

INTRODUCED: 1/8/2024

REFERRED TO: Public Safety and Criminal Justice Committee

SPONSOR: Councilor A. Brown

DIGEST: amends Chapter 591 of the Revised Code, Fire Prevention and Protection, Article IV, Division I, by adding a new Section 591-410

SOURCE:

Initiated by: Councilor Ali Brown

Drafted by: LeAnnette Pierce, General Counsel

LEGAL REQUIREMENTS FOR ADOPTION:

Subject to approval or veto by Mayor

PROPOSED EFFECTIVE DATE:

Adoption and approvals

GENERAL COUNSEL APPROVAL: _____

Date: January 4, 2024

CITY-COUNTY GENERAL ORDINANCE NO. , 2024

PROPOSAL FOR A GENERAL ORDINANCE to amending Revised Chapter 591, Fire Prevention and Protection, Article IV, Division I by adding a new section 591-410.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Chapter 591 of the "Revised Code of the Consolidated City and County," regarding Fire Prevention and Protection is hereby amended by the addition of a new Section 591-410 to read as follows:

- (a) For purposes of this section a "Master heating, ventilation, and air conditioning installer" means a heating, ventilation, and air conditioning contractor who is appropriately trained or otherwise licensed or certified by the International Certification Board (ICB) and American National Standards Institute or other agency approved by the Board of Examiners of HVAC, Steam Fitters, and Refrigeration Installers
- (b) Duct systems shall be maintained free of all obstructions. Duct system damper inspections shall be in compliance with all applicable federal and state laws, rules and regulations and must be performed by a master heating, ventilating and air conditioner installer or a person acting under the direction and supervision of a master heating, ventilating and air conditioner installer.
- (c) The requirements for inspection in this section shall not trigger a requirement of installation or renovation of duct systems or fire dampers in buildings that (1) are not required by building codes to have a duct system or fire dampers, or (2) only allow for limited inspection due to the size or design of the duct system or fire dampers.
- (d) Proof of damper inspections shall be maintained at all times on applicable premises if required by federal and state laws, rules or regulations. Such proof will be subject to inspection if required by the fire prevention and building safety commission
- (e) Nothing in this ordinance shall be construed as taking precedence over any rules established or adopted by the state fire prevention and building safety commission

SECTION 2. The expressed or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings

begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 3. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provision or provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 4. This ordinance shall be in effect from and after its passage by the Council and compliance with Ind. Code § 36-3-4-14.

The foregoing was passed by the City-County Council this _____ day of _____, 2024, at _____ p.m.

ATTEST:

Vop Osili
President, City-County Council

Yulonda Winfield
Clerk, City-County Council

Presented by me to the Mayor this _____ day of _____, 2024.

Yulonda Winfield
Clerk, City-County Council

Approved and signed by me this _____ day of _____, 2024.

Joseph H. Hogsett, Mayor