

ORDINANCE NO. 235-18

AN ORDINANCE TO AMEND REENACT SECTION 7-0106 AND TO REPEAL AND REENACT SECTION 7-0107 OF THE REVISED ORDINANCES OF 2000 OF THE CITY OF MAPLETON RELATING TO THE INTERNATIONAL MECHANICAL CODE.

BE IT ORDAINED BY THE BOARD OF CITY COUNCIL OF THE CITY OF MAPLETON, NORTH DAKOTA:

SECTION 1. Section 7-0106 of the Revised Ordinances of 2000 of the City of Mapleton is hereby amended reenacted to read as follows:

7-0106. STANDARDS ADOPTED. The following standards are hereby adopted for all heating, air conditioning and other gas, oil, or coal consuming appliances within the City limits of Mapleton, as well as for any area within the extraterritorial zoning jurisdiction of the City.

1. All heating, air conditioning, or other gas, oil, or coal consuming appliances for either domestic or commercial use installed in the City of Mapleton shall bear a seal of approval from the American Gas Association, American Standards Association, Underwriters Laboratories, or other nationally recognized testing laboratory.
2. The provisions of the International Mechanical Code, sponsored by the International Code Council, ~~2009~~ 2015 edition, is hereby adopted as the mechanical code. Any amendments to the ~~2009~~ 2015 edition of the International Mechanical Code may be adopted by the City by resolution.

SECTION 2. Section 7-0107 of the Revised Ordinances of 2000 of the City of Mapleton is hereby repealed and reenacted to read as follows:

7-0107. MODIFICATIONS OF INTERNATIONAL MECHANICAL CODE. The International Mechanical Code as adopted in Section 7-0106(2) is hereby changed and amended to read as follows:

SECTION 101.1 is hereby amended to read as follows:

101.1 Title. These regulations shall be known as the *Mechanical Code* of ~~[NAME OF JURISDICTION]~~ the City of Mapleton, hereinafter referred to as “this code.”

SECTION 103.4 is hereby amended to read as follows:

103.4 Liability. The code official, member of the board of appeals or employee charged with the enforcement of this code, while acting for the jurisdiction in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered ~~civilly or criminally~~ liable personally, and is hereby relieved from personal liability for any damage accruing to persons or property as a result of an act or by reason of an act or omission in the discharge of official duties. Any suit instituted against any officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by the legal representative of the jurisdiction until the final termination of the proceedings. The code official or any subordinate shall not be liable for costs in an action, suit or proceeding that is instituted in pursuance of the provisions of this code.

This code shall not be construed to relieve from or lessen the responsibility of any person owning, operating, or controlling any building or structure for any damages to persons or property caused by defects, nor shall the code enforcement agency or the city be held as assuming any such liability by reason of the inspection authorized by this code or any permits or certificates issued under this code.

SECTION 103.4.1 is hereby deleted in its entirety.

SECTION 106.4.8 is hereby deleted in its entirety.

SECTION 106.5.2 is hereby amended as follows:

106.5.2 Fee schedule. The fees for mechanical work shall be as indicated in the ~~following~~ schedule as established by the Mapleton City Council.

SECTION 106.5.3 is hereby amended as follows:

106.5.3 Fee refunds. The code official ~~shall~~ is authorized to order the refunding of fees as follows:

1. The full amount of any fee paid hereunder which was erroneously paid or collected.
2. Not more than ~~[SPECIFY PERCENTAGE]~~ eighty [80] percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.
3. Not more than ~~[SPECIFY PERCENTAGE]~~ eighty [80] percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review effort has been expended.

The code 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.

SECTION 108.4 is hereby amended as follows:

[A] 108.4 Violation penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair mechanical work in violation of the *approved construction documents* or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be ~~guilty of a [SPECIFY OFFENSE], punishable by a fine of not more than [AMOUNT] dollars or by imprisonment not exceeding [NUMBER OF DAYS], or both such fine and imprisonment subject to penalties as prescribed by law.~~ Each day that a violation continues after due notice has been served shall be deemed a separate offense.

SECTION 109 is hereby deleted in its entirety.

SECTION 201.3 is hereby amended to read as follows:

201.3 Terms defined in other codes. Where terms are not defined in this code and are defined in the *International Building Code, International Fire Code, International Fuel Gas Code, National Electrical Code and the North Dakota State Wiring Standards* or the ~~International~~ *North Dakota State Plumbing Code*, such terms shall have meanings ascribed to them as in those codes.

SECTION 305.4 is hereby amended to read as follows:

305.4 Interval of support. Piping shall be supported at distances not exceeding the spacing specified in Table 305.4, or in accordance with MSS SP-69. In addition to the requirements of Table 305.4, piping and tubing shall be supported within 2 feet (610 mm) of every bend or angle.

SECTION 307.2.2 is hereby amended 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 PVC pipe or tubing. All components shall be selected for the pressure and temperature rating of the installation. Joints and connections shall be made in accordance with the applicable provisions of ~~Chapter 7 of the International~~ *the North Dakota State Plumbing Code* relative to the material type. Condensate waste and drain line shall be not less than 3/4-inch (19 mm) internal diameter and shall not decrease in size from the drain pan connection to the place of condensate disposal. Where the drain pipes from more than one unit are manifolded together for condensate drainage, the pipe or tubing shall be sized in accordance with Table 307.2.2.

SECTION 401.2 is hereby amended as follows:

401.2 Ventilation required. Every occupied space shall be ventilated by natural means in accordance with Section 402 or by mechanical ventilation in accordance with Section 403. ~~Where the air infiltration rate in a dwelling unit is less than 5 air changes per hour when tested with a blower door at a pressure of 0.2 inch water column (50 Pa) in accordance with Section 402.4.1.2 of the International Energy Conservation Code, the dwelling unit shall be ventilated by mechanical means in accordance with Section 403:~~

SECTION 403.1 is hereby amended as follows:

403.1 Ventilation system. Mechanical ventilation shall be provided by a method of supply air and return or *exhaust air* ~~except that mechanical ventilation air requirements for Group R-2, R-3 and R-4 occupancies three stories and less in height above grade plane shall be provided by an exhaust system, supply system or combination thereof.~~ The amount of supply air shall be approximately equal to the amount of return and exhaust air. The system shall not be prohibited from producing negative or positive pressure. The system to convey ventilation air shall be designed and installed in accordance with Chapter 6.

SECTION 504.8.2 is hereby amended as follows:

504.8.2 Duct installation. Exhaust ducts shall be supported at 4-foot (1219 mm) intervals and secured in place. The insert end of the duct shall extend into the adjoining duct or fitting in the direction of airflow. Ducts shall not be joined with screws ~~or similar fasteners that protrude more than 1/8 inch (3.2 mm) into the inside of the duct.~~

SECTION 505.2 is hereby amended as follows:

505.2 Makeup air required. Exhaust hood systems capable of exhausting in excess of 400 cfm (0.19 m³/s) shall be provided with *makeup air* at a rate in excess of 400 cfm ~~approximately equal to the exhaust air rate.~~ Such *makeup air* systems shall be equipped with a means of closure and shall be automatically controlled to start and operate simultaneously with the exhaust system.

SECTION 508.2 is hereby amended to read as follows:

Section 508.2. Compensating hoods. Manufacturers of compensating hoods shall provide a label indicating minimum exhaust flow and/or maximum makeup airflow that provides capture and containment of the exhaust effluent. Short circuit compensating hoods are prohibited.

SECTION 508.2.1 is hereby added to read as follows:

508.2.1 Compensating Hood Make-up Air. Compensating hoods shall extract at least 40% of the required exhaust air flow from the kitchen area.

SECTION 701.2 is hereby added to read as follows:

701.2 Attic space. Attic space shall not be used for combustion air.

SECTION 908.5 is hereby amended as follows:

908.5 Water supply. Cooling towers, evaporative coolers and fluid coolers shall be provided with an approved water supply, sized for peak demand. The quality of water shall be provided in accordance with the equipment manufacturer's recommendations. The piping system and protection of the potable water supply system shall be installed as required by the *International North Dakota State Plumbing Code*

SECTION 1007.2 is hereby deleted in its entirety.

SECTION 1104.2 is hereby amended to add the following new third exception:

1104.2 Machinery room. ...

Exceptions: ...

3. If an existing refrigerating system is replaced or if an existing refrigeration plant is increased by not more than 50% of its original capacity, but not more than 100 tons per system using a nonflammable class A1 or B1 refrigerant and the refrigeration

machinery room was not provided in the original installation prior to 1994, a refrigeration machinery room shall not be required. If the existing refrigeration is not located in a general machinery room separated from occupied spaces, a refrigeration machinery room shall be provided. The space containing the refrigeration machinery shall meet the requirements of Section 1104.3.4, protection from refrigerant decomposition, and Section 1105.3, requiring refrigerant detection. If the requirements of 1104.3.4 and 1105.3 cannot be met, a refrigeration machinery room shall be provided.

SECTION 3. Effective Date. This ordinance shall be in full force and effect from and after the date of its final passage and publication.

Mayor

ATTEST:

City Auditor

Date of First Reading:

Date of Second Reading:

Date of Publication: