

ARTICLE III (1)

ORDINANCE NO. 7778-73

AN ORDINANCE ADOPTING THE BOCA BASIC
MECHANICAL CODE, 1975

WHEREAS, Sections 1-2-4 and 1-3-2 of the Illinois Municipal Code, and Section 1002 of Chapter 85, Illinois Revised Statutes, 1975, provide that where rules and regulations for the construction of new buildings and safe use and occupancy of existing buildings or any parts thereof have been printed in book or pamphlet form, such rules and regulations or portions thereof may be adopted by reference; and

WHEREAS, three (3) copies of each of the pamphlets containing the rules and regulations hereinafter adopted have been filed in the office of the City Clerk for use and examination by the public at least thirty (30) days prior to the adoption, as provided by said statutes; and

WHEREAS, the City of Urbana, Illinois, on the date hereof contains a population in excess of 25,000 persons and is therefore a home rule unit under the provisions of the Illinois Constitution, 1970, and this Ordinance is to be regarded as an exercise in home rule powers of said city.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, as follows:

Section 8.3.1. ADOPTION

There is hereby adopted by the City of Urbana, Illinois, for the purpose of establishing rules and regulations for the design and installation of mechanical systems including heating systems, ventilating systems, cooling systems, steam and hot water systems, process piping, boilers and pressure vessels, appliances utilizing gas, liquid or solid fuel, chimneys and vents, mechanical refrigeration systems, and air pollution control systems, including penalties, a certain installation code known as "The BOCA Basic Mechanical Code, 1975", with all amendments thereto, as recommended by the Building Officials and Code Administrators International, Inc., some copies of which said code and supplement have been and are now filed in the office of the City Clerk, and the same are hereby adopted and incorporated as fully as if set out at length herein, and from the date on which this Ordinance shall take effect, the provisions thereof

shall be controlling in the installation of mechanical systems and piping within the corporate limits of the City of Urbana, Illinois.

Section 8.3.2. ENFORCEMENT AND PENALTIES

Any person who violates any provision of this Ordinance, or who fails or refuses to perform any duty or obligation imposed upon such person by this Ordinance, shall be fined in an amount not to exceed \$200.00. Each day that a violation shall continue shall be deemed a separate offense.

Section 8.3.3. DEFINITIONS

A. Wherever the word "municipality" or "city" is used in this Ordinance or in the Mechanical Code, it shall be held to mean the City of Urbana, Illinois.

B. Wherever the words "building official" are used in this Ordinance or the Mechanical Code, it shall be held to mean the Administrator of the Department of Community Development Services, City of Urbana, Illinois.

C. Wherever the term "administrative authority" is used in this Ordinance or the Mechanical Code, it shall be held to mean the City of Urbana, Illinois, and its authorized agents; such agents as, but not limited to, building official or his authorized agent of the City of Urbana.

D. Wherever the term "department" is used in this Ordinance or Mechanical Code, it shall be held to mean the Department of Community Development Services, City of Urbana, Illinois.

E. Wherever the term "fire department" is used in this Ordinance or the Mechanical Code, it shall be held to mean the Fire Department of Urbana, Illinois.

F. Wherever the term "B.T.U." or "British Thermal Unit" is used in this Ordinance or the Mechanical Code, it shall be held to mean a B.T.U. content based on the altitude of Urbana, Illinois.

G. Wherever the term "Rating Input" is used in this Ordinance or the Mechanical Code, it shall be held to mean the amount of heat in B.T.U.'s per hour that can be safely burned in an appliance at the altitude of Urbana, Illinois.

Section 8.3.4. AMENDMENTS AND DELETIONS

The said Mechanical Code is amended and changed in the following aspects:

A. Section M-100.3, entitled "Title", is hereby amended to read as follows:

Section M-100.3 TITLE

This code shall be known as the Mechanical Code of the City of Urbana, Illinois, hereafter referred to as the mechanical code or "this code".

B. Section M-102.0, entitled "Effective Date", is hereby amended to read as follows:

Section M-102.0 EFFECTIVE DATE

Section M-102.1 GENERAL

This code shall take effect from and after its publication in accordance with the terms of Section 1-2-4 of the Illinois Municipal Code.

C. Section M-114.0, entitled "Fees", is hereby amended to read as follows:

Section M-114.0 FEES

Section M-114.1 GENERAL

A permit to begin work for new construction or alteration shall not be issued until the application fee and permit fee prescribed have been paid, nor shall an amendment to a permit necessitating an additional fee because of the additional work involved be issued until the additional fee shall have been paid. Further, for all work commenced without a permit for which a permit is required, the fee shall be double the regular fee.

Section M-114.2 FEE SCHEDULE

The fee for a mechanical permit shall be three dollars (\$3.00) per one thousand dollars (\$1,000.00) of estimated cost as determined by the building official with a minimum fee of thirty dollars (\$30.00), except for the installation of a fireplace a flat fee of fifteen dollars (\$15.00) will be charged.

D. Section M-119.0, entitled "Means of Appeal", is hereby deleted in its entirety and in its place enacted the following:

Section M-119.0 MEANS OF APPEAL

Section M-119.1 APPLICATION OF APPEAL

The owner of a building or structure or any other person have a legal interest in a building or structure to which the building official has made any determination under this Ordinance may appeal such decisions to the Building Code Board of Appeals

as set forth and modified under Section 127 of the BOCA Basic Building Code as adopted with additions, modifications and deletions.

E. Section M-502.0, entitled "Annual Inspection Fees", is hereby deleted.

F. Section M-900.3, entitled "Annual Inspections", is hereby amended to read as follows:

Section M-900.3 ANNUAL INSPECTIONS

All crematories and all incinerators except Class I, Class IA and domestic shall be inspected annually by the department.

G. Section M-904.1, entitled "General", is hereby amended to read as follows:

Section M-904.1 GENERAL

In addition to other requirements of this code, the following shall govern the construction of crematories. For purposes of this code, a crematory shall include any device used to incinerate human bodies, for which burial permits are required by either the State of Illinois or the City of Urbana, Illinois. Pathological incinerators shall be treated as commercial incinerators.

H. Section M-117.1, entitled "Penalties and Offenses", is hereby deleted and in its place enacted the following:

Section M-117.0 PENALTIES AND OFFENSES

(Refer to Section 8-3-2).

Section 8.3.5. ENFORCEMENT

The Code Enforcement Division of Community Development Services shall be responsible for the enforcement of the BOCA Basic Mechanical Code, 1975 edition.

Section 8.3.6. CONFLICTS WITH BUILDING CODE

Wherever in the BOCA Basic Mechanical Code, (1975 edition), there is a conflict with the basic building code or any other ordinances of the City of Urbana, the provision which offers the greater protection to life and property shall prevail.

Section 8.3.7. SAVINGS CLAUSE

Nothing in this Ordinance or in the BOCA Mechanical Code, (1975 edition), hereby adopted shall be construed to affect any suit or proceeding now pending in any court, or any right acquired, or liability incurred, nor any cause of action accrued or existing, under any act or ordinance repealed hereby.

Section 8.3.8. INCONSISTENT ORDINANCES REPEALED

Ordinances or parts thereof in force at the time that this Ordinance shall take effect and inconsistent herewith, are hereby repealed.

This Ordinance shall be in full force and effect from and after its passage and publication in accordance with the terms of Section 1-2-4 of the Illinois Municipal Code. The City Clerk is directed to cause this Ordinance to be published in pamphlet form and to certify the Ordinance was so published together with the date of such publication.

This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called, of a majority of the members of the Council of the City of Urbana, Illinois, at a regular meeting of said Council on the 15th day of May, 1978.

PASSED by the City Council this 15th day of May, 1978.

Duane Eckerty
Duane Eckerty, City Clerk

APPROVED by the Mayor this 6th day of June, 1978.

Jeffrey T. Markland
Jeffrey T. Markland, Mayor

I, Duane Eckerty, City Clerk of the City of Urbana, Illinois, do herewith certify that I caused the above Ordinance to be duly published to pamphlet form on the 9th day of June, 1978.

June 9th

Duane Eckerty
Duane Eckerty, City Clerk