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RESOLUTION NO. 18-
City Council

RESOLUTION SETTING A PUBLIC HEARING DATE TO AMEND HIAWATHA CODE OF ORDINANCES CHAPTER 158 MECHANICAL CODE

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HIAWATHA, IOWA to direct staff to proceed with notification of a public hearing that will be held in the Hiawatha Council Chambers, 101 Emmons Street, before the Hiawatha City Council on Wednesday, September 5, 2018 at 5:30 P.M. to consider amending Hiawatha Code of Ordinances Chapter 158 Mechanical Code to adopt the State Mechanical Code.

AYES:
NAYS:
ABSENT:

PASSED AND APPROVED this 15th day of August, 2018.

_____
Bill Bennett, Mayor

ATTEST:

_____
Kelly Kornegor, City Clerk

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF HIAWATHA, IOWA, 1996, BY AMENDING CHAPTER 158 MECHANICAL CODE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HIAWATHA, IOWA:

SECTION 1. Chapter 158 Mechanical Code of the Code of Ordinances of the City of Hiawatha, Iowa, 1996, is hereby amended as follows:

CHAPTER 158

MECHANICAL CODE

158.01 Mechanical Code Adopted

158.02 Amendments to the Mechanical Code

158.03 Conflicts

158.04 International Fuel Gas Code

158.05 Permit & Fees Required

158.06 Fee Refunds

158.07 Violation

158.08 Board of Appeals

158.09 Code on File

158.01 MECHANICAL CODE ADOPTED. Except as hereinafter added to, deleted, modified or amended, there is hereby adopted as the Mechanical Code of the City that certain Mechanical Code known as the State Mechanical Code as adopted in Iowa Administrative Code 165-61 adopting ~~*International*~~the *International Mechanical Code, 2018 Edition*, as prepared and published by the International Code Council, which code is hereby specifically incorporated by reference and shall be known as the Hiawatha Mechanical Code. The provisions of said Mechanical Code shall be controlling in the erection, installation, alteration, repair, relocation, replacement, addition to, use, maintenance or removal of heating, ventilation, cooling or refrigerating systems, incinerators or other miscellaneous heat-producing or refrigerating appliances and in all matters covered by said Mechanical Code within the corporate limits of the City.

158.02 AMENDMENTS TO THE MECHANICAL CODE. Certain sections of the ~~*International Mechanical Code*~~*State Mechanical Code*, are hereby amended, deleted, modified or added to as more specifically set forth in the following sections of this chapter.

158.03 CONFLICTS. If conflicts arise in requirements with regards to specifications of materials or methods between portions of this code, between this code and other local codes or between this code and applicable State or Federal requirements, the more stringent shall apply.

158.04 ADMINISTRATION AND ENFORCEMENT: Delete Section 61.2(3) of the State Mechanical Code and accept the administrative and enforcement sections of the International Mechanical Code sections 103, 104, 105, 106, 107, 108, 109, and 110 and sections therein.~~**INTERNATIONAL FUEL GAS CODE.** The Hiawatha Mechanical Code is hereby amended by adding a new Section 101.2.2 to the *International Mechanical Code* as follows:~~

~~101.2.2 The *International Fuel Gas Code, 2018 Edition,* as further amended is hereby adopted and shall be considered as part of this code.~~

158.05 PERMIT & FEES REQUIRED. The Hiawatha Mechanical Code is hereby amended by deleting Section 106.5.2 from the *International Mechanical Code,* and inserting in lieu thereof the following:

> 106.5.2 Fee Schedule. The fees for mechanical work shall be as set forth in Table 1-A, as adopted by resolution of the City of Hiawatha Council.

158.06 FEE REFUNDS. The Hiawatha Mechanical Code is hereby amended by deleting the words "[SPECIFY PERCENTAGE}" from Section 106.5.3 (2.) and (3.) of the *International Mechanical Code,* and replacing said words with "80 percent".

158.07 VIOLATION. The Hiawatha Mechanical Code is hereby amended by adding a new Section 108.1.1 to the *International Mechanical Code*, as follows:

> 108.1.1 Violations. Specifics of information for Section 108 Violations shall be as set forth in City of Hiawatha Code of Ordinances Chapter 4.

158.08 BOARD OF APPEALS. Section 109 of the International Mechanical Code shall be deleted and replaced as follows:

109. Any appeals arising from any act of the administrative authority in the determination of the suitability of alternate materials and methods of installation or construction and provide reasonable interpretations, and of variances from the Hiawatha Mechanical Code shall be heard by the Board of Appeals (hereinafter "Board") as set forth in Chapter 159 of this Code of Ordinances.

158.09 CODE ON FILE. An official copy of the Hiawatha Mechanical Code hereby adopted, including a certificate by the City Clerk as to its adoption and the effective date thereof, is on file in the office of the Clerk in City Hall and shall be kept on file; and copies shall be available in the Community Development Department for public inspection. The Community Development Department shall furnish a copy of the Mechanical Code hereby adopted to the Hiawatha Public Library.

SECTION 2. SEVERABILITY CLAUSE. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 3. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

PASSED AND APPROVED this 5th day of September, 2018.

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Bill Bennett, Mayor

ATTEST:

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Kelly Kornegor, City Clerk

I, Kelly Kornegor, City Clerk of the City of Hiawatha, Iowa, do hereby certify that the foregoing ORDINANCE was PASSED and APPROVED by the City Council of the City of Hiawatha, Iowa, on the 5th day of September, 2018, and was posted as Ordinance No. ____ on the ____ day of September, 2018.

_____
Kelly Kornegor, City Clerk