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2012 INTERNATIONAL MECHANICAL CODE[®]

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2012 International Mechanical Code®

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PREFACE

Introduction

Internationally, code officials recognize the need for a modern, up-to-date mechanical code addressing the design and installation of mechanical systems through requirements emphasizing performance. The *International Mechanical Code*[®], in this 2012 edition, is designed to meet these needs through model code regulations that safeguard the public health and safety in all communities, large and small.

This comprehensive mechanical code establishes minimum regulations for mechanical systems using prescriptive and performance-related provisions. It is founded on broad-based principles that make possible the use of new materials and new mechanical designs. This 2012 edition is fully compatible with all of the *International Codes* (I-Codes)[®] published by the International Code Council (ICC), including the *International Building Code*[®], *International Energy Conservation Code*[®], *International Existing Building Code*[®], *International Fire Code*[®], *International Fuel Gas Code*[®], *International Green Construction Code*[™] (to be available March 2012), *International Plumbing Code*[®], *ICC Performance Code*[®], *International Private Sewage Disposal Code*[®], *International Property Maintenance Code*[®], *International Residential Code*[®], *International Swimming Pool and Spa Code*[™] (to be available March 2012), *International Urban-Wildland Interface Code*[®] and *International Zoning Code*[®].

The *International Mechanical Code* provisions provide many benefits, among which is the model code development process that offers an international forum for mechanical professionals to discuss performance and prescriptive code requirements. This forum provides an excellent arena to debate proposed revisions. This model code also encourages international consistency in the application of provisions.

Development

The first edition of the *International Mechanical Code* (1996) was the culmination of an effort initiated in 1994 by a development committee appointed by the ICC and consisting of representatives of the three statutory members of the International Code Council at that time, including: Building Officials and Code Administrators International, Inc. (BOCA), International Conference of Building Officials (ICBO) and Southern Building Code Congress International (SBCCI). The intent was to draft a comprehensive set of regulations for mechanical systems consistent with and inclusive of the scope of the existing model codes. Technical content of the latest model codes promulgated by BOCA, ICBO and SBCCI was utilized as the basis for the development. This 2012 edition presents the code as originally issued, with changes approved through the ICC Code Development Process through 2010. A new edition such as this is promulgated every 3 years.

This code is founded on principles intended to establish provisions consistent with the scope of a mechanical code that adequately protects public health, safety and welfare; provisions that do not unnecessarily increase construction costs; provisions that do not restrict the use of new materials, products or methods of construction; and provisions that do not give preferential treatment to particular types or classes of materials, products or methods of construction.

Adoption

The *International Mechanical Code* is available for adoption and use by jurisdictions internationally. Its use within a governmental jurisdiction is intended to be accomplished through adoption by reference in accordance with proceedings establishing the jurisdiction's laws. At the time of adoption, jurisdictions should insert the appropriate information in provisions requiring specific local information, such as the name of the adopting jurisdiction. These locations are shown in bracketed words in small capital letters in the code and in the sample ordinance. The sample adoption ordinance on page xi addresses several key elements of a code adoption ordinance, including the information required for insertion into the code text.

Maintenance

The *International Mechanical Code* is kept up to date through the review of proposed changes submitted by code enforcing officials, industry representatives, design professionals and other interested parties. Proposed changes are carefully considered through an open code development process in which all interested and affected parties may participate.

The contents of this work are subject to change both through the Code Development Cycles and the governmental body that enacts the code into law. For more information regarding the code development process, contact the Codes and Standards Development Department of the International Code Council.

While the development procedure of the *International Mechanical Code* assures the highest degree of care, ICC and ICC's members and those participating in the development of this code do not accept any liability resulting from compliance or noncompliance with the provisions because ICC and its members do not have the power or authority to police or enforce compliance with the contents of this code. Only the governmental body that enacts the code into law has such authority.

Code Development Committee Responsibilities (Letter Designations in Front of Section Numbers)

In each code development cycle, proposed changes to this code are considered at the Code Development Hearing by the International Mechanical Code Development Committee. Proposed changes to a code section whose number begins with a letter in brackets are considered by a different code development committee. For instance, proposed changes to code sections which have the letter [B] in front (for example, [B] 309.1), are considered by one of the International Building Code development committees (IBC-General) at the Code Development Hearing.

The content of sections in this code which begin with a letter designation is maintained by another code development committee in accordance with the following:

- [A] = Administrative Code Development Committee;
- [B] = International Building Code Development Committee (IBC—Fire Safety, General, Means of Egress or Structural);
- [EC] = International Energy Conservation Code Development Committee;
- [F] = International Fire Code Development Committee; and
- [FG] = International Fuel Gas Code Development Committee.

Note that, for the development of the 2015 edition of the I-Codes, there will be two groups of code development committees and they will meet in separate years. The groupings are as follows:

Group A Codes (Heard in 2012, Code Change Proposals Deadline: January 3, 2012)	Group B Codes (Heard in 2013, Code Change Proposals Deadline: January 3, 2013)
International Building Code	Administrative Provisions (Chapter 1 all codes except IRC and ICC PC, administrative updates to currently referenced standards, and designated definitions)
International Fuel Gas Code	International Energy Conservation Code
International Mechanical Code	International Existing Building Code
International Plumbing Code	International Fire Code
International Private Sewage Disposal Code	International Green Construction Code
	ICC Performance Code
	International Property Maintenance Code
	International Residential Code
	International Swimming Pool and Spa Code
	International Wildland-Urban Interface Code
	International Zoning Code

Code change proposals submitted for code sections that have a letter designation in front of them will be heard by the respective committee responsible for such code sections. Because different committees will meet in different years, it is possible that some proposals for this code will be heard by a committee in a different year than the year in which the primary committee for this code meets.

For example, every section of Chapter 1 of this code is designated as the responsibility of the Administrative Code Development Committee, and that committee is part of the Group B code hearings. This committee will conduct its code development hearings in 2013 to consider all code change proposals for Chapter 1 of this code and proposals for Chapter 1 of all I-Codes. Therefore, any proposals received for Chapter 1 of this code will be deferred for consideration in 2013 by the Administrative Code Development Committee.

Another example is Section 606.4 of this code which is designated as the responsibility of the International Fire Code Development Committee. This committee will conduct its code development hearings in 2013 to consider code change proposals in its purview, which includes any proposals to Section 606.4.

In some cases, another committee in Group A will be responsible for a section of this code. For example, Section 607.3 has a [B] in front of the numbered section, indicating that this section of the code is the responsibility of one of the International Building Code Development Committees. The International Building Code is in Group A; therefore, any code change proposals to this section will be due before the Group A deadline of January 3, 2012, and these code change proposals will be assigned to the appropriate International Building Code Development Committee for consideration.

It is very important that anyone submitting code change proposals understand which code development committee is responsible for the section of the code that is the subject of the code change proposal. For further information on the code development committee responsibilities, please visit the ICC web site at www.iccsafe.org/scoping.

Marginal Markings

Solid vertical lines in the margins within the body of the code indicate a technical change from the requirements of the 2009 edition. Deletion indicators (➡) are provided in the margin where an entire section, paragraph, exception or table has been deleted or an item in a list of items or in a table has been deleted.

Italicized Terms

Selected terms set forth in Chapter 2, Definitions, are italicized where they appear in code text. Such terms are not italicized where the definition set forth in Chapter 2 does not impart the intended meaning in the use of the term. The terms selected have definitions which the user should read carefully to facilitate better understanding of the code.

Effective Use of the International Mechanical Code

The *International Mechanical Code*® (IMC®) is a model code that regulates the design and installation of mechanical systems, appliances, appliance venting, duct and ventilation systems, combustion air provisions, hydronic systems and solar systems. The purpose of the code is to establish the minimum acceptable level of safety and to protect life and property from the potential dangers associated with the installation and operation of mechanical systems. The code also protects the personnel that install, maintain, service and replace the systems and appliances addressed by this code.

The IMC is primarily a prescriptive code with some performance text. The code relies heavily on product specifications and listings to provide much of the appliance and equipment installation requirements. The general Section 105.2 and the exception to Section 403.2 allow designs and installations to be performed by approved engineering methods as alternatives to the prescriptive methods in the code.

The format of the IMC allows each chapter to be devoted to a particular subject with the exception of Chapter 3, which contains general subject matters that are not extensive enough to warrant their own independent chapter.

Chapter 1 Scope and Administration. Chapter 1 establishes the limits of applicability of the code and describes how the code is to be applied and enforced. A mechanical code, like any other code, is intended to be adopted as a legally enforceable document and it cannot be effective without adequate provisions for its administration and enforcement. The provisions of Chapter 1 establish the authority and duties of the code official appointed by the jurisdiction having authority and also establish the rights and privileges of the design professional, contractor and property owner.

Chapter 2 Definitions. Chapter 2 is the repository of the definitions of terms used in the body of the code. Codes are technical documents and every word and term can impact the meaning of the code text and the intended results. The code often uses terms that have a unique meaning in the code and the code meaning can differ substantially from the ordinarily understood meaning of the term as used outside of the code.

The terms defined in Chapter 2 are deemed to be of prime importance in establishing the meaning and intent of the code text that uses the terms. The user of the code should be familiar with and consult this chapter because the definitions are essential to the correct interpretation of the code and because the user may not be aware that a term is defined.

Chapter 3 General Regulations. Chapter 3 contains broadly applicable requirements related to appliance location and installation, appliance and systems access, protection of structural elements, condensate disposal and clearances to combustibles, among others.

Chapter 4 Ventilation. Chapter 4 includes means for protecting building occupant health by controlling the quality of indoor air and protecting property from the effects of inadequate ventilation. In some cases, ventilation is required to prevent or reduce a health hazard by removing contaminants at their source.

Ventilation is both necessary and desirable for the control of air contaminants, moisture and temperature. Habitable and occupiable spaces are ventilated to promote a healthy and comfortable environment for the occupants. Uninhabited and unoccupied spaces are ventilated to protect the building structure from the harmful effects of excessive humidity and heat. Ventilation of specific occupancies is necessary to minimize the potential for toxic or otherwise harmful substances to reach dangerously high concentrations in air.

Chapter 5 Exhaust Systems. Chapter 5 provides guidelines for reasonable protection of life, property and health from the hazards associated with exhaust systems, air contaminants and smoke development in the event of a fire. In most cases, these hazards involve materials and gases that are flammable, explosive, toxic or otherwise hazardous. Where contaminants are known to be present in quantities that are irritating or harmful to the occupants' health or are hazardous in a fire, both naturally and mechanically ventilated spaces must be equipped with mechanical exhaust systems capable of collecting and removing the contaminants.

This chapter contains requirements for the installation of exhaust systems, with an emphasis on the structural integrity of the systems and equipment involved and the overall impact of the systems on the fire safety performance of the building. It includes requirements for the exhaust of commercial kitchen grease- and smoke-laden air, hazardous fumes and toxic gases, clothes dryer moisture and heat and dust, stock and refuse materials.

Chapter 6 Duct Systems. Chapter 6 of the code regulates the materials and methods used for constructing and installing ducts, plenums, system controls, exhaust systems, fire protection systems and related components that affect the overall performance of a building's air distribution system and the reasonable protection of life and property from the hazards associated with air-moving equipment and systems. This chapter contains requirements for the installation of supply, return and exhaust air systems. Specific exhaust systems are also addressed in Chapter 5. Information on the design of duct systems is limited to that in Section 603.2. The code is very much concerned with the structural integrity of the systems and the overall impact of the systems on the fire safety and life safety performance of the building. Design considerations such as duct sizing, maximum efficiency, cost effectiveness, occupant comfort and convenience are the responsibility of the design professional. The provisions for the protection of duct penetrations of wall, floor, ceiling and roof assemblies are extracted from the *International Building Code*.

Chapter 7 Combustion Air. Complete combustion of solid and liquid fuel is essential for the proper operation of appliances, for control of harmful emissions and for achieving maximum fuel efficiency.

The specific combustion air requirements provided in previous editions of the code have been deleted in favor of a single section that directs the user to NFPA 31 for oil-fired appliance combustion air requirements and the manufacturer's installation instructions for solid-fuel burning appliances. For gas-fired appliances, the provisions of the *International Fuel Gas Code* are applicable.

Chapter 8 Chimneys and Vents. Chapter 8 is intended to regulate the design, construction, installation, maintenance, repair and approval of chimneys, vents and their connections to solid and liquid fuel-burning appliances. The requirements of this chapter are intended to achieve the complete removal of the products of combustion from fuel-burning appliances and equipment. This chapter includes regulations for the proper selection, design, construction and installation of a chimney or vent, along with appropriate measures to minimize the related potential fire hazards. A chimney or vent must be designed for the type of appliance or equipment it serves. Chimneys and vents are designed for specific applications depending on the flue gas temperatures and the type of fuel being burned in the appliance. Chimneys and vents for gas-fired appliances are covered in the *International Fuel Gas Code*.

Chapter 9 Specific Appliances, Fireplaces and Solid Fuel-burning Equipment. Chapter 9 sets minimum construction and performance criteria for fireplaces, appliances and equipment and provides for the safe installation of these items. It reflects the code's intent to specifically address all of the types of appliances that the code intends to regulate. Other regulations affecting the installation of solid fuel-burning fireplaces, appliances and accessory appliances are found in Chapters 3, 6, 7, 8, 10, 11, 12, 13 and 14.

Chapter 10 Boilers, Water Heaters and Pressure Vessels. Chapter 10 presents regulations for the proper installation of boilers, water heaters and pressure vessels to protect life and property from the hazards associated with those appliances and vessels. It applies to all types of boilers and pressure vessels, regardless of size, heat input, operating pressure or operating temperature.

Because pressure vessels are closed containers designed to contain liquids, gases or both under pressure, they must be designed and installed to prevent structural failures that can result in extremely hazardous situations. Certain safety features are therefore provided in Chapter 10 to reduce the potential for explosion hazards.

Chapter 11 Refrigeration. Chapter 11 contains regulations pertaining to the life safety of building occupants. These regulations establish minimum requirements to achieve the proper design, construction, installation and operation of refrigeration systems. Refrigeration systems are a combination of interconnected components and piping assembled to form a closed circuit in which a refrigerant is circulated. The system's function is to extract heat from a location or medium, and to reject that heat to a different location or medium. This chapter establishes reasonable safeguards for the occupants by defining and mandating practices that are consistent with the practices and experience of the industry.

Chapter 12 Hydronic Piping. Hydronic piping includes piping, fittings and valves used in building space conditioning systems. Applications include hot water, chilled water, steam, steam condensate, brines and water/antifreeze mixtures. Chapter 12 contains the provisions that govern the construction, installation, alteration and repair of all hydronic piping systems that affect reliability, serviceability, energy efficiency and safety.

Chapter 13 Fuel Oil Piping and Storage. Chapter 13 regulates the design and installation of fuel oil storage and piping systems. The regulations include reference to construction standards for above-ground and underground storage tanks, material standards for piping systems (both above-ground and underground) and extensive requirements for the proper assembly of system piping and components. The *International Fire Code* (IFC) covers subjects not addressed in detail here. The provisions in this chapter are intended to prevent fires, leaks and spills involving fuel oil storage and piping systems.

Chapter 14 Solar Systems. Chapter 14 establishes provisions for the safe installation, operation and repair of solar energy systems used for space heating or cooling, domestic hot water heating or processing. Although such systems use components similar to those of conventional mechanical equipment, many of these provisions are unique to solar energy systems.

Chapter 15 Referenced Standards. Chapter 15 lists all of the product and installation standards and codes that are referenced throughout Chapters 1 through 14. As stated in Section 102.8, these standards and codes become an enforceable part of the code (to the prescribed extent of the reference) as if printed in the body of the code. Chapter 15 provides the full title and edition year of the standards and codes in addition to the address of the promulgators and the section numbers in which the standards and codes are referenced.

Appendix A Chimney Connector Pass-throughs. Appendix A provides figures that illustrate various requirements in the body of the code. Figure A-1 illustrates the chimney connector clearance requirements of Table 803.10.4.

Appendix B Recommended Permit Fee Schedule. Appendix B provides a sample permit fee schedule for mechanical permits. The local jurisdiction can adopt this appendix and fill in the dollar amounts in the blank spaces to establish their official permit fee schedule. The ICC does not establish permit fees because the code is adopted throughout the country and there are vast differences in operating budgets between different parts of the country, as well as between large and small municipalities within the same region.

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LEGISLATION

The *International Codes* are designed and promulgated to be adopted by reference by legislative action. Jurisdictions wishing to adopt the 2012 *International Mechanical Code* as an enforceable regulation governing plumbing systems should ensure that certain factual information is included in the adopting legislation at the time adoption is being considered by the appropriate governmental body. The following sample adoption legislation addresses several key elements, including the information required for insertion into the code text.

SAMPLE LEGISLATION FOR ADOPTION OF THE *INTERNATIONAL MECHANICAL CODE* ORDINANCE NO. _____

A[N] [ORDINANCE/STATUTE/REGULATION] of the [JURISDICTION] adopting the 2012 edition of the *International Mechanical Code*, regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of mechanical systems in the [JURISDICTION]; providing for the issuance of permits and collection of fees therefor; repealing [ORDINANCE/STATUTE/REGULATION] No. _____ of the [JURISDICTION] and all other ordinances or parts of laws in conflict therewith.

The [GOVERNING BODY] of the [JURISDICTION] does ordain as follows:

Section 1. That a certain document, three (3) copies of which are on file in the office of the [TITLE OF JURISDICTION'S KEEPER OF RECORDS] of [NAME OF JURISDICTION], being marked and designated as the *International Mechanical Code*, 2012 edition, including Appendix Chapters [FILL IN THE APPENDIX CHAPTERS BEING ADOPTED], as published by the International Code Council, be and is hereby adopted as the Mechanical Code of the [JURISDICTION], in the State of [STATE NAME] regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of mechanical systems as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Mechanical Code on file in the office of the [JURISDICTION] are hereby referred to, adopted, and made a part hereof, as if fully set out in this legislation, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this ordinance.

Section 2. The following sections are hereby revised:

Section 101.1. Insert: [NAME OF JURISDICTION]

Section 106.5.2. Insert: [APPROPRIATE SCHEDULE]

Section 106.5.3. Insert: [PERCENTAGES IN TWO LOCATIONS]

Section 108.4. Insert: [OFFENSE, DOLLAR AMOUNT, NUMBER OF DAYS]

Section 108.5. Insert: [DOLLAR AMOUNT IN TWO LOCATIONS]

Section 3. That [ORDINANCE/STATUTE/REGULATION] No. _____ of [JURISDICTION] entitled [FILL IN HERE THE COMPLETE TITLE OF THE LEGISLATION OR LAWS IN EFFECT AT THE PRESENT TIME SO THAT THEY WILL BE REPEALED BY DEFINITE MENTION] and all other ordinances or parts of laws in conflict herewith are hereby repealed.

Section 4. That if any section, subsection, sentence, clause or phrase of this legislation is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The [GOVERNING BODY] hereby declares that it would have passed this law, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 5. That nothing in this legislation or in the Mechanical Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 2 of this law; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this legislation.

Section 6. That the [JURISDICTION'S KEEPER OF RECORDS] is hereby ordered and directed to cause this legislation to be published. (An additional provision may be required to direct the number of times the legislation is to be published and to specify that it is to be in a newspaper in general circulation. Posting may also be required.)

Section 7. That this law and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect [TIME PERIOD] from and after the date of its final passage and adoption.

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CHAPTER 1

SCOPE AND ADMINISTRATION

PART 1—SCOPE AND APPLICATION

SECTION 101 GENERAL

[A] **101.1 Title.** These regulations shall be known as the *Mechanical Code* of [NAME OF JURISDICTION], hereinafter referred to as “this code.”

[A] **101.2 Scope.** This code shall regulate the design, installation, maintenance, *alteration* and inspection of mechanical systems that are permanently installed and utilized to provide control of environmental conditions and related processes within buildings. This code shall also regulate those mechanical systems, system components, *equipment* and appliances specifically addressed herein. The installation of fuel gas distribution piping and *equipment*, fuel gas-fired appliances and fuel gas-fired *appliance* venting systems shall be regulated by the *International Fuel Gas Code*.

Exception: Detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories high with separate means of egress and their accessory structures shall comply with the *International Residential Code*.

[A] **101.2.1 Appendices.** Provisions in the appendices shall not apply unless specifically adopted.

[A] **101.3 Intent.** The purpose of this code is to provide 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 mechanical systems.

[A] **101.4 Severability.** If a section, subsection, sentence, clause or phrase of this code is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this code.

SECTION 102 APPLICABILITY

[A] **102.1 General.** Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall govern. Where, in a specific case, different sections of this code specify different materials, methods of construction or other requirements, the most restrictive shall govern.

[A] **102.2 Existing installations.** Except as otherwise provided for in this chapter, a provision in this code shall not require the removal, *alteration* or abandonment of, nor prevent the continued utilization and maintenance of, a mechanical system lawfully in existence at the time of the adoption of this code.

[A] **102.3 Maintenance.** Mechanical systems, both existing and new, and parts thereof shall be maintained in proper operating condition in accordance with the original design and in a safe and sanitary condition. Devices or safeguards which are required by this code shall be maintained in compliance with the code edition under which they were installed. The owner or the owner’s designated agent shall be responsible for maintenance of mechanical systems. To determine compliance with this provision, the code official shall have the authority to require a mechanical system to be reinspected. The inspection for maintenance of HVAC systems shall be done in accordance with ASHRAE/ACCA/ANSI Standard 180.

[A] **102.4 Additions, alterations or repairs.** Additions, alterations, renovations or repairs to a mechanical system shall conform to that required for a new mechanical system without requiring the existing mechanical system to comply with all of the requirements of this code. Additions, alterations or repairs shall not cause an existing mechanical system to become unsafe, hazardous or overloaded.

Minor additions, alterations, renovations and repairs to existing mechanical systems shall meet the provisions for new construction, unless such work is done in the same manner and arrangement as was in the existing system, is not hazardous and is *approved*.

[A] **102.5 Change in occupancy.** It shall be unlawful to make a change in the *occupancy* of any structure which will subject the structure to any special provision of this code applicable to the new *occupancy* without approval. The code official shall certify that such structure meets the intent of the provisions of law governing building construction for the proposed new *occupancy* and that such change of *occupancy* does not result in any hazard to the public health, safety or welfare.

[A] **102.6 Historic buildings.** The provisions of this code relating to the construction, *alteration*, repair, enlargement, restoration, relocation or moving of buildings or structures shall not be mandatory for existing buildings or structures identified and classified by the state or local jurisdiction as historic buildings when such buildings or structures are judged by the code official to be safe and in the public interest of health, safety and welfare regarding any proposed construction, *alteration*, repair, enlargement, restoration, relocation or moving of buildings.

[A] **102.7 Moved buildings.** Except as determined by Section 102.2, mechanical systems that are a part of buildings or structures moved into or within the jurisdiction shall comply with the provisions of this code for new installations.

[A] **102.8 Referenced codes and standards.** The codes and standards referenced herein shall be those that are listed in Chapter 15 and such codes and standards shall be considered

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as part of the requirements of this code to the prescribed extent of each such reference and as further regulated in Sections 102.8.1 and 102.8.2.

Exception: Where enforcement of a code provision would violate the conditions of the listing of the *equipment* or *appliance*, the conditions of the listing and the manufacturer's installation instructions shall apply.

[A] 102.8.1 Conflicts. Where conflicts occur between provisions of this code and the referenced standards, the provisions of this code shall apply.

[A] 102.8.2 Provisions in referenced codes and standards. Where the extent of the reference to a referenced code or standard includes subject matter that is within the scope of this code, the provisions of this code, as applicable, shall take precedence over the provisions in the referenced code or standard.

[A] 102.9 Requirements not covered by this code. Requirements necessary for the strength, stability or proper operation of an existing or proposed mechanical system, or for the public safety, health and general welfare, not specifically covered by this code, shall be determined by the code official.

[A] 102.10 Other laws. The provisions of this code shall not be deemed to nullify any provisions of local, state or federal law.

[A] 102.11 Application of references. Reference to chapter section numbers, or to provisions not specifically identified by number, shall be construed to refer to such chapter, section or provision of this code.

PART 2—ADMINISTRATION AND ENFORCEMENT

SECTION 103 DEPARTMENT OF MECHANICAL INSPECTION

[A] 103.1 General. The department of mechanical inspection is hereby created and the executive official in charge thereof shall be known as the code official.

[A] 103.2 Appointment. The code official shall be appointed by the chief appointing authority of the jurisdiction.

[A] 103.3 Deputies. In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the appointing authority, the code official shall have the authority to appoint a deputy code official, other related technical officers, inspectors and other employees. Such employees shall have powers as delegated by the code official.

[A] 103.4 Liability. The code official, member of the board of appeals or employee charged with the enforcement of this code, while acting for the jurisdiction in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered liable personally, and is hereby relieved from personal liability for any damage accruing to persons or property as a result of an act or by reason of an act or omission in the discharge of official duties.

Any suit instituted against any officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by the legal representative of the jurisdiction until the final termination of the proceedings. The code official or any subordinate shall not be liable for costs in an action, suit or proceeding that is instituted in pursuance of the provisions of this code.

SECTION 104 DUTIES AND POWERS OF THE CODE OFFICIAL

[A] 104.1 General. The code official is hereby authorized and directed to enforce the provisions of this code. The code official shall have the authority to render interpretations of this code and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be in compliance with the intent and purpose of this code. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this code.

[A] 104.2 Applications and permits. The code official shall receive applications, review *construction documents* and issue permits for the installation and *alteration* of mechanical systems, inspect the premises for which such permits have been issued and enforce compliance with the provisions of this code.

[A] 104.3 Inspections. The code official shall make all of the required inspections, or shall accept reports of inspection by *approved* agencies or individuals. All reports of such inspections shall be in writing and be certified by a responsible officer of such *approved* agency or by the responsible individual. The code official is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise, subject to the approval of the appointing authority.

[A] 104.4 Right of entry. Whenever it is necessary to make an inspection to enforce the provisions of this code, or whenever the code official has reasonable cause to believe that there exists in a building or upon any premises any conditions or violations of this code which make the building or premises unsafe, insanitary, dangerous or hazardous, the code official shall have the authority to enter the building or premises at all reasonable times to inspect or to perform the duties imposed upon the code official by this code. If such building or premises is occupied, the code official shall present credentials to the occupant and request entry. If such building or premises is unoccupied, the code official shall first make a reasonable effort to locate the owner or other person having charge or control of the building or premises and request entry. If entry is refused, the code official has recourse to every remedy provided by law to secure entry.

When the code official has first obtained a proper inspection warrant or other remedy provided by law to secure entry, an owner or occupant or person having charge, care or control of the building or premises shall not fail or neglect, after proper request is made as herein provided, to promptly permit entry therein by the code official for the purpose of inspection and examination pursuant to this code.

[A] **104.5 Identification.** The code official shall carry proper identification when inspecting structures or premises in the performance of duties under this code.

[A] **104.6 Notices and orders.** The code official shall issue all necessary notices or orders to ensure compliance with this code.

[A] **104.7 Department records.** The code official shall keep official records of applications received, permits and certificates issued, fees collected, reports of inspections, and notices and orders issued. Such records shall be retained in the official records for the period required for retention of public records.

SECTION 105 APPROVAL

[A] **105.1 Modifications.** Whenever there are practical difficulties involved in carrying out the provisions of this code, the code official shall have the authority to grant modifications for individual cases upon application of the owner or owner's representative, provided that the code official shall first find that special individual reason makes the strict letter of this code impractical and the modification is in compliance with the intent and purpose of this code and does not lessen health, life and fire safety requirements. The details of action granting modifications shall be recorded and entered in the files of the mechanical inspection department.

[A] **105.2 Alternative materials, methods, equipment and appliances.** The provisions of this code are not intended to prevent the installation of any material or to prohibit any method of construction not specifically prescribed by this code, provided that any such alternative has been *approved*. An alternative material or method of construction shall be *approved* where the code official finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability and safety.

[A] **105.2.1 Research reports.** Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in this code, shall consist of valid research reports from *approved* sources.

[A] **105.3 Required testing.** Whenever there is insufficient evidence of compliance with the provisions of this code, or evidence that a material or method does not conform to the requirements of this code, or in order to substantiate claims for alternative materials or methods, the code official shall have the authority to require tests as evidence of compliance to be made at no expense to the jurisdiction.

[A] **105.3.1 Test methods.** Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the code official shall approve the testing procedures.

[A] **105.3.2 Testing agency.** All tests shall be performed by an *approved* agency.

[A] **105.3.3 Test reports.** Reports of tests shall be retained by the code official for the period required for retention of public records.

[A] **105.4 Approved materials and equipment.** Materials, *equipment* and devices *approved* by the code official shall be constructed and installed in accordance with such approval.

[A] **105.5 Material, equipment and appliance reuse.** Materials, *equipment*, appliances and devices shall not be reused unless such elements have been reconditioned, tested and placed in good and proper working condition and *approved*.

SECTION 106 PERMITS

[A] **106.1 When required.** An owner, authorized agent or contractor who desires to erect, install, enlarge, alter, repair, remove, convert or replace a mechanical system, the installation of which is regulated by this code, or to cause such work to be done, shall first make application to the code official and obtain the required permit for the work.

Exception: Where *equipment* and *appliance* replacements or repairs must be performed in an emergency situation, the permit application shall be submitted within the next working business day of the department of mechanical inspection.

[A] **106.2 Permits not required.** Permits shall not be required for the following:

1. Portable heating appliances;
2. Portable ventilation appliances and *equipment*;
3. Portable cooling units;
4. Steam, hot water or chilled water piping within any heating or cooling *equipment* or appliances regulated by this code;
5. The replacement of any minor part that does not alter the approval of *equipment* or an *appliance* or make such *equipment* or *appliance* unsafe;
6. Portable evaporative coolers;
7. Self-contained refrigeration systems that contain 10 pounds (4.5 kg) or less of refrigerant, or that are actuated by motors of 1 horsepower (0.75 kW) or less; and
8. Portable fuel cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.

Exemption from the permit requirements of this code shall not be deemed to grant authorization for work to be done in violation of the provisions of this code or other laws or ordinances of this jurisdiction.

[A] **106.3 Application for permit.** Each application for a permit, with the required fee, shall be filed with the code official on a form furnished for that purpose and shall contain a general description of the proposed work and its location. The application shall be signed by the owner or an authorized agent. The permit application shall indicate the proposed *occupancy* of all parts of the building and of that portion of the site or lot, if any, not covered by the building or structure

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and shall contain such other information required by the code official.

[A] 106.3.1 Construction documents. *Construction documents*, engineering calculations, diagrams and other data shall be submitted in two or more sets with each application for a permit. The code official shall require *construction documents*, computations and specifications to be prepared and designed by a *registered design professional* when required by state law. Where special conditions exist, the code official is authorized to require additional *construction documents* to be prepared by a *registered design professional*. *Construction documents* shall be drawn to scale and shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that the work conforms to the provisions of this code. *Construction documents* for buildings more than two stories in height shall indicate where penetrations will be made for mechanical systems, and the materials and methods for maintaining required structural safety, fire-resistance rating and fireblocking.

Exception: The code official shall have the authority to waive the submission of *construction documents*, calculations or other data if the nature of the work applied for is such that reviewing of *construction documents* is not necessary to determine compliance with this code.

[A] 106.3.2 Preliminary inspection. Before a permit is issued, the code official is authorized to inspect and evaluate the systems, *equipment*, buildings, devices, premises and spaces or areas to be used.

[A] 106.3.3 Time limitation of application. An application for a permit for any proposed work shall be deemed to have been abandoned 180 days after the date of filing, unless such application has been pursued in good faith or a permit has been issued; except that the code official shall have the authority to grant one or more extensions of time for additional periods not exceeding 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

[A] 106.4 Permit issuance. The application, *construction documents* and other data filed by an applicant for a permit shall be reviewed by the code official. If the code official finds that the proposed work conforms to the requirements of this code and all laws and ordinances applicable thereto, and that the fees specified in Section 106.5 have been paid, a permit shall be issued to the applicant.

[A] 106.4.1 Approved construction documents. When the code official issues the permit where *construction documents* are required, the *construction documents* shall be endorsed in writing and stamped "APPROVED." Such *approved construction documents* shall not be changed, modified or altered without authorization from the code official. Work shall be done in accordance with the *approved construction documents*.

The code official shall have the authority to issue a permit for the construction of part of a mechanical system before the *construction documents* for the entire system have been submitted or *approved*, provided adequate information and detailed statements have been filed com-

plying with all pertinent requirements of this code. The holder of such permit shall proceed at his or her own risk without assurance that the permit for the entire mechanical system will be granted.

[A] 106.4.2 Validity. The issuance of a permit or approval of *construction documents* shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or of other ordinances of the jurisdiction. A permit presuming to give authority to violate or cancel the provisions of this code shall be invalid.

The issuance of a permit based upon *construction documents* and other data shall not prevent the code official from thereafter requiring the correction of errors in said *construction documents* and other data or from preventing building operations from being carried on thereunder when in violation of this code or of other ordinances of this jurisdiction.

[A] 106.4.3 Expiration. Every permit issued by the code official under the provisions of this code shall expire by limitation and become null and void if the work authorized by such permit is not commenced within 180 days from the date of such permit, or if the work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of 180 days. Before such work recommences, a new permit shall be first obtained and the fee, therefore, shall be one-half the amount required for a new permit for such work, provided no changes have been made or will be made in the original *construction documents* for such work, and provided further that such suspension or abandonment has not exceeded one year.

[A] 106.4.4 Extensions. A permittee holding an unexpired permit shall have the right to apply for an extension of the time within which the permittee will commence work under that permit when work is unable to be commenced within the time required by this section for good and satisfactory reasons. The code official shall extend the time for action by the permittee for a period not exceeding 180 days if there is reasonable cause. A permit shall not be extended more than once. The fee for an extension shall be one-half the amount required for a new permit for such work.

[A] 106.4.5 Suspension or revocation of permit. The code official shall have the authority to suspend or revoke a permit issued under the provisions of this code wherever the permit is issued in error or on the basis of incorrect, inaccurate or incomplete information, or in violation of any ordinance or regulation or any of the provisions of this code.

[A] 106.4.6 Retention of construction documents. One set of *approved construction documents* shall be retained by the code official for a period of not less than 180 days from date of completion of the permitted work, or as required by state or local laws. One set of *approved construction documents* shall be returned to the applicant, and said set shall be kept on the site of the building or job at all times during which the work authorized thereby is in progress.

[A] **106.4.7 Previous approvals.** This code shall not require changes in the *construction documents*, construction or designated *occupancy* of a structure for which a lawful permit has been heretofore issued or otherwise lawfully authorized, and the construction of which has been pursued in good faith within 180 days after the effective date of this code and has not been abandoned.

[A] **106.4.8 Posting of permit.** The permit or a copy shall be kept on the site of the work until the completion of the project.

[A] **106.5 Fees.** A permit shall not be issued until the fees prescribed in Section 106.5.2 have been paid, nor shall an amendment to a permit be released until the additional fee, if any, due to an increase of the mechanical system, has been paid.

[A] **106.5.1 Work commencing before permit issuance.** Any person who commences work on a mechanical system before obtaining the necessary permits shall be subject to 100 percent of the usual permit fee in addition to the required permit fees.

[A] **106.5.2 Fee schedule.** The fees for mechanical work shall be as indicated in the following schedule.

[JURISDICTION TO INSERT
APPROPRIATE SCHEDULE]

[A] **106.5.3 Fee refunds.** The code official shall authorize the refunding of fees as follows.

1. The full amount of any fee paid hereunder which was erroneously paid or collected.
2. Not more than [SPECIFY PERCENTAGE] percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.
3. Not more than [SPECIFY PERCENTAGE] percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review effort has been expended.

The code official shall not authorize the refunding of any fee paid, except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

SECTION 107 INSPECTIONS AND TESTING

[A] **107.1 General.** The code official is authorized to conduct such inspections as are deemed necessary to determine compliance with the provisions of this code. Construction or work for which a permit is required shall be subject to inspection by the code official, and such construction or work shall remain accessible and exposed for inspection purposes until *approved*. Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the jurisdiction shall not be valid.

[A] **107.2 Required inspections and testing.** The code official, upon notification from the permit holder or the permit holder's agent, shall make the following inspections and other such inspections as necessary, and shall either release that portion of the construction or shall notify the permit holder or the permit holder's agent of violations that must be corrected. The holder of the permit shall be responsible for the scheduling of such inspections.

1. Underground inspection shall be made after trenches or ditches are excavated and bedded, piping installed, and before backfill is put in place. When excavated soil contains rocks, broken concrete, frozen chunks and other rubble that would damage or break the piping or cause corrosive action, clean backfill shall be on the job site.
2. Rough-in inspection shall be made after the roof, framing, fireblocking and bracing are in place and all ducting and other components to be concealed are complete, and prior to the installation of wall or ceiling membranes.
3. Final inspection shall be made upon completion of the mechanical system.

Exception: Ground-source heat pump loop systems tested in accordance with Section 1208.1.1 shall be permitted to be backfilled prior to inspection.

The requirements of this section shall not be considered to prohibit the operation of any heating *equipment* or appliances installed to replace existing heating *equipment* or appliances serving an occupied portion of a structure provided that a request for inspection of such heating *equipment* or appliances has been filed with the department not more than 48 hours after such replacement work is completed, and before any portion of such *equipment* or appliances is concealed by any permanent portion of the structure.

[A] **107.2.1 Other inspections.** In addition to the inspections specified above, the code official is authorized to make or require other inspections of any construction work to ascertain compliance with the provisions of this code and other laws that are enforced.

[A] **107.2.2 Inspection requests.** It shall be the duty of the holder of the permit or their duly authorized agent to notify the code official when work is ready for inspection. It shall be the duty of the permit holder to provide *access* to and means for inspections of such work that are required by this code.

[A] **107.2.3 Approval required.** Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the code official. The code official, upon notification, shall make the requested inspections and shall either indicate the portion of the construction that is satisfactory as completed, or notify the permit holder or his or her agent wherein the same fails to comply with this code. Any portions that do not comply shall be corrected and such portion shall not be covered or concealed until authorized by the code official.

[A] **107.2.4 Approved inspection agencies.** The code official is authorized to accept reports of *approved* agen-

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cies, provided that such agencies satisfy the requirements as to qualifications and reliability.

[A] 107.2.5 Evaluation and follow-up inspection services. Prior to the approval of a prefabricated construction assembly having concealed mechanical work and the issuance of a mechanical permit, the code official shall require the submittal of an evaluation report on each prefabricated construction assembly, indicating the complete details of the mechanical system, including a description of the system and its components, the basis upon which the system is being evaluated, test results and similar information, and other data as necessary for the code official to determine conformance to this code.

[A] 107.2.5.1 Evaluation service. The code official shall designate the evaluation service of an *approved* agency as the evaluation agency, and review such agency's evaluation report for adequacy and conformance to this code.

[A] 107.2.5.2 Follow-up inspection. Except where ready access is provided to mechanical systems, service *equipment* and accessories for complete inspection at the site without disassembly or dismantling, the code official shall conduct the in-plant inspections as frequently as necessary to ensure conformance to the *approved* evaluation report or shall designate an independent, *approved* inspection agency to conduct such inspections. The inspection agency shall furnish the code official with the follow-up inspection manual and a report of inspections upon request, and the mechanical system shall have an identifying label permanently affixed to the system indicating that factory inspections have been performed.

[A] 107.2.5.3 Test and inspection records. Required test and inspection records shall be available to the code official at all times during the fabrication of the mechanical system and the erection of the building; or such records as the code official designates shall be filed.

[A] 107.3 Testing. Mechanical systems shall be tested as required in this code and in accordance with Sections 107.3.1 through 107.3.3. Tests shall be made by the permit holder and observed by the code official.

[A] 107.3.1 New, altered, extended or repaired systems. New mechanical systems and parts of existing systems, which have been altered, extended, renovated or repaired, shall be tested as prescribed herein to disclose leaks and defects.

[A] 107.3.2 Apparatus, material and labor for tests. Apparatus, material and labor required for testing a mechanical system or part thereof shall be furnished by the permit holder.

[A] 107.3.3 Reinspection and testing. Where any work or installation does not pass an initial test or inspection, the necessary corrections shall be made so as to achieve compliance with this code. The work or installation shall then be resubmitted to the code official for inspection and testing.

[A] 107.4 Approval. After the prescribed tests and inspections indicate that the work complies in all respects with this code, a notice of approval shall be issued by the code official.

[A] 107.4.1 Revocation. The code official is authorized to, in writing, suspend or revoke a notice of approval issued under the provisions of this code wherever the notice is issued in error, on the basis of incorrect information supplied, or where it is determined that the building or structure, premise or portion thereof is in violation of any ordinance or regulation or any of the provisions of this code.

[A] 107.5 Temporary connection. The code official shall have the authority to authorize the temporary connection of a mechanical system to the sources of energy for the purpose of testing mechanical systems or for use under a temporary certificate of *occupancy*.

[A] 107.6 Connection of service utilities. No person shall make connections from a utility, source of energy, fuel or power to any building or system that is regulated by this code for which a permit is required, until authorized by the code official.

SECTION 108 VIOLATIONS

[A] 108.1 Unlawful acts. It shall be unlawful for a person, firm or corporation to erect, construct, alter, repair, remove, demolish or utilize a mechanical system, or cause same to be done, in conflict with or in violation of any of the provisions of this code.

[A] 108.2 Notice of violation. The code official shall serve a notice of violation or order to the person responsible for the erection, installation, *alteration*, extension, repair, removal or demolition of mechanical work in violation of the provisions of this code, or in violation of a detail statement or the *approved construction documents* thereunder, or in violation of a permit or certificate issued under the provisions of this code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

[A] 108.3 Prosecution of violation. If the notice of violation is not complied with promptly, the code official shall request the legal counsel of the jurisdiction to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful *occupancy* of the structure in violation of the provisions of this code or of the order or direction made pursuant thereto.

[A] 108.4 Violation penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair mechanical work in violation of the *approved construction documents* or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a [SPECIFY OFFENSE], punishable by a fine of not more than [AMOUNT] dollars or by imprisonment not exceeding [NUMBER OF DAYS], or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

[A] **108.5 Stop work orders.** Upon notice from the code official that mechanical work is being done contrary to the provisions of this code or in a dangerous or unsafe manner, such work shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's agent, or to the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work on the system after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable for a fine of not less than [AMOUNT] dollars or more than [AMOUNT] dollars.

[A] **108.6 Abatement of violation.** The imposition of the penalties herein prescribed shall not preclude the legal officer of the jurisdiction from instituting appropriate action to prevent unlawful construction or to restrain, correct or abate a violation, or to prevent illegal *occupancy* of a building, structure or premises, or to stop an illegal act, conduct, business or utilization of the mechanical system on or about any premises.

[A] **108.7 Unsafe mechanical systems.** A mechanical system that is unsafe, constitutes a fire or health hazard, or is otherwise dangerous to human life, as regulated by this code, is hereby declared as an unsafe mechanical system. Use of a mechanical system regulated by this code constituting a hazard to health, safety or welfare by reason of inadequate maintenance, dilapidation, fire hazard, disaster, damage or abandonment is hereby declared an unsafe use. Such unsafe *equipment* and appliances are hereby declared to be a public nuisance and shall be abated by repair, rehabilitation, demolition or removal.

[A] **108.7.1 Authority to condemn mechanical systems.** Whenever the code official determines that any mechanical system, or portion thereof, regulated by this code has become hazardous to life, health, property, or has become insanitary, the code official shall order in writing that such system either be removed or restored to a safe condition. A time limit for compliance with such order shall be specified in the written notice. A person shall not use or maintain a defective mechanical system after receiving such notice.

When such mechanical system is to be disconnected, written notice as prescribed in Section 108.2 shall be given. In cases of immediate danger to life or property, such disconnection shall be made immediately without such notice.

[A] **108.7.2 Authority to order disconnection of energy sources.** The code official shall have the authority to order disconnection of energy sources supplied to a building, structure or mechanical system regulated by this code, when it is determined that the mechanical system or any portion thereof has become hazardous or unsafe. Written notice of such order to disconnect service and the causes therefor shall be given within 24 hours to the owner and occupant of such building, structure or premises, provided, however, that in cases of immediate danger to life or prop-

erty, such disconnection shall be made immediately without such notice. Where energy sources are provided by a public utility, the code official shall immediately notify the serving utility in writing of the issuance of such order to disconnect.

[A] **108.7.3 Connection after order to disconnect.** A person shall not make energy source connections to mechanical systems regulated by this code which have been disconnected or ordered to be disconnected by the code official, or the use of which has been ordered to be discontinued by the code official until the code official authorizes the reconnection and use of such mechanical systems.

When a mechanical system is maintained in violation of this code, and in violation of a notice issued pursuant to the provisions of this section, the code official shall institute appropriate action to prevent, restrain, correct or abate the violation.

SECTION 109 MEANS OF APPEAL

[A] **109.1 Application for appeal.** A person shall have the right to appeal a decision of the code official to the board of appeals. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equally good or better form of construction is proposed. The application shall be filed on a form obtained from the code official within 20 days after the notice was served.

[A] **109.1.1 Limitation of authority.** The board of appeals shall have no authority relative to interpretation of the administration of this code nor shall such board be empowered to waive requirements of this code.

[A] **109.2 Membership of board.** The board of appeals shall consist of five members appointed by the chief appointing authority as follows: one for five years; one for four years; one for three years; one for two years; and one for one year. Thereafter, each new member shall serve for five years or until a successor has been appointed.

[A] **109.2.1 Qualifications.** The board of appeals shall consist of five individuals, one from each of the following professions or disciplines.

1. *Registered design professional* who is a registered architect; or a builder or superintendent of building construction with at least 10 years' experience, five of which shall have been in responsible charge of work.
2. *Registered design professional* with structural engineering or architectural experience.
3. *Registered design professional* with mechanical and plumbing engineering experience; or a mechanical contractor with at least 10 years' experience, five of which shall have been in responsible charge of work.

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4. *Registered design professional* with electrical engineering experience; or an electrical contractor with at least 10 years' experience, five of which shall have been in responsible charge of work.
5. *Registered design professional* with fire protection engineering experience; or a fire protection contractor with at least 10 years' experience, five of which shall have been in responsible charge of work.

[A] **109.2.2 Alternate members.** The chief appointing authority shall appoint two alternate members who shall be called by the board chairman to hear appeals during the absence or disqualification of a member. Alternate members shall possess the qualifications required for board membership and shall be appointed for five years, or until a successor has been appointed.

[A] **109.2.3 Chairman.** The board shall annually select one of its members to serve as chairman.

[A] **109.2.4 Disqualification of member.** A member shall not hear an appeal in which that member has a personal, professional or financial interest.

[A] **109.2.5 Secretary.** The chief administrative officer shall designate a qualified clerk to serve as secretary to the board. The secretary shall file a detailed record of all proceedings in the office of the chief administrative officer.

[A] **109.2.6 Compensation of members.** Compensation of members shall be determined by law.

[A] **109.3 Notice of meeting.** The board shall meet upon notice from the chairman, within ten days of the filing of an appeal, or at stated periodic meetings.

[A] **109.4 Open hearing.** All hearings before the board shall be open to the public. The appellant, the appellant's representative, the code official and any person whose interests are affected shall be given an opportunity to be heard.

[A] **109.4.1 Procedure.** The board shall adopt and make available to the public through the secretary procedures under which a hearing will be conducted. The procedures shall not require compliance with strict rules of evidence, but shall mandate that only relevant information be received.

[A] **109.5 Postponed hearing.** When five members are not present to hear an appeal, either the appellant or the appellant's representative shall have the right to request a postponement of the hearing.

[A] **109.6 Board decision.** The board shall modify or reverse the decision of the code official by a concurring vote of three members.

[A] **109.6.1 Resolution.** The decision of the board shall be by resolution. Certified copies shall be furnished to the appellant and to the code official.

[A] **109.6.2 Administration.** The code official shall take immediate action in accordance with the decision of the board.

[A] **109.7 Court review.** Any person, whether or not a previous party of the appeal, shall have the right to apply to the

appropriate court for a writ of certiorari to correct errors of law. Application for review shall be made in the manner and time required by law following the filing of the decision in the office of the chief administrative officer.

SECTION 110

TEMPORARY EQUIPMENT, SYSTEMS AND USES

[A] **110.1 General.** The code official is authorized to issue a permit for temporary *equipment*, systems and uses. Such permits shall be limited as to time of service, but shall not be permitted for more than 180 days. The code official is authorized to grant extensions for demonstrated cause.

[A] **110.2 Conformance.** Temporary *equipment*, systems and uses shall conform to the structural strength, fire safety, means of egress, accessibility, light, ventilation and sanitary requirements of this code as necessary to ensure the public health, safety and general welfare.

[A] **110.3 Temporary utilities.** The code official is authorized to give permission to temporarily supply utilities before an installation has been fully completed and the final certificate of completion has been issued. The part covered by the temporary certificate shall comply with the requirements specified for temporary lighting, heat or power in the code.

[A] **110.4 Termination of approval.** The code official is authorized to terminate such permit for temporary *equipment*, systems or uses and to order the temporary *equipment*, systems or uses to be discontinued.

CHAPTER 2

DEFINITIONS

SECTION 201 GENERAL

201.1 Scope. Unless otherwise expressly stated, the following words and terms shall, for the purposes of this code, have the meanings indicated in this chapter.

201.2 Interchangeability. Words used in the present tense include the future; words in the masculine gender include the feminine and neuter; the singular number includes the plural and the plural, the singular.

201.3 Terms defined in other codes. Where terms are not defined in this code and are defined in the *International Building Code*, *International Fire Code*, *International Fuel Gas Code* or the *International Plumbing Code*, such terms shall have meanings ascribed to them as in those codes.

201.4 Terms not defined. Where terms are not defined through the methods authorized by this section, such terms shall have ordinarily accepted meanings such as the context implies.

SECTION 202 GENERAL DEFINITIONS

ABRASIVE MATERIALS. Moderately abrasive particulate in high concentrations, and highly abrasive particulate in moderate and high concentrations, such as alumina, bauxite, iron silicate, sand and slag.

ABSORPTION SYSTEM. A refrigerating system in which refrigerant is pressurized by pumping a chemical solution of refrigerant in absorbent, and then separated by the addition of heat in a generator, condensed (to reject heat), expanded, evaporated (to provide refrigeration), and reabsorbed in an absorber to repeat the cycle; the system may be single or multiple effect, the latter using multiple stages or internally cascaded use of heat to improve efficiency.

ACCESS (TO). That which enables a device, *appliance* or *equipment* to be reached by ready access or by a means that first requires the removal or movement of a panel, door or similar obstruction [see also "Ready access (to)"].

AIR. All air supplied to mechanical *equipment* and appliances for *combustion*, ventilation, cooling, etc. Standard air is air at standard temperature and pressure, namely, 70°F (21°C) and 29.92 inches of mercury (101.3 kPa).

AIR CONDITIONING. The treatment of air so as to control simultaneously the temperature, humidity, cleanness and distribution of the air to meet the requirements of a conditioned space.

AIR-CONDITIONING SYSTEM. A system that consists of heat exchangers, blowers, filters, supply, exhaust and return ducts, and shall include any apparatus installed in connection therewith.

AIR DISPERSION SYSTEM. Any diffuser system designed to both convey air within a room, space or area and diffuse air into that space while operating under positive pressure. Systems are commonly constructed of, but not limited to, fabric or plastic film.

AIR DISTRIBUTION SYSTEM. Any system of ducts, plenums and air-handling *equipment* that circulates air within a space or spaces and includes systems made up of one or more air-handling units.

AIR, EXHAUST. Air being removed from any space, *appliance* or piece of *equipment* and conveyed directly to the atmosphere by means of openings or ducts.

AIR-HANDLING UNIT. A blower or fan used for the purpose of distributing supply air to a room, space or area.

AIR, MAKEUP. Air that is provided to replace air being exhausted.

[A] ALTERATION. A change in a mechanical system that involves an extension, addition or change to the arrangement, type or purpose of the original installation.

APPLIANCE. A device or apparatus that is manufactured and designed to utilize energy and for which this code provides specific requirements.

APPLIANCE, EXISTING. Any *appliance* regulated by this code which was legally installed prior to the effective date of this code, or for which a permit to install has been issued.

APPLIANCE TYPE.

High-heat appliance. Any *appliance* in which the products of *combustion* at the point of entrance to the flue under normal operating conditions have a temperature greater than 2,000°F (1093°C).

Low-heat appliance (residential appliance). Any *appliance* in which the products of *combustion* at the point of entrance to the flue under normal operating conditions have a temperature of 1,000°F (538°C) or less.

Medium-heat appliance. Any *appliance* in which the products of *combustion* at the point of entrance to the flue under normal operating conditions have a temperature of more than 1,000°F (538°C), but not greater than 2,000°F (1093°C).

APPLIANCE, VENTED. An *appliance* designed and installed in such a manner that all of the products of *combustion* are conveyed directly from the *appliance* to the outdoor atmosphere through an *approved chimney* or vent system.

[A] APPROVED. Acceptable to the code official or other authority having jurisdiction.

[A] APPROVED AGENCY. An established and recognized agency that is *approved* by the code official and regularly engaged in conducting tests or furnishing inspection services.