

Amendments and deletions to the 2009 Edition of the International Mechanical Code
Ordinance #12-023

B. By the amendments and deletions to Sections and Chapters of the International Mechanical Code as follows:

1. The deletion of Section 101.1, entitled Title.
2. The deletion of Section 101.3, entitled Intent.
3. The amendment of Section 102.8, entitled Referenced codes and standards, to read as follows:

102.8 Referenced codes and standards. The codes and standards referenced herein shall be those that are listed in Chapter 15 and such codes, when specifically adopted, and standards shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and the referenced standards, the provisions of this code shall apply. Whenever amendments have been adopted to the referenced codes and standards, each reference to said code and standard shall be considered to reference the amendments as well. Any reference to NFPA 70 or the ICC Electrical Code shall mean the Electrical Code as adopted.

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.

4. The amendment of Section 103.1, entitled General, to read as follows:
103.1 General. The executive official in charge of mechanical inspection shall be the Code Official, also known as the Building Official or Administrative Authority.
5. The amendment of Section 104.4, entitled Right of entry, to read as follows:

104.4 Right of entry. Whenever necessary to make an inspection to enforce any of the provisions of this Code, or whenever the Administrative Authority or their authorized representative has reasonable cause to believe that there exists in any building or upon any premises any condition or code violation which makes such building or premises unsafe, dangerous or hazardous, the Administrative Authority or their authorized representative may enter such building or premises at all reasonable times to inspect the same or to perform any duty imposed upon the Administrative Authority by this Code. If such building or premises be unoccupied, they shall first make a reasonable effort to locate the owner

or other persons having charge or control of the building or premises and request entry. If such entry is refused, or if no owner or other person having charge or control of the building or premises can be located, the Administrative Authority or their authorized representative shall obtain a warrant pursuant to the "Municipal Court" Chapter of the Code of the City of Arlington.

6. The amendment of Section 106.4, entitled Permit issuance, to read as follows:

106.4 Permit issuance. The application, plans, specifications, computations and other data filed by an applicant for permit shall be reviewed by the Administrative Authority. Such plans may be reviewed by other departments of this jurisdiction to verify compliance with applicable laws under their jurisdiction. If the Administrative Authority finds that the work described in an application for a permit and the plans, specifications and other data filed therewith conform to the requirements of this Code and other pertinent laws and ordinances and that the fees specified in Section 106.5 have been paid, they shall issue a permit therefore to the applicant. "Applicant" in this usage shall conform to the provisions of Sections 3.02 of the Mechanical Code of the City of Arlington.

EXCEPTION: The owner of a property may choose to contract with a Third Party Provider that is properly registered with the City for plan review. Plan reviews performed by Third Party Organizations are subject to the terms of the program as authorized by resolution of the City Council of the City of Arlington.

7. The amendment of Section 106.5, entitled Fees, to read as follows:

106.5 Fees and refunds.

106.5.1 Any person, firm or corporation desiring a permit as required by this Mechanical Code shall, at or before the time of permit issuance, pay a fee as specified in the fee structure as approved by the City Council of the City of Arlington by resolution and which may be amended from time to time by said City Council.

106.5.2 Any person who commences any work on a plumbing system before obtaining the necessary permits shall be subject to 100 percent of the usual permit fee in addition to the required permit fees.

106.5.3 Standards. The fee standards as set out in the Construction Chapter shall apply to calculations and fees.

106.5.4 Refund of a fee submitted for any administrative action under this Chapter shall be made in accordance with Section 4.12 of the "Construction" Chapter of said Code.

106.5.5 When the replacement of a contractor occurs during a project for which a permit has been issued pursuant to this Mechanical Code, the Administrative Authority may prorate the amount of the permit fee for the new contractor based on said Administrative Authority's determination of the percentage of work remaining.

106.5.6 When it is determined after a permit has been issued that the scope of work is to be significantly changed, the Administrative Authority may authorize and require that appropriate adjustments be effected to the permit fee. Any increase in the permit fee shall be paid prior to performing any part of such increased scope of work. Any decrease in the permit fee which is based on previously approved work which will not be performed as earlier defined may be refunded in the amount of fifty percent (50%) of the fee represented by the percentage of work not to be performed; provided, however, that determination of such percentage and specific authorization of such refund shall be issued by the Administrative Authority. Refunds, if made, shall be made to the original permittee in accordance with Article IV of the Construction Chapter.

8. The amendment of Section 107.2, entitled Required Inspections and testing., by numbering the existing exception and adding exception number two to read as follows:
 2. The owner of a property may choose to contract with a Third Party Provider that is properly registered with the City for inspections. Inspections performed by Third Party Organizations are subject to the terms of the program as authorized by resolution of the City Council of the City of Arlington.
9. The amendment of Section 107.3, entitled Testing., to read as follows:

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 may be observed by the code official.
10. The deletion of Section 108.3, entitled Prosecution of violation.
11. The amendment of Section 108.4, entitled Violation penalties, to read as follows:

108.4 Violation Penalties. It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use or maintain any mechanical systems or equipment or cause or permit the same to be done in violation of this Code.

A person convicted of violating any of the provisions of this Code shall be guilty of a misdemeanor and each day or portion thereof during which any such violation continues shall be a separate offense. Each offense shall be punishable by a fine of not more than \$2,000.00.

The issuing or granting of a permit or approval of plans and specifications by the City shall not be deemed or construed to be a permit for, or an approval of, any violation of any of the provisions of this Code or any other ordinance of the City. No permit presuming to give authority to violate or cancel the provisions of this Code, or any other ordinance of the City, shall be valid, except insofar as the work or use which is authorized is lawful.

The issuing or granting of a permit or approval of plans by the City shall not prevent the Administrative Authority from thereafter requiring the correction of errors in said plans and specifications or from preventing construction operations being carried on thereunder when in violation of this Code or of any other ordinance of the City, or from revoking any certificate of approval when issued in error.

12. The amendment of Section 108.5, entitled Stop work orders, to read as follows:

108.5 Stop work orders. Whenever any work is being done contrary to the provisions of this Code, the Building Official may order the work stopped by notice in writing served on any persons engaged in the doing or causing such work to be done. Any such person shall forthwith stop such work until:

- a. He or she is authorized by the Building Official to proceed with the work; or
- b. An appeal perfected pursuant to Section 2.05 has resulted in a waiver of the condition causing the stop order, or a finding that there is no cause for a stop order.

Failure to stop such work, in addition to penalties and remedies elsewhere set forth, shall void any appeal.

13. The amendment of Section 109 in its entirety, entitled Means of Appeal, to read as follows:

SECTION 109 BOARD OF APPEALS

109.1 **Board of Appeals.** The Mechanical and Plumbing Board of Appeals shall act as a Board of Appeals as provided in Article II of this Chapter.

14. The amendment of Section 202, entitled General Definitions, by the addition of the definitions of “Building Code”, “Existing Mechanical System”, and “Shall”, and the amendment of the definition of “Code Official”:

BUILDING CODE. The “Construction” Chapter of the Code of the City of Arlington, 1987, as amended.

CODE OFFICIAL. The officer or other designated authority charged with the administration and enforcement of this code, or a duly authorized representative. The Code Official is also the Building Official and Administrative Authority.

EXISTING MECHANICAL SYSTEM. Any system, apparatus or equipment that has been approved for operation within the City by the Administrative Authority prior to the adoption of this Code.

SHALL. As it applies to an act or duty to be performed by the Administrative Authority pursuant to any section of this Code, is discretionary. Its use in all other applications in this Code shall be mandatory.

15. The amendment of Section 306.3, entitled Appliances in attics, to read as follows:

306.3 Appliances in attics. Attics containing appliances requiring access shall be provided with an opening and unobstructed passageway large enough to allow removal of the largest appliance. The passageway shall not be less than 30 inches (762 mm) high and 22 inches (559 mm) wide and not more than 20 feet (6096 mm) in length measured along the centerline of the passageway from the opening to the appliance. The passageway shall have continuous solid flooring not less than 24 inches (610 mm) wide. A level service space not less than 30 inches (762 mm) deep and 30 inches (762 mm) wide shall be present at the front or service side of the appliance. The clear access opening dimensions shall be a minimum of 20 inches by 30 inches (508 mm by 762 mm), or larger where such dimensions are not large enough to allow removal of the largest appliance. As a minimum, access to the attic space shall be provided by one of the following:

1. A permanent stair.
2. A pull down stair with a minimum 300 lb (136 kg) capacity.
3. An access door from an upper floor level.

EXCEPTION: The passageway and level service space are not required where the appliance is capable of being serviced and removed through the required opening.

16. The amendment of Section 307.2.1, entitled Condensate disposal, to read as follows:

307.2.1 Condensate disposal. Condensate from all cooling coils and evaporators shall be conveyed from the drain pan outlet to a permanently wet p-trap. Condensate shall not discharge in a publicly exposed area such as into a street, alley, sidewalk or other areas so as to cause a nuisance.

EXCEPTIONS:

1. Condensate may discharge directly to a roof drain that connects to an underground storm sewer system,
 2. Condensate may discharge directly onto roofs covered with membrane type roof coverings where the condensate will drain to a roof drain that connects to an underground storm sewer system,
 3. Condensate may discharge to a landscaped area containing flowers and other bedding plants other than turf. There must be five square feet of landscaped area for each ton of refrigeration, or
 4. Condensate may discharge to a French drain consisting of a pit excavated below grade that is not less than 24 inches (610 mm) in any dimension. The pit shall be filled with coarse gravel and the drainpipe shall extend into the pit and be securely anchored. A single drain shall not receive the condensate discharge of more than 10 tons nominal of combined cooling capacity. The pit shall be covered with sod after inspection. The French drain shall not be located so that it will receive direct discharge from a roof or a downspout.
17. The amendment of Section 307.2.2, entitled Drain pipe materials and sizes, to read as follows:

307.2.2 Drain pipe materials and sizes. Components of the condensate disposal system shall be cast iron, galvanized steel, copper, cross-linked polyethylene, polybutylene, polyethylene, ABS, CPVC or PVC pipe or tubing. When piping is installed to be exposed to sunlight, the components of the condensate disposal system shall be cast iron, galvanized steel, copper, or schedule 80 PVC pipe or tubing. All components shall be selected for the pressure, temperature and exposure rating of the installation. Joints and connections shall be made in accordance with the applicable provisions of Chapter 7 of the International Plumbing Code relative to the material type. Condensate waste and drain line size shall be not less than ¾-inch (19 mm) internal diameter and shall not decrease in size from the drain pan connection to the place of condensate disposal. Where the drain pipes from more than one unit are manifolded together for condensate drainage, the pipe or tubing shall be sized in accordance with Table 307.2.2.

18. The amendment of Section 501.2, entitled Exhaust discharge, to read as follows:

501.2 Exhaust discharge. The air removed by every mechanical exhaust system shall be discharged outdoors at a point where it will not cause a nuisance and from which it cannot again be readily drawn in by a ventilating system. Air shall not be exhausted into an attic or crawl space.

EXCEPTIONS:

1. Whole-house ventilation-type attic fans that discharge into the attic space of dwelling units having private attics shall not be prohibited.
2. Commercial cooking recirculating systems.
3. Toilet room exhaust ducts may terminate in a warehouse or shop area when adequate infiltration of outside air is present.

19. The amendment of Section 504.6, entitled Domestic clothes dryer ducts, to read as follows:

504.6 Domestic clothes dryer ducts. Exhaust ducts for domestic clothes dryers shall conform to the requirements of Sections 504.6.1 through 504.6.7. The size of duct shall not be reduced along its developed length nor at the point of termination.

20. The deletion of Section 504.6.4.2 entitled Manufacturer's instructions., in its entirety.

21. The deletion of Section 504.6.5 entitled Length identification., in its entirety.
22. The deletion of the exception to Section 504.6.6 entitled Exhaust duct required., in its entirety.
23. The amendment of Section 507.16, entitled Performance test, to read as follows:

507.16 Performance test. A performance test shall be conducted upon completion and before final approval of the installation of a ventilation system serving commercial cooking appliances. The test shall verify the rate of exhaust airflow required by Section 507.13, makeup airflow required by Section 508 and proper operation as specified in this chapter. The permit holder shall furnish the necessary test equipment and devices required to perform the tests.

Prior to operation of the kitchen ventilation system, the fire extinguishing system shall be tested by an approved agency in the presence of the Administrative Authority. The fire extinguishing system may be approved by the Administrative Authority on the basis of the test results.

24. The amendment of Section 607.5.1, entitled Fire walls, to read as follows:

607.5.1 Fire walls. Ducts and air transfer openings permitted in fire walls in accordance with Section 705.11 of the International Building Code shall be protected with listed fire dampers installed in accordance with their listing. Hazardous ducts shall not penetrate a fire wall.