

**AN ORDINANCE TO ADOPT A MECHANICAL CODE
FOR THE CITY OF MOBILE, ALABAMA**

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

SECTION ONE: Code and Appendices. That, pursuant to Alabama Code Section 11-45-8 (1975), the 2009 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 January 18, 2011, is hereby adopted as the “Mechanical Code of the City of Mobile.”

SECTION 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 2009 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.

SECTION THREE: Effective Date. The said 2009 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sixty days after its adoption, and all ordinances heretofore adopted by the City of Mobile in conflict are hereby repealed.

SECTION FOUR: Contractors Criteria and Qualifications. 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 businesses 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 of mechanical systems for which a permit is required, and every contractor making such contracts and sub-letting 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 another to have made corresponding change in said register accordingly.

SECTION FIVE: Surety Bond. In addition to the requirements as set forth herein, it shall be the duty of every builder, contractor and sub-contractor 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. 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 insure 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 plumbing business or by any other unfaithful, inadequate work done either by themselves or their agents or employees.

SECTION 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 Code 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.

SECTION 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, address, and telephone number of the firm to which it belongs. Lettering may be any color in contrast to the color of the body, but letters identifying the firms name must be at least 1 1/2 inches high.

SECTION EIGHT: Chapter 1 of the 2009 International Mechanical Code shall be amended as follows:

Amend SECTION 101 GENERAL as follows:

101.1 Title. These regulations shall be known as the Mechanical Code of the City of Mobile, Alabama, hereinafter referred to as "this code."

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.

Amend SECTION 102 APPLICABILITY as follows:

Amend SECTION 102 as follows: Add 102.12 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 as follows:

106.5 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 to the fee schedule adopted by separate ordinance.

Amend SECTION 108 VIOLATIONS 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 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 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 2009 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 as follows:

Delete articles 109.1 through 109.7.

Add new article 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 which is adopted by separate ordinance.

SECTION NINE: Chapter 2 of the 2009 International Mechanical Code shall be amended to read as follows:

SECTION 202 GENERAL DEFINITIONS. Add the following:

FLOOD HAZARD AREA. The area designated as a flood hazard area in accordance with the Storm Water 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.

SECTION TEN: Chapter 3 of the 2009 International Mechanical Code shall be amended to read as follows:

Amend SECTION 301 GENERAL as follows:

Delete 301.3 Fuel gas appliances and equipment.-in its entirety.

Amend SECTION 306 ACCESS AND SERVICE SPACE as follows:

306.3 Appliances in attics.

Exceptions:

2. Where the passageway is unobstructed and not less than 6 feet (1829 mm) high and 28 inches (711 mm) wide for its entire length, the passageway shall be not greater than 50 feet (15 250 mm) in length.

306.4 Appliances under floors.

Exceptions:

2. Where the passageway is unobstructed and not less than 6 feet (1829 mm) high and 28 inches (711 mm) wide for its entire length, the passageway shall not be limited in length.

Amend SECTION 307 CONDENSATE DISPOSAL as follows:

Add:

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.

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, one of the following auxiliary protection methods shall be provided for each cooling coil or fuel-fired *appliance* that produces condensate:

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 1/2 inches (38 mm), shall not be less than 3 inches (76 mm) 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 mm) (No. 24 gage). Nonmetallic pans shall have a minimum thickness of not less than 0.0625 inch (1.6 mm).

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

SECTION ELEVEN: Chapter 5 of the 2009 International Mechanical Code shall be amended to read as follows:

Amend SECTION 501 GENERAL 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 not less than the distances specified in Section 501.2.1. 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:

- ~~1. Whole house ventilation type attic fans that discharge into the attic space of dwelling units having private attics shall not be prohibited. Restroom exhaust fans may be permitted to discharge into attic space of residences having private attics.~~
2. 1. Commercial cooking recirculating systems.

Amend SECTION 504 CLOTHES DRYER EXHAUST 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.

Delete 504.6.4.2 Manufacturer's instructions in its entirety.

SECTION TWELVE: Chapter 6 of the 2009 International Mechanical Code shall be amended to read as follows:

Amend SECTION 603 DUCT CONSTRUCTION AND INSTALLATION 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 temperatures do not exceed 125EF (52EC) and the gypsum board surface temperature is maintained above the air stream dew-point temperature. Air ducts formed by gypsum boards shall not be incorporated in air-handling systems utilizing evaporative coolers. Gypsum ducts must be sealed to prevent air leakage.

SECTION THIRTEEN: Chapter 7 of the 2009 International Mechanical Code shall be amended to read as follows:

Amend SECTION 701 COMBUSTION AIR 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 requirements for combustion and dilution air for gas-fired appliances shall be in accordance with the appliance manufacturer's installation instructions.

SECTION FOURTEEN: Chapter 8 of the 2009 International Mechanical Code shall be amended to read as follows:

Amend SECTION 801 GENERAL 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 instructions.

SECTION FIFTEEN: Chapter 9 of the 2009 International Mechanical Code shall be amended to read as follows:

Amend SECTION 901 GENERAL 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 and factory-built fireplaces. The approval, design, installation, construction, maintenance, *alteration* and repair of gas-fired appliances shall be regulated by this code.

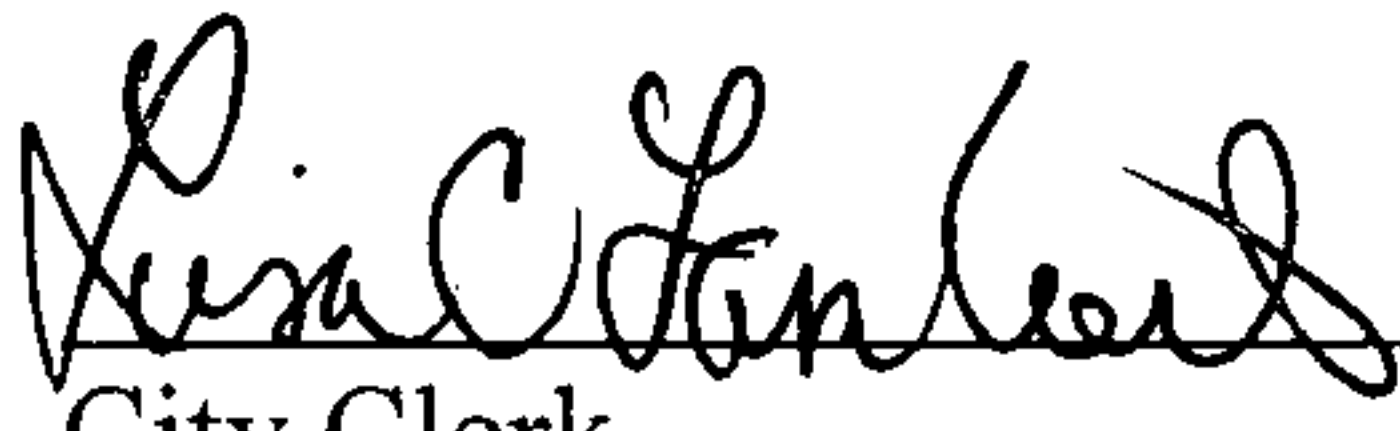
Amend SECTION 906 FACTORY-BUILT BARBECUE APPLIANCES as follows:

906.1 General. Factory-built barbecue appliances shall be of an *approved* type and shall be installed in accordance with the manufacturer's installation instructions and this chapter.

SECTION SIXTEEN: SEPARATION CLAUSE

If any section, sub-section, 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 phase thereof, irrespective of the fact that any one or more sections, subsections, sentences or phrases be declared unconstitutional.

Adopted: JAN 18 2011



City Clerk