



ORDINANCE NO. 3408

AN ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 22 “BUILDINGS AND BUILDING REGULATIONS” BY AMENDING ARTICLE VI “MECHANICAL STANDARDS” ADOPTING THE 2015 EDITION OF THE INTERNATIONAL MECHANICAL CODE WITH AMENDMENTS; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the International Code Council (ICC) has developed a set of comprehensive and coordinated national model construction codes (known generally as the "International Codes"); and

WHEREAS, the City of Farmers Branch has been involved throughout the development process of the International Codes, through participation with the North Texas Chapter of the International Code Council and through the regional review process by the Regional Codes Coordinating Committee of the North Central Texas Council of Governments (NCTCOG); and

WHEREAS, the creation of the 2015 editions of the International Codes by the ICC was in conjunction with the International Conference of Building Officials (ICBO), the organization whose codes the City of Farmers Branch has adopted since the 1970s; and

WHEREAS, the International Codes have been reviewed by the NCTCOG and City staff; and

WHEREAS, the City's building and construction codes are intended to be updated periodically, with the 2015 editions of the International Codes being the most current published building and construction codes for which local amendments have been developed; and

WHEREAS, the City Council of the City of Farmers Branch has determined that it is in the best interest of the citizens of the City of Farmers Branch to adopt the 2015 editions of the International Codes, as stated herein, as the minimum standards for the construction, use, occupancy and maintenance of buildings and structures within the City limits, as set forth herein, and to adopt local amendments to said codes in order to account for unique local practices and/or conditions relating to the design and construction of structures within the City;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS, THAT:

SECTION 1. Chapter 22 “Buildings and Building Regulations” of the Code of Ordinances of the City of Farmers Branch, Texas, is amended by amending Article VI “Mechanical Standards”, to read as follows:

ARTICLE VI. MECHANICAL STANDARDS

Sec. 22-191. Adoption of International Mechanical Code; purpose.

The 2015 Edition of the *International Mechanical Code*, as published by the International Code Council and as amended pursuant to Sec. 22-192, is hereby adopted. Copies of the Mechanical Code are on file in the office of the city secretary for permanent record and inspection and are incorporated into this section as if fully set forth herein. The chief building official, or his authorized representative, is hereby authorized and directed to enforce all provisions of the Mechanical Code. For purposes of this Article, the phrase “Mechanical Code” means collectively (i) the 2015 Edition of the International Mechanical Code, as published by the International Code Council and (ii) the local amendments adopted pursuant to Sec. 22-192

Sec. 22-192. Amendments to International Mechanical Code.

For purposes of enforcement of the provisions of the Mechanical Code within the incorporated limits of the City, the following sections, paragraphs, and sentences of the *2015 Edition of the International Mechanical Code* are hereby amended as follows:

Section 102.8 is amended to read as follows:

102.8 Referenced codes and standards. The codes and standards referenced herein shall be those that are listed in Chapter 15 and such codes, when specifically adopted, and standards shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and the referenced standards, the provisions of this code shall apply. Whenever amendments have been adopted to the referenced codes and standards, each reference to said code and standard shall be considered to reference the amendments as well. Any reference to NFPA 70 or the ICC *Electrical Code* shall mean the Electrical Code as adopted.

Section 106.3.1.1 is amended to read as follows”

106.3.1.1 License Required. All applications for permits must be made by a mechanical contractor who holds a valid registered license as a Texas Air Conditioning and Refrigeration Contractor issued by the State of Texas License and Registration Board. Mechanical contractors shall register their license with the City.

EXCEPTION: A property owner who is the current occupant of a homestead may apply for and obtain a permit to perform mechanical work on and for said homestead, provided all work which is normally required to be performed by a licensed person is performed by the property owner, all the work is performed in conformance with this code and no other City, County, State or Federal law is violated.

Section 106.5.2 is amended to read as follows:

106.5.2 Fee schedule. The fees to be paid for mechanical work shall be set forth in the Fee Schedules of the City of Farmers Branch.

Section 108.4 is amended to read as follows:

108.4 Violation penalties. Persons who shall violate a provision of the Mechanical 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 misdemeanor, and upon conviction thereof in Municipal Court, shall be punishable by a fine of not more than two thousand dollars (\$2,000.00) for each offense.

Sections 109.1 and 109.1.1 are amended to read as follows:

109.1 Application for appeal. Any person shall have the right to appeal a decision of the code official to the board of appeals established by ordinance. The board shall be governed by the enabling ordinance.

109.1.1 Limitations of Authority. The board of appeals shall have no authority relative to interpretations of the administrative provisions of this code nor shall the board be empowered to waive requirements of this code.

Section 109.2 is amended to read as follows:

109.2 Appointment. The members of the Zoning Board of Adjustment of the City of Farmers Branch shall be appointed as the board of appeals.

Sections 109.2.5 through 109.7 are deleted.

Section 306.3 is amended to read as follows:

306.3 Appliances in attics. Attics containing appliances shall be provided *{intervening text unchanged}* . . . side of the appliance. The clear *access* opening dimensions shall be a minimum of 20 inches by 30 inches (508 mm by 762 mm), or larger where such dimensions are not large enough to allow removal of the largest appliance. A walkway to an appliance shall be rated as a floor approved by the building official. 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.

Exceptions:

1. The passageway and level service space are not required where the appliance is capable of being serviced and removed... *{remainder of section unchanged}*

Section 306.5 is amended 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 a permanent interior or exterior means of access shall be provided. Permanent exterior ladders providing roof *access* need not extend closer than 8 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 *{intervening language unchanged}* on roofs having a slope greater than 4 units vertical in 12 units horizontal (33-percent slope).... *{remaining text unchanged}*.

Section 306.5.1 is amended to read as follows:

306.5.1 Sloped roofs. Where appliances, *equipment*, fans or other components that require service are installed on roof having slopes greater than 3 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*.

Section 306.5.1.1 is amended to read as follows:

306.5.1.1 Catwalk. On roofs having slopes greater than 4 units vertical in 12 units horizontal, 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 the working platform at the appliance. A receptacle outlet shall be provided at or near the appliance location in accordance with the Electrical Code.

Section 306 is amended by adding 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.

306.6.1 Whenever the mezzanine or platform is not adequately lighted or access to a receptacle outlet is not obtainable from the main level, lighting and a receptacle outlet shall be provided in accordance with Section 306.3.1.

Section 307.2.3 is amended by amending numbered paragraph 2 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.

Section 403.2.1 is amended by adding a paragraph 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.

Section 501.3 is amended by adding a new paragraph 4 under "Exceptions" to read as follows:

4. Toilet room exhaust ducts may terminate in a warehouse or shop area when infiltration of outside air is present.

Section 607.5.1 is amended to read as follows:

607.5.1 Fire Walls. Ducts and air transfer openings permitted in fire walls in accordance with Section 705.11 of the International Building Code shall be protected with listed fire dampers installed in accordance with their listing. For hazardous exhaust systems see Section 510.1-510.9 IMC.

SECTION 2. All provisions of the Ordinances of the City of Farmers Branch, Texas, in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions of the Ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 3. An offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Code of Ordinances, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

SECTION 4. Should any word, sentence, paragraph, subdivision, clause, phrase or section of this ordinance, be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said ordinance, which shall remain in full force and effect.

SECTION 5. Any person violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Code of Ordinances of the City of Farmers Branch as heretofore amended and, upon conviction, shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00).

SECTION 6. This ordinance shall take effect on the first day of the calendar month following its passage in accordance with the provisions of the charter and state law.

**DULY PASSED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH,
TEXAS, ON THE 13TH DAY OF DECEMBER, 2016.**

ATTEST:

APPROVED:

Amy Piukana, City Secretary

Bob Phelps, Mayor

APPROVED AS TO FORM:

Peter G. Smith, City Attorney
(kbl:11/18/16:81280)