

ORDINANCE NO. 4146

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING CHAPTER 5 OF THE CODE OF THE CITY OF MESQUITE, TEXAS, BY DELETING SECTIONS 5-465 AND 5-466 OF ARTICLE XII IN THEIR ENTIRETY AND ADDING NEW SECTIONS 5-465 AND 5-466 OF ARTICLE XII THEREBY ADOPTING THE INTERNATIONAL FUEL GAS CODE, 2009 EDITION, AND PROVIDING CERTAIN ADDITIONS AND DELETIONS THERETO; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY NOT TO EXCEED TWO THOUSAND (\$2,000.00) DOLLARS FOR EACH OFFENSE; AND DECLARING AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS:

SECTION 1: That Chapter 5 of the Code of the City of Mesquite, Texas, is hereby amended by deleting Sections 5-465 and 5-466 to Article XII in their entirety and adding new Sections 5-465 and 5-466 of Article XII to read as follows, in all other respects said Code and Chapter to remain in full force and effect:

ARTICLE XII. FUEL GAS CODE

DIVISION 1. GENERALLY

Sec. 5-465. Adopted.

The *International Fuel Gas Code*, 2009 Edition, a publication of the International Code Council (I.C.C.), is hereby adopted and designated as the official fuel gas code of the City of Mesquite to the same extent as if such Code were copied verbatim in this Article subject to the amendments prescribed in this Article. A copy of the *International Fuel Gas Code*, 2009 Edition, and the amendments thereto shall be maintained by the office of the City Secretary as an original document and ordinance of the city.

DIVISION 2. AMENDMENTS

Sec. 5-466. Amendments to the International Fuel Gas Code, 2009 Edition.

The following amendments are made to the *International Fuel Gas Code*, 2009 Edition:

(1) *Chapter 1, Administration.*

- (a) *Section 102.2.* Amend by adding an exception to Section 102.2 to read as follows:

Exception: Existing dwelling units shall comply with Section 621.2.

- (b) *Section 102.8.* Amend by deleting the section in its entirety and adding a new Section 102.8 to read as follows:

Referenced codes and standards. The codes and standards referenced herein shall be those that are listed in Chapter 8, and such codes and standards, when specifically adopted, shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and the referenced standards, the provisions of this code shall apply. Whenever amendments have been adopted to the referenced codes and standards, each reference to said code and standard shall be considered to reference the amendments as well. Any reference to NFPA 70 or ICC Electrical Code shall mean the *National Electrical Code* as adopted.

- (c) *Section 109.* Amend by deleting this section in its entirety and adding a new Section 109 to read as follows.

Appeals. Any person shall have the right to appeal a decision of the Code Official to the Building Standards Board established in Section 5-25 according to the procedures and time for appeal set forth herein.

(2) *Chapter 3, General Regulations.*

- (a) *Section 304.10.* Amend by deleting the section in its entirety and adding a new Section 304.10 to read as follows:

Louvers and grills. The required size of openings for combustion, ventilation and dilution air shall be based on the net free area of each opening. Where the free area of a design of louver, grill or screen is known, it shall be used in calculating the size opening required to provide the free area specified. Where the design and free area of louvers and grills are not known, it shall be assumed that wood louvers will have 25 percent free area and metal louvers and grills will have 50 percent free area. Screens shall have a mesh size not smaller than ¼ inch (6.4mm). Nonmotorized louvers and grills shall be fixed in the open position. Motorized louvers shall be interlocked with the appliance so that they are proven to be in the full open position prior to main burner ignition and during main burner operation. Means shall be provided to prevent the main burner from igniting if the louvers fail to open during burner start up and to shut down the main burner if the louvers close during operation.

- (b) *Section 304.11.8.* Amend by deleting the section in its entirety and adding a new Section 304.11.8 to read as follows:

Combustion air intake openings located on the exterior of a building shall have the lowest side of such openings located not less than 12 inches (305 mm) vertically from the adjoining ground level or the manufacturer's recommendation whichever is more restrictive.

- (c) *Section 305.5.* Amend by deleting this section in its entirety.

- (d) *Section 306.3.* Amend by deleting the section in its entirety and adding a new Section 306.3 to read as follows:

Appliances in attics. Attics containing appliances requiring access shall be provided with an opening and a clear and unobstructed passageway large enough to allow removal of the largest appliance, but not less than 30 inches (762 mm) high and 22 inches (559 mm) wide and not more than 20 feet (6,096 mm) in length when measured along the centerline of the passageway from the opening to the appliance. The passageway shall have continuous solid flooring in accordance with Chapter 5 not less than 24 inches (610 mm) wide. A level service space at least 30 inches (762 mm) deep and 30 inches (762 mm) wide shall be present along sides of the appliance where access is required. The clear access opening dimensions shall be a minimum of 20 inches (508 mm) by 30 inches (762 mm) or larger where such dimensions are not large enough to allow removal of the largest appliance. As a minimum, access to the attic space shall be provided by one of the following:

1. A permanent stair;
2. A pull-down stair; or
3. An access door from an upper floor level.
4. An access panel may be used in lieu of items 1, 2 and 3 with prior approval of the Code Official due to building conditions.

Exception: The passageway and level service space are not required where the appliance is capable of being serviced and removed through the required opening.

- (e) *Section 306.5.* Amend by deleting the section in its entirety and adding a new Section 306.5 to read as follows:

Appliances on roofs or elevated structures. Where equipment and appliances requiring access are installed on roofs or elevated

structures at an aggregate height exceeding 16 feet (4,877 mm), such access shall be provided by a permanent approved means of access. Permanent exterior ladders providing roof access need not extend closer than 12 feet (2,438 mm) to the finish grade or floor level below and shall extend to the equipment and appliance's level service space. Such access shall not require climbing over obstructions greater than 30 inches (762 mm) high or walking on roofs having a slope greater than four units vertical in 12 units horizontal (33-percent slope). A receptacle outlet shall be provided at or near the equipment and appliance location in accordance with the *National Electrical Code* as adopted.

- (f) *Section 306.5.1.* Amend by deleting the section in its entirety and adding a new Section 306.5.1 to read as follows:

Sloped roofs. Where appliances, equipment, fans or other components that require service are installed on roofs having slopes greater than four units vertical in 12 units horizontal and having an edge more than 30 inches (762 mm) above grade at such edge, a catwalk at least 16 inches in width with substantial cleats spaced not more than 16 inches apart shall be provided from the roof access to a level platform at the appliance. The level platform shall be provided on each side of the appliance to which access is required for service, repair or maintenance. The platform shall be not less than 30 inches (762 mm) in any dimension and shall be provided with guards. The guards shall extend not less than 42 inches (1,067 mm) above the platform, shall be constructed so as to prevent the passage of a 21-inch-diameter (533 mm) sphere and shall comply with the loading requirements for guards specified in the *International Building Code*.

- (g) *Section 306.7.* Amend by adding a new Section 306.7 to read as follows:

Water heaters above ground floor. Where the roof, mezzanine or platform in which a water heater is installed is more than eight feet (2,438 mm) above the ground or floor level, it shall be made accessible by a stairway or permanent ladder fastened to the building.

Exception: A maximum 10-gallon water heater where capable of being accessed through a lay in ceiling and the water heater is installed at not more than 10 feet (3,048 mm) above the ground or floor level and may be reached with a portable ladder.

- (h) *Section 306.7.1.* Amend by adding a new Section 306.7.1 to read as follows:

Illumination and convenience outlet. Whenever the mezzanine or platform is not adequately lighted or access to a receptacle outlet is not obtainable from the main level, lighting and a receptacle outlet shall be provided in accordance with Section 306.3.1.

(3) *Chapter 4, Gas Piping Installations.*

- (a) *Section 401.5.* Amend by adding a second paragraph to Section 401.5 to read as follows:

Both ends of each section of medium pressure corrugated stainless steel tubing (CSST) shall identify its operating gas pressure with an approved tag. The tags are to be composed of aluminum or stainless steel and the following wording shall be stamped into the tag:

"WARNING
1/2 to 5 psi gas pressure
DO NOT REMOVE"

- (b) *Section 402.3.* Amend by adding an exception to Section 402.3 to read as follows:

Exception: Corrugated stainless steel tubing (CSST) shall be a minimum of one-half inch (1/2") (18 EHD).

- (c) *Section 404.10.* Amend by deleting the section in its entirety and adding a new Section 404.10 to read as follows:

Minimum burial depth. Underground piping systems shall be installed a minimum depth of 18 inches (458 mm) to top of pipe below grade.

- (d) *Section 406.4.* Amend by deleting the section in its entirety and adding a new Section 406.4 to read as follows:

Test pressure measurement. Test pressure shall be measured with a pressure-measuring device designed and calibrated to read or indicate a pressure loss caused by leakage during the pressure test period. The equipment used shall be of an appropriate scale such that pressure loss can be easily determined.

- (e) *Section 406.4.1.* Amend by deleting the section in its entirety and adding a new Section 406.4.1 to read as follows:

Test pressure. The test pressure to be used shall be not less than 10 psig (68.9 kPa gauge), the piping and valves may be tested at a pressure of at least six inches (152 mm) of mercury, measured with a manometer, slope gauge or spring gauge. For welded piping and

piping carrying gas at pressures in excess of 14 inches water column pressure (3.48 kPa), the test pressure shall not be less than 60 pounds per square inch (413.4 kPa).

- (f) *Section 406.4.2.* Amend by deleting the section in its entirety and adding a new Section 406.4.2 to read as follows:

Test duration. Test duration shall be held for a length of time satisfactory to the Code Official but in no case less than 15 minutes. For welded piping and piping carrying gas at pressures in excess of 14 inches water column pressure (3.48 kPa), the test duration shall be held for a length of time satisfactory to the Code Official, but in no case less than 30 minutes.

- (g) *Section 409.1.4.* Amend by adding a new Section 409.1.4 to read as follows:

Valves in CSST installations. Shutoff valves installed with corrugated stainless steel (CSST) piping systems shall be supported with an approved termination fitting or equivalent support, suitable for the size of the valves, of adequate strength and quality and located at intervals so as to prevent or damp out excessive vibration but in no case greater than 12 inches from the center of the valve. Supports shall be installed so as not to interfere with the free expansion and contraction of the system's piping, fittings and valves between anchors. All valves and supports shall be designed and installed so they will not be disengaged by movement of the supporting piping.

- (h) *Section 410.1.* Amend by adding a second paragraph and exception to Section 410.1 to read as follows:

Access to regulators shall comply with the requirements for access to appliances as specified in Section 306.

Exception: A passageway or level service space is not required when the regulator is capable of being serviced and removed through the required attic opening.

- (4) *Chapter 6, Specific Appliances.*

- (a) *Section 614.6.* Amend by adding a sentence at the end of the paragraph of Section 614.6 to read as follows:

The size of duct shall not be reduced along its developed length nor at the point of termination.

- (b) *Section 621.2.* Amended by deleting the section in its entirety and adding a new Section 621.2 to read as follows:

Prohibited use. One or more unvented room heaters shall not be used as the source of comfort heating in a dwelling unit.

Exception: Existing approved unvented heaters may continue to be used in dwelling units, in accordance with the code provisions in effect when installed, when approved by the Building Official unless an unsafe condition is determined to exist as described in Section 108.7.

- (c) *Section 624.1.1.* Amend by deleting the section in its entirety and adding a new Section 624.1.1 to read as follow:

Installation requirements. The requirements for water heaters relative to access, sizing, relief valves, drain pans and scald protection shall be in accordance with the *International Plumbing Code* as adopted.

SECTION 2. That all ordinances or portions thereof in conflict with the provisions of this ordinance, to the extent of such conflict, are hereby repealed. To the extent that such ordinances or portions thereof are not in conflict herewith, the same shall remain in full force and effect.

SECTION 3. That should any word, sentence, clause, paragraph or provision of this ordinance be held to be invalid or unconstitutional, the validity of the remaining provisions of this ordinance shall not be affected and shall remain in full force and effect.

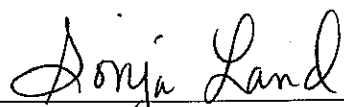
SECTION 4. That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be deemed to be guilty of a Class C Misdemeanor and upon conviction in the Municipal Court shall be punished by a fine not to exceed Two Thousand (\$2,000.00) Dollars for each offense.

SECTION 5. That this ordinance shall take effect on and after June 1, 2011.

DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 2nd day of May, 2011.

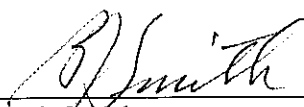

John Monaco
Mayor

ATTEST:



Sonja Land
City Secretary

APPROVED:



B. J. Smith
City Attorney