

Introduced by Alderman: Amanda Sullivan

AN ORDINANCE TO REPEAL SECTIONS 500.050 TO 500.051 CONCERNING THE ADOPTION AND ADMINISTRATION OF THE MECHANICAL CODE OF THE CODE OF ORDINANCES OF THE CITY OF UNION AND ENACT IN THEIR STEAD A REVISED MECHANICAL CODE AND ESTABLISHING THE EFFECTIVE DATE THEREOF.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF UNION, MISSOURI AS FOLLOWS:

Section 1. Repeal

That Sections 500.050 to 500.051 concerning the adoption and administration of the International Mechanical Code (2009 Edition) of the Code of Ordinances of the City of Union are hereby repealed.

Section 2. Adoption

That the following sections are hereby enacted:

Section 500.050 Adoption of Mechanical Code.

- A. A certain document, one (1) copy of which is on file in the office of the City Engineer of the City of Union, being marked and designated as the International Mechanical Code, 2021 Edition, as published by the International Code Council Inc., be it hereby adopted as the Mechanical Code of the City of Union, Missouri, for the control of building and structures as herein provided; and each and all of the regulations, provisions, penalties, conditions and terms of said Mechanical Code are hereby referred to, adopted and made a part hereof, as if fully set out in this Section, with the additions, insertions, deletions and changes, if any, prescribed in Section 500.051 of this Chapter.
- B. Penalty. Any person violating any of the provisions of the Code adopted in this Section shall be deemed guilty of an ordinance violation and upon conviction thereof shall be fined in an amount not exceeding five hundred dollars (\$500.00) or be imprisoned in the City or County Jail for a period of not exceeding ninety (90) days, or both such fine and imprisonment. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such hereunder.

Section 500.051 Additions, Insertions, Deletions and Changes.

The following Sections of the International Mechanical Code, 2021 Edition, are hereby revised as follows:

1. [A] 101.1 Title
 - A. Replace "[NAME OF JURISDICTION]" with "the City of Union, Missouri"
2. [A] 103.1 Creation of agency
 - A. Replace "[INSERT NAME OF DEPARTMENT]" with "Building Department"
3. [A] 106.4.3 Expiration
 - A. Replace all instances of "180 days" with "365 days"
4. [A] 109.6 Fee refunds
 - A. Delete section
5. [A] 113.1 General
 - A. Replace "board of appeals" with "board of adjustment"
6. [A] 113.3 Qualifications
 - A. Change to read as follows: "The Board of Appeals shall comprise the Board of Adjustment as specified in Sections 400.050 through 400.130 of the City of Union Code of Ordinances."
7. 114 Board of Appeals
 - A. Delete section

8. [A] 115.4 Violation penalties
 - A. Change to read as follows: "Any person violating any of the provisions of this Chapter or any of the codes adopted in this Chapter shall be deemed guilty of an ordinance violation and upon conviction thereof shall be fined in an amount not exceeding five hundred dollars (\$500.00) or be imprisoned in the City or County Jail for a period of not exceeding ninety (90) days, or both fine and imprisonment. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such hereunder."
9. [A] 116.1 Authority
 - A. Change to read as follows: "Upon notice from the Code Official, work on any plumbing 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 the person is directed to perform to remove a violation or unsafe condition, shall be guilty of an ordinance violation punishable by a fine of not more than five hundred dollars (\$500.00)."
10. 301.2 Energy utilization
 - A. Delete section
11. 306.5 Equipment and appliances on roofs or elevated structures
 - A. Change to read as follows: "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 10 feet (3048 mm) above grade to access such equipment or appliances, an interior or exterior means of access shall be provided."
 - B. Delete exception
12. 401.2 Ventilation required
 - A. Delete the following sentence: "Dwelling units complying with the air leakage requirements of the International Energy Conservation Code or ASHRAE 90.1 shall be ventilated by mechanical means in accordance with Section 403."
13. 502.16.2 Exhaust ventilation system
 - A. Delete exception
14. 508.1 Makeup air
 - A. Add the following sentence: "The makeup air system shall automatically shut off at the time of discharge of the fire extinguishing system."

Section 3. Inconsistent Ordinances Repealed

That any ordinance or parts of ordinance in conflict herewith are hereby repealed.

Section 4. Saving Clause

That no section, or portion of any section of this ordinance, if for any reason, is held invalid by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of this ordinance.

Section 5. Codifier to Number Sections

It is the intent of the Board of Alderman, and it is hereby ordained that the provisions of this ordinance shall become and be made part of the Code of Ordinances of the City of Union, Missouri and the sections of this ordinance shall be numbered by the codifier to accomplish such intent.

Section 6. Effective Date.

That this ordinance shall take full force and effect from and after the date of its passage by the Board of Alderman and approval by the Mayor, the public interest so requiring.

Passed this 13th day of November, 2023.

VOTE:

Jacob T. Doepke	<u>YEA</u>	Dennis Soetebier	<u>YEA</u>
Russell Rost	<u>YEA</u>	Barbara E. Laberer	<u>YEA</u>
Amanda Sullivan	<u>YEA</u>	Brian Pickard	<u>YEA</u>
Tom Strubberg	<u>ABSENT</u>	Heather Epple	<u>YEA</u>

Robert L. Schmuke
Presiding Officer

APPROVED this 13th day of November, 2023.

Robert L. Schmuke
Robert L. Schmuke, Mayor

ATTEST:

Jonita Copeland
Jonita Copeland, City Clerk

