

**An Ordinance of the City of Plano Texas, repealing in its entirety City of Plano Ordinance No. 2018-11-12, codified as Division 3, Mechanical Code, of Article VIII, Plumbing and Mechanical Equipment, of Chapter 6 of the Code of Ordinances of the City; adopting the 2021 Edition of the International Mechanical Code, with certain additions, deletions, and amendments, as the Mechanical Code of the City of Plano; and providing a repealer clause, a severability clause, a savings clause, a penalty clause, a publication clause and an effective date.**

**WHEREAS**, on November 26, 2018, by Ordinance No. 2018-11-12, the City Council of the City of Plano amended Ordinance No. 2016-3-9 to reflect changes to the Mechanical Code, and such were codified as Division 3, Mechanical Code, of Article VIII, Plumbing and Mechanical Equipment, of Chapter 6 of the Code of Ordinances of the City of Plano (“City”); and

**WHEREAS**, on November 16, 2021, the Building Standards Commission held a public hearing to discuss the adoption of the 2021 Edition of the International Mechanical Code, a publication of the International Code Council (I.C.C.), and to receive input from the general public and all persons who may be affected by the proposed adoption; and

**WHEREAS**, upon recommendation of the Building Standards Commission and upon full review and consideration of all matters attendant and related thereto, the City Council is of the opinion that the 2021 Edition of the International Mechanical Code and the additions, deletions, and amendments thereto, should be approved and adopted as the Mechanical Code of the City.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS, THAT:**

**Section I.** Ordinance No. 2018-11-12, duly passed and approved by the City Council of the City of Plano on November 26, 2018, is hereby repealed in its entirety.

**Section II.** A new Division 3, Mechanical Code, of Article VIII, Plumbing and Mechanical Equipment, of Chapter 6 of the Code of Ordinances is hereby adopted and shall read in its entirety as follows:

**“DIVISION 3. MECHANICAL CODE**

**Sec. 6-251 Penalty.**

Any violation of the provisions or terms of this ordinance by any person, firm or corporation shall be a misdemeanor offense and shall be subject to a fine in accordance with Section 1-4(a) of the City Code of Ordinances for each offense. Every day a violation continues shall constitute a separate offense.

### **Sec. 6-252 Adopted.**

The 2021 Edition of the International Mechanical Code, a publication of the International Code Council (I.C.C.), is hereby adopted and designated as the Mechanical Code of the City, to the same extent as if such Code were copied verbatim in this section, subject to the deletions, amendments, and additions prescribed in this Division. A copy of the 2021 Edition of the International Mechanical Code is on file in the office of the City Secretary.

### **Sec. 6-253 Administrative Authority.**

For purposes of this Division and interpreting the Code adopted in this Division, the term “Administrative Authority” shall mean the Building Official of the City, his agents, and employees who are hereby empowered with the authority to administer and enforce the provisions of this Division and the Mechanical Code.

### **Sec. 6-254 Deletions, Additions, Amendments.**

The following deletions, additions, and amendments to the 2021 International Mechanical Code adopted in this Division are hereby approved and adopted:

#### **Section 102.8.2; *change to read as follows:***

**102.8.2 Provisions in referenced codes and standards.** Where the extent of the reference to a referenced code or standard includes subject matter that is within the scope of this code, the provisions of this code, as applicable, shall take precedence over the provisions in the referenced code or standard. Any reference to NFPA 70 shall mean the National Electrical Code as adopted.

#### **Section 103.1; *change to read as follows:***

**103.1 Creation of agency.** The City of Plano Building Inspections Department is hereby created and the official in charge thereof shall be known as the code official. The function of the agency shall be the implementation, administration and enforcement of the provisions of this code.

#### **Section 114; *delete the entire section and change to read as follows:***

### **SECTION 114 BUILDING STANDARDS COMMISSION**

**114.1 General.** In order to hear and decide appeals of orders, decisions or determinations made by the code official relative to the application and interpretation of this code, there shall be and is hereby created a Building Standards Commission (“board”). The board shall be appointed by the Plano City Council and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business and shall render all decisions in writing to the appellant with a duplicate copy to the code official.

**114.2 Limitations of authority.** An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equivalent or better form of construction is proposed. The board shall not have the authority to waive requirements of this code or interpret the administration of this code.

**114.3 Qualifications.** The board shall consist of members who are qualified by experience and training and are not employees of the City of Plano.

**114.4 Administration.** The code official shall take immediate action in accordance with the decision of the board.

**Section 306.3;** *change to read as follows:*

**306.3 Appliances in Attics.** Attics containing *appliances* shall be provided with an opening and unobstructed passageway large enough to allow removal of the largest *appliance*. The passageway shall be not less than 30 inches (762 mm) high and 22 inches (559 mm) wide and not more than 20 feet (6096 mm) in length measured along the centerline of the passageway from the opening to the *appliance*. The passageway shall have continuous solid flooring not less than 24 inches (610 mm) wide. A level service space not less than 30 inches (762 mm) deep and 30 inches (762mm) wide shall be present at the front or service side of the *appliance*. The clear access opening dimensions shall be a minimum of 20 inches by 30 inches (508 mm by 762 mm), and large enough to allow removal of the largest *appliance*. At 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. An 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 and Section 306.3.1 Electrical requirements to remain unchanged.]*

**Section 306.5;** *change the first paragraph of Section 306.5 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 such *equipment* or *appliances*, an interior or exterior means of access shall be provided. 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 not require climbing over obstructions greater than 30 inches (762 mm) in height or walking on roofs having a slope greater than four units vertical in 12 units horizontal (33-percent slope). Such access shall not require the use of portable ladders. Where access involves climbing over parapet walls, the height shall be measured to the top of the parapet wall.

**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 three 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* or *equipment* 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*. Access shall not require walking on roofs having a slope greater than four units vertical in 12 units horizontal (33-percent slope). Where access involves obstructions greater than 30 inches (762 mm) in height, such obstructions shall be provided with ladders installed in accordance with Section 306.5 or stairways installed in accordance with the requirements specified in the *International Building Code* in the path or travel to and from *appliances*, fans or *equipment* requiring service.

**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.

**Section 307.2.3;** *amend item 2 in Section 307.2.3 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. The conspicuous point shall not create a hazard such as dripping over a walking surface or other areas so as to create a nuisance.

**Section 403.2.1;** *add an item 5 to Section 403.2.1 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.

**Section 501.3;** *add a fourth exception to Section 501.3 to read as follows:*

4. Toilet room exhaust ducts may terminate in a warehouse or shop area when infiltration of outside air is present.”

**Section III.** All provisions of the Code of Ordinances of the City of Plano in conflict with the provisions of this Ordinance are hereby repealed, and all other provisions of the Code of Ordinances of the City of Plano, not in conflict with the provisions of this Ordinance, shall remain in full force and effect.

**Section IV.** It is the intention of the City Council that this Ordinance, and every provision thereof, shall be considered severable, and the invalidity or unconstitutionality of any section, clause, provision or portion of this Ordinance shall not affect the validity or constitutionality of any other portion of this Ordinance.

**Section V.** The repeal of any Ordinance or part of Ordinances effectuated by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such Ordinance or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions of any Ordinances at the time of passage of this Ordinance.

**Section VI.** Any violation of the provisions or terms of this Ordinance by any person, firm or corporation shall be a misdemeanor offense and shall be subject to a fine in accordance with Section 1-4(a) of the City Code of Ordinances for each offense. Every day a violation continues shall constitute a separate offense.

**Section VII.** This Ordinance shall become effective February 1, 2022, and after its passage and publication as required by law.

**DULY PASSED AND APPROVED** this, the 24th day of January, 2022.

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John B. Muns, MAYOR

ATTEST:

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Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

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Paige Mims, CITY ATTORNEY