

CHAPTER 3.12

MECHANICAL CODE

SECTIONS:

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3.12.025	REPEALED - ORD. 397, Effective 07-01-04
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3.12.010 ADOPTION OF INTERNATIONAL MECHANICAL CODE.

(a) The 2021 Edition of the International Mechanical Code and the 2021 Edition of the International Fuel Gas Code published by the International Code Council, Inc., as now adopted or hereafter amended by the State of Washington, are hereby adopted by Benton County.

(b) Except as provided in subsection (c) of this section, the provisions of the International Mechanical Code shall regulate the design, installation, maintenance, alteration, and inspection of mechanical systems that are permanently installed and utilized to provide control of environmental conditions and related processes within buildings, as well as those mechanical systems, system components, equipment, and appliances specifically addressed in the code, including all heating, ventilation, comfort cooling, refrigeration systems, incinerators and other heat producing appliances hereafter installed, altered, repaired, relocated, added to, used or maintained. The provisions of the International Fuel Gas Code shall regulate the installation of fuel gas distribution piping and equipment, fuel gas-fired appliances, and fuel gas-fired appliance venting systems.

(c) (i) Detached one - and two - family dwellings and multiple single family dwellings and townhouses not more than three stories high with separate means of egress and their accessory structures shall comply with the International Residential Code as adopted in chapter 3.04 of the Benton County Code. (ii) The standards for liquefied petroleum gas installations shall be the 2020 edition of NFPA 58 LPGC and the 2021 edition of ANSI Z223.1/NFPA 54 (National Fuel Gas Code), except as expressly provided herein. [Ord. 101 (1974) § 1; Ord. 140 (1980) § 2; Ord. 163 (1983) § 1; Ord. 191 (1986) § 1; Ord. 240 (1993) § 1; Ord. 274 (1996) § 1; Ord. 327 (1998) § 1; Ord. 397 (2004) § 2; Ord. 451 (2007) § 1; Ord. 477 (2010) § 1; Ord. 529 (2013) § 1; Ord. 577 (2016) § 1; Ord 631 (2021) § 1; Ord. 652 (2024) § 1]

3.12.020 BOARD OF APPEALS. Section 109 of the 2021 International Mechanical Code and the International Fuel Gas Code shall be superseded and replaced with the following:

"BOARD OF APPEALS.

- (a) A Board of Appeals is hereby created to hear and decide appeals of orders, decisions, or determinations made by the building official relative to the application and interpretation of this code; to determine the suitability of alternate materials and methods of construction; and to provide for reasonable interpretations of the provisions of this code.

- (b) The Board consists of seven members who are qualified by experience and training to pass upon matters pertaining to building construction. Each member of the Board must be jointly appointed by the mayors of the cities of Pasco, Kennewick, Richland, and West Richland and the chairpersons of the Boards of County Commissioners of Benton and Franklin counties, and shall serve at their pleasure. The building official of each local government whose representative, as required by

this section, jointly appoints members to the Board is an ex-officio member of the Board. Each building official serving as an ex officio member shall serve as secretary of the Board on a rotating basis.

- (c) The Board must adopt reasonable rules and regulations for conducting its investigations and must render all decisions and findings in writing to the appellant. Duplicate copies of all decisions and findings of the Board must be provided to all building officials. The Board may recommend to the city councils, the boards of county commissioners, or both, new legislation consistent with the decisions and findings of the Board.
- (d) For purposes of this section, "Board" means the Board of Appeals created in accordance with this section."

[Ord. 101 (1974) § 3; Ord. 240 (1993) § 2; Ord. 327 (1998) § 2; Ord. 397 (2004) § 3; Ord. 451 (2007) § 2; Ord. 477 (2010) § 2; Ord. 529 § 2; Ord. 577 (2016) § 2; Ord. 631 (2021) § 2; Ord. 652 (2024) § 2]

3.12.030 FEES. Mechanical permit fees shall be in the amount established by resolution of the Board of County Commissioners.
[Ord. 101 (1974) § 4; Ord. 140 (1980) § 3; Ord. 163 (1983) § 2; Ord. 191 (1986) § 3; Ord. 240 (1993) § 3; Ord. 274 (1996) § 2]

3.12.070 ADMINISTRATION. The Benton County Building Department shall have responsibility for the administration and enforcement of this chapter.
[Ord. 101 (1974) § 8; Ord. 140 (1980) § 7; Ord. 240 (1993) § 4; Ord. 477 (2010) § 3]

3.12.075 VIOLATIONS-PENALTIES. (a) Upon a finding of a first violation of any provision of this chapter, any person or contractor shall be punished by a civil penalty not to exceed

five hundred dollars (\$500) for said violation, shall be responsible for court costs, if applicable, and shall be ordered to pay restitution for any damages caused by said violation.

(b) Upon the court's finding of a second or subsequent violation of the same provision of this chapter, any person or contractor shall be found guilty of a misdemeanor.

[Ord. 191 (1986) § 4; Ord. 240 (1993) § 5; Ord. 304 (1997) § 3]

3.12.080 INJUNCTIVE RELIEF. Notwithstanding the existence or use of any other remedy or means of enforcement of the provisions hereof, Benton County may seek legal or equitable relief to enjoin any acts or practices which constitute a violation of any of the provisions hereof and compel compliance with all provisions of this chapter. The costs of such action shall be taxed against the person violating the provisions of this chapter. The Building Department may accept a written assurance of discontinuance of any act in violation of this chapter from any person who has engaged in such act. Failure to comply with the assurance of discontinuance shall be a further violation of this chapter.

[Ord. 140 (1980) § 8; Ord. 191 (1986) § 5; Ord. 240 (1993) § 6; Ord. 477 (2010) § 4]

3.12.090 SEVERABILITY. If any provision of this chapter is declared unconstitutional, or the applicability thereof to any person or circumstance is held invalid, the constitutionality of the remainder of the chapter and the applicability thereof to other persons and circumstances shall not be affected thereby.

[Ord. 191 (1986) § 6]

3.12.100 EFFECTIVE DATE. This chapter shall take effect and be in full force upon its passage and adoption.

[Ord. 327 (1998) § 4; Ord. 397 (2004) § 5; Ord. 477 (2010) § 6]