

**Exception:** Existing approved unvented heaters may continue to be used in dwelling units, in accordance with the code provisions in effect when installed, when approved by the Code Official unless an unsafe condition is determined to exist as described in Section 108.7.

**Sections 5-113 thru 5-135. Reserved.**

**SECTION 5:** That the City of Hurst Code of Ordinances be amended by revising Chapter 5, Article IV “Mechanical Code” by deleting the current Chapter 5, Article IV “Mechanical Code” and replacing Chapter 5, Article IV “Mechanical Code and International Energy Conservation Code” to read as follows:

**ARTICLE IV. MECHANICAL CODE AND INTERNATIONAL ENERGY  
CONSERVATION CODE**

DIVISION 1. MECHANICAL CODE

**Sec 5-136. International Mechanical Code – Adopted.** The International Mechanical Code, 2015 Edition, as published by the International Code Council, Inc., a copy of which is on file in the office of the City Secretary, as amended by Sec. 5-137, administered and enforced by the office of the building official is hereby adopted by reference and designated as the Mechanical Code of the City as though such code were copied at length in this article.

**Sec 5-137. Same – Deletions and Amendments.**

The mechanical code adopted in this article is here by amended and changed in the following respects :

**(1) Section 101.1, change to read as follows:**

**101.1 Title.** These regulations shall be known as the Mechanical Code of the City of Hurst, hereafter referred to as “this code.”

**(2) Section 102.8; change to read as follows:**

102.8 Referenced Codes and Standards. The codes and standards referenced herein shall be those that are listed in Chapter 15 and such codes, when specifically adopted, and standards shall be considered part of the requirements of this code to the prescribed extent

of each such reference. Where differences occur between provisions of this code and the referenced standards, the provisions of this code shall apply. Whenever amendments have been adopted to the referenced codes and standards, each reference to said code and standard shall be considered to reference the adopted amendments. Any reference to NFPA 70 or the *National Electrical Code* (NEC) shall mean the Electrical Code as adopted.

**(3) Sections 106.5.2 and 106.5.3; change to read as follows:**

**106.5.2 Fee schedule.** The fees for all mechanical work shall be set by the City Manager and reviewed by City Council from time to time.

**106.5.3 Fee Refunds.** The code official shall establish a policy for authorize authorizing the refunding of fees.

**(4) Amend Section 108.2; 108.3, 108.4, and 108.5 to read as follows:**

**108.2. Notice of violation.** The code official is authorized to serve a notice of violation or order to the person responsible for the erection, installation, alteration, extension, repair, removal or demolition of mechanical work in violation of the provisions of this code, or in violation of a detail statement or the *approved construction documents* thereunder, or in violation of a permit or certificate issued under the provisions of this code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

**108.3 Prosecution of violation.** The code official shall request the legal counsel of the City of Hurst to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful *occupancy* of the structure in violation of the provisions of this code or of the order or direction made pursuant thereto. It shall not be required to provide notice as set forth in section 108.2 prior to instituting the appropriate proceedings, and providing notice shall not be considered an element of the offense or a requirement before prosecution or other legal proceeding.

**108.4 Violation penalties.** Any person 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 and upon conviction thereof shall be fined in a sum not to exceed Two thousand dollars (\$2,000.00) for health or safety violations and not to exceed Five Hundred Dollars (\$500.00) for all other violations. Each day that a violation continues shall be deemed a separate offense.

**108.5 Stop work orders.** Upon notice from the code official, that mechanical work is being is being performed contrary to the provisions of this code or in a dangerous or unsafe manner, such work shall immediately cease. Such notice may be in writing and be given to

the owner of the property, or to the owner's authorized agent, or to the person performing the work. The notice shall state the conditions under which work is authorized to resume. 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 that person is directed to perform by the code official to remove a violation or unsafe condition, shall be liable as set forth above in Section 108.4.

**(5) Section 109; Delete entire section and insert the following:**

**SECTION 109  
MEANS OF APPEAL**

**109.1 Application for appeal.** Any person shall have the right to appeal a decision of the code official to the board of appeals established by ordinance. The board shall be governed by the enabling ordinance.

**(6) Section 306.3; change to read as follows:**

**306.3 Appliances in Attics.** Attics containing appliances shall be provided . . . {bulk of paragraph unchanged} . . . side of the appliance. The clear access opening dimensions shall be a minimum of 20 inches by 30 inches (508 mm by 762 mm), or larger where such dimensions are not large enough to allow removal of the largest appliance. A walkway to an appliance shall be rated as a floor as approved by the building official. As a minimum, for access to the attic space, provide one of the following:

1. A permanent stair.
2. A pull down stair with a minimum 300 lb. (136 kg) capacity.
3. An access door from an upper floor level.
4. Access Panel may be used in lieu of items 1, 2, and 3 with prior approval of the code official due to building conditions.

**Exceptions:**

1. The passageway and level service space are not required where the appliance is capable of being serviced and removed... {remainder of section unchanged}

**(7) Section 306.5; change to read as follows:**

**306.5 Equipment and Appliances on Roofs or Elevated Structures.** 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 16 feet (4877 mm) above grade to access, a permanent interior or exterior means of access shall be provided. Permanent exterior ladders providing roof access need not extend closer than 12 feet (2438 mm) to the finish grade or floor level below and shall extend to the equipment and appliances' level service space. Such access shall . . . {bulk of section to read the same} . . . on roofs having a slope greater than 4 units vertical in 12 units horizontal (33-percent slope). ... {bulk of section to read the same}.

**(8) Section 306.5.1; change to read as follows:**

**306.5.1 Sloped Roofs.** Where appliances, equipment, fans or other components that require service are installed on a roof having a slope of 3 units vertical in 12 units horizontal (25-percent slope) or greater and having an edge more than 30 inches (762 mm) above grade at such edge, a catwalk at least 16 inches in width with substantial cleats spaced not more than 16 inches apart shall be provided from the roof access to a level platform at the appliance. The level platform shall be provided on each side of the appliance to which access is required for service, repair or maintenance. The platform shall be not less than 30 inches (762 mm) in any dimension and shall be provided with guards. The guards shall extend not less than 42 inches (1067 mm) above the platform, shall be constructed so as to prevent the passage of a 21-inch-diameter (533 mm) sphere and shall comply with the loading requirements for guards specified in the International Building Code.

**(9) Section 306; add Section 306.6 to read as follows:**

**306.6 Water Heaters Above Ground or Floor.** When the mezzanine or platform in which a water heater is installed is more than eight (8) feet (2438 mm) above the ground or floor level, it shall be made accessible by a stairway or permanent ladder fastened to the building.

**Exception:** A maximum 10 gallon water heater (or larger with approval) is capable of being accessed through a lay-in ceiling and the water heater installed is not more than ten (10) feet (3048 mm) above the ground or floor level and may be reached with a portable ladder.

**(10) Section 307.2.3; amend item 2 to read as follows:**

2. A separate overflow drain line shall be connected to the drain pan provided with the equipment. Such overflow drain shall discharge to a conspicuous point of disposal to alert occupants in the event of a stoppage of the primary drain. The overflow drain line shall connect to the drain pan at a higher level than the primary drain connection. However, the conspicuous point shall not create a hazard such as dripping over a walking surface or other

areas so as to create a nuisance.

**(11) Section 403.2.1; add an item 5 to read as follows:**

5. Toilet rooms within private dwellings that contain only a water closet, lavatory, or combination thereof may be ventilated with an approved mechanical recirculating fan or similar device designed to remove odors from the air.

**(12) Section 501.3; add an exception to read as follows:**

**501.3 Exhaust Discharge.** The air removed by every mechanical exhaust system shall be discharged outdoors at a point where it will not cause a public nuisance and not less than the distances specified in Section 501.3.1. The air shall be discharged to a location from which it cannot again be readily drawn in by a ventilating system. Air shall not be exhausted into an attic, crawl space, or be directed onto walkways.

**Exceptions:**

1. Whole-house ventilation-type attic fans shall be permitted to discharge into the attic space of dwelling units having private attics.
2. Commercial cooking recirculating systems.
3. Where installed in accordance with the manufacturer's instructions and where mechanical or natural ventilation is otherwise provided in accordance with Chapter 4, listed and labeled domestic ductless range hoods shall not be required to discharge to the outdoors.
4. Toilet room exhaust ducts may terminate in a warehouse or shop area when infiltration of outside air is present.

**(13) Section 607.5.1; change to read as follows:**

**607.5.1 Fire Walls.** Ducts and air transfer openings permitted in fire walls in accordance with Section 706.11 of the International Building Code shall be protected with listed fire dampers installed in accordance with their listing. For hazardous exhaust systems see Section 510.1 - 510.9 IMC.

**Sections 5-138 Unchanged**

**Sections 5-139 thru 5-145 Reserved**

DIVISION 2. ENERGY CODE