

**AN ORDINANCE TO AMEND CHAPTER 7, SECTION 7-25 INTERNATIONAL PLUMBING CODE AND
INTERNATIONAL MECHANICAL CODE AND SECTION 7-118 PERMITS, OF THE CODE OF THE CITY OF
BROOKHAVEN**

- WHEREAS, Section 1.03(b)(3) of the Charter of the City of Brookhaven grants the City of Brookhaven the power to regulate and to license the erection and construction of buildings and all other structures; and
- WHEREAS, Section 1.03(b)(8) of the Charter of the City of Brookhaven grants the City of Brookhaven the power to protect and preserve the natural resources, environment, and vital areas of the city, the region, and the state through the enactment of ordinances that preserve and improve air quality, restore and maintain water resources, the control of erosion and sedimentation, manage storm water and establish a storm-water utility, manage solid and hazardous waste, and provide other necessary or beneficial actions for the protection of the environment; and
- WHEREAS, Section 1.03(b)(12) of the Charter of the City of Brookhaven grants the City of Brookhaven the power to define, regulate, and prohibit any act, practice, conduct, or use of property which is detrimental to health, sanitation, cleanliness, welfare, and safety of the inhabitants of the city, and to provide for the enforcement of such standards; and
- WHEREAS, the Mayor and City Council find that adoption of an updated ordinance related to tree preservation and maintenance is necessary to ensure preserve the environment, protect safety of citizens, and prevent nuisances.

BE IT ORDAINED by the Mayor and Council of the City of Brookhaven, Georgia and it is hereby ordained by the authority of same:

SECTION I:

to Chapter 7, Section 7-25 International Plumbing Code and International Mechanical Code and Section 7-118 Permits, is amended to read as shown in the attached mark-up.

SECTION II:

Severability: Should any section of this Ordinance be declared invalid or unconstitutional by any court of competent jurisdiction, such declaration shall not affect the validity of the Ordinance as a whole or any part thereof which is not specifically declared to be invalid or unconstitutional.

SECTION III:

Repeal of Conflicting Provisions: All ordinances, part of ordinances, maps, or regulations in conflict herewith are repealed.

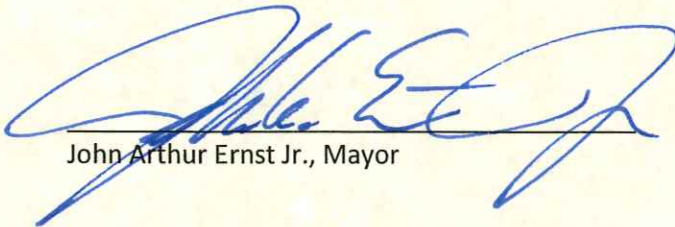
SECTION IV:

Effective Date: This ordinance shall be effective immediately upon adoption.

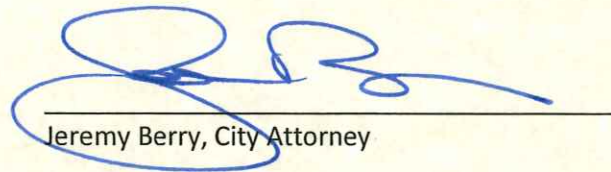
SO ORDAINED, this 9TH day of May, 2023.

Approved by:

Approved as to Form and Content



John Arthur Ernst Jr., Mayor



Jeremy Berry, City Attorney

Attest:



Susan Hiott, City Clerk



ORD 2023-05-02

Sec. 7-25. - Amendments to the International Plumbing Code and International Mechanical Code.

- a) Notwithstanding anything to the contrary contained herein, the International Plumbing Code adopted by reference in [section 7-23](#) is adopted with the following additions, deletions, modifications, or amendments:

(1) International Plumbing Code.

- a. [Chapter 1](#) is deleted in its entirety.
- b. Revise section 305.4.1; insert "12 inches."
- c. Revise section 305.7 to include "Components of a plumbing system installed along alleyways, in yards, or lawns, driveways, parking garages, or other locations exposed to damage shall be recessed into the ground, wall or otherwise protected in an approved manner."

(2) Local supplemental ordinance requirements to the state-adopted Plumbing Code.

- a. All exterior sewer drain clean outs shall be cut back to finished grade level on all residences.
- b. Waiver for an exemption to the requirements for the installation of high efficiency plumbing fixtures relative to any new construction and to the repair or renovation of an existing building may be given under the following conditions:
 1. When the repair or renovation of the existing building does not include the replacement of the plumbing or sewage system servicing toilets, faucets, or shower heads within such existing building;
 2. When such plumbing or sewerage system within such existing building, because of its capacity, design, or installation would not function properly if the toilets, faucets, or shower heads required by this part were installed;
 3. When such system is a well or gravity flow from a spring and is owned privately by an individual for use in such individual's personal residence; or
When units to be installed are:
 - i. Specifically designed for use by person with disabilities;
 - ii. Specifically designed to withstand unusual abuse or installation in a penal institution; or
 - iii. Toilets for juveniles.

- b) Notwithstanding anything to the contrary contained herein, the International Mechanical Code adopted by reference in [section 7-23](#) is adopted with the following additions, deletions, modifications, or amendments:

TA23-07 MARK-UP An Ordinance to Amend Chapter 7, Section 7-25 International Plumbing Code and International Mechanical Code and Section 7-118 Permits

- (1) International Mechanical Code: [Chapter 1](#) is deleted in its entirety.
- (2) Local supplemental ordinance requirements to the state-adopted Mechanical Code.
 - a) Residential heating and air conditioning systems (if air conditioning is installed) shall be sized to address all finished areas (except garages).
 - b) Attic ventilation utilizing continuous ridge and soffit vents, cap vents or turbine vents shall be required **unless building envelope extends to rafters**.
 - c) Factory seams on low pressure systems do not have to be sealed when the minimum air leakage requirements of the Georgia State Energy Code for buildings have been met for the entire duct system.

Sec. 7-118. - Permits.

- (l) *Placement of building permit, ~~inspections card~~, and construction plans.* The building permit or copy, ~~inspection card~~, and approved construction and site plans shall be kept on the site of the work until completion of the work. The ~~inspections card~~ **building permit or copy** shall be posted within 36 to 48 inches above grade facing the street or in a window of the structure under construction in a manner where it is visible from the street and if outside, in a weatherproof cover. The construction plans shall be kept on the construction site in a manner that they can be produced upon demand by the building official.