

COUNCIL OF THE TOWN OF LA PLATA
Ordinance No. 06-16

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 FUEL GAS CODE 2003**

4
5 **FOR** the purpose of adopting the International Fuel Gas Code 2003, with certain modifications, as
6 the code for the regulation and control of the design and installation of fuel gas systems and
7 gas-fired appliances in the Town of La Plata; providing for the administration and
8 enforcement of that code; specifying penalties for violations; providing that the provisions of this
9 Ordinance are severable; and all matters generally related thereto.

10
11 * * * * *

12
13 **BY** **repealing and reenacting, with amendments**

14 Chapter 75 – Building Construction
15 Article VII, Fuel Gas Code
16 Sections 75-13 and 75-14
17 Code of the Town of La Plata
18 (1998 Edition and Supplements)

19
20 **SECTION 1. BE IT ENACTED BY THE COUNCIL OF THE TOWN OF LA PLATA,**
21 That Sections 75-13 and 75-14 of the Code of the Town of La Plata (1998 Edition and Supplements)
22 be and they are hereby repealed and reenacted, with amendments, to read as follows:

23
24 **Chapter 75 – BUILDING CONSTRUCTION**
25 **Article VII. Fuel Gas Code**

26
27 **75-13. Adoption of standards; copies on file.**

28
29 Subject to the provisions of §75-14, there is hereby adopted by the Town of La Plata for the
30 purpose of regulating and controlling the design and installation of fuel gas systems and gas-fired

31 appliances in the Town of La Plata the International Fuel Gas Code ((2000)) 2003, as published by the
32 International Code Council. Not less than one (1) copy of the International Fuel Gas Code ((2000)) 2003
33 shall be kept on file in the office of the TOWN Clerk((-Treasurer of the town)).
34

35 **75-14 Modifications.**

36
37 The International Fuel Gas Code ((2000)) 2003, as adopted by §75-13, is modified as set forth
38 below:
39

40 A. In the ((third)) SECOND line of Section 101.1 on page 1, in the space labeled “[NAME
41 OF JURISDICTION]” insert “Town of La Plata”.
42

43 B. Section 102.8 on page 2 is revised to read as follows:
44

45 **102.8 Referenced codes and standards:** The codes and standards referenced in this code shall
46 those listed in Chapter ((7)) and shall be considered part of the requirements of this code to the
47 prescribed extent of each such reference, except to the extent that any of such standards have been
48 expressly modified in the Code of the Town of La Plata. Where differences occur between the
49 provisions of this code and the referenced codes and standards, the provisions of this code shall
50 apply.
51

52 **Exception:** Where enforcement of a code provision would violate the conditions of the
53 listing of the equipment or appliance, the conditions of the listing and manufacturer’s
54 instructions shall apply.
55

56 * * *

57
58 D. Section 103(((IFGC))) on ((pages)) PAGE 2 ((and 3 are)) IS deleted in ((their entireties))
59 ITS ENTIRETY.
60

61 * * *

62
63 G. In the last line of Section 106.4 on page 4, immediately after “issued to the applicant”
64 insert “by the ((Clerk-Treasurer of the)) Town”.
65

66 * * *

67
68 J. In the first and second lines of Section 106.4.3 on page ((5)) 4, delete “by the code
69 official”.
70

71 K. Section 106.5.2 on page 5 is revised to read as follows:
72

73 **106.5.2 Fee Schedule:** The fees for all work for which a permit is required by this code shall be as
74 prescribed by ((resolution)) ORDINANCE adopted by the Town Council from time to time.
75

76 L. Section 106.5.3 on page 5 is revised to read as follows:
77

78 **106.5.3 Refund:** The code official shall authorize the refunding of the full amount of any fee that
79 was erroneously paid or collected. The building official shall not authorize the refunding of any fee
80 paid, except upon written application filed by the original permittee not later ((that)) THAN 180
81 days after the date of the fee payment.
82

83 M. Section 108.3 on page ((7)) 6 is deleted in its entirety and new Section 108.3 is substituted
84 in lieu thereof, to read as follows:
85

86 **108.3 Prosecution of violation:** In addition to the penalties provided for in Section
87 ((1003.1)) 108.4, in case of failure to comply with a notice of violation within the time
88 specified in the notice, or in case of any other unlawful acts under this code, the code official,
89 with the approval of the chief executive officer of the Town, may institute in the name of the
90 Town an appropriate civil action or proceeding against the person responsible for the
91 violation for the purpose of ordering that person:
92

- 93 1. To restrain, correct or remove the violation or refrain from further execution
- 94 of work;
- 95 2. To restrain or correct the erection, installation, maintenance, repair or
- 96 alteration of such structure;
- 97 3. To require the removal of work in violation; or
- 98 4. To prevent, or to require the termination or removal of, the occupancy of the
- 99 structure that is not in compliance with the provisions of this code or any
- 100 order or direction made pursuant thereto.

101
102 N. Section 108.4 on page ((7)) 6 is deleted and new Section 108.4 is substituted in lieu
103 thereof, to read as follows:
104

105 **((R-))108.4 Violations and Penalties:**
106

107 1. Knowing and intentional violations of this code or of any order or directive of
108 the code official, or the erection, installation, alteration or repair of any fuel gas system or gas-
109 fired appliance in a building or structure in violation of the approved construction documents or
110 directive of the code official, or of a permit or certificate issued under this code, are declared to
111 be misdemeanors. Any person who knowingly and willfully commits any of these acts shall, upon
112 conviction, be subject to a penalty as set forth in Chapter 1, Article III, and particularly §1-21, of
113 the Code of the Town of La Plata 1998. Each day that one of these acts continues is a separate
114 offense.

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: _____

EXPLANATION:

CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

((Double Parenthesis)) indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike Out~~ indicates matter stricken from bill by amendment or deleted from the law by amendment.