIRS	\$200
AMUSEMENT BUILDING	\$150
EXHIBITS & TRADE SHOW	\$150
COMMERCIAL BURN PERMIT	
30 Day	\$50
90 Day	\$100
BLASTING	
3 Day Single Project, No On-Site Storage	\$25
30 Day Single Project, No On-Site Storage	\$75
Magazine Storage (each site)	\$150
BLASTING CERTIFICATION	
Blaster's License: Test and Certification	\$100
Blaster's License: Re-Certification Prior to Expiration	\$50
Blaster's License: Re-Certification & Testing after Expiration	\$100
OTHER FIRE CODE FEES	
Expedited plan review based on staff availability (normal review time 10 business days)	\$300
State/DHS, and County Inspections (per person, one hour minimum)	\$50 hr
After hours inspections (per person, three hour minimum)	\$50 hr
Standby personnel/fire watch (per person, three hour minimum)	\$50 hr
Standby personnel/fire watch with Type I Engine (minimum three personnel, three hour minimum)	\$50 hr/person \$120 hr vehicle
Re-inspection fee (after two inspections)	\$75
Public Records Request	\$10
Fire Investigation Pictures in Compact Disc format (each CD)	\$10

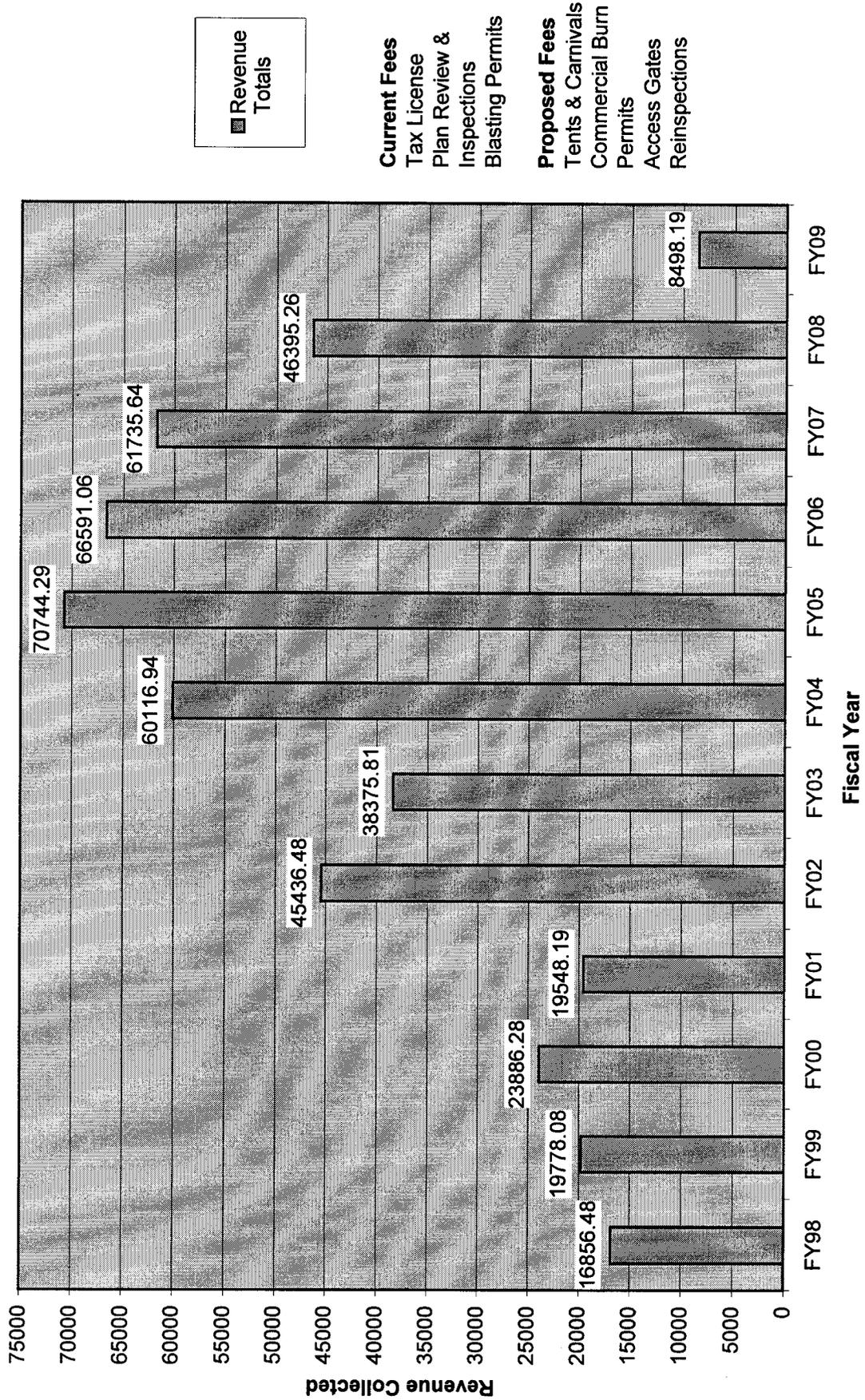
PROPOSED FEES VS. CURRENT FEES

FIRE CODE PLAN REVIEWS AND PERMITS	PROPOSED FEES	CURRENT FEES
FIRE ALARM & DETECTION SYSTEM PLAN REVIEW & INSPECTIONS		
New installation under 5,000 sq. ft.	\$300	Same
New installation 5,001 and over sq. ft.	\$300 + \$.005 per sq. ft.	Same
Modifications		
Modification (including TI), 1 – 6 devices	\$100	No Charge
Modification (including TI), 7 or More	\$150	\$100
AUTOMATIC FIRE SPRINKLER SYSTEM PLAN REVIEW & INSPECTIONS		
New Commercial Installation under 5,000 sq. ft.	\$375	Same
New Commercial Installation 5,001 – or More sq. ft.	\$375 + \$.005 per sq. ft.	Same
Modifications		
Modification 1 – 50 sprinklers	\$100	\$50
Modification 51 – or More sprinklers	\$150	\$100
AUTOMATIC FIRE SPRINKLER SYSTEM (13D RESIDENTIAL) PLAN REVIEW & INSPECTIONS		
New Residential Installation	\$160	Same
Modifications/Additions	\$50	New
ALTERNATIVE FIRE-EXTINGUISHING SYSTEM PLAN REVIEW & INSPECTIONS		
New installation: foam, CO2, clean agent, chemical, etc.	\$200	New
New installation commercial cooking (Hood) - single system	\$165	Same
FIRE PUMP		
New installation and modified	\$450	Same
UNDERGROUND FIRE LINES		
Installation	\$220	Same
SPRAY BOOTHS/DIPPING PLAN REVIEW & INSPECTIONS		
Pre-Manufactured Spray Booth	\$155	Same
Non-Pre-Manufactured Spray Booth	\$350	Same
FIRE DEPARTMENT ACCESS (PERMANENT)		
New installation - access gate (each)	\$100	New
LIQUID PERTROLEUM GAS PLAN REVIEW & INSPECTION		
New installation - Tank 250 – 500 Gallons	\$50	New
New installation – Tank 501 or More Gallons	\$100	New
HIGH-PILED COMBUSTIBLE STORAGE		
Plan Review	\$100	New

PROPOSED FEES VS. CURRENT FEES

OTHER FIRE CODE PERMITS	PROPOSED FEES	CURRENT FEES
TEMPORARY USE AND OPERATIONAL PERMITS		
TENTS, CANOPIES, MEMBRANE STRUCTURES		
Single tent 400 sq. ft. or greater installation	\$50	New
Single canopy 700 sq. ft. or greater installation	\$50	New
Each additional tent, canopy, or membrane structure installation	\$25	New
FIREWORKS/PYROTECHNICS DISPLAY	\$300	\$250
CARNIVALS AND FAIRS	\$200	New
AMUSEMENT BUILDING	\$150	New
EXHIBITS & TRADE SHOW	\$150	New
COMMERCIAL BURN PERMIT		
30 Day	\$50	New
90 Day	\$100	New
BLASTING		
3 Day Single Project, No On-Site Storage	\$25	New
30 Day Single Project, No On-Site Storage	\$75	\$25
Magazine Storage (each site)	\$150	New
BLASTING CERTIFICATION		
Blaster's License: Test and Certification	\$100	\$85
Blaster's License: Re-Certification Prior to Expiration	\$50	\$25
Blaster's License: Re-Certification & Testing after Expiration	\$100	\$85
OTHER FIRE CODE FEES		
Expedited plan review based on staff availability (normal review time 10 business days)	\$300	New
State/DHS, and County Inspections (per person, one hour minimum)	\$50 hr	Same
After hours inspections (per person, three hour minimum)	\$50 hr	Same
Standby personnel/fire watch (per person, three hour minimum)	\$50 hr	Same
Standby personnel/fire watch with Type I Engine (minimum three personnel, three hour minimum)	\$50 hr/person \$120 hr vehicle	New
Re-inspection fee (after two inspections)	\$75	New
Public Records Request	\$10	New
Fire Investigation Pictures in Compact Disc format (each CD)	\$10	New

Prescott Fire Prevention Revenue Trends for Fiscal Years July 1998 - August 2009



Revenue Totals

Current Fees
 Tax License
 Plan Review &
 Inspections
 Blasting Permits

Proposed Fees
 Tents & Carnivals
 Commercial Burn
 Permits
 Access Gates
 Reinspections

COUNCIL AGENDA MEMO – (09-16-08)
DEPARTMENT: Fire
AGENDA ITEM: Adoption of the 2006 Edition of the International Wildland Urban Interface Code with 2008 amendments, as proposed.

Approved By:	Date:
Department Head: Darrell Willis	
Finance Director: Mark Woodfill	
City Manager: Steve Norwood <i>SNorwood</i>	<i>09/11/08</i>

Background

New editions of the International Wildland Urban Interface Code (IWUIC) are published by the International Code Council (ICC) every three years. When the most current IWUIC edition becomes available it is reviewed by the fire department along with other special interest groups, in the review and comment phases, by inviting them to various public meetings and soliciting their input when writing our local amendments/changes.

In the fall of 2002 Prescott became the first municipality, in the state, to adopt the International Wildland Urban Interface Code. Currently five (5) additional jurisdictions have adopted the IWUIC in Arizona. Prescott's wildland fire mitigation program is looked upon as a national model.

The following organizations support the IWUIC along with its amendments: U of A Cooperative Extension, COP Water Conservation Coordinator, Arizona Public Service, Groom Creek Fire District, Prescott Area Wildland Urban Interface Commission, Prescott National Forest, Allstate Insurance Company, Yavapai County Contractors Association, Yavapai County Growers and Landscapers Association, HOA Presidents Circle, and HOA Firewise Communities, and the Fire Board of Appeals.

The following changes to the amendments are:

- Tree count has been reduced form 200 to 80 trees per acre,
- irrigation requirements have been eliminated,
- the wildland urban interface zone map has been reconfigured,
- power line clearance requirements have been revised and
- an exemption has been added for designated riparian areas.

Recommended Action: Move to adopt Resolution No. 3848-0911.
--

RESOLUTION NO. 3848-0911

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, ADOPTING THOSE CERTAIN DOCUMENTS ENTITLED THE "2006 INTERNATIONAL WILDLAND-URBAN INTERFACE CODE," AS ADOPTED BY THE INTERNATIONAL CODE COUNCIL, INC., AND THAT CERTAIN DOUMENT ENTITLED "CITY OF PRESCOTT 2008 AMENDMENTS TO THE 2006 INTERNATIONAL WILDLAND-URBAN INTERFACE CODE" AS A PUBLIC RECORD, AND DIRECTING THE CITY CLERK TO RETAIN THREE COPIES THEREOF ON FILE

RECITALS:

WHEREAS, the City of Prescott wishes to adopt that certain document entitled the "*2006 International Wildland-Urban Interface Code*" as adopted by the International Code Council, Inc., as a public record, and

WHEREAS, the City of Prescott wishes to adopt that certain document entitled "*City of Prescott 2008 Amendments to the 2006 International Wildland-Urban Interface Code*", Exhibit A attached hereto and made a part hereof, as a public record.

ENACTMENTS:

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PRESCOTT AS FOLLOWS:

Section 1. THAT certain document entitled the "*2006 International Wildland-Urban Interface Code*" as adopted by the International Code Council, Inc., is hereby declared to be a public record.

Section 2. THAT certain document entitled the "*City of Prescott 2008 Amendments to the 2006 International Wildland-Urban Interface Code*," Exhibit A attached hereto and made a part hereof, is hereby declared to be a public record.

Section 3. THAT the City Clerk is hereby directed to maintain three (3) copies of the above referenced public documents on file at all times for inspection by the public.

PASSEDAND ADOPTED by the Mayor and Council of the City of Prescott this 23rd day of September, 2008.

JACK D. WILSON, Mayor

ATTEST:

APPROVED AS TO FORM:

ELIZABETH A. BURKE, City Clerk

GARY D. KIDD, City Attorney

EXHIBIT 'A'**CITY OF PRESCOTT 2008 AMENDMENTS TO THE
2006 INTERNATIONAL WILDLAND-URBAN INTERFACE CODE**

- (A) Section 101.1 entitled "Administration; General; Title" is hereby amended to read as follows:

"101.1 Title. These regulations shall be known as the Wildland-Urban Interface Code of the City of Prescott, hereinafter referred to as "this code"."

- (B) Section 101.2 entitled "Administration; General; Scope" is hereby amended to read as follows:

"101.2 Scope. The provisions of this Code shall apply to any new construction or the moving of any building, structures or premises into or within the Wildland-Urban interface areas of the City of Prescott. This area is designated on the City of Prescott Wildland-Urban Interface Vegetation Management Map as referenced in and as Appendix "B-1" of this Code.

Exceptions:

1. Remodeling or additions, including but not limited to, decks of existing buildings or structures are exempt.
2. Modular / manufactured buildings affixed on an individual lot are exempted from the construction requirements of this code but are required to comply with the vegetation requirements.
3. Any commercial, multi-family, townhouse, or triplex and larger resource, including but not limited to, buildings, structures, landscapes, streetscape features or sites may be exempted from this code if, it is determined by the Building Official or Community Development Director, and approved by the Fire Chief, that the exemption of said resource will not create an additional fire hazard in the immediate vicinity of the resource.
4. Any cultural resources, including but not limited to, buildings, structures, landscapes, streetscape features or sites may be exempted from this code if,
 - (a) it is listed in or officially determined eligible for, the National, State of Arizona or City of Prescott Register of Historic Places or is located within a Historic Preservation District and
 - (b) it is determined by the City of Prescott Historic Preservation Specialist or the Community Development Director, and approved by the Fire Chief, that the exemption of said resource will not

create an additional fire hazard in the immediate vicinity of the resource."

5. Any area designated by the City of Prescott to be riparian providing that the exemption of said resource will not create an additional fire hazard in the immediate vicinity of the resource.
- (C) The first paragraph of Section 101.3 entitled "Administration; General; Objective" is hereby amended to read as follows:
- "101.3 Objective.** The objective of this Code is to establish minimum regulations consistent with nationally recognized good practice for the safeguarding of life and property. Regulations in this Code are intended to mitigate the risk to life and structures from intrusion of fire from wildland fire exposures and fire exposures from adjacent structures and to mitigate structure fires from spreading to wildland fuels. A tiered level approach may be applied, commensurate with the relative level of hazard present, under special circumstances when approved by the Fire Code Official."
- (D) Section 105.2 entitled "Administration; Permits; Permits required" is hereby amended by deleting the third paragraph therein and the fourteen subsections thereunder, and to replace said paragraph with the following new paragraph, to read as follows:
- "105.2 Permits Required.** Permits are required in accordance with Sec. 105.6 of the International Fire Code."
- (E) Item 1 of Section 105.3 entitled "Administration; Permits; Work exempt from permit" is hereby amended to read as follows:
- "105.3 Work exempt from permit.**
1. One-story detached accessory buildings used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 200 square feet and the structure is located more than thirty (30) feet from the nearest adjacent structure."
- (F) Section 105.8 entitled "Administration; Permits; Expiration" is hereby amended to read as follows:
- "105.8 Expiration.** Every permit issued or extended by the code official under the provisions of this code shall expire as set forth in said permit."
- (G) Section 106.3 entitled "Administration; Plans and Specifications; Site Plan" is hereby amended by adding the following sentence at the end of said section:
- "Additional information may be required to be submitted on the site plan by the code official."

- (H) Section 106.4 entitled "Administration; Plans and Specifications; Vegetation Management Plans" is hereby amended to read as follows:

"106.4 Vegetation Management Plans. Vegetation management plans shall be prepared and shall be submitted to the code official for review and approval as part of the plans required for a permit. See Appendix B."

- (I) Section 202 entitled "Definitions; Definitions" is hereby amended by changing the definition of "Driveway", to read as follows:

DRIVEWAY. A vehicle ingress and egress route that serves no more than two buildings or structures, not including accessory structures, or more than two dwelling units.

- (J) Section 202 entitled "Definitions; Definitions" is hereby amended by adding the following definitions: "Aerial Fuel", "Forest Floor", "Heavy Timber Construction", "Ladder Fuel", and "Surface Fuel".

"AERIAL FUEL shall mean all live and dead vegetation in the forest canopy or above surface fuels, including but not limited to tree branches, twigs and cones, snags, and high brush.

FOREST FLOOR shall mean fresh and decomposing organic litter which forms the surface layer of a soil under forest vegetation

HEAVY TIMBER CONSTRUCTION (HT) as defined by the International Building Code is classified as Type IV construction. HT beams/girders shall be not less than 6 inch nominal in width and not less than 10 inch nominal in depth. Post/columns shall be not less than 8 inches nominal, in any dimension when supporting floor loads.

LADDER FUEL shall mean flammable materials occurring between surface fuels and aerial fuels which act as a ladder to facilitate the spread of a surface fire to tree crowns, or a crown fire down to the surface.

SURFACE FUEL shall mean loose surface litter on the soil surface to include grasses, shrubs and tree seedlings available to burn."

- (K) Section 302.1 entitled "Wildland-Urban Interface Areas; Wildland-Urban Interface Area Designations; Declaration" is hereby amended to read as follows:

"302.1 Declaration. The Prescott City Council hereby declares the Wildland-Urban interface area within the City limits as shown in Appendix B-1. The Wildland-Urban interface area is based on the findings of fact as follows:

The seasonal climatic conditions during the late spring and early summer create numerous serious difficulties regarding the control of and protection against fires in the City of Prescott.

Average Maximum temperatures of 88.9 degrees in July

Relative Humidity: 10 to 15% in May and June

28 days of extreme fire weather conditions from end of April through July

Live Fuel Moisture in Chaparral from 61.8% in April to 86.4% in August.
(Anything under 80% will burn)

Fuel moisture in 1000 hour fuels is 5%

Winds: 35 to 40 MPH

Numerous dry lightning strikes.

Prescott has predominately fuel model 4 (Chaparral) which is found in, or exposing, all of the "at risk neighborhoods". This includes Oak brush (scrub oak) and Manzanita.

Utilizing fuel model 4 scenarios as an example, the rate of spread could be 721' per minute. The flame lengths could be 57' high. Burning brands can spot ahead of the fire for a distance of 2.1 miles, and ignite additional fires. The fire could consume 5,641 acres in one hour and spread a distance of 8.1 miles. The perimeter of the fire would be 90,321 feet. This type of fire is uncontrollable by the on duty fire forces due to lack of staffing and lengthy response times. This fire could result in a major structural conflagration. The fire could spread across the Prescott Basin at the interface."

- (L) Section 302.2 entitled "Wildland-Urban Interface Areas; Wildland-Urban Interface Area Designations; Mapping" is hereby amended to read as follows:

"302.2 Mapping. The Wildland-Urban interface areas are defined as high-risk areas designated on the Prescott Urban Wildland Interface Vegetation Management Map as referenced in Appendix B-1."

- (M) Section 302.3 entitled "Wildland-Urban Interface Areas; Wildland-Urban Interface Area Designations; Review of Wildland-Urban Interface Areas" is hereby amended to read as follows:

"302.3 Review of Wildland-Urban Interface Areas. The Code official shall reevaluate and recommend modifications to the Wildland-Urban areas in accordance with Section 302.1 as frequently as deemed necessary by the Fire Chief or the City Council."

- (N) Section 402.1.2 entitled "Wildland-Urban Interface Area Requirements; Applicability; Subdivisions; Water supply" is hereby amended to read as follows:

"402.1.2 Water supply. New subdivisions and other residential developments as determined by this jurisdiction shall be provided with water supply in accordance with Section 404 and in accordance with the International Fire Code. Structures shall have a water hose bib installed to accommodate the use of a garden hose on the exterior of each side of all dwelling units."

- (O) Section 402.2.2 entitled "entitled "Wildland-Urban Interface Area Requirements; Applicability; Individual Structures; Water Supply" is hereby amended to read as follows:

"402.2.2 Water Supply. Individual structures hereafter constructed or relocated into or within Wildland-Urban interface areas shall be provided with a conforming water supply in accordance with Section 404, and in accordance with the International Fire Code. Structures shall have a water hose bib installed to accommodate the use of a garden hose on the exterior of each side of all dwelling units.

Exception: Buildings containing only private garages, carports, sheds and agricultural buildings with a floor area of not more than 600 square feet."

- (P) The second paragraph of Section 403.2 entitled "Wildland-Urban Interface Area Requirements; Access; Driveways" is hereby amended to read as follows:

"403.2 Driveways. A driveway shall not serve in excess of two dwelling units."

[The exception remains]

- (Q) Section 403.7 entitled "Wildland-Urban Interface Area Requirements; Access; Grade" is hereby amended to read as follows:

"403.7 Grade. When a grade is approved in excess of 12% on a fire department vehicle access roadway, fire sprinkler protection is required to be installed in accordance with Section 903 of the fire code. Any grades of 12% or greater shall not be permitted without the approval of the City Council."

- (R) Exceptions 1 and 2 to Section 501.1 entitled "Special Building Construction Regulations; General; Scope" are hereby amended to read as follows:

"Exceptions:

1. Accessory structures not exceeding 120 square feet (11 m²) in floor area when located at least 30 feet from buildings containing habitable spaces.
2. Agricultural buildings at least 30 feet from buildings containing habitable spaces."

- (S) Section 502.2 entitled "Special Building Construction Regulations; Fire Hazard Severity; Fire hazard severity reduction" is hereby amended to read as follows:

"502.2 Fire hazard severity reduction. The application of this section may be used only when approved by the Code Official. When the Code Official has determined that special circumstances exist and all other alternatives have been exhausted, the Code Official may consider the application of this section as an alternative to comply with the intent of the code. The fire hazard severity of building sites for all buildings hereafter constructed, modified or relocated into Wildland-Urban Interface areas shall be established in accordance with Table 502.1. See also Appendix C."

- (T) Section 503.1 entitled "Special Building Construction Regulations; Ignition-Resistant Construction; General" is hereby amended to read as follows:

"Section 503.1 General. Building and structures hereafter constructed, modified or relocated into or within Wildland-Urban Interface areas shall meet the construction requirements in accordance with Section 504.

Table 503.1 entitled "Ignition-Resistant Construction", may be applied when approved to do so by the Code Official, and shall be in accordance with Sections 505 and 506."

- (U) Section 504.2 entitled "Special Building Construction Regulations; Ignition-Resistant Construction; Roof Covering" is hereby amended by adding an exception to read as follows:

"Exception: Santa Fe style flat roofs"

- (V) Section 504.3 entitled "Special Building Construction Regulations; Ignition-Resistant Construction; Protection of Eaves" is hereby amended by adding a new paragraph at the end thereof, to read as follows:

"Soffits may be protected by use of 5/8-inch re-sawn plywood or an equivalent. Open eaves are allowed when constructed of heavy timber."

- (W) Section 504.5 entitled "Special Building Construction Regulations; Ignition-Resistant Construction; Exterior Walls" is hereby amended by adding two new paragraphs at the end thereof, to read as follows:

"Exterior walls constructed of ignition resistant materials such as cement plaster (vener one-coat stucco), fiber cement board or other masonry products, as approved by the code official, are allowed and acceptable.

Where wood siding of any type is used, there shall be required a ten (10) foot clearing of all vegetation and a ten (10) foot minimum setback to all property lines."

- (X) Section 504.7 entitled "Special Building Construction Regulations; Ignition-Resistant Construction; Appendages and Projections" is hereby amended to read as follows:

"504.7 Appendages and Projections. Unenclosed accessory structures attached to buildings with habitable spaces and projections, such as decks, the structural support members (post, beams), of said structures and other appendages, shall be a minimum of one-hour-rated fire-resistive construction, heavy timber construction, in accordance with the International Building Code (IBC), or constructed of approved noncombustible materials. Any under floor space 24 inches or less from the bottom of a floor joist to the ground shall be required to be a patio with a stem wall and a solid floor constructed of noncombustible material."

- (Y) Section 504.8 entitled "Special Building Construction Regulations; Ignition-Resistant Construction; Exterior Glazing" is hereby amended to read as follows:

"504.8 Exterior Glazing. Exterior windows, window walls, glazed panels and glazed doors must have a 20-minute fire rating or adhere to the following criteria: Glass must be of double pane or laminate construction. Single pane materials are prohibited. Acrylic block windows are prohibited. Skylights must be constructed of insulated tempered or heat strengthened laminate glass. Solar tube sky lights must have a maximum exposed plastic lens no larger than sixteen (16) inches in diameter and be used in conjunction with a class "A" roof.

Vinyl frame window assemblies are acceptable and must comply with the following:

1. Frame and sash are comprised of vinyl material with welded corners, and
2. Metal reinforcement in the interlock area, and
3. Frame and sash profiles are certified in American Architectural Manufacturers Association (AAMA) Lineal Certification Program (verified with either an AAMA product label or Certified Products Directory) and
4. Certified and labeled to ANSI / AAMA / NWWDA 101/I.S.2-97 for structural requirements, and
5. Glazed with insulating glass, annealed or tempered glass."

- (Z) Section 504.9 entitled "Special Building Construction Regulations; Ignition-Resistant Construction; Exterior Doors" is hereby amended to read as follows:

"504.9 Exterior Doors. Exterior doors shall be solid-core wood not less than 1 3/4-inches (45mm) thick, or doors shall have a minimum 20-minute fire rating or comply with the following criteria: Doors to have a minimum 1 3/4-inch (45 mm) thick stile and rail. Wood doors to have a minimum panel thickness of 3/4-inch measured at center of panel. Alternate door materials include 1/16-inch or larger fiberglass composite or Masonite skin when used with a laminate, hardwood, or

composite interior perimeter core and a 1 3/4-inch stile and rail. Metal doors must have a minimum 26-gauge skin.

Doors with glass within the door must have minimum double glazed tempered or tempered laminate glass bound in fiberglass, composite or wood frame and have a minimum stile and rail thickness of 1 3/4-inches. Windows within doors and glazed doors shall be in accordance with requirements of section 504.8.

Exception: Vehicle Access Doors."

- (AA) Section 504.10 entitled "Special Building Construction Regulations; Ignition-Resistant Construction; Vents" is hereby amended to read as follows:

"504.10 Vents. Attic ventilation openings, foundation or under-floor vents, or other ventilation openings in vertical exterior walls and vents through roofs shall be covered (inside or outside) with noncombustible, corrosion-resistant mesh with openings not to exceed 1/8 inch (3.2mm).

Attic ventilation openings in soffits, eave overhangs, between rafters at eaves or in other overhang areas shall be allowed. These vent openings are required to be located as close to the fascia as is possible. Such ventilation openings shall be covered (inside or outside) with a noncombustible, corrosion resistant mesh with openings not to exceed 1/8 inch (3.2mm)."

- (BB) Section 504.11 entitled "Special Building Construction Regulations; Ignition-Resistant Construction; Detached accessory structures" is hereby amended to read as follows:

"504.11 Detached accessory structures. Detached accessory structures located less than thirty (30) feet from a building containing habitable space shall have exterior walls constructed with materials approved for a minimum of one-hour-rated fire-resistive construction, heavy timber, log wall construction, or constructed with approved noncombustible materials on the exterior side.

The area below the structure shall have all under-floor areas enclosed with exterior wall construction in accordance with Section 504.5 or under-floor protection in accordance with Section 504.6.

See Section 504.2 for roof requirements."

- (CC) Section 602 entitled "Fire Protection Requirements; Automatic Fire Sprinkler Systems" is hereby amended to read as follows:

**"SECTION 602
AUTOMATIC FIRE SPRINKLER SYSTEMS**

602.1 General. An approved automatic fire sprinkler system shall be installed in all occupancies in new buildings as required by the fire and building codes. The

installation of the automatic fire sprinkler systems shall be in accordance with nationally recognized standards."

- (DD) The first paragraph of Section 603.2 entitled "Fire Protection Requirements; Fuel Modification" is hereby amended to read as follows:

"603.2 Fuel Modification. In order to qualify as a conforming defensible space for the purpose of Table 503.1, fuel modification shall be provided within a distance from buildings or structures as specified in Table 603.2. For all other purposes, the fuel modification distance shall not be less than 30 feet (9144 mm) or to the property line, whichever is less. Fuel modification shall be in accordance with Appendix B and subject to erosion control treatments of the disturbed soils or sloped areas. Distances specified in Table 603.2 shall be measured along the grade from the perimeter or projection of the building or structure as shown in Figure 603.2."

- (EE) Appendix "A" Section A102 entitled "General Requirements; Vegetation Control; Table A102.3.3.2 titled "Minimum Clearances Between Vegetation and Electrical Lines At Time of Trimming" is hereby amended as follows:

**Table A102.3.3.2
Minimum Clearances Between Vegetation
And Electrical Lines**

Line Voltage	Minimum Radial Clearance From Conductor (feet)
2,400 – 72,000	16
72,001 – 300,000	30
300,001 or more	50

- (FF) Appendix "A" Section A102.3.3 entitled "General Requirements; Vegetation Control; Clearance of brush and vegetative growth from electrical transmission and distribution lines; Electrical distribution and transmission line clearances is hereby amended by deleting both Section A102.3.3.3 and Table A102.3.3.3

- (GG) Section A106.1 of Appendix "A" entitled "General Requirements; Dumping; Waste Material" is hereby amended by adding the following additional exception thereto:

"Exceptions:

- 2. Items removed from the forest floor in compliance with this Code may be composted to a safer fire resistive level with the intent to redistribute to the forest floor to maintain forest health. Compost piles must be a minimum of 10 feet from all native fuels and structures."

- (HH) Appendix B entitled "Vegetation Management Plan" is hereby amended by adding new paragraphs at the beginning thereof, to read as follows:

**APPENDIX B
VEGETATION MANAGEMENT PLAN**

The purpose for creating a defensible space around buildings or structures is to reduce the threat of fire spread by changing the characteristics of vegetation in a safe, yet aesthetic and pleasing manner. To reduce an Wildland-Urban interface area hazard, a vegetation management plan shall be established. The plan shall be used for controlling, changing, or modifying wildland areas for safety from wildfires to the benefit of the users, surrounding community and wild-lands.

A vegetation management plan reduces the amount of fuel available for wildfire and reduces the probability of a rapidly spreading wildfire. Elements of the plan include removal of slash, snags, other ground fuels, ladder fuels, dead trees, and the thinning of live trees. The vegetation fuel modifications shall be completed (within thirty (30) feet of the house or to the property line, whichever is less) prior to the vertical construction. The vegetation fuel modification beyond thirty (30) feet of the house and up to one hundred fifty (150) feet of the house or the property line, whichever is less, shall be completed prior to the issuance of the Certificate of Occupancy.

Any re-vegetation shall be subject to the inspection and approval of the code official upon its completion.

Tree density shall be determined as outlined in Appendix B-2 "Procedure For Determining Tree Density" of this code.

- (II) Appendix B entitled "Vegetation Management Plan" is hereby further amended by adding a section at the end thereof to read as follows:

"B101.4 Defensible space practices. Defensible space practices include:

Decreasing the amount of flammable vegetation

Increasing the amount of space between plants and/or groups of plants.

Increasing the moisture content of vegetation

Planting less flammable plants

Rearranging existing plants

Reducing trees to a maximum of 80 healthy trees per acre, with under-story pruned and maintained.

Removing all combustible materials and vegetation from under decks

Continuing maintenance of the area

Where required, open space or common areas shall be maintained to meet the defensible space requirements by the homeowners association and/or owner of the property.

When, in the professional opinion of the code official, particular vegetation does not constitute a fire danger (including but not limited to cases of natural groupings), the code official may grant exceptions to the requirements as set forth in the Defensible Space Requirements.

A three-zone approach should be applied to accomplish the defensible space requirements of this code as outlined below.

Zone 1. 0 feet to 10 feet from buildings, structures, decks, etc.

1. Remove all indigenous ladder fuels by trimming back, pruning up or removing vegetation from under trees. Distance to the lowest tree branches should be a minimum of 3 times the brush height.
2. Thin indigenous shrubs, leaving only the best specimens. Those remaining specimens should be opened up by pruning and by removal of dead and weak material.
3. Groupings of vegetation both indigenous and non-indigenous are allowed in zone 1 providing that a clear space is maintained. No non-fire resistive vegetation is allowed that creates a ladder fuel condition to structures or indigenous trees.
4. The lineal measurement of said clear space must be equal to or greater than 10% of the total square footage of the said grouping. Clear space need not exceed 10 lateral feet. Groupings over 150 square feet are not allowed in zone 1.
5. Fire resistive plants are highly encouraged in this zone. Zone 1 may not be comprised of more than 20% non fire resistive vegetation.
6. All introduced ornamentals must be hydrated by an approved automatic irrigation system.
7. Coniferous evergreen trees that cannot be limbed above the roof line may not have non-fire resistive vegetation under or within 10 lateral feet of their canopy.

8. Remove all combustible materials and vegetation from under decks. No indigenous brush or grasses shall be within 3 feet of buildings, structures and decks.
9. The maximum tree density shall not exceed the limits as established in Appendix B-2.
10. Defensible space shall be maintained at least annually.

Zone 2. 10 feet to 30 feet from buildings, structures, decks, etc.

1. Remove all indigenous ladder fuels by trimming back, pruning up or removing vegetation from under trees. Distance to the lowest tree branches should be a minimum of 3 times the brush height.
2. The maximum tree density shall not exceed the limits as established in Appendix B-2.
3. Groupings of vegetation both indigenous and non-indigenous are allowed in zone 2 providing that a clear space is maintained.
4. The lineal measurement of clear space must be equal to or greater than 10% of the total square footage of the grouping. For groups under 200 square feet the open space need not exceed 15 feet. For groupings 201-300 square feet the open space need not exceed 20 feet. Groupings over 300 square feet must meet the 10% rule.
5. All introduced ornamentals must be hydrated on an approved automatic irrigation system.
6. Coniferous evergreen trees that cannot be limbed above 6 feet may not have non-fire resistive vegetation under or within 10 lateral feet of their canopy.
7. Reduce continuity of indigenous fuels by removing dead materials and removing/thinning so a person can walk between them.
8. Emphasis is placed on slopes greater than 20% gradient, in which case, additional vegetation treatment may be required. (Example: Zone 2 treatment may be required to extend out an additional 100 feet to a total of 130 feet from the structure.) Control erosion and sedimentation from exposed soils through terracing, gravel beds, rocked and appropriate irrigated ground covers.

9. Remove all but one (1) inch of the last-season pine needle or leaf droppings. It is important to leave one (1) inch of the new and all of the decomposing layers of needles and leaf droppings to build healthy soil.

10. Defensible space shall be maintained at least annually.

Zone 3. 30 feet to 150 feet from buildings, structures, decks, etc. where no slopes exist.

1. Remove all ladder fuels and dead materials by trimming back, pruning up or removing vegetation from under trees. Distance to the lowest tree branches should be a minimum of 3 times the brush/shrub height.

2. Defensible space shall be maintained at least annually.

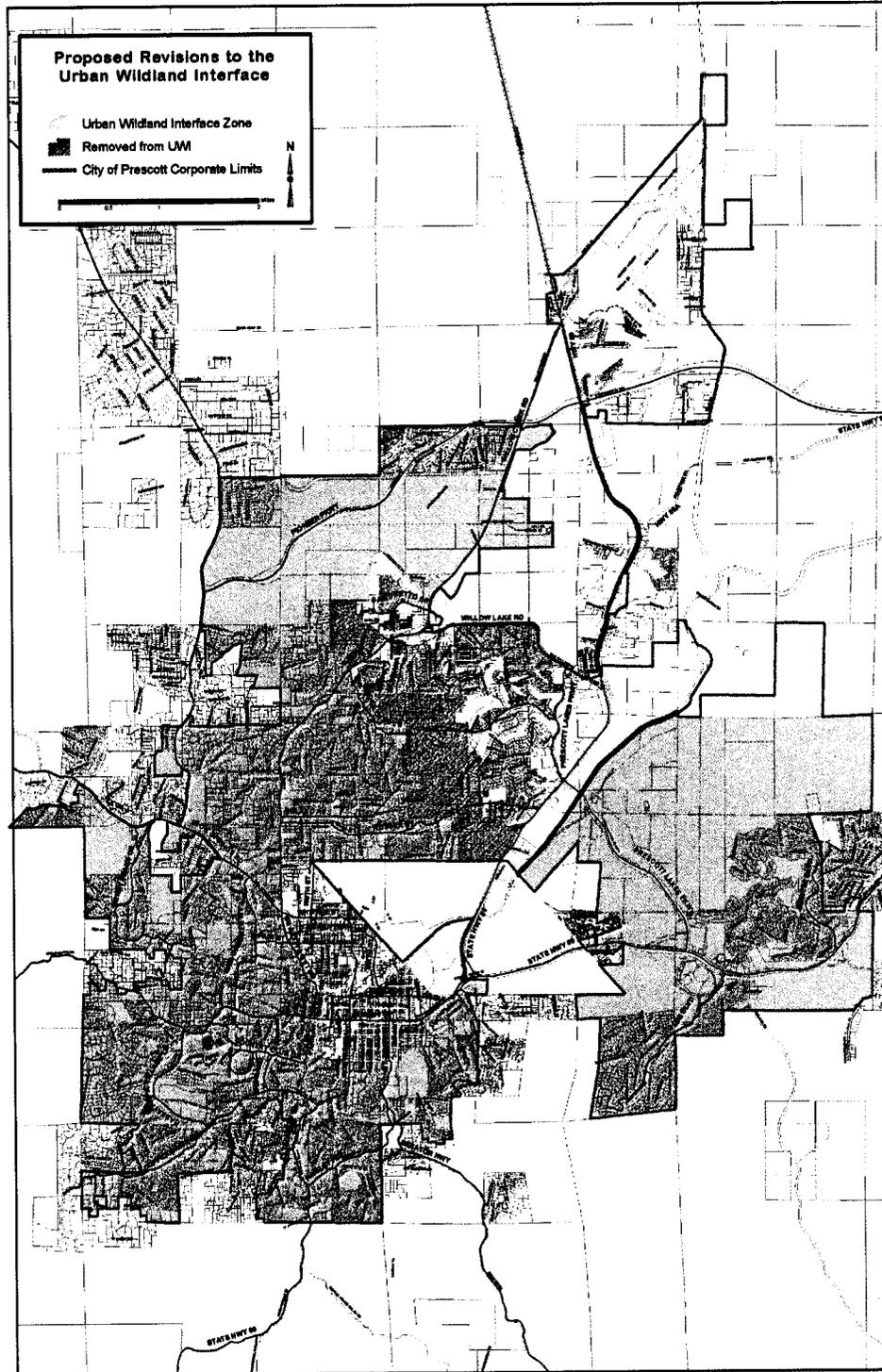
3. All introduced ornamentals must be hydrated by an approved automatic irrigation system.

4. The maximum tree density shall not exceed the limits as established in Appendix B-2.

(JJ) The International Urban-Wildland Interface Code is hereby amended by adding an Appendix "B-1" thereto, entitled "City of Prescott Urban-Wildland Interface Vegetation Management Map", to read as follows:

APPENDIX B-1

CITY OF PRESCOTT WILDLAND-URBAN
INTERFACE VEGETATION MANAGEMENT MAP



- (KK) The International Urban-Wildland Interface Code is hereby amended by adding an Appendix "B-2" entitled "Procedure For Determining Tree Density" to read as follows:

Appendix B-2

PROCEDURE FOR DETERMINING TREE DENSITY

Purpose: to reduce the potential for wildfire threat, drought damage and attack by insects by way of lowering stand density through mechanical thinning; to increase the health and beauty of forested areas

As there are 43,560 square feet in an acre, there would be one tree allowance for every **545** square feet. This does not mean that the trees must be arranged with equal separation. They may be clustered in any arrangement but cannot exceed the total allowance. In essence, a lot .25 acres in size will be allowed to have a maximum of twenty (20) trees. These trees may be of varying diameters and may be arranged in any order.

Exception: Indigenous tree(s) under six (6) feet in height shall not be counted but treated like shrubs according to restrictions of other indigenous shrubs in the relevant zone.

Where non fire-resistive construction materials are used for exterior walls, the tree density provision stated above does not apply and there shall be required a ten (10) foot clearing of all vegetation.

Exception: Designated historic or specimen trees are allowed to remain. This allowance is made regardless of the trees' proximity to structures or the roofline, provided the trees conform to the following:

- A. Trees are estimated to be a minimum of twenty (20) years old or have at least a six (6) inch caliper and,
- B. Trees do not have any ladder fuel within ten (10) lateral feet of their canopy and,
- C. Trees must be irrigated on an approved automatic irrigation system and,
- D. Only one (1) tree is allowed in every thirty (30) feet of lateral distance between canopies.

- (LL) The International Urban-Wildland Interface Code is hereby amended by adding an Appendix "B-3" entitled "Characteristics of Fire-Resistive Vegetation" to read as follows:

Appendix B-3

CHARACTERISTICS OF FIRE-RESISTIVE VEGETATION

All plants will burn under extreme fire weather conditions such as drought. However, plants burn at different intensities and rates of consumption. Fire-resistive plants burn at a relatively low intensity, slow rates of spread and with short flame lengths. The following are characteristics of fire-resistive vegetation:

1. Growth with little or no accumulation of dead vegetation (either on the ground or standing upright).
2. Non-resinous plants
3. Low volume of total vegetation (e.g., grassy area as opposed to a forest or shrub-covered land).
4. Plants with high live fuel moisture (plants that contain a large amount of water in comparison to their dry weight).
5. Drought tolerant plants (deeply rooted plants with thick, heavy leaves).
6. Plants requiring little maintenance (slow-growing plants that, when maintained, require little care).
7. Plants with woody stems and branches that require prolonged heating to ignite."



Prescott Fire Department
2086 Willow Creek Rd.
Prescott, AZ 86305
(928) 771-1700



Below are the proposed amendment changes to the 2006 International Wildland Urban Interface Code.

The "Old" column represents amendments adopted with the 2003 International Wildland Urban Interface Code. Amendments yet to be modified and/ or adopted are shown in the column titled "New".

Code Section	Old	New
Section 101.2 Scope	No exemption for riparian areas	Exemption added for designated riparian areas
Section 202 Definitions	No Definition for Aerial or Surface Fuels	Added Definition for Aerial Fuel and Surface Fuel
Table A102.3.3.2	Adopted power line clearance requirements as presented in IWUIC	Revised clearance requirements to fall in line with APS standards
Appendix B	No allowance for groupings of vegetation	Groupings of vegetation both indigenous and non-indigenous are allowed providing a clear space is maintained
Appendix B	Native Vegetation	Changed to Indigenous
Appendix B, Zone 1	No specifics on use of fire resistive plantings	Fire Resistive plants are highly encouraged in Zone 1. May not have more than 20% non fire resistive vegetation
Appendix B, Zone 1		Coniferous evergreen trees that cannot be limbed above the roof line may not have non-fire resistive vegetation under or within 10 lateral feet of their canopy
Appendix B-1	Established WUI boundaries	Redefined boundaries to exclude The Crossings, Prescott Lakes, Blooming Hills Estates, and some surrounding areas
Appendix B-2	No language present to encourage generational growth of trees	Language added to encourage uneven-aged stands of native trees
Appendix B-2	Established irrigation requirements	Remove irrigation requirements for ease of enforcement and to bring amendments back toward original intent of code
Appendix B-2	85 non-hydrated/ 200 hydrated trees per acre with deciduous trees under 2" diameter and evergreens under 4" being exempt	80 trees/acre (trees under 6' tall not included in tree count)
Appendix B-3	No guidelines for common attributes of fire-resistive plants	Characteristics of fire-resistive plants defined

**Code Amendments
International Wildland Urban Interface Code
Reviewed by Community Interest Groups**

Interest Group	Method of Communication	Comments
1. U of A Cooperative Extension	Meetings	Support
2. City of Prescott, Water Conservation Coordinator	Meeting	Removed Irrigation requirements from IWUI code
3. Arizona Public Service	Meeting	Support
4. Groom Creek Fire District	Meeting	Support
5. Yavapai County Landscapers Association	Meetings on December 13, 2006, January 11, 2007, July 25, 2007, August 2, 2007, September 24, 2007, October 17, 2007, October 31, 2007, November 14, 2007, February 29, 2008	Support
6. Prescott Area Wildland Urban Interface Commission	Meeting	Support
7. Allstate Insurance Company, corporate	Meeting	Support
8. Fire Board of Appeals	E-mail, Meetings April 17, 2006, September 27, 2006, July 25, 2007, June 5, 2008, August 21, 2008	Support
9. Prescott National Forest	Meeting	Support
10. John Ravnik, Insurance	Meeting	Support
11. Prescott City Council Members	E-mail	No Comments
12. Prescott's City Manager	E-mail	No Comments
13. Prescott's City Attorney	Numerous E-mails and meetings	Resolved issues; came to consensus
14. HOA Presidents Circle	E-mail	No Comments
15. HOA Firewise Committees	E-mail	No Comments
16. Yavapai County Contractors Association	Meeting July 24, 2007	Support

M	COUNCIL AGENDA MEMO – (09/16/08 & 09/23/08)
L	DEPARTMENT: Public Works
S	AGENDA ITEM: Approval of Amendment Two to Contract #2008-024 with PBS&J for Zone 39 Water Mains and Pump Station Upgrade Project engineering and design services in an amount not to exceed \$147,408.00; and project update and petition response.
M	

Approved By:	Date:
Department Head: Mark Nietupski	
Finance Director: Mark Woodfill	
City Manager: Steve Norwood <i>[Signature]</i>	<i>09/10/08</i>

Item Summary

This item is for approval of additional engineering services for the Zone 39 Water Mains, and Pump Station Upgrade Project to replace sewer main and services, street pavement, curb and gutter, and sidewalk for the segment of Country Club Drive from Park Avenue to Vista Drive; and to provide a project update for Council response and direction regarding a petition dated September 3, 2008, from residents objecting to the construction of a new reservoir atop Indian Hill.

Background

The current Zone 39 Water Mains and Pump Station Upgrade Project design contract provides for replacing undersized water mains in Country Club Drive from the new pump station at Pioneer Drive to the new 1.3 million gallon reservoir on Indian Hill. In the course of researching and examining the existing utilities for the entire length of the project, it was determined that the length of sewer main in Country Club Drive between Park Avenue and Vista Drive is severely deteriorated and requires replacement. The original design scope did not include replacement of sewer main and services or complete street reconstruction of Country Club Drive between Park Avenue and Vista Drive.

Replacing the sewer main in this section of road in conjunction with the water main replacement will increase the number pavement cuts needed in the deteriorated Country Club Drive; to the extent that it will be more cost effective to reconstruct the entire road from Park Avenue to Vista Drive.

Country Club Drive is identified in the Five-year CIP to be reconstructed in Fiscal Year 2011. This contract amendment will accelerate replacement of that portion of the street impacted most as a result of the Zone 39 Project.

Agenda Item: Approval of Amendment Two to Contract #2008-024 with PBS&J for Zone 39 Water Mains and Pump Station Upgrade Project engineering and design services in an amount not to exceed \$147,408.00.

Project Update

Project engineering is proceeding for the Zone 39 Water Mains, Pump Station, and Reservoir Upgrades in conformance with Federal, State, and City Standards. Public meetings were held on May 8, 2008, and July 10, 2008, to present the project and gain input during design.

The Prescott Preservation Commission reviewed the project on July 11, 2008, and August 1, 2008, subsequently requiring the following conditions of approval: colors for the new reservoir, accessory buildings, 4 monopole sites, and equipment be forest green; the new chain link fence be coated in tan colored vinyl; new retaining walls be constructed of grey-brown colored split faced concrete block; chain link fence post holes to be monitored for archeological finds; and three new native juniper trees be planted around the reservoir perimeter.

Engineering design for the Zone 39 new water mains and pump station replacement is currently at the 90% level with completion anticipated by the end of September 2008.

The new reservoir engineering design is currently at the 60% level, with completion anticipated by the end of November 2008.

Phased construction will be required to implement the total project. Phase One will consist of replacing water mains in Aubrey Street from South Pleasant Street to Park Avenue and include construction of the new pump station at Pioneer Drive. Phase One construction is planned to begin in November 2008 and require 9 months to complete.

Phase Two will consist of replacement of the water main in Country Club Drive from Park Ave to the Indian Hill Reservoir, replacement of the sewer main in Country Club Drive from Park Avenue to Vista Drive, reconstruction of Country Club Drive from Park Avenue to Vista Drive, and replacement of the Indian Hill tanks. Phase Two is planned to commence in Spring 2009 and require 9 – 12 months for completion.

All issues and concerns with the State Historic Preservation Office and the City Of Prescott Historic Preservation Committee are being incorporated into the plans and specifications. The State Historic Preservation Office has required the City Prescott to also submit a site survey and monitoring plan. Staff will be submitting this plan prior to beginning the tank construction.

The project will significantly improve the City water system in Zone 39 and adjacent zones, which are served by Zone 39. Water service and public safety will be enhanced by the project, with higher pumping capacity, increased storage volume, higher fire flows, and improved system reliability. The new transmission mains, pump station, and storage facility on Indian Hill will provide the most efficient cost effective means for the delivery of water to the citizens in south Prescott.

Agenda Item: Approval of Amendment Two to Contract #2008-024 with PBS&J for Zone 39 Water Mains and Pump Station Upgrade Project engineering and design services in an amount not to exceed \$147,408.00.

Schedule

Pending Council approval, the added design work is scheduled to commence in September 2008 and be completed in March 2009. Sewer and street construction work will be incorporated into Phase Two of the Zone 39 improvements.

Budget

The design for Country Club Drive is identified in the FY 09 budget. Funding for Amendment Two, in the amount of \$147,408.00, is available from the Sewer Fund (\$50,817.00) and from the One Cent Sales Tax for Streets and Open Space (\$96,591.00).

- Attachments**
- Location map
 - Scope of work and fee schedule

Recommended Action: **MOVE** to approve Amendment Two to Contract #2008-024 with PBS&J for Zone 39 Water Mains and Pump Station Upgrade Project engineering and design services in an amount not to exceed \$147,408; and direct staff to complete project engineering as contemplated in the contract with PBS&J.

Liz Burke

From: Laura Markel [laura.markel@cityofprescott.net]
Sent: Tuesday, September 09, 2008 11:19 AM
To: liz.burke@cityofprescott.net
Subject: RE: Special Presentations

Hi,

They are for GEM award presentations - presented by Steve.
So....how about the 14th of October?

So...September 23 and October 14th...right?

> That's fine. I'll need to know what they are for. Is it necessary to
> have the 10/7 one on the 7th. We usually have these on the voting
> sessions, which would be the 14th or 28th, although if it is time
> sensitive, there's no problem with it being on 10/7. Thx. E

> -----Original Message-----

> From: Laura Markel [mailto:laura.markel@cityofprescott.net]
> Sent: Monday, September 08, 2008 12:19 PM
> To: Liz.burke@cityofprescott.net
> Subject: Special Presentations

> Hi Liz,

> Can I get a Special Presentation added to 2 Council meetings?
> I'm hoping for September 23 and October 7th, if I can. Anything else I
> need to do?

> Let me know!

> Thanks Liz,

> Laura Markel
> Human Resources Assistant
> PHONE:(928)777-1347 FAX: (928) 777-1213
> 24/7 EAP: 800-321-2843

> WARNING: This email is intended for the use of the addressed person &
> may contain information that is health related (HIPAA), privileged
> &/or confidential. If you are NOT the intended recipient - any
> disclosure, copying, distribution or use of the contents is strictly
> prohibited. If you have received this in error - please delete immediately.

Laura Markel
Human Resources Assistant
PHONE:(928)777-1347 FAX: (928) 777-1213
24/7 EAP: 800-321-2843

WARNING: This email is intended for the use of the addressed person & may contain information that is health related (HIPAA), privileged &/or confidential. If you are NOT the intended recipient - any disclosure, copying, distribution or use of the contents is strictly prohibited. If you have received this in error - please delete immediately.

RECEIVED
SEP 03 2008

September 3, 2008

BY:.....

Dear Ms. Suttles,

In spending more than 12 million dollars on a 1.33 million gallon water tank, I would think the smart way would be to utilize our taxpayer money more efficiently. Such as putting a 5 to 10 million gallon water tank into a hill on the south side of town, where there is no congestion of historic homes and no ruins. This would be not only save the hills around Prescott, but give us the water on the exterior of the city to fight fires. This would be smart planning.

I find it hard to believe that the City of Prescott could have been working on Zone 39 Indian Hill tank and cell towers for four years and not notify the citizens that pay the bills, we just heard about this in April of 2008.

To put an industrial size water tank on top of a little hill (the tank is too big for the hill, according to PBSJ) in a historical residential neighborhood is not only irresponsible but not using common sense.

We the neighborhood did research on earthquake activity within the last fifty years. Yes, there have been earthquakes, in 2004 a 4.6, with the epic center in Chino Valley.

When we asked if this new tank would have a baffle system within the confines of the tank, in the event of a catastrophe, we were told (this is on tape and documented) that the tank is well made but has no safety proofing. I will tell you that if anything happens as far as a rupture of this tank, and I am still alive, I and 150 other residents will have a major law suit against those individuals and the City of Prescott.

Why would you even consider putting this giant green tank above the small downtown area of Prescott?

Why did you not have a citizen vote on this? Why were we told after the fact, when 60% of the planning had been completed? Why on a hill in downtown Prescott, with ruins, artifacts and in a historical district?

This type of government is irresponsible, and incompetent. The only good thing going for it is... with this in our neighborhood, the 150 homes will have much, much lower property tax to pay for the ridiculous leadership of this town.

Since this was done during Rowle Simmons time in office, I would like a revote under our new Mayor, Mayor Wilson before the citizens of Prescott. Thank you and I expect you to answer my above questions within 30 days.

I have made copies (see enclosed) of signed petitions of the citizens of Prescott who agree with me.

Sincerely,



Debra Kaukol

"Save Prescott Hills"
432 Shalimar Drive
Prescott, AZ 86303
928-776-1956

Cc: Mayor, city council, city attorney, city manager

SAVE PRESCOTT'S INDIAN HILL

26 073

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Name (printed)	Signature (written)	Address	Date	Phone Number (optional)
1. PAUL BEANIS	<i>Paul Beanis</i>	947 SHARLOT DR	7-14-08	
2. CYNTHIA LOUCES	<i>C Louces</i>	965 SHARLOT DR.	7-14-08	
3. CAROL RICE	<i>Carol Rice</i>	246 CORY AVE	7-14-08	
4. PAUL COOLY	<i>Paul Cooly</i>	212 CORY AVE	7-14-08	
5. DOLORES YAK	<i>Dolores Yak</i>	208 CORY AVE	7-14-08	
6. MATEAN SEESHAN	<i>Matean Seeshan</i>	966 HEAP AVE	7-14-08	
7. MARK V. SWANSON	<i>Mark Swanson</i>	975 HEAP AVE	7-14-08	
8. SARAL ROUE TH	<i>Saral Roue Th</i>	207 FRONTIER DR	7-14-08	
9. BOBBY KEMPF	<i>Bobby Kempf</i>	206 FRONTIER DR.	7-14-08	
10. SHANNON FLOWER	<i>Shannon Flower</i>	940 McHove Drive, Prescott, AZ 86303	7/14/08	778-2709
11. LAVADA WATSON	<i>Lavada Watson</i>	216 Frontier Drive, Prescott, AZ 86303	7/14/08	541-9526
12. TED FRIEDMAN	<i>Ted Friedman</i>	940 Wadsworth Road, Prescott, AZ 86303	7/14/08	913-2198

SAVE PRESCOTT'S INDIAN HILL

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Name (printed)	Signature (written)	Address	Date	Phone Number (optional)
1. IMAD ABDULKARIM		1006 HEAP AVE, PRESCOTT AZ	7/22/08	
2. Cynthia Wright		918 Country Club Dr, Prescott AZ	7/22/08	
3. Ein Schlossman		408 Perry St	7/22/08	
4. Bruce Heila		408 Perry St. Prescott	7/22/08	
5. Job Hoet		1168 Country Club Dr	7/22/08	
6. Ann Kook		1168 Country Club Dr.	9/22/08	
7. Joan FARBAK		1028 COUNTRY club DR	7/22/08	445.5828
8. Mabel... ..		221 - Olive St, Prescott	7/22/08	
9.		220A Creekside	9/22/08	
10.		220 A CREEKSIDE DR	7/22/08	
11. Lucille Darpino		1100 Smoki AVE	7/23/08	
12. Joe Darpino		1100 Smoki AVE	7/23/08	

SAVE PRESCOTT'S INDIAN HILL

Seates
7

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Name (printed)	Signature (written)	Address	Date	Phone Number (optional)
1. Teri Shoup	<i>Teri Shoup</i>	951 Sherlot Ave Prescott, AZ	7/19/08	
2. Vivian Juachesi	<i>Vivian Juachesi</i>	320 Grand Ave Prescott	7-14-08	771-9962
3. Margaret Cox	<i>Margaret Cox</i>	383 Verde Lane Prescott AZ 86303	7-14-08	771-2413
4. Virginia Kelley	<i>V. Kelley</i>	116 Smoke Ave Prescott AZ 86303	7-15-08	
5. Terri Juachesi	<i>Terri Juachesi</i>	320 Cochise Street	7-15-08	928-237-9126
6. Mark Dilucio	<i>Mark Dilucio</i>	320 Cochise St.	7-15-08	928-237-9126
7. Cheryl Berry	<i>Cheryl Berry</i>	447 Shalimar Prescott AZ	7-15-08	928-778-1954
8. Ann Sivertud	<i>Ann Sivertud</i>	308 Verde Ln. Prescott, AZ 86303	7/16/08	759-9225
9. C. Padgett	<i>C. Padgett</i>	115 Smoke Ave	7-17-08	
10. Christopher Eller	<i>Christopher Eller</i>	116 Smoke Ave Prescott	7/16/08	445-8624
BRUCE HADWICK	<i>Bruce Hadwick</i>	324 Cochise St, Prescott 86303	7/6/08	445-3496
12. STILLS CAMPBELL	<i>Stills Campbell</i>	820 San Carlos, Prescott 86303	7/18/08	

SAVE PRESCOTT'S INDIAN HILL

113-1254

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Name (printed)	Signature (written)	Address	Date	Phone Number (optional)
1. LANCE SANDERSON	<i>[Signature]</i>	222 BRACE	7/14/08	
2. DONNIE SANDERSON	<i>[Signature]</i>	202 GRACE AVE, PRESCOTT 86303	7/14/08	
3. JOSEPH GIBBS	<i>[Signature]</i>	1540 Grande Shadow Dr 86305	7/16/08	777-5500
4. MONICA KIRBY	<i>[Signature]</i>	3210 N HWY 89 CHANDLER 86303	7/16/08	
5. SUE DUNDON	<i>[Signature]</i>	121 S. Summit St, Prescott 86303	7/16/08	
6. SUE DUNDON	<i>[Signature]</i>	214 Apache Drive West Prescott, AZ 86303	7/16/08	541-0877
7. CHARLIE M'KEE	<i>[Signature]</i>	14730 Wagonwheel Drive AZ 86309	7/16/08	623-8326
8. PHYLLIE McMillan	<i>[Signature]</i>	491 Turkeback Rd 86303	7/16/08	770-0570
9. KAREN SAWARD	<i>[Signature]</i>	526 Ellenwood Dr. 86303	7-16-08	770-4469
10. WILLIAM WENSEL	<i>[Signature]</i>	815 S. LAKEVIEW, PRESCOTT AZ 86301	7-18-08	445-3720
11. KATHLEEN FLOWER	<i>[Signature]</i>	940 Mohave Dr. Prescott AZ 86303	7-18-08	713-1254
12. KAREN B. LINDQUIST	<i>[Signature]</i>	1091 Old Hominyway In. Prescott, Az. 86303	7/27/08	445-8822

SAVE PRESCOTT'S INDIAN HILL

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2. Cynthia boucks	<i>C Boucks</i>	965 SHARLOT Dr.	7-14-08	
3. CAROL RICE	<i>Carol Rice</i>	246 CORY AVE	7-14-08	
4. Dale Cooley	<i>Dale Cooley</i>	212 Cory Ave	7-14-08	
5. DOLORES YAR	<i>Dolores Yar</i>	208 Cory Ave	7-14-08	
6. M. JEAN SEESTER	<i>M. Jean Seester</i>	966 HEAP Ave.	7-14-08	
7. MARK V. SWANSON	<i>Mark Swanson</i>	975 Heap Ave	7-14-08	
8. SARAL ROUETH	<i>S. Roueth</i>	207 Frontier Dr	7-14-08	
9. BOBMY KEMPF	<i>Bonny Kempf</i>	206 Frontier Dr.	7-14-08	
10. SHANNON FLOWER	<i>Shannon Flower</i>	940 McIwae Drive, Prescott, AZ 86303	7/14/08	778-2709
11. LAYLA WATSON	<i>Layla Watson</i>	216 Frontier Drive, Prescott AZ 86303	7/14/08	541-9506
12. LEO ARWOOD	<i>Leo Arwood</i>	940 YARBANE R Prescott AZ 86303	7/14/08	913-2198

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Name (printed)	Signature (written)	Address	Date	Phone Number (optional)
1. CHEERY DEAGRIZ	Cheryl B. DeAgroz	1006 Country Club Dr.	7.7.08	928-533-1818 928-420-5411
2. Charles Kennedy	Charles Kennedy	1185 Old Hassayampa Lane	7/9/08	445-2135
3. CASEY BERRY	Casey Berry	447 Challenge Dr.	7/7/08	778-1534
4. PATRICK LINDAUS	Patrick Lindaus	1091 Old Hassayampa Lane Prescott	7/7/08	
5. Catherine Kusing	C. Kusing	1904 Young Pl. Prescott AZ 86303	7/2/08	445-1197
6. Rebecca Brooks	R. Brooks	1105 Old Hassayampa Lane Prescott AZ 86303	7/7/08	541-1068
7. William Jenkins	William Jenkins	1105 Old Hassayampa Lane Prescott AZ 86303	7/7/08	541-1068
8. Debra Kauter	Debra Kauter	432 Shalinger Ln. Prescott AZ 86303	7/7/08	776-1956
9. Shane Rusing	Shane Rusing	1904 Young Pl Prescott AZ 86303	7/7/08	445-1197
10. Heidi Hawlow	Heidi Hawlow	111 Maple St Prescott, AZ 86303	7/9/08	227-3570
11. Jeanne Siebent	Jeanne Siebent	290 No Roganway 86303	7/6/08	778-3713
12. JAMES FROST	James Frost	561 W. Submitt 86303	7/10/08	717-7015

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Name (printed)	Signature (written)	Address	Date	Phone Number (optional)
1. EDWARD E. BROWN	Edward E. Brown	1104 COUNTRY CLUB DR. PRESCOTT AZ 86303	7/8/08	928-717-1904
2. MARTIN WIK	Martin Wik	1106 COUNTRY CLUB DR. PRESCOTT. 86303	7/2/08	602-710-5667
3. PAULA WIK	Paula Wik	1106 COUNTRY CLUB DR. PRESCOTT 86303	7/2/08	" "
4. LINDA MARIE	Linda Marie	3070 Cabezon Ln Prescott 86301	7/8/08	928-499-8080
5. LORRIE A. MURPHY	Lorrie A. Murphy	P.O. Box 1353 CHINO VALLEY AZ 86323	7/8/08	—
6. ANITA D. JUDLEY	Anita D. Judley	809 Dameron Az 86301	7/8/08	—
7. ERIC BROSSE	Eric Brosse	1570N. Pearl Ln Prescott AZ 86301	7-9-08	—
8. MEGAN DEAN	Megan Dean	7680 Country Park Dr. Prescott 86305	7-9-08	928-445-4595
9. MARIANNE SMITH	Marianne Smith	1542 Conifer Ridge Lane Prescott 86303	7-9-08	—
10. DENA HARRIS	Dena Harris	18925 N. Lava Territory Rd Prescott 86305	7/9/08	928-460-0456
11. SCOTT HOLLERS	Scott Hollers	1321 Paradise Valley Rd 86303	7/9/08	—
12. JUDY HOWIE	Judy Howie	1961 Boardwalk Ave 86303	7/9/08	—

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Name (printed)	Signature (written)	Address	Date	Phone Number (optional)
1. Susan Gratrix	<i>[Signature]</i>	1031 Country Club Dr. Prescott 86303	7/7/08	771-0163
2. Donald Gratrix	<i>[Signature]</i>	1031 Country Club Dr. Prescott, 86303	7-7-08	771-0163
3. Lisa Ransower	<i>[Signature]</i>	235 N. Pleasant Prescott Az	8-8-08	718 3091
4. Cory Ransower	<i>[Signature]</i>	191005 E Antelope ¹³⁹⁷⁵ Prescott ^{Denville 90527}	8-8-08	499 9745
5. Dana Grimley	<i>[Signature]</i>	100 W GORCEY / 86301	8/9/08	
6. Jay Hasee	<i>[Signature]</i>	950 Garland Dr. FRS. 86306	8/12/08	
7. Kathy Harder	<i>[Signature]</i>	7892 Crooked Creek 86314	8/12/08	
8. Judy Fricke	<i>[Signature]</i>	Woodsdale Dr. Prescott	8/17/08	
9. Barbara Lobb	<i>[Signature]</i>			
10. Lena Melnick	<i>[Signature]</i>	126 N. Willow Rd		
11. Mark Alexander	<i>[Signature]</i>	621 Campbell drive	4/27/09	

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Name (printed)	Signature (written)	Address	Date	Phone Number (optional)
1. Amber Lillie		716 Bertrand, Prescott	7/24	
2. Audrey Gray		2510 Buchanan Dr	7/24	
3. Dixie Thomas		208 E Union St Prescott AZ 86303	7/24	
4. Thomas Baker		511 Eastwood Dr Prescott AZ 86303	7/24	
5. Amanda Young		1085 N Fence Post Pl Prescott AZ 86303	7/24	
6. Justin Fox		7748 Jun Fines Prescott AZ 86303	7/24	
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Name (printed)	Signature (written)	Address	Date	Phone Number (optional)
1. JOHN FREEBANK	<i>John Freebank</i>	1028 COUNTRY CLUB DR	7/7/08	445-5825
2. Josh Clarke	<i>Josh Clarke</i>	1322 Paar Dr.	7/9/08	
3. PAMEL CARNES	<i>Pamela Carnes</i>	3700 W Bledyank	7/9/08	
4. Nick Spares	<i>Nick Spares</i>	2953 N. Date Creek	7/9/08	
5. Steve Fitzhugh	<i>Steve Fitzhugh</i>	347 Venus Dr.	7-9-08	(978)
6. Richard Green	<i>Richard Green</i>	217 Bridge St Apt 2	7-9-08	418 3033
7. JOE PEREZ	<i>Joe Perez</i>	434 GRANITE W	7-9-08	
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Name (printed)	Signature (written)	Address	Date	Phone Number (optional)
1. Altha Cline	<i>Altha Cline</i>	305 Sunset Park Dr.	7-7-08	
2. Kathleen Domitrants	<i>Kathleen Domitrants</i>	845 Country Club Dr.	7-7-08	
3. FRANK DOMITRANTS	<i>Frank Domitrants</i>	845 country club way	7-7-08	
4. David White	<i>David White</i>	570 Shalimar Dr	7-7-08	
5. TERESA WIFFOLG	<i>Teresa Wiffolg</i>	4505 HORNET DR PRESCOTT	7-7-08	
6. BILL RICHARDS	<i>Bill Richards</i>	425 FAIRWAY VIEW DR.	8-24-08	
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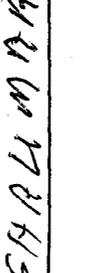
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Name (printed)	Signature (written)	Address	Date	Phone Number (optional)
1. Louanne Elliott	<i>Louanne Elliott</i>	1812 Northside Dr. Prescott	7/8/08	928-778-5200
2. John Stobbe	<i>John Stobbe</i>	PO Box 11560 Prescott	7/8/08	
3. Robert W. Lockett	<i>Robert W. Lockett</i>	5755 COLUMBINE RD PRESCOTT	7/8/08	
4. Jeff Mayhew	<i>Jeff Mayhew</i>	225 N. GRANITE ST. PRESCOTT	7/8/08	
5. Merrill Poyner	<i>Merrill Poyner</i>	1375 Willow Lake Rd.	7-8-08	
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Name (printed)	Signature (written)	Address	Date	Phone Number (optional)
1. FRANK WATSON		405 LEANING ST	7.7.08	451.7940
2. VERONICA BARTSCHEU		415 SARAH M DR	7/7/08	485-1404
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Name (printed)	Signature (written)	Address	Date	Phone Number (optional)
1. Laura Kennedy	<i>Laura Kennedy</i>	127 Frontier Dr Prescott 86303	7-7-08	778-2391
2. CHARLES CLUCK	<i>Charles Cluck</i>	127 FRONTIER DR PRESCOTT AZ 86303	7-7-08	778-2391
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M L S M	COUNCIL AGENDA MEMO – (09/16/08 & 09/23/08)
	DEPARTMENT: Public Works
	AGENDA ITEM: Award of bid for the Airport Centrifuge Building and Equipment Installation Project to Fann Environmental, Inc., in the amount of \$650,724.00

Approved By:	Date:
Department Head: Mark Nietupski	
Finance Director: Mark Woodfill	
City Manager: Steve Norwood <i>[Signature]</i>	09/08/08

Item Summary

This item is for award of a bid to construct a new building at the Airport Wastewater Treatment Plant to house equipment, controls and to install pre-purchased Centrifuge equipment for wastewater treatment.

On July 22, 2007, Council approved a contract for a pre-purchased skid-mounted centrifuge system, complete as specified, with all spare parts and special tools for the Airports Wastewater Treatment Plant. The system includes a centrifuge, shaft-less screw conveyor, progressing-cavity feed pump, polymer blender, system controls and other incidentals including installation assistance, testing and training services as defined in the contract documents. The building will be constructed of concrete block with a metal roof system.

The new centrifuge will replace a worn belt press and provide a more effective "dewatering" process for sludge treatment resulting in less cost to the City for hauling and disposal.

Bid Results

Three bids were received on September 4, 2008.

Fann Environmental, Inc.	Prescott	\$650,724.00*
Montana Builders	Prescott	\$689,900.00
Technology Construction	Prescott	\$783,000.00
Engineer's estimate		\$700,000.00

* Written bid confirmation received

Budget

The Centrifuge Project is budgeted in FY 09 with funding for this project available from the Sewer Fund (Account No. 13-92013).

Agenda Item: Award of bid for the Airport Centrifuge Building and Equipment Installation Project to Fann Environmental, Inc., in the amount of \$650,724.00

Schedule

Pending award the notice to proceed will be issued in October. 120 calendar days are allowed for completion of the work under the contract.

Attachment – Location map

Recommended Action: **MOVE** to award the bid for the Airport Centrifuge Building and Equipment Installation Project to Fann Environmental, Inc., in the amount of \$650,724.00

**Airport WWTP Centrifuge Building and
Equipment Installation Project**

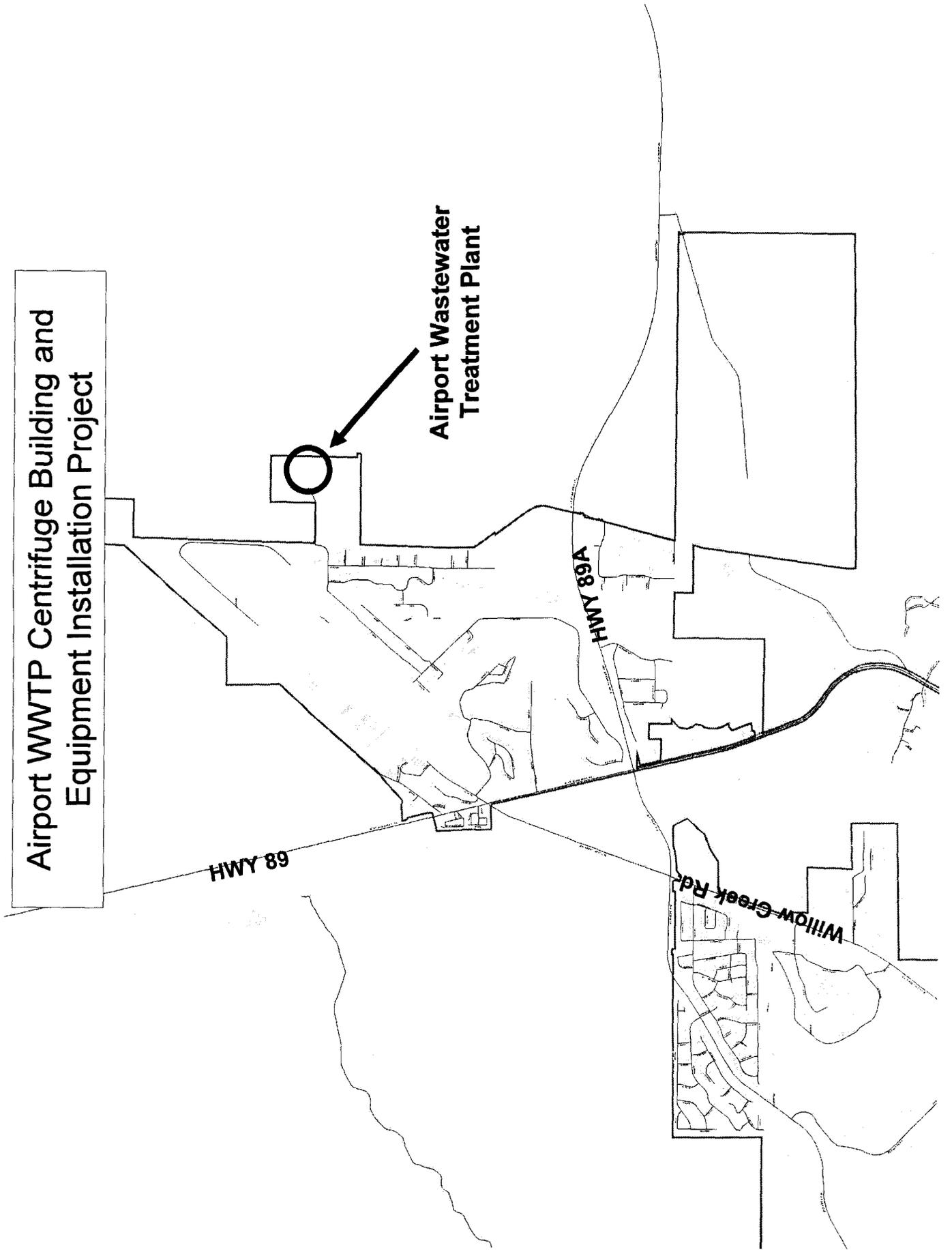
**Airport Wastewater
Treatment Plant**



HWY 89

HWY 89A

Willow Creek Rd.



COUNCIL AGENDA MEMO – SEPTEMBER 16, 2008

DEPARTMENT: ADMINISTRATIVE SERVICES

AGENDA ITEM: COUNCIL APPROVAL OF A ONE YEAR FUNDING AGREEMENT WITH PRESCOTT COMMUNITY ACCESS CHANNEL

Approved By:

Date:

Department Head: Mic Fenech	
Finance Director: Mark Woodfill	
City Manager: Steve Norwood <i>SNorwood</i>	<i>09/11/08</i>

BACKGROUND:

Attached is the proposed contract renewal with the Prescott Community Access Channel (PCAC), the independent entity that operates Access 13 – cable channel 13.

The City had contracted annually with Access 13 prior to June of 2005, at which time a three year agreement was initiated. Staff recommends a return to an annual contract. The main reason for this change is due to the expiration of the Cableone agreement with the City on August 27th, 2009. The City's agreement with Cableone is the funding source for PCAC. PCAC receives 25% of the fees paid to the City by Cableone. An annual agreement also allows for review of the expansion of services to the City, and to review the state of the current technology used and its effect on the quality of transmission. Additionally, an annual agreement provides for negotiations that consider the changing needs of either party. The new contract has some additions which were requested by our legal department to protect the interests of the City and which puts the agreement in standard contract form. There were some clarifications requested by PCAC as well. These additions have been approved by the Board of PCAC.

FINANCIAL:

The payments made to PCAC for the last 4 years have been:

2005	\$76,378
2006	\$77,263
2007	\$81,657
2008	\$82,916

Recommended Action: MOVE to approve the attached 1-year funding agreement with Prescott Community Access Channel.

**CITY OF PRESCOTT/
PRESCOTT COMMUNITY ACCESS CHANNEL
AGREEMENT**

THIS AGREEMENT is made by and between the CITY OF PRESCOTT, a municipal corporation of the State of Arizona (hereinafter referred to as "CITY"), and PRESCOTT COMMUNITY ACCESS CHANNEL, an Arizona not-for-profit corporation (hereinafter referred to as "P.C.A.C.").

WHEREAS, P.C.A.C. has been formed pursuant to §4-124 of the Prescott CITY Code to promote and develop community involvement in and use of cable television for public, educational, governmental purposes; and

WHEREAS, the CITY wishes to partially defray the cost of P.C.A.C.'s operations designating a portion of cable television license fees to be given to P.C.A.C.;

NOW, THEREFORE, in consideration of the terms and covenants herein, the parties agree as follows:

1. The term of this Agreement shall be from July 1, 2008 until June 30, 2009, except for the provisions of this Paragraph 1 of this Agreement, which shall survive this AGREEMENT and shall remain in full force and effect so long as P.C.A.C. has and continues to have through the term of this Agreement equipment purchased with funds received pursuant to this Agreement. In the event that negotiations with Cable One are not completed prior to the expiration of this Agreement, this Agreement shall remain in force on a month to month, prorated basis unless the Agreement has been terminated pursuant to this Paragraph or until funding from Cable One to the CITY is discontinued.

The parties acknowledge that Cable One's franchise Agreement is due for renewal in 2009

2. In consideration of P.C.A.C. continuing to provide cable television access for public, educational, governmental and other nonprofit purposes, which the CITY hereby acknowledges are of benefit to the public, the CITY agrees to provide to P.C.A.C. the following funding:

(a) A sum equal to twenty-five percent (25%) of the cable television license fee paid to the CITY between July 1, 2008 and June 30, 2009, by Cable One as a result of Cable One's operation of a cable television system. Payments will be made monthly and shall include a summation sheet of license fees received by the CITY.

(b) The CITY receives \$5,000.00 annually from Cable One for the purchase of hardware. The CITY will thereafter provide funds in an equivalent amount to P.C.A.C. which P.C.A.C. agrees shall be used solely for the purchase of hardware within 60 days of receipt of said funds for the duration of this Agreement.

3. P.C.A.C. hereby covenants and warrants that any and all monies received pursuant to Paragraph 2(b) above shall be expended solely for the purchase of equipment directly related to P.C.A.C. and equipment improvements to P.C.A.C. studios and offices.

4. With respect to any equipment purchased by P.C.A.C. with funds received pursuant to section 2(b), P.C.A.C. further agrees:

(a) Not to dispose of, sell, convey or otherwise transfer any such property or equipment without the consent of the City Manager.

(b) That in the event that P.C.A.C. dissolves, liquidates, ceases operations, or fails to remain the designated provider of an access channel in accordance with. PCC § 442-I, that all equipment and other assets purchased by P.C.A.C. with funds received pursuant to section 2(b) ~~this Agreement~~ shall revert to and become the property of the CITY.

5. That P.C.A.C. shall provide financial reports to the City Manager no less than the fifteenth (15th) day of each month during the term of this Agreement; and further that said financial reports shall separately identify the specific expenditures of monies received pursuant to this Agreement.

6. P.C.A.C. shall provide copies of its approved annual budget to the City Manager at the time of its adoption.

7. P.C.A.C. Board of Directors shall provide an annual report to the City Manager that outlines P.C.A.C. activities for the previous 12 months, including but not limited to membership status, number of new programs produced and cablecast, community participation in programming, programming statistics and goals and objectives for the coming year.

8. A CITY representative appointed by the Mayor or his or her designee shall serve as a liaison to the Prescott Community Access Channel Board of Directors.

9. P.C.A.C. shall allow the CITY to have access to the Community Access Channel at no charge or cost to the CITY. Said access shall consist of not less than 5 programming hours per week, including not less than 14 of the prime-time programming

hours, i.e., 5 p.m. through 11 p.m. per week. The P.C.A.C. Station Manager shall work with the CITY to develop a government programming schedule that reflects the potential for exceptionally long meetings to prevent the preemption of non-government programs. On the rare occasions when total programming and/or primetime programming exceed the contract limits and non-government programming is preempted, the CITY shall work with P.C.A.C. to adjust subsequent weeks' programming schedules to make additional time available for preempted, non-government programming.

10. That in further consideration of this Agreement and unless other arrangements are made in advance between the CITY of Prescott Communications Director and P.C.A.C., P.C.A.C. shall provide the necessary personnel to videotape and conduct live broadcasts of all regularly scheduled CITY Council study and voting sessions, Planning and Zoning Commission meetings, Board of Adjustment meetings and Prescott Preservation Commission meeting. P.C.A.C. may also be asked to videotape and conduct live broadcasts of Council, Commission and Board workshops and intermittent special public meetings and community programs.

11. That in further consideration of this Agreement, P.C.A.C. shall cablecast during prime-time hours all programming described in Section 10 above, at no cost to the CITY, at times to be determined by mutual Agreement of the CITY and P.C.A.C. This cablecast time shall be during prime time as defined in Section 9 above.

12. That P.C.A.C. shall dedicate 1 notice (Video Bulletin Board) pages for CITY of Prescott public communication purposes to cablecast on the video bulletin board at no cost to the CITY. Video Bulletin Board notices of special events, CITY of

Prescott meetings or other announcements shall be posted within one (1) business day of receipt of said notices.

13. P.C.A.C. shall:

(a) Assist CITY of Prescott personnel with the production and editing of no fewer than 6 (six) public service announcements for the CITY. P.C.A.C. shall air the CITY's public service announcements at least six times per week during prime-time hours at no cost or charge to the CITY.

(b) Provide the CITY with up to 10 (ten) total copies (dubs) per month of videotaped meetings and other CITY-produced or sponsored program at no cost to the CITY.

(c) Within the capabilities of P.C.A.C., produce, edit and air no fewer than 8 (eight) community events/activities during the contract period. The community events/activities will be mutually identified and scheduled 30 days in advance by P.C.A.C. and the City Manager or his or her designee.

(d) Continue work toward the goal of developing, recruiting and maintaining an audio/visual volunteer and/or student internship program to aid P.C.A.C. personnel in meeting the channels contract obligations to the CITY.

(e) Provide CITY of Prescott staff, P.C.A.C. volunteers and/or student interns with video production training and technical assistance as needed to aid P.C.A.C. personnel in meeting the channel's contract obligations to the CITY.

(f) As is practical within its resources, P.C.A.C. will assist CITY of Prescott personnel and volunteers with the creation, development and production of audio/visual projects and/or programs.

(g) Make P.C.A.C.'s personnel available 24 hours a day to assist with emergency communications in the event of flood, fire or other natural or manmade disasters.

(h) As appropriate, cooperate with and partner with Prescott Valley Channel I3 to develop and produce programming of regional interest while leveraging resources.

(i) Work with Cable One and the CITY of Prescott toward the development and implementation of an emergency communications protocol.

(j) Make any and all of its video production equipment available to the CITY at no cost; provided, however, that the CITY provide P.C.A.C. with a minimum of forty-eight (48) hours notice of equipment needs and in accordance with P.C.A.C. rules and procedures.

14. P.C.A.C. will include a disclaimer pertaining to any advertisements, etc. acceptable to the City Manager or his or her designee who will be cablecast at the beginning and the end of CITY government programs that carry underwriting in order to prevent any public misperception that such ads are governmentally endorsed, sponsored or approved.

15. To maximize the security of the remote video studio within Prescott CITY Hall, P.C.A.C. agrees to comply with security procedures as follows:

(a) P.C.A.C will provide the Prescott Communications Director a list of all P.C.A.C. staff and volunteers authorized to operate the remote video studio and produce CITY Council and other public meetings in the studio.

(b) P.C.A.C. staff members and/or volunteers assigned by P.C.A.C. to produce a public meeting from the remote video audio within CITY Hall will, on the day of the meeting assignment, request a studio key either from the CITY Hall reception desk, from the Communications Director or a City Manager's office staff member. The key will be given to the P.C.A.C. staff member/volunteer provided that his or her name appears on the staff list provided by P.C.A.C. and further provided that he or she displays proper identification, i.e., a driver's license or CITY volunteer badge. The key holder is required to return the key the same day and before leaving the CITY Hall building.

16. To ensure sufficient, trained personnel to operate the remote video studio within CITY Hall, P.C.A.C. agrees to conduct training sessions with its own staff and volunteers and with CITY of Prescott staff and volunteers. P.C.A.C. will work with the CITY in the scheduling of those training sessions.

17. P.C.A.C. may continue pursuant to this Agreement to occupy allocated CITY space in the Prescott Activity Center.

18. That P.C.A.C., its Board, employees and agents shall strictly conform to all duly adopted bylaws of the Corporation.

19. P.C.A.C., with regard to its operations of a Community Access Channel, will not discriminate on the grounds of race, color, national origin, religion, sex, disability or familial status in the provision of services or charging of fees. P.C.A.C. will not participate either directly or indirectly in discrimination prohibited by or pursuant to Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Section 109 of the Housing and Community Development Act of 1974, the Age Discrimination

Act of 1975, or Executive Order 994. Notwithstanding this section, P.C.A.C. shall be allowed to charge additional rates or fees for services to residents or entities not within the Prescott Cable Television Franchise Area.

20. P.C.A.C. hereby agrees to provide any and all information to the CITY to resolve any complaints received by the CITY regarding the Community Access Channel within ten days of receiving notice from the CITY of said complaint, except where PCAC has a policy or obligation to not release information. Nothing in such policy or obligation is intended to affect records of the City of Prescott which are public records and the City will provide such public records to the public in accordance with applicable laws.

P.C.A.C. shall further attempt to resolve any such complaint, and in any event shall contact the complainant within twenty (20) days in an attempt to resolve such complaint.

21. Pursuant to A.R.S. 38-511, the CITY may cancel this contract, without penalty or further obligation, if any person significantly involved in initiating, negotiating, securing, drafting or creating the contract on behalf of the CITY is, at any time while the contract or any extension of the contract is in effect, an employee or agent of any other party to the contract in any capacity or a consultant to any other party of the contract with respect to the subject matter of the contract. In the foregoing event, the CITY may recoup any fee or commission paid or due to any person significantly involved in initiating, negotiating, securing, drafting or creating this contract on behalf of the CITY from any other party to the contract, arising as a result of this contract.

22. The parties hereto expressly covenant and agree that in the event of a dispute arising from this Agreement, each of the parties hereto waives any right to a trial

by jury. In the event of litigation, the parties hereby agree to submit to binding arbitration.

23. The parties hereto expressly covenant and agree that in the event of litigation arising from this Agreement, neither party shall be entitled to an award of attorneys' fees, either pursuant to the Contract, pursuant to A.R.S. Section 12-341.01(A) and (B), or pursuant to any other state or federal statute.

24. It is expressly agreed and understood by and between the parties that P.C.A.C. is an independent contractor, and as such neither P.C.A.C., its employees, officers, agents and assigns P.C.A.C. shall not become CITY employees, and are not entitled to payment or compensation from the CITY or to any fringe benefits to which other CITY employees are entitled. As an independent contractor, P.C.A.C. further acknowledges that it is solely responsible for payment of any and all income taxes, FICA, withholding, unemployment insurance, or other taxes due and owing any governmental entity whatsoever as a result of this Agreement. As an independent contractor, P.C.A.C. further agrees that it will conduct itself in a manner consistent with such status, and that it, its officers, employees, agents or assignees will neither hold itself or themselves out, nor claim to be officers or employees of the CITY by reason thereof, and that it will not make any claim, demand or application to or for any right or privilege applicable to any officer or employee of the City, including but not limited to workmen's compensation coverage, unemployment insurance benefits, social security coverage, or retirement membership or credit.

25. This Agreement is the result of negotiations by and between the parties. Although it has been drafted by the Prescott City Attorney, it is the result of negotiations

between the parties. Therefore, any ambiguity in this Agreement is not to be construed against either party.

26. This Agreement shall be construed under the laws of the State of Arizona.

27. This Agreement represents the entire and integrated Agreement between the CITY and P.C.A.C. and supersedes all prior negotiations, representations, or Agreements, either written or oral. This Agreement may be amended only by written instrument signed by both the CITY and P.C.A.C. Written and signed amendments shall automatically become part of the Agreement, and shall supersede any inconsistent provision therein; provided, however, that any apparent inconsistency shall be resolved, if possible, by construing the provisions as mutually complementary and supplementary. In the event any provision of this Agreement shall be held to be invalid and unenforceable, the remaining provisions shall be valid and binding upon the parties. One or more waivers by either party of any provisions, term, condition, or covenant shall not be construed by the other party as a waiver of a subsequent breach of the same by the other party.

28. PCAC hereby agrees to save and hold harmless the CITY, or any of its departments, agencies, officers or employees whatsoever, from any and all claims, liabilities, expenses or lawsuits as a result of the City's participation pursuant to this Agreement, which are caused by the negligent acts or omissions willful or intentional misconduct of the PCAC, or its officers, employees, agents or assigns. The CITY hereby agrees to save and hold harmless PCAC, or any of its departments, agencies, officers or employees whatsoever, from any and all claims, liabilities, expenses or

lawsuits as a result of PCAC's participation pursuant to this Agreement which are caused by the negligent acts or omissions, willful or intentional misconduct of City, or its officers, employees, agents or assigns. . The costs incurred by either party, any of its departments, agencies, employees or assigns, include but are not limited to actual punitive damages, special or consequential damages, and any and all expenses of litigation, except for any such claims that arise or relate to this agreement pursuant to contractual issues between the parties, which shall be governed by the provisions of Section 23 and the other terms of this agreement.

29. No oral order, objection, claim, or notice by any party to the other shall affect or modify any of the terms or obligations contained in this Agreement, and none of the provisions of this Agreement shall be held to be waived or modified by reason of any act whatsoever, other than by a definitely agreed waiver or modification thereof in writing. No evidence of modification or waiver other than evidence of any such written notice, waiver, or modifications shall be introduced in any proceeding.

PASSED, APPROVED AND ADOPTED by the Mayor and Council of the CITY of Prescott this ____ day of _____, 2008.

JACK D. WILSON, Mayor

ATTEST:

ELIZABETH A. BURKE
City Clerk

APPROVED AS TO FORM:

GARY D. KIDD
City Attorney

PASSED, APPROVED AND ADOPTED by the Board of Directors of the Prescott
Community Access Channel this ____ day of _____, 2008.

CHAIRMAN OF THE BOARD

ATTEST:

Secretary of the Board

DRAFT

COUNCIL AGENDA MEMO – (09/16/08 & 09/23/08)	
DEPARTMENT: Regional Communications Center	
AGENDA ITEM: Phase II Wireless Upgrade	

Approved By:	Date:
Department Head: Darrell Willis	
Finance Director: Mark Woodfill	
City Manager: Steve Norwood <i>[Signature]</i>	09/09/08

Background

The State 911 office has scheduled the Phase II wireless upgrade for the Prescott Regional Communication Center (PRCC) during the first quarter of 2009. The completion of this project will enable a dispatcher at the PRCC to identify the location of a 911 caller using a cellular phone. This information will be displayed on a computer generated map displaying the immediate area where the call is coming from.

The Phase II wireless upgrade project for the PRCC will require the following upgrades and additions to the current 911 phone equipment. The existing 911 computers, monitors, software and equipment will be upgraded to support the new mapping equipment and software. Mapping equipment and software will be installed at each dispatch console and additional equipment to include routers and servers will be installed in the PRCC equipment room.

The total estimated cost of this project including equipment, software, installation, testing, for all ten dispatch consoles and the training of up to 30 dispatchers totals \$394,643.45. The State 911 office will fund all but \$26,324.65 of this phase two wireless project; thus, the PRCC will be required to fund the software and equipment (\$26,324.65) for one of the ten dispatch consoles. Each PRCC Partner will pay for their percentage of this project cost.

Financial Impact

The City of Prescott will fund \$26,324.65 from account 1-874-400 and the balance of \$394,643.45 will be funded by the State 911 Office.

Recommended Action: MOVE to approve funding in the amount of \$26,324.65, plus tax, for the PRCC Phase II, 9-1-1 wireless upgrade; the balance of this project will be funded by the State 911 Office.



JANET NAPOLITANO
GOVERNOR

WILLIAM BELL
DIRECTOR

ARIZONA DEPARTMENT OF ADMINISTRATION
INFORMATION SERVICES DIVISION
100 N. 15TH AVENUE, SUITE 400
PHOENIX, ARIZONA 85007

September 4, 2008

Prescott Regional Communications
216 S. Cortez St.
PO Box 2526
Prescott, AZ. 86302

Attn: Paul Laipple

Re: Prescott Regional Communications

Mr. Laipple:

The State 9-1-1 Administration Office has received a copy of the costs for the installation of a Plant Pallas 911 system as well as the Plant Vela Mapping equipment at 216 S. Cortez St., Prescott, AZ. which is Prescott Regional Communications. The installation replaces the equipment currently being used by 9 positions and adds the element of mapping to those positions as well. **The cost of \$276,455.92 and \$91,862.88 (plus any applicable taxes) for the installations will be paid by the State of Arizona with the 9-1-1 funds.** Once these invoices are received from Qwest you can submit it to our office for direct payment to Qwest. The final quote we are referring to is dated 9/4/2008.

Qwest also included the quotes for this same work to be done on an additional position. As you know the State only funds 9 of your 10 positions so you would be responsible for any changes made to that tenth position.

Your request for an amendment to increase your fiscal year 2009 budget by \$330,000.00 has been received and granted.

Please be advised that any additional work authorized by your office or the PSAP that is NOT included in this authorization become the responsibility of Prescott Regional Communications if prior approval is not received.

If we can be of any further assistance please contact Maria Hall at 602-771-4911.

Respectfully,

Barbara A. Jaeger

Barbara A. Jaeger, ENP
State 9-1-1 Administrator

COUNCIL AGENDA MEMO –September 16, 2008

DEPARTMENT: Community Development, Public Works

AGENDA ITEM: Ordinance No. 4668-0911 Acceptance of Public Utility Easement for Existing Sewer Line Crossing the Project Aware Property Located at 215 West Leroux Street.

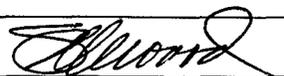
Approved By:

Date:

Department Head: Tom Guice

Finance Director:

City Manager: Steve Norwood



REQUEST

This is a "housekeeping" item associated with the dedication of a public utility easement to the City by Project Aware. The easement is for an old sewer line that crosses the north west corner of Project Aware's property located at 215 W. Leroux Street. The sewer line was constructed decades ago without the benefit of an easement and has been the subject of recent discussions between City Staff and Project Aware. The easement occurs in the area that serves as the parking lot for the facility. No current or future buildings are affected by the easement. The easement is being dedicated at no cost to the City.

Recommended Action: MOVE to adopt Ordinance No. 4668-0911.

ORDINANCE NO. 4668-0911

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, ACCEPTING A PUBLIC SEWER EASEMENT FROM PROJECT AWARE, INC., IN THE VICINITY OF 215 WEST LEROUX STREET IN THE PRESCOTT ORIGINAL TOWNSITE AND AUTHORIZING THE MAYOR AND CITY STAFF TO TAKE NECESSARY STEPS TO COMPLETE ACCEPTANCE AND DEDICATION AS A CITY OF PRESCOTT PUBLIC SEWER EASEMENT

RECITALS:

WHEREAS, the City Council of the City of Prescott has determined that a 20 ft. sewer easement owned by Project Aware, Inc. on Leroux Street in the Prescott original townsite more particularly described in the attached Exhibit "A" to the Sewer Easement (Exhibit 1) and the attached location map, is needed by the City for public purposes; and

WHEREAS, the owners of the property, APN 109-14-022, identified in the attached Exhibit "A" have agreed to grant an easement to the City at no cost for the public sewer easement.

ENACTMENTS:

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PRESCOTT AS FOLLOWS:

SECTION 1. THAT the easement depicted and attached hereto as Exhibit "1", which exhibit is made a part hereof, is hereby accepted by the City of Prescott at no cost to the City.

SECTION 2. THAT the attached easement and any further deeds and necessary documents pertaining to said easements are hereby ordered to be recorded in the Office of the Yavapai County Recorder, Arizona and the Mayor and Staff are authorized to execute such documents as may be necessary to effectuate this transfer.

PASSED AND ADOPTED by the Mayor and Council of the City of Prescott this 23rd day of September, 2008.

JACK D. WILSON, Mayor

ATTEST:

APPROVED AS TO FORM:

ELIZABETH A. BURKE, City Clerk

GARY D. KIDD, City Attorney

When recorded, mail to:

CITY OF PRESCOTT
CITY CLERK
P. O. Box 2059
Prescott, AZ 86302

PUBLIC UTILITY EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

For good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Project Aware, Inc., a non-profit Arizona corporation duly franchised by the City of Prescott and doing business in the State of Arizona, hereinafter referred to as the "Grantor," hereby grants unto the City of Prescott, hereinafter referred to as the "Grantee", its successors or assigns, the right of ingress and egress over and through the following described property, for public utility purposes and other public utility related purposes, to use and construct same, together with the right to construct, maintain and place any and all utilities therein, said property more particularly described on the attached Exhibits "A and B".

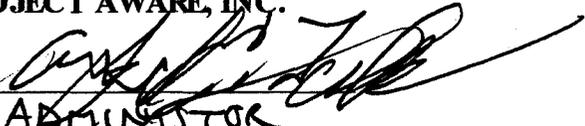
This easement shall run with the land, and shall be perpetual unless earlier abandoned or vacated by the Grantee.

In accordance with A.R.S. 11-1134 A(3), this granting of easement to the City of Prescott, the named grantee, by Project Aware, inc., the named grantor, is exempt from real estate transfer affidavit and fees.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand this 10TH day of SEPTEMBER, 2008.

GRANTOR:

PROJECT AWARE, INC.

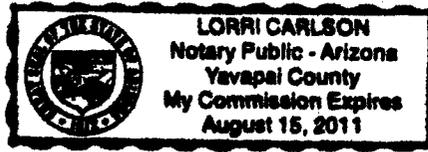
By: 

Its ADMINISTRATOR

ATTEST:



STATE OF ARIZONA)
) ss.
County of Yavapai)



The foregoing instrument was acknowledged before me this 10th day of SEPTEMBER 2008, by ALFREDO FALK, the ADMINISTRATOR of Project Aware, Inc., personally known to me or proven to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument, and acknowledged that he executed it.

Lorri Carlson
Notary Public

My Commission Expires:
AUG. 15, 2011

GRANTEE CITY OF PRESCOTT:

By: _____

ATTEST:

APPROVED AS TO FORM:

Elizabeth A. Burke
City Clerk

Gary D. Kidd
Prescott City Attorney

STATE OF ARIZONA)
) ss.
County of Yavapai)

The foregoing instrument was acknowledged before me this ____ day of _____, 2008, by _____, personally known to me or proven to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument, and acknowledged that he executed it.

Notary Public

My Commission Expires:

EXHIBIT 'A'
20 FOOT SEWER EASEMENT

A 20 foot wide Sewer Easement, lying 10.00 feet each side of the following described centerline, said Sewer Easement being created herein is pertinent only to that portion lying within Section 4, Township 13 North, Range 02 West, of the Gila and Salt River base and Meridian, Yavapai County, Arizona, more particularly described as follows:

Commencing from the Southwest corner of that particular parcel described in Book 3077, Page 943, on file in the Office of the Yavapai County Recorder, Yavapai County, Arizona;

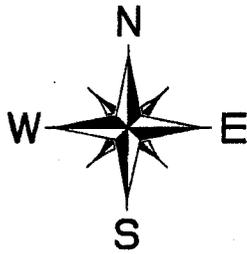
Thence N 01°17'43" E, 20.74 feet along the West line of said parcel, to the centerline of this easement and the Point of Beginning of this description;

Thence N 50°32'01" E, 136.53 feet, to the North line of that part of abandoned Leroux Street, as abandoned by Ordinance #1109 in Book 966 of Official Records, Page 876, on file in the Office of the Yavapai County Recorder, Yavapai County, Arizona, said point also being the terminus point of the line.



EXHIBIT 'B'

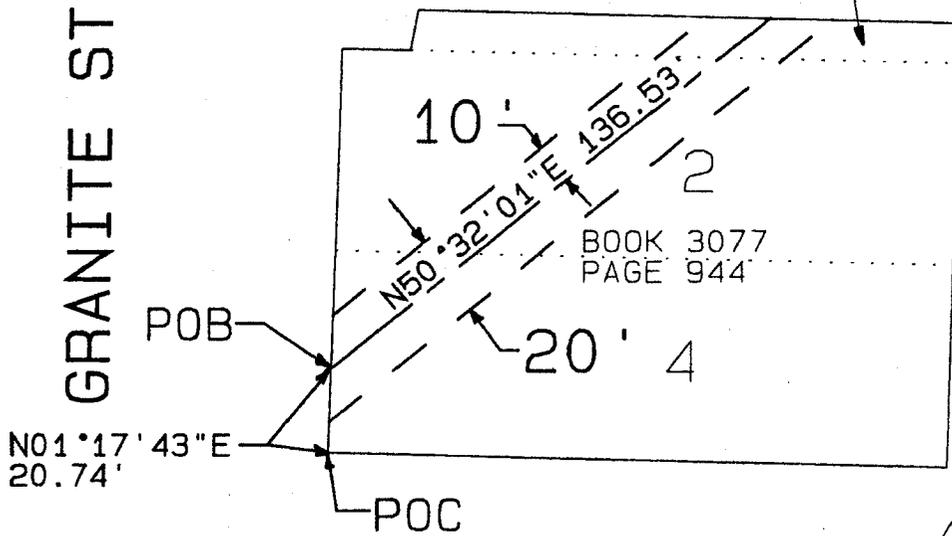
20' SEWER EASEMENT



LERUOX ST.

BOOK 966
PAGE 876

GRANITE ST.



BOOK 3077
PAGE 944

