

ORDINANCE NO. 206

AN ORDINANCE OF THE CITY OF MAGNOLIA, TEXAS; REPEALING ORDINANCE 202, REGULATING THE INSTALLATION, ALTERATION, REPAIR, REPLACEMENT, EQUIPMENT, APPLIANCES, FIXTURES, FITTINGS AND/OR APPURTENANCES OF AIR CONDITIONING AND/OR HEATING SYSTEMS, INCLUDING VENTILATING, HEATING, COOLING, AIR CONDITIONING AND REFRIGERATION SYSTEMS, INCINERATORS AND OTHER ENERGY-RELATED SYSTEMS IN THE CITY OF MAGNOLIA, TEXAS; TO PROVIDE FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES; PROVIDING PENALTIES FOR THE VIOLATION THEREOF.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MAGNOLIA, TEXAS AS FOLLOWS:

Section 1: There is hereby adopted by the City of Magnolia, Texas, for the purpose of establishing rules and regulations for the installation, alteration, repair, replacement, equipment, appliances, fixtures, fittings and/or appurtenances of air conditioning and/or heating systems, including ventilating, heating, cooling, air conditioning and refrigeration systems, incinerators and other energy-related systems in the City of Magnolia, Texas, that certain code known as the The Standard Mechanical Code, being particularly the 1985 Edition, or any subsequent revisions or updates as may hereinafter occur. Not less than one copy is filed in the office of the City Secretary. This code is adopted and incorporated as fully as if set out at length herein. Its provisions shall be controlling in the construction or alteration of all mechanical devices within the corporate limits of the City.

All erecting, construction, enlargement, alteration, ~~removal~~, conversion, and maintenance of air conditioning, heating, ventilating, refrigeration, or incinerating systems (hereinafter referred to as "mechanical systems") within the City of Magnolia, Texas shall be done according to said Code.

Before any construction or alteration of any "mechanical systems" in the City of Magnolia, Texas occurs there shall be an application made for a permit, the fee of which shall be in accordance with the list of charges and fee according to Appendix "A" attached hereto. No such construction or alteration of any mechanical system within the City of Magnolia, Texas shall occur without the obtaining of the permit. This permit shall be prominently posted at the construction site on a board and protected by clear plastic from the elements.

Whosoever applies for a permit shall leave three copies of plans, diagrams, drawings and/or specifications of the work to be performed under the permit. No permit shall issue until this obligation is met. No permit shall issue until the fee prescribed herein is paid. No permit shall issue until the mechanical inspector approves the plans, diagrams, drawings and/or specifications.

Upon the passage of this Ordinance, Ordinance 202 is hereby repealed.

Section 2. If any section, subsection, sentence, clause, provision or part of this Ordinance is held invalid for any reason, the remainder of this Ordinance shall not be affected but shall remain in full force and effect.

Section 3. There shall be appointed a Mechanical Inspector by the City Council of the City of Magnolia, Texas who shall review plans, diagrams, sketches and/or specifications and inspect the work to be performed pursuant to the permit from time to time. The Mechanical Inspector shall be compensated as directed by the City Council of the City of Magnolia, Texas. The initial mechanical inspector shall be Butch Teal who shall serve at the pleasure of City Council and may be replaced from time to time by Ordinance, Resolution or otherwise. Inspectors shall receive as compensation for services performed herein seventy-five (75) per cent of the fees paid by the applicant.

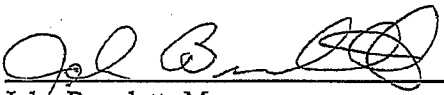
Section 4. Whosoever shall violate any provision or part of this Ordinance shall be guilty of a Class "C" misdemeanor, and shall, upon conviction, be fined up to but not greater than \$500.00. Any person found guilty of this Ordinance for a second time shall be fined no less than \$100.00. Any person found guilty of this Ordinance for a third or more time shall be fine no less than \$250.00.

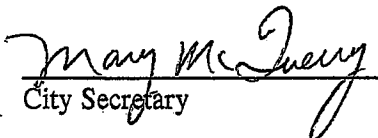
Section 5. Should any work not be ready for inspection after an inspection is requested, there shall be imposed a ten dollar (\$10.00) re-inspection fee.

PASSED AND ADOPTED ON ITS FIRST READING ON THE 11TH DAY OF OCTOBER, 1994.

Councilwoman Ogden	<u>AYE</u>
Councilman Sutherland	<u>AYE</u>
Councilman Smith	<u>AYE</u>
Councilwoman Cloyd	<u>AYE</u>
Councilman Chumley	<u>AYE</u>

ATTEST:


John Bramlett, Mayor


City Secretary

Appendix "A" to Ordinance 206-Charges and Fees

MINIMUM FEE IN ANY EVENT SHALL BE \$31.00 PERMIT FEE

PLUS \$5.00 PER TON

ORDINANCE NO. 202

AN ORDINANCE OF THE CITY OF MAGNOLIA REGULATING THE INSTALLATION, ALTERATION, REPAIR, REPLACEMENT, EQUIPMENT, APPLIANCES, FIXTURES, FITTINGS AND/OR APPURTENANCES OF AIR CONDITIONING AND/OR HEATING SYSTEMS, INCLUDING VENTILATING, HEATING, COOLING, AIR CONDITIONING AND REFRIGERATION SYSTEMS, INCINERATORS AND OTHER ENERGY-RELATED SYSTEMS IN THE CITY OF MAGNOLIA, TEXAS; TO PROVIDE FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES; PROVIDING PENALTIES FOR THE VIOLATION THEREOF.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MAGNOLIA, TEXAS AS FOLLOWS:

Section 1: There is hereby adopted by the City of Magnolia, Texas, for the purpose of establishing rules and regulations for the installation, alteration, repair, replacement, equipment, appliances, fixtures, fittings and/or appurtenances of air conditioning and/or heating systems, including ventilating, heating, cooling, air conditioning and refrigeration systems, incinerators and other energy-related systems in the City of Magnolia, Texas, that certain code known as the The Standard Mechanical Code, being particularly the 1982 Edition, or any subsequent revisions or updates as may hereinafter occur. Not less that one copy is filed in the office of the City Secretary. This code is adopted and incorporated as fully as if set out at length herein. Its provisions shall be controlling in the construction or alteration of all mechanical devices within the corporate limits of the City.

All erecting, construction, enlargement, alteration, repair, conversion, and maintenance of air conditioning, heating, ventilating, refrigeration, or incinerating systems (hereinafter referred to as "mechanical systems") within the City of Magnolia, Texas shall be done according to said Code.

Before any construction or alteration of any "mechanical systems" in the City of Magnolia, Texas occurs there shall be an application made for a permit, the fee of which shall be thirty one dollars (\$31.00). No such construction or alteration of any mechanical system within the City of Magnolia, Texas shall occur without the obtaining of the permit. This permit shall be prominently posted at the construction site on a board and protected by clear plastic from the elements.

Whosoever applies for a permit shall leave three copies of plans, diagrams, drawings and/or specifications of the work to be performed under the permit. No permit shall issue until this obligation is met. No permit shall issue until the fee prescribed herein is paid. No permit shall issue until the mechanical inspector approves the plans, diagrams, drawings and/or specifications.

Section 2. If any section, subsection, sentence, clause, provision or part of this Ordinance is held invalid for any reason, the remainder of this Ordinance shall not be affected but shall remain in full force and effect.

Section 3. There shall be appointed a Mechanical Inspector by the City Council of the City of Magnolia, Texas who shall review plans, diagrams, sketches and/or specifications and inspect

the work to be performed pursuant to the permit from time to time. The Mechanical Inspector shall be compensated as directed by the City Council of the City of Magnolia, Texas. The initial mechanical inspector shall be Butch Teal who shall serve at the pleasure of City Council and may be replaced from time to time by Ordinance, Resolution or otherwise. Inspectors shall receive as compensation for services performed herein seventy-five (75) per cent of the fees paid by the applicant.

Section 4. Whosoever shall violate any provision or part of this Ordinance shall be guilty of a Class "C" misdemeanor, and shall, upon conviction, be fined up to but not greater than \$500.00. Any person found guilty of this Ordinance for a second time shall be fined no less than \$100.00. Any person found guilty of this Ordinance for a third or more time shall be fine no less than \$250.00.

Section 5. Should any work not be ready for inspection after an inspection is requested, there shall be imposed a ten dollar (\$10.00) re-inspection fee.

PASSED AND ADOPTED ON ITS FIRST READING ON THE 13TH DAY OF SEPTEMBER, 1994.

Councilwoman Ogden	<u>AYE</u>
Councilman Sutherland	<u>AYE</u>
Councilman Smith	<u>AYE</u>
Councilwoman Cloyd	<u>AYE</u>
Councilman Chumley	<u>NO</u>

ATTEST:

John Bramlett
John Bramlett, Mayor

Mary McJannet
City Secretary