

ARTICLE 11. MECHANICAL CODE

5-1101 **MECHANICAL CODE INCORPORATED.**

There is hereby adopted by the City of Lawrence, Kansas, that certain Code and Standards known as the Uniform Mechanical Code, 1997 Edition, published by the International Conference of Building Officials, and the whole thereof including Appendix A, save and except such portions as are hereinafter deleted; modified or amended, and the same are hereby referred to, adopted and made a part hereof as if set out at length herein. (Ord. 7118)

5-1102 **OFFICIAL COPY.**

Not less than three (3) copies of the said Uniform Mechanical Code, 1997 Edition, marked or stamped in the manner provided by K.S.A. 12-3010, with all sections or portions thereof intended to be omitted clearly marked and showing portions that are amended and to which shall be attached a copy of the amendments, shall be filed with the City Clerk and shall be open to inspection and available to the public at reasonable business hours. Official copies of such Code shall be supplied at the cost of the City to the officials and agencies in the manner listed and set forth in K.S.A. 12-3010. Subsequent references to the "Uniform Code" or "Standard Code" shall mean to "Uniform Mechanical Code, 1997 Edition" as adopted herein. (Ord. 7118)

5-1103 **AMENDMENTS TO CODE.**

The Uniform Code is hereby amended to read as follows: (Ord. 7118)

5-1103.1 **BOARD OF APPEALS.** Section 110 is hereby amended to read as follows:

110.1 General. In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretations of this Code, there shall be and is hereby created a Board of Appeals consisting of five (5) members. Board members shall be either a City of Lawrence resident or a Douglas County resident who is an employee of, or owns, a business within the City of Lawrence. One member shall be neither employed in work regulated by the Mechanical Code nor an employee of the City. The remaining four (4) members of the Board shall be qualified by experience and training to pass upon matters pertaining to mechanical design, construction and maintenance and the public health aspects of mechanical systems and who are not employees of the City. The building official, or his designee, shall be an ex-officio member and shall act as secretary to said Board, but shall have no vote upon any matter before the Board. The Board of Appeals shall be appointed by the Mayor and approved by the City Commission and shall hold office at his/her pleasure. The Board shall adopt reasonable rules and regulations for conducting its investigations and shall render all decisions and findings in writing to the building official with a duplicate copy to the appellant. Any decision of the Board may be appealed to the City Commission. The appellant must file a written appeal to the City Commission, with the City Clerk, within ten (10) days of the Board's decision. The Board of Appeals may recommend to the City Commission such new legislation as is consistent with the intent of this article. The Board shall elect or re-elect a chairman and a vice-chairman from the membership with the said election to occur annually each December.

110.2 Rules, Meetings and Records. The Board may adopt rules to govern its proceedings in accordance with the provisions of this article.

- (1) Meetings of the Board shall be held at least once a month or may be held at the call of the chairman and at such other times as the Board may determine. All hearings before the Board shall be open to the public.
- (2) The Board shall keep minutes of its proceedings, showing the vote of each member upon every question and/or if absent or failing to vote, indicate such facts.
- (3) The Board shall keep records of hearings, examinations and other action. Such minutes and such records shall be public records.

110.3 Appeals. Any person whose application for a building permit for the use of an alternate material or type of construction has been refused by the building official or who may consider that the provisions of this Code do not cover the point raised, or that any particular provisions would cause a manifest injury to be done, may appeal to the Board of Appeals by serving written notice on the building official in which it shall be stated that the applicant desiring to use the alternate materials or types of construction shall guarantee payments of all expenses for necessary test made or ordered by the Board of Appeals. Such notice shall be at once transmitted to the Board, which Board shall arrange a hearing on the particular point raised. The Board shall meet upon notice of the chairman within 21 days of the filing of an appeal. It shall be the responsibility of the applicant to notify other interested parties they would like present at the meeting.

110.4 Authority of Board. The Board of Appeals shall interpret the provisions of this Code to cover a special case, if it appears that the provisions of this Code do not definitely cover the point raised or that a manifest injustice might be done: Provided, that every such decision shall be by the concurring vote of three (3) members of the Board. The decision on the use of alternate materials and types of construction shall be a majority vote and if not permitted by this Code shall become effective only when authorized by an amendment to this Code.

5-1103.2

Section 112 is hereby amended to read as follows:

112.1 Permits Required. Except as exempted in Section 112.2, a mechanical system regulated by this Code shall not be installed, altered, replaced, or remodeled unless a separate mechanical permit for each separate building or structure has first been obtained from the building official.

112.2 Exempt Work. A mechanical permit shall not be required for the following:

1. A portable heating appliance, portable ventilating equipment, portable cooling unit or portable evaporative cooler.
2. A closed system of steam, hot or chilled water piping within heating or cooling equipment regulated by this Code.
3. Replacement of any component part or assembly of an appliance which does not alter its original approval and complies with other applicable requirements of this Code. A part or assembly shall include compressor units for refrigeration equipment.
4. Refrigerating equipment which is part of the equipment for which a permit has been issued pursuant to the requirements of this Code.

A unit refrigerating system.

6. Mechanical service work.

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.

5-1103.3

Section 113 is hereby amended to read as follows:

113.1 Application. To obtain a permit, the applicant shall first file an application therefor in writing on a form furnished by the Code enforcement agency for that purpose. Unless this Article exempts the applicant from licensure requirements for the proposed work, application shall be made by a licensed Mechanical Contractor or his designated agent/representative. The Mechanical Contractor must possess a valid, Mechanical Contractors license, issued by the City of Lawrence. Every such application shall:

1. Identify and describe the work to be covered by the permit for which application is made.

2. Describe the land on which the proposed work is to be done by legal description, street address or similar description that will readily identify and definitely locate the proposed building or work.
3. Indicate the use or occupancy for which the proposed work is intended.
4. Be accompanied by plans, diagrams, computations and specifications and other data as required in Section 113.2 of this section.
5. Be signed by the applicant or an authorized agent of the applicant.
6. Give such other data and information as may be required by the building official.

5-1103.4 Section 118 is hereby enacted to read as follows:

118.1 License Required.

1. Any person engaged in the business of contracting to install, repair, replace, alter, or remodel any mechanical system or portion thereof must possess a valid City of Lawrence Mechanical Contractors license.
2. Any person who installs, replaces, alters, or remodels any mechanical system or portion thereof must possess a valid City of Lawrence Mechanical Master or Mechanical Journeyman license. For the work of a Mechanical Residential Journeyman as defined in Section 118.3, a license shall be required. For the work of a Mechanical Fireplace Journeyman as defined in Section 118.3, a license shall be required. For the work of a Sheet Metal Journeyman as defined in section 118.3, a license shall be required. It shall be deemed allowable for an individual who is not licensed to perform the work under the direct supervision of a mechanical licensee.

118.2 License Not Required.

1. A license is not required for work that is performed by the owner occupant of a property whose use is restricted to a single-family residence. The owner occupant shall agree to procure all of the required permits, conform to all of the applicable building Codes and ordinances, request all of the required inspections at the proper intervals and provide all the corrections as deemed necessary by the building official.
2. A license is not required for work that is performed by the owner, on behalf of the owner or the occupant of a business, multi-family dwelling complex, industrial, manufacturing, institutional, or governmental facility and the work involves service work to the mechanical system(s) and/or equipment which are part of such facilities.

118.3 License Requirements. A person, firm or corporation shall comply with all of the license requirements, to the satisfaction of the building official, prior to the issuance of a mechanical license. Only those certification examinations recognized by the State of Kansas, as defined in K.S.A. 12-1543-43 will be accepted by the City of Lawrence. Work experience shall be verified by previous employers on forms provided by the Division of Building Inspection. Graduation or certification from an accredited college or vocational training institution in curriculum related to the installation and design of mechanical systems shall be accepted as additional substantiation of experience.

1. A licensed Mechanical Contractor shall be a licensed Master or have as his or her employee a licensed Master on a full-time employment basis. Before the issuance of a contractor's license, the applicant shall submit the address of his place of business, business telephone number, the name of the designated master and other information as may be required on forms provided by the Codes Enforcement Division and shall pay all relevant fees. The contractor shall be ultimately responsible for the work completed under the auspices of a mechanical permit. Each licensed Mechanical Contractor shall provide proof of broad-form comprehensive, commercial general

liability insurance, including independent contractor's coverage and product/completed operations in the amount of \$300,000.00 per occurrence. Each contractor shall possess worker's compensation insurance as required by the laws of the State of Kansas. The required insurance shall be in effect for the duration of the contractor's license. The contractor shall provide the City of Lawrence with a Certificate of Insurance and shall name the City of Lawrence as the holder. Failure to renew the policy or cancellation of the policy shall be cause for immediate revocation of the contractor's license. If the contractor renews his required insurance, he may obtain a new contractor's license by providing evidence of current insurance coverage and remitting the license fee.

It shall be unlawful for any person, firm or corporation to conduct, carry on or engage in the business of mechanical contracting without first obtaining a City of Lawrence contractor's license.

2. **Mechanical Master.** A licensed Mechanical Master shall have a minimum of six (6) years of experience working in the trade of mechanical contracting or a minimum of three (3) years experience as a licensed Mechanical Journeyman within the trade and shall pass the master's certification examination or possess a mechanical license issued on the basis of having passed an approved certification examination. A Mechanical Master license holder shall be responsible for and supervise all the work activity and assure compliance with all of the applicable Codes and ordinances adopted by the City of Lawrence. In addition, the designated Mechanical Master must have direct contact with the job site.
3. **Mechanical Journeyman.** A licensed journeyman shall have a minimum of three (3) years experience working within the trade and shall have passed the Mechanical Journeyman's certification examination or possess a journeyman's license based on having passed an approved certification examination.
4. **Mechanical Fireplace Journeyman.** A Mechanical Fireplace Journeyman shall have a minimum three (3) years experience working in the mechanical trade installing factory built fireplaces systems and have passed an approved fireplace certification examination or possess a license based on having passed an approved certification examination. Only those examinations developed by an independent nationally recognized testing, or educational institution, and approved by the Codes Enforcement Manager will be accepted by the City of Lawrence. Mechanical Fireplace Journeyman licensee work shall be limited to installation, service, and maintenance of factory-built fireplace systems.
5. **Mechanical Residential Journeyman.** A Mechanical Residential Journeyman shall have a minimum of three (3) years experience working in the mechanical trade, and shall pass the Mechanical Residential Journeyman certification examination or possess a Mechanical Residential Journeymen license based on having passed an approved certification examination. Mechanical Residential Journeyman licensee work shall be limited to work on one, two, and three family dwellings.

Sheet Metal Journeyman. A Sheet Metal Journeyman shall have a minimum of (3) three years experience working within the trade, and shall pass the Sheet Metal Journeyman certification examination or possess a Sheet Metal Journeyman license based on having passed an approved certification examination. Sheet Metal Journeyman licensee shall be limited to the installation, fabrication, alteration, extension or repair of sheet metal work while employed by a licensed mechanical contractor.

118.4 License terms. The term of all licenses issued by the Division of Building Inspection shall expire on December 31 of each year unless the license is suspended, revoked, or canceled. All valid licenses except for those which have been suspended, revoked, or

canceled, may be renewed from year to year if payment of the required renewal fee shown herein is received before December 31 of such year.

Grace Period. A license not renewed by December 31 may be renewed unless suspended, revoked, or canceled, if done so by the end of the last regular business day of January of the New Year. The fee for renewal during the "Grace Period" shall be doubled. All licenses not renewed during this grace period shall become null and void and shall be of inactive status.

TABLE NO. 3-A. 1-A Mechanical permit fees is amended to read as follows:

SCHEDULE OF LICENSE FEES

118.5 Fees of Origination license.

Mechanical Contractor	\$200.00 (Includes Shop Masters License)
Mechanical Master	\$20.00
Mechanical Journeyman	\$20.00
Mechanical Fireplace Journeyman	\$20.00
Mechanical Residential Journeyman	\$20.00
Mechanical Sheet Metal Journeyman	\$20.00

118.6 Fees for renewal of license.

Mechanical Contractor	\$50.00 (Includes Shop Masters License)
Mechanical Master	\$10.00
Mechanical Journeyman	\$10.00
Mechanical Fireplace Journeyman	\$10.00
Mechanical Residential Journeyman	\$10.00
Mechanical Sheet Metal Journeyman	\$10.00

5-1103.5 Section 206 is amended to include the following definition:

Direct supervision –means a licensed person shall be in the vicinity of a non-licensed person for the purpose of giving information, direction, and demonstration while doing work that requires a license. Further, a non-licensed person shall have knowledge of the whereabouts of the supervising licensed person and shall prove his or her knowledge of such upon request of the administrative authority. Vicinity shall mean surrounding area, such as a row of houses on a construction project.

5-1103.6 Section 212 is amended to include the following definition:

Journeyman - is an individual who holds a license pursuant to this article evidencing such person to be qualified to design, install, maintain, service or repair the areas of his expertise. A journeyman is responsible for the activities of any apprentice or helper non-licensed workers assigned to labor under his supervision.

5-1103.7 Section 215 is amended to include the following definitions:

Master - is an individual who holds a license issued pursuant to this article evidencing such person to be qualified to control and have authority of all technical work performed under the authority of the contractor's enterprise. This will include but is not limited to the assurance of quality control and is responsible for compliance with all the applicable Codes, ordinances and regulations.

Mechanical Board - the governing body assembled to address matters concerning the Uniform Mechanical Code. This is to include reviewing license applications and reviewing licenses for revocation or suspensions.

Mechanical Contractor - a person, firm or corporation that engages in the business of installing or servicing mechanical systems governed by the Uniform Mechanical Code.

Mechanical Service - work which involves the repair, replacement, alteration, modification, relocation, remodel or maintenance of component parts and assemblies of a mechanical system or of mechanical equipment. Component parts and assemblies include, but is not limited to valves, thermostats, transformers, pilot assemblies, burner assemblies, safety controls, gauges, electrical relays, capacitors, resistors and other similar devices.

5-1103.8

Unlawful Acts.

It shall be unlawful for any person to do any of the following:

- (a) To perform or cause to perform any work that requires a permit without first securing the appropriate permit
- (b) For a person or persons through negligence or indifference to knowingly create an unsafe condition and/or allow an unsafe condition to exist.
- (c) To perform or cause to be performed any mechanical work which requires the services of a licensed Mechanical Contractor.
- (d) For any person to conduct, carry, or engage in the business of mechanical contracting without having first obtained a valid Mechanical Contractor License.
- (e) For any person holding a valid Mechanical Contractors License to employ any person or persons to perform any work requiring a license and who does not hold a valid license.
- (f) For any person to perform work which requires a license without having first obtained a valid license.
- (g) For any person to employ any person as an unlicensed worker to perform any work without providing proper supervision. Not more than two (2) unlicensed workers will be supervised by one (1) licensed person.
- (f) To violate any other provision of this Article.

5-1103.9

Section 601.1 is amended to read as follows:

601.1 Material. Supply air, return air, and outside air for heating, cooling, or evaporative cooling systems shall be conducted through duct systems constructed of metal as set forth in Tables 6-A, 6-B and 6-C: metal ducts complying with UMC Standard 6-1 with prior approval; factory made ducts complying with UL181; or PVC ducts complying with UMC Standard 6-4 with prior approval. Ducts, plenums, and fittings may be constructed of PVC, PVC coated metal, concrete, clay, or ceramics when installed in the ground or in a concrete slab, provided the joints are tightly sealed with an approved method.

5-1103.9

Section 601.2 is amended to include:

601.2.1.6 Standards of construction for PVC duct systems. UMC Standard 6 4,Chapter, of 3 Thermoplastic Duct (PVC) Construction Manual.

603.2.4 Accessible. In residential installations rigid fibrous glass duct shall be accessible for repair or cleaning.

5-1103.10 Section 1603 is amended to include:

6-1; 601.2

Standards of Construction for PVC Duct Systems, Based on Chapter 3, Second Edition 1995, Thermoplastic Duct (PVC) Construction Manual, published by the Sheet Metal and Air Conditioning Contractors National Association.

Appendix A amended to include the following:

APPENDIX A, STANDARD 6-4. UNIFORM MECHANICAL CODE STANDARD 6-4. STANDARD OF CONSTRUCTION FOR PVC DUCT SYSTEMS. Based on Thermoplastic Duct (PVC) Construction Manual, Published by the Sheet Metal and Air-Conditioning Contractors National Association, Chapter 3, Second Edition, January 1995.

5-1103.11 Section 6.307.2.1 amended to state:

Appendix A

6.307.2.1 Install duct fully extended, do not install in a compressed state or use excess length (maximum fifteen (15) feet). This will noticeably increase friction loss.