

ORDINANCE NO. 5246

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING CHAPTER 5 OF THE MESQUITE CITY CODE, BY REPEALING AND REPLACING CHAPTER 5, ARTICLE VII (MECHANICAL CODE), DIVISIONS 1 AND 2, IN THEIR ENTIRETY THEREBY ADOPTING THE 2024 EDITION OF THE INTERNATIONAL MECHANICAL CODE (I.M.C.) AND PROVIDING CERTAIN LOCAL AMENDMENTS THERETO; PROVIDING CONFLICTS RESOLUTION, SEVERABILITY, AND SAVINGS CLAUSES; PROVIDING FOR A PENALTY NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000); PROVIDING FOR PUBLICATION OF THE CAPTION HEREOF; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, it is the intent of the City Council of the City of Mesquite, Texas (“**City Council**”), to protect the public health, safety, and welfare; and

WHEREAS, the City of Mesquite, Texas, (“**City**”) is a home-rule municipality acting under its Charter adopted, and amended, by the electorate pursuant to Article 11, [Section 5](#) of the Texas Constitution and [Chapter 9](#) of the Texas Local Government Code; and

WHEREAS, a home-rule municipality has full power of local self-government, pursuant to Texas Local Government Code, Title 2, Subtitle D, Chapter 51, [Section 51.072\(a\)](#); and

WHEREAS, the City shall have the power to enact and enforce ordinances necessary to protect health, life and property and to prevent and summarily abate and remove all nuisances, and to preserve and enforce good government and order and security of the City and its inhabitants, pursuant to Article III, [Section 2](#) of the Mesquite City Charter; and

WHEREAS, a home-rule municipality may enforce ordinances necessary to protect health, life, and property and to preserve the good government, order, and security of the municipality and its inhabitants, pursuant to Texas Local Government Code, Title 2, Subtitle D, Chapter 54, [Section 54.004](#), as amended; and

WHEREAS, the City shall have the power to provide for the issuance of permits for erecting all buildings, for the inspection of the construction of buildings in respect to proper wiring for electric lights and other electrical appliances, piping for gas, flues, chimneys, plumbing, and sewer connections; and to enforce proper regulations in regard thereto; and the City shall also have the power to provide for license, permit and inspection fees, pursuant to Article III, [Section 28](#) of the Mesquite City Charter; and

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WHEREAS, on March 17, 2026, the Building Standards Board held public hearings to discuss the adoption of the 2024 Edition of the International Mechanical Code (“**I.M.C.**”) and to receive input from the general public and all persons who may be affected by the proposed adoption; and

WHEREAS, the Building Standards Board, by majority vote, has recommended the City Council adopt the 2024 Edition of the **I.M.C.** and the additions, deletions, and amendments (“**the local amendments**”) thereto, attached hereto as **EXHIBIT A**; and

WHEREAS, upon the favorable recommendation of the Building Standards Board, and upon full review and consideration of all matters attendant and related thereto, and after receiving input from the general public and all persons who may be affected by the proposed adoption, the City Council is of the opinion that the 2024 Edition of the **I.M.C.** and the local amendments thereto, should be approved and adopted as the Mechanical Code of the City of Mesquite, Texas.

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

SECTION 1. Recitals Incorporated.

The City Council hereby finds and determines the recitals made in the preamble of this Ordinance are true and correct, and hereby incorporates such recitals here in the body of this Ordinance as if copied in their entirety.

SECTION 2. MESQUITE CITY CODE TEXT AMENDMENT:

Amending Chapter 5, Article VII – Mechanical Code.

The Mesquite City Code is hereby amended as identified in **EXHIBIT A** and said exhibit is attached hereto and made a part hereof, and in all other respects, said Code, Chapters, and Articles shall remain in full force and effect.

SECTION 3. Conflicts Resolution Clause.

In the event of an irreconcilable conflict between the provisions of another previously adopted ordinance of the City of Mesquite and the provisions of this Ordinance, the provisions of this Ordinance shall be controlling.

SECTION 4. Severability Clause.

Should any word, sentence, paragraph, subdivision, clause, phrase, or section of this Ordinance be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said Ordinance and the Mesquite City Code, as hereby or previously amended, which shall remain in full force and effect.

SECTION 5. Savings Clause.

An offense committed before the effective date of this Ordinance is governed by prior law and the provisions of the Mesquite City Code, as amended, in effect when the offense was committed, and the former law is continued in effect for this purpose.

SECTION 6. Penalty Clause.

Any violation of the provisions or terms of this Ordinance by any “person,” as defined in Mesquite City Code, Chapter 1, [Section 1-2](#), shall be deemed a Class C Misdemeanor criminal offense, and upon conviction thereof, shall be subject to a penalty of fine, or any other general penalties, as provided in Mesquite City Code, Chapter 1, [Section 1-6](#), as amended.

SECTION 7. Publication.

This Ordinance shall be published in the City’s official newspaper in accordance with Mesquite City Charter, Article IV, [Section 24](#).

SECTION 8. Effective Date.

8.01. In accordance with Texas Local Government Code, Title 7, Subtitle A, Chapter 214, Subchapter G, § 214.218 (Immediate Effect of Certain Codes or Provisions Delayed), the City shall delay implementing and enforcing this ordinance for at least 30 days after final adoption.

8.02. This ordinance shall become effective and be in force from and after **July 1, 2026**.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, ON THE 18TH DAY OF MAY 2026.

Signed by:
Daniel Alemán, Jr.
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Daniel Alemán, Jr.
Mayor

ATTEST:

DocuSigned by:
Sonja Land
C2518095973F46A...

Sonja Land
City Secretary

APPROVED AS TO LEGAL FORM:

Signed by:
David L. Paschall
666E18891208434...

David L. Paschall
City Attorney

MESQUITE CITY CODE

* * *

Chapter 5 – BUILDINGS AND CONSTRUCTION

* * *

ARTICLE VII. – MECHANICAL CODE

Editor's note:

[Existing Chapter 5, Article VII (Mechanical Code), Divisions 1 and 2, shall be repealed in their entirety and replaced with the following text.]

DIVISION 1. - Generally

Sec. 5-316. Short title.

This article shall be known and cited as the "Mesquite Mechanical Code" and may hereinafter be referred to in this article as "this code."

(Ord. No. 4801, § 2(Exh. F), 9-21-20)

Sec. 5-317. Adopted.

The International Mechanical Code (I.M.C.), 2024 Edition, a publication of the International Code Council (I.C.C.), is hereby adopted by reference and incorporated herein to the same extent as if such code were copied verbatim in this Section, subject to the deletions, additions, and amendments ("the local amendments") as may be prescribed in this article. A copy of the International Mechanical Code, 2024 Edition, and the local amendments thereto shall be maintained in the Office of the City Secretary.

(Ord. No. 4801, § 2(Exh. F), 9-21-20)

Sec. 5-318. Penalties.

(a) *Criminal penalty.* Any violation of the provisions or terms of this article by any "person," as defined in Mesquite City Code, Chapter 1, [Section 1-2](#), shall be deemed a Class C Misdemeanor criminal offense, and upon conviction thereof, shall be subject to a penalty of fine, or any other general penalties, as provided in Mesquite City Code, Chapter 1, [Section 1-6](#), as amended.

(b) *Civil penalty.* The City may file any other civil actions for enforcement of this article as authorized by law.

(Ord. No. 4801, § 2(Exh. F), 9-21-20)

Charter reference— Enforcement of ordinances, Art. III, § 28.

Cross reference— General penalties, [§ 1-6](#).

State Law reference— General Enforcement Authority of Municipalities;

Penalty, V.T.C.A. Local Government Code, § 54.001;

Civil Action, V.T.C.A. Local Government Code, § 54.012;

Civil Penalty, V.T.C.A. Local Government Code, § 54.017.

Secs. 5-319, 5-320. – Reserved.

DIVISION 2. – AMENDMENTS

Sec. 5-321. Local Amendments to the International Mechanical Code, 2024 Edition.

- (a) *Specific code provisions.* Amendments included in this section are intended to be specific code provisions. If there is a conflict between a provision in the published International Mechanical Code (I.M.C.), 2024 Edition, and this section, the specific provisions of this section shall control.
- (b) *Table of the local amendments.* The following table contains the local amendments to the I.M.C., 2024 Edition.
- (1) Table Legend.
- a. Column 1: Item Reference Number
 - b. Column 2: Related I.M.C. Code Section Number and Title
 - c. Column 3: Local Amendment to I.M.C.
 - d. (...): Dots (...) (i.e., an ellipsis) indicate the omission of intact and unchanged text which has not been reproduced for efficiency purposes. It is intended that the text in the I.M.C., not set forth in this section and instead denoted by dots (...), shall remain intact and unchanged from the language existing prior to adoption of this section.
 - e. (* * *): Asterisks (* * *) indicate the omission of intact and unchanged text which has not been reproduced for efficiency purposes. It is intended that the text in the I.M.C., not set forth in this section and instead denoted by asterisks (* * *), shall remain intact and unchanged from the language existing prior to adoption of this section.
- (2) TABLE OF LOCAL AMENDMENTS TO THE 2024 INTERNATIONAL MECHANICAL CODE

[The remainder of this page is intentionally left blank.]

EXHIBIT A TO ORDINANCE NO. 5246.

Mesquite City Code, Chapter 5 – Buildings and Construction, Article VII – Mechanical Code, Divisions 1 and 2

Building Standards Board Meeting Date: March 17, 2026 | City Council Meeting Date: May 18, 2026

[Editor’s Note: Repeal the existing Table and replace with the following new text to now read as follows:]

No.	IMC Code Section No. Title	Local Amendment to IMC
01	IMC 101.1 Title.	<p><i>Amend section in its entirety to read as follows:</i></p> <p>101.1: Title. These regulations shall be known as the Mechanical Code of the City of Mesquite, Texas, ("Mesquite Mechanical Code") and may hereinafter be referred to as "this code."</p>
02	IMC 102.8 Referenced Codes and Standards.	<p><i>Amend section in its entirety to read as follows:</i></p> <p>102.8 Referenced Codes and Standards. The codes and standards referenced herein shall be those that are listed in Chapter 15 and such codes and standards, when specifically adopted, shall be considered part of the requirements of this code to the prescribed extent of each such reference and as further regulated in Sections 102.8.1 and 102.8.2.</p> <p>Whenever amendments have been adopted to the referenced codes and standards, each reference to said code and standard shall be considered to reference the adopted amendments. Any reference to NFPA 70 shall mean the National Electrical Code as adopted.</p> <p>Exception: Where enforcement of a code provision would violate the conditions of the listing of the equipment or appliance, the conditions of the listing and the manufacturer’s installation instruction shall apply.</p>
03	IMC 105.1.1 Annual Permit.	<i>Delete this section.</i>
04	IMC 105.1.2 Annual Permit Records.	<i>Delete this section.</i>
05	IMC 105.3.2 Time Limitation of Application.	<p><i>Amend section in its entirety to read as follows:</i></p> <p>105.3.3. Time limitation of application. An application for a permit for any proposed work shall be deemed to have been abandoned 45-days after the date of filing, unless such application has been pursued in good faith or a permit has been issued; except that the Building Official is authorized to grant one or more extensions of time for additional periods not exceeding 45-days each. The extension shall be requested in writing and justifiable cause demonstrated.</p>

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06	IMC 105.4.3 Expiration.	<p><i>Amend section in its entirety to read as follows:</i></p> <p>105.4.3. Expiration. Every permit issued shall expire and become null and void if (i) the permittee fails to commence work on the site authorized by such permit within 30-days after its issuance, or (ii) the permittee fails to have the work authorized on the site by such permit inspected during any 90-day period after the work has commenced. It shall be unlawful to commence or recommence work after a permit expires without obtaining a new permit or receiving an extension from the Building Official. The Building Official is authorized to grant, in writing, one or more extensions of time, for periods not more than 90-days each. The extension shall be requested in writing and justifiable cause demonstrated.</p>
07	IMC 105.4.4 Extensions.	<p><i>Delete this section.</i></p>
08	IMC 105.4.7 Posting of Permit.	<p><i>Delete this section.</i></p>
09	IMC 108.2 Schedule of Permit Fees.	<p><i>Amend by adding a sentence [after the first and only sentence of the section] to read as follows:</i></p> <p>108.2: Schedule of permit fees schedule.</p> <p>* * *</p> <p>See Mesquite City Code, Appendix D - <i>Comprehensive Fee Schedule</i>, for applicable fees.</p>
10	IMC 108.6 Refunds.	<p><i>Amend section in its entirety to read as follows:</i></p> <p>108.6: Refunds. In the case where a fee was paid or collected erroneously, the Building Official shall authorize a one hundred percent (100%) refund of said fee. In the case where a fee was paid or collected and when no work was performed under a permit issued in accordance with this Code, the Building Official shall authorize a partial refund, of not more than eighty percent (80%) of the permit fee, in accordance with this Section. The Building Official shall not authorize refunding of any fee paid except on written request filed by the original permittee not later than 180-days from the date of fee payment.</p>

<p>11</p>	<p>IMC Section 112: Appeals.</p>	<p><i>Amend title and section in its entirety to read as follows:</i></p> <p>SECTION 112: APPEALS</p> <p>112.1: General. Except as otherwise provided, any person shall have the right to appeal an administrative decision of the Building Official, Fire Official, or any other City official to the Building Standards Board, when said decision is relative to the application, enforcement, or interpretation of this Code.</p> <p>The Building Standards Board is established in Mesquite City Code, Chapter 20, Article IV, Division 4 (Building Standards Board).</p> <p>The process and procedures for appealing an administrative decision are set forth in Chapter 5, Article XIII (Appeals of Administrative Decisions to Building Standards Board).</p> <p>Appeal of an Administrative Decision relative to a Certificate of Occupancy:</p> <p>When an appeal of an administrative decision is relative to a Certificate of Occupancy the appeal shall be to the Board of Adjustment for its denial, revocation, suspension, or otherwise (in accordance with Mesquite Zoning Ordinance, Part 5, 5-100, Section 5-106 (Certificate of Occupancy)).</p> <p>The process and procedures for appealing an administrative decision relative to a Certificate of Occupancy, or any other administrative decision made under the Mesquite Zoning Ordinance, are set forth in Mesquite Zoning Ordinance, Part 5, 5-200, Section 5-210 (Appeals of Administrative Decisions to Board of Adjustment).</p>
<p>12</p>	<p>IMC 114.1 Unlawful Acts.</p>	<p><i>Amend section in its entirety to read as follows:</i></p> <p>114.1: Unlawful acts. It shall be unlawful for any person, firm, corporation, or entity to erect, construct, alter, extend, repair, move, remove, demolish, or occupy any building, structure, or equipment regulated by this code, or cause same to be done, in conflict with, or in violation of, any of the provisions of this code.</p>
<p>13</p>	<p>IMC 114.2 Notice of Violation.</p>	<p><i>Amend section in its entirety to read as follows:</i></p> <p>114.2: Notice of violation. The Building Official is authorized to serve a notice of violation or order on the owner of the premises, or any person, firm, corporation, or other entity responsible for the erection, construction, alteration, extension, repair, moving, removal, demolition, or occupancy of a building or structure, in violation of the provisions of this code, or in violation of a permit or certificate issued under the provisions of this code. Such order may direct the discontinuance of the illegal action or condition and the abatement of the violation.</p>

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14	IMC 114.3 Prosecution of Violation.	<p><i>Amend section in its entirety to read as follows:</i></p> <p>114.3: Prosecution of violation. Failure to promptly comply with notice of violation issued by the Building Official shall constitute a separate violation of this code and may be prosecuted as such by the City. This section shall not be construed as requiring notification, or any other condition, to any proceeding seeking to address any violation of the provisions of this code.</p>
15	IMC 114.4 Violation Penalties.	<p><i>Amend section in its entirety to read as follows:</i></p> <p>114.4 Violation penalties. Any person who violates a provision of this code, or fails to comply with any of the requirements thereof, or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the Building Official, or of a permit or certificate issue under the provisions of this code shall be subject to penalties as prescribed by law and herein in this Article. Nothing in this code shall be construed to interfere, inhibit, or otherwise affect the pursuit of legal remedies or proceedings to restrain, correct, abate, or otherwise address any violation of this code, or to remove or terminate unlawful occupancy of a premises in violation of the provisions of this code.</p>
16	IMC Section 202: General Definitions	<p><i>Amend section by changing the definition for "Code Official" to read as follows:</i></p> <p>CODE OFFICIAL. The Building Official, or other authority designated by the Building Official, charged with the administration and enforcement of this Code.</p>
17	IMC Section 202: General Definitions	<p><i>Add definition for "Effective Dispersal Volume Charge" as follows:</i></p> <p>EFFECTIVE DISPERSAL VOLUME CHARGE (EDVC). The maximum refrigerant charge permitted for an effective dispersal volume.</p>
18	IMC Section 202: General Definitions	<p><i>Add definition for "Refrigerant Detection System" as follows:</i></p> <p>REFRIGERANT DETECTION SYSTEM. The product safety standard addresses both refrigerant detection systems and leak detection systems. In the product safety standard, a leak detection system is defined as "a sensing system which responds to refrigerant leaking from a refrigerating system." A leak detection system may include gas sensing, ultrasonic, or other such methods that meet the standards UL 60335-2-40/CSA C22.2 No. 60335-2-40 or UL 60335-2-89/CSA C22.2 No. 60335-2-89. [ASHRAE 15-2022: 3.1]</p>
19	IMC Section 202: General Definitions	<p><i>Add definition for "Refrigerant Detector" as follows:</i></p> <p>REFRIGERANT DETECTOR. "Refrigerant sensor" is another term for refrigerant detector. A refrigerant sensor is a sensing element combined with electronic circuitry that provides a digital output or an analog signal output that corresponds to the sensed refrigerant gas concentration. [ASHRAE 15-2022: 3.1]</p>

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<p>20</p>	<p>IMC 306.3 Appliances in Attics.</p>	<p><i>Amend section in its entirety to read as follows:</i></p> <p>306.3: Appliances in attics. Attics containing appliances shall be provided with an opening and unobstructed passageway large enough to allow removal of the largest appliance. The passageway shall be not less than 30 inches (762 mm) high and 22 inches (599 mm) wide and to more than 20 feet (6096 mm) in length measured along the centerline of the passageway from the opening to the appliance. The passageway shall have continuous solid flooring not less than 24 inches (610 mm) wide. A level service space not less than 30 inches (762 mm) deep and 30 inches (762 mm) wide shall be present at the front or service side of the appliance. The clear access opening dimensions shall be not less than 20 inches by 30 inches (508 mm by 762 mm), and large enough to allow removal of the largest appliance. As a minimum access to the attic space shall be provided by one of the following:</p> <ol style="list-style-type: none"> 1. A permanent Stair. 2. A pull-down stair with a minimum 300 lb (136 kg) capacity. 3. An access door from an upper floor level. <p>Exceptions:</p> <ol style="list-style-type: none"> 1. The passageway and level service space are not required where the appliance is capable of being serviced and removed through the required opening with the approval of the Code Official. 2. Where the passageway is unobstructed and not less than 6 feet (1829 mm) high and 22 inches (559 mm) wide for its entire length, the passageway shall be not greater than 50 feet (15,250 mm) in length.
<p>21</p>	<p>IMC 306.5.1 Sloped Roofs.</p>	<p><i>Amend section to read as follows:</i></p> <p>306.5.1: Sloped Roofs. Where appliances, equipment, fans or other components that require service are installed on a roof having a slope of 3 units vertical in 12 units horizontal (25-percent slope) or greater and having an edge more than 30 inches (762 mm) above grade at such edge, a catwalk at least 16 inches in width with substantial cleats spaced not more than 16 inches apart shall be provided from the roof access to a level platform at the appliance. The level platform shall be provided on each side of the appliance or equipment to which access is required for service, repair or maintenance. The platform shall be not less than 30 inches (762 mm) in any dimension and shall be provided with guards. The guards shall extend not less than 42 inches (1067 mm) above the platform, shall be constructed so as to prevent the passage of a 21-inch-diameter (533 mm) sphere and shall comply with the loading requirements for guards specified in the International Building Code...<i>[remainder of text unchanged]</i>.</p> <p style="text-align: center;">* * *</p>

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22	IMC 501.3 Exhaust Discharge.	<p><i>Amend section by adding exception #4 to read as follows:</i></p> <p>501.3: Exhaust Discharge. The air removed by every mechanical exhaust system shall be discharged outdoors at a point where it will not cause a public nuisance and not less than the distances specified in Section 501.3.1. The air shall be discharged to a location from which it cannot again be readily drawn in by a ventilating system. Air shall not be exhausted into an attic, crawl space, or be directed onto walkways.</p> <p>Exceptions:</p> <ol style="list-style-type: none"> 1. Whole-house ventilation-type attic fans shall be permitted to discharge into the attic space of dwelling units having private attics. 2. Commercial cooking recirculating systems. 3. Where installed in accordance with the manufacturer’s instructions and where mechanical or natural ventilation is otherwise provided in accordance with Chapter 4, listed and labeled domestic ductless range hoods shall not be required to discharge to the outdoors. 4. Toilet room exhaust ducts may terminate in a warehouse or shop area when infiltration of outside air is present.
23	IMC 1104.2 Machinery Room.	<p><i>Amend section by adding exception #3 to read as follows:</i></p> <p>Exceptions:</p> <p style="text-align: center;">* * *</p> <ol style="list-style-type: none"> 3. Machinery Rooms are not required when in compliance with ASHRAE 15 Section 7.4.
24	IMC 1104.3.1.1 Group A2L High-Probability Systems.	<p><i>Add this new section to read as follows:</i></p> <p>1104.3.1.1: Group A2L High-Probability Systems. High-probability systems using Group A2L refrigerants shall comply with ASHRAE 15 section 7.6.</p>
25	IMC 1109.2.5 Refrigerant Pipe Shafts.	<p><i>Amend section by revising exception #2 as follows:</i></p> <p>1109.2.5: Refrigerant pipe shafts.</p> <p style="text-align: center;">* * *</p> <p>[Existing text to remain]</p> <p>Exceptions:</p> <ol style="list-style-type: none"> 1. [Existing text to remain.] 2. Piping in a direct refrigeration system using Group A1 where the refrigerant quantity does not exceed the limits of Table 1103.1 for the smallest occupied space through which the piping passes. 3. [Existing text to remain.]

(Ord. No. 4801, § 2(Exh. F), 9-21-20; Ord. No. 4894, § 7(Exh. F), 9-7-21; Ord. No. 5061, § 3(Exh. B), 9-5-23)

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Mesquite City Code, Chapter 5 – Buildings and Construction, Article VII – Mechanical Code, Divisions 1 and 2

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Secs. 5-322—5-325. – Reserved

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