

**MARICOPA COUNTY ENVIRONMENTAL HEALTH CODE**

**CHAPTER X**

**RESIDENCE ACCOMMODATIONS**

**SECTION 1**

**GENERAL PROVISIONS**

**REGULATION 1. Definitions**

- a. "Transient dwelling establishment" means and includes any place such as a hotel, motel, motor hotel, resort, tourist court, tourist camp, rooming house, boarding house, inn, hostel, and similar facilities by whatever name called, consisting of two or more dwelling units where sleeping accommodations, linens, and cleaning services are provided for transients or tourists provided, however, that the term shall not be construed to include apartments, and similar facilities if occupancy of all dwelling units is on a permanent basis.
- b. "Transient" means any person who occupies a dwelling unit in a transient dwelling establishment as defined above.
- c. "Dwelling unit" means any suite, room, cottage, bedroom, or other unit established, maintained, held out or offered by a transient dwelling establishment for occupancy.
- d. "Licensed Pest Control Applicator" means a person who is licensed by the Arizona Office of Pest Management (OPM) to apply pesticides.
- e. "Residence Accommodation" means a place of human habitation, such as a transient dwelling establishment, apartment, condominium, house, manufactured home, or townhome.

**REGULATION 2. Permits, Plans**

- a. No person shall operate a transient dwelling establishment without holding a valid permit to do so from the Department.
- b. No new establishment regulated under this chapter shall be constructed nor any additions or major alterations be made on existing facilities until plans and specifications showing in detail the work to be done have been submitted to and approved by the Department. The owner, operator, or his authorized agent shall certify in writing that the plan documents comply with these regulations.

### **REGULATION 3. Right of Inspection**

The Health Officer is hereby directed to make inspections to determine the condition of housing and premises located within Maricopa County in order that he may perform his duty of safeguarding the health of the occupants of such housing and of the general public. For the purpose of making such inspections, the Health Officer is hereby authorized to enter, examine and survey at all reasonable times all housing described in this chapter. The owner or occupant of every dwelling, or the person in charge thereof, shall give the Health Officer free access to such housing and its premises, at all reasonable times for the purpose of such inspection, examination and survey.

### **REGULATION 4. Sanitation of Habitable Buildings**

- a. In every public or private building which is in whole or in part leased by the owner or his agent for habitation, or which is permitted to be used by patrons or the general public, each plumbing fixture, pipe, drain, sewer and sewer connection shall be properly plumbed, of sanitary design and construction, maintained in repair and in a sanitary condition.
- b. No person shall occupy any building, dwelling or vehicle as a place of habitation unless adequate and sanitary facilities for the disposal of sewage have been provided therefor.
- c. An owner or lessee of a transient dwelling establishment, residence accommodation, or business establishment (collectively hereinafter referred to as "property") shall not turn off the water supply or cause such water supply to be turned off, except in case of necessity arising from a serious leak or bursting pipes. In such cases, repairs shall promptly be made, or caused to be made, by the property owner, property manager, or lessee.
- d. Every owner shall provide suitable and sufficient approved containers for storing garbage and rubbish in compliance with the regulations in this code.

### **REGULATION 5. Pipeless Heaters, Heating Stoves and Space Heating Devices**

- a. Every indoor stove, space heater, or other heater which uses carbonaceous fuel shall be fitted with a continuous gastight pipe vent which discharges directly to the outer air, or to a chimney which discharges directly to the outer air without backup, all gaseous products of combustion of the fuel.
- b. The health officer having sufficient reason to believe that any such heater is defective or improperly vented, and does or may discharge into occupied indoor space excessive concentrations of noxious products of combustion, may seal such a heater to prevent its use. No person shall remove the seal or use the heater unless and until the defect causing or likely to cause the prohibited discharge has been corrected.

- c. Where gas is used as a fuel, the connection between the source of gas supply and the heating stove, space heating appliance, or tank water heater, shall be of substantial metallic construction, made gastight and impervious. No rubber or other non-metallic hose connection shall be used.

#### **REGULATION 6. Compliance**

Representatives of the Department shall make such inspections of residence accommodations as are necessary to assure compliance with these regulations. A copy of the report of the inspection shall be furnished the owner, lessee, or operator of the transient dwelling establishment indicating the degree of compliance or noncompliance with the provisions of these regulations. Failure to correct any violation noted within the time limit specified shall be cause for revocation or suspension of the permit to operate.

#### **REGULATION 7. New Owner Transition**

The Department may grant the new owner of a residence accommodation approval to operate without a permit provided the following requirements are met:

- a. The new owner shall apply and receive written approval from the Department prior to operating.
- b. The time between the ownership change and issuance of the required permit to operate must not exceed 30 days.
- c. The previous owner of the establishment must have a valid issued permit at time of the ownership change.
- d. The facility is not undergoing a major alteration or addition. Facilities undergoing a major alteration or addition are not approved for a New Owner Transition and must submit plans to the Department for review. The new owner must not complete any major alteration or addition to the physical facility which has not been approved by the Department.
- e. The new owner agrees to immediately cease operations if any of the following occur:
  - 1. An imminent health hazard such as fire, flood, electrical or water outage, sewage backup, misuse of poisonous or toxic materials, onset of an apparent foodborne illness outbreak, gross insanitary occurrence or condition, or other circumstance that may endanger public health.
  - 2. Evidence of live insect and/or vermin activity.
  - 3. Missing or inoperable plumbing fixtures essential to facility operations.
  - 4. Inadequate supply of hot and cold water.

## **REGULATION 8. Adoption of International Codes**

Conformance with the following requirements or similar requirements must be adhered to for the determination of Maricopa County Environmental Health Code compliance with plumbing and mechanical codes. The current plumbing code, as adopted by the Maricopa County Board of Supervisors and as amended by section 301 of Chapter 3 of the Maricopa County Planning & Development Department's Local Additions & Addenda, shall be adhered to for code compliance. This material is on file with the Maricopa County Planning & Development Department and is available at <https://www.maricopa.gov/2271/Ordinances-Regulations-and-Codes>.