

ORDINANCE NO. ORD-2015-9748

AN ORDINANCE AMENDING THE LAND DEVELOPMENT CODE OF THE CITY OF IRVING, TEXAS, BY REPEALING SECTION 8-10 ENTITLED "INTERNATIONAL MECHANICAL CODE" OF CHAPTER 8 AND BY AMENDING SAID CODE BY ADDING SECTIONS 8B-18 THROUGH 8B-20, ADOPTING THE 2015 EDITION OF THE INTERNATIONAL MECHANICAL CODE AS THE MECHANICAL CODE FOR THE CITY OF IRVING, TEXAS, AND PROVIDING AMENDMENTS, ADDITIONS, AND DELETIONS THERETO; ADOPTING PENALTY PROVISIONS; AND PROVIDING FOR SEVERABILITY, SAVINGS, AND AN EFFECTIVE DATE.

WHEREAS, the North Central Texas Council of Governments encourages local jurisdictions to adopt the 2015 International Codes; and

WHEREAS, the Construction Board of Appeals, among its other duties, has been created to obtain public comment on the periodic update of the code; and

WHEREAS, the Construction Board of Appeals has conducted a public meeting to receive public comments from persons affected by the proposed amendments to the code, and recommends adoption of the 2015 International Mechanical Code as the mechanical code for the City with the following local amendments;

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

SECTION 1. That Section 8-10 of Chapter 8 of The Land Development Code of the City of Irving, Texas, is hereby repealed.

SECTION 2. That Chapter 8B entitled "Building Codes" of The Land Development Code of the City of Irving, Texas, is hereby amended by adding new Sections 8B-18, 8B-19, and 8B-20 to read as follows:

Sec. 8B-18. International Mechanical Code.

The 2015 edition of the International Mechanical Code is adopted as the mechanical code of the City of Irving, Texas, as amended herein.

Sec. 8B-19. Amendments, additions, and deletions to the 2015 edition of the International Mechanical Code.

(a) Amendments included in this section are intended to be specific code provisions. If there is a conflict between a provision in the published 2015 International Mechanical Code and this section, the specific provisions of this section shall control.

(b) The following table contains the local amendments to the 2015 edition of the International Mechanical Code, which is modified as set forth herein:

- (1) When identified by the letter “R,” the corresponding section of the 2015 International Mechanical Code is deleted in its entirety and replaced by the local amendment as set forth in Column 3 of the table below.
- (2) When identified by the letter “S,” the corresponding section of the 2015 International Mechanical Code is supplemented by the additional provision as set forth in Column 3 of the table below.
- (3) When identified by the letter “M,” the corresponding section of the 2015 International Mechanical Code is modified by amending the language of the provision to read as set forth in Column 3 of the table below.

Table Legend:

Column 1: Item Reference Number

Column 2: Related code section/caption

Column 3: Amended code provision

Column 4: “R” – 2015 International Mechanical Code section is replaced by the provision in Column 3; “S” – 2015 International Mechanical Code section is supplemented by the provision in Column 3; “M” – 2015 International Mechanical Code section is modified by the provision in Column 3.

TABLE OF LOCAL AMENDMENTS TO THE 2015 INTERNATIONAL MECHANICAL CODE

1	IMC 103 Department of mechanical inspections	Wherever the term “department of mechanical inspection” it shall mean the department of inspections.	M
2	IMC 106 Permits	Permits that have been approved for which payment has not been received within 14 days may be cancelled.	S
3	IMC 106.5 Fees	Refer to Section 8B-3 of Chapter 8B of The Land Development Code of The City of Irving, Texas.	R
4	IMC 109 Means of appeal	Refer to Section 8B-4 of Chapter 8B of The Land Development Code of The City of Irving, Texas.	R
5	IMC 306.3 Appliances in attics	Walkways in attics shall be rated as floors. When appliances are installed in attics, access shall be by one of the following methods: a. A permanent stair, b. A pull-down stair with a minimum 300 pound capacity, c. An access door from an upper floor level, or	S
6	IMC 306.5 Equipment and appliances on roofs or elevated structures	A permanent interior or exterior ladder shall be provided to access equipment or appliances on roofs or elevated structures where personnel will have to climb higher than 16 feet. Exterior ladders need not extend closer than 12 feet to the finish grade or floor.	S

7	IMC 306.5.1 Sloped roofs	Where appliances or equipment is installed on a roof having a slope of 3 units vertical in 12 units horizontal or greater, a catwalk of 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 or equipment.	S
8	IMC 501.3 Exhaust discharge	Toilet room exhaust ducts may terminate in a warehouse or shop area when infiltration of outside air is present.	S
9	IMC 504.4 Exhaust installation	Clothes dryer exhaust duct size shall not be reduced along its developed length or at termination.	S
10	IMC 1002 Water heaters	On or after February 15, 2009, water heaters with storage tanks shall not be installed in attics, unless such water heater was installed prior to such date. This section does not prohibit the replacement of water heaters with storage tanks in attics if such water heaters were legally permitted and installed prior to February 15, 2009.	S

Sec. 8B-20. Penalty.

(a) A person commits an offense if the person violates a provision of the 2015 International Mechanical Code, as adopted and amended by the City of Irving, allows another person to violate a provision of the 2015 International Mechanical Code, as adopted and amended by the City of Irving, or fails to perform an act required of the person by the 2015 International Mechanical Code, as adopted and amended by the City of Irving. A person commits a separate offense each day or portion of a day during which the violation is committed, allowed, or continued.

(b) An offense described in Section 8B-20(a) is a class “C” misdemeanor and shall be punishable by a fine not to exceed \$500.00. However, a fine for the violation of a provision of this chapter that governs fire safety, zoning, or public health and sanitation, including dumping or refuse, may not exceed \$2,000.00.

(c) The penalties provided for in this section are in addition to any other enforcement remedies that the city may have under other city ordinances or state law.

SECTION 3. That terms and provisions of this ordinance shall be deemed to be severable and that if the validity of any section, subsection, sentence, clause, or phrase of this ordinance should be declared to be invalid, the same shall not affect the validity of any other section, subsection, sentence, clause, or phrase of this ordinance.

SECTION 4. That it is the intent of the Irving City Council that pending prosecutions, brought under the previous code, which this ordinance replaces, should continue under the terms and penalties of said code and be saved from dismissal as if said prior ordinances had not been repealed.

SECTION 5. That this ordinance shall become effective on January 11, 2016.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF IRVING, TEXAS, on
December 10, 2015.

BETH VAN DUYNE
MAYOR

ATTEST:

Shanae Jennings
City Secretary

APPROVED AS TO FORM:

Charles R. Anderson
City Attorney