ORDINANCE NO. 1098

AN ORDINANCE TO AMEND TITLE 12, EAST RIDGE CITY CODE, CHAPTER 8, SECTIONS 12-801, 12-805, 12-806, AND TO REVISE CERTAIN SECTIONS, SO AS TO ADOPT THE 2018 EDITION OF THE INTERNATIONAL MECHANICAL CODE AND CERTAIN APPENDICES AS REVISED AND AMENDED AS THE OFFICIAL MECHANICAL CODE OF THE CITY OF EAST RIDGE, AND TO AMEND SAID CODE REGARDING SCOPE, PERMITS, PERMIT FEES, EXPIRATION AND VIOLATION PENALTIES

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, that Title 12, East Ridge City Code, Chapter 8, Section 12-801, be and is hereby amended by striking said section in its entirety and substituting in lieu thereof the following:

Section 12-801. Mechanical Code Adopted.

The International Mechanical Code, 2018 edition, is hereby adopted as the official Mechanical Code of the City.

BE IT FURTHER ORDAINED, that section 12-805 be and is hereby amended by striking said section in its entirety and substituting in lieu thereof the following:

Section 12-805. Appendices to the Code Adopted.

The following appendices to the International Mechanical Code, 2018 edition, and as further amended in this chapter, are hereby adopted as part of the official Mechanical Code of the City.

Appendix A – Chimney Connection Pass-Through

BE IT FURTHER ORDAINED, that section 12-806 be and is hereby amended by striking said section in its entirety and substituting in lieu thereof the following:

Section 12-806. Amendments to Code Adopted.

The following sections and appendices of the International Mechanical Code, 2018 edition, are hereby amended, as hereinafter provided:

1) Section 101.1 is amended as follows:

Section 101.1 Title. These regulations shall be known as the International Mechanical Code hereinafter referred to as "this code."

2) Section 101.2 is amended as follows:

Section 101.2 Scope. This code shall regulate the design, installation, maintenance, alteration and inspection of mechanical systems that are permanently installed and utilized to provide control of environmental conditions and related processes within buildings. This code shall also regulate those mechanical systems, system components, equipment and appliances specifically addressed herein. The installation of fuel gas distribution piping and equipment, fuel gas-fired appliances and fuel gas-fired appliance venting systems shall be regulated by the *International Fuel Gas Code.*

Exceptions: Detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more that three stories high with separate means of egress and their accessory structures shall comply with the *International Residential Code.*

3) Section 106.1 is amended as follows:

Section 106.1 When required. Any properly licensed contractor who desires to erect, install, enlarge, alter, repair, remove, convert or replace a mechanical system, the installation of which is regulated by this code, or to cause such work to be done, shall first make application to the code official and obtain the required permit for the work.

> Exception: Where equipment and appliance replacements or repairs must be performed in an emergency situation, the permit application shall be submitted within the next working business day of the department or mechanical inspection.

4) Section 106.3 is amended as follows:

Section 106.3 Application for permit. Each application for a permit, with the required fee, shall be filed with the code official on a form furnished for that purpose and shall contain a general description of the proposed work and its location. The application shall be signed by the properly licensed contractor. The application shall indicate the proposed occupancy of all parts of the building and of that portion of the site or lot, if any, not covered by the building or structure and shall contain such other information required by the code official.

5) Section 106.5.2 is amended as follows:

Section 106.5.2 Fee Schedule. The fees for all mechanical work shall be as indicated in the following schedule:

PERMITS FEES

Administration Fee	$ 5.00
Issuance Fee	$10.00
Permit Fee	$50.00
Consultation Base Fee. Hourly after 30 min.	$35.00

Additional Fees

Fee for inspecting heating, ventilating, ductwork, and air conditioning and refrigeration systems shall be $20.00 for the first $1,000.00, or fraction thereof, of valuation of the installation plus $2.00 for each additional $1,000.00 or fraction thereof.

Fee for inspecting repairs, alterations and additions to an existing system shall be $5.00 plus $2.00 for each $1,000.00 or fraction thereof.

Fee for inspecting boilers (based upon BTU input):

33,000 BTU (1 BHp) to 165,000 (5 BHp)	$ 5.00
165,001 BTU (5 BHp) to 330,000 (10 BHp)	$10.00
330,001 BTU (10 BHp) to 1,165,000 (52 BHp)	$15.00
1,165,001 BTU (52 BHp) to 3,300,000 (98 BHp)	$25.00
over 3,300,000 BTU (98 BHp)	$35.00

Note: 1 KJ = 1.055 BTU, 1 BHp = 33,475 Btuh.

Fee for Reinspection

In case it becomes necessary to make a reinspection of a heating, ventilation, air conditioning or refrigeration system, or boiler installation, the installer of such equipment shall pay a reinspection fee of $35.00

Temporary Operation Inspection Fee

When preliminary inspection is requested for purposes of permitting temporary operation of a heating, ventilating, refrigeration, or air conditioning system, or portion thereof, a fee of $35.00 shall be paid by the contractor requesting such preliminary inspection. If the system is not approved for temporary operation on the first preliminary inspection, the usual reinspection fee shall be charged for each subsequent preliminary inspection for such purpose.

Self-Contained units less than two tons

In all buildings, except one and two family dwellings, where self-contained air conditioning units of less than two tons are to be installed, the fee charged shall be that for the total cost of all units combined as listed under Additional Fees above.

All of the fees under Section 106.5.2 shall be nonrefundable. Any refund of fees shall be in the sole discretion of the Director of Public Safety.

6) Section 106.4.3 and 106.4.4 are deleted in their entirety and the following language is substituted in lieu thereof:

Section 106.4.3 Expiration. Every permit issued by the code official under the provisions of this code shall expire by limitation and become null and void if the work authorized by such permit is not commenced within 180 days from the date of such permit, or if the work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of 180 days. Before such work can be recommenced, a new permit shall be first obtained.

Section 106.4.4 Extensions. Any permittee holding an unexpired permit shall have the right to apply for an extension of the time within which the permittee will commence work under that permit when work is unable to commence within the time required by this section for good and satisfactory reasons. The code official shall extend the time for action by the permittee for a period not exceeding 180 days if there is reasonable cause. No permit shall be extended more than once.

7) Section 106.5.3 is deleted in its entirety.

8) Sections 108.4 and 108.5 are amended as follows:

Section 108.4 Violation penalties. Any person who shall violate a provision of this 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 municipal offense subject to a fine assessed as a general penalty under East Ridge City Code §12-804. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Section 108.5 Stop work orders. Upon notice from the code official, work on any mechanical system 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 to a fine assessed as a general penalty under East Ridge City Code §12-804.

BE IT FURTHER ORDAINED, that any reference to the International Sewage Disposal Code, and/or the International Electrical Code shall be deleted from the reference standards in Chapter 15 of the International Mechanical Code and all such references shall be construed to reference the appropriate official codes adopted by the City of East Ridge.

BE IT FURTHER AND FINALLY ORDAINED, that this Ordinance shall take effect two (2) weeks from and after its passage, but it shall be operative immediately its passage.

Passed first reading February 14, 2019

Passed second reading February 28, 2019

Brian W. Williams, Mayor

ATTEST:

Kenneth W. Custer, Jr, Assistant City Manager
(Interim City Manager)

APPROVED AS TO FORM:

Mark W. Litchford, City Attorney