

ORDINANCE NO. 14-846

AN ORDINANCE AMENDING ARTICLE 12 OF CHAPTER IV OF THE CODE OF THE CITY OF SOUTH HUTCHINSON, KANSAS, PROVIDING FOR THE ADOPTION OF THE INTERNATIONAL MECHANICAL CODE, 2012 EDITION, AS PUBLISHED BY THE INTERNATIONAL CODE COUNCIL; AND REGULATING AND CONTROLLING 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 SOUTH HUTCHINSON, KANSAS; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFORE; AND KNOWN AS THE MECHANICAL CODE; AND REPEALING ORDINANCE NO. 07-758 AND ANY ORDINANCE OR CODE SECTIONS OF THE CITY OF SOUTH HUTCHINSON, KANSAS, IN CONFLICT HERewith.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SOUTH HUTCHINSON, KANSAS:

SECTION 1. ADOPTION OF MECHANICAL CODE. Article 12 of Chapter IV of The Code of the City of South Hutchinson, Kansas is hereby amended to read as follows:

4-1201 The International Mechanical Code, 2012 Edition, as published by the International Code Council, is hereby adopted and incorporated by reference as the Mechanical code of the City of South Hutchinson, Kansas; for regulating 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 South Hutchinson, Kansas, and providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said International Mechanical Code, 2003 Edition, are hereby referred to, adopted and made a part hereof as if fully set out in this Ordinance, with the additions, insertions, deletions and changes, if any, prescribed in this Ordinance. Such incorporation is authorized by K.S.A. 12-3009 through K.S.A. 12-3012 inclusive, and K.S.A. 12-3301 and K.S.A. 12-3302, all as amended. No fewer than three (3) copies of said International Mechanical Code, 2003 Edition, published by the International Code Council, shall be marked or stamped "Official Copy, as incorporated by the Code of the City of South Hutchinson, Kansas," and all sections or portions thereof intended to be omitted or changed, clearly marked to show any such omission or change and to which shall be attached a copy of this Ordinance and filed with the City Clerk to be open for inspection and to be available to the public at all reasonable business hours.

SECTION 2. ADDITIONS, INSERTIONS AND CHANGES. That the following sections of the International Mechanical Code, 2012 Edition, as published by the International Code Council, are hereby revised and/or amended as follows:

4-1202. Section 101.1. is hereby amended to read as follows: TITLE. These regulations shall be known as the Mechanical Code of the City of South Hutchinson, Kansas, hereinafter referred to as “this code.”

4-1203. Section 106.5.2. is hereby amended to read as follows: FEE SCHEDULE. The fees for mechanical work shall be as indicated in the fee schedule set out in the International Building Code, 2012 Edition, as published by the International Code Council, as adopted by the City of South Hutchinson, Kansas

4-1204. Section 106.5.3.2 is hereby amended to read as follows: Insert 100%.

4-1205. Section 106.5.3.3 is hereby amended to read as follows: Insert 100%.

4-1206. Section 108.4. is hereby amended to read as follows: VIOLATION PENALTIES. Persons 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 misdemeanor, punishable by a fine of not more than One Hundred Dollars (\$100) or by imprisonment not exceeding Ten (10) days, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

4-1207. Section 108.5. is hereby amended to read as follows: STOP WORK ORDERS. Upon notice from the code official that mechanical work is being done contrary to the provisions of this code or in a dangerous or unsafe manner, such work 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 on the system 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 liable to a fine of not less than Twenty-five Dollars (\$25) or more than One Hundred Dollars (\$100).

4-1208. Section 4-1208 of the Code of the City of South Hutchinson, Kansas is hereby amended to read as follows: This model Mechanical Code is intended to be utilized in conjunction with other model codes which are adopted by the City of South Hutchinson, Kansas.

SECTION 3. That Ordinance 07-758 passed and approved on the 21st day of August, 2007 and any ordinance, parts of ordinances, amendments thereto or code provisions of the City of South Hutchinson, Kansas in conflict with provisions provided herein are hereby repealed. Further, all provisions or sections of Article 12 of Chapter IV of the Code of the City of South Hutchinson, Kansas which are not amended hereby are hereby repealed.

SECTION 4. 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 South Hutchinson, Kansas 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, clause and phrases be declared unconstitutional.

SECTION 5. That nothing in this legislation or in the Residential Code hereby adopted shall be construed to affect any suite 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 3 of this law; nor shall any just or legal right or remedy of any character be lost, impaired or affected by legislation.

SECTION 6. That this Ordinance shall be in full force and effect from and after its passage and publication once in the official City newspaper.

PASSED AND APPROVED THIS 15th DAY OF DECEMBER, 2014.

A.E. Murray, Mayor

ATTEST:

Denise McCue, City Clerk