

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FRISCO, TEXAS, REPEALING ORDINANCE NO. 19-11-100; AMENDING DIVISION 9 (MECHANICAL SYSTEMS), ARTICLE IV (TECHNICAL CODES), CHAPTER 18 (BUILDINGS AND BUILDING REGULATIONS), PART II OF THE FRISCO CODE OF ORDINANCES, ORDINANCE NO. 06-03-31, AS AMENDED; ADOPTING THE 2021 EDITION OF THE INTERNATIONAL MECHANICAL CODE, SAVE AND EXCEPT THE DELETIONS AND ADDITIONS SET FORTH HEREIN; REGULATING THE DESIGN, INSTALLATION, MAINTENANCE, ADDITION, ALTERATION AND INSPECTION OF MECHANICAL SYSTEMS THAT ARE PERMANENTLY INSTALLED AND UTILIZED TO PROVIDE CONTROL OF ENVIRONMENTAL CONDITIONS AND RELATED PROCESSES WITHIN BUILDINGS LOCATED WITHIN THE CITY OF FRISCO, TEXAS; PROVIDING A PENALTY CLAUSE, SAVINGS/REPEALING CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

WHEREAS, the City Council of the City of Frisco, Texas ("City Council") has investigated and determined that it would be advantageous, beneficial and in the best interest of the citizens of the City of Frisco, Texas ("Frisco") to amend Division 9 (Mechanical Systems), Article IV (Technical Codes), Chapter 18 (Buildings and Building Regulations), Part II of the Frisco Code of Ordinances, Ordinance No. 06-03-31, as amended ("Code of Ordinances"), by adopting the 2021 Edition of the International Mechanical Code, save and except the deletions and additions set forth below; and

WHEREAS, the City Council has investigated and determined that in order to most effectively make the deletions and additions necessary to Division 9 (Mechanical Systems), Article IV (Technical Codes), Chapter 18 (Buildings and Building Regulations), Part II of the Frisco Code of Ordinances, it is in the best interest of the citizens of Frisco to repeal Ordinance No. 19-11-100 (Mechanical Code), in its entirety, and replace it with this Ordinance, adopting the 2021 Edition of the International Mechanical Code, save and except the deletions and additions set forth below.

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

SECTION 1: Findings Incorporated. The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2: Repeal of Ordinance No. 19-11-100. Ordinance No. 19-11-100 is hereby repealed, in its entirety, and replaced by this Ordinance. The effective date of the repeal discussed in this Section shall not occur until the effective date of this Ordinance at which time Ordinance No. 19-11-100 shall be repealed. Such repeal shall not abate any pending prosecution and/or

lawsuit or prevent any prosecution and/or lawsuit from being commenced for any violation of Ordinance No. 19-11-100 occurring before the effective date of this Ordinance.

SECTION 3: Amendment to Division 9 (Mechanical Systems), Article IV (Technical Codes), Chapter 18 (Buildings and Building Regulations), Part II of the Frisco Code of Ordinances. Division 9 (Mechanical Systems), Article IV (Technical Codes), Chapter 18 (Buildings and Building Regulations), Part II of the Frisco Code of Ordinances is hereby amended for the sole purpose of adopting new mechanical code regulations as set forth in the International Mechanical Code, copyrighted by the International Code Council, Inc., save and except the deletions and additions set forth in Exhibit A, attached hereto and incorporated herein for all purposes, regulating the design, installation, maintenance, addition, alteration and inspection of mechanical systems that are permanently installed and utilized to provide control of environmental conditions and related processes within buildings located within Frisco ("2021 International Mechanical Code"). The 2021 International Mechanical Code is made a part of this Ordinance as if fully set forth herein. Three (3) copies of the 2021 International Mechanical Code are on file in the office of the City Secretary of Frisco being marked and designated as the 2021 International Mechanical Code. The deletions and additions set forth in Exhibit A are located on Frisco's website under Development Services.

SECTION 4: Savings/Repealing. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portion of conflicting ordinances shall remain in full force and effect.

SECTION 5: Penalty Provision. Any person, firm, corporation or business entity violating this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction therefore, shall be fined a sum not exceeding TWO THOUSAND AND NO/100 DOLLARS (\$2,000.00), and each and every day that such violation continues shall be considered a separate offense; provided, however, that such penal provision shall not preclude a suit to enjoin such violation. Frisco retains all legal rights and remedies available to it pursuant to local, state and federal law.

SECTION 6: Severability. Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional and/or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. Frisco hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof, regardless of whether any one or more sections, subsections, sentences, clauses or phrases is declared unconstitutional and/or invalid.

SECTION 7: Effective Date. This Ordinance shall become effective upon its passage and publication as required by the City Charter and by law.

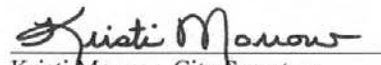
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DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF
FRISCO, TEXAS, on this 15th day of November, 2022.




Jeff Cheney, Mayor

ATTESTED AND CORRECTLY
RECORDED:


Kristi Morrow, City Secretary

APPROVED AS TO FORM:


Abernathy Roeder Boyd & Hullett, P.C.
Aliceson Cotton, City Attorneys

Dates of Publication: November 20, 2022 and November 27, 2022 *Frisco Enterprise*

Exhibit A
CITY OF FRISCO DELETIONS/ADDITIONS
2021 INTERNATIONAL MECHANICAL CODE¹

The following deletions and additions to the 2021 International Mechanical Code are hereby approved and adopted (*i.e.* deletions evidenced by ~~strike through~~ and additions evidenced by underline)²:

Chapter 1. Scope and Administration of the 2021 International Mechanical Code is amended as follows:

Section 102 Applicability of the 2021 International Mechanical Code is amended as follows:

102.8 Referenced codes and standards. The codes and standards referenced in this code herein shall be those that are listed in Chapter 15 and such codes and standards shall be considered as part of the requirements of this code to the prescribed extent of each such reference and as further regulated in Sections 102.8.1 and 102.8.2. Whenever amendments have been adopted to the referenced codes and standards, each reference to said code and standard shall be considered to reference the adopted amendments.

Section 109 Fees of the 2021 International Mechanical Code is amended as follows:

109.2 Schedule of permit fees. ~~Where work requires a permit, a fee for each permit shall be paid as required, in accordance with the schedule as established by the applicable governing authority. The fees for mechanical work shall be as established in Frisco's Comprehensive Master Fees Ordinance, as amended.~~

109.6 Refunds. ~~The code building official is authorized to establish a refund policy. may authorize the refunding of any fee paid hereunder which was erroneously paid or collected.~~

The building official may authorize a refund not to exceed eighty percent (80%) of the permit fee paid when no work has been done under a permit issued in accordance with this code.

The building official may authorize a refund not to exceed eighty percent (80%) of the plan review fee paid when an application for a permit for which plan review fee has been paid is withdrawn or canceled before any plan reviewing is done.

¹ Unless otherwise expressly provided herein, all phrases, words and/or terms used herein shall have the same meaning ascribed to the same in the 2021 International Mechanical Code (regardless of whether such phrases, words and/or terms are italicized herein).

² Other italicized and bold notations are provided throughout for informational purposes only. By way of example only, "[*Paragraph remains unchanged.*]"

The building official may not authorize the refunding of any fee paid except upon written request filed by the original permittee not later than 180 days after the date of the fee payment.

Section 114 Means of appeal of the 2021 International Mechanical Code is deleted in its entirety and replaced with the following:

114 Means of Appeal. The Board of Construction Appeals, created by the City of Frisco, as it currently exists or may be amended, will serve as the means of appeal.

Chapter 3 General Regulations of the 2021 International Mechanical Code is amended as follows:

Section 306 Access and service space of the 2021 International Mechanical Code is amended as follows:

306.3 Appliances in attics. Attics containing appliances shall be provided with an opening and unobstructed passageway large enough to allow removal of the largest appliance. The passageway shall be not less than thirty 30 inches (762 mm) high and twenty-two 22 inches (559 mm) wide and not more than twenty 20 feet (6096 mm) in length measured along the centerline of the passageway from the opening to the appliance. The passageway shall have continuous unobstructed solid flooring not less than twenty-four 24 inches (610 mm) wide. A level service space not less than thirty 30 inches (762 mm) deep and thirty 30 inches (762 mm) wide shall be present at the front or service side of the appliance. The clear access opening dimensions shall be not less 20 inches by thirty 30 inches (508 mm by 762 mm), and large enough to allow removal of the largest appliance. At a minimum, access to the attic space shall be provided by one of the following:

1. Permanent stairs or ladder fastened to the building.
2. A pull down stair with a three hundred (300) lb. rating.
3. An access door from an upper floor.

Exception: When the appliance is capable of being accessed through a lay-in ceiling and is installed not more than ten 10 feet (3048 mm) above the ground or floor level and may be reached with a portable ladder additional access methods to the space are not required under this section.

306.5 Equipment and appliance on roofs or elevated structures. Where equipment requiring access or appliances are located on an elevated structure or the roof of a building such that personnel will have to climb higher than sixteen 16 feet (4877mm) above grade to access such equipment or appliances, an interior or exterior means of access shall be provided. Such access shall not require climbing over obstructions greater than thirty 30 inches (762mm) in height or walking on

roofs having a slope greater than four 4 units vertical in twelve 12 units horizontal (33-percent slope). Such access shall not require the use of portable ladders. Permanent ladders providing access need not extend closer than eight (8) feet (2438mm) to the finish grade or floor level. Where access involves climbing over parapet walls, the height shall be measured to the top of the parapet wall.
[Remainder unchanged]

306.5.1 Sloped Roofs. Where appliances, equipment, fans or other components that require service are installed on a roof having a slope of three units vertical in 12 units horizontal (25-percent slope) or greater 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. A level platform shall be provided on each side of the appliance or equipment to which access is required for service, repair or maintenance. *[Remainder unchanged]*

Section 307 Condensate disposal of the 2021 International Mechanical Code is amended as follows:

307.2.1 Condensate disposal. Condensate from all cooling coils and evaporators shall be conveyed from the drain pan outlet to an approved place of disposal. Such piping shall maintain a minimum horizontal slope in the direction of discharge of not less than one-eighth unit vertical in 12 units horizontal (1-percent slope). Condensate shall not discharge into a street, alley, sidewalk, rooftop or other areas so as to cause a nuisance.

Chapter 4 Ventilation of the 2021 International Mechanical Code is amended as follows:

Section 401 General of the 2021 International Mechanical Code is amended as follows:

401.4 Intake opening location. Air intake openings shall comply with all of the following:

5. Outdoor air intakes must be screened in accordance with table 401.5 and located a minimum of 60 inches (1524 mm) from asphalt or bituminous roofing materials that are located below the air intake.

Chapter 5 Exhaust Systems of the 2021 International Mechanical Code is amended as follows:

Section 504 Clothes Dryer Exhaust of the 2021 International Mechanical Code is amended as follows:

~~**504.5 Dryer exhaust duct power ventilators** is deleted in its entirety~~

~~504.9.4.3 Dryer exhaust duct power ventilator length is deleted in its entirety~~

504.9.5 Length identification. Where the exhaust duct equivalent length exceeds 35 feet (10 668 mm), the equivalent length of the exhaust duct shall be identified on a permanent label or tag. The label or tag shall be located ~~within 6 feet (1829 mm) of~~ at the exhaust duct connection.

Chapter 6 Duct systems of the 2021 International Mechanical Code are amended as follows:

Section 603 Duct construction and installation of the 2021 International Mechanical Code is amended as follows:

603.5 Nonmetallic ducts. Nonmetallic ducts shall be constructed with Class 0 or Class 1 duct material and shall comply with UL 181. Fibrous duct construction shall conform to the SMACNA Fibrous Glass Duct Construction Standards or NAIMA Fibrous Glass Duct Construction Standards. The air temperature within nonmetallic ducts shall not exceed 250°F (121°C). Nonmetallic ducts are only permitted with prior Building Official approval and where the installation of metallic ducts would not be practical (e.g. closely spaced wall and floor framing).

603.6 Flexible air ducts and flexible air connectors. *[Paragraph unchanged]*

For other than residential dwelling units, flexible supply and return air ducts shall not be used for primary trunk and branch ducts.

603.6.1.1 Duct length. ~~Flexible air ducts shall not be limited in length.~~ For other than residential dwelling units, flexible ducts shall be limited to six (6) foot connections at the end of duct runs.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK.]