

## CERTIFICATION OF CLERK

I, Brenda K. Wolf, the duly appointed, qualified, and City Clerk of Manhattan, Kansas, do hereby certify that the foregoing Ordinance was duly adopted at a meeting of the City of Manhattan, Kansas, held on the 18<sup>th</sup> day of October, 2022, and that said Ordinance has been compared by me with the original thereof on file and of record in my office, is a true copy of the whole of said original.

**IN WITNESS WHEREOF**, I have hereunto set my hand and the seal of the City of Manhattan, Kansas, 19<sup>th</sup> day of October, 2022.



*Brenda K. Wolf*

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Brenda K. Wolf, CMC, City Clerk

## ORDINANCE NO. 7606

AN ORDINANCE AMENDING CHAPTER 8, ARTICLE VII, OF THE CODE OF ORDINANCES, REGULATING MECHANICAL WORK WITHIN THE CORPORATE LIMITS OF THE CITY OF MANHATTAN, KANSAS; INCORPORATING BY REFERENCE THE “2021 INTERNATIONAL MECHANICAL CODE, SECOND PRINTING JANUARY 2021,” WITH CERTAIN OMISSIONS, CHANGES AND ADDITIONS THERETO; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF MANHATTAN, KANSAS:

**SECTION 1.** That Section 8-166 of Chapter 8 of the Code of Ordinance of the City of Manhattan, Kansas is hereby amended to read as follows:

**Sec. 8-166. - Adoption of the International Mechanical Code.**

There is hereby incorporated by reference for the purpose of regulating all mechanical work done or performed within the corporate city limits of the City of Manhattan, Kansas that certain standard mechanical code known as the 2021 International Mechanical Code, second printing January 2021, including Appendix A, as recommended by the International Code Council, 500 New Jersey Avenue, NW 6<sup>th</sup> Floor, Washington, DC, 20001, save and except such articles, sections, parts or portions as may be hereinafter omitted, deleted, modified or changed. No fewer than one (1) copy of such publication shall be marked or stamped “Official Copy as adopted by Ordinance No. 7606,” and shall be attached to a copy of this ordinance and filed with the city clerk and open for inspection and available to the public at all reasonable hours. All administrative departments of the city charged with enforcement of this code shall be supplied, at the cost of the city, such number of official copies, similarly marked, as may be deemed expedient.

**SECTION 2.** That Section 8-167 of Chapter 8 of the Code of Ordinances of the City of Manhattan, Kansas is hereby amended to read as follows:

**Sec. 8-167. - Amendments.**

The International Mechanical Code, adopted by Section 8-167, is hereby changed, altered, modified and otherwise amended as follows:

1. Section 101.1 of the International Mechanical Code is hereby amended to read as follows:

**Section 101.1 Title.**

These regulations shall be known as the Mechanical Code of City of Manhattan, Kansas, hereinafter referred to as “this code.”

2. Section 103.1 of the International Mechanical Code is hereby changed to read as follows:

**Section 103.1 Creation of agency.**

The Risk Reduction Division of the City of Manhattan Fire Department is hereby created and the official in charge thereof shall be known as the code official. The function of the agency shall be the implementation, administration, and enforcement of the provisions of this code.

3. Section 109.2.1 of the International Mechanical Code is hereby added to read as follows:

**Section 109.2.1 Fee schedule.**

The fees for mechanical work shall be \$25.00 per permit.

For each re-inspection beyond the first re-inspection. \$50.00

Each inspection which is not deemed ready for inspection at the scheduled time shall be considered a failed inspection and subject to re-inspection. The re-inspection fee shall be paid within 10 calendar days of the date of the inspection causing the fee, and prior to a certificate of occupancy being issued for that project. Subsequent inspections for that permitted project shall not be conducted until all past due re-inspection fees have been paid. The Building Official shall have the authority to waive re-inspection fees as deemed necessary.

4. Section 113.1 of the International Mechanical Code is hereby changed to read as follows:

**Section 113.1 Authority.**

Where the building official finds any work regulated by this code being performed in a manner contrary to the provisions of this code, in a dangerous or unsafe manner, or in violation of any City Ordinance, the building official is authorized to issue a stop work order.

5. Section 113.4 of the International Mechanical Code is hereby changed to read as follows:

**Section 113.4 Failure to comply.**

Any person who shall continue any work on the system after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to a fine of not less than \$100 or more than \$500, or imprisonment for a term not to exceed one hundred eighty (180) days, or by both fine and imprisonment, at the discretion of the court. Each day that a violation continues after due notice has been served, in accordance with the terms and provisions hereof, shall be deemed a separate offense.

6. Section 114 of the International Mechanical Code is hereby deleted.
7. Section 115.4 of the International Mechanical Code is hereby changed to read as follows:

**Section 115.4 Violation penalties.**

Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair mechanical work in violation of the approved construction documents or directive or the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than \$500 or by imprisonment not exceeding 180 days, or by both such fine and imprisonment. Each day that a violation continues shall be deemed a separate offense.

8. Section 301.10 of the International Mechanical Code is hereby changed to read as follows:

**Section 301.10 Electrical.**

Electrical wiring, controls and connections to equipment and appliances regulated by this code shall be in accordance with the National Electrical Code as adopted in Section 8-47 of the city Code of Ordinances.

9. Section 505.4 of the International Mechanical code is hereby changed to read as follows:

**Section 505.4 Makeup air required.**

Exhaust hood systems capable of exhausting in excess of 400 cubic feet per minute shall be provided with *makeup air* at a rate approximately equal to the difference between the exhaust air rate and 400 cubic feet per minute where other systems exist that may be affected by the exhaust hood system. Such makeup air systems shall be equipped with a means of closure and shall be automatically controlled to start and operate simultaneously with the exhaust system.

**SECTION 3.** Ordinance No. 7427 and all other ordinances, or portions thereof, in conflict herewith are hereby repealed.

**SECTION 4.** This ordinance shall be published once in the official City newspaper and shall take effect on January 1, 2023.

**PASSED BY THE GOVERNING BODY OF THE CITY OF MANHATTAN, KANSAS,  
THIS 18<sup>TH</sup> DAY OF OCTOBER, 2022.**

  
Linda Morse, Mayor



ATTEST:

  
Brenda K. Wolf, CMC, City Clerk

(PUBLISHED IN *THE MANHATTAN MERCURY* ON OCTOBER 22, 2022)

**ORDINANCE NO. 7606 SUMMARY**

On October 18, 2022 the City of Manhattan, Kansas adopted the following ordinance:

**AN ORDINANCE AMENDING CHAPTER 8, ARTICLE VII, OF THE CODE OF ORDINANCES, REGULATING MECHANICAL WORK WITHIN THE CORPORATE LIMITS OF THE CITY OF MANHATTAN, KANSAS; INCORPORATING BY REFERENCE THE “2021 INTERNATIONAL MECHANICAL CODE, SECOND PRINTING JANUARY 2021,” WITH CERTAIN OMISSIONS, CHANGES AND ADDITIONS THERETO; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.**

The Ordinance adopts the 2021 International Mechanical Code, Second Printing January 2021, all effective January 1, 2023, as more specifically described in the Ordinance. The complete text of the Ordinance may be obtained or viewed free of charge at the office of the City Clerk, City Hall, 1101 Poyntz Ave., Manhattan, KS 66502, Monday – Friday, 8 a.m. – 5 p.m., and is available for at least one week following the publication date of this summary at [www.cityofmhc.com](http://www.cityofmhc.com). This Summary certified to be legally accurate and sufficient by City Attorney Katharine Jackson.

  
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City Attorney  
Date certified: 10/18/22