

ORDINANCE NO. 093-013

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING CHAPTER 5, ARTICLE IV, OF THE CODE OF ORDINANCES FOR THE TOWN OF ADDISON, TEXAS, TO PROVIDE MINIMUM STANDARDS TO SAFEGUARD LIFE OR LIMB, HEALTH, PROPERTY, AND PUBLIC WELFARE BY REGULATING THE CONSTRUCTION, OPERATION, AND USE OF HEATING, VENTILATING, COOLING, AND REFRIGERATION SYSTEMS, INCINERATORS, AND OTHER APPLIANCES; PROVIDING FOR A PENALTY CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR A REPEAL CLAUSE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS:

SECTION 1. There is hereby adopted by the Town of Addison, Texas, for the purpose of providing minimum standards to safeguard life or limb, health, property, and public welfare by regulating and controlling the design, construction, quality of materials used, and maintenance of heating, ventilating and air conditioning equipment. The Uniform Mechanical Code, 1991 Edition, (a copy of which, authenticated by the signature of the Mayor and City Secretary, and made a public record by ordinance, is on file in the City Secretary's office) is hereby adopted as the mechanical code of the Town of Addison as fully as if copied at length in this ordinance, but with the following changes therein and additions thereto.

SECTION 2. That section 5-66(a) and (b) of the Code of Ordinances of the Town of Addison, Texas, be amended to change the term "1985 Edition" to read "1991 Edition."

SECTION 3. That the Code of Ordinances of the Town of Addison, Texas, be amended by revising Section 5-68 to read as follows:

Sec. 5-68. Board of appeals.

Section 203 of the Uniform Mechanical Code is amended to read:

"In order to determine the suitability of alternate materials and type of construction and to provide for reasonable interpretations of the provisions of this code, there shall be and is hereby created a board of appeals consisting of three (3) members and two (2) alternates appointed by the City Council. The building official shall be an ex officio member and shall act as secretary of the board. The board of appeals shall adopt reasonable rules and regulations for conducting its investigations and shall render all decisions and findings in writing." The powers of the Board of Appeals shall be as follows:

- (1) To hear appeals from decisions of the building official.
- (2) To hear requests for use of a material or method of construction not prescribed by the code and to authorize the use when, in the board's judgement, the material or method of construction is at least equivalent to that prescribed.
- (3) To hear complaints from the building official arising against any person, firm, or corporation licensed by the Town of Addison to perform air conditioning and refrigeration work and shall have the power, after hearing, to revoke or suspend said license for the following reasons:
  - a. Chronic violation of the code
  - b. Misrepresentation of material facts in obtaining said license or renewal thereof
  - c. Chronic failure to secure permits, inspections, or approvals as required by the code, or
  - d. Use of said license to obtain a permit for another person, firm, or corporation.

SECTION 4. That the Code of Ordinances of the Town of Addison, Texas, be amended by revising Section 5-70.02 to read as follows:

Sec. 5-70.02. Licensing and Registration of Contractors

- A. No person, corporation, firm, or contractor shall engage in the design, installation, construction, maintenance, service, repair, alteration or modification of a product or of equipment in environmental air conditioning, commercial refrigeration, or process cooling or heating systems or ventilation, without first obtaining an air conditioning and refrigeration contractor's license as issued by the State of Texas, and be registered with the Town of Addison.
- B. To register with the Town of Addison as a mechanical contractor, an application shall be made in writing on forms furnished for that purpose along with a fifty dollar registration fee, and filed with the Building Official. This application shall contain a copy of the person's state air conditioning and refrigeration license.

Exception: a homeowner is not required to be licensed as a registered contractor to perform work in his own home.

- C. The air conditioning and refrigeration contractor's license shall be valid for one year from the date of registration.
- D. The contractor shall be subject to the requirements and penalties of the code of ordinances of the Town of Addison.

SECTION 5. That the Code of Ordinances of the Town of Addison, Texas, be amended by revising Section 5-70.03 to read as follows:

Sec. 5-70.03. Plans and specifications.

Section 302(c) is amended by deleting the second paragraph.

SECTION 6. That the Code of Ordinances of the Town of Addison, Texas, be amended by revising Section 5-70.04 to read as follows:

Sec. 5-70.04. Permit fees.

Section 304(a) is amended to read as follows:

"There shall be no fee charged for vouchers. The fee for each mechanical permit shall be as set forth in Section 304 of the Building Code."

SECTION 7. That the Code of Ordinances of the Town of Addison, Texas be amended by revising Section 5-70.05 to read as follows:

Sec. 5-70.05. Plan review fee.

Section 304(b) is amended to read:

"There shall be no plan review fee charged."

SECTION 8. That the Code of Ordinances of the Town of Addison, Texas, be amended by revising Section 5-70.06 to read as follows:

Sec. 5-70.06. Plan review.

Section 304(c) is deleted.

SECTION 9. That the Code of ordinances of the Town of Addison, Texas, be amended by revising Section 5-70.07 to read as follows:

Sec. 5-70.07. Expiration of plan review.

Section 304(d) is deleted.

SECTION 10. That the Code of Ordinances of the Town of Addison, Texas, be amended by revising Section 5-70.08 to read as follows:

Sec. 5-70.08. Investigation fee.

Section 304(e) is deleted.

SECTION 11. That the Code of Ordinances of the Town of Addison, Texas, be amended by adding a section 5.70.09 to read as follows:

Sec. 5.70.09. Refund of fees.

Section 304(f) is amended to read:

"The refunding of fees will be as set forth in Section 304(f) of the Building Code."

SECTION 12. That the Code of Ordinances of the Town of Addison, Texas, be amended by revising Section 5-71 to read as follows:

Sec. 5-71. Testing of equipment.

Section 305(c) is deleted.

SECTION 13. That the Code of Ordinances of the Town of Addison, Texas, be revised by deleting Section 5-72.

SECTION 14. That the Code of Ordinances of the Town of Addison, Texas, be revised by deleting Section 5-73.

SECTION 15. That the Code of Ordinances of the Town of Addison, Texas, be revised by deleting Section 5-73.01.

SECTION 16. That the Code of Ordinances of the Town of Addison, Texas, be revised by deleting Section 5-73.02.

SECTION 17. All other ordinances and parts of ordinances in conflict with this ordinance shall be, and the same are hereby repealed, but the repeal of such ordinances or parts of ordinances shall not affect any right, property or claim which was or is

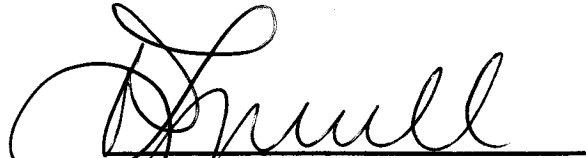
vested in the Town of Addison, Texas, or any act done, or right accruing or accrued, or established, or any suit, action of proceeding had or commenced before the time when this ordinance shall take effect; nor shall said repeals, amendments or changes affect any offense committed, or any penalty or forfeiture incurred, or any suit or prosecution pending at the time when this ordinance shall take effect under any of the ordinances or sections thereof so repealed.

SECTION 18. In the event that any section, paragraph, subdivision, clause, phrase, or provision of this ordinance or of the Uniform Mechanical Code, 1991 Edition, or revisions thereof, adopted herein shall be adjudged invalid or held unconstitutional, the same shall not affect the validity of this ordinance or of the Uniform Mechanical Code, 1991 Edition, or revisions thereof as a whole or any part of provision other than the part so decided to be invalid or unconstitutional.

SECTION 19. Any person, firm or corporation violating any provision of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be fined an amount not to exceed two hundred dollars, and each and every day that the prohibited condition remains, shall constitute a separate offense.

SECTION 20. That this ordinance shall become effective from and after its adoption.

DULY PASSED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS,  
this the 23rd day of February, 1993.

  
MAYOR

ATTEST:

  
CITY SECRETARY

APPROVED AS TO FORM:

  
CITY ATTORNEY

23 February, 1993  
EFFECTIVE DATE

Published  
3/4/99

