

AN ORDINANCE 2009-10-01-0777C

AMENDING CHAPTER 6, BUILDINGS, ARTICLE V, MECHANICAL CODE, OF THE CITY CODE OF SAN ANTONIO, TEXAS, BY ADOPTING THE 2009 EDITION OF THE INTERNATIONAL MECHANICAL CODE AND LOCAL AMENDMENTS; PROVIDING FOR PENALTIES, PUBLICATION AND AN EFFECTIVE DATE.

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WHEREAS, the Department of Development Services currently enforces the 2006 edition of the International Mechanical Code, published by the International Code Council, Inc. and the local amendments thereto; and

WHEREAS, the 2009 edition of the International Mechanical Code (IMC) has been published; and

WHEREAS, the Mechanical Appeals and Advisory Board and city staff have conducted public meetings regarding the adoption of the 2009 IMC and local amendments thereto; and

WHEREAS, the members of the Mechanical Appeals and Advisory Board and the Planning and Development Services Department recommend approval and adoption of the 2009 IMC and local amendments; and

WHEREAS, all prerequisites required by state statute and the City Charter for adoption of this code and its amendments have been satisfied; **NOW THEREFORE**,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. Chapters 1 through 9, 11, 12, 14 and 15 of the 2009 International Mechanical Code (IMC) are hereby adopted to replace the 2006 International Mechanical Code. The 2009 International Mechanical Code is incorporated herein as fully as if set out at length. Chapter 6, Section 6-66 of the City Code of San Antonio, Texas is amended by adding the underlined (added) language and deleting the stricken (deleted) language as follows:

Sec. 6-66. International Mechanical Code adopted.

Chapters 1 through 9, 11, 12, 14 and 15 of the 2009 ~~{2006}~~ edition of the International Mechanical Code (IMC), published by the International Code Council, Inc. ~~[with new local amendments.]~~ is hereby adopted as the heating, ventilating, cooling and refrigeration code of the city from the effective date hereof and shall govern all activities specified therein within the city.

SECTION 2. Chapter 6 of the City Code of San Antonio, Texas is hereby amended by repealing Section 6-67, the local amendments to the 2006 edition of the IMC, and adding a new Section 6-67 with local amendments to the 2009 edition of the IMC. Changes are delineated by adding the underlined (added) language and deleting the stricken (~~deleted~~) language as follows:

Sec. 6-67. International Mechanical Code Amendments.

Section 101.1, Title is amended by adding the name of the jurisdiction to read as follows:

101.1 Title. These regulations shall be known as the Mechanical Code of the City of San Antonio ~~[NAME OF JURISDICTION]~~, hereinafter referred to as “this code.”

Sections 103, Department of Mechanical Inspection, and 103.1, General, are amended as follows:

SECTION 103
PLANNING AND DEVELOPMENT SERVICES DEPARTMENT
~~{DEPARTMENT OF MECHANICAL INSPECTION}~~

103.1 General. The Planning and Development Services Department ~~{department of mechanical inspection}~~ is hereby created and the Director of Planning and Development Services ~~{executive official in charge}~~ shall be known as the code official.

Section 106, Permits is amended by adding *Section 106.6, Annual Maintenance Permit for Residential Group R-2 Apartment Houses,* and subsections to read as follows:

106.6 Annual Maintenance Permit for Residential Group R-2 Apartment Houses

106.6.1 Required. An Annual Maintenance Permit is required for all apartment houses containing more than 4 dwelling units where the occupants are primarily permanent in nature. In this section the term “permanent in nature” means having dwelling units where the original lease term is greater than 2 months.

Exception: No permit is required for apartment houses that have self-contained, ductless air conditioning products that have a cooling capacity of three tons or less or for individual apartment houses containing less than 5 dwelling units each.

106.6.2 Scope. The Annual Maintenance Permit replaces the necessity of obtaining individual permits for work performed on environmental air conditioning system, a process cooling or heating system, a commercial refrigeration system or commercial refrigeration equipment. The permit does not cover nor is a permit required for the installation, repair, or removal of the following:

1. vent hood used in residential kitchens

2. portable or self-contained ductless air conditioning product that has a cooling capacity of three tons or less
3. portable or self-contained heating product that does not require the forced movement of air outside the heating unit
4. environmental air conditioning equipment that is intended for temporary use and is not fixed in place
5. residential refrigerator, freezer or ice machine

106.6.3 Permit holder. An Annual Maintenance Permit for mechanical maintenance work will only be issued to the Building Owner/Manager or their authorized agent. For properties that contain less than 20 dwelling units, the permit holder may obtain one permit covering multiple locations. For properties that contain 20 or more dwelling units, the permit holder shall obtain one permit for the dwelling units contained within the property.

106.6.4 Annual Maintenance Permit fee. The annual maintenance permit fee shall be as follows:

<u>Annual Maintenance Permit Fee (mechanical only)</u>	<u>\$50.00 per permit plus \$0.21</u>
<u>Single Location</u>	<u>per residential apartment unit</u>
<u>Annual Maintenance Permit Fee (mechanical only)</u>	<u>\$50.00 per permit plus \$2.00</u>
<u>Multiple Locations</u>	<u>per residential apartment unit</u>

106.6.5 Record keeping. Records of all work performed under the Annual Maintenance Permit shall be maintained by the permit holder for no less than 12 months after performing such work and shall be made available for the Development Services Department's review upon request.

106.6.6 Periodic inspections. Work performed under the Annual Maintenance Permit will be subject to the Development Services Department's periodic inspections. No notice will be required by the Development Services Department to make periodic inspections of equipment located on the exterior of apartment houses. For periodic inspections of equipment located on the interior of apartment houses or their rooftops, coordination shall take place with the permit holder with a minimum 5 days notice prior to the inspections. A date and time for the inspections shall be established by the Development Services Department. Maintenance records for both interior work and exterior work shall be made available during all interior inspections.

106.6.7 Limits of work performed under Annual Maintenance Permit. Work performed under the Annual Maintenance Permit shall be limited as follows:

1. All work required for the continued normal performance of an existing environmental air conditioning system, a process cooling or heating system, a commercial refrigeration system or a commercial refrigeration system. Work does not include the following:
 - a. Total replacement of a system.
 - b. Installation or repair of a boiler or pressure vessel that must be installed in accordance with rules adopted by the commission under Chapter 755, Health and Safety Code.
2. Diagnosing and repairing problems associated with air conditioning, commercial refrigeration, or process cooling or heating equipment, and remedying or attempting to remedy these problems.

106.6.8 Work not covered by the Annual Maintenance Permit. The following work is not covered by the Annual Maintenance Permit unless it is performed by either a licensed contractor or licensed engineer:

1. Simultaneous replacement of the condensing unit, furnace and evaporator coil.
2. Replacement of any condensing unit that is more than ½ ton larger than the current size.
3. Replacement of any furnace that is more than 35,000 BTU's larger than the current size.
4. Replacement of any evaporator coil that is more than ½ ton larger than the current size.
5. Extension of any duct work more than one foot.
6. Relocating any equipment to a new location more than five feet from the original location.

106.6.9 Who may perform work. The following may perform maintenance work under the Annual Maintenance Permit:

1. Licensed air conditioning contractors.
2. A person who is licensed as an engineer under Chapter 1001 of the Texas Occupational Code and who engages in air conditioning and refrigeration contracting work in connection with the business in which the person is employed but does not engage in that work for the public.

3. A person who performs air conditioning and refrigeration maintenance work if the person:
 - a. is a maintenance technician or maintenance engineer and is a regular employee of the building owner/manager of the property where the work is being performed;
 - b. performs the work in connection with the business in which the person is employed; and
 - c. the person's employer do not engage in air conditioning and refrigeration contracting for the public.

Section 107.3.3, Reinspection and testing, is amended by adding a last sentence to read as follows:

107.3.3 Reinspection and testing. Where any work or installation does not pass an initial test or inspection, the necessary corrections shall be made so as to achieve compliance with this code. The work or installation shall then be resubmitted to the code official for inspection and testing. To obtain reinspection or retest, the applicant shall make a request to the code official and pay the reinspection fee in accordance with the fee schedule prior to the inspection or test.

Sections 109.1 and 109.1.1 are amended to identify the Mechanical Appeals and Advisory Board as follows:

109.1 Application for appeal. A person shall have the right to appeal a decision of the code official to the Mechanical Appeals and Advisory Board ~~{board of appeals}~~. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted there under have been incorrectly interpreted, the provisions of this code do not fully apply, or an equally good or better form of construction is proposed. The application shall be filed on a form obtained from the Planning and Development Services Department ~~[code official]~~ within 20 days after the notice was served.

109.1.1 Limitation of authority. The Mechanical Appeals and Advisory Board ~~{board of appeals}~~ shall have no authority relative to interpretation of the administration of this code nor shall such board be empowered to waive requirements of this code.

Section 109.2 and Sections 109.2.1 through 109.2.6 are repealed in their entirety and replaced with new *Section 109.2 and Sections 109.2.1 through 109.2.6* to read as follows:

109.2 Membership of board. The Mechanical Appeals and Advisory Board shall consist of eleven (11) appointed members residing in the City. The appointive members will consist of one (1) licensed mechanical contractor, two (2) licensed mechanical technicians, one of whom shall represent the open shop segment of the industry and one of whom shall represent

the union segment, two (2) professional engineers, one (1) commercial refrigeration contractor, one (1) manufacturer's representative or distributor of refrigeration, heating or air conditioning equipment, one (1) licensed architect, and three (3) lay persons (consumer representatives). The Board shall be subject to City Code Chapter 2, Article IX entitled "Boards and Commissions", to the extent not in conflict with these provisions. Board membership shall continue in a holdover capacity until a replacement is appointed. Members shall be limited to three (3) consecutive two-year terms. The board shall adopt rules of procedure for conducting its business that are not in conflict with the City's Rules for Boards and Commissions and shall render all decisions and findings in writing to the appellant with copies to the *building official*. Each application to the board shall be accompanied by a filing fee as set forth in the fee schedule adopted by the City.

109.2.1 Function. The Mechanical Appeals and Advisory Board shall serve as an advisory board to Planning and Development Services Department and to the City Council on the administration of this code and may, from time to time, recommend amendments to this code. In addition, the board shall have the power to suspend or revoke certificates of license. Every appeal application to the board shall be accompanied by a filing fee as set forth in the fee schedule adopted by the City of San Antonio.

Any action of the Mechanical Appeals and Advisory Board may be appealed by written petition for a hearing before City Council. Such petition must be filed with such board and the City Clerk within 7 days of the board's action and accompanied by a filing fee as set forth in the fee schedule adopted by the City.

109.2.2 Grounds for removal of members. Any member of the board found guilty of violation of the mechanical code or who fails to perform his duties as a board member shall be recommended for removal by a 2/3 vote of the remaining board members. The City Manager will be advised of the findings of the board for necessary action. If a board member's attendance at regularly scheduled meetings falls below 50% on an annual basis from the appointment date or a board member misses three consecutive regularly scheduled meetings, the board member will be asked to resign. Absences may be formally excused by the board.

109.2.3 Chairman and Vice-Chairman. The board shall annually select both a chairman and vice-chairman.

109.2.4 Disqualification of member. A member shall not hear an appeal in which that member has a personal, professional or financial interest.

109.2.5 Member not to sit when charges are preferred. Where charges are preferred against a member of the board, such member shall not sit as a member of the board during the hearing of the case.

109.2.6 Secretary. The Planning and Development Services Department shall designate a qualified individual to serve as secretary to the board. The secretary shall file a detailed record of all proceedings in the office of the code official.

Section 109.3 is repealed and replaced in its entirety with new *Section 109.3* and *Sections 109.3.1* through *109.3.3* to read as follows:

109.3 Notice of meeting.

109.3.1 Frequency of meetings. The board shall meet on a quarterly basis. The board may meet more often when the board deems it necessary. The board shall meet for special cases if specifically called by the Chairman, the Director of the Planning and Development Services Department, or four other board members, and the members shall be devoted to hearing charges, reviewing applications for licensing, or acting on appeals and complaints received by the Director or HVAC inspections supervisor (chief mechanical inspector) and any other business as may be brought before such board.

109.3.2 Format. All charges, appeals and complaints shall be presented to the board by the HVAC inspections supervisor or his authorized representative on forms indicating the identity of the applicant or plaintiff, the section or sections of the code in question, and a clear statement of the plaintiff's request and his reasons for making said request.

109.3.2 Applications for certificates of license. All applications for certificates of license shall be presented to the board by the HVAC inspections supervisor or his authorized representative on forms with sufficient information to allow the board to make a proper evaluation of the applicant's qualifications.

Section 109.4.1, Procedure, is amended to read as follows:

109.4 Open hearing. All hearings before the board shall be open to the public. The appellant, the appellant's representative, the code official and any person whose interests are affected shall be given an opportunity to be heard.

109.4.1 Procedure. The meeting of the board shall be conducted in conformity with Parliamentary Rules (Robert's Rules of Order) or any other rules under which the board members agree to abide unless otherwise specified in this chapter. The procedures shall not require compliance with strict rules of evidence, but shall mandate that only relevant information be received.

Section 109.5 is repealed in its entirety and replaced with new *Section 109.5*:

109.5 Postponed hearing and quorum. Six members shall constitute a quorum. When six members are not present to hear an appeal, the appeal shall automatically be reset to the next scheduled meeting of this board. The vote of a majority of the members present shall be

necessary for the adoption of any matter, except as otherwise provided in this amendment. Each member of the board shall have one vote. Should the chairman form subcommittees, their makeup shall be no more than five members.

Section 109.6, Board decision, is amended to read as follows:

109.6 Board decision on appeals. The board shall modify or reverse the decision of the code official by a concurring vote of the majority of members present once a quorum has been established.

109.6.1 Resolution. The decision of the board shall be by resolution. Certified copies shall be furnished to the appellant and to the code official.

109.6.2 Administration. The code official shall take immediate action in accordance with the decision of the board.

Section 109.7, Court review, is repealed in its entirety and replaced with new Section 109.7 entitled "Board Suspension and revocation of City license" and Sections 109.7.1 through 109.7.3 to read as follows:

109.7 Board suspension and revocation of City license. The board shall have the power to suspend or revoke a city issued certificate of license of any person who is found guilty of the following:

1. Committing an offense in another state, county or city which, if committed in this city would be grounds for suspension or revocation;
2. Is a habitual violator of this chapter (habitual shall mean three or more separate violations);
3. Performed mechanical work that is in violation of this Code and then failed or refused to make corrections necessary for the work to conform to this Code;
4. Performed mechanical work that is in violation of this chapter, and such work is found to be the cause or a contributing cause of a fire, whether or not there is any actual damage or loss;
5. The practice of any fraud or deceit in obtaining and using such license, or taking out mechanical permits in the name of some person not authorized by law to do mechanical work and thereafter permitting a person without a proper certificate of license to do the work; or
6. Any intentional violation of the mechanical code in the performance of mechanical work within the city.

Comment: The board shall have no authority to revoke or suspend state issued licenses.

109.7.1 Notification procedure. In determining such charges, the board shall proceed upon information furnished by any *code official* or resident of this city who is of sound mind and legal age. Should the board deem the information sufficient to support further action on its part, it shall cause a copy of the board's order and of the information to be served upon the accused by registered mail at least 15 days before the date appointed in the order for the hearing. The accused may appear in person or by agent or both, at the time and place named in the order and make his/her defense to the same. The City Attorney shall provide counsel for the board. If the accused fails or refuses to appear, the board may proceed to hear and determine the charges by the board

109.7.2 Suspension or revocation of license. An affirmative vote of at least 2/3 of the board members present shall be required for suspension or revocation of a city issued license with the understanding that a quorum must be present to conduct board business. If the board desires to revoke the party's certificate of license permanently, it shall so state; if not, provisions shall be interpreted to allow for the possibility of reinstatement. It shall be unlawful for any person whose rights under a certificate of license or registration have been suspended or revoked by the board to engage in any mechanical work.

109.7.3 Records to be filed. When the board has completed such hearing, it shall cause a record of its findings and decision to be filed with the city clerk, and shall cause a certified copy thereof to be forwarded to the accused.

Section 109 is amended by adding Section 109.8 to read as follows:

109.8 Appeals from the board's action. Any decision of the mechanical appeals and advisory board may be appealed by written petition for a hearing before City Council. Such petition must be filed with such board and the city clerk within 7 days of the board's decision upon receipt of notice.

Section 111, San Antonio Mechanical License, is added to the International Mechanical Code:

SECTION 111 **SAN ANTONIO MECHANICAL LICENSE**

111.1 San Antonio Mechanical License. Any person performing any type of mechanical work in the city of San Antonio shall have in his possession a valid and authenticated mechanical license issued by the Director of the Planning and Development Service Department of the City of San Antonio, Texas or a valid mechanical license issued by the state of Texas, except as otherwise provided under Section 111.2 or as exempted under Federal or State Law.

111.1.1 Contact information. A licensed contractor must maintain a bona fide company address and telephone to enable the Planning and Development Services Department to contact the contractor in case of a job discrepancy. Any person holding a mechanical license shall report to the Planning and Development Services Department any change of address and telephone number in order to allow the Planning and Development Services Department to maintain accurate license renewal records. All mechanical contractors holding a master's license from the City of San Antonio shall display, on both sides of any vehicles being used for or in connection with mechanical installation or service work, a sign depicting the identity of the person, firm or corporation performing the work and the mechanical master's license number issued by the City of San Antonio. The sign shall have the numbers not less than 2 inches (50.8 mm) in height.

111.1.2 Certificate of insurance. Any person applying for a master mechanical license shall present a certificate of insurance issued by an insurance company authorized to do business in the state of Texas, certifying that the applicant is insured to the limits of at \$300,000 public liability insurance per occurrence and \$300,000 property damage liability insurance per occurrence.

111.1.3 Duplicate Licenses. Any person whose license was destroyed or lost may obtain a duplicate license upon payment of the fee set forth in the fee schedule adopted by the City of San Antonio.

111.1.4 Expiration date of license. All city licenses shall expire on December 31 of each year. Licenses shall be renewed prior to the expiration date. Each person holding a valid mechanical license shall renew same in sufficient time to have the license renewal form returned to the Planning and Development Services Department with the appropriate renewal fee prior to license expiration date. Any person who does not renew his license prior to expiration date must appear before the Mechanical Appeals and Advisory Board and show cause why his license should be renewed.

111.1.5 Certain acts prohibited. In addition to other provisions of this code, it shall be unlawful for any person to do any of the following acts:

1. To display, cause or permit to be displayed or to have in one's possession any instrument purporting to be licensed for the doing of any mechanical work, knowing such instrument to be fictitious or to have canceled, revoked suspended or altered;
2. To lend or knowingly permit the use of any license for the doing of any mechanical work to any person not entitled thereto, under the provisions of this chapter;

3. To display or represent as one's own a license for the doing of any mechanical work when such license has not been lawfully issued to the person so displaying the same;
4. To fail or refuse to surrender to the building official on demand any license for the doing of any mechanical work, which has been suspended, canceled or revoked as provided for in this chapter;
5. To apply for or have in one's possession more than one current license of the same type provided for in this chapter;
6. To use a false or fictitious name or give a false or fictitious address in any application for any license provided for in this chapter, or any renewal or duplicate thereof, or knowingly make a false statement or knowingly conceal a material fact or otherwise commit fraud in making any such application;
7. To employ as a master or technician in mechanical work any person not licensed as provided in this chapter;
8. To perform any character of mechanical work for which a license is required by this chapter while such license is suspended, canceled or revoked.

111.2 City master. The HVAC Inspections Supervisor (Chief Mechanical Inspector) shall be the master of the City of San Antonio.

Section 202. GENERAL DEFINITIONS, of the International Mechanical Code is amended by repealing the definition of Code Official and adding the following definitions to read as follows:

AIR CONDITIONING AND REFRIGERATION CONTRACTING. Means performing or offering to perform the design, installation, construction, repair, maintenance, service, or modification of equipment or a product in an environmental air conditioning system, a commercial refrigeration system, or a process cooling or heating system for the general public.

AIR CONDITIONING AND REFRIGERATION MAINTENANCE WORK. Means all work, including repair work, required for the continued normal performance of an existing environmental air conditioning system, a process cooling or heating system, a commercial refrigeration system, or commercial refrigeration equipment. The term does not include:

- The total replacement of a system; or
- The installation or repair of a boiler or pressure vessel that must be installed in accordance with rules adopted by the commission under Chapter 755, Health and Safety Code.

BOARD. The Mechanical Appeals and Advisory Board.

BUILDER OWNER/MANAGER. Means a person or company that is in the business of managing properties and is responsible for the upkeep and maintenance of such properties.

CITY. The City of San Antonio, Texas.

CODE OFFICIAL. The Director of the Department of Planning and Development Services or a duly authorized representative to act on his behalf.

DEPARTMENT. The Department of Planning and Development Services of the City.

DWELLING UNIT. Means a single unit providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

MECHANICAL MASTER. Is any person licensed as a mechanical master in compliance with the pre-requisites of this code who holds himself out to the public as being qualified to do the kind of mechanical work or to contract for the doing of the kind of mechanical work by himself or by the employment of mechanical technicians or mechanical apprentices which his license authorizes him to do.

MECHANICAL TECHNICIAN. Is any person licensed as a mechanical technician, in compliance with the requirements of this code, who works for and under the general supervision and direction of a mechanical master, doing mechanical work contracted for by mechanical master, and who does not hold himself out to the public as being qualified to contract for the doing of mechanical work.

Section 301.7, Electrical, and Section 301.8, Plumbing connections, are amended to read as follows:

301.7 Electrical. Electrical wiring, controls and connections to *equipment* and appliances regulated by this code shall be in accordance with Chapter 10, Electricity, of the City Code [NFPA-70]. Wiring, exposed to weather, shall be installed in conduit approved for exterior use.

301.8 Plumbing connections. Potable water supply and building drainage system connections to *equipment* and appliances regulated by this code shall be in accordance with Chapter 24, Plumbing, of the City Code [the International Plumbing Code].

Section 302 PROTECTION OF STRUCTURE is amended by adding Section 302.6 as follows:

302.6 Supports and Anchorage. Every condensing unit, compressor, evaporative cooler or roof top unit located on a roof shall rest on a manufacturer's standard perimeter support, self flashing roof curb or 4 x 4 treated wood skids as a minimum.

Section 304 INSTALLATION is amended by adding Section 304.13 as follows:

304.13 Installation at gas valve. Black iron pipe shall be installed at the gas valve and extended a minimum of two inches outside the gas furnace and gas rooftop unit's casing and shall be connected to an approved listed flexible gas connector.

Section 306.1.1 Central furnaces is amended by adding *Subsection 306.1.1.1*:

306.1.1.1 Warm air furnaces. Warm air furnaces shall not be installed in the following locations:

1. Fuel burning or electric furnaces shall not be installed under any stairway or landing.

Exception: Heat pump system without heat strips.

2. In addition to the above, space in which any fossil fuel fired attic furnace is installed shall be provided with a permanent ladder or fold-away ladder.

Section 307.2.2, Drain pipe materials and sizes, is amended by adding a paragraph at the end of the section to read as follows:

307.2.2 Drain pipe materials and sizes. Components of the condensate disposal system shall be cast iron, galvanized steel, copper, cross-linked polyethylene, polybutylene, polyethylene, ABS, CPVC, or PVC pipe or tubing. All components shall be selected for the pressure and temperature rating of the installation. Joints and connections shall be made in accordance with the applicable provisions of Chapter 7 of the International Plumbing Code relative to the material type. Condensate waste and drain line size shall be not less than $\frac{3}{4}$ -inch (19 mm) internal diameter and shall not decrease in size from the drain pan connection to the place of condensate disposal. Where the drain pipes from more than one unit are manifolded together for condensate drainage, the pipe or tubing shall be sized in accordance with Table 307.2.2. Condensate drains lines shall not decrease in size from the drain pan connection to the place of condensate disposal. Primary drain lines located in an unconditioned attic space shall be insulated with foam plastic rubber based insulation or other approved material with a minimum thickness of 3/8 inch. All horizontal sections of drain piping shall be installed in uniform alignment at a uniform slope. Drain lines located in crawl spaces do not have to be insulated.

Section 307.2.3, Auxiliary and secondary drain systems, is amended by deleting method numbers 2 and 4 and renumbering as follows:

307.2.3 Auxiliary and secondary drain systems. In addition to the requirements of Section 307.2.1, where damage to any building components could occur as a result of overflow from the *equipment* primary condensate removal system, one of the following auxiliary protection methods shall be provided for each cooling coil or fuel-fired *appliance* that produces condensate:

1. An auxiliary drain pan with a separate drain shall be provided under the coils on which condensation will occur. The auxiliary pan drain shall discharge to a conspicuous point of disposal to alert occupants in the event of a stoppage of the primary drain. The pan shall have a minimum depth of 1 ½ inches (38 mm), shall not be less than 3 inches (76 mm) larger than the unit or the coil dimensions in width and length and shall be constructed of corrosion-resistant material. Galvanized sheet steel pans shall have a minimum thickness of not less than 0.0236 inch (0.6010 mm) (No. 24 gage). Nonmetallic pans shall have a minimum thickness of not less than 0.0625 inch (1.6 mm).

~~[2. A separate overflow drain line shall be connected to the drain pan provided with the equipment. Such overflow drain shall discharge to a conspicuous point of disposal to alert occupants in the event of a stoppage of the primary drain. The overflow drain line shall connect to the drain pan at a higher level than the primary drain connection.]~~

2. ~~[3.]~~ An auxiliary drain pan without a separate drain line shall be provided under the coils on which condensate will occur. Such pan shall be equipped with a water-level detection device conforming to UL 508 that will shut off the equipment served prior to overflow of the pan. The auxiliary drain pan shall be constructed in accordance with Item 1 of this section.

~~[4. A water level detection device conforming to UL 508 shall be installed that will shut off the equipment served in the event that the primary drain is blocked. The device shall be installed in the primary drain line, the overflow drain line or the equipment-supplied drain pan, located at a point higher than the primary drain line connection and below the overflow rim of such pan.]~~

SECTION 3. *Section 6-68 Penalties*, of the City Code of San Antonio is added to provide penalties for violations of the 2006 International Mechanical Code as adopted in Article V, Mechanical Code of Chapter 6, and former section 6-68 is renumbered as 6-69. The changes are identified by adding the language that is underlined (added) and deleting the language that is stricken (~~deleted~~) as follows:

Sec. 6-68. Penalties.

A violation of any adopted provisions of Article V of this chapter shall be a Class C misdemeanor punishable by a fine not to exceed five hundred dollars (\$500.00).

Secs. 6-69 - ~~6-68~~ 6-80. Reserved.

SECTION 4. All previous provisions of the 2006 International Mechanical Code as previously adopted by the City of San Antonio, Texas, shall remain in full force and effect during the period for which they were enacted. Three (3) copies of the 2009 International Mechanical Code with local amendments have been filed in the office of the city clerk for permanent record and inspection pursuant to section 17 of the City Charter.

SECTION 5. Should any Article, Section, Part, Paragraph, Sentence, Phrase, Clause, or Word of this Ordinance, or any appendix thereof, for any reason, be held illegal, inoperative, or invalid or if any exception to or limitation upon any general provision herein contained be held to be unconstitutional or invalid or ineffective, the remainder shall, nevertheless, stand effective and valid as if it had been enacted and ordained without the portion held to be unconstitutional or invalid or ineffective.

SECTION 6. All other provisions of Chapter 6, City Code of San Antonio, Texas, remain in full force and effect except as expressly amended and adopted by this Ordinance.

SECTION 7. The publishers of the City Code of San Antonio, Texas, are authorized to amend said Code to reflect the changes adopted herein, to correct typographical errors and to index, format and number paragraphs to conform to the existing code.

SECTION 8. There is no financial impact as a result of the passage of this Ordinance.

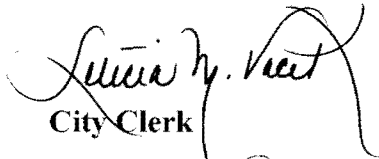
SECTION 9. The City Clerk for the City of San Antonio is hereby directed to publish notice of this Ordinance in a newspaper published in the City of San Antonio, Texas, as required by the Charter of the City of San Antonio.

SECTION 10. This Ordinance shall become effective on the 1st day of January, 2010.

PASSED AND APPROVED this 1st day of October, 2009.


M A Y O R
JULIÁN CASTRO

ATTEST:


City Clerk

APPROVED AS TO FORM:


City Attorney