

ORDINANCE NO. 20-19

**ORDINANCE AMENDING CHAPTER 157 MECHANICAL CODE, OF THE CITY OF NORWALK, IOWA
CODE OF ORDINANCES, BY ADOPTING THE 2018 INTERNATIONAL MECHANICAL CODE WITH
AMENDMENTS**

WHEREAS, the City Council of the City of Norwalk, Iowa desires to continue to protect life, safety and property through the adoption and enforcement of construction codes, and to establish the minimum standards to safeguard life or limb, health, property, and public welfare by regulating and controlling the design, construction, installation, quality of materials, location, operation and maintenance or use of mechanical systems; and

WHEREAS, the Council now deems it appropriate to revise the Code of Ordinances by adopting the latest edition of the International Code Council Mechanical Code;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORWALK, IOWA:

1. That Chapter 157 of the City of Norwalk, Iowa, Code of Ordinances Mechanical Regulations be repealed and there be enacted in lieu thereof the following Chapter:

CHAPTER 157 MECHANICAL CODE

Section Number	Title	IMC Section
157.01	Short Title	
157.02	Adoption of Mechanical Code	
157.03	Amendments, Modifications, Additions and Deletions	
157.04	Deletions	
157.05	Referenced Codes - Conflicts	
157.06	Title	101.1
157.07	Permit Acquisition	106.1.3
157.08	Permits Not Required	106.2 #9
157.09	Expiration	106.4.3
157.10	Retention of Construction Documents	106.4.6
157.11	Fee Schedule	106.5.2
157.12	Fee Refunds	106.5.3
157.13	Violation Penalties	108.4
157.14	Stop Work Orders	108.5
157.15	Access	306.1
157.16	Equipment and Appliances on Roofs or Elevated Structures	306.5
157.17	Existing CSST - Bonding Required	313

157.01 SHORT TITLE. This Chapter shall be known as the Norwalk Mechanical Code, and may be cited as such, and may be referred to herein as this Chapter.

157.02 ADOPTION OF MECHANICAL CODE. The International Mechanical Code, as published by the International Code Council, Inc., as currently adopted and amended by the Plumbing and Mechanical Systems Board, Iowa Department of Public Health, is hereby adopted as further clarified by the Norwalk Mechanical Code.

157.03 AMENDMENTS, MODIFICATIONS, ADDITIONS AND DELETIONS. The International Mechanical Code, 2018 Edition (hereinafter known as the IMC), is amended as hereinafter set out in Sections 157.04 through 157.17.

157.04 DELETIONS. The following are deleted from the IMC are are of no force or effect in this chapter:

Section 106.1.3 Annual Permits
Section 106.1.2 Annual Permits Record
Section 106.4.4 Extensions
Section 109 Means of Appeal

157.05 REFERENCED CODES - CONFLICTS. In the event requirements of this code conflict with applicable State and/or Federal requirements, the more stringent shall apply.

157.06 SECTION 101.1 - AMENDED - TITLE. Section 101.1, Title, of the IMC, is hereby deleted and there is enacted in lieu thereof the following Section.

Section 101.1 Title. These regulations shall be known as the Norwalk Mechanical Code hereinafter known as “the Code”.

157.07 SECTION 106.1.3 - ADDITION - PERMIT ACQUISITION. Section 106.1.3 Permit Acquisition, if the IMC, is hereby established by adding the following:

Section 106.1.3 Permit Acquisition.

1. Permits are not transferable. Mechanical work performed under the provisions of this chapter must be done by a contractor meeting the licensing provisions as set forth by the State of Iowa Plumbing and Mechanical Systems Board in accordance with Iowa Code Chapter 105. A responsible person or mechanical professional licensed by the State of Iowa Plumbing and Mechanical Systems Board as a “Master” may sign and obtain a permit for the contractor for which they are employed only when said responsible person or “Master” has provided proof of employment or written confirmation by said licensed contractor. Any permit required by the provisions of this code may be revoked by the Code Official upon the violation of any provision of this code.

2. A State of Iowa licensed Mechanical contractor shall be allowed only to secure permits for himself or herself, or for a single firm or corporation. When a State of Iowa licensed Mechanical contractor has secured such a permit, only the employees of such contractor when meeting the provisions of Iowa Code Chapter 105 shall perform the work for which the permit was obtained.
3. For purposes of this section, an “employee” shall be one employed by the contractor, firm or corporation for a wage or salary. A contractor may be required by the Code Official to show positive evidence as to the employee status of workers on the job. Such evidence shall be in the form of payroll and time records, canceled checks, or other such documents.
4. The contractor may also be required to show the agreement or contract pertaining to the work being questioned as evidence that said contractor is, in fact, the actual contractor for such work. Failure or refusal by the contractor to make available such employee or contractual records within 24 hours from demand therefore shall be grounds for immediate revocation of any permit for the work in question.

157.08 SECTION 106.2 - ADDITION - PERMITS NOT REQUIRED. Section 106.2, Permits Not Required, of the IMC, is hereby amended by adding the following #9 to said section:

Section 106.2 Permits Not Required #9. Replacement or relocation of existing house ventilation fans, bathroom exhaust, dryer vents, window air conditioners and extension of existing supply and return ductwork.

157.09 SECTION 106.4.3 - AMENDED - EXPIRATION. Section 106.4.3, Expiration, of the IMC, is hereby amended by deleting said section and inserting in lieu thereof the following:

Section 106.4.3 Twelve Month Expiration. Every permit issued under the provisions of this Code shall expire twelve months from the date of issue, unless the application is accompanied by a construction schedule, with approval of the Code Official. If the work has not been completed by the expiration date of the permit, no further work shall be done until the permit shall have been renewed by the owner or his/her agent and by payment of the renewal fee as established by the City Council, and provided no changes have been made in plans or location. Upon approval, permits may be extended for no more than two periods not exceeding 180 days each.

157.10 SECTION 106.4.6 - AMENDED - RETENTION OF CONSTRUCTION DOCUMENTS. Section 106.4.6, Retention of Construction Documents, of the IMC, is hereby amended by deleting the last sentence of said paragraph.

157.11 SECTION 106.5.2 - AMENDED - FEE SCHEDULE. Section 106.5.2, Fee Schedule, of the IMC, is hereby amended by deleting said section and inserting in lieu thereof the following:

Section 106.5.2 Fee Schedule. Permits shall not be issued until the fees, as set forth and established in Chapter 177 of this Code of Ordinances, have been paid to the City of Norwalk. An amended permit or a supplemental permit for additional construction shall not be issued until the permit fee(s) for the additional work has been paid.

157.12 SECTION 106.5.3 - AMENDED - FEE REFUNDS. Section 106.5.3, Fee Refunds, of the IMC, is hereby amended by deleting said section and inserting in lieu thereof the following:

Section 106.5.3 Fee Refunds. In the event a construction project is amended subsequent to the issuance of a permit, which amendment would result in a lower permit fee had the final amended project been originally permitted, the City shall issue a refund of the permit fee pursuant to the following guidelines:

1. The request for refund is made by the holder of the permit in writing to the Code Official within ninety days of the issuance of the permit.
2. No work on the project, for which the permit was issued, has commenced.
3. The refunded amount will not exceed eighty percent of the original cost of the permit.

157.13 SECTION 108.4 - AMENDED - VIOLATION PENALTIES. Section 108.4, Violation Penalties, of the IMC, is hereby amended by deleting said section and inserting in lieu thereof the following:

Section 108.4 Violation Penalties. Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, installs, alters or repairs mechanical work in violation of the approved construction documents or directive of the Code Official, or of a permit issued under the provisions of this code, shall be subject to a Municipal Infraction as prescribed by Chapter 4 of this Code of Ordinances.

157.14 SECTION 108.5 - AMENDED - STOP WORK ORDER. Section 108.5, Stop Work Order, of the IMC, is hereby amended by deleting the last sentence of said section and inserting in lieu thereof the following:

Any person who shall continue any work on the system 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 subject to a Municipal Infraction as prescribed by Chapter 4 of this Code of Ordinances.

157.15 SECTION 306.1 - ADDITION - ACCESS. Section 306.1, Access, of the IMC, is hereby amended by adding the following to said section:

Section 306.1 Access. Additionally, an unobstructed level working space at least thirty inches deep and thirty inches wide shall be provided on any side of equipment where service access is required. The Code Official may approve service space reductions prior to equipment installation, provided manufacturer's instructions are met. (excluding suspended ceiling)

157.16 SECTION 306.5 - ADDITION - EQUIPMENT AND APPLIANCES ON ROOFS OR ELEVATED STRUCTURES. Section 306.5, Equipment and Appliances on Roofs or Elevated Structures, of the IMC, is hereby amended by adding the following to said section:

Section 306.5 Equipment and Appliances on Roofs or Elevated Structures. If the tenants of a multiple tenant building have, or are allowed to have, mechanical facilities on or which penetrate the roof, then code compliant roof access ladders shall be provided for use by all such tenants and their agents and contractors in a manner that does not require accessing space under the control of another tenant.

157.17 SECTION 313 - ADDITION - EXISTING CSST - BONDING REQUIRED. Section 313, Existing CSST - Bonding Required, of the IMC, is hereby established by adding the following section:

Section 313 Existing CSST - Bonding Required. Where alterations, repairs or additions requiring a permit occur, CSST shall be bonded in accordance with 310.2.1 through 310.2.5 of the Norwalk Fuel Gas Code, unless deemed technically infeasible by the Code Official.

2. Repealer. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

3. Effective Date. This ordinance shall be in full force and effect upon final passage, approval and publication as required by law.

Passed and approved by the City Council of the City of Norwalk, Iowa on the 21st day of May, 2020.

Tom Phillips, Mayor

Attest:

Lindsey Offenburger, City Clerk

First Reading: May 7, 2020

Second Reading: May 21, 2020

Third Reading: May 21, 2020

Clerk's Certificate

I certify that the foregoing was published as Ordinance No. 20-19 on the 28th day of May, 2020.

City Clerk