

COUNCIL OF THE TOWN OF LA PLATA
Ordinance No. 06-14

Introduced By: Mayor Gene Ambrogio

Date Introduced: July 18, 2006

Amendments Adopted:

Date Adopted: August 8, 2006

Date Effective: August 24, 2006

1 **An Ordinance** concerning

2
3 **INTERNATIONAL MECHANICAL CODE 2003**

4
5 **FOR** the purpose of adopting the International Mechanical Code 2003, with certain modifications,
6 as the mechanical code for the Town of La Plata; providing for the administration and
7 enforcement of that code; specifying penalties for violations; providing that the provisions of this
8 Ordinance are severable; and all matters generally related thereto.

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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)

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21 and they are hereby repealed and reenacted, with amendments, to read as follows:

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

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

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28 Subject to the provisions of § 75-7, there is hereby adopted by the Town of La Plata for the
29 purpose of establishing minimum standards governing the design, installation and construction of
30 certain mechanical systems in the town, a certain document entitled The International Mechanical

31 Code ((2000)) 2003, as published by the International Code Council. Not less than one (1) copy of
32 The International Mechanical Code ((2000)) 2003 shall be kept on file in the office of the TOWN
33 Clerk((-Treasurer of the town)).
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35 **75-7 Modifications.**

36 The International Mechanical Code ((2000)) 2003, as adopted by § 75-6, is modified as
37 set forth below:

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39 C. New Section 102.10 is added on page ((1)) 2, to read as follows:
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41 **102.10 Conflicting provisions:** Except as otherwise provided in Section 102.8, in any
42 situation where a provision of this code conflicts with the provision of any other law,
43 ordinance, code or regulation, the provision which establishes the higher standard for the
44 promotion and protection of the public health, safety and welfare shall prevail, regardless
45 which may have been enacted first.
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47 D. Section 103 on ((pages 1 and)) PAGE 2 is deleted in its entirety.
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50 G. In the last line of Section 106.4 on page 3, immediately following “to the applicant”
51 insert “by the ((Clerk-Treasurer of the)) Town.”
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55 I. In the first line of the second paragraph of Section 106.4.1 on page ((3)) 4, delete
56 “issue” and substitute “authorize the issuance of.”
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60 K. Section 106.5.2 on page 4 is revised to read as follows:
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62 **106.5.2 Fee schedule:** The fees for all mechanical work shall be as prescribed by
63 ((resolution)) ORDINANCE adopted by the Town Council from time to time.
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65 L. Section 106.5.3 on page 4 is revised to read as follows:
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67 **106.5.3 Fee refunds:** The Code Official shall authorize the refunding of the full amount of
68 any fee that was erroneously paid or collected. The Code Official shall not authorize the
69 refunding of any fee paid, except upon written application filed by the original permittee not
70 later ((that)) THAN 180 days after the date of the fee payment.
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N. Section 108.4 on page 5 is deleted and new Section 108.4 is substituted in lieu thereof, to read as follows:

((M-))108.4 Violations and Penalties:

1. Knowing and intentional violations of this code or of any order or directive of the code official, or the erection, installation, alteration or repair of mechanical work in violation of the approved construction documents or directive of the Code Official, or of a permit or certificate issued under this code, are declared to be misdemeanors. Any person who knowingly and willfully commits any of these acts shall, upon conviction, be subject to a penalty as set forth in Chapter 1, Article III and particularly § 1-21, of the Code of the Town of La Plata 1998. Each day that one of these acts continues is a separate offense.

2. Except as provided in paragraph 1 above, violations of this code or of an order or directive of the code official, or the erection, installation, alteration or repair of mechanical work in violation of the approved construction documents or directive of the Code Official, or of a permit or certificate issued under this code, are declared to be municipal infractions, and shall be subject to the penalties and procedures as provided in Chapter 1, Article III, and particularly § 1-22, of the Code of the Town of La Plata 1998. Each day that one of these acts continues is a separate offense.

O. In the last sentence of Section ((108.7)) 108.5 on page 6, delete “shall be liable to a fine of not less than [AMOUNT] DOLLARS or more than [AMOUNT] DOLLARS” and substitute “shall be subject to the penalties as provided in Section 108.4 of this code.”

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

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

SEAL:

COUNCIL OF THE TOWN OF LA PLATA

Gene Ambrogio, Mayor

R. Wayne Winkler, Councilman

C. Keith Back, Councilman

ATTEST:

Paretta D. Mudd, Councilwoman

Judith T. Frazier, Town Clerk

Vic E. Newman, Councilman

Date: _____

<p style="text-align: center;">EXPLANATION:</p> <p>CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. ((Double Parenthesis)) indicate matter deleted from existing law. <u>Underlining</u> indicates amendments to bill. Strike Out indicates matter stricken from bill by amendment or deleted from the law by amendment.</p>
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