

ORDINANCE 1909

AN ORDINANCE AMENDING CHAPTER 176 MECHANICAL CODE, OF THE MUNICIPAL CODE OF THE CITY OF ANKENY, IOWA, BY ADOPTING THE 2015 INTERNATIONAL MECHANICAL CODE WITH AMENDMENTS

WHEREAS, the City Council of the City of Ankeny, 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;

WHEREAS, the Council now deems it appropriate to revise the Municipal Code 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 ANKENY, IOWA:

1. That Chapter 176 of the Municipal Code of the City of Ankeny, Iowa, the Mechanical Regulations be repealed and there be enacted in lieu thereof the following Chapter;

CHAPTER 176 MECHANICAL CODE

Section Number	Title	IMC Section
176.01	Short Title	
176.02	Adoption of Mechanical Code	
176.03	Amendments, Modification, Additions and Deletions	
176.04	Deletions	
176.05	Referenced Codes -- Conflicts	
176.06	Title	101.1
176.07	General (Building & Zoning Administrator)	103.1
176.08	Permit Acquisition	106.1.1
176.09	Permits Not Required	106.2
176.10	Expiration	106.4.3
176.11	Retention of Construction Documents	106.4.6
176.12	Fee Schedule	106.5.2
176.13	Fee Refunds	106.5.3
176.14	Violation Penalties	108.4
176.15	Stop Work orders	108.5
176.16	Access	306.1
176.17	Equipment and Appliances On Roofs Or Elevated Structures	306.5

176.01 SHORT TITLE. This chapter shall be known as the Ankeny Mechanical Code, and may be cited as such, and may be referred to herein as this chapter

176.02 ADOPTION OF MECHANICAL CODE. The *International Mechanical Code 2015 Edition*; published by the International Code Council, Inc., is adopted in full except for such portions as may be hereinafter deleted, modified or amended. A copy of the *International Mechanical Code 2015 Edition*, as adopted and a copy of this chapter are on file in the office of the Code Official.

176.03 AMENDMENTS, MODIFICATIONS, ADDITIONS AND DELETIONS. The *International Mechanical Code, 2015 Edition* (hereinafter known as the IMC), is amended as hereinafter set out in Sections 176.04 through 176.17.

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

Section 106.1.1 Annual Permit, Section 106.1.2 Annual Permits Record, Section 106.4.4 Extensions, Section 109 Means of Appeal.

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

176.06 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 Ankeny Mechanical Code, hereinafter known as “this code.”

176.07 SECTION 103.1 ADDITION - - GENERAL. Sections 103.1, General, of the IMC, is hereby amended by adding the following paragraph to said section:

Section 103.1 Building and Zoning Administrator The term Code Official is intended to also mean the Building and Zoning Administrator and his or her representatives or designees, who are herewith delegated the same powers, authorities, duties and responsibilities as designated for the Code Official.

176.08 SECTION 106.1.1 ADDITION - - PERMIT ACQUISITION. Section 106.1.1 Permit acquisition, of the IMC, is hereby established by adding the following:

Section 106.1.1 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 therefor shall be grounds for immediate revocation of any permit for the work in question.

176.09 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.

176.10 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 12 Month Expiration Every permit issued under the provisions of this Code shall expire twelve (12) months from the date of issue, unless the application is accompanied by a construction schedule of specific longer duration, in which instance the permit may be issued for the term of the 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 or her agent and by payment of the renewal fee as established by Resolution of 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.

176.11 SECTION 106.4.6 AMENDED - - RETENTION OF CONSTRUCTION DOCUMENTS.

Section 106.4.6, Retention of construction documents, of the IFGC, is hereby amended by deleting said section and inserting in lieu thereof the following:

Section 106.4.6 Retention of Construction Documents One set of construction documents shall be retained by the Code Official for a period of not less than 180 days from date of completion of the permitted work, or as required by state or local law.

176.12 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 by resolution of the City Council, have been paid to the City of Ankeny. 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.

176.13 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 The Code Official is authorized to establish a refund policy.

176.14 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 penalties as prescribed by law.

176.15 SECTION 108.5 AMENDED - - STOP WORK ORDER. Section 108.5, Stop Work Orders, 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 penalties as prescribed by law.

176.16 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 30 inches deep and 30 inches wide shall be provided on any side of equipment where service access is required. Code official or designee may approve service space reductions prior to equipment installation, provided manufacturer's instructions are met. (Excluding suspended ceiling)

176.17 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.

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

3. Effective date. This ordinance shall be effective July 1, 2017, after its final passage and publication as required by law.

PASSED AND APPROVED this ____ day of _____, 2017.

Gary Lorenz, Mayor

ATTEST:

Pamela DeMouth, City Clerk

**PUBLISHED IN THE
DES MOINES REGISTER
ON THE ____ DAY OF ____, 2017**

**1st Con 5/15/17
2nd Con 6/5/17
3rd Con _____**

