ORDINANCE 12-02

AN ORDINANCE RELATING TO ADOPTION BY REFERENCE OF THE INTERNATIONAL MECHANICAL CODE, 2012 EDITION AND PROVIDING PENALTIES.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARION, IOWA:

Section 1. Chapter 163 of the Code of Ordinances is amended by deleting the same and inserting in lieu thereof the following:

CHAPTER 163

MECHANICAL CODE

163.01 Mechanical Code Adopted
163.02 Amendments to the Mechanical Code
163.03 Conflicts
163.04 International Fuel Gas Code
163.05 Uniform Mechanical Code
163.06 Permit Fees
163.07 Fee Refunds
163.08 Violation
163.09 Board of Appeals
163.10 Gas Pipe Joints
163.11 Fuel Gas Pipe Location
163.12 Code on File

163.01 MECHANICAL CODE ADOPTED. Except as hereinafter added to, deleted, modified or amended, there is hereby adopted as the Mechanical Code of the City that certain Mechanical Code known as the *International Mechanical Code, 2012 Edition*, as prepared and published by the International Code Council, which code is hereby specifically incorporated by reference and shall be known as the Marion Mechanical Code. The provisions of said Mechanical Code shall be controlling in the erection, installation, alteration, repair, relocation, replacement, addition to, use, maintenance or removal of heating, ventilation, cooling or refrigerating systems, incinerators or other miscellaneous heat-producing or refrigerating appliances and in all matters covered by said Mechanical Code within the corporate limits of the City.

163.02 AMENDMENTS TO THE MECHANICAL CODE. Certain sections of the *International Mechanical Code, 2012 Edition*, are hereby amended, deleted, modified or added to as more specifically set forth in the following sections of this chapter.

163.03 CONFLICTS. If conflicts arise in requirements with regards to specifications of materials or methods between portions of this code, between this code and other local codes or between this code and applicable State or Federal requirements, the more stringent shall apply.

163.04 INTERNATIONAL FUEL GAS CODE. The Marion Mechanical Code is hereby amended by adding a new Sections 101.2.2 to the *International Mechanical Code* as follows:

101.2.2 The *International Fuel Gas Code, 2012 Edition*, as further amended is hereby adopted and shall be considered as part of this code.

163.05 PERMIT FEES. The Marion Mechanical Code is hereby amended by deleting Section 106.5.2 from the *International Mechanical Code, 2012 Edition,* and inserting in lieu thereof the following:

106.5.2 Fee Schedule. The fees for mechanical work shall be as set forth in Table M-1 Mechanical Fees, as adopted by resolution of the City of Marion Council.

163.06 FEE REFUNDS. The Marion Mechanical Code is hereby amended by deleting the words "[SPECIFY PERCENTAGE]" from Section 106.5.3 (2.) and (3.) of the *International Mechanical Code, 2012 Edition*, and replacing said words with "80 percent".

163.07 VIOLATION. The Marion Mechanical Code is hereby amended by adding a new Section 108.1.1 to the *International Mechanical Code*, as follows:

108.1.1 Violations. Specifics of information for Section 108 Violations shall be as set forth in City of Marion Code of Ordinances Chapter 4.

163.08 BOARD OF APPEALS. The Marion Mechanical Code is hereby amended by repealing Section 109 from the *International Mechanical Code*, and by replacing said section with a new section as follows:

109 Board of Appeals. In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this Code, there shall be and is hereby created a Board of Appeals, consisting of The members of the Construction Codes Review Board as established in City of Marion Code of Ordinances Section 30.05. The Building Official or designated representative shall be an ex-officio member without a vote and shall act as secretary of the Board.

The Board shall adopt reasonable rules and regulations for conducting its investigations and shall render all decisions and findings in writing to the Building Official with a duplicate copy to the appellant, and may recommend to the City Council such new legislation as is consistent therewith. The Board shall hold a regular meeting on the fourth Tuesday of each month, unless there are no appeals or business on file for a hearing.

Nominal appeal fee to the Board of Appeals shall be paid as set forth in Table M-1 SCHEDULE OF FEES as adopted by resolution of the City Council. The appeal shall be valid for one (1) year from the date of the Board approval to the commencement of work and to the completion of work undertaken pursuant to the approval.

The Board shall have no authority to interpretation of the administration of this code nor shall such board be empowered to waive requirements of this code.

163.10 GAS PIPE JOINTS. The Marion Mechanical Code is hereby amended by adding a new Section 403.10.1.1 to the *International Fuel Gas Code, 2012 Edition,* as follows:

403.10.1.1 Pipe Joints. All joints of wrought iron steel gas piping larger than two inches (2") standard iron pipe size or providing gas pressure greater than two (2) PSIG shall be welded steel. All welded joints shall comply with the State of Iowa requirements and the work shall be performed by certified welders, whose current certification is on file with the City of Marion.

163.11 FUEL GAS PIPE LOCATION. The Marion Mechanical Code is hereby amended by deleting Section 404.1 from the *International Fuel Gas Code, 2012 Edition,* and inserting in lieu thereof the following:

404.1 Prohibited Locations. Piping shall not be installed in or through a duct supply, return or exhaust, or a clothes chute, chimney or gas vent, dumbwaiter or elevator shaft.

163.12 CODE ON FILE. An official copy of the Marion Mechanical Code Ordinance hereby adopted, including a certificate by the City Clerk as to its adoption and the effective date thereof, is on file in the Office of the Clerk in City Hall and shall be kept on file, and copies shall be available in the Building Department for public inspection. The Building Department shall furnish a copy of the Mechanical Code ordinance hereby adopted to the Marion Public Library.

Section 2. Violations of this ordinance shall be punished as provided in section 1.06 of the Code of Ordinances or may be cited as a municipal infraction under chapter 4 of the Code of Ordinances.

Section 3. This ordinance shall be in full force and effect March 1, 2012 and after its passage and publication as by law provided.

Passed and approved this 19th day of January, 2012.

Snooks Bouska

Snooks Bouska, Mayor

ATTEST:

Wesley A Nelson

Wesley A. Nelson, City Clerk

CERTIFICATE OF SERVICE

The undersigned City Clerk of Marion, Iowa certifies that the Ordinance summarized shown immediately above was published in the Marion Times on the 26th day of January, 20 12.

Wesley A Nelson/sc

City Clerk