

ORDINANCE NO. 3381

AN ORDINANCE OF THE CITY OF MCPHERSON, KANSAS ADOPTING THE 2018 EDITION OF THE INTERNATIONAL MECHANICAL CODE, REGULATING AND GOVERNING THE DESIGN, CONSTRUCTION, QUALITY OF MATERIALS, ERECTION, INSTALLATION, ALTERATION, REPAIR, LOCATION, RELOCATION, REPLACEMENT, ADDITION TO, USE OR MAINTENANCE OF MECHANICAL SYSTEMS IN THE CITY OF MCPHERSON, KANSAS; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFOR; AMENDING SECTION 18-511 AND 18-512 OF THE MCPHERSON CITY CODE, AS AMENDED, ALL OTHER ORDINANCES, PARTS OF ORDINANCES AND MCPHERSON CITY CODE SECTIONS AND PARTS OF CODE SECTIONS IN CONFLICT THEREWITH.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF MCPHERSON, KANSAS:

The governing body of the City of McPherson, Kansas does ordain as follows:

Section 1. Section 18-511 of the Code of the City of McPherson, Kansas is hereby deleted in its entirety and the following is inserted in its place:

That a certain document, three (3) copies of which are on file in the office of the City Clerk, being marked and designated as the *International Mechanical Code*, 2018 edition, including Appendix Chapter A, as published by the International Code Council, be and is hereby adopted as the Mechanical Code of the City of McPherson for regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair location, relocation, replacement, addition to, use or maintenance of mechanical systems as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Mechanical Code on file in the office of the City Clerk of the City of McPherson are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this ordinance.

Section 2. Section 18-512 of the Code of the City of McPherson, Kansas is hereby deleted in its entirety and the following is inserted in its place:

The following sections of said Mechanical Code are hereby revised:

Section 101.1. Insert: City of McPherson for [Name of Jurisdiction]

Section 106.5.2. Insert: Such fees as are set forth in resolution of the governing body of the City of McPherson, as amended from time to time for [Appropriate Schedule]

Section 106.5.3. Insert: 80% in 106.5.3(2) and (3).

Section 108.4. Insert: Misdemeanor as [Specify Offense]; \$500 as [amount]; 30 days as [Number of days].

Section 108.5. Insert: \$250 as minimum fine, \$500 as maximum fine.

Section 3. All other ordinances or parts of ordinances and City Code sections or parts of sections in conflict herewith or with the provisions of said Mechanical Code are hereby amended to conform to the provisions of this ordinance and said Mechanical Code.

Section 4. That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The governing body of the City of McPherson hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 5. That nothing in this ordinance or in the Mechanical Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 2 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

Section 6. That the City Clerk is hereby ordered and directed to cause a summary of this ordinance to be published once in the official city newspaper after its passage by the governing body and signature by the Mayor.

Section 7. This ordinance shall also be effective for all land lying outside of the city limits of McPherson, Kansas, but inside the extraterritorial limits subject to city control as granted by state statute and/or county action, as amended from time to time.

Section 8. This ordinance shall take effect and be in full force and effect from and after its passage, signature and publication and posting of the full text of the ordinance on the City's website which has been designated as the office city newspaper.

Passed by the governing body on August 8, 2022.

CITY OF McPHERSON, KANSAS

By Thomas A. Brown
THOMAS A. BROWN, Mayor



ATTEST:

A handwritten signature in blue ink, appearing to be "Britta Erkelenz", written over a horizontal line.

BRITTA ERKELENZ, City Clerk