

ORDINANCE NO. 538

AN ORDINANCE BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF LONG BEACH, MISSISSIPPI, AMENDING ORDINANCE NO. 478, ENTITLED, “AN ORDINANCE BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF LONG BEACH, MISSISSIPPI, ADOPTING VARIOUS BUILDING AND RELATED CODES AND STANDARDS, AND APPENDIXES REGULATING AND CONTROLLING THE DESIGN, CONSTRUCTION, QUALITY OF MATERIALS, ERECTION, INSTALLATION, ALTERATION, REPAIR, LOCATION, RELOCATION, REPLACEMENT, ADDITION TO, USE OR MAINTENANCE OF BUILDINGS AND STRUCTURES, PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFORE WHEN USED WITH MONEY; PROVIDING FOR AND RELATING TO INSPECTION ACTIVITIES AND ENFORCEMENT OF BUILDING PROVISIONS AS PROVIDED IN VARIOUS CODES; AND FOR RELATED PURPOSES”, AS HERETOFORE AMENDED BY ORDINANCE NO. 523 AND ORDINANCE NO. 534, TO REQUIRE THE INSTALLATION OF MANIFOLD WHERE PEX TUBING AND FITTINGS IS INSTALLED IN SINGLE FAMILY RESIDENCES, AND FOR RELATED PURPOSES.

WHEREAS, the Mayor and Board of Aldermen (the “Governing Body”) of the City of Long Beach, Mississippi, (the “Municipality”) having made due investigation therefore, do now find, determined, adjudicate and declare as follows:

1. That the 2003 international building and related codes and standards and the 2005 Electrical Code and Appendixes have been published and in order to protect the public health and safety, it is necessary to adopt the 2003 building and related codes and the 2005 Electrical Code and Appendixes; and
2. That use of PEX products have heretofore been allowed in the City of Long Beach, Mississippi; and
3. That installation of PEX tubing and fittings without manifolds should not be allowed in single family residences. Now therefore,

BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF LONG BEACH, MISSISSIPPI, AS FOLLOWS:

SECTION 1. Section 1 of Ordinance No. 478 of the City of Long Beach, Mississippi, entitled, “AN ORDINANCE BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF LONG BEACH, MISSISSIPPI, ADOPTING VARIOUS BUILDING AND RELATED CODES AND STANDARDS, AND APPENDIXES REGULATING AND CONTROLLING THE DESIGN, CONSTRUCTION, QUALITY OF MATERIALS, ERECTION, INSTALLATION, ALTERATION, REPAIR, LOCATION, RELOCATION, REPLACEMENT, ADDITION TO, USE OR MAINTENANCE OF BUILDINGS AND STRUCTURES, PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFORE WHEN USED WITH MONEY; PROVIDING FOR AND RELATING TO INSPECTION ACTIVITIES AND ENFORCEMENT OF BUILDING PROVISIONS AS PROVIDED IN VARIOUS CODES; AND FOR RELATED PURPOSES ”, as Amended by Ordinance No. 523 and Ordinance No. 534, be and it is hereby amended to read as follows:

“SECTION 1. Adoption

The following Standards, Revisions, and Appendixes are hereby and herein adopted as if copied in words and figures in full and ordered, ordained, decreed and declared an ordinance of the City of Long Beach, Mississippi.

2003 International Building Code and Appendixes, less and except Section 105.2.1 and Section 105.2.2, which subsections are hereby deleted, and less and except part A101.4 of Appendix A to said International Building Code, which part A101.4 is hereby deleted.

2003 International Residential Code for One- and Two-Family Dwellings and Appendixes

2003 International Property Maintenance Code

2003 International Code Council Performance Code

2003 International Mechanical Code and Appendixes

2003 International Existing Building Code

2003 International Fuel Gas Code and Appendixes

2003 International Plumbing Code and Appendixes, with Tables 605.3, 605.4 and 605.5 amended to be as is set forth on Exhibit "A" attached hereto, which exhibit is made a part hereof as though fully copied herein

2003 NFPA Life Safety Code and Appendixes

2003 International Energy Conservation Code and Appendixes

2003 International Private Sewage Disposal Code and Appendixes

2003 International Fire Code and Appendixes

2005 Electrical Code and Appendixes

Standards for Hurricane Residential Construction SSTD 10-99 and Appendixes

1987 Standard for Sound Control

1985 Standard Unsafe Building Abatement Code

1985 Standard Amusement Device Code

1997 Standard Swimming Pool Code

ANSI/NSPI - 1 1991 Standard for Public Swimming Pools

ANSI/NSPI - 2 1999 Standard for Public Spas

ANSI/NSPI - 3 1999 Standard for Permanently Installed Residential Spas

ANSI/NSPI - 4 1992 Standard for Above Ground/Onground Swimming Pools

ANSI/NSPI - 5 1995 Residential in ground Swimming Pools

Standard for Public Swimming Pools

ANSI/NSPI - 6 1999 Standard for Residential Portable Spas

ANSI/NSPI - 8 1996 Model Barrier Code for Residential Pools and Spas

NSPI Workmanship Standards"

SECTION 2. Severability

If any section, subsection, sentence, clause or phrase of this Ordinance, or the application thereof, be held by any court of competent jurisdiction to be invalid or unconstitutional, such holding shall not affect the remaining portions of this Ordinance.

SECTION 3. Effective Date

It being necessary and in the best interests of the public health, safety and welfare, and to provide continuing regulations concerning the construction and use of buildings and structures within the City of Long Beach, Mississippi, and the immediate preservation of order and the public health, safety and welfare requiring it, this Ordinance shall take effect and be in force from and after

its adoption; but notice shall nevertheless be given as provided by law and this Ordinance shall be enrolled in the Ordinance Book of the City as by law.

The above and foregoing Ordinance No. 538 was introduced in writing by Alderman Bennett who moved its adoption. Alderman McNary seconded the motion to adopt the Ordinance, and after discussion, no member of the Board of Aldermen having requested the Ordinance to be read by the City Clerk, and the question being put to a roll call vote, the result was as follows:

Alderman Richard Notter	voted Nay
Alderman Richard Burton	voted Absent, Not Voting
Alderman Charles Boggs	voted Nay
Alderman Richard Bennett	voted Aye
Alderman Allen D. Holder, Jr.	voted Present, Not Voting (Mayor Pro-Tempore)
Alderman Joseph McNary	voted Aye
Alderman Mark Lishen	voted Absent, Not Voting

The question having received the TIE vote of the Aldermen present and voting, the Mayor Pro-Tempore cast an Affirmative vote, declaring the motion carried and the said Ordinance Number 538 adopted and approved this the 3rd day of April, 2007.

APPROVED:

ALLEN D. HOLDER, JR., MAYOR PRO-TEMPORE

ATTEST:

REBECCA E. SCHRUFF, CITY CLERK

EXHIBIT A

TABLE 605.3
WATER SERVICE PIPE

MATERIAL	STANDARD
Brass Pipe	ASTM B 43
Copper or copper-alloy pipe	ASTM B 42; ASTM B 302
Copper or copper-alloy tubing (Type K, WK, L, WL, M or WM)	ASTM B 75; ASTM B 88; ASTM B 251; ASTM B 447
Galvanized steel pipe	ASTM A 53
Polyvinyl chloride (PVC) plastic piping	ASTM D 1785; ASTM D 2241; ASTM D 2672; CSA CAN/CSA-B137.3
Cross-linked polyethylene (PEX) plastic tubing	ASTM F 876; ASTM F 877; CSA-B137.5

TABLE 605.4
WATER DISTRIBUTION PIPE

MATERIAL	STANDARD
Copper or copper-alloy pipe	ASTM B 42; ASTM B 302
Copper or copper-alloy tubing (Type K, WK, L, WL, M or WM)	ASTM B 75; ASTM B 88; ASTM B 251; ASTM B 447
Galvanized steel pipe	ASTM A 53
Cross-linked polyethylene (PEX) plastic tubing	ASTM F 877; CSA-B137.5

TABLE 605.5
PIPE FITTINGS

MATERIAL	STANDARD
Copper or copper alloy	ASME B16.15; ASME B16.18; ASME B16.22; ASME B16.23; ASME B16.26; ASME B16.29; ASME B16.32
Steel	ASME B16.9; ASME B16.11; ASME B16.28
Fittings for cross-linked polyethylene (PEX) plastic tubing (slide-on compression type fittings, only, shall be used)	ASTM F 1807; ASTM F 1960; ASTM F 2080

Installation: PEX Tubing and fittings shall be installed in structures utilizing a manifold and with proper labeling. Further, such PEX tubing and fittings shall be installed in accordance with the manufacturer's published instructions, the applicable codes and any ES report regarding the particular PEX product. Where differences exist, the instructions in any ES Report pertaining to the applicable PEX product shall govern.

C E R T I F I C A T E

**STATE OF MISSISSIPPI
COUNTY OF HARRISON
CITY OF LONG BEACH**

I, the undersigned, Rebecca E. Schruff, City Clerk within and for the City of Long Beach, Mississippi, do hereby certify that the above and foregoing is a true and correct copy of that certain Ordinance #538 of the City of Long Beach, Mississippi, adopted by the Mayor and Board of Aldermen at a regular meeting duly held and convened on the 3rd day of April, 2007, as the same appears of record in Ordinance Book #7, pages 233-237 inclusive, in my office at the City Hall in said City.

Given under my hand and the official seal of my office this the 3rd April, 2007.

(SEAL)

Rebecca E. Schruff, City Clerk