

ORDINANCE NO. O-2014-021-15

AN ORDINANCE OF THE CITY OF HALTOM CITY, TEXAS AMENDING CHAPTER 14, BUILDINGS, STRUCTURES AND APPURTENANCES, ARTICLE V, MECHANICAL CODE, SECTION 14-376 OF THE HALTOM CITY CODE TO ADOPT THE 2012 EDITION OF THE INTERNATIONAL MECHANICAL CODE; AMENDING SECTION 14-377 TO ADOPT LOCAL AMENDMENTS TO THE 2012 EDITION OF THE INTERNATIONAL MECHANICAL CODE; PROVIDING FOR THE MODIFICATION OF THE CODES TO INCORPORATE LOCAL AMENDMENTS; PROVIDING FOR RECORDING OF THE CODE AS A PUBLIC RECORD; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY FOR VIOLATIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Haltom City, Texas is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the City Council desires to adopt a nationally-recognized Mechanical Code containing standards regulating both methods of construction and materials quality; and

WHEREAS, the City Council has reviewed the available codes and has determined that the 2012 Edition of the International Mechanical Code most fully meets the needs of the City of Haltom City, Texas; and

WHEREAS, the City Council of the City of Haltom City, Texas, desires to provide a mechanism by which local modifications reflecting the unique needs of the City of Haltom City may be made when deemed appropriate; and

WHEREAS, the North Central Texas Council of Governments and City Staff have recommended adoption of certain amendments to the 2012 Edition of the International Mechanical Code to reflect locally accepted practice; and

WHEREAS, the City Council of the City of Haltom City, Texas, has determined that these local amendments are in the public interest and therefore deems it advisable to amend the 2012 Edition of the International Mechanical Code to incorporate these local amendments.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HALTOM CITY, TEXAS:

SECTION 1.

Sections 14-376 and 14-377 of the Code of Ordinances of the City of Haltom City, Texas, are hereby amended to read as follows:

"Sec. 14-376. - Adopted.

The 2012 Edition of the International Mechanical Code is hereby adopted as the official mechanical code of the City of Haltom City, Texas. This mechanical code is fully incorporated by reference as though copied into this ordinance in its entirety. The material contained in the International Mechanical Code shall not be included in the formal municipal codification of ordinances but shall be maintained as a public record in the office of the City Secretary.

Sec. 14-377. - Amendments.

The 2012 Edition of the International Mechanical Code, as adopted herein, is hereby amended as shown on Exhibit "A" attached hereto. The material contained in Exhibit "A" to this ordinance, although fully adopted and incorporated by reference, shall not be included in the formal municipal codification of ordinances. The material contained in Exhibit "A" shall instead be maintained as a public record."

SECTION 2.

The City of Haltom City may from time to time determine that additional local modifications to the codes adopted herein are necessary and appropriate to meet the unique building needs of the City of Haltom City. To effectuate modifications, the city council may enact individual ordinances amending this ordinance fully setting forth the change to be made in the specific code. Such subsequent amendments shall be consolidated as an exhibit to this ordinance, and shall be maintained as a public record in the office of the city secretary.

SECTION 3.

This ordinance shall be cumulative of all provisions of ordinances, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances and such Code, in which event the conflicting provisions of such ordinances are hereby repealed.

SECTION 4.

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared

unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining, phrase, clauses, sentences, paragraphs or sections of this Ordinance since the same would have been enacted by the City Council without incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 5.

Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this Ordinance shall be fined no more than Two Thousand Dollars (\$2,000.00) for all violations involving zoning, fire safety or public health and sanitation, including dumping or refuse, and shall be fined not more than Five Hundred Dollars (\$500.00) for all other violations of this Ordinance. Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 6.

All rights and remedies of the City of Haltom City, Texas, are expressly saved as to any and all violations of the provisions of the ordinances of the City of Haltom City which have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

SECTION 7.

The City Secretary of the City of Haltom City is hereby directed to publish in the official newspaper of the City of Haltom City, the caption, penalty clause, publication clause and effective date clause of this ordinance one (1) time within ten (10) days after the first reading of this ordinance as required by Section 10.01 of the Charter of the City of Haltom City.

SECTION 8.

This Ordinance shall be in full force and effect from and after its passage and publication as provided by law, and it is so ordained.

PASSED AND APPROVED ON FIRST READING THIS 8th DAY OF Sept., 2014.

PASSED AND APPROVED ON SECOND READING THIS 22nd DAY OF SEPTEMBER, 2014.



MAYOR

Richard Huthus

ATTEST:

Art Camacho

CITY SECRETARY

EFFECTIVE:

September 22, 2014

APPROVED AS TO FORM AND LEGALITY:

W/ka

CITY ATTORNEY

**EXHIBIT A
LOCAL AMENDMENTS OF
THE CITY OF HALTOM CITY, TEXAS
TO 2012 INTERNATIONAL MECHANICAL CODE**

**Recommended Amendments to the
2012 International Mechanical Code**
North Central Texas Council of Governments region

The following sections, paragraphs, and sentences of the *2012 International Mechanical Code* are hereby amended as follows: Standard type is text from the IMC. Underlined type is text inserted. ~~Lined through type is deleted text from the IMC.~~ A double asterisk at the beginning of a section identifies an amendment carried over from the 2009 edition of the code and a triple asterisk identifies a new or revised amendment with the 2012 edition of the code.

Note: Historically NCTCOG has limited Chapter 1 amendments in order to allow each city to insert their local policies and procedures. We now have suggested certain items to be brought to the attention of cities considering adoption of the code that may be of concern to several jurisdictions. **It is still intended to be discretionary to each city to determine which Chapter 1 amendments to include.**

Section 101.1; change to read as follows:

Section 101.1 Title. These regulations shall be known as the mechanical code of the City of Haltom City, Texas and shall be referred to herein as "this code."

****Section 102.8; change to read as follows:**

102.8 Referenced codes and standards. The codes and standards referenced herein shall be those that are listed in Chapter 15 and such codes, when specifically adopted, and standards shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and the referenced standards, the provisions of this code shall apply. Whenever amendments have been adopted to the referenced codes and standards, each reference to said code and standard shall be considered to reference the amendments as well. Any reference to NFPA 70 or the ICC *Electrical Code* shall mean the *Electrical Code* as adopted.

(Reason: Legal wording to recognize locally adopted codes and amendments adopted with referenced codes.)

****Section 108.2; change to read as follows:**

108.2 Notice of violation. The code official ~~shall~~ may serve a notice of violation or order to the person responsible for the erection, installation, alteration, extension, repair, removal or demolition of work in violation of the provisions of this code, or in violation of a detail statement or the approved construction documents thereunder, or in violation of a permit or certificate issued under the provisions of this code. Such order ~~shall~~ may direct the discontinuance of the illegal action or condition and the abatement of the violation.

**** Section 108.3; change to read as follows:**

108.3 Prosecution of violation. ~~If the notice of violation is not complied with promptly,~~ The code official may, at any time, request the City's legal counsel to institute the appropriate proceeding at law or in equity to restrain, correct, or abate such violation, or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of this code, the City's code of ordinances, or of the order or direction made pursuant thereto.

****Section 108.4; change to read as follows:**

108.4 Violation penalties. Persons who violate a provision of this code, fail to comply with any of the requirements thereof or erect, install, alter, repair or do work in violation of the approved construction documents or directive of the code official, or of a permit or certificate used under the provisions of this code, shall be guilty of a misdemeanor offense, punishable by a fine of not more than \$500.00 for each offense. Each day that a violation exists or continues ~~after due notice has been served~~ shall be deemed a separate offense and shall be punishable as such.

****Section 108.5; change the last sentence to read as follows:**

Section 108.5 Stop work orders. *{first sentence remains unchanged}*. ~~Any person who shall~~ It shall be unlawful to continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition. ~~shall be liable for a fine.~~

****Section 304.6; delete.**

(Reason: This provision does not reflect standard practice in this area. Consistent with regional amendment to IFGC 305.5.)

*****Section 306.3; change to read as follows:**

306.3 Appliances in attics. Attics containing appliances requiring access shall be provided . . . *{bulk of paragraph unchanged}* . . . side of the appliance. The clear access opening dimensions shall be a minimum of 20 inches by 30 inches (508 mm by 762 mm), or larger where such dimensions are not large enough to allow removal of the largest appliance. A walkway to an appliance shall be rated as a floor as approved by the building official. As a minimum, for access to the attic space, provide one of the following:

1. A permanent stair.
2. A pull down stair with a minimum 300 lb (136 kg) capacity.
3. An access door from an upper floor level.
4. Access Panel may be used in lieu of items 1, 2, and 3 with prior approval of the code official due to building conditions.

Exceptions:

1. The passageway and level service space are not required where the appliance is capable of being serviced and removed... *{remainder of section unchanged}*

(Reason: To provide a safe means of accessibility to appliances in attics and to allow for different types of construction limitations. Consistent with regional amendment to IFGC 306.3.)

*****Section 306.5; change to read as follows:**

306.5 Equipment and appliances on roofs or elevated structures. . Where *equipment* requiring access or appliances are located on an elevated structure or the roof of a building such that personnel will have to climb higher than 16 feet (4877 mm) above grade to access, ~~an a permanent~~ interior or exterior means of access shall be provided. Permanent exterior ladders providing roof access need not extend closer than 8- 12 feet (2438 mm) to the finish grade or floor level below and shall extend to the equipment and appliances' level service space. Such access shall . . . {bulk of section to read the same}. . . on roofs having a slope greater than 4 units vertical in 12 units horizontal (33-percent slope). . . {bulk of section to read the same}.

(Reason: To assure safe access to roof appliances and provide a greater level of security for equipment locate more than 16 feet above grade. Consistent with IFGC amendments.)

****Section 306.5.1; change to read as follows:**

306.5.1 Sloped roofs. Where appliances, *equipment*, fans or other components that require service are installed on a roof having a slope of 3 units vertical in 12 units horizontal (25-percent slope) or greater on roofs having slopes greater than 4 units vertical in 12 units horizontal and having an edge more than 30 inches (762 mm) above grade at such edge, a catwalk at least 16 inches in width with substantial cleats spaced not more than 16 inches apart shall be provided from the roof access to a level platform at the appliance. The level platform shall be provided on each side of the appliance to which access is required for service, repair or maintenance. The platform shall be not less than 30 inches (762 mm) in any dimension and shall be provided with guards. The guards shall extend not less than 42 inches (1067 mm) above the platform, shall be constructed so as to prevent the passage of a 21-inch-diameter (533 mm) sphere and shall comply with the loading requirements for guards specified in the *International Building Code*.

(Reason: To assure safe access to roof appliances. Consistent with IFGC amendments.)

****Section 306; add Section 306.6 to read as follows:**

306.6 Water heaters above ground or floor. When the mezzanine or platform in which a water heater is installed is more than eight (8) feet (2438 mm) above the ground or floor level, it shall be made accessible by a stairway or permanent ladder fastened to the building.

Exception: A max 10 gallon water heater (or larger with approval) is capable of being accessed through a lay-in ceiling and a water heater is installed is not more than ten (10) feet (3048 mm) above the ground or floor level and may be reached with a portable ladder.

306.6.1 Whenever the mezzanine or platform is not adequately lighted or access to a receptacle outlet is not obtainable from the main level, lighting and a receptacle outlet shall be provided in accordance with Section 306.3.1.

(Reason: To provide safe access to water heaters and to provide lighting and receptacle for maintenance of equipment. Consistent with regional amendments to IFGC 306.7 and IPC 502.5.)

****Section 307.2.2; change to read as follows:**

307.2.2 Drain pipe materials and sizes. Components of the condensate disposal system shall be cast iron, galvanized steel, copper, cross-linked polyethylene, polybutylene, polyethylene, ABS, CPVC or schedule 80 PVC pipe or tubing when exposed to ultra violet light. All components shall be selected for

the pressure, and temperature, and exposure rating of the installation. {Remaining language unchanged}

(Reason: To provide greater flexibility of materials when exposed to ultra violet light.)

****Section 307.2.3; amend item 2 to read as follows:**

2. A separate overflow drain line shall be connected to the drain pan provided with the equipment. Such overflow drain shall discharge to a conspicuous point of disposal to alert occupants in the event of a stoppage of the primary drain. The overflow drain line shall connect to the drain pan at a higher level than the primary drain connection. However, the conspicuous point shall not create a hazard such as dripping over a walking surface or other areas so as to create a nuisance.

(Reason: Greater specificity in prohibited locations for condensate discharge. Consistent with regional amendment to IPC 314.2.1.)

****Section 403.2.1; add an item 5 to read as follows:**

5. Toilet rooms within private dwellings that contain only a water closet, lavatory or combination thereof may be ventilated with an approved mechanical recirculating fan or similar device designed to remove odors from the air.

(Reason: Consistent with common regional practice. Consistent with regional amendment to IRC R303.3.)

****Section 501.2; add an exception to read as follows:**

501.2 Exhaust discharge. The air removed by every mechanical exhaust system shall be discharged outdoors at a point where it will not cause a nuisance and not less than the distances specified in Section 501.2.1. The air shall be discharged to a location from which it cannot again be readily drawn in by a ventilating system. Air shall not be exhausted into an attic or crawl space.

Exceptions:

1. Whole-house ventilation-type attic fans shall be permitted to discharge into the attic space of dwelling units having private attics.
2. Commercial cooking recirculating systems.
3. Toilet room exhaust ducts may terminate in a warehouse or shop area when infiltration of outside air is present.

(Reason: Provide a reasonable alternative in areas where a large volume of outside air is present.)

****Section 607.5.1; change to read as follows:**

607.5.1 Fire Walls. Ducts and air transfer openings permitted in fire walls in accordance with Section 705.11 of the International Building Code shall be protected with listed fire dampers installed in accordance with their listing. For hazardous exhaust systems see Section 510.1-510.9 IMC.

(Reason: Correspond with unamended IBC 710.7.)

END