

(Published in The Morning Sun on December 1<sup>st</sup>, 2015)

**ORDINANCE NO. G-1233**

**AN ORDINANCE** amending Sections 18-231 and 18-232 of the Pittsburg City Code by adopting by reference, the 2012 Edition of The International Mechanical Code (IMC), compiled and promulgated as a standard of the International Code Council (ICC), except such parts or portions thereof as are hereafter inserted, deleted, modified, supplemented or amended by Section 18-232, and repealing Ordinance No. G-1008.

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF PITTSBURG, KANSAS:

**Section 1.** Section 18-231 of the Pittsburg City Code is hereby amended as follows:

International Mechanical Code Adopted: The International Mechanical Code (I.M.C.) 2012 Edition, prepared, compiled, and promulgated as a Standard of the International Code Council (ICC), of which not less than three (3) copies are on file with the Office of the City Clerk, is hereby adopted and incorporated fully as set forth herein, except such parts or portions thereof as are hereafter deleted, modified, supplemented, or amended by Section 2 and repealing Ordinance No. G-1008.

**Section 2.** Section 18-232 of the Pittsburg City Code is hereby amended as follows:

**Section 18-232 Deletions, Modifications, Supplements or Amendments:**

- (a) Section [A] 106.5, 106.5.1, 106.5.2, [A] 108.4, [A] 109, and 301.2 of the 2012 Edition of the International Mechanical Code are deleted.
- (b) All references to the International Existing Building Code, and the International Energy Conservation Code are deleted.
- (c) All references to the ICC Electrical Code are replaced with the National Electric Code (NEC) as adopted by the City of Pittsburg.
- (d) All references to the International Plumbing Code shall be replaced with the Uniform Plumbing Code (UPC), 2012 Edition, as adopted by the City of Pittsburg.
- (e) Section [A] 101.1 of the 2012 Edition of the International Mechanical Code title is hereby amended as follows:

[A] 101.1 Title. These regulations shall be known as the Mechanical Code of the City of Pittsburg, hereinafter referred as “this code”.

- (f) Section [A] 103 of the 2012 Edition of the International Mechanical Code is hereby amended as follows:

**103.1 Deputies.** In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the appointing authority, the Building Official shall have the authority to appoint deputies. Such employees shall have powers as delegated by the Building Official.

**103.2 Liability.** The Building Official or employee charged with the enforcement of this code, while acting for the jurisdiction, in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered liable personally, and is hereby relieved from all personal liability for any damage accruing to persons or property as a result of an act or by reason of an act or omission in the discharge of official duties. Any suit instituted against any officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by the jurisdiction until the final termination of the proceedings. The code official or any subordinate shall not be liable for costs in any action, suit or proceeding instituted for the good faith discharge of duties under the provisions of this code.

(g) Section 106.5.1.1 of the 2012 Edition of the International Mechanical Code is hereby amended as follows:

**106.5.1.1 Work commencing before permit issuance.** Any person who commences work on a mechanical system before obtaining the necessary permits shall be subject to double the fee as set forth in the table established per the current fee schedule adopted by the City of Pittsburg.

(h) Section 106.5.2 of the 2012 Edition of the International Mechanical Code is hereby amended as follows:

**106.5.1.2** The fees for mechanical work shall be as indicated by the current adopted fee schedule of the City of Pittsburg.

(i) Section 108.4 Violations of the 2012 Edition of the International Mechanical Code is hereby amended as follows:

**108.4 Violations.** It shall be unlawful for any person, firm, or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building or structure in the City, or cause the same to be done, contrary to or in violation of any of the provisions of this code. Any person, firm or corporation violating any of the provisions of this code shall be deemed guilty of a misdemeanor, punishable as prescribed by Sec. 1-7 of the City Code, and each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this code is committed,

continue or permitted and, upon conviction of any such violation, such person shall be guilty of an offense.

**Section 3.** Ordinance Number G-1008 and any other Ordinances of the City in conflict with the provisions set forth herein are repealed.

**Section 3.** This ordinance shall take effect and be in force on January 1, 2016 and after having been passed and published in the City's official newspaper.

**APPROVED** this 24<sup>th</sup> day of November, 2015.



Mayor - Chuck Munsell

ATTEST:



City Clerk - Tammy Nagel

