

ORDINANCE NO. 2002-00107

AN ORDINANCE AMENDING ARTICLE III OF CHAPTER 6 OF THE CODE OF ORDINANCES OF THE CITY OF LUBBOCK, TEXAS, WITH REGARD TO ADOPTING THE 2000 EDITION OF THE INTERNATIONAL MECHANICAL CODE AND PROVIDING FOR CERTAIN AMENDMENTS TO SUCH CODE IN ORDER TO MEET LOCAL CONDITIONS; PROVIDING A PENALTY; PROVIDING A SAVINGS CLAUSE; AND PROVIDING FOR PUBLICATION.

WHEREAS, it is the opinion of the City Council that the best interests of the citizens of the City of Lubbock would be served by adopting the 2000 Edition of the International Mechanical Code for Lubbock with certain amendments to meet local conditions; NOW THEREFORE:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LUBBOCK:

SECTION 1. THAT Section 6-101 of the Code of Ordinances of the City of Lubbock, Texas, shall read as follows:

Sec. 6-101. International Mechanical Code adopted.

The 2000 Edition of the International Mechanical Code is a copyrighted work owned by the International Code Council, Inc; Building Officials and Code Administrators International, Inc.; International Conference of Building Officials; and the Southern Building Code Congress International, Inc. as amended in this article, specifically adopted as the mechanical code of the City of Lubbock. A copy is attached to the ordinance adopting said code and incorporated herein as if set out herein in detail. References in this article to the mechanical code shall mean the 2000 Edition of the International Mechanical Code. A copy of said International Mechanical Code shall be filed with the city secretary and a copy shall be maintained in the office of the building official. All such copies shall be open to public inspection during business hours of the offices where they are maintained, along with the amendments thereto provided in this article.

SECTION 2. THAT Section 6-102 of the Code of Ordinances of the City of Lubbock, Texas shall read as follows:

Sec. 6-102 Title

101.1 Title. Amend to read:

These regulations shall be known as the International Mechanical Code of the City of Lubbock, Lubbock, Texas, hereinafter referred to as "this code".

SECTION 3. THAT Section 6-103 of the Code of Ordinances of the City of Lubbock, Texas shall read as follows:

Sec. 6-103 Fee Schedule.

106.5.2 Fee schedule. Amend to read:

The fees for mechanical work shall be as indicated in the following schedule. Adjustments to the fee schedule are authorized on an annual basis according o Ordinance #8651.

1. New construction/additions to building \$0.03 per sq. foot with \$25.00 min.
2. Generic mechanical permit. \$30.00
3. Warehouses and storage type occupancies only, if only four (4) or fewer mechanical units without branch ducts are to be installed, the fee shall be the minimum fee plus the fee per unit required by this article for repair or replacement mechanical equipment.
4. Unit fee schedule: (Note: the following does not include the permit issuance fee.)
 - a. Furnaces:

Installation or relocation of each forced air or gravity type furnace or burner, including ducts and vents attached to such appliance up to 100,000 btu/h (29.3 kw) \$13.25

- Installation or relocation of each forced air or gravity type furnace or burner, including ducts and vents attached to such appliance over 100,000 btu/h (29.3 kw) \$16.25
- Installation or relocation of each floor furnace, including vent \$13.25
- Installation or relocation of each suspended heater, recessed wall heater or floor-mounted unit heater \$13.25
- b. Appliance vents:
For the installation, relocation or replacement of each appliance vent installed and not included in the appliance permit \$ 6.50
- c. Repairs or additions:
Repairs, alterations or additions to each heating appliance, refrigeration unit, cooling unit, absorption unit, or each heating, cooling, absorption or evaporative cooling system, including installation of controls regulated by the Mechanical Code \$12.25
- d. Boilers, compressors and absorption systems:
Installation or relocation of each boiler or compressor to and including three (3) horsepower (10.6 kw) or for each absorption system to and including 100,000 btu/h (29.3 kw) \$13.50
Installation or relocation of each boiler or compressor over three (3) horsepower (10.6 kw), to and including fifteen (15) horsepower (57.2 kw) or for each absorption system over 100,000 btu/h (29.3 kw) to and including 500,000 btu/h (146.6 kw) \$24.25
Installation or relocation of each boiler or compressor over fifteen (15) horsepower (52.7 kw) to and including thirty (30) horsepower (105.5 kw) or for each absorption system over 500,000 btu/h (146.6 kw) to and including 1,000,000 btu/h (293.1 kw) \$33.25
Installation or relocation of each boiler or compressor over thirty (30) horsepower (105.5 kw) to and including fifty (50) horsepower (176 kw) or for each absorption system over 500,000 btu/h (293.1 kw) to and including 1,750,000 btu/h (512.9 kw) \$49.50
Installation or relocation of each boiler or compressor over fifty (50) horsepower (176 kw) or each absorption system over 1,750,000 btu/h (512.9 kw) \$82.75
- e. Air Handlers:
For each air handling unit to and including 10,000 cubic feet per minute (47201/s) including ducts attached thereto \$ 9.50
Note: This fee does not apply to an air-handling unit that is a portion of a factory-assembled appliance, cooling unit, evaporative cooler or absorption unit for a permit required elsewhere in the Mechanical Code.
For each air handling unit exceeding 10,000 cfm (4720L/S) \$16.15
- f. Evaporative Coolers:
For each evaporative cooler other an portable type \$ 9.50
- g. Ventilation and exhaust:
For each ventilation fan connected to a single duct. \$ 6.50

For each ventilation system which is not a portion of heating or air-conditioning system authorized by a permit	\$ 9.50
For the installation of each hood which is served by mechanical exhaust including the ducts for such hood	\$ 9.50

h. Incinerators:

For the installation or relocation of each domestic-type incinerator	\$16.25
For the installation or relocation of each commercial or industrial type incinerator	\$ 66.50

SECTION 4. THAT Section 6-104 of the Code of Ordinances of the City of Lubbock, Texas shall read as follows:

Sec. 6-104 Fee refunds.

106.5.3 Fee refunds. This sub-section is amended to read:

The code official shall authorize the refunding of fees as follows:

1. The full amount of any fee paid hereunder that were erroneously paid or collected.
2. The full amount of fees shall be refunded when paid for a permit that has not commenced.

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

SECTION 5. THAT Section 6-105 of the Code of Ordinances of the City of Lubbock, Texas shall read as follows:

Sec. 6-105 Required inspection and testing.

107.1 Required inspection and testing. Shall be amended to read:

The code official, upon notification from the permit holder or the permit holder's agent, shall make such inspections as necessary, and shall either release that portion of the construction or shall notify the permit holder or the permit holder's agent of violations that must be corrected. The holder of the permit shall be responsible for requesting such inspections. The following inspections shall be requested and approved prior to work continuing on any type of permit.

1. Rough duct
2. Underground duct
3. Return air
4. Temporary heating inspection
5. Final

SECTION 6. THAT Section 6-106 of the Code of Ordinances of the City of Lubbock, Texas shall read as follows:

Sec. 6-106 Violation penalties.

108.4 Violation penalties. Shall be amended to read:

Persons who shall violate a provision of the 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 Class C Misdemeanor, punishable by a fine of not more than two hundred (\$200.00). Each day that a violation continues after due notice has been served shall be deemed a separate offense.

SECTION 7. THAT Section 6-107 of the Code of Ordinances of the City of Lubbock, Texas shall read as follows:

Sec. 6-107 Means of appeal.

109 Means of appeal. This section is amended to read:

1. Plumbing and mechanical board. The Building Board of Appeals shall serve as the mechanical board of the City of Lubbock and shall perform the duties set out herein or as may be hereafter specified by the City.
2. It shall be within the power and duty of this board to examine new developments and changing conditions for additions, deletions, amendments and changes to the mechanical code from time to time as it may deem proper, and to submit to the City Council its written suggestions for the improvement of the mechanical code of the City.
3. Appeals to the board may be made by the City Building Official or any interested person and it is hereby made the power and duty of the board when disputes arise between any person, firm, association, partnership or corporation as to the meaning of the mechanical code to interpret same, and when a majority of said board has interpreted the mechanical code as to its meaning, said interpretation by the board shall be final and binding on all persons, firms, associations, partnerships and corporations.
4. In cases where the International Mechanical Code gives discretionary power to the building official to permit deviation from the provisions of said code, only those deviations or changes approved by the building official involving required material substitutions must also be approved by the board before the same can be performed in the City of Lubbock.

SECTION 8. THAT Section 6-108 of the Code of Ordinances of the City of Lubbock, Texas shall read as follows:

Sec. 6-108 Auxiliary and secondary drain systems.

307.2.3 Auxiliary and secondary drain systems. This section is amended by adding item number 4 to read:

4. When equipment would not be accessible for service, a water-level detection device that will shut off equipment may be used in primary pan in lieu of secondary pan.

SECTION 9. THAT Section 6-109 through Sec. 6-120 of the Code of Ordinances of the City of Lubbock, Texas shall read as follows:

Sec. 6-109 through Sec. 6-120. Reserved.

SECTION 10. THAT violation of any provision of this Ordinance shall be deemed a misdemeanor punishable as provided by Section 1-4 of the Code of Ordinances of the City of Lubbock.

SECTION 11. THAT should any paragraph, sentence, clause, phrase or word of this Ordinance be declared unconstitutional or invalid for any reason, the remainder of this Ordinance shall not be affected thereby.

SECTION 12. THAT the City Secretary is hereby authorized to cause publication of the descriptive caption of this Ordinance as an alternative method provided by law.

AND IT IS SO ORDERED.

Passed by the City Council on first reading this 10th day of October, 2002.
Passed by the City Council on second reading this 24th day of October, 2002.

MARC McDOUGAL, MAYOR

ATTEST:

Rebecca Garza, City Secretary

APPROVED AS TO CONTENT:

/s/ Aubrey Long
Aubrey Long, Interim Building Official

APPROVED AS TO FORM:

/s/ John Knight
John Knight, Assistant City Attorney