

ORDINANCE NO. 34-1987

AN ORDINANCE AMENDING CHAPTER 8, "CONSTRUCTION REGULATIONS," ARTICLE VI, "UNIFORM CODES AND OTHER REGULATIONS," DIVISION 5, "MECHANICAL CODE," OF THE ABILENE MUNICIPAL CODE, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING A PENALTY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

PART 1: That Chapter 8, Article VI, Division 5, "Mechanical Code," of the Abilene Municipal Code be amended as set out in Exhibit "A," attached hereto and made a part of this ordinance for all purposes.

PART 2: That if any provision or any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way affect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force and effect.

PART 3. That any person, firm or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than Two Hundred Dollars (\$200.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense. Said Ordinance, being a penal ordinance, becomes effective ten (10) days after its publication in the newspaper, as provided by Section 19 of the Charter of the City of Abilene.

PASSED ON FIRST READING this 11th day of June, A.D. 1987.

PASSED ON SECOND AND FINAL READING this 25th day of June, A.D. 1987.

ATTEST:

Patricia Hancock
CITY SECRETARY

Dale Ferguson
MAYOR

APPROVED:

Deborah Burleson
CITY ATTORNEY

EXHIBIT A

Ordinance No. 34-1987

AMENDMENTS

TO

1985 UNIFORM MECHANICAL CODE

Adopt the following chapters of the 1985 UNIFORM MECHANICAL CODE in their entirety:

1, 4, 6, 9, 11, 12, 13, 14, 15, 16, 17, 18, and 19.

CHAPTER 2

ORGANIZATION AND ENFORCEMENT

Adopt in its entirety with the following exceptions:

BOARD OF APPEALS

Sec. 203. Delete in its entirety and insert:

In order to determine the suitability of alternate materials and methods of installation, and to provide for reasonable interpretation of this code, there shall be and is hereby created a Mechanical Board of Appeals. The Board shall consist of five members appointed by the Mayor with the approval of the City Council, with two members being appointed for a one-year term, and three members being appointed for two-year terms. In the event of a vacancy, the City Council shall appoint a successor to fill the unexpired term. All Board members shall be residents of Abilene. The Board shall be made up of a licensed mechanical engineer, a licensed master electrician, a licensed master plumber, a mechanical contractor and a general contractor or home builder. The building official shall be an ex-officio member and shall act as secretary of the Board. The Board shall adopt rules and regulations for conducting its meetings. The Board of Mechanical Appeals shall render no decision which is contrary to or inconsistent with the provisions of this code. In the event the Board should be of the opinion that any provision or provisions of this code should be amended, it shall make such recommendations to the City Council for consideration.

VIOLATIONS

Sec. 204. Add the following:

Any such violation shall be a misdemeanor and upon conviction thereof, shall be punishable by a fine not to exceed that which is set forth in Section 12.23 of the Texas Penal Code regarding Class C Misdemeanors, now in effect or as hereafter amended. Each day a violation of any of the provisions of this Code is committed, or each day any such violation continues, shall constitute a separate offense and shall be subject to prosecution as stated above.

Add a new section as follows:

LICENSE REQUIRED

Sec. 205.

No person shall engage in the business of mechanical contracting unless he possesses a mechanical contractor's license issued by the State of Texas.

EXCEPTION: Commercial kitchen exhaust hood installations may be done by those holding a license to do so issued by the City under procedures established by the Mechanical Board of Appeals.

CHAPTER 3

PERMITS AND INSPECTIONS

Adopt 1985 UMC in its entirety with the following exceptions:

APPLICATIONS FOR PERMIT

Sec. 302 (a). Add the following:

7. Shall possess a mechanical contractor's license issued by the State, or provide proof that work is to be done at the primary residence of the applicant and that applicant is owner of such residence.

EXCEPTION: Installation of commercial kitchen exhaust hoods may be permitted by those licensed to do so by the City.

FEES

Sec. 304 (a). Delete in its entirety and add:

Fees shall be paid for permits in accordance with City Council resolution.

Sec. 304 (b), (c) and (d). Delete in their entirety.

Sec. 304 (f). Delete in its entirety and insert:

The building official may authorize the refunding of any fee paid hereunder which was erroneously paid or collected.

The building official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

Sec. 305 (f). Delete reference to Table 3-A.

CHAPTER 5

HEATING, VENTILATING AND COOLING
EQUIPMENT - GENERAL

Adopt 1985 UMC in its entirety with the following exception:

Sec. 504 (e). Identification of Equipment. Amend to read:

When more than one heating, cooling, ventilating or refrigeration system is installed at a single building, it shall be permanently identified as to the area or space served by the equipment.

CHAPTER 7

WARM-AIR HEATING SYSTEMS

Adopt 1985 UMC in its entirety with the following exceptions:

Sec. 708. Delete requirement for platform for access to vent collar.

Sec. 710 (h) 5, Exception 2. Delete and insert:

2. A portable ladder may be used for access for furnaces on a single story buildings.

CHAPTER 8

VENTED DECORATIVE APPLIANCES, FLOOR
FURNACES, VENTED WALL FURNACES, UNIT
HEATERS AND ROOM HEATERS

Adopt 1985 UMC in its entirety with the following exception:

Sec. 807 (c) Unvented. Delete first paragraph and insert:

- (c) Unvented Heaters. Unvented fuel-burning heaters shall not be installed, used, maintained or permitted to exist in any Group I occupancy; nor shall any heater be installed in any building whether as a new or as a replacement installation unless permitted by this section. Existing Group R occupancies containing unvented fuel-burning room heaters may continue to be maintained if installed and used in a safe manner. New R occupancies shall not have unvented fuel-burning room heaters installed, used, maintained or permitted to exist.

CHAPTER 10

DUCTS

Adopt 1985 UMC in its entirety with the following exception:

Sec. 1002 (b). Add a paragraph to read:

Factory made flex ducts shall have metalized vapor barriers. Ducts, when spliced, must utilize galvanized metal sleeves with manufacturer's approved straps or clamps to form a positive connection. Flex duct connections to register boxes and plenums may not be made with turns with a smaller radius than the diameter of the duct used. For turns with a smaller radius, metal elbows must be used, or connections may be made utilizing register boxes specifically designed for that purpose. In no instance may duct be crimped in such a manner that the cross-sectional area is diminished. Flex ducts shall be installed and supported in accordance with S.M.A.C.N.A. standards, (published 1980).

CHAPTER 20

COMMERCIAL HOODS AND KITCHEN VENTILATION

Adopt 1985 UMC in its entirety with the following exceptions:

Sec. 2002 (a). Materials. After first sentence, add the following exception:

EXCEPTION: Make-up air may be a minimum of .30-inch 22 gauge material.

Sec. 2002 (a). Materials. In Paragraph 4, change last sentence to read:

Bolts, screws, rivets, and other mechanical fasteners shall not penetrate exhaust duct walls.

Sec. 2002 (d). Duct Enclosure. Add the following:

Duct enclosures which are required to be of one-hour fire resistive construction may be constructed of 25 gauge metal studs on no more than 16" centers with one layer of 5/8" Type X drywall on the outside of the duct enclosure.

Sec. 2004 (b) 2. Delete inert gas extinguishers.

APPENDIX

Adopt all Appendix Chapters of the 1985 UMC in their entirety with the following exception:

APPENDIX CHAPTER 22

Delete this chapter in its entirety.

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