

ORDINANCE NO. 24-1191

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF DOUGLAS, COCHISE COUNTY, ARIZONA, ADOPTING BY REFERENCE APPENDIX Q OF THE INTERNATIONAL RESIDENTIAL CODE, 2021 EDITION AND AMENDING THE DOUGLAS MUNICIPAL CODE CHAPTER 15.04 UNIFORM BUILDING CODES AS SET FORTH IN EXHIBIT A, ESTABLISHING SEVERABILITY OF COMPONENTS OF ORDINANCE; AND ESTABLISHING AN EFFECTIVE DATE THEREOF.

**WHEREAS**, the city has previously adopted building and fire codes governing the construction, conditions, and maintenance of all property, buildings, and structures in the city; and

**WHEREAS**, the appropriate and required Public Hearing was held on June 6, 2024, by the City of Douglas Planning and Zoning Commission and recommended to Mayor and Council that the proposed amendment of the Building Code per file number BCA-2024-02 be approved to encourage and facilitate tiny houses construction within the City of Douglas; and

**WHEREAS**, the regulations of Appendix Q (Tiny Houses) of the International Residential Code, 2021 edition, can help provide for the preservation of property values and public health, safety, and welfare for the residents of Douglas; and

**WHEREAS**, the Mayor and Council find that the interests of the city are served by the proposed building code amendment.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the City of Douglas, Arizona, hereby:

1. Adopts Appendix Q in the 2021 International Residential Code, as amended, as identified in Exhibit "A" as attached hereto.

2. The Development Services Department shall amend the Uniform Building Code adoption by reference section of the Douglas Municipal Code. This amendment and a copy shall remain on file in the office of the City Clerk for public examination.

3. To the extent of any conflict between other city Ordinances and this Ordinance, this Ordinance shall be deemed to be controlling; provided, however, that this Ordinance is not intended to amend or repeal any existing city Ordinance, Resolution or regulation except as expressly set forth herein.

4. **Effective Date:** The provisions in this Ordinance shall be effective thirty (30) days after final approval and adoption by the Mayor and Council.

5. **Severability:** If any chapter, section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance and this Ordinance shall continue in full force and effect after the deletion of the illegal or unconstitutional provision.

**PASSED AND ADOPTED** by the Mayor and Council of the City of Douglas, Arizona, this 10<sup>th</sup> day of July 2024.

Donald C. Huish, Mayor

Attest:

Approved as to form:

Alma Andrade, City Clerk

Denis Fitzgibbons, City Attorney

Prepared by: Christine McLachlan, Contract Planner