45-040 **ORDINANCE TO ADOPT A MECHANICAL CODE FOR THE CITY OF MOBILE, ALABAMA** **2015**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA AS FOLLOWS:

ARTICLE ONE: **Code and Appendices.** That, pursuant to Alabama Code Section 11-45-8 (1975), the 2012 Edition of the International Mechanical Code, along with the amendments to the same contained in this Ordinance, has been on file in the office of the City Clerk of the City of Mobile, Alabama, pursuant to a resolution adopted by the City Council of the City of Mobile, Alabama, on March 3, 2015, ~~2014,~~ is hereby adopted as the "Mechanical Code of the City of Mobile."

ARTICLE TWO: Published Ordinance. A copy of this Ordinance shall be published pursuant and according to law, after its adoption, but it shall not be necessary for the said 2012 International Mechanical Code to be published in a newspaper, nor shall the same be spread at length upon the minutes of this Council, but this Ordinance shall be recorded in said minutes.

ARTICLE THREE: Effective Date. The said 2012 International Mechanical Code shall be in full force and become effective sixty days after its adoption, and all ordinances heretofore adopted by the City of Mobile in conflict are hereby repealed.

ARTICLE FOUR: Contractors Criteria and Qualifications. For the purpose of this ordinance the term contractor will hereinafter refer to Mechanical Contractor as defined in SECTION 202 GENERAL DEFINITIONS. Criteria and qualifications for all contractors shall be set forth herein.

Mechanical Contractor's Responsibility. In addition to the requirements as set forth herein, all individuals, agents or business who install, alter or modify all or part of a heating, ventilation, air conditioning (HVAC), or refrigeration system shall furnish proof that they are licensed, registered and hold an active certification with the Alabama State Board of Heating, Air Conditioning and Refrigeration Contractors in accordance with all the statutory requirements of the State of Alabama and the City of Mobile.

Contractor License. It shall be the duty of every contractor who shall make contracts for the installation, alteration or repair of mechanical systems for which a permit is required, and every contractor making such contracts and subletting the same, or any part thereof, to pay a license tax as provided in the general license ordinance, and to register his/her name in a book provided for that purpose, with the Code Official, giving full name, residence, and place of business, and, in case of removal from one place to have made corresponding change in said register accordingly.

ARTICLE FIVE: Surety Bond. In addition as set herein, it shall be the duty of each builder, contractor and subcontractor to provide and have on file a current license and permit bond for $10,000 in accordance with the City of Mobile and State of Alabama requirements, based on Code of Alabama Section 34-31-28. The Bond is subject to the approval of the City of Mobile Legal Department and shall be provided by a surety company qualified to do business in the State of Alabama and from an agent thereof with an office in the City of Mobile.

Such bond shall ensure that the licensee complies with laws, ordinances and building regulations of the applicable governing body. The local governing body shall be indemnified and saved harmless from all claims arising from accidents and damage of any character whatsoever caused by the negligence of such person, firm, or corporation engaged in the mechanical business or by any other unfaithful, inadequate work done either by themselves or their agents or employees.

ARTICLE SIX: Criteria for Owner to Obtain Permits. For the purpose of this Code, an owner physically doing the work themselves may be issued a permit upon the mechanical official's satisfaction that the owner is competent to perform the work for which the permit is requested and completion of a Mechanical Affidavit. Any individual other than the owner doing the work on the property is considered a contractor and shall meet the requirements of a contractor as set forth herein.

ARTICLE SEVEN: Vehicular Signs. All trucks and similar vehicles used by mechanical contractors shall have signs on both sides of the body, including the full name, telephone number of the firm and the State of Alabama HVAC & Refrigeration Certification numbers. Lettering may be any color in contrast to the color of the body, but letters identifying the firm's name must be at least 1 ½ inches high.

ARTICLE EIGHT: CHAPTER 1 SCOPE AND ADMINISTRATION of the 2012 International Mechanical Code shall be amended as follows:

Amend SECTION 101 General to read as follows:

Amend Paragraph 101.1 to read as follows:
101.1 Title. These regulations shall be known as the Mechanical Code of City of Mobile, Alabama, hereinafter referred to as "this Code."

Amend Paragraph 101.2 to read as follows:
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 in herein.

Amend SECTION 102 APPLICABILITY to read as follows.

Amend Paragraph 102.12 to read as follows:
102.12 Energy Conservation. Where referenced, the International Energy Conservation Code shall be the energy code adopted and enforced by the State of Alabama.

Amend SECTION 106 PERMITS to read as follows:

Amend Paragraph 106.5.2 to read as follows:
106.5.2 Fee Schedule. On all mechanical installations requiring a mechanical permit, a fee for each mechanical permit shall be paid as required at the time of application, in accordance with the "Building Codes Permit Fee Schedule Ordinance" as adopted in a separate ordinance.

Amend Paragraph 106.5.3 to read as follows:

106.5.3 Fee Refunds. Mechanical permit refunds shall be issued in accordance with the policies of the "Building Codes Permit Fee Schedule Ordinance" as adopted in a separate ordinance.

Amend SECTION 108 VIOLATIONS to read as follows:

Amend Paragraph 108.4 to read as follows:

108.4 Violation penalties.

a) 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, repair or conduct any 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 prosecuted in accordance with Chapter 1 of the Mobile City Code. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

b) Violation of the provisions of the 2012 International Mechanical Code (IMC) shall be subject to $250.00 unless otherwise listed below:

1. Working without proper license and certifications	$500.00
2. Signage on all vehicles used by contractor	$100.00
3. Interference with a Code Official	$100.00

Amend SECTION 109 MEANS OF APPEAL to read as follows:

Delete Paragraphs 109.1 through 109.7

Add new Paragraph 109.1 Construction Board of Appeals to read as follows:
109.1 BOARD OF APPEALS. The Board of Appeals, herein called the Construction Board of Appeals, shall be in accordance with the applicable sections of the International Building Code and the Ordinance Adopting the International Building Code which is adopted by separate ordinance.

ARTICLE NINE: CHAPTER 2 DEFINITIONS of the 2012 International Mechanical Code shall be amended to read as follows:

Amend SECTION 202 GENERAL DEFINITIONS to read as follows:

Add the following definitions:

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.

FLOOD HAZARD AREA. The area designated as a flood hazard area in accordance with the "Storm Water Management and Flood Control Ordinance" adopted and administered by the City of Mobile's Engineering Department.

HISTORIC BUILDING. Any building or structure that is listed in the Alabama Register of Landmarks and Heritage or in the National Register of Historic Places; designated as a historic property under local or state designation; certified as a contributing resource within a National Register listed or locally

designated historic district; or with an opinion or certification that the property is eligible to be listed in the Alabama Register or the National Register of Historic Places either individually or as a contributing building to a historic district by the State Historic Preservation Officer or the Keeper of the National Register of Historic Places.

MECHANICAL CONTRACTOR. Any individual or business licensed, registered and holding an active certification with the Alabama State Board of Heating, Air Conditioning and Refrigeration Contractors, in accordance with all the statutory requirements of the State of Alabama and the City of Mobile.

ARTICLE TEN: CHAPTER 3 GENERAL REGULATIONS of the 2012 International Mechanical Code shall be amended to read as follows:

Amend SECTION 301 GENERAL to read as follows:

Delete Paragraph 301.6 Fuel gas appliances and equipment in its entirety.

Amend SECTION 306 ACCESS AND SERVICE SPACE to read as follows:

Amend Paragraph 306.3 to read as follows.
306.3 Appliances in attics. Attics containing appliances 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 20 inches by 30 inches (508 mm by 762 mm), and large enough to allow removal of the largest *Appliance.*

Exceptions:
1. The passageway and level service space are not required where the *appliance* is capable of being serviced and removed through the required opening.
2. Where the passageway is unobstructed and not less than 6 feet (1829mm) high and 22 inches (559 mm) wide for its entire length, the passageway shall not be greater than 50 feet (15250mm) in length.

Amend Paragraph 306.4 to read as follows.
306.4 Appliances under floors. Under floor spaces containing appliances shall be provided with an access opening and unobstructed passageway large enough to remove the largest *appliance.* The passageway shall not be less than 30 inches (762 mm) high and 22 inches (559 mm) wide, nor more than 20 feet (6096 mm) in length measured along a centerline of the passageway from the opening to the *appliance* .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 or the *appliance* .If the depth of the passageway or service space exceeds 12 inches (305 mm) below the adjoining grade, the walls of the passageway shall be lined with concrete or masonry. Such concrete or masonry shall extend a minimum of 4 inches (102 mm) above the adjoining grade and shall have sufficient lateral- bearing capacity to resist collapse. The clear

access opening dimensions shall be a minimum of 22 inches by 30 inches (559 mm by 762 mm), and large enough to allow removal of the largest *appliance.*

Exceptions:

1. The passageway is not required where the level service space is present when the access is open and the *appliance* is capable of being serviced and removed through the required opening.

2. Where the passageway is unobstructed and not less than 6 feet (1829mm) high and 22 inches (559mm) wide for its entire length, the passageway shall not be limited in length.

Amend SECTION 307 CONDENSATE DISPOSAL to read as follows:

Amend Paragraph 307.2.1 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 an approved place of disposal. Such piping shall maintain a minimum horizontal slope in the direction of discharge of not less than one-eight unit vertical in 12 units horizontal (1-percent slope); condensate shall not discharge into a street, alley or other areas so as to cause a nuisance. If connected to a sanitary sewer the connection must be in compliance with the 2012 International Plumbing Code.

Amend Paragraph 307.2.2.1 to read as follows.
307.2.2.1 Condensate Drain Line Insulation. Condensate drain lines shall be insulated to a 3/8" minimum thickness for the first six feet.

Amend Paragraph 307.2.3 to read as follows:
307.2.3 Auxiliary and secondary drain systems. In addition to the requirements of Section 307.2.1 where damage to any building components could occur as a result of overflow from the *equipment* primary condensate removal system, the following auxiliary protection method shall be provided for each cooling coil or fuel-fired *appliance* that produces condensate:

Delete options 2, 3 and 4 in their entirety.

1. An auxiliary drain pan with a separate drain shall be provided under the coils on which condensation will occur. The auxiliary pan drain shall discharge to a conspicuous point of disposal to alert occupants in the event of a stoppage of the primary drain. The pan shall have a minimum depth of 1 ½ inches (38mm), shall not be less than 3 inches (76mm) larger than the unit or the coil dimensions in width and length and shall be constructed of corrosion-resistant material. Galvanized sheet steel pans shall have a minimum thickness of not less than 0.0236 inch (0.6010) (No. 24 gage). Nonmetallic pans shall have a minimum thickness of not less than 0.0625 inch (1.6mm).

Exceptions: Fuel-fired appliances that automatically shut down operation the event of a stoppage in the condensate drainage system.

ARTICLE ELEVEN: **CHAPTER 5 EXHAUST SYSTEMS** of the 2012 International Mechanical Code shall be amended to read as follows:

Amend SECTION 501 GENERAL to read as follows:

Amend Paragraph 501.3 to read as follows:
501.3 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 not less than the distances specified in Section 501.3.1 the air shall be discharged to a location 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:

Delete EXCEPTION 1, in its entirety.

Amend EXCEPTION 2, to read as follows:
1. Commercial cooking recirculating systems.

Amend SECTION 504 CLOTHES DRYER EXHAUST to read as follows:

Amend Paragraph 504.1 to read as follows:
504.1 Installation. Clothes dryers shall be exhausted in accordance with the manufacturer's instructions. Dryer exhaust systems shall be independent of all other systems and shall convey the moisture and any products of combustion to the outside of the building.

Delete the Exception in its entirety.

Amend Paragraph 504.6.4.2 to read as follows:

Delete Paragraph 504.6.4.2 Manufacturer's instruction in its entirety.

ARTICLE TWELVE: **CHAPTER 6 DUCT SYSTEMS** of the 2012 International Mechanical Code shall be amended to read as follows:

Amend SECTION 603 DUCT CONSTRUCTION AND INSTALLATION to read as follows:

Amend Paragraph 603.5.1 to read as follows:
603.5.1 Gypsum ducts. The use of gypsum boards to form air shafts (ducts) shall be limited to return air systems where the air temperature does not exceed 125°F (52°C) and the gypsum board surface temperatures is maintained above the air stream dew-point temperature. Air Ducts formed to gypsum boards shall not be incorporated in air-handling systems utilizing evaporative coolers. Gypsum ducts must be sealed to prevent air leakage.

ARTICLE THIRTEEN: **CHAPTER 7 COMBUSTION AIR** of the 2012 International Mechanical Code shall be amended to read as follows:

Amend SECTION 701 COMBUSTION AIR to read as follows:

Amend Paragraph 701.1 to read as follows:

701.1 Scope. Solid fuel-burning *appliances* shall be provided with *combustion air* in accordance with the appliance manufacturer's installation instructions. Oil-fired *appliances* shall be provided with *combustion air* in accordance with NFPA 31. The methods of providing *combustion* air in this chapter do not apply to fireplaces, fireplace stoves and direct-vent appliances. The requirement for combustion and dilution air for gas-fired appliances shall be in accordance with the appliance manufacturer's installation instructions.

ARTICLE FOURTEEN: CHAPTER 8 CHIMNEYS AND VENTS of the 2012 International Mechanical Code shall be amended to read as follows:

Amend SECTION 801 GENERAL to read as follows:

Amend Paragraph 801.1 as follows:

801.1 Scope. This chapter shall govern the installation, maintenance, repair and approval of factory-built chimneys, chimney liners, vents and connectors. This chapter shall also govern the utilization of masonry chimneys. Gas-fired appliances shall be vented in accordance with the appliance manufacturer's installation instruction.

ARTICLE FIFTEEN: CHAPTER 9 SPECIFIC APPLIANCES, FIREPLACES AND SOLID FUEL-BURNING EQUIPMENT of the 2012 International Mechanical Code shall be amended to read as follows:

Amend SECTION 901 GENERAL to read as follows:

Amend Paragraph 901.1 to read as follows:
901.1 Scope. This chapter shall govern the approval, design, installation, construction, maintenance, *alteration* and repair of the appliances and *equipment* specifically identified herein as factory-built fireplaces. The approval, design, installation, construction, maintenances, *alteration* and repair of gas-fired appliances shall be regulated by this Code.

Amend SECTION 906 FACTORY-BUILT BARBECUE APPLIANCES to read as follows:

Amend Paragraph 906.1 to read as follows:
906.1 General. Factory-built barbecue shall be of an *approved* type and shall be installed in accordance with the manufacturer's installation instructions and this chapter.

ARTICLE SIXTEEN: SEPARATION CLAUSE. If any 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. The City Council of the City of Mobile hereby declares that it would have passed this Code and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences or phrases be declared unconstitutional.

Adopted: MAR 3 1 2015

City Clerk