

ORDINANCE NO. 729

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, ADOPTING AN AMENDMENT TO SECTION 150.23 OF THE CODE OF THE TOWN OF PAYSON AND DECLARING AN EMERGENCY. [KITCHEN EXHAUST SYSTEMS]

WHEREAS, the Town of Payson desires to amend the Code of the Town of Payson pertaining to kitchen hood and exhaust systems used in very small commercial cooking establishments; and

WHEREAS, the Town of Payson has found that the adoption of this Ordinance Number 729 is necessary for the protection of the health and safety of the citizens of the Town of Payson as a lawful exercise of police power vested in the Town by the State of Arizona; and

NOW, THEREFORE, THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON, ARIZONA, DO HEREBY ORDAIN AS FOLLOWS:

Section 1. That local amendment 10 is added to Section 150.23 (International Mechanical Code) of the Code of the Town of Payson and such local amendment 10 shall read as set forth in Exhibit A attached hereto and made a part hereof.

Section 2 All ordinances and parts of ordinances in conflict with the provisions of this Ordinance Number 729 are hereby repealed to the extent of such conflict

Section 3. Whereas, it is necessary for the preservation of the peace, health and safety of the Town of Payson, Arizona, an emergency is declared to exist, and this Ordinance shall become immediately operative and in full force and effect from and after the date of its enactment.

PASSED AND ADOPTED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF PAYSON this 13th day of December, 2007, by the following vote:

AYES _____ NOES _____ ABSTENTIONS _____ ABSENT _____

F. Robert Edwards, Mayor

ATTEST:

APPROVED AS TO FORM:

Silvia Smith, Town Clerk

Samuel I Streichman, Town Attorney

1st Reading Public Hrg.

DEC 13 2007 6:17

EXHIBIT A TO ORDINANCE 729

10. Section 507.2.3 shall be replaced with the following:

507.2.3 Domestic cooking appliances used for commercial purposes.

507.2.3.1 Very small commercial cooking establishments. Commercial establishments having (i) an interior seating area for less than twenty (20) persons, and (ii) not more than four hundred (400) square feet of overall kitchen cooking and preparation, food storage, and interior seating space within a building may use a Type II kitchen hood and exhaust system subject to the following:

1. Only one thirty (30) inch wide, listed and tested, domestic cooking stove may be used,
2. The hood and exhaust system shall be installed according to the manufacturer's specifications and Chapter 5 of the International Mechanical Code, but in no case shall it be installed less than two feet above the domestic cooking stove. Automatic fire extinguishing systems shall not be required to be installed for the purposes of this section;
3. The hood and exhaust system shall be activated at all times that the domestic cooking stove is in use;
4. The hood and exhaust system shall be maintained free of grease;
5. A manual emergency fuel and/or electrical supply actuation device shall be installed within the building, at a minimum of ten (10) feet and a maximum of twenty (20) feet horizontally from the hood exhaust and between four and five feet above the finished floor level. This device shall instantly shut down any fuel and/or electrical supply to the cooking stove; and
6. At least one type K portable fire extinguisher shall be installed in the kitchen area.

This subsection shall supercede any other Code regulations, including, but not limited to Section 609.2 of the International Fire Code

507.2.3.2 Other uses of domestic cooking appliances for commercial purposes. Except as provided in Section 507.3.2.1, domestic cooking appliances utilized for commercial purposes shall be provided with Type I or Type II exhaust hoods as required for the type of applications and processes in accordance with Sections 507.2, 507.2.1 and 507.2.2.