

ORDINANCE NO. 1772

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS,
ADOPTING THE 1979 EDITION OF THE UNIFORM
PLUMBING CODE AND UNIFORM MECHANICAL CODE
WITH CERTAIN MODIFICATIONS AND DELETIONS;
PROVIDING FOR A SEVERABILITY CLAUSE; PROVI-
DING A PENALTY NOT TO EXCEED TWO HUNDRED
(\$200.00) DOLLARS FOR EACH OFFENSE; AND
DECLARING AN EMERGENCY.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE
CITY OF MESQUITE, TEXAS:

SECTION 1. That Chapter 14a is hereby amended to read as
follows:

ARTICLE I. IN GENERAL

Sec. 14A-1. Uniform Plumbing Code - Adopted; title.

The Uniform Plumbing Code, 1979 Edition, promulgated by the
International Association of Plumbing and Mechanical Officials,
is hereby adopted as the official plumbing code of the City of
Mesquite subject to certain amendments and deletions contained
herein and as may be adopted from time to time and shall be en-
titled the Mesquite Uniform Plumbing Code.

The current Mesquite Plumbing Code is hereby superseded by
adoption of this Code to the extent of any conflict therewith
but any provision contained in the existing code not in conflict
with the Uniform Code and such amendments, deletions or modifica-
tions as may be adopted shall remain in full force and effect as
if set forth herein until such time as same may be expressly
repealed or modified.

Sec. 14A-1.1. Same - Amendments and deletions.

Deletions. The following provisions of the Uniform Plumbing
Code are hereby deleted for the purpose of this Code:

Sections 20.2(a), 20.3 (first sentence), 20.7 in its entirety
including the schedule of fees, 20.12, 20.14;

Items from Table A, "Plumbing Material Standards", pp. 21-25
(to be deleted):

Cast Iron threaded drainage pipe and fittings
Asbestos Cement Pipe for sewer, water or other liquids
Clay Tile
Polyethylene pipe and fittings for water
Homogenous bituminized fiber drain and sewer pipe
PVC material gas yard piping
PVC pipe and fittings with rubber gaskered joints for
cold water

00068

Amend Section 20.2 b,c by adding to each the language "to the extent the foregoing is permitted under the State and Federal Constitutions".

Section 203(a) is amended by changing the last letter group (DWV) to L.

Table A, Plumbing Material Standards (p. 23) is amended by changing the term "Polyethylene (PE 3406) Natural Gas Yard Piping" to PE 2306.

Table 7-1 (p. 56) is amended to read:

Trap Arm Inches	Distance Trap to Vent Feet	Inches
1 1/4	5	0
1 1/2	5	0
3	5	0
4 and larger	10	0

or the equivalent metric size and distance.

Section 1214, Appliance Connectors, subsection (a) is amended by adding after subparagraph (a)7:

"The exceptions under paragraph (a) herein shall apply to residential type occupancies only."

(c) PVC Pipe Primer. In all cases where PVC pipe is used, a colored primer will be required in lieu of a clear primer.

(d) Effect of Code. Work permitted prior to adoption of this code [March 15, 1982] shall be completed under the current Mesquite Plumbing Code. Work permitted after the effective date of the adoption of this code shall be performed pursuant to this code; however, the existing schedule of fees and charges shall remain in effect until repealed, amended or modified.

Section 14A-2. Applicability.

The provisions of this chapter shall apply with equal force to all buildings, structures and premises, whether public or private, within the corporate limits of the city and shall also apply to buildings, structures, and premises located outside the corporate limits when connected to the waterworks or sewage system of the city. The various departments and buildings of the city, the Mesquite independent school district, county, state and all churches shall be subject to the provisions of this chapter insofar as the same may be applicable, but shall be exempt from the requirements of fees as provided herein.

Section 14A-3. Responsibility for safe work.

This chapter shall not be construed to relieve from or lessen the responsibility or liability of any person owning, operating, controlling or installing any plumbing or for damages to persons or property caused by any defect therein, nor shall the city be held as assuming any such liability by reason of the inspection or reinspection authorized herein; or by reason of the approval or disapproval of any plumbing equipment or fixtures.

ARTICLE II. BOARD OF PLUMBERS (AS AMENDED)

Section 14A-4 Created.

There is hereby created the board of plumbers, consisting of five members. Two members of the board shall be appointed by the City Council. The three remaining members shall be the city health officer, the director of community development and the building inspector. The director of community development and the representative of the city health office shall designate one employee of his respective department who may act for him by proxy but said proxy shall not vote with the board at such time as the board may be hearing appeals.

Section 14A-5. Qualifications of appointive members.

The appointive members of the board of plumbers shall be qualified as follows:

- (a) One shall be a master plumber of not less than ten years' active and continuous experience as a plumber and gas fitter.
- (b) One shall be a journeyman plumber of not less than five years' active and continuous experience as a plumber and gas fitter.

Section 14A-6. Tenure of office.

The appointive members of the board of plumbers shall hold office from the date of their appointment and qualification until their successors have been appointed and qualified. The appointment or reappointment of members of the board of plumbers shall be such that the master plumber member shall be appointed on or about January 1 of odd numbered years for a term of two years, and the journeyman plumber member shall be appointed on or about January 1 of even numbered years for a term of two years. Any appointive member of the board of plumbers may be removed by the governing body of the city for cause. Vacancies within the board shall be filled by appointment for the unexpired term.

Section 14A-7. Compensation.

The appointive members of the board of plumbers shall serve without compensation.

Section 14A-8. Powers and duties.

The board of plumbers shall select a chairman and shall pre-

00070

scribe a procedure and order of business for the performance of its duties as set out in section 14A-10. The chief building inspector shall act or designate a suitable employee of the division of building inspection of this city who shall act as secretary to the board of plumbers.

Three members of the board of plumbers present at any meeting shall constitute a quorum for the transaction of business and action taken by the quorum shall constitute an official action of the board.

Section 14A-9. Records.

The board of plumbers shall keep a minute book in which shall be recorded all transactions and business of the board. Such minute book and other records shall be kept in a manner and in a form satisfactory to the city manager.

Section 14A-10. Appeals to board.

(a) Any person aggrieved by any interpretation of this chapter or by any decision or ruling by the chief building inspector under this chapter shall have the right to make an appeal to the board of plumbers. Such appeal shall be made in writing and shall be duly verified by the person or persons familiar with the facts therein charged and three written copies of the same shall be filed with the city secretary within thirty days of the date of the decision appealed from. A certified check for the amount of ten dollars payable to the city shall accompany such appeal to cover the cost of processing the appeal. The city secretary shall retain one copy of such appeal for the official records of the City and shall refer two copies of the appeal to the Chief of the division of building inspection, who shall investigate the facts and report the appeal and the facts to the board of plumbers.

(b) The board of plumbers shall, within a period of thirty days, hear the appeal and the facts. The chief building inspector shall not sit as a member of the board of plumbers at any time when the board is hearing an appeal from the decision of the chief building inspector.

(c) In hearing such an appeal, the board of plumbers shall not have the power to waive or set aside the requirements of this chapter but shall have the power to interpret the provisions of this chapter and in the case of alternate types of construction or material shall determine whether or not such alternate type of construction or material is in fact equal to the standards of this chapter, considering adequacy, stability, strength, sanitation and safety to the public health and welfare.

(d) The board of plumbers shall render a decision which shall be final with respect to the matter presented in the appeal. Such decision shall be filed with the city secretary.

(e) The chief building inspector or the board of plumbers at their own volition shall have the authority to consider alternate materials and methods and approve the use of same as equal to the standards set out in this chapter. All such

00071

approvals and conditions under which they are approved shall be specific, shall be reasonable, shall not create an injustice and shall be made a matter of public record.

Section 14A-11. Appeals to Courts.

(a) Any person who may feel himself aggrieved by any action or decision of the board of plumbers, after exhausting the remedies provided in section 14A-10, may file a suit within thirty days after receiving notice of the board of plumbers' final order in a district court of the county to annul or vacate the order of the board of plumbers. Such suit shall be filed against the board of plumbers as defendant, and service of process may be done through the city secretary. The suit shall be tried as other civil cases, the burden of proof devolving upon the plaintiff assailing the order of the board of plumbers.

(b) In such suits the board of plumbers shall be defended by the city attorney until final determination of the proceedings contained therein.

ARTICLE III. PLUMBING INSPECTORS

Section 14A-12. Enforcement of Chapter.

The administration and enforcement of this chapter is hereby assigned to and shall be the responsibility of the division of building inspection of the city.

Section 14A-13. Authority

(a) The plumbing inspectors shall have police power and shall have the right to arrest any person who violates any of the provisions of this chapter.

(b) Whenever a plumbing inspector shall call upon the police department for aid and assistance in making an arrest or stopping work, he shall have the authority to do so, and it shall be the duty of each member of the police department to act immediately in giving the required assistance.

(c) Plumbing inspectors shall have the right to enter any building or premises in the discharge of their official duties, or for the purpose of making any inspection, reinspection or test required by this chapter.

(d) Each plumbing inspector shall have the power to inspect and reinspect plumbing; to prevent the connection of plumbing to city mains and sewers; to prevent the covering up of plumbing which has not been approved; to issue notices or affix them to plumbing or structures; and to condemn plumbing and shall have such other powers as are provided in this chapter.

C0072

Section 14A-14. Prohibited interests.

It shall be unlawful for the chief building inspector or any plumbing inspector to engage in the business of selling, installing or maintenance of plumbing fixtures, devices, equipment or materials, and they shall have no financial interest in any concern engaged in such business at any time while employed by the city.

Section 14A-15. Service of Notice.

When any order or notice is issued pursuant to the provisions of this chapter to any person who cannot be found after reasonable search, then such order or notice may be served by posting it in a conspicuous place upon the premises occupied by him or upon the premises where the defects are alleged to exist. Such posting of the order of notice shall be considered equivalent to personal service of such order or notice. An order or notice sent by mail in a sealed envelope with postage prepaid and directed to the address of the plumbing contractor, owner, lessee or the occupant of the premises shall be equivalent to personal service of such order or notice.

ARTICLE IV. REGISTRATION, LICENSING AND PERMITS

Section 14A-16. Required.

It shall be unlawful for any person who is not registered by the city as a plumbing contractor to secure permits as provided herein.

Each applicant for registration as a plumbing contractor shall have an established place of business or shop, location of which complies, if within the city, with the requirement of the city zoning ordinance.

Section 14A-17. Method of registration of plumbing contractors

To register with the city as a plumbing contractor, application shall be made in writing on forms furnished for the purpose and filed with the chief building inspector. The application shall show the plumbing contractor's name, local address and telephone number and such other information as may reasonably be required to properly identify the plumbing contractor.

It shall be unlawful for any person to represent himself or themselves as a registered and licensed plumber, or to use falsely the words "plumbing contractor, "master plumber", "journeyman plumber" or cards, stationery or by any other misleading manner whatsoever within the city, unless such person is, in fact, registered and holds a valid license within the meaning of the words used and as provided in this chapter.

Section 14A-18. Supervision.

The actual work of installing, maintaining, altering or repairing of plumbing for which a permit is required by this chapter shall have supervision by a licensed master plumber as provided by the Texas Plumbing Licensing Law and this chapter. The owner of a plumbing contracting business who is not a licensed master plumber shall have constantly in his employ a licensed master plumber. Such master plumber shall be designated by the owner of such place of business to the chief building inspector as the person responsible for and supervising the plumbing work done by such plumbing contractor. Such designated master plumber shall be the supervisory plumber of only one plumbing contractor within the city at any one time. Should such supervision not be constantly provided, the plumbing inspector may order the work being done by such plumbing contractor to be discontinued until proper supervision and control has been provided and the name of the new master plumber disclosed to the chief building inspector.

When contracts to install plumbing have been obtained by persons who are not registered as plumbing contractors, the contract shall be assigned or sublet to a registered plumbing contractor.

Section 14A-19. License - Required.

It shall be unlawful for any person who is not licensed as a plumber in accordance with the provisions of the laws of the state to install plumbing work or supervise plumbing as defined herein:

Nothing herein shall be construed as prohibiting the employment of a journeyman plumber to engage in and work at the actual installation, alteration, repairing and renovating of plumbing or the employment of a plumber's apprentice who, as his principal occupation, is engaged in the learning and assisting in the installation of plumbing, or the employment of unskilled laborers to handle, haul, or carry materials when working under the immediate supervision of a master plumber.

Section 14A-20. Same - Display.

Each holder of a license as a master plumber shall display his license in a conspicuous place in his principal place of business.

Each holder of a master or journeyman plumber's license shall carry evidence of proper registration on his person at all times while doing plumbing work and shall produce and exhibit same when requested by any inspector or officer of the city.

Section 14A-21. Permits - Required - Generally.

(a) It shall be unlawful to construct, install or cause to be installed any plumbing as defined herein without first securing a plumbing permit therefor from the chief building inspector of the city except as otherwise provided in section 14A-23.

(b) It shall be unlawful for any person to make any extension to any lines or pipes, using water from the city water mains, whether within or without the corporate limits of the city, or to add any such pipes or to change any pipes or lines from a water line, apartment, house, premises or meter without first securing a permit from the city for such changes except as otherwise provided in section 14A-23.

(c) It shall be unlawful for any person to lend, rent or transfer a plumbing permit or permit a person without a proper license to do the work or for any person to make use of such permit which is not actually his own, and any such permit obtained under these conditions is hereby declared null and void.

(d) The term "unlawful" as used in this section shall mean unlawful insofar as the city has lawful jurisdiction within its police powers.

Section 14A-22. Same - Same - Chief Building Inspector to Enforce Regulations.

In case any work is begun for which a permit is required and without a permit being first secured therefor or if the chief building inspector is empowered to stop further work at once and order all persons engaged therein to cease and desist therefrom until the proper permit is secured and the work is made to comply with this chapter. Such action shall not defer any other penalties which may be applicable under this chapter.

In case any unauthorized connections are found to have been made or plumbing or fixtures added, and no permit has been obtained for same, the chief building inspector may order the water or gas to be disconnected from such premises until approved corrections have been made and all permit fees have been paid.

Section 14A-23. Same - Same - Exceptions.

No plumbing permit is required to do the work specified in the following paragraphs:

(a) The maintenance, repair or replacement in kind of: Yard hydrants and house spigots; gravity flush valves and float-balls in water closet tanks; accessible traps or lavatories or sinks; and replacing of plumbing fixtures where no change in "rouging-in" is involved.

(b) The removal of plumbing from a building or structure or portion thereof being razed when the water supply and drainage lines have been disconnected under a permit in an approved manner.

(c) Work involved in the manufacture of plumbing supplies, plumbing fixtures, plumbing apparatus such as repair, adjusting or testing of the same in the course of manufacture.

(d) Work involved in the setting up for display of plumbing or plumbing fixtures when not connected to supply or drainage lines in plumbing sales establishments.

(e) The installation of storm water drains; provided, however, that such installation conforms to the requirements of this chapter.

Section 14A-24. Same - Application.

(a) An application for a plumbing permit, describing the work to be done, shall be made to the office of the chief building inspector by the registered plumbing contractor who proposes to do the plumbing work. The application shall be accompanied by such information as may be required to determine whether the installation as described will conform with the requirements of this chapter.

(b) When the installation as described conforms with the legal requirements and the applicant has complied with the provisions of this chapter, a permit for such installation shall be issued upon receipt of the required fee.

(c) No permit shall be issued or be valid for the installation of any plumbing or plumbing system which causes a violation of the Minimum Housing Ordinance, Building Code or Zoning Ordinance.

(d) When required by the chief building inspector, the applicant shall furnish plans and information relative to the sizes of water supply lines, waste lines and vents, together with the area, number and type of fixtures to be served, so that the chief plumbing inspector shall have complete information for checking the required sizes of all such plumbing elements.

(e) No deviation shall be made from the installation described in the application and permit without permission from the chief building inspector, as provided herein. The issuance of a permit shall not be construed as permission to violate any of the requirements of this chapter.

(f) When, in the course of the work, it is found necessary to make a change from the approved plan, amended plans shall be submitted to the chief building inspector, and a supplementary permit shall be obtained to cover such changes.

00076

Section 14A-25. Record of Permits and Inspections.

The chief building inspector shall keep a record of all permits issued and inspections made.

Section 14A-26. Permit Classifications; fees.

(a) Any person granted a plumbing permit shall pay to the city, for each permit, an inspection fee in the amount specified herein.

(b) Building construction within the city shall be classified according to occupancy or proposed occupancy by groups as follows:

- (1) Group I: Single-family residential (Single-family dwellings, duplexes, townhouses);
- (2) Group II: Multifamily residential (Apartments)
- (3) Group III: Nonresidential (Office, retail, commercial, industrial, including nursing homes and hospitals).

(c) Plumbing permit fees shall be as follows:

Occupancy Classification	Building Area in Square Feet	Plumbing Permit Fees
Group I: Single-family residential, per unit	N/A	\$15.00
Group II: Multifamily residential, per unit	N/A	10.00
Group III: Nonresidential	0 to 250	5.00
	251 to 500	5.00
	501 to 50,000, per sq. ft.	0.01
	50,001 to 100,000, per sq. ft. plus \$125.00	0.0075
	100,001 or more, per sq. ft. plus \$375.00	0.0050

Building Shell:

Permit fee for building shell shall be one-half the permit fee for complete building of same size; fee for completion of the interior of a building shell shall be identical to the fee for building shell.

00077

Additions, Alterations and Repairs, All Groups:

Value of Proposed Work	Permit Fee
\$0 - \$1,000	\$10.00
\$1,001 - \$3,000	15.00
\$3,001 - \$10,000	20.00
\$10,001 - \$50,000	0.0020
\$50,001 - \$100,000	25.00 plus .0015
\$100,001 - or more	75.00 plus .0010

(d) Exemption: No plumbing permit fee shall be required for plumbing installed or repaired in any building or structure the title to which is directly vested in the federal government, state, county, city, the Mesquite Independent School District or any church. When a request for a permit is made, this exemption shall be claimed in writing.

Section 14A-27. Payment of Fees.

Permit and inspection fees shall be due when the permit is issued.

Section 14A-28. Fees and Inspections for Circuses, Carnivals, etc.

Circuses, carnivals, fairs and similar temporary uses having portable equipment involving the use of water from the city water-works system or requiring connection to the city sewer lines shall employ a registered plumbing contractor to be responsible for the plumbing work. Such plumbing contractor shall obtain the necessary permits and pay the required fees.

ARTICLE IV. INSPECTIONS AND TESTS

Section 14A-29. Generally.

New plumbing work and portions of existing plumbing systems which are affected by new work or are changed, and work for which a plumbing permit is obtained, shall be inspected to insure compliance with the requirements of this chapter, and the required tests shall be applied.

Section 14A-30. Notice of Readiness; Reinspection.

(a) Plumbing contractors shall give twenty-four-hour notice exclusive of Saturdays, Sundays, and holidays, to the chief plumbing inspector that plumbing work is ready for inspection.

(b) The plumbing contractor shall make sure that the work will stand inspection and the test prescribed before giving the above notification.

00078

(c) When the plumbing inspector finds that the work does not pass the required inspection and test, the corrections shall be made and the plumbing contractor shall request a new inspection.

Section 14A-31. Turning on water into customer's service.

(a) Except as provided above, no person, other than a licensed plumber operating under proper permits, or an authorized agent of the City, shall connect any water supply or service pipes to the water meter or to any other water distribution pipes of the City.

(b) No permanent water service shall be made to any building or premises until a final inspection has been made of the plumbing system and a certificate of approval has been issued by the plumbing inspector.

(c) A temporary water service for construction purposes may be obtained, subject to the rules and regulations of the city. Such service shall be installed under a plumbing permit and the City shall be notified by the user to disconnect such service immediately upon completion of the construction on the premises.

Section 14A-32. Reinspection.

The plumbing inspector is hereby authorized to inspect existing installations of plumbing when necessary, in his opinion, to ascertain if unsafe or insanitary conditions may exist. When plumbing, plumbing devices or fixtures or the plumbing system is found by the plumbing inspector to be in a dangerous or unsafe condition, the person owning or having control of such plumbing shall be notified in writing and shall have the necessary changes or repairs made to place such plumbing in safe condition according to the standards set out in this chapter.

Section 14A-33. Condemnation.

(a) If the conditions mentioned in Section 14A-32 are not remedied or abated after proper notification, the Chief Building Inspector may declare such plumbing hazardous and unsafe and disconnect or order the disconnection of the gas or water service or plumbing from the gas mains. Thereafter, it shall be unlawful for any person to cause or permit reconnection of such plumbing to the gas or water mains or the sewers until the defects have been remedied and the plumbing inspector shall have issued a certificate of approval as provided in this chapter.

(b) In cases of emergency, when necessary for safety to persons or property, or when plumbing or gas connections may interfere with the work of the fire department, the senior officer of the fire department at the site at the time shall have the authority to immediately disconnect any plumbing, water service or gas servi

(c) The chief plumbing inspector shall have the authority to cause unused insanitary plumbing to be removed from a building or premises or be placed in a sanitary and safe condition.

Section 14A-34. Appeal from Condemnation.

When a plumbing inspector condemns a plumbing installation, any party who may be aggrieved by such action may, within ten days after receiving written notice thereof, file with the chief building inspector a petition in writing, requesting a review of the plumbing inspector's decision. Upon receipt of such request, the chief building inspector shall personally determine the facts, and within a reasonable period thereafter he shall make a ruling in accordance with his findings. His ruling shall be final and binding upon all parties, provided, however, that appeal may be taken to the board of plumbers, as provided in this chapter.

Section 14A-35. Tags and Seals.

Plumbing inspectors are hereby empowered to attach to plumbing fixtures, equipment, pipes and other parts of the plumbing system or premises any official notice or seal, and it shall be unlawful for any other person to place or attach notice, tag or seal or to break, change, destroy, tear, mutilate, cover or otherwise deface or injure any such official notice or seal.

Section 14A-36. Special Ruling.

Special ruling necessary to cover future construction or installation not specifically covered by this Chapter shall be made by the Chief Building Inspector, and future construction shall conform to such ruling. The ruling shall be effective after approval by the board of plumbers. A copy shall be posted in the office of the division of building inspection for thirty days and then filed in the permanent records of the chief building inspector.

Section 14A-37. Protection of Waterworks System.

(a) All meters, curb cocks, valves and meter boxes connected with the city waterworks mains and service pipes, including those furnished at the expense of the consumers or property owners, shall remain under the direct control of the city, and it shall be unlawful for any person or persons other than those licensed to do plumbing or those with special permission from the city to connect, disconnect, move or tamper with any such meter or to turn on or off the water at the curb cock, valve or meter box in any way except with a regulation meter box key.

(b) No bypass or connection between the meter and the main shall be made, maintained or permitted except upon written permission from the city.

(c) The rules and regulations of the city relating to water service and connection to and tapping of sewers, insofar as they are applicable, shall govern the installation of plumbing, in the same manner as if such regulations were a part of this chapter.

00080

Section 14A-38. Other City Ordinances.

Ordinances dealing with building construction, standards of housing and other city ordinances, insofar as they apply, shall govern the installation of plumbing in the same manner as if such regulations were a part of this chapter.

Section 14A-39. Protection of Electrical Machinery.

No water or drainage piping shall be located over electrical machinery or equipment which is readily susceptible to water damage unless adequate protection is provided against drip caused by condensation on the piping.

Section 14A-40. Protection of Water Tanks and Food Supply.

Drainage piping shall not pass over water supply tanks or reservoirs unless such tanks or reservoirs are watertight; nor shall drainage piping pass directly over food processing areas unless protection is provided against drip from such piping. Piping which is in such position or condition that there exists a possibility that potable water or food, medical or surgical supplies or equipment may be contaminated shall be relocated.

Section 14A-41. Other Requirements.

(a) Water and sewer connections. Connections with or openings into the sewer or water mains or laterals of the city shall be done by authorization of and in the method prescribed by the public works department.

(b) Pavement cuts. Excavations in the street, alley or other public property and cuts of curb or pavement on public property shall be done under the authority of and in the method prescribed by the director of public works of the city.

Section 14A-42. Location.

(a) Water closets, urinals, and baths shall be located in a compartment or room which contains a window in an exterior wall which opens upon a yard, court or other open place, except where mechanical ventilation and artificial illumination is provided.

(b) No water heater shall hereafter be installed in a bathroom or in any sleeping room or be installed in such manner that it will not receive sufficient air for proper combustion.

(c) Water heaters shall be readily accessible from the floor or by a permanent ladder or stairway. No gas fired water heater shall be installed so that there will be a vertical opening between one floor and the next floor or attic above. Where a water heater is elevated so that the top of the heater extends into an attic space, the top of the heater shall be enclosed by means of a tight bulkhead having the same cross-sectional area as the water heater closet. The gas burner shall in no case be higher than five feet, six inches above the floor. All water heaters when in garage shall not be less than eighteen inches above garage floor.

(d) Where provision has been made for forced attic ventilation, the water heater shall be enclosed and secondary air for combustion shall be provided from the outside air.

Section 14A-43. Bathtubs.

(a) Bathtubs shall be provided with waste and overflow fittings with not less than one and one-half (1 1/2) inch outlets and with stoppers arranged so that the standing water in the tubs cannot rise in the overflow fitting when the tub is empty. Concrete or plastic bathtubs are prohibited. Provided, however, that fiber glass reinforced polyester resin bathtub and shower stalls certified as meeting the American Standard for gel-coated glass-fiber reinforced polyester resin bathtubs and shower stalls shall be permitted. Such standard is described as American National Standards Institute Z 124.1 - 1967 and American National Standards Institute Z 124.2 - 1967.

(b) The manufacturer shall furnish upon request an independent laboratory report covering the testing of his product material in accordance with American Society for Testing Materials E-84-70 (Tunnel Test). The maximum allowable flame index ratings shall be as follows:

Flame Spread:

75 or under; smoke development;
499 or under; fuel contributed;
35 or under.

(c) All fiber glass units shall have grab bars.

Section 14A-44. Lawn Sprinklers.

The materials and installation of lawn sprinkling systems from the water meter or other source of supply, up to and including the master shut off valve, shall be as herein provided.

(a) The water supply piping for a lawn sprinkling system shall be provided with:

1. A master shut-off valve installed in a cast iron box with a removable cover.
2. A back flow preventer shall be installed.
3. A means of draining the system.

Such control valve, water supply piping and drain shall be not less than twelve inches underground.

(b) Nothing in this article shall prohibit the installation of a lawn sprinkling system in the public parkway between the sidewalk and the street. However, the City shall not be held liable for any damage to such system which results from the installation or repair of sewer or water mains or from the widening or improvement of any street.

(c) Where spray heads are placed adjacent to sidewalks and curbs, quarter-heads and half-heads shall be used so as to direct

00082

the spray away from the street, sidewalk or adjoining property. Any owner who installs a lawn sprinkling system between the curb and sidewalk shall likewise hold the city whole and harmless against any claim or injury to person or damage to property that any member of the public may suffer by reason of the installation of such lawn sprinkling system between such curb and sidewalk in the parkway.

Section 14A-45. Tags and Seals.

Tags and seals may be attached by the plumbing inspector to any gas-fitting installation or gas-fired appliance giving official notice concerning its use, and it shall be unlawful for any person other than a plumbing inspector to attach or remove, or to break, change, destroy, tear, mutilate, cover or otherwise deface or injure such official notice or seal posted by a plumbing inspector.

Section 14A-46. Appliances.

(a) No appliance or device shall be installed unless it has been approved by the American Gas Association Testing Laboratories, Underwriters' Laboratories or other approved laboratory.

(b) Gas appliances shall be located so that they will be readily accessible for operation, repair and adjustment.

(c) No appliance shall be installed in a bathroom or in any room designed for sleeping purposes, or in a private garage or public rest room, nor shall an appliance be located in a closet less than fifty square feet in floor area, if such closet has a door opening directly into such rooms or spaces unless approved by the plumbing inspector.

Section 14A-47. Ventilation.

Appliances shall not be installed in any manner in which they will not receive sufficient air for combustion.

Section 14A-47. Flue Connections Required.

The following types of gas-fired appliances shall be connected to an effective flue extending to the outer air:

(a) Domestic appliances with an input rating in excess of 5,000 BTU per hour, except domestic gas ranges.

(b) Automatically controlled appliances with input rating in excess of 5,000 BTU per hour, except automatic instantaneous water heaters of the single faucet type, where the single faucet is attached to and made a part of the appliance.

(c) Automatically controlled appliances with input rating less than 5,000 BTU per hour, unless equipped with an automatic device to prevent the escape of unburned gas at the main burner or burners.

The term "automatically controlled appliance" used in paragraphs (b) and (c) refers to appliances to which the gas supply is automatically turned on and off in accordance with the demand for heat, but does not include appliances equipped with devices or controls governing the supply of gas to the main burner or burners which cannot automatically reduce the gas supply below thirty per cent of the input rating.

(d) Each of several appliances, except domestic gas ranges, installed in the same room, which in the aggregate have an input rating as great as 30 BTU per hour per cubic foot of room content.

(e) Water heaters.

(f) Space heaters in sleeping quarters available for public hire or rental.

(g) House heating steam and hot water boilers and warm air furnaces including floor furnaces.

Section 14A-48. Flue Connection Details.

Flue connection appliances except incinerators shall be equipped with an effective draft hood which shall be either a part of the appliance or attached to the flue collar as near to the appliance as possible.

Flue connections shall not be smaller than the size of the vent collar of the appliance.

Flue connections and vent pipes shall have a pitch or rise of not less than one-quarter inch per foot where possible toward the flue or chimney.

No damper shall be placed in any flue connection which is equipped with a draft hood.

Section 14A-49. Types of Flues and Vents.

Where gas appliances are required to be vented by this Code, they shall be connected to one of the following types of flues or vents:

(a) Lined chimneys of masonry or reinforced concrete, and metal smokestacks.

(b) Any vent piping approved by the National Board of Fire Underwriters, and made of noncombustible, corrosion resistant material of adequate strength and heat insulating value, and having bell and spigot joints, or other approved joints. Type B vent piping shall be used only with American Gas Association approved gas appliances which are not required to be vented to Type A flues.

00084

Vent pipes shall be of sheet copper of not less than 24 B. & S. Gage, or of galvanized iron of not less than 20 U.S. Gage, or of other approved corrosion resistant material. Such vent pipes shall not pass through any attic or concealed space, nor through any floor or partitions, but may extend directly from the space in which the appliance is located through a roof or exterior wall to the open air.

Where vent piping other than approved Type B vent piping passes through a combustible wall, partition or roof, the point of passage shall be protected by a double metal ventilated thimble not less than twice the diameter of the vent pipe with free circulation of air through the thimble.

Section 14A-50. Pipe Sizes.

For gas engines, pipe sizes and maximum length of run to meter shall be as follows:

TABLE 17

H.P. of engine	Diameter of pipe in inches					
	1"	1 1/4"	1 1/2"	2"	2 1/2"	3"
	Length of run in feet					
5	100	200				
10		100	250			
15		50	150			
20			50	300		
30			50	150	600	
40				50	150	600
50					50	300

ARTICLE XIX. Air Conditioning and Heating Systems.

Section 14A-51. Permit to construct, alter, etc. - Required.

No person shall commence, begin or proceed with the erection, construction, enlargement, improvement, alteration or conversion of any part of an air conditioning or heating system or cause the same to be done until a permit has been obtained from the office of the building inspection division.

Section 14A-52. Same - Inspection Fees

Any person granted a mechanical permit shall pay to the City an inspection fee according to the following schedule:

OCCUPANCY CLASSIFICATION	BUILDING AREA IN SQUARE FEET	MECHANICAL PERMIT FEES
<u>Group I:</u>		
Single-family residential, per unit	N/A	\$10.00
<u>GROUP II:</u>		
Multifamily residential, per unit	N/A	5.00
<u>GROUP III:</u>		
Nonresidential	0 to 250	5.00
	251 to 500	5.00
	501 to 50,000	.005 per sq. ft.
	50,001 to 100,000	.005 per sq. ft.
	100,001 or more	.00025 per sq. ft. + \$250.00

BUILDING SHELL:

Permit fee for building shell shall be one-half the permit fee for complete building of same size; fee for completion of the interior of a building shell shall be identical to the fee for building shell.

Additions, Alterations and Repairs, All Groups:

Value of Proposed Work	Permit Fee
\$0 - \$1,000	\$10.00
\$1,001 - \$3,000	15.00
\$3,001 - \$10,000	20.00
\$10,001 - \$50,000	0.0020
\$50,001 - \$100,000	25.00 plus .0015
\$100,001 - or more	75.00 plus .0010

No permit fee shall be required for air conditioning or ventilating as defined in this Chapter when installed or repaired in any building or on any premises, the title to which is directly vested in the State, County, City, the Mesquite Independent School District or any church. When a request for such permit is made, this exemption shall be claimed in writing.

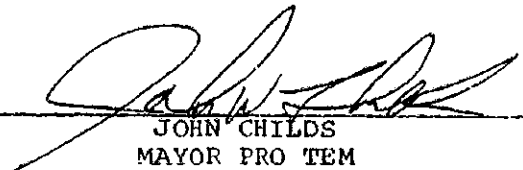
SECTION 2. Should any word, phrase, sentence, paragraph or

section of this ordinance be held to be invalid or unconstitutional, the remaining provisions of this ordinance shall remain in full force and effect.

SECTION 3. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed to be guilty of a misdemeanor and upon conviction in the Municipal Court shall be subject to a fine not to exceed Two Hundred Dollars (\$200.00) for each offense.

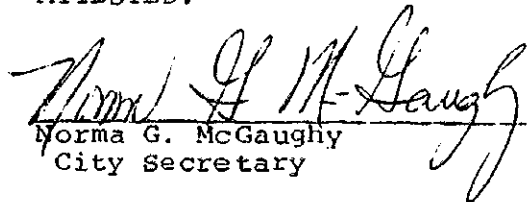
SECTION 4. The fact that the Code of the City of Mesquite, Texas, is inadequate for the necessary protection of the public comfort and general welfare creates an urgency and an emergency for the preservation of the public health, safety, and welfare and requires that this ordinance shall take effect immediately from its passage and publication as the law in such cases provide.

DULY PASSED by the City Council of the City of Mesquite, Texas, on the 15th day of March, A.D., 1982.



JOHN CHILDS
MAYOR PRO TEM

ATTESTED:



Norma G. McGaughy
City Secretary

APPROVED AS TO FORM:

Elland Archer
City Attorney

