

ORDINANCE NO. 2019-16

**AN ORDINANCE OF THE BOARD OF SUPERVISORS,
COCONINO COUNTY, ARIZONA, REPEALING ORDINANCE 1985-4
(INCLUDING ALL SUBSEQUENTLY ADOPTED
ORDINANCES AMENDING THE SAME)
AND ADOPTING CHAPTERS 1 THROUGH 16
OF THE NEW UNIFIED HEALTH CODE**

WHEREAS, authority is granted to the Board of Supervisors to adopt provisions necessary to preserve the health of the people of Coconino County (the “County”) pursuant to Arizona Revised Statutes (“ARS”) § 11-251(17) and (18) by making and enforcing all local, police, sanitary and other regulations not in conflict with the general laws, in conformity with ARS § 11-251(31);

WHEREAS, the Board of Supervisors acting as the Board of Directors of the Coconino County Public Health Services District and thereby is authorized to recommend rules and regulations for adoption and enforcement within the County, pursuant to ARS §§ 36-184 and 48-5804;

WHEREAS, by Ordinance 1985-4, the Board of Supervisors adopted the County’s extant environmental health regulations in October 1985, and has amended these regulations periodically since then by way of multiple subsequent ordinances;

WHEREAS, the Board of Supervisors intends to repeal these regulations and ordinances due to their lack of relevancy and compliance with current state law and enact a new Unified Health Code that is compliant with Arizona laws, facilitates an ease of reference, addresses current industry standards, and provides for local regulation using procedures best suited to the County and its citizens;

WHEREAS, the Coconino County Health and Human Services staff consulted with stakeholders, studied the various health codes in other counties within the State of Arizona, as well as considered all concerns from the public pursuant to A.R.S. § 11-251.05;

WHEREAS, upon having conducted the above, the County held a duly noticed public hearing on December 10th, 2019 to make a recommendation to the Board of Supervisors that the new Unified Health Code, as summarized in “Exhibit A,” which is attached and incorporated by reference hereto, be approved; and

WHEREAS, the Board of Supervisors finds that the new Unified Health Code will serve to protect and preserve the public health, safety, and welfare of the citizens of the County.

NOW THEREFORE BE IT ORDAINED, the Board of Supervisors does hereby repeal in its entirety, Ordinance 1985-4, together with any and all subsequent ordinances amending these environmental health regulations of the County; and

BE IT FURTHER ORDAINED that the Board of Supervisors does hereby adopt the Coconino County Health and Human Services Unified Health Code, as summarized in Exhibit A, and as posted at <https://www.coconino.az.gov/DocumentCenter/View/31317/Combined-UHC-2019>, which Unified Health Code is also available in hard copy at the Coconino County Health and Human Services, Environmental Health Services Division.

Passed and adopted this 10th day of December 2019 by the following vote:

AYES:
NOES:
ABSENT:

COCONINO COUNTY BOARD OF SUPERVISORS

Lena Fowler, Chair

(SEAL)

ATTEST:

Clerk of the Board

APPROVED AS TO FORM:

By: _____
Deputy County Attorney

EXHIBIT A

COCONINO COUNTY HEALTH AND HUMAN SERVICES
UNIFIED HEALTH CODE
AS ADOPTED BY THE COCONINO COUNTY BOARD OF SUPERVISORS
ON DECEMBER 10, 2019

Ordinance 2019-16: A major update and revisions of the Coconino County Environmental Services (Health) Code, including:

- Chapter 1 General Provisions –
 - Consolidated common definitions.
- Chapter 2 Permits, Licenses, Certificates, Enforcement and Other Requirements –
 - Consolidated general rules and regulations and added sections:
 - REG. 2-1-2 Permit, License and Certificate Requirements
 - REG. 2-1-3 Plan Review Requirements
 - REG. 2-1-4 Permit and Licensing Timeframes
 - REG. 2-1-5 Modifications and Variances
 - REG. 2-5-1 Inspections
 - REG. 2-5-3 Administrative Hearings of Public Nuisances in Coconino County
- Chapter 3 Health Menace –
 - All enforcement and legal proceeding information moved to Chapter 2.
 - Identifies sections of the Arizona Revised Statutes not enforced by the Coconino County Environmental Health Program.
- Chapter 4 Storage, Collection, Transportation, and Disposal of Refuse and other objectionable waste –
 - Adopt Arizona Administrative Code (A.A.C.) Title 18, Chapter 13, Sections 301-309 and 311.
 - Removed:
 - REG. 4-3-3 through 4-3-5(current code) - Removed the permitting and inspection of waste hauling trucks as this is a function of Coconino County Environmental Quality.
 - REG. 4-4-2 through 4-4-3(current code) - Removed requirements of disposal facilities and permits to disposal of waste as this is a function of Arizona Department of Environmental Quality (ADEQ).
 - REG. 4-4-4 (B)(3) (current code) - which allowed the burning of pesticide containers; not included in the new code. MORE STRINGENT
 - Moved - REG. 11-3-1(current code), Storage of manure and droppings and an expanded definition of putrescible waste from Chapter 11(current code) to Chapter 4, REG. 4-2-3 (new code).
- Chapter 5 Individual Sewage Disposal Systems
 - Removed: Chapter 5 is a function of the Coconino County Environmental Quality

Program.

- Chapter 6 Restrooms –
 - Removed: Chapter 6 is a function of Coconino County Community Development.
- Chapter 7 Campgrounds and Picnic Areas –
 - Renumbered and Renamed: New Chapter 5 – Campgrounds
 - Adopt A.A.C. Title 9, Chapter 8, Article 6.
 - Retain REG. 7-2-2 location restrictions (renumbered 5-2-1) and 7-2-9 bath house requirements (renumbered 5-2-2) from the current code. These restrictions were not outlined in the A.A.C.s.
- Chapter 8 Food and Drink -
 - Renumbered: New Chapter 6
 - Insertion of adoption language of A.A.C.s.
 - No Change to content at this time.
 - Once new State Food Code is adopted by the State, this chapter will be automatically updated.
 - Proposed changes will be brought before the Board and the public notified at a later date.
- Chapter 9 – Control of Rodents, Vermin and Insects –
 - Renumbered: New Chapter 7
- Chapter 10 – Transient Dwellings
 - Renumbered and Renamed: New Chapter 8 – Hotels, Motels and Transient Dwellings.
 - Adopt A.A.C. Title 9, Chapter 8, Article 13.
 - New language - Sec. 8-2-1: Abatement of Infestations - The owner or operator of a transient dwelling establishment shall take immediate measures if infestations occur including, but not limited to, bed bugs, fleas, lice, or rodents. The District must approve pest control mitigation efforts and said mitigation must be implemented and affected rooms closed. Pesticide treatment shall only be conducted by a state licensed applicator in accordance with ARS § 32-2325. An integrated pest management program shall be implemented by the owner/operator to prevent infestations. The room shall remain closed until inspected and confirmed to be free of pests. **MORE STRINGENT**
- Chapter 11 – Keeping of Animals
 - Removed: Chapter 11 is a function of Coconino County Animal Management. Sections pertinent to Coconino County Environmental Health, and not represented in other chapters of the Coconino County Environmental Services Code, were moved to Chapter 4.
- Chapter 12 – Air Pollution
 - Removed: Chapter 12 is a function of the Arizona Department of Environmental Quality (ADEQ).
- Chapter 13 – School Sanitization
 - Renumbered and Renamed: New Chapter 9 Schools
 - Adopt A.A.C. Title 9, Chapter 8, Sections 701-711.
- Chapter 14 – Sanitization in Public and Semi-Public buildings and Places of Employment

- Renumbered: New Chapter 10
- This chapter will only apply to complaints received by the Coconino County Environmental Health Program.
- Chapter 15 – Public and Semi-public Bathing Places
 - Renumbered: New Chapter 11
 - Adopt A.A.C. Title 9, Chapter 8, Section 801-829 and Title 18, Chapter 5, Section 201-251.
 - MODIFIED: REG. 11-1-3(C) The Coconino County Environmental Health Program proposes to allow facilities to have solid panel access doors that open inward to a pool area, IF the doors are locked 100% of the time and only accessible with the use of a key or key card.
- Chapter 16 – Subdivisions
 - Removed: Chapter 16 is a function of the Community Development Department.
- Chapter 17 – Trailer Coach Parks and Campgrounds
 - Renumbered: New Chapter 12
 - Adopt A.A.C. Title 9, Chapter 8, Article 5.
 - New Language – REG. 12-1-4: The Coconino County Environmental Health Program proposes to require owners/managers to ensure RV's and travel trailers connect their sewage hose from the trailer to a sewer riser so that it is properly supported with a continual downward slope to the sewer riser (UPC). MORE STRINGENT
 - NEW - Privy's must be fly tight.
- Chapter 18 – Human Excreta
 - Removed: Chapter 18 is a function of the Coconino County Environmental Quality Program.
- Chapter 19 – Transportation of Water in Bulk for Domestic Use
 - Removed: Chapter 19 is a function of the Coconino County Environmental Quality Program.
- Chapter 20 – Body Art Establishments
 - Renumbered: New Chapter 13
 - Removed – redundant sections of the ordinance already covered in Chapters 1 and 2.
 - Clarified – Peel-packs must be dated with the date in which they were sterilized and re-sterilized if the package is compromised.
 - Added: Jewelry inserted into a healed piercing must be sterilized, at minimum, with 70% isopropyl alcohol.
- NEW Chapter 14 – Medical Marijuana Establishments
 - Moved from the old Chapter 8 Food Code into its own chapter because the A.A.C. do not address Medical Marijuana.
 - No changes to the content of the ordinance.
- NEW Chapter 15 – Bottled Water
 - Adopt A.A.C. Title 9, Chapter 8, Article 2 (delegated to the County in 2017).
- NEW Chapter 16 – Children's Camps
 - Adopt A.A.C. Title 9, Chapter 8, Article 4 (delegated to the County in 2017).

The complete Coconino County Health and Human Services Unified Health Code – Ordinance 2019-16 document is available for review on the Coconino County Health and Human Services, Environmental Health webpage at: <https://www.coconino.az.gov/229/Environmental-Health>. The complete Code shows all new text in its final form. A hard copy of the document can be viewed at Coconino County Health and Human Services, Environmental Health Services located at 2625 N. King St., Flagstaff, Arizona 86004, or for more information call (928) 679-8760.