

THE INTERNATIONAL MECHANICAL CODE

ORDINANCE NO. 2016-04

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEDERLAND, TEXAS ADOPTING THE 2012 EDITION OF THE INTERNATIONAL MECHANICAL CODE, REGULATING AND GOVERNING THE DESIGN, CONSTRUCTION, QUALITY OF MATERIALS, ERECTION, INSTALLATION, ALTERATION, REPAIR, LOCATION, RELOCATION, REPLACEMENT, ADDITION TO, USE OR MAINTENANCE OF MECHANICAL SYSTEMS IN THE CITY OF NEDERLAND; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTIONS OF FEES; THEREFORE, REPEALING ARTICLE IV, IN CHAPTER 18 OF THE CITY OF NEDERLAND CODE OF ORDINANCES AND ALL OTHER ORDINANCES OR PARTS OF LAWS IN CONFLICT THEREWITH

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

Section 1. That a certain document, three (3) copies of which are on file in the office of the City Building Official of the City of Nederland, being marked and designated as the International Mechanical Code, 2012 edition, as published by the International Code Council, be and is hereby adopted as the Mechanical Code of the City of Nederland, in the State of Texas for regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of mechanical systems as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Mechanical Code on file in the office of the Inspection Department are hereby referred to, adopted, and made part hereof, as if fully set out in this ordinance, with the additions, insertions, amendments and deletions, if any, prescribed in Section 2 of this ordinance.

Section 2. The following sections of the 2012 International Mechanical Code are hereby revised:

Section 101.1. **Title**, of the 2012 International Mechanical Code is hereby revised by inserting into the jurisdiction the words City of Nederland.

Section 106.5.2 **Fee schedule**, of the 2012 International Mechanical Code is hereby revised to read in full as follows:

Section 106.6.2 **Fee schedule**: The fees for all mechanical work shall be as indicated in the following fee schedule:

PERMIT ISSUANCE FEE: \$15.00

FEE PER EACH INSPECTION: \$10.00

PERMIT VALUATION FEE OF MECHANICAL SYSTEMS FOR NEW CONSTRUCTION, CHANGE-OUT OR EXTENTIONS THEREOF SHALL BE AS FOLLOWS:

\$10.00 for the first \$1,000 or fraction thereof plus \$2.00 for each additional \$1,000 or fraction thereof

Section 108.4 **Violation penalties** of the 2012 International Mechanical Code is hereby revised to read in full as follows:

Section 108.4 Violation penalties. Any person, firm or corporation violating any of the provisions of these regulations or who shall fail to comply with any of the requirements hereof, or who shall build or alter any building in violation of any detailed statement or plan submitted and approved hereunder, shall be deemed guilty of a misdemeanor and upon conviction shall be subjected to a fine not to exceed two thousand (\$2,000.00) dollars and each day such violation continues or exist shall constitute a separate offense. The owner of any building or premises or part thereof, where anything in violation of these regulations shall be placed or shall exist and any architect, builder, contractor or agent, person or corporation employed in connection therewith and who may have assisted in the commission of any such violation, shall be guilty of a separate offense and upon conviction thereof, shall be fined as herein provided.

Section 108.5 of the 2012 International Mechanical Code is hereby revised by inserting **\$100.00** and **\$2000.00** into the corresponding blanks.

Section 109 **Means of Appeal**, of the 2012 International Mechanical Code is hereby revised to read in full as follows:

Section 109.1 Application for appeal. In order to hear and decide appeals of the orders, decisions or determinations made by the Building Official relative to the application and interpretation of the code, there shall be and is hereby created a Construction Board of Appeals. The Construction Board of Appeals shall be appointed by the applicable governing authority and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business. The Construction Board of Appeals shall be the Board of Appeals as referenced through the content of this code.

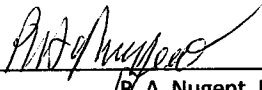
Section 3. That if any section, subsection, sentence, clause or phrase of this legislation is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City of Nederland hereby declares that it would have passed this law, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 4. That nothing in this legislation or in the International Mechanical Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 1 of this law; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this legislation.

Section 5. That the **City Secretary** is hereby ordered and directed to cause this legislation to be published. (An additional provision may be required to direct the number of times the legislation is to be published and to specify that it is to be in a newspaper in general circulation. Posting may also be required.)

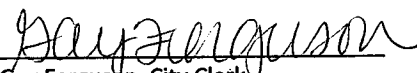
Section 6. That this law and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect **ten (10) days** from and after the date of its final passage and adoption.

PASSED AND APPROVED this 11TH day of JANUARY, 2016.



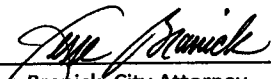
R. A. Nugent, Mayor
City of Nederland, Texas

ATTEST:



Gay Ferguson, City Clerk
City of Nederland,

APPROVED AS TO FORM AND LEGALITY:



Jesse Branick, City Attorney
City of Nederland, Texas