

AN ORDINANCE ADOPTING THE  
BOCA BASIC MECHANICAL CODE, 1978

WHEREAS, Sections 1-2-4 and 1-3-2 of the Illinois Municipal Code, and Section 1002 of Chapter 85, Illinois Revised Statutes, 1977 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, a certain installation code known as "The BOCA Basic Mechanical Code, 1978", with all amendments thereto, as recommended by the Building Officials and Code Administrators International, Inc., three (3) 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. 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 two hundred dollars (\$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 the Ordinance or the Mechanical Code, it shall be held to mean the Administrator of the Department of Community Development Services or authorized agents of the 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 building official or authorized agents of the City of Urbana, Illinois.
- 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 "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.
- F. 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.
- G. Wherever the phrase "air for combustion" is used in this Ordinance or Mechanical Code, it shall be held to mean the amount of air required for safe and proper combustion at the altitude of Urbana, Illinois.

Section 8.3.4. AMENDMENTS AND DELETIONS

The BOCA Basic Mechanical Code, 1978 Edition is amended and changed in the following aspects:

- A. Section M-100.1, entitled "Title", is hereby amended to read as follows:

Section M-100.1. TITLE

The 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-104.1, entitled "Existing Use Continued", is hereby amended to read as follows:

Section M-104.1. EXISTING USE CONTINUED

Except as otherwise provided in this Article, Article XI and the Property Maintenance Code of the City of Urbana, a provision of this Code shall not require the removal, alteration, or abandonment of, nor prevent the continued use of a mechanical system.

- C. Section M-109.0. MECHANICAL INSPECTOR

For the purpose of this Code, the Mechanical Inspector shall be referred to as "Mechanical Inspector" or "Mechanical Official".

The Mechanical Inspector shall be hired in accordance with the personnel policies of the City of Urbana.

- D. Section M-110.6, entitled "Rule Making Authority", is hereby amended to read as follows:

Section M-110.6. RULE MAKING AUTHORITY

The building official shall have power as may be necessary in the interest of public safety, health and general welfare, to adopt and promulgate rules and regulations, to interpret and implement the provisions of this Code, to secure the intent thereof, and to designate requirements applicable because of local climatic or other conditions; but such rules shall not have the effect of waiving working stresses or fire protection requirements specifically provided in this Code or violating accepted engineering practices involving public safety.

- E. Section M-110.7, entitled "Department Records", is hereby deleted.

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

Section M-114.0. FEESSection 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 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, flue damper, range hood, gas piping or similar installations, where a flat fee of fifteen dollars (\$15.00) will be charged.

G. Section M-117.4, entitled "Penalties", is hereby deleted. Refer to Section 8.3.2, Penalties.

H. Section M-122.0, entitled "Means of Appeal", is hereby deleted and the following inserted in its place:

Section M-122.0. MEANS OF APPEAL

Section M-122.2. APPLICATION OF APPEAL

The owner of a building or structure or any other person having a legal interest in a building or structure to which the building official has made any determination under this Ordinance may appeal such decision to the Building Code Board of Appeals as set forth and modified under the BOCA Basic Building Code as heretofore adopted with additions, modifications and deletions.

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

J. Section M-900.3, entitled "Annual Inspections", is hereby deleted.

K. Section M-904.2, entitled "General", is hereby amended to read as follows:

Section 904.2. 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.

L. Section M-1117.1, entitled "General", is hereby amended to read as follows:

Section M-1117.1. GENERAL

The penalty for violation of this section shall be set forth in Section 8.3.2. of this Ordinance.

Section 8.3.5. ENFORCEMENT

The Code Enforcement Division of the Community Development Services Department shall be responsible for the enforcement of the BOCA Mechanical Code.

Section 8.3.6. CONFLICTS WITH BUILDING CODE

Wherever in the BOCA Mechanical Code 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 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

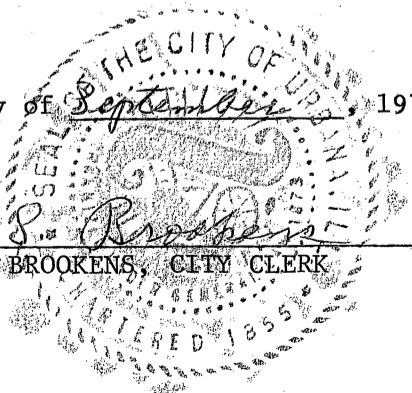
Ordinance No. 7778-73, entitled "An Ordinance Adopting the BOCA Basic Mechanical Code, 1975", is hereby repealed upon the effective date of this Ordinance.

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 4th day of September, 1979.

PASSED by the City Council this 4th day of September, 1979.

Ruth S. Brookens  
RUTH S. BROOKENS, CITY CLERK



APPROVED by the Mayor this 10<sup>th</sup> day of September, 1979.

Jeffrey T. Markland  
JEFFREY T. MARKLAND, MAYOR

CERTIFICATE OF PUBLICATION

I, Ruth S. Brookens, City Clerk of the City of Urbana, Illinois, do herewith certify that I caused the above Ordinance to be duly published in pamphlet form on the 10th day of September, 1979.

Ruth S. Brookens  
RUTH S. BROOKENS, CITY CLERK

