

## Chapter 156

### MECHANICAL AND GAS CODE

**156.01 ADOPTION OF INTERNATIONAL CODE.** This chapter shall consist of the “International Mechanical Code, 2012 Edition, and the International Fuel Gas Code, 2012 Edition” as published by the International Code Council which volume is incorporated herein by this reference as fully as though set forth herein in its entirety excepting only such portions as are herein stated to be deleted therefrom; and such additional provisions as are hereafter set forth. This chapter and all provisions incorporated herein by reference or otherwise, shall be known as the “*Altoona Mechanical and Gas Code*,” may be cited as such, and will be referred to herein as such and as “*this code*”.

**156.02 DELETIONS.** The following are hereby deleted from the International Mechanical Code (*hereinafter known as the IMC*) and International Fuel Gas Code (*hereinafter known as the IFGC*), and are of no force or effect herein:

1. Section 106.4.3 & 106.4.4 IMC
2. Section 106.5.3 & 106.5.4 IFGC
3. Section 106.5 IMC
4. Section 106.6 IFGC
5. Section 108.4 IMC and IFGC
6. Section 109 IMC and IFGC

**156.03 AMENDMENTS AND ADDITIONS.** The remaining sections in this subchapter are and represent amendments and additions to the requirements contained in the International Mechanical Code (*hereinafter known as the IMC*) and International Fuel Gas Code (*hereinafter known as the IFGC*), and where they conflict with those of the International Mechanical Code and International Fuel Gas Code, the requirements of this chapter shall prevail.

1. Section 156.04 - Section 103.1 IMC and IFGC – (Department of Mechanical and Gas Inspection)
2. Section 156.05 - Section 106.2 IMC and IFGC (Work Exempt from Permit)
3. Section 156.06 – Section 106.4 IMC and Section 106.5 IFGC (Permit Issuance)
4. Section 156.10 – Section 108.5 IMC and IFGC (Stop Work Orders)

**156.04 DEPARTMENT OF MECHANICAL AND GAS INSPECTION.** Section 103.1 of the IMC and IFGC shall be amended by deleting the first paragraph and replacing with the following: “*There is hereby established in the City the Department of Mechanical and Gas Inspections, which shall be under the direction and supervision of the Building and Zoning Official. The Building Official shall be responsible to the Community Services Director for the enforcement of the Building Codes, and such other ordinances as shall assign the Building Official that function, and shall perform such other duties as may be required by the Community Services Director or by any*”

*classification plan adopted by the City. Additional responsibilities of the Building Official shall be assigned as required per Chapter 155 of the City of Altoona, Code of Ordinances.”*

**156.05 PERMITS NOT REQUIRED.** Section 106.2 #5 of the IMC and Section 106.2 #2 of the IFGC shall be amended by deleting said language and replacing with the following: *“Minor repair, cleaning, adjustment, or replacement of any heating, ventilating, cooling, or refrigeration equipment where the total cost of the work does not exceed \$100.00. This exemption shall be deemed to include adjustments by a gas supplier in a gas piping system due to the exchange or relocation of a gas meter.”*

The term “portable” as set forth in Section 106.2 of the IMC and the IFGC shall mean that which may be easily and/or readily carried or transported by hand from place to place without tools or aid of devices.

**156.06 PERMIT ISSUANCE.** Section 106.4 of the IMC and Section 106.5 of the IFGC shall be added to the end of the section to state as follows:

1. Permits are not transferable. Mechanical and Gas work performed under the provisions of this chapter must be done by a contractor meeting the licensing provisions as set forth by the Iowa Plumbing and Mechanical Systems Board in accordance with Iowa Code Chapter 105 unless the provisions of Section 155.13 of the Municipal Code are met. A mechanical contractor licensee by the State of Iowa Plumbing and Mechanical Systems Board as a “Master” may sign and obtain a permit for the contractor for which they are employed only when said “Master” has provided proof of employment by said licensed mechanical contractor. Any permit required by the provisions of this code may be revoked by the Building Official upon the violation of any provision of this code.
2. A State of Iowa licensed Mechanical contractor shall be allowed only to secure permits for himself or herself, or for a single firm or corporation. When a State of Iowa licensed Mechanical contractor has secured such a permit, only the employees of such contractor when meeting the provisions of Iowa Code Chapter 105 shall perform the work for which the permit was obtained.
3. For purposes of this section, an “employee” shall be one employed by the contractor, firm or corporation for a wage or salary. A contractor may be required by the Building Official to show positive evidence as to the employee status of workers on the job. Such evidence shall be in the form of payroll and time records, canceled checks, or other such documents.
4. The contractor may also be required to show the agreement or contract pertaining to the work being questioned as evidence that said contractor is, in fact, the actual contractor for such work. Failure or refusal by the contractor to make available such employee or contractual records within 24 hours from demand therefor shall be grounds for immediate revocation of any permit for the work in question.

## **156.07 PERMIT FEES.**

### 1. Permit Fees:

- A. A fee for each mechanical permit shall be paid to the building official in the amount set in the Schedule of Fees adopted by the city council. No mechanical permits shall be issued to any person who has fees outstanding as required by this code or any other laws or ordinances of the City.
- B. If a permit is issued for a specific amount of work and, upon inspection, it is determined that more work was performed than was authorized by the permit, the permittee shall amend the permit or obtain another permit to include all additional work and shall pay a new base fee and any unit fees as described in paragraph A above.

### 2. Additional permit fees are as follows:

- A. Double Fee. Except in emergency situations, as determined by the Building Official, where work for which a mechanical permit is required by this code is started or proceeded with by any person prior to obtaining a required permit, the fees specified as set forth in the amount set in the Schedule of Fees as adopted by the city council shall be doubled. The payment of such double fee shall not relieve any person from fully complying with the requirements of this code in the execution of the work or from any other penalties prescribed herein. No additional permits of any type shall be issued to any person who owes the City the double fee described in this subsection. However, no double fee shall be imposed upon any person who starts without a permit if:
  - 1. The work is started on a Saturday, Sunday, or holiday, or during any other day when the Building Department is not normally open for business; and
  - 2. The person secures the proper permit on the next Building Department working day.
  - 3. No Plan review is required prior to issuance of the permit.
- B. Refunds. If, within 30 days of the date of issuance, the holder of a mechanical permit decides not to commence the work described in said permit, said person may, upon application to the Building Official, be refunded that portion of the permit fee which is in excess of the permit refund fee set in the schedule of fees adopted by city council.
- C. Fees for Permit Renewals as stated in Section 156.07 shall be based on the amount of remaining work to be completed. If the plans are changed enough to warrant a review then the permit fee shall be ½ the cost of the original fee plus any fees as set forth in subsection E of this code section.
  - \* Or the hourly cost to the jurisdiction, whichever is greater. This cost shall include supervision, overhead, hourly wages, and fringe benefits of the employees involved.

- D. Reinspections. A reinspection fee may be assessed for each inspection or reinspection when such portion of work for which inspection is called is not complete or when corrections called for are not made. This section is not to be interpreted as requiring reinspection fees the first time a job is rejected for failure to comply with the requirements of this code, but as controlling the practice of calling for inspections before the job is ready for such inspection or reinspection. Reinspection fees may be assessed when the inspection record card is not posted or otherwise available on the work site, the approved plans are not readily available to the inspector, for failure to provide access on the date for which inspection is requested, or for deviating from plans requiring the approval of the building official. To obtain a reinspection, the applicant shall file an application therefore in writing on a form furnished for that purpose and pay the reinspection fee in accordance with the schedule of fees as adopted by city council. In instances where reinspection fees have been assessed, no additional inspection of the work will be performed until the required fees have been paid.
  
- E. Other Inspections and Fees: See the schedule of fees as adopted by city council by resolution.

Persons performing work for the Federal Government, the State, the county or city may obtain permits for such work without paying the permit fees described herein; provided, however, that nothing in this section shall be construed to exempt payment of permit fees by persons performing work under the direction of the City in connection with the abatement of any public law.

An expired permit may not be reissued without a permit fee except by resolution of the city council.

**156.08 EXPIRATION.** Every permit, issued by the building official under the provision of the mechanical code shall expire under any one of the following conditions:

1. Failure to begin work authorized within 180 days after issuance of the permit.
2. Suspension or abandonment of work for 120 days after commencement of the work. Time of occurrence of suspension or abandonment of work shall be computed from the date of the most recent inspection since which no progress has been made.
3. Failure to complete work on a structure designed for residential uses within one year after issuance of a permit.
4. Failure to complete work on a structure designed for commercial or industrial uses within two years after issuance of a permit. For permits with a building valuation exceeding \$10,000,000.00 work shall be completed within three years after issuance of a permit.

Any permittee holding an unexpired permit may apply for an extension of the time within which he or she may commence or continue work. The building official is authorized to grant, in writing, for periods not more than 180 days each, two extensions. The extension shall be requested in writing and justifiable cause demonstrated. Any of the extensions may be further extended by action of the city council. In all cases, when a renewal is granted the structure for which the permit is required shall comply with code requirements in effect at the time the permit is renewed.

**156.09 LICENSING FOR ELECTRICAL, PLUMBING, AND MECHANICAL CONTRACTORS AND INSTALLERS.** The provisions of Ordinance Chapter 160 of the City of Altoona, Code of Ordinances shall be applicable for any work performed in regards to electrical, plumbing, and mechanical systems.

**156.10 STOP WORK ORDERS.** Section 108.5 of the IMC and IFGC shall be amended by deleting the last sentence stated as follows: *“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.”*

**156.11 BOARD OF APPEALS.**

General. In order to hear and decide appeals of orders, decisions or determinations made by the Building Official relative to the application and interpretation of this code, there shall be and hereby created a Board of Appeals, consisting of five (5) members. Board members shall be chosen and appointed based on diversity and building construction knowledge, all of whom shall be residents of the City of Altoona, Iowa. One (1) member of said Board of Appeals at a minimum shall be a private citizen. The Building Official or designated representative shall be an ex-officio member without a vote and shall act as secretary of the Board. The appointment of members shall be for three (3) year terms, expiring on December 31, with not more than two (2) members' terms expiring any one year.

The Building Board of Appeals shall be appointed by the Mayor, subject to Council approval, and shall serve without compensation. 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, and may recommend to the City Council such new legislation as is consistent therewith. The Board shall meet at will and when there are appeals or business on file for a hearing.

Nominal appeal fee to the Building Board of Appeals shall be paid as set forth in Section 156.07 PERMIT FEES. The appeal shall be valid for one (1) year from the date of the Board approval to the commencement of work and to the completion of work undertaken pursuant to the approval.

**156.12 VIOLATIONS.** See Chapter 4 of this Code of Ordinances.