

ORDINANCE NO 139

AN ORDINANCE OF THE CITY OF FERNAN LAKE VILLAGE, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, ADOPTING THE UNIFORM MECHANICAL CODE, PROVIDING SEVERABILITY, PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, The Uniform Mechanical Code provides minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, installation, quality of materials, location, operation, and maintenance or use of heating, ventilating, cooling, refrigeration systems, incinerators and other miscellaneous heat-producing within this jurisdiction, and

WHEREAS, The Uniform Mechanical Code applies to the erection, installation, alteration, repair, relocation, replacement, addition to, use or maintenance of any heating, ventilating, cooling, refrigeration systems, incinerators, or other miscellaneous heat-producing appliances within this jurisdiction, and

WHEREAS, the City Council desires to minimize and control these adverse effects and thereby protect the health, safety, and welfare of the citizenry; protect the citizens; preserve the quality of life; preserve the property values, and

Pursuant to the authority granted by the Constitution and the legislature of the State of Idaho, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FERNAN LAKE VILLAGE AS FOLLOWS:

SECTION 1. PURPOSE AND FINDINGS.

(A) Purpose. provides minimum standards to safe-guard life or limb, health, property and public welfare by regulating and controlling the design, construction, installation, quality of materials, location, operation, and maintenance or use of heating, ventilating, cooling, refrigeration systems, incinerators and other miscellaneous heat-producing within this jurisdiction

(B) Findings.

The general welfare, health, morals and safety of the citizens of the City will be promoted by the enactment of this ordinance.

SECTION 2. APPLICABILITY

The Uniform Mechanical Code applies to the erection, installation, alteration, repair, relocation, replacement, addition to, use or maintenance of any heating,

ventilating, cooling, refrigeration systems, incinerators, or other miscellaneous heat-producing appliances within this jurisdiction,

SECTION 3. FEES.

(A) The City shall adopt the fee schedule of the 1997 Uniform Building Code in it's application of the Uniform Mechanical Code.

SECTION 4. INSPECTION.

(A) An applicant shall permit representatives of law enforcement, Panhandle Health District, Kootenai Fire District, Fernan City Clerk, Planning Administrator, Building Inspector, Fernan Legal Counsel, or other independent agencies to inspect the premises for the purpose of insuring compliance with the law.

SECTION 5. EXEMPTIONS.

There are no exemptions to the UMC. The UMC is adopted in total.

SECTION XXI. PENALTIES.

A person who violates any portion of this ordinance is in violation of this ordinance and the Uniform Mechanical is subject to prosecution for criminal violations and any penalties incorporated within the UMC. Any violation of the provisions or prohibitions of this ordinance shall include, but not limited to a fine of \$300.00 and/or one hundred eighty (180) days imprisonment. Each day is considered a separate offense or violation.

SECTION XXII. SEVERABILITY.

If any section, subsection, or clause of this ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected.


SECTION XXIII. CONFLICTING ORDINANCES REPEALED.

All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION XXIV. EFFECTIVE DATE.

This ordinance shall be in full force and effect after its passage and publication according to law.

Approved as an ordinance of the City of Fernan Lake Village, Idaho on the June 3, 2002.



Pat Acuff, Mayor

Attest:



Sam Newman, City Clerk