

**CERTIFICATION OF CLERK**

I, Brenda K. Wolf, the duly appointed, qualified, and Deputy City Clerk of Manhattan, Kansas, do hereby certify that the foregoing Ordinance was duly adopted at a meeting of the City of Manhattan, Kansas, held on the 18<sup>th</sup> day of June, 2019, and that said Ordinance has been compared by me with the original thereof on file and of record in my office, is a true copy of the whole of said original.

**IN WITNESS WHEREOF**, I have hereunto set my hand and the seal of the City of Manhattan, Kansas, 19<sup>th</sup> day of June, 2019.



*Brenda K. Wolf*

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Brenda K. Wolf, CMC, Deputy City Clerk



## ORDINANCE NO. 7427

AN ORDINANCE AMENDING CHAPTER 8 OF THE CODE OF ORDINANCES, REGULATING MECHANICAL WORK WITHIN THE CORPORATE LIMITS OF THE CITY OF MANHATTAN, KANSAS; INCORPORATING BY REFERENCE THE “INTERNATIONAL MECHANICAL CODE” EDITION OF 2018, WITH CERTAIN OMISSIONS, CHANGES AND ADDITIONS THERETO; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF MANHATTAN, KANSAS:

**SECTION 1.** That Section 8-166 of the Code of Ordinance of the City of Manhattan, Kansas, is hereby amended to read as follows:

**Section 8-166. Adoption of the International Mechanical Code.**

There is hereby incorporated by reference for the purpose of regulating all mechanical work done or performed within the corporate city limits of the City of Manhattan, Kansas that certain standard mechanical code known as the International Mechanical Code, 2018 Edition, including Appendix A, as recommended by the International Code Council, 500 New Jersey Avenue, NW 6<sup>th</sup> Floor, Washington, DC, 20001, save and except such articles, sections, parts or portions as may be hereinafter omitted, deleted, modified or changed. No fewer than one (1) copy of such publication shall be marked or stamped “Official Copy as adopted by Ordinance No. 7427”, and shall be attached to a copy of this ordinance and filed with the city clerk and open for inspection and available to the public at all reasonable hours. All administrative departments of the city charged with enforcement of this code shall be supplied, at the cost of the city, such number of official copies, similarly marked, as may be deemed expedient.

**SECTION 2.** That Section 8-167 of the Code of Ordinances of the City of Manhattan, Kansas, is hereby amended to read as follows:

**Section 8-167. Amendments.**

The International Mechanical Code, adopted by Section 8-166, is hereby changed, altered, modified and otherwise amended as follows:

1. Section 101.1 of the International Mechanical Code is hereby amended to read as follows:

**Section 101.1 Title.** These regulations shall be known as the Mechanical Code of City of Manhattan, Kansas, hereinafter referred to as “this code.”

2. Section 106.5.2 of the International Mechanical Code is hereby amended to read as follows:

**Section 106.5.2 Fee schedule.** The fees for mechanical work shall be \$25.00 per permit.

For each re-inspection beyond the first re-inspection. \$50.00

Each inspection which is not deemed ready for inspection at the scheduled time shall be considered a failed inspection and subject to re-inspection. The re-inspection fee shall be paid within 10 calendar days of the date of the inspection causing the fee, and prior to a certificate of occupancy being issued for that project. Subsequent inspections for that permitted project shall not be conducted until all past due re-inspection fees have been paid. The Building Official shall have the authority to waive re-inspection fees as deemed necessary.

3. That Section 106.5.3 of the International Mechanical Code is hereby amended to read as follows:

**Section 106.5.3 Fee refunds.** The code official shall authorize the refunding of fees as follows:

1. The full amount of any fee paid hereunder which was erroneously paid or collected.
2. Not more than 100% of the permit fee paid when no work has been done under a permit issued in accordance with this code.

The code official shall not authorize the refunding of any fee paid, except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

4. Section 108.4 of the International Mechanical Code is hereby amended to read as follows:

**Section 108.4 Violation penalties.** Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair mechanical work in violation of the approved construction documents or directive or the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than \$500 or by imprisonment not exceeding 180 days, or by both such fine and imprisonment. Each day that a violation continues shall be deemed a separate offense.

5. Section 108.5 of the International Mechanical Code is hereby amended to read as follows:

**Section 108.5 Stop work orders.** Upon notice from the code official that mechanical work is being done contrary to the provisions of this code or in a dangerous or unsafe manner, such work shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's agent, or to the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency

exists, the code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work on the system after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than \$100 or more than \$500.

6. Section 109 of the International Mechanical Code is hereby deleted.
7. Section 301.10 of the International Mechanical Code is hereby changed to read as follows:

**Section 301.10 Electrical.** Electrical wiring, controls and connections to equipment and appliances regulated by this code shall be in accordance with the National Electrical Code as adopted in Section 8-47 of the city Code of Ordinances.

8. Section 505.4 of the International Mechanical code is hereby changed to read as follows:

**Section 505.4 Makeup air required.** Exhaust hood systems capable of exhausting in excess of 400 cubic feet per minute shall be provided with *makeup air* at a rate approximately equal to the difference between the exhaust air rate and 400 cubic feet per minute where other systems exist that may be affected by the exhaust hood system. Such makeup air systems shall be equipped with a means of closure and shall be automatically controlled to start and operate simultaneously with the exhaust system.

**SECTION 3.** Ordinance No. 7226 and all other ordinances, or portions thereof, in conflict herewith are hereby repealed.

**SECTION 4.** This ordinance shall take effect and be in force from and after January 1, 2020, and its publication in the official city newspaper.

**PASSED BY THE GOVERNING BODY OF THE CITY OF MANHATTAN, KANSAS,  
THIS 18<sup>TH</sup> DAY OF JUNE, 2019.**

  
Michael L. Dodson, Mayor

ATTEST:

  
Gary S. Fees, MMC, City Clerk




(PUBLISHED IN *THE MANHATTAN MERCURY* ON JUNE 23, 2019)

**ORDINANCE NO. 7427 SUMMARY**

On June 18, 2019, the City of Manhattan, Kansas adopted the following ordinance:

**AN ORDINANCE AMENDING CHAPTER 8 OF THE CODE OF ORDINANCES, REGULATING MECHANICAL WORK WITHIN THE CORPORATE LIMITS OF THE CITY OF MANHATTAN, KANSAS; INCORPORATING BY REFERENCE THE “INTERNATIONAL MECHANICAL CODE” EDITION OF 2018, WITH CERTAIN OMISSIONS, CHANGES AND ADDITIONS THERETO; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.**

The Ordinance adopts the 2018 International Mechanical Code and makes certain amendments to that code as more specifically described in the ordinance. The complete text of the Ordinance may be obtained or viewed free of charge at the office of the City Clerk, City Hall, 1101 Poyntz Ave., Manhattan, KS 66502, Monday – Friday, 8 a.m. – 5 p.m., and is available for at least one week following the publication date of this summary at [www.cityofmhk.com](http://www.cityofmhk.com). This Summary certified to be legally accurate and sufficient by Assistant City Attorney Rachel Zenger.

  
Assistant City Attorney  
Date certified: 6-18-19