

## CHAPTER 3.12

## MECHANICAL CODE

## SECTIONS:

3.12.010	Adoption of International Mechanical Code
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**3.12.010 ADOPTION OF INTERNATIONAL MECHANICAL CODE.** The 2012 Edition of the International Mechanical Code and the 2012 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, and all heating, ventilation, comfort cooling, refrigeration systems, incinerators and other heat producing appliances hereafter installed, altered, repaired, relocated, added to, used or maintained shall be done in conformity with the provisions of the International Mechanical Code and International 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]

**3.12.020 BOARD OF APPEALS.** Section 109.2 of the 2012 International Mechanical Code and the International Fuel Gas Code shall be superseded and replaced with the following:

"BOARD OF APPEALS - In order to determine the suitability of alternate materials and methods of construction and to provide for reasonable interpretation of the provisions of this code, there shall be and is hereby created a Board of Appeals "Board," consisting of seven (7) members who are qualified by experience and training to pass upon matters pertaining to building construction. The Board shall be jointly appointed by the Mayors of the Cities of Pasco, Kennewick, Richland, and West Richland and the Chairmen of the Board of County Commissioners of Benton and Franklin Counties, and serve at their pleasure. The Building Official of each appointing agency, or representative, shall be an ex-officio member of the Board of Appeals and shall serve as secretary to the Board of Appeals on a rotating basis. The Board of Appeals shall adopt reasonable rules and regulations for conducting its investigations and shall render all decisions and findings in writing to all the Building Officials with a duplicate copy to the appellant and may recommend to the City Councils and/or Boards of County Commissioners such new legislation as is consistent therewith."

[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]

**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]