

**AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS**

**ORDINANCE NO. 11-2019**

**AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 21, ARTICLE 21.02, DIVISION 8, MECHANICAL CODE, SECTIONS 21.02.401 AND 21.02.402 TO PROVIDE FOR THE ADOPTION OF THE INTERNATIONAL MECHANICAL CODE, 2018 EDITION, AND AMENDMENTS TO THERETO; PROVIDING A PENALTY OF FINE NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000.00); PROVIDING FOR SEVERABILITY; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALING CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.**

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

**SECTION 1.** That Chapter 21 of the Seagoville Code of Ordinances be, and the same is, hereby amended by adding Article 21.02, Division 8, Mechanical Code, Sections 21.02.401 and 21.02.402 to provide for the adoption of the International Mechanical Code, 2018 Edition, which shall read as follows:

**“ARTICLE 21.02 TECHNICAL AND CONSTRUCTION CODES AND STANDARDS**

....

**Division 8. Mechanical Code**

**Sec. 21.02.401. Adopted**

There is hereby adopted by the city the International Mechanical Code, 2018 edition, including all appendix chapters, for regulating the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of mechanical systems in the city and providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, conditions and terms of such International Mechanical Code, 2018 edition, published by the International Code Council on file in the office of the city secretary are hereby referred to, adopted and made a part hereof as if fully set out in this division.

**Sec. 21.02.402 Amendments**

The sections of the 2018 International Mechanical Code that are changed, added, or deleted are as follows.

Section 101.1; amend to read as follows:

**101.1 Title.** These regulations shall be known as the *Mechanical Code* of the City of Seagoville, hereinafter ... *{Remainder unchanged}*

Section 102.8; change 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 106.5.2; amend to read as follows:

**106.5.2 Fee schedule.** The fees for mechanical work shall be ~~as indicated in the following~~ accordance with city master fee schedule.

Section 106.5.3; delete entirely

Section 108.4; amend to read as follows:

**108.4 Violation penalties.** Persons who ... *{bulk of paragraph unchanged}* ... shall be guilty of a Class C misdemeanor, ~~punishable by a fine of not more than [amount] dollars or by imprisonment not exceeding [number of days], or both such fine and imprisonment.~~ ... *{Remainder unchanged}*

Section 108.5; amend to read as follows:

**108.5 Stop work orders.** Upon notice ... *{bulk of paragraph unchanged}* ... to remove a violation or unsafe condition, shall be in violation of this code, ~~liable to a fine of not less than [AMOUNT] dollars or more than [AMOUNT] dollars.~~

Section 304.6; delete this section

Section 306.3; amend to read as follows:

**306.3 Appliances in attics.** Attics containing appliances requiring access shall be provided ... *{bulk of paragraph unchanged}* ... side of the appliance. The clear access opening dimensions shall be a minimum of 20 inches by ~~30~~ 36 inches (508 mm by ~~762~~ 914 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 as 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. A walkway 48-inches in width.

**Exceptions:** *{unchanged}*

Section 306.5; amend 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 12 feet (3038 mm) to the finish grade or floor level below and shall extend to the equipment and appliance's level service space. Such access shall... *{bulk of section to read the same}* ... on roofs having a slope greater than 4 units vertical in 12 units horizontal (33-percent slope) ... *{bulk of section to read the same}*.

Section 306; add subsection 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 stairwell to the mezzanine or platform of a commercial building.

**Exception:** A max 10 gallon water heater (or larger with approval) is capable of being accessed through a lay-in ceiling and a water heater is installed is not more than ten (10) feet (3048 mm) above the ground or floor level and may be reached with a portable ladder. No hot water heater shall be installed in any attic.

**306.6.1. Illumination and convenience outlet.** 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; amend item 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; add item #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; amend body and exceptions to read as follows:

**501.3 Exhaust discharge.** The air removed by every mechanical exhaust system shall be discharged outdoors at a point where it will not cause a nuisance and not less than the distances specified in section 501.3.1. The air shall be discharged to a location from which it cannot again be readily drawn in by a ventilating system. Air shall not be exhausted into an attic, ~~or~~ crawl space, or be directed onto walkways.

**Exceptions:**

1. *{Delete}*

~~2~~1. *{Text unchanged}*

~~3~~2. *{Text unchanged}*

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

Section 607.5.1; add sentence to end to read as follows:

For hazardous exhaust systems see section 510.1–510.9 IMC."

**SECTION 2.** Any person, firm or corporation violating any of the provisions of this ordinance or the provisions of the Code of Ordinances of the City of Seagoville, Texas, as amended hereby, shall be deemed guilty of a misdemeanor and, upon conviction in the municipal court of the City of Seagoville, Texas, shall be subject to a fine not to exceed the sum of Two Thousand (\$2,000.00) dollars for each offense, and each and every day such offense shall continue shall be deemed to constitute a separate offense.

**SECTION 3.** That all provisions of the Ordinances of the City of Seagoville, 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 4.** That should any word, sentence, paragraph, subdivision, clause, phrase or section of this ordinance, or of the Code of Ordinances, as amended hereby, be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said

ordinance or the Code of Ordinances, as amended hereby, which shall remain in full force and effect.

**SECTION 5.** An offense committed before the effective date of this Ordinance is governed by prior law and the provisions of the Ordinances of the City of Seagoville, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

**SECTION 6.** That this ordinance shall take effect immediately from and after its passage as the law and charter in such cases provide.

**DULY PASSED** by the City Council of the City of Seagoville, Texas, this the 28<sup>th</sup> day of January, 2019.


**APPROVED:**

  
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DENNIS K. CHILDRESS, MAYOR

**ATTEST:**

  
\_\_\_\_\_  
KANDI JACKSON, CITY SECRETARY

**APPROVED AS TO FORM:**

  
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VICTORIA THOMAS, CITY ATTORNEY  
(:cdb 01.18.2019)