

ORDINANCE NO. 7354

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF AMARILLO, TEXAS: AMENDING THE MUNICIPAL CODE OF THE CITY OF AMARILLO, CHAPTER 4-3, ARTICLE II TO REPEAL THE 2006 EDITION OF THE *INTERNATIONAL MECHANICAL CODE* AND ADOPT THE 2012 EDITION OF SUCH 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; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING FOR CONTINUATION OF PRIOR LAW; PROVIDING A PENALTY; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

WHEREAS, upon the recommendation of the Construction Advisory and Appeals Board, the City Commission now finds that it is in the best interest of public safety, health, and welfare to adopt 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; and, providing for the issuance of permits and collection of fees;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF AMARILLO, TEXAS:

SECTION 1. That Chapter 4-3, Article II, be and hereby is repealed in its entirety.

SECTION 2. That Chapter 4-3, Article II, be and hereby is re-adopted, as amended, to read as follows:

**Sec. 4-3-21. Mechanical code adopted; amendments.**

(a) Code adopted. There is hereby adopted the 2012 edition of the *International Mechanical Code*, 2012 edition, published by the International Code Council with the following amendments, copies of which shall be maintained by the Building Official:

**101.1 Title.** These regulations shall be known as the *International Mechanical Code* of City of Amarillo hereinafter referred to as "this code."

**106.5.1 Work commencing before permit issuance.** Any person who commences any work on a mechanical system before obtaining the necessary permits shall be subject to fees as provided in Chapter 4-1 of the Municipal Code of Ordinances.

**Section 106.5.2 Fee schedule.** The fees shall be as provided in Chapter 4-1 of the Municipal Code of Ordinances.

Section 106.5.3. Delete section.

Section 108.4; Delete section:

Section 108.5. Amend to read as follows:

108.5 Stop work orders. Upon notice from the code official that mechanical work that is being done contrary to the provisions of this code or in a dangerous or unsafe manner shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's agent, or to the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable for a fine as specified in the Municipal Code of Ordinances.

918.1.2 Total electric heating. Primary central heating and cooling forced air systems utilizing only electric heat shall utilize heat pumps.

Section 1101.10. Delete section:

SECTION 2. Severability. If any provision, section, subsection, sentence, clause or the application of same to any person or set of circumstances for any reason is held to be unconstitutional, void or invalid or for any reason unenforceable, the validity of the remaining portions of this ordinance or the application thereby shall remain in effect, it being the intent of the City Commission of the City of Amarillo, Texas in adopting this ordinance, that no portion thereof or provision contained herein shall become inoperative or fail by any reasons of unconstitutionality of any other portion or provision.

SECTION 3. Repealer. All ordinances, parts of ordinances resolutions and parts of resolutions in conflict with this ordinance are hereby repealed to the extent of conflict with this ordinance.

SECTION 4. Continuation. That nothing in this ordinance or in any code hereby adopted shall be construed to affect any suit or proceeding pending 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 by this ordinance.

SECTION 5. Penalty. It is an offense to violate any part of this ordinance, punishable upon conviction in accordance with Section 1-1-5 of the Amarillo Municipal Code of Ordinances.

SECTION 6. Publishing and Effective Date. This ordinance shall be published according to law and be effective on October 1, 2012.

INTRODUCED AND PASSED by the City Commission of the City of Amarillo, Texas, on First Reading this the 28 day of August, 2012; and PASSED on Second and Final Reading the 4 day of September, 2012.

  
Paul Harpole, Mayor

ATTEST:

  
Donna DeRight, City Secretary