

Town of Florence
Community Development
Department
224 W 20th Street / P.O. Box 2670
Florence, Arizona 85132
Phone (520) 868-7575 Fax (520) 868-7546 TDD (520) 868-7502
www.florenceaz.gov

INSPECTIONS; APPLICABILITY
RIGHTS AND RESPONSIBILITIES

Address _____
Project Site Address

Purpose of inspection _____
Project Scope of Work

(A.R.S. § 9-833 A) A municipal inspector or regulator who enters any premises of a regulated person for the purpose of conducting an inspection shall:

1. Present photo identification on entry of the premises
2. State the purpose of the inspection and the legal authority for conducting the inspection
3. Disclose any applicable inspection fees

Except for a fire and life safety inspection of areas that are accessible to the general public or a food and swimming pool inspection, afford an opportunity to have an authorized on-site representative of the regulated person accompany the municipal inspector or regulator on the premises, except during confidential interviews

4. Provide notice of the right to have:
 - Copies of any original documents taken by the municipality during the inspection if the municipality is permitted by law to take original documents
 - A split or duplicate of any samples taken during the inspection if the split or duplicate of any samples, if appropriate, would not prohibit an analysis from being conducted or render an analysis inconclusive
 - Copies of any analysis performed on samples taken during the inspection
5. Inform each person whose conversation with the municipal inspector or regulator during the inspection that the conversation is being tape recorded
6. Inform each person interviewed during the inspection that statements made by the person may be included in the inspection report

You have the right to appeal the final decision of a municipality based on the results of an inspection to;

Town of Florence
Community Development
James Allen, Building Official
(520) 868-77615
James.Allen@florenceaz.gov

If you have **questions regarding this inspection**, contact:
Cody Curtis, Building Inspector, (520) 510-5727
Cody.Curtis@florenceaz.gov

By signing below, I _____ have read and understand my rights as prescribed above
Agent/Applicant

Signature

Date

Not available or Refusal to sign by regulated person or on-site representative _____
Town of Florence Date

(A.R.S. § 9-833 D) A municipality that conducts an inspection shall give a copy of or provide electronic access to, the inspection report to the regulated person or on-site representative of the regulated person either;

- At the time of inspection
- Notwithstanding any other law, within thirty (30) working days after the inspection
- As required by federal law

(A.R.S. § 9-833 E) The inspection report shall contain deficiencies identified during an inspection. Unless otherwise prescribed by law, the municipality may provide the regulated person an opportunity to correct the deficiencies unless the municipality determines that the deficiencies are;

- Committed intentionally
- Not correctable within a reasonable period of time as determined by the municipality
- Evidence of a pattern of non-compliance
- A risk to any person, the public health, safety or welfare or the environment

(A.R.S. § 9-833 F) If the municipality allows the regulated person an opportunity to correct the deficiencies pursuant to subsection E of this section, the regulated person shall notify the municipality when the deficiencies have been corrected. Within thirty (30) working days of receipt of notification from the regulated person that the deficiencies have been corrected, the municipality shall determine if the regulated person is in substantial compliance and notify the regulated person whether or not the regulated person is in substantial compliance, unless the determination is not possible due to conditions of normal operations at the premises. If the regulated person fails to correct the deficiencies or the municipality determines the deficiencies have not been corrected within a reasonable period of time, the municipality may take any enforcement action authorized by law for the deficiencies.

(A.R.S. § 9-833 G) A municipality's decision pursuant to subsection E or F of this section is not an appealable municipal action.

(A.R.S. § 9-833 H) At least once every month after the commencement of the inspection, a municipality shall provide a regulated person with an update, in writing or electronically, on the status of any municipal action resulting from an inspection of the regulated person. A municipality is not required to provide an update after the regulated person is notified that no municipal action will result from the municipality's inspection or after the completion of municipal action resulting from the municipality's inspection.

(A.R.S. § 9-833 I) This section does not authorize an inspection or any other act that is not otherwise authorized by law.

(A.R.S. § 9-833 J) This section applies only to inspections necessary for the issuance of a license or to determine compliance with licensure requirements. This section does not apply;

- To criminal investigations, investigations under tribal-state gaming compacts and undercover investigations that are generally or specifically authorized by law
- If the inspector or regulator has reasonable suspicion to believe that the regulated person may be or has been engaged in criminal activity
- To inspections by a county board of health or a local health department pursuant to section 36-603

(A.R.S. § 9-833 K) If an inspector or regulator gathers evidence in violation of this section, the violation shall not be a basis to exclude the evidence in a civil or administrative proceeding, if the penalty sought is the denial, suspension or revocation of the regulated person's license or a civil penalty of more than one thousand dollars.

(A.R.S. § 9-833 L) Failure of a municipal employee to comply with this section:

- Constitutes cause for disciplinary action or dismissal pursuant to adopted municipal personnel policy
- Shall be considered by the judge and administrative law judge as grounds for reduction of any fine or civil penalty

(A.R.S. § 9-833 M) A municipality may adopt rules or ordinances to implement this section

(A.R.S. § 9-833 N) This section:

- Shall not be used to exclude evidence in a criminal proceeding
- Does not apply to a municipal inspection that is requested and scheduled by the regulated person