

2021 International Mechanical Code

ORDINANCE NO. 1249

AN ORDINANCE ADOPTING THE INTERNATIONAL MECHANICAL CODE, 2021 EDITION, REGULATING THE DESIGN, INSTALLATION, MAINTENANCE, ALTERATION AND INSPECTION OF PERMANENT MECHANICAL SYSTEMS EXCEPT ONE- AND TWO-FAMILY DWELLINGS AND MULTIPLE SINGLE-FAMILY DWELLINGS (TOWNHOUSES), IN THE CITY OF SOUTHLAKE; PROVIDING FOR THE ADOPTION OF LOCAL AMENDMENTS THERETO; PROVIDING FOR RECORDING OF SUCH CODE AS A PUBLIC RECORD; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN PAMPHLET FORM; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Southlake, 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 of the City of Southlake deems it necessary to adopt this ordinance governing requirements for the installation and maintenance of Heating, Air Conditioning and other Mechanical systems including requirements for materials, in order to protect the health, safety and welfare of the citizens of the City of Southlake.

WHEREAS, beginning in the spring of 2021, NCTCOG's Regional Codes Coordinating Committee (RCCC) and its five advisory boards conducted open review meetings over a one-year period to review the 2021 editions of the International Codes and to develop regional amendments. Their review and recommendations were completed and endorsed by NCTCOG's Executive Board on July, 2021. Now NCTCOG encourages jurisdictions in North Central Texas to adopt the 2021 International Mechanical Code along with its respective regional amendments.

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

**Section 1
Adoption**

That the International Mechanical Code, 2021 Edition, published by the International Code Council, is hereby adopted as the Mechanical Code of the City of Southlake, except for mechanical systems otherwise regulated under the International Residential Code for One- and Two- Family Dwellings as adopted. A True and correct copy of this document is referenced in Exhibit "A."

**Section 2
Amendments**

That the 2021 International Mechanical Code, as adopted herein, is hereby amended as provided in Exhibit "B" incorporated herein and attached hereto for all purposes of this ordinance. The City of Southlake may from time to time determine that additional local modifications to the 2021 International Mechanical Code are necessary and appropriate to meet the unique construction needs of the City of Southlake. To effectuate these modifications, the City council shall enact individual ordinances amending this ordinance fully setting forth the change to be made in the code. The amendments shall be consolidated as Exhibit "B" to this ordinance.

**Section 3
Recording**

The material contained in Exhibits "A" and "B" to this ordinance 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 and/or the office of Building Inspections and will be available for public inspection and copying during regular business hours.

**Section 4
Cumulative Clause**

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

**Section 5
Severability**

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 phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City council without the incorporation in this ordinance of any such

unconstitutional phrase, clause, sentence, paragraph or section.

**Section 6
Penalty**

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 not more than Two Thousand Dollars (\$2,000.00) 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) for all other violations of this ordinance each day that a violation is permitted to exist shall constitute a separate offense.

**Section 7
Saving Clause**

All rights and remedies of the City of Southlake are expressly saved as to any and all violations of the provisions of any ordinances affecting the installation and maintenance of heating, air conditioning and other mechanical systems 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 8
Publication**

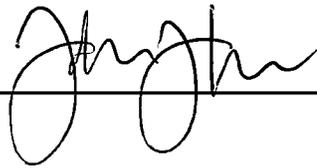
The City Secretary of the City of Southlake is hereby authorized to publish this ordinance in book or pamphlet form for general distribution among the public, and the operative provisions of this ordinance as so published shall be admissible in evidence in all courts without further proof than the production thereof.

The City Secretary of the City of Southlake is hereby directed to publish in the official newspaper the City of Southlake, the caption, penalty clause, publication clause and effective date of this ordinance one time within ten days after passage of this ordinance, as required by Section 3.13 of the Charter of the City of Southlake.

**Section 10
Effective Date**

This ordinance shall be in full force and effect from and after its passage and publication as required by law but not before May 1, 2022.

APPROVED ON FIRST READING THIS 5 DAY OF APRIL, 2022.



MAYOR

ATTEST:



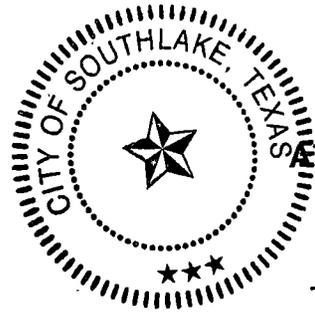
CITY SECRETARY

APPROVED ON SECOND READING THIS 19 DAY OF APRIL, 2022.



MAYOR

ATTEST:



CITY SECRETARY

APPROVED AS TO FORM AND LEGALITY:



CITY ATTORNEY

PUBLISHED: 4/22/22

EFFECTIVE: 4/23/22

EXHIBIT A

2021 International Mechanical Code Complete Edition

Located in the Building Inspections Office
1400 Main St., Suite 250
City of Southlake, Texas
76092

EXHIBIT B

Amendments to the 2021 International Mechanical Code

The following sections, paragraphs, and sentences of the *2021 International Mechanical Code (IMC)* 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 2018 edition of the code and a triple asterisk (***) identifies a new or revised amendment with the 2021 code.

****Section 102.8; amend and add to read as follows:**

[A]102.8 Referenced codes and standards. The codes and standards referenced in this code shall be those that are listed in Chapter 15 and such codes, when specifically adopted, and standards shall be considered as part of the requirements of this code ... *{Remainder Text unchanged}*

[A]102.8.3 Local amendments. Whenever amendments have been adopted to the referenced codes and standards, each reference to said code and standard shall be considered to reference the adopted amendments. Any reference to NFPA 70 or the *National Electrical Code (NEC)* shall mean the Electrical Code as adopted.

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

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

306.3 Appliances in Attics. Attics containing appliances shall be provided . . . *{bulk of paragraph unchanged}* . . . 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.

(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 and IPC 502.3)

****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 interior or exterior means of access shall be provided. Exterior ladders providing roof access need not extend closer than 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 four units vertical in 12 units horizontal (33-percent slope). *{remainder of text unchanged}*.

(Reason: To assure access to roof appliances and provide options to not extend exterior ladders to 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 three units vertical in 12 units horizontal (25-percent slope) or greater 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...{remainder of text unchanged}.

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

(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 International Plumbing Code (IPC) 502.6.)

****Section 307.2.3; Auxiliary and secondary drain systems. Amend 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; Recirculation of air, add 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 International Residential Code (IRC) R303.3.)

****Section 501.3; add exception to read as follows:**

501.3 Exhaust Discharge. The air removed by every mechanical exhaust system shall be discharged outdoors at a point where it will not cause a public nuisance and not less than the distances specified in Section 501.3.1. 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, crawl space, or be directed onto walkways.

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. Where installed in accordance with the manufacturer's instructions and where mechanical or natural ventilation is otherwise provided in accordance with Chapter 4, listed and labeled domestic ductless range hoods shall not be required to discharge to the outdoors.
 4. 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 505.4; amend to read as follows and add exception as follows:**

505.4 Makeup air required. Where one or more gas, liquid or solid fuel-burning appliance that is neither direct-vent nor uses a mechanical draft venting system is located within a dwelling unit's air barrier, each exhaust system capable of exhausting in excess of 400 cubic feet per minute (0.19 m³/s) shall be mechanically or passively provided with makeup air at a rate approximately equal to the difference between exhaust air rate and 400 cubic feet per minute. Such makeup air systems shall be equipped with not fewer than one damper complying with Section M1503.6.2.

Exception: Makeup air is not required for exhaust systems installed for the exclusive purpose of space cooling and intended to be operated only when windows or other air inlets are open. Where all appliances in the house are of sealed combustion, power-vent, unvented, or electric, the exhaust hood system shall be permitted to exhaust up to 600 cubic feet per minute (0.28 m³/s) without providing makeup air. Exhaust hood systems capable of exhausting in excess of 600 cubic feet per minute (0.28 m³/s) shall be provided with a makeup air at a rate approximately to the difference between the exhaust air rate and 600 cubic feet per minute.

(Reason: Exception requires makeup air equaling the amount above and beyond 400 cfm for larger fan which will address concerns related to "fresh" air from the outdoors in hot humid climates creating a burden on HVAC equipment and negative efficiency impacts from back-drafting and wasted energy. Consistent with IRC M1503.6)

END