

COUNCIL OF THE TOWN OF LA PLATA
Ordinance No. 12-10

Introduced By: Mayor Roy G. Hale, by request

Date Introduced: May 22, 2012

Amendments Adopted:

Date Adopted: July 24, 2012

Date Effective: August 8, 2012

1 **An Ordinance concerning**

2
3 **INTERNATIONAL MECHANICAL CODE 2009**

4
5 **FOR** the purpose of adopting the International Mechanical Code 2009, with certain
6 modifications, as the mechanical code for the Town of La Plata; providing for the
7 administration and enforcement of that code; specifying penalties for violations; providing
8 that the provisions of this Ordinance are severable; and all matters generally related thereto.

9
10 * * * * *

11
12 **BY** repealing and reenacting with amendments
13 Chapter 75 – Building Construction
14 Article IV, Mechanical Code
15 Sections 75-6 and 75-7
16 Code of the Town of La Plata
17 (1998 Edition and Supplements)

18
19 **SECTION 1. BE IT ENACTED BY THE COUNCIL OF THE TOWN OF LA**
20 **PLATA,** That Sections 75-6 and 75-7 of the Code of the Town of La Plata (1998 Edition and
21 Supplements) be and they are hereby repealed and reenacted, with amendments, to read as
22 follows:

23
24 **Chapter 75 – BUILDING CONSTRUCTION**
25 **Article IV. Mechanical Code**

26
27 **75-6. Adoption of standards; copies on file.**

28
29 Subject to the provisions of § 75-7, there is hereby adopted by the Town of La Plata for
30 the purpose of establishing minimum standards governing the design, installation and
31 construction of certain mechanical systems in the town, a certain document entitled the
32 International Mechanical Code ((2006)) 2009, as published by the International Code Council.
33 Not less than one (1) copy of the International Mechanical Code ((2006)) 2009 shall be kept on
34 file in the office of the Town Clerk.
35

36 **75-7 Modifications.**

37 The International Mechanical Code ((2006)) 2009, as adopted by § 75-6, is modified as
38 set forth below:

39 * * *

40 C. New Section ((102.10)) 102.12 is added on page ((1)) 2, to read as follows:
41 **((102.10)) 102.12 Conflicting provisions:** Except as otherwise provided in Section
42 102.8, in any situation where a provision of this code conflicts with the provision of any
43 other law, ordinance, code or regulation, the provision which establishes the higher
44 standard for the promotion and protection of the public health, safety and welfare shall
45 prevail, regardless which may have been enacted first.

46 * * *

47
48
49 E. ((Section 104.2 on page 2 is deleted in entirety.))

50
51 F. In the second line of Section ((104.3)) 104.2 on page 2, delete "issue" and
52 substitute (("authorize the issuance of.)) "THE TOWN SHALL ISSUE".

53
54 G. In the last line of Section 106.4 on page ((3)) 4, immediately following "to the
55 applicant" insert "by the Town."

56 * * *

57
58
59 K. Section 106.5.2 on page ((4)) 5 is revised to read as follows:
60 **106.5.2 Fee schedule:** The fees for all mechanical work shall be as prescribed by
61 ordinance adopted by the Town Council from time to time.

62
63 L. Section 106.5.3 on page ((4)) 5 is revised to read as follows:
64 **106.5.3 Fee refunds:** The Code Official shall authorize the refunding of the full amount
65 of any fee that was erroneously paid or collected. The Code Official shall not authorize
66 the refunding of any fee paid, except upon written application filed by the original
67 permittee not later than 180 days after the date of the fee payment.

68
69 M. Section 108.3 on page ((5)) 6 is deleted in its entirety and new Section 108.3 is
70 substituted in lieu thereof, to read as follows:

71 * * *

72
73
74 N. Section 108.4 on page ((5)) 6 is deleted and new Section 108.4 is substituted in
75 lieu thereof, to read as follows:

76 * * *

79 P. Sections 109.2 through 109.7, inclusive, on pages ((6)) 7 and ((7)) 8 are deleted,
80 and new Section 109.2 is substituted, to read as follows:

81 **109.2 Board of Appeals:** The board of appeals referred to in Section 109.1 is the same
82 board of appeals provided for in Chapter 9 of the Code of the Town of La Plata. All
83 appeals filed pursuant to Section 109.1 shall be governed by the provisions of Chapter
84 9 and by any rules of procedure adopted by the board of appeals pursuant to Chapter 9.

85
86 Q. The definition of "Code official" as contained in Section 202 on page 10 is revised to
87 read as follows:

88 **Code official:** The ((director of the department)) MANAGER of inspections of the
89 Town, or such other person as the Town's Chief Executive Officer may designate.

90
91 **SECTION 2. AND BE IT FURTHER ENACTED,** That if any provision of this Ordinance, or
92 the application thereof to any person or circumstance is held invalid for any reason, such invalidity
93 shall not affect the other provisions or any other application of this Ordinance which can be given
94 effect without the invalid provisions or application, and to this end, all the provisions of this
95 Ordinance are hereby declared to be severable.

96
97 **SECTION 3. AND BE IT FURTHER ENACTED,** That this Ordinance shall become
98 effective at the expiration of fifteen (15) calendar days after its approval by the Council.

SEAL:

COUNCIL OF THE TOWN OF LA PLATA

Roy G. Hale
Roy G. Hale, Mayor

R. Wayne Winkler
R. Wayne Winkler, Councilman

C. Keith Back
C. Keith Back, Councilman

ATTEST:

Paretta D. Mudd
Paretta D. Mudd, Councilwoman

Danielle Mandley
Danielle Mandley, Town Clerk
Date 7/24/12

Absent
Joseph W. Norris, Councilman

EXPLANATION:

CAPITALS INDICATE MATTER ADDED TO EXISTING LAW
((Double Parenthesis)) indicate matter deleted from existing law.
*** * * indicates existing law not depicted in bill and not being altered by bill**
Underlining indicates amendments to bill.
Strike-Out indicates matter stricken from bill by amendment or deleted from the law by amendment.