

ORDINANCE NO. ____ 15950, 16163, 17202 & 17522 ____

AN ORDINANCE AMENDING THE FORT WORTH MECHANICAL CODE, BY ADOPTING THE 2003 INTERNATIONAL MECHANICAL CODE, WITH LOCAL AMENDMENTS; AMENDING SECTIONS 7-166, 7-167, 7-168 AND 7-169 OF THE CODE OF THE CITY OF FORT WORTH (1986); REGULATING THE ERECTION, CONSTRUCTION, ENLARGEMENT, ALTERATION, REPAIR, MOVING, REMOVAL, DEMOLITION, CONVERSION, EQUIPMENT, DESIGN, QUALITY OF MATERIALS, USE AND MAINTENANCE OF HEATING, COMFORT COOLING AND VENTILATING SYSTEMS IN THE CITY OF FORT WORTH, TEXAS; DEFINING CERTAIN TERMS; ESTABLISHING MINIMUM REQUIREMENTS FOR THE INSTALLATION, ALTERATION OR REPAIR OF MECHANICAL SYSTEMS; PROVIDING FOR THE ISSUANCE OF PERMITS AND THE COLLECTION OF FEES THEREOF; PROVIDING FOR THE INSPECTION OF SUCH SYSTEMS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR A PENALTY CLAUSE; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE; PROVIDING FOR PUBLICATION IN PAMPHLET FORM; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER AND PROVIDING AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FORT WORTH, TEXAS:

SECTION 1.

That Section 7-166 of the Code of the City of Fort Worth (1986) is hereby amended to read as follows:

Sec. 7-166. THE 2003 EDITION OF THE INTERNATIONAL MECHANICAL CODE ADOPTED.

(a) The Mechanical Code of the City Of Fort Worth is hereby revised and amended to conform, with certain exceptions as specified below, to the 2003 International Mechanical Code of the International Code Council (ICC), and the same as amended is hereby adopted as the City's Mechanical Code. One (1) copy of the 2003 International Mechanical Code marked Exhibit "A", is incorporated herein by reference and shall be filed in the Office of the City Secretary for permanent record and inspection.

(b) The mechanical provisions of the *International Residential Code*, as adopted elsewhere, shall be used as the mechanical provisions for buildings and structures applicable to that code except as provided for in that code.

(c) Any Errata corrections published by the International Code Council for the 2003 International Mechanical Code, as they are discovered, are considered as part of this code.

SECTION 2.

That Section 7-167 of the Code of the City of Fort Worth (1986) is hereby amended as follows:

Sec. 7-167. Amendments.

(a) Chapter 1 " ADMINISTRATION" of the 2003 International Mechanical Code is hereby deleted and replaced with following:

PART I - ADMINISTRATIVE

Chapter A

TITLE, SCOPE AND GENERAL

SECTION A01 - GENERAL

A01.1 Title. These regulations shall be known as the "Fort Worth Mechanical Code," may be cited as such, and will herein be referred to as "this code."

A01.2 Scope. (a) The provisions of this code shall apply to 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 this code. The installation of fuel gas distribution piping and equipment, fuel gas-fired appliances and fuel gas-fired appliance venting systems shall be regulated by the Fuel Gas Code, a part of the Fort Worth Plumbing Code.

Provisions in the appendices shall not apply unless specifically adopted.

(b) This code is not intended to apply to the installation of gas distributing mains and services in the streets, alleys and easements by employees of the gas distributing company.

A01.3 Intent. The purpose of this code is to provide minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, installation, quality of materials, location, operation, and maintenance or use of mechanical equipment and systems.

The purpose of this code is not to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefited by the terms of this code.

A01.4 Severability. 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.

SECTION A02 - APPLICABILITY

A02.1 General. The provisions of this code shall apply to all matters affecting or relating to structures and premises, as set forth in Section A01. Where, in any specific case, different sections of this code specify different materials, methods of construction or other requirements, the most restrictive shall govern.

A02.2 Existing installations. Except as otherwise provided for in this chapter, mechanical systems and equipment lawfully in existence at the time of the adoption of this code may have their use, maintenance or repair continued if the use, maintenance or repair is in accordance with the original design, if no hazard to life, health or property has been created by such mechanical system and equipment, and if the mechanical system and equipment are maintained in good repair.

Exception: A kitchen exhaust system with a Type I hood for collecting and removing grease and smoke, and a fire extinguishing system shall be installed at or above all existing cooking equipment in commercial food processing establishments as required by Chapter 5 of this code.

A02.3 Maintenance. Mechanical systems, both existing and new, and parts thereof shall be maintained in proper operating condition in accordance with the original design and in a safe and sanitary condition. Devices or safeguards which are required by this code shall be maintained in compliance with the code edition under which installed. The owner or the owner's designated agent shall be responsible for maintenance of mechanical systems. To determine compliance with this provision, the code official shall have the authority to require a mechanical system to be reinspected.

A02.4 Additions, alterations or repairs. Additions, alterations, renovations or repairs to any mechanical system shall conform to that required for a new mechanical system without requiring the existing mechanical system to comply with all the requirements of this code. Additions, alterations or repairs shall not cause an existing system to become unsafe, hazardous or overloaded.

Minor additions, alterations, renovations and repairs to existing mechanical systems shall be permitted in the same manner and arrangement as was in the existing system, provided that such repairs or replacement are not hazardous and are approved.

A02.5 Change in occupancy. It shall be unlawful to make any change in the occupancy of any structure that will subject the structure to any special provision of this code applicable to the new occupancy without approval of the code official. The code official shall certify that such structure meets the intent of the provisions of law governing building construction for the proposed new occupancy and that such change of occupancy does not result in any hazard to the

public health, safety or welfare.

No change shall be made in the use or occupancy of any building that would place the building in a different division of the same group of occupancy or in a different group of occupancies, unless such building is made to comply with the requirements of this code for such division or group of occupancy. Subject to the approval of the code official, the use or occupancy of existing buildings shall be permitted to be changed and the building is allowed to be occupied for purposes in other groups without conforming to all the requirements of this code for those groups, provided the new or proposed use is less hazardous, based on life and fire risk, than the existing use.

A02.6 Historic buildings. The provisions of this code relating to the construction, alteration, repair, enlargement, restoration, relocation or moving of buildings or structures shall not be mandatory for existing buildings or structures identified and classified by the state or local jurisdiction as historic buildings when such buildings or structures are judged by the code official to be safe and in the public interest of health, safety and welfare regarding any proposed construction, alteration, repair, enlargement, restoration, relocation or moving of buildings.

Exception: Buildings undergoing a change of occupancy.

A02.7 Moved buildings. Except as determined by Section A02.2, mechanical systems that are a part of buildings or structures moved into or within the jurisdiction shall comply with the provisions of this code for new installations.

A02.8 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.

A02.9 Requirements not covered by code. Any requirements necessary for the strength, stability or proper operation of an existing or proposed mechanical system, or for the public safety, health and general welfare, not specifically covered by this code, shall be determined by the code official.

A02.10 Minimum Building Standards Code. As provided for in Section 7-67, and as further detailed in Sections 7-87, 7-88, 7-89, 7-90 and 7-91 of the City Code, which is more specifically known as the Minimum Building Standards Code, those provisions setting minimum standards that relate to Mechanical Code items for buildings and structures shall be considered as part of this code.

Enforcement of these sections may be performed by other departments or divisions of the

City of Fort Worth. However, as provisions of this code, final interpretation, appeals of interpretation, requests for variances, etc. shall be handled as described in this code.

SECTION A03 - APPROVAL

A03.1 Modifications. Whenever there are practical difficulties involved in carrying out the provisions of this code, the code official shall have the authority to grant modifications for individual cases, provided the code official shall first find that special individual reason makes the strict letter of this code impractical and the modification is in conformity with the intent and purpose of this code and that such modification does not lessen health, life and fire safety requirements. The details of action granting modifications shall be recorded and entered in the files of the inspection department.

A03.2 Alternate materials, methods and equipment. The provisions of this code are not intended to prevent the installation of any material or to prohibit any method of construction not specifically prescribed by this code, provided that any such alternative has been approved by the code official.

The code official may approve any alternate, provided that the proposed design is satisfactory and complies with the provisions of this code and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability and safety.

A03.3 Required testing. Whenever there is insufficient evidence of compliance with the provisions of this code, or evidence that a material or method does not conform to the requirements of this code, or in order to substantiate claims for alternate materials or methods, the code official shall have the authority to require tests as evidence of compliance to be made at no expense to the jurisdiction.

A03.3.1 Test methods. Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the code official shall approve the testing procedures.

A03.3.2 Testing agency. All tests shall be performed by an approved agency.

A03.3.3 Test reports. Reports of tests shall be retained by the code official for the period required for retention of public records.

A03.4 Material and equipment reuse. Materials, equipment and devices shall not be reused unless such elements have been reconditioned, tested, placed in good and proper working condition, and approved.

SECTION A04 - VIOLATIONS

A04.1 Unlawful acts. It shall be unlawful for any person, firm or corporation to erect, construct, alter, repair, remove, demolish or utilize any mechanical system or equipment, or cause same to be done, in conflict with or in violation of any of the provisions of this code.

A04.1.1 Unsafe building. Failure to correct an unsafe building as provided for in Section A04.5, C06.4.1 or C06.4.2 shall constitute a violation of this code.

A04.2 Violation penalties. Any person, firm or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine not to exceed Two Thousand Dollars (\$2,000.00) for all violations involving fire safety, or public health and sanitation and shall be fined not more than Five Hundred Dollars (\$500.00) for all other violations of this ordinance. Each day or any portion thereof during which any violation of this ordinance occurs or continues shall be deemed a separate offense and upon conviction thereof shall be punishable as herein provided.

A04.3 Stop work orders. Upon notice from the code official, work on any mechanical system that is being done contrary to the provisions of this code or in a dangerous or unsafe manner shall immediately cease. Such work shall not resume until authorized by the code official to proceed. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's agent, or to the person doing the work or causing such work to be done. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work.

A04.4 Abatement of violation. The imposition of the penalties herein prescribed shall not preclude the legal officer of the jurisdiction from instituting appropriate action to prevent unlawful construction or to restrain, correct or abate a violation, or to prevent illegal occupancy of a building, structure or premises, or to stop an illegal act, conduct, business or utilization of the mechanical system on or about any premises.

A04.5 Unsafe mechanical systems or equipment. Any mechanical system or equipment regulated by this code that is unsafe or that constitutes a fire or health hazard, insanitary condition, or is otherwise dangerous to human life is hereby declared unsafe. Use of a mechanical system or equipment regulated by this code constituting a hazard to safety, health or public welfare by reason of improper installation, inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster, damage or abandonment is hereby declared an unsafe use. Any such unsafe equipment is hereby declared to be a public nuisance and shall be abated by repair, rehabilitation, demolition or removal.

When any mechanical system or equipment is maintained in violation of this code, and in violation of any notice issued pursuant to the provisions of this section, the code official may institute any appropriate action to prevent, restrain, correct or abate the violation.

Any work covered or concealed without inspection shall be considered to constitute an

unsafe structure. Such consideration as an unsafe structure shall exist every day until the work is inspected and approved as being in compliance with this code. Inspections will not be performed until a valid active permit is obtained in accordance with this code.

A04.5.1 Authority to condemn. Whenever the code official determines that any mechanical system or equipment, or portion thereof, regulated by this code has become hazardous to life, health or property or has become insanitary, or is otherwise dangerous to human life, the code official shall order in writing that such system or equipment either be removed or restored to a safe condition. A time limit for compliance with such order shall be specified in the written notice. No person shall use or maintain a defective mechanical system after receiving such notice.

A04.5.2 Authority to order disconnection of utilities. The code official shall have the authority to order disconnection of any plumbing, energy source or utility service supplied to a building, structure or mechanical system regulated by this code when it is determined that the system or any portion thereof has become hazardous or insanitary. Written notice of such order to disconnect service and the causes therefor shall be given within 24 hours to the owner and occupant of such building, structure or premises, provided, however, that in cases of immediate danger to life or property, such disconnection shall be made immediately without such notice. The code official shall immediately notify the serving utility in writing of the issuance of such order to disconnect.

A04.5.3 Connection after order to disconnect. No person shall make connections from any energy, fuel, power supply or water distribution system or supply energy, fuel, power or water to any equipment regulated by this code that has been disconnected or ordered to be disconnected by the code official or the use of which has been ordered to be discontinued by the code official until the code official authorizes the reconnection and use of such equipment.

Chapter B

ORGANIZATION AND ENFORCEMENT

SECTION B01 - ORGANIZATION

B01.1 Code Official. Whenever the term “code official” is used in this code, it shall be construed to mean the Building Official or his authorized representative(s). The code official shall not be removed from office except for cause and after full opportunity to be heard on specific and relevant charges.

B01.2 Deputies. In accordance with the prescribed procedures of this jurisdiction, the code official shall have the authority to appoint a deputy code official, other related technical officers, inspectors and other employees. For the purpose of this code, the regularly authorized deputy code official shall be the Chief Mechanical Inspector.

B01.3 Department having jurisdiction. Unless otherwise provided for by law, the office of the code official shall be part of the Planning and Development Department.

B01.4 Restriction of employees. An official or employee connected with the department of mechanical inspection shall not be engaged in or directly or indirectly connected with the furnishing of labor, materials or appliances for the construction, alteration or maintenance of a building; and such officer or employee shall not engage in any work that conflicts with official duties or with the interests of the department.

Further no official or employee shall be permitted to work for, or be connected with, any mechanical contractor, HVAC manufacturer or wholesale supply company, or do any mechanical work while employed as a mechanical inspector by the city.

B01.5 Liability. The code official charged with the enforcement of this code, acting in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance shall not thereby be rendered personally liable for damages that may accrue to persons or property as a result of an act or by reason of an act or omission in the discharge of such duties. A suit brought against the code official or employee because of such act or omission performed by the code official or employee in the enforcement of any provision of such codes or other pertinent laws or ordinances implemented through the enforcement of this code or enforced by the code enforcement agency shall be defended by this jurisdiction until final termination of such proceedings and any judgment resulting therefrom shall be assumed by this jurisdiction.

The liability exemption and defense protection provided in this section are not extended to Third Party Companies, nor their employees.

This code shall not be construed to relieve from or lessen the responsibility of any person owning, operating or controlling any building or structure for any damages to persons or

property caused by defects, nor shall the code enforcement agency or its parent jurisdiction be held as assuming any such liability by reason of the inspections authorized by this code or any permits or certificates issued under this code.

SECTION B02 - DUTIES AND POWERS OF THE CODE OFFICIAL

B02.1 General. The code official shall enforce all of the provisions of this code and shall act on any question relative to the installation, alteration, repair, maintenance or operation of all mechanical systems, devices and equipment except as otherwise specifically provided for by statutory requirements or as provided for in Section B02.2 through B02.9.

The code official shall have the power to render interpretations of this code as may be deemed necessary in order to clarify the application of the provisions of this code. Such interpretations shall be in conformity with the intent and the purpose of this code.

B02.2 Rule-making authority. The code official shall have authority as necessary in the interest of public health, safety and general welfare to adopt and promulgate rules and regulations to interpret and implement the provisions of this code to secure the intent thereof and to designate requirements applicable because of local climatic or other conditions. Such rules shall not have the effect of waiving requirements specifically provided for in this code, or of violating accepted engineering practice involving public safety.

B02.3 Applications and permits. The code official shall receive applications and issue permits for the installation and alteration of mechanical systems, inspect the premises for which such permits have been issued, and enforce compliance with the provisions of this code.

An application for a permit shall be considered as permission from an authorized representative to inspect the premises.

B02.4 Inspections. The code official shall make all the required inspections, or shall accept reports of inspection by approved agencies or individuals. All reports of such inspections shall be in writing and be certified by a responsible officer of such approved agency or by the responsible individual. The code official is authorized to require expert opinion, as deemed necessary, to report on unusual technical issues that arise, at no expense to the jurisdiction.

B02.5 Right of entry. Whenever it is necessary to make an inspection to enforce the provisions of this code, or whenever the code official has reasonable cause to believe that there exists in any building or upon any premises, any condition or violation of this code that make the building or premises unsafe, insanitary, dangerous or hazardous, the code official shall have the authority to enter the building or premises at all reasonable times to inspect or to perform the duties imposed upon the code official by this code. If such building or premises is occupied, the code official shall present his credentials to the occupant and request entry. If building or premises is unoccupied, the code official shall first make a reasonable effort to locate the owner or other person having charge or control of the building or premises and request entry. If entry is refused, the code official shall have recourse to every remedy provided by law to secure entry.

An application for a permit shall be considered as permission from an authorized representative to inspect the premises.

When the code official shall have first obtained a proper inspection warrant or other remedy provided by law to secure entry, no owner, occupant, or person having charge, care or control of any building or premises shall fail or neglect, after proper request is made as herein provided, to promptly permit entry therein by the code official for the purpose of inspection and examination pursuant to this code.

It shall be unlawful for any person to hinder or interfere with the code official, deputy or any of the mechanical inspectors in the discharge of their duties under this code.

B02.6 Identification. The code official shall carry proper identification when inspecting structures or premises in the performance of duties under this code.

B02.7 Notices and orders. The code official shall issue all necessary notices or orders to ensure compliance with this code.

B02.8 Department records. The Planning and Development Department shall keep official records of applications received, permits and certificates issued, fees collected, reports of inspections, and notices and orders issued. Such records shall be retained in the official records for the period required for the retention of public records.

B02.9 Cooperation of other officials and officers. The code official may request, and shall receive, the assistance and cooperation of other officials of this jurisdiction so far as is required in the discharge of the duties required by this code or other pertinent law or ordinance.

SECTION B03 - BOARD OF APPEALS

B03 Applications for appeals shall be made to the Construction and Fire Prevention Board of Appeals. (See the Building Code.) All references to the "Board" shall be deemed to refer to the Construction and Fire Prevention Board of Appeals.

Chapter C

PERMITS AND INSPECTIONS

SECTION C01 - PERMITS

C01.1 When required. Any owner, authorized agent, individual or contractor who desires to construct, enlarge, alter, repair, move, demolish or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any mechanical system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the code official and obtain the required permit for the work.

A separate permit shall be obtained for each building or structure.

C01.2 Exempt work. The following work shall be exempt from the requirement for a permit:

1. Any 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.
4. Refrigerating equipment which is part of the equipment for which a permit has been issued pursuant to the requirements of this code.
5. A unit refrigerating system.
6. When an umbrella Building Permit is issued for new construction or additions to one- and two-family dwellings and townhomes, under the Fort Worth Residential Code, or as an R-3 under this code, and which contain a fireplace under that Building Permit, separate fireplace permits shall not be required.

Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in violation of the provisions of this code or any other laws or ordinances of this jurisdiction.

SECTION C02 - WHOM PERMITS MAY BE ISSUED TO

C02.1 General. No permit shall be issued to any person to do or cause to be done any work regulated by this code, except to a person holding a valid, unexpired and unrevoked Fort Worth Mechanical Refrigeration and Air Conditioning Contractor's License or State of Texas Air Conditioning and Refrigeration Contractor's License with proper endorsements, and who has on file with the City a registration form as required in Section D01 of this ordinance, except as otherwise hereinafter provided in this section.

Such licensed contractors may extend to and connect thereto any gas piping that may be required for the operating of such equipment.

C02.2 Homestead owner. Permits may be issued to a property owner who wishes to do Mechanical work in a building owned and occupied by him as his homestead. The term "to do mechanical work" shall be construed to mean work actually done personally by the owner.

Under State law, work that deals with refrigerants and equipment containing refrigerants may require additional certificates or licenses that are not waived under this permit provision.

C02.3 Plumbing contractors. Plumbing contractors that hold a valid State of Texas Master Plumber's License and a valid Plumbing Business Registration in the Department of Planning and Development may obtain permits and install gas fired appliances which are not considered "air conditioning contracting" by the State Air Conditioning Licensing Law. All L.P. gas piping installations shall conform to the applicable Texas Railroad Commission regulations.

C02.4 Boiler and pressure vessels. Boiler installation or repair contractors who have been certified by an approved testing agency, testing to meet American Society of Mechanical Engineers (ASME) and American Welding Society (AWS) codes, or licensed as a State of Texas Air Conditioning and Refrigeration Contractor or Fort Worth Mechanical Refrigeration and Air Conditioning Contractor may make boiler and pressure vessel installation and repair.

C02.5 Automatic Fire Extinguishing Installation. Automatic Fire System Installation and Repair contractors who hold a valid Class A Fire Extinguisher Servicing License or a Fire Extinguishing System Planning License issued by the State Fire Marshal and whose business has been issued a valid certificate of registration for installation and service of fire extinguisher systems by the State Fire Marshal, are required to obtain permits for all automatic fire extinguishing system installations regulated by this code.

C02.6 Prefabricated fireplaces, ventilation systems, or commercial kitchen hood systems. An owner or an official of a company whose primary business includes the installation of such equipment, and who is proficient in the installation of such equipment, may register for the purpose of obtaining permits to install such equipment.

C02.7 Electrical work. All electrical connections are regulated by the Fort Worth Electrical Code. An electrical disconnect may be installed by a licensed HVAC contractor with a valid business registration when replacing an existing HVAC unit of the same or lesser

amperage.

A maintenance electrician license or residential maintenance electrician license, as applicable, shall be required for all persons who perform electrical service, repair or maintenance on equipment regulated by the Mechanical Code when an electrical permit is not required.

Exception: Those persons who possess a valid State of Texas Air Conditioning and Refrigeration Contractor's License with proper endorsements and having a business registered with the City of Fort Worth shall not be required to obtain nor shall employees under their direct personal supervision be required to obtain a Maintenance Electrician License or Residential Maintenance Electrician License, as applicable, to service and maintain the internal part of the system as manufactured and listed.

SECTION C03 - APPLICATION FOR PERMIT

C03.1 Application. Any person legally entitled to apply for and receive a permit shall make application on forms provided for that purpose. 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 address and by legal description, 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 when deemed necessary.
4. Be accompanied by plans, diagrams, computations and specifications and other data as required in Section C03.2.
5. Be signed by the applicant or an authorized agent of the applicant.

Exception: Applications made verbally by phone by registered individuals with a valid charge account.

6. Give such other data and information as may be required by the code official.

An application for a permit shall be considered as permission from an authorized representative to inspect the premises.

C03.2 Plans and specifications. Plans, specifications, engineering calculations, diagrams, soil investigation reports, special inspection and structural observation programs and other data shall constitute the submittal documents and shall be submitted in one or more sets with each application for a permit. When such plans are not prepared by an architect or engineer, the code official may require the applicant submitting such plans or other data to demonstrate that state law does not require that the plans be prepared by a licensed architect or engineer. The code official may require plans, computations and specifications to be prepared

and designed by an engineer or architect licensed by the state to practice as such even if not required by state law.

Exception: The code official may waive the submission of plans, calculations, construction inspection requirements and other data if it is found that the nature of the work applied for is such that reviewing of plans is not necessary to obtain compliance with this code.

C03.3 Information on plans and specifications. Plans and specifications shall be drawn to scale upon substantial paper or cloth and shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and all relevant laws, ordinances, rules and regulations.

Plans for building of other than Group R, Division 3 and Group U Occupancies shall indicate how required structural and fire-resistive integrity will be maintained where penetrations will be made for mechanical and similar systems.

C03.4 Architect or engineer of record. When it is required that documents be prepared by an architect or engineer, the code official may require the owner to engage and designate on the permit application an architect or engineer who shall act as the architect or engineer of record. If the circumstances require, the owner may designate a substitute architect or engineer of record who shall perform all of the duties required of the original architect or engineer of record. The code official shall be notified in writing by the owner if the architect or engineer of record is changed or is unable to continue to perform the duties.

The architect or engineer of record shall be responsible for reviewing and coordinating all submittal documents prepared by others, including deferred submittal items, for compatibility with the design of the building.

C03.5 Deferred submittals. For the purpose of this section, deferred submittals are defined as those portions of the design that are not submitted at the time of the application and that are to be submitted to the code official within a specified period.

Deferral of any submittal items shall have prior approval of the code official. The architect or engineer of record shall list the deferred submittals on the plans and shall submit the deferred submittal documents for review by the code official.

Submittal documents for deferred submittal items shall be submitted to the architect or engineer of record who shall review them and forward them to the code official with a notation indicating that the deferred submittal documents have been reviewed and that they have been found to be in general conformance with the design of the building. The deferred submittal items shall not be installed until their design and submittal documents have been approved by the code official.

C03.6 Expiration of plan review. Applications for which no permit is issued within 180

days following the date of application shall expire by limitation, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the code official.

The code official may extend the time for action by the applicant for a period not exceeding 180 days on request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. No application shall be extended more than once. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee.

SECTION C04 - PERMIT ISSUANCE

C04.1 Issuance. The application, plans, specifications, computations and other data filed by an applicant for a permit shall be reviewed by the code official. Such plans may be reviewed by other departments of this jurisdiction to verify compliance with any applicable laws under their jurisdiction. If the code official 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 C05 have been paid, the code official shall issue a permit therefor to the applicant.

Exception: When plan review is performed by a Third Party Organization as specified in Section C08, the Code Official, at his discretion, may only review what he deems necessary to insure a quality control of the review already performed.

When the code official issues the permit where plans are required, the code official shall endorse in writing or stamp the plans and specifications APPROVED. Such approved plans and specifications shall not be changed, modified or altered without authorization from the code official, and all work regulated by this code shall be done in accordance with the approved plans.

The code official may issue a permit for the construction of part of a mechanical system before the entire plans and specifications for the whole building or structure have been submitted or approved, provided adequate information and detailed statements have been filed complying with all pertinent requirements of this code. The holder of a partial permit shall proceed without assurance that the permit for the entire building or structure will be granted.

C04.2 Withholding of permits. The code official is authorized to withhold permits to any person for the reasons set forth herein upon written notice to such person. The determination of the code official may be appealed to the Board as provided in Section B03.

The code official is authorized to withhold the issuance of mechanical permits to:

1. any person until such time as the mechanical system for which a permit was previously issued has been completed or is being performed in an efficient manner in a reasonable length of time.
2. any person who is delinquent in the payment of fees owed the City of Fort Worth.

3. any person who has performed previous jobs which remain in violation of this code.

C04.3 Validity. The issuance of a permit or approval of construction documents shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or of other ordinance of the jurisdiction. No permit presuming to give authority to violate or cancel the provisions of this code shall be valid.

The issuance of a permit based upon construction documents and other data shall not prevent the code official from thereafter requiring the correction of errors in said construction documents and other data or from preventing building operations being carried on thereunder when in violation of this code or of other ordinances of this jurisdiction.

C04.4 Expiration. Every permit issued by the code official under the provisions of this code shall expire by limitation and become null and void if the work authorized by such permit is not commenced within 180 days from the date of such permit, or if the work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of 180 days. Before such work can be recommenced, a new permit shall be first obtained and the fee therefor shall be one-half the amount required for a new permit for such work, provided no changes have been made or will be made in the original construction documents for such work, and provided further that such suspension or abandonment has not exceeded one year. In order to renew action on a permit after expiration, the permittee shall pay a new full permit fee.

C04.5 Extensions. Any permittee holding an unexpired permit shall have the right to apply for an extension of the time within which the permittee will commence work under that permit when work is unable to be commenced within the time required by this section for good and satisfactory reasons. The code official shall extend the time for action by the permittee for a period not exceeding 180 days if there is reasonable cause. No permit shall be extended more than once.

C04.6 Suspension or revocation of permit. The code official may, in writing, suspend or revoke a permit issued under the provisions of this code whenever the permit is issued in error or on the basis of incorrect information supplied, or in violation of any ordinance or regulation or any of the provisions of this code.

C04.7 Administrative hold. Any administrative discrepancy including but not limited to, delinquency in payments, returned checks, failure to pay for reinspection, investigation or registration fees, and failure to keep registration, insurance or bond up-to-date, may result in a hold being placed on issuance of permits and performance of inspections of existing permits until the administrative discrepancy is corrected. For the purpose of this section, the term “up-to-date” shall mean that whenever any of these items is required by this or any other code to obtain a permit covered by this code, it shall be maintained current and in effect until the permit is finalized.

C04.8 Retention of plans. One set of approved plans, specifications and computations

shall be retained by the code official until final approval of the work covered therein. One set of approved construction documents shall be returned to the applicant, and said set shall be kept on the site of the building or work at all times during which the work authorized thereby is in progress.

C04.9 Job abandonment. If, after a permit is issued under the provisions hereof, the applicant abandons the job, becomes incapacitated or his/her services are terminated prior to final inspection and approval thereof by the code official and before the permit has expired, the applicant or his lawful/legal representative shall immediately notify the office of the code official in writing. Upon such notification, the code official shall immediately have an inspection made of the work completed to that time, and may revoke the outstanding permit and require that a new permit with the payment of fees be obtained before the work is allowed to resume.

SECTION C05 - FEES

C05.1 General. Fees shall be assessed in accordance with the provisions of this section or shall be as set forth in the fee schedule adopted by this jurisdiction.

C05.2 Permit fees. The fee for each permit shall be as set forth in Table C05.2.

Any person obtaining a permit application required by this code shall, at the time of filing, pay a permit and a non-refundable application fee as required by this section for the installation, relocation or replacement of any of the listed items.

Exceptions: 1. Where the fees for new structures and additions to structures have been collected on a building permit, the permit fee is not required but the permit application shall be filed by the person doing the work before work is commenced.

2. Where these fees are being invoiced monthly and the account is past due, a penalty and/or interest charge as prescribed by the jurisdiction, shall be assessed. The above assessed fee and delinquent payment shall be paid before additional permits will be issued or additional inspections performed.

3. Buildings or structures owned and occupied by a Federal, State, or County entity on property owned by the Federal, State, or County entity shall be exempt from the permit fees. This exception does not apply to public school districts or county community colleges.

4. Work by non-City personnel on property under the control of the City of Fort Worth shall be exempt from the permit fees only if the work is for action under a contract approved by City Council with notes in the contract packages stating the fee is waived.

5. Work by City personnel on property under the control of the City of Fort Worth shall be exempt from the permit fees only if the application is accompanied by a copy of the work order for the project.

6. When the project is to be inspected by an approved third party organization as described in Section C08, the permit fee shall be reduced by multiplying the sum by 25%

(0.25). The resulting amount will be calculated to the penny with no rounding for the tenth of a penny figure.

Exemption or reduction of the permit fees under this section shall not waive the requirements to pay a full investigation fee for doing work without a permit as required under Section C05.3.

**Table C05.2
Schedule of Fees**

Administrative

1. CFPBOA Application Fee						
(1st item per address)						\$125.00
(Each additional item per address)						30.00
2. Permit Application Fee						22.00
3. Record Change Fee (per record or permit)						22.00

Permit items*

**Forced Air Heating-Furnaces Including
Ducts and/or Vents Attached Thereto:**

Capacity to and including 100,000 BTU input or 20 KW						4.62
Over 100,000 BTU or 20 KW and including 400,000 BTU or 40 KW						7.82

Heating Appliances Non-Ducted Air

Gas Unit or Room Heater, including vent						4.62
Gas Wall Heater, including vent						4.62
Gas Floor Furnace, including vent						4.62
Gas Infra-red Heating Unit						4.62
Electric Heater, Wall, Space, Unit, etc.						4.62

Energy-Using Heat Appliance Other Than Above

Per 1,000 BTU Input -						0.09
Minimum						4.97
Per 1 KW -						0.23
Minimum						4.97

**Each Low or High Pressure Steam or Hot Water Boiler Rated
in either BTU's Input, Boiler Horsepower Output, or KW**

Per 1,000 BTU's Input -						0.09
Minimum						4.97
Per Boiler HP Output -						2.05
Minimum						4.97
Per KW -						0.23
Minimum						4.97

Each Absorber Unit, Electrical Reciprocating, Centrifugal, or Rotary Compressor,

Condensing Unit, or Chiller Unit, Each on its Normal Capacity Rating

Up to and including 2 tons	.	.	.	.	4.62
Over 2 and including 3 tons	.	.	.	.	7.82
Over 3 and including 5 tons	.	.	.	.	12.45
Over 5 and including 7-1/2 tons	.	.	.	.	17.07
Over 7-1/2 and including 10 tons	.	.	.	.	22.05
Over 10 and including 30 tons, per ton	.	.	.	.	1.98
Over 30 and including 100 tons, per ton	.	.	.	.	1.82
Over 100 and including 320 tons, per ton	.	.	.	.	1.56
Over 320 and including 520 tons, per ton	.	.	.	.	1.19
Over 520 tons, per ton	.	.	.	.	0.90

Each Roof-Top or Combination Unit, Including Ducts and Drains

	Cooling Only	Heating and Cooling
Up to and including 3 tons	\$ 7.82	\$15.65
Over 3 and including 5 tons	12.45	22.05
Over 5 and including 7-1/2 tons	17.07	29.17
Over 7-1/2 and including 10 tons	22.05	34.87
Over 10 tons, per ton	3.20	3.90

Roof-Top Heating Only

Unit per 1,000 BTU -	0.09
Minimum	4.97

Through-the-Wall A/C Units

All Sizes, Each	6.40
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**Cooling Tower, Evaporative or Air-Cooled Condenser,
Tonnage Based on Local Design Conditions**

All size units, per ton refrigeration capacity -	.	.	.	.	0.77
Minimum	.	.	.	.	4.97

Cooling-Heating Coils

D.E. or Chill Water per ton -	.	.	.	.	0.77
Minimum	.	.	.	.	4.97
Steam or Hot Water, per 1,000 BTU -	.	.	.	.	0.09
Minimum	.	.	.	.	4.97

Fan and Coil Units including Drains and Ducts

Cool and Heat, per ton -	1.56
Minimum	4.97
Cool only, per ton -	0.77
Minimum	4.97
Heating Unit only, per 1,000 BTU -	0.09
Minimum	4.97

Electrical Heat Strips for Units or Duct Installations

Per KW -	0.23
Minimum	4.97
Mixing Box - Conditioned Air	1.56
Mixing Box - Forced Air	3.20
Duct Addition or System not included elsewhere, per outlet -	0.77
Minimum	4.97

Miscellaneous

Commercial food preparation hood - Grease Type I	12.45
Commercial food preparation hood - Heat or Moisture Type II	9.25
Commercial hood exhaust fan - Grease	7.82
Commercial hood exhaust fan - Heat or Moisture	6.42
Commercial hood exhaust duct - Grease	7.82
Commercial hood exhaust duct - Heat or Moisture	6.42
Commercial kitchen make-up air unit	7.82
Commercial hood automatic electronic smoke extractor	24.90
Automatic fire-extinguishing equipment system	24.90
Range hood exhaust duct, for R Occupancy	1.56
Toilet exhaust fan and/or duct (per inlet)	1.56
Ventilation fan and duct system	6.42
Industrial hood	9.25
Mechanical ventilator	6.42
Flue replacement - U.L. labeled	6.42
Flue or stack for commercial and industrial appliances	7.82
Humidifier	3.20
Vented decorative appliance	6.42
Commercial clothes dryer exhaust duct	7.82
Domestic clothes dryer exhaust duct	1.56
Incinerator, per 1,000 BTU -	0.09
Minimum	4.97
Incinerator modification	78.28
Condensate drain-French sump	4.97
Fire or smoke damper	1.56
Circulating water pump	1.56
Evaporative cooler	6.42

Automatic shutoff - products of combustion	.	.	.	7.82
Solar energy system	.	.	.	46.97
Heat recovery devices per 1,000 BTU -	.	.	.	0.09
Minimum	.	.	.	15.11
Gas Extension - Test	.	.	.	7.82
For each appliance or piece of equipment by this ordinance				
for which no other fee is listed	.	.	.	7.82

*When inspections are performed by third party, the permit fee shall be reduced by multiplying the sum by 25% (0.25).
The resulting amount will be calculated to the penny with no rounding for the tenth of a penny figure.

Other Inspections and Fees

1. Inspections outside of normal business hours (minimum of two hours)				\$38.00 per hour
2. Reinspection fee assessed under provisions of C06.6	.	.	.	\$27.50
3. Inspections for which no fee is specifically indicated (minimum charge - one-half hour).	.	.	.	\$38.00 per hour
4. Additional plan review required by changes, additions or revisions to plans (minimum charge - one-half hour)	.	.	.	\$38.00 per hour
5. Inspections outside of city limits (commercial)	.	.	.	\$49.50 ¹ per inspector
(residential)	.	.	.	\$66.00 ¹ total

¹ Or \$33.00 per hour, whichever is greater.

C05.3.1 Investigation. Whenever any work for which a permit is required by this code has been commenced without first obtaining said permit, a special investigation shall be made before a permit may be issued for such work.

Exceptions: 1. This provision shall not apply to emergency work when it shall be proved to the satisfaction of the code official that such work was urgently necessary and that it was not practical to obtain a permit therefore before the commencement of the work. In all cases, a permit must be obtained as soon as it is practical to do so, and if there be an unreasonable delay in obtaining such permit, an investigation fee as herein provided shall be charged.

2. The investigation fee required shall be charged for work for which an inspection has been requested and no permit has been obtained.

C05.3.2 Fee. An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee required by this code. The minimum investigation fee shall be the same as the application fee set forth in Table C05.2. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this code nor from any penalty prescribed by law.

Use of the third party plan review or inspection option, will not reduce or lower the investigation fee required by this section.

The applicant may appeal the amount of an investigation fee to the city council by filing a written appeal showing the reason why the fee should be lowered. The city council may, upon a finding that the investigation fee is unreasonable based upon the facts presented, reduce the investigation fee, but in no case may the fee be reduced to less than the actual investigation costs incurred by the city.

C05.4 Change of record. Any request for a record change, or any mistake made by an applicant that requires a record change, including but not limited to name or address changes, whether computer or paper record, must be requested in writing by the original applicant with a fee as specified in Table C05.2.

Exceptions: 1. For record changes that affect the permit fee, such as adding equipment, fixtures or square footage, the code official may require a separate permit for the extra items with the appropriate fees.

2. The fee will not be required for those applicants meeting exception 5 of Section C05.2.

C05.5 Fee Refunds. The code official may authorize the refunding of any fee paid hereunder which was erroneously paid or collected. Where work for which a permit has been issued does not commence, and a request is made for a cancellation of such permit within a 60-day time limit, the permit fee may be returned, upon request, minus an administration charge of five dollars (\$5.00). After the 60 day time limit, no fee shall be returned.

Exceptions: 1. When the investigation fee of Section C05.3 has been collected, it shall not be refunded unless paid by another party.

2. No refund will be given for the application fee.

SECTION C06 - INSPECTIONS

C06.1 General. All mechanical systems for which a permit is required by this code shall be inspected by the code official. No portion of any mechanical system shall be concealed until inspected and approved. Neither the code official nor the jurisdiction shall be liable for expense entailed in the removal or replacement of material required to permit inspection. The holder of the permit shall be responsible for the scheduling of such inspections. Mechanical systems regulated by this code shall not be connected to energy fuel supply until authorized by the code official.

Exceptions: 1. The requirements of this section shall not be considered to prohibit the operation of any equipment installed to replace existing equipment serving an occupied portion of the building in the event a request for inspection of such equipment has been filed with the Code Official not more than 72 hours after such replacement work is completed, and before any portion of such equipment is concealed by any permanent portion of the building.

2. When approved by the Code Official, the inspection process as required by this code may be performed by an approved Third Party Organization as specified in Section C08.

C06.1.1 Under ground inspection shall be made after trenches or ditches are excavated and bedded, piping installed, and before any backfill is put in place. When excavated soil contains rocks, broken concrete, frozen chunks and other rubble that would damage or break the piping or cause corrosive action, clean backfill shall be on the job site.

C06.1.2 Rough-in inspection shall be made after the roof, framing, fire blocking, fire stopping, draft stopping and bracing are in place and all ducting and other components to be concealed are complete, and prior to the installation of wall or ceiling membranes.

C06.1.3 Final inspection shall be made after the building is complete, all mechanical systems are in place and properly connected, and the structure is ready for occupancy.

Exception: Ground-source heat pump loop systems tested in accordance with Section 1208.1.1 shall be permitted to be backfilled prior to inspection. Such test shall be performed by an engineer with a letter submitted to the code official.

Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this code or of other ordinances of this jurisdiction. Inspections presuming to give authority to violate or cancel provisions of this code or of other ordinances of

the jurisdiction shall not be valid.

C06.2 Other inspections. In addition to the called inspections specified above, the code official may make or require other inspections of any mechanical work to ascertain compliance with the provisions of this code and other laws which are enforced.

C06.3 Testing. Mechanical systems shall be tested as required in this code. Tests shall be made by the permit holder and observed by the code official.

C06.3.1 New, altered, extended or repaired systems. New mechanical systems and parts of existing systems, which have been altered, extended or repaired, shall be tested as prescribed herein to disclose leaks and defects.

C06.3.2 Equipment, material and labor for tests. All equipment, material and labor required for testing a mechanical system or part thereof shall be furnished by the permit holder.

C06.3.3 Reinspection and testing. Where any work or installation does not pass any initial test or inspection, the necessary corrections shall be made to comply with this code. The work or installation shall then be resubmitted to the code official for inspection and testing.

C06.4 Inspection requests. It shall be the duty of the person doing the work authorized by a permit to notify the code official that such work is ready for inspection. The code official may require that every request for inspection be filed at least one working day before such inspection is desired. Such request may be in writing or by telephone, at the option of the code official.

The person doing the work authorized by the permit shall make sure that the work will stand tests prescribed elsewhere in this code, before giving the above notification.

It shall be the duty of the person requesting inspections required by this code to provide access to and means for proper inspection of such work. When the work is within a residence where access is dependent upon the occupant being home, it shall be the duty of the person doing the work to make arrangements for inspections. Failure to make arrangements within a timely manner or the inability for the inspector to do the inspections at the arranged times will result in reinspection fees being assessed to the person doing the work.

Exception: If the reinspection fee was for a “Final Inspection” for a residence where access is dependent upon the occupant, after the fee has been paid by the person doing the work additional arrangements for the final inspection and penalties for not receiving such inspection shall fall on the occupant.

This shall not relieve the person doing the work from having to correct improper work and such accompanying penalties should the work fail reinspection.

C06.4.1. Approval Required. Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the building official. The building official, upon notification, shall make the requested inspections and shall either indicate that portion of the construction is satisfactory as completed, or shall notify the permit holder or an agent of the permit holder wherein the same fails to comply with this code. Any portions that do not comply shall be corrected and such portion shall not be covered or concealed until authorized by the building official. There shall be a final inspection and approval of all buildings and structure when completed and ready for occupancy and use.

C06.4.2 Covered Work. Any work covered or concealed without inspection shall be considered to constitute an unsafe structure and subject to the corrective provisions of Section A04.5. Such consideration as an unsafe structure shall exist every day until the work is inspected and approved as being in compliance with this code. Inspections will not be performed until a valid active permit is obtained in accordance with this code.

C06.5 Inspection card. Work which requires an inspection card as described in the Building Code shall not be commenced until the permit holder or an agent of the permit holder shall have posted or otherwise made available an inspection record card such as to allow the code official to conveniently make the required entries thereon regarding inspection of the work. This card shall be maintained available by the permit holder until final approval has been granted by the code official.

C06.6 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 code official.

To obtain a reinspection, the applicant shall file an application therefor in writing on a form furnished for that purpose and pay the reinspection fee in accordance with Table C05.2 or as set forth in the fee schedule adopted by the jurisdiction.

In instances where reinspection fees have been assessed, no additional inspection of the work will be performed until the required fees have been paid.

SECTION C07 - CONNECTION APPROVAL

C07.1 Energy connections. No person shall make connections from a source of energy or fuel to any mechanical system or equipment regulated by this code and for which a permit is required until approved by the code official.

C07.2 Temporary connections. The code official shall have the authority to authorize the temporary connection of the building or system to the utility source for the purpose of testing mechanical systems or for use under a temporary certificate of occupancy.

SECTION C08 - THIRD PARTY PLAN REVIEW AND INSPECTION

C08.1 When approved by the Code Official, Third Party Organizations may be permitted to perform the plan review and/or field inspection provisions of this code. When authorized to perform services, the Third Party Organization shall comply with the provisions of this section.

C08.2 Plan Review.

C08.2.1 Performance of plan review by a Third Party Organization shall not exempt or otherwise relieve the owner and/or other parties from the submittal for a permit with the appropriate plans as prescribed in this code.

C08.2.2 Along with the submittal of plans, documents as required by the Code Official shall also be submitted with the following information:

1. Name of the Third Party Organization and all individuals involved in the plan review.
2. Listing of the plan review results including but not limited to the construction type, occupancy group, occupant load, area calculations, story calculations, height measurements, and exiting calculations.
3. Other information as required by the Code Official.

C08.3 Field Inspections.

C08.3.1 Whenever the owner/builder wishes to use a Third Party Organization for field inspection, he shall submit the appropriate forms to the Code Official for approval before inspections commence. The Code Official shall review the application to confirm that the chosen Third Party Organization is approved and has all required insurance.

C08.3.2 The Code Official shall have a right to make periodic site visits, at his discretion, to review and inspect the work under construction. Whenever possible, the Code Official will attempt to coordinate such visits with the Third Party Organization.

C08.3.3 The Code Official shall maintain full interpretation authority of all affected codes as well as the authority to require corrections, including, but not limited to, notices,

stop work orders and/or citations.

C08.3.4 The project may proceed with construction only upon approval of the Third Party Organization after performing the inspections as required by this code or as otherwise required by the Code Official. If, upon review, the Code Official believes that compliance with all applicable codes has not been achieved, the Code Official shall retain the right to require corrections. If corrections are required, the owner/builder and Third Party Organization may propose methods of correction that do not require uncovering of completed work. However, the Code Official may require uncovering of completed work after consideration of the extent of the work involved versus the level of compliance needed and then only as a last resort when the Code Official determines that the proposed methods of correction will not result in adequate compliance.

C08.3.5 The Third Party Organization shall issue to the owner/builder and the Code Official a formal inspection report for each inspection completed, verifying either that the work inspected is in compliance with this code or specifically detailing corrections necessary to bring such work into conformance with said codes and regulations.

C08.3.6 The Third Party Organization shall notify the Code Official if, at any time, the owner/builder fails to correct construction deficiencies as noted or if the owner/builder covers work prior to inspection or otherwise hinders the ability of the Third Party Organization to perform required inspections.

C08.4 Insurance. The Third Party Organization shall obtain and maintain insurance coverage as prescribed by the Code Official.

C08.5 Indemnification. The Third Party Organization, the builder and the owner shall execute an indemnification agreement in a form approved by the City Attorney.

C08.6 Conflict of Interest. The licensed architect, registered engineer, or other authorized person, entity or corporation who prepared or supervised preparation of the project plans and/or specifications, along with, the owner, builder, subcontractor, their agents, officers and employees shall not be associated in any way with the Third Party Organization.

C08.7 Qualifications. The Third Party Organization shall submit documents, as required by the Code Official, to show adequate training, knowledge and/or certification in the fields upon which service is to be rendered. The Code Official shall review the documents along with proof of required insurance and all required executed agreements. If in compliance, the Code Official shall approve the Third Party Organization.

If not approved, or if approval is revoked for just cause by the Code Official, the Third Party Organization may appeal to the Construction and Fire Prevention Board of Appeals. Just cause may include but not be limited to violation of any provision of this ordinance, loss or expiration of required insurance, violation of the conflict of interest provision or any such action that may result in the questioning of qualifications.

C08.8 Certificate of Occupancy. A Certification of Occupancy shall be issued, when necessary, by the Code Official upon completion of all requirements specified above and, upon completion of all requirements of any other affected department of the City. Such completion shall be determined upon the submittal of all inspection reports by the Third Party Organization noting that all required construction inspections have been approved and after the Code Official has performed and approved a final inspection when deemed necessary.

C08.9 Violations. A Third Party person or individual who violates, or assists in the violation of, this code shall be subject to the penalties as prescribed in Section A04.2.

Chapter D

BUSINESS REGISTRATION

SECTION D01 - REGISTRATION

D01.1 General. Any firm, business or organization conducting any work related to this code shall have on file in the Department of Planning and Development office a valid Mechanical Business Registration signed by an official of the business hereafter to be known as Registered Official. Such business shall have in its sole employ the holder of a valid Fort Worth Mechanical Refrigeration and Air Conditioning Contractor's License or a State of Texas Air Conditioning and Refrigeration Contractor's License with proper endorsements. Such Business Registration shall be renewed annually effective January 1 of each year. The fees for the initial registration and the renewal shall be as specified in Table D01.1.

Exception: Based upon staffing and work loads, the code official may adjust the renewal dates of existing registrations to be equally distributed throughout the year as long as the fees are appropriately prorated.

The holder of a Business Registration who fails to pay the annual fee due for such license within thirty (30) days of the expiration date shall also be required to pay a late fee as specified in Table D01.1.

**Table D01.1
Business Registration**

First year or portion thereof*	\$120.00
Yearly renewal	\$ 60.00
Late fee	\$ 30.00

*Annual fee is due in full on the first day of January each year. Fees will not be pro rated for registration taken out during the year. (Renewal dates may be adjusted by the code official to equally distribute the workload throughout the year.

D01.2 Restrictions of Registration. Licensees that represent the registered business shall not be simultaneously employed by, or work for more than one business for the purpose of obtaining permits under this code or for the purpose of doing or supervising work that can only be done by authority of a permit obtained under the provisions of this code.

Only one licensee for each business registration will be recognized for the purpose of obtaining permits. The licensee shall keep the Department of Planning and Development notified of any change in his/her employment.

D01.3 Identification. Vehicles used commercially by the Registered Business shall be

properly identified with the registered business name. Where a license is required, the licensee's license number who is representing the registered business shall be added for identification. This identification shall be affixed or painted on both sides of the vehicle so as to be in full view at all times and in letters not less than two (2) inches high.

D01.4 Termination of licensee. Licenses shall not be assigned or transferred, but a license of any owner, officer, partner, association or corporation with a business registration shall be sufficient to qualify such firm, partnership, association or corporation to engage in the business of mechanical heating and air conditioning contracting if a licensee is solely employed by or associated with such firm, partnership, association or corporation in a permanent, full-time capacity.

In the event all holders of valid licenses terminate their relationship for any reason with such registered business, the business may continue in mechanical heating and air conditioning contracting and will be held responsible for those permits obtained prior to such termination, provided, however, that such permits shall not be valid for more than ninety (90) days from the date of termination. New permits shall not be issued.

SECTION D02 - REGISTRATION SUSPENDED, REPEALED OR REVOKED

D02.1 General. A license or business registration or permit may be suspended, repealed or revoked by the code official by reason of the occurrence of one or more of the following:

1. Adjudication of insanity;
2. Fraud or misrepresentation in obtaining a license, registration or permit;
3. Violation of a provision of this ordinance, the Plumbing, Electrical or Building Codes or any other regulatory ordinances of the City applicable to the installation or alteration of appliances, equipment or systems as set forth in this code;
4. Conviction of defrauding a person for whom he has rendered or contracted to render service;
5. Failure to obtain a permit or the attempted assignment of a permit for others;
6. Failure to pay fees or the voluntary or involuntary filing of bankruptcy proceedings by or against the firm, partnership, association, or corporation with a business registration with the City;
7. The sending of six (6) notifications within a six (6) month period that the licensee or registered business is in violation of this code; and,
8. When a state license is suspended for any reason.

A business registration suspended for failure to maintain state-required insurance may be reinstated at no fee.

D02.2 Work suspension. Upon suspension or revocation of said license or business registration, same shall be null and void and no work thereafter may be performed thereunder.

D02.3 Board affirmation. Upon appeal to the Board, the Board may affirm, revise or modify such suspension or revocation.

(b) The remaining sections of the 2003 International Mechanical Code are hereby amended as follows:

IMC SECTION 202

*Section 202; the definitions of “Code Official” and “Hazardous Location” are changed and new definitions are added to read as follows:

BUILDING CODE. Building Code shall mean the *International Building Code* as adopted by this jurisdiction.

CHANGE OF OCCUPANCY. A change in the purpose or level of activity within a building that involves a change in application of the requirements of this code. The definition shall also apply to the usage of the surrounding site and access to and from the building, structure or site, as necessary to achieve the purpose of this code, and to obtain compliance with other codes and ordinances of this jurisdiction.

CODE OFFICIAL. The officer or other designated authority charged with the administration and enforcement of this code, or a duly authorized representative. For the purpose of this code, the Code Official shall be the Building Official, and his regularly authorized deputy shall be the Chief Mechanical Inspector.

ELECTRICAL CODE. Electrical Code shall mean the *National Electrical Code* as adopted by this jurisdiction. For the purpose of this code, all references to NFPA 70 and the *ICC Electrical Code* shall be assumed to mean the Electrical Code as defined herein.

ENERGY CODE. Energy Code shall mean the *International Energy Code* as adopted by this jurisdiction.

FIRE PREVENTION CODE (FIRE CODE). Fire Prevention Code, or Fire Code, shall mean the *International Fire Code* as adopted by this jurisdiction.

FUEL GAS CODE. Fuel Gas code shall mean the *International Fuel Gas Code* as adopted by this jurisdiction and shall be considered as part of the Plumbing Code. (See Plumbing Code.)

HAZARDOUS LOCATION. As used in this code, any location considered to be a fire hazard for flammable vapors, dust, combustible fibers or other highly combustible substances. The location is not necessarily categorized in the *International Building Code* as a high-hazard use group classification.

MECHANICAL CODE. Mechanical Code shall mean the *International Mechanical Code* as adopted by this jurisdiction.

PLUMBING.

For the purpose of using the *International Plumbing Code*, as adopted, shall mean:

The practice, materials and fixtures utilized in the installation, maintenance, extension and alteration of all piping, fixtures, plumbing appliances and plumbing appurtenances, within or adjacent to any structure, in connection with sanitary drainage or storm drainage facilities; venting systems, and public or private water supply systems.

For the purpose of complying with the Texas State Plumbing License Law, shall mean:

All piping, fixtures, appurtenances, and appliances, including disposal systems, drain or waste pipes, or any combination of these that:

supply, recirculate, drain, or eliminate water, gas, medical gasses and vacuum, liquids, and sewage for all personal or domestic purposes in and about buildings where persons live, work, or assemble; connect the building on its outside with the source of water, gas, or other liquid supply, or combinations of these, on the premises, or the water main on public property; and carry waste water or sewage from or within a building to the sewer service lateral on public property or the disposal or septic terminal that holds private or domestic sewage.

The installation, repair, service, maintenance, alteration, or renovation of all piping, fixtures, appurtenances, and appliances on premises where persons live, work, or assemble that supply gas, medical gasses and vacuum, water, liquids, or any combination of these, or dispose of waste water or sewage.

PLUMBING CODE. Plumbing Code shall mean the *International Plumbing Code* and the *International Fuel Gas Code* as adopted by this jurisdiction. The term "Plumbing Code" applies to both codes as one combined code.

PLUMBING SYSTEM.

For the purpose of using the *International Plumbing Code*, as adopted, shall mean:

Includes the water supply and distribution pipes; plumbing fixtures and traps; water-treating or water-using equipment; soil, waste and vent pipes; and sanitary and storm sewers and building drains, in addition to their respective connections, devices and appurtenances within a structure or premise.

RESIDENTIAL CODE. Residential Code shall mean the *International Residential Code* as adopted by this jurisdiction.

IMC SECTION 301

*IMC Section 301.1; changed to read as follows:

301.1 Scope. This chapter shall govern the approval and installation of all equipment and appliances that comprise parts of the building mechanical systems regulated by this code ~~in accordance with Section 101.2.~~

IMC SECTION 302

*IMC Section 302.3; changed to read as follows:

302.3 Cutting, notching and boring in wood framing. When permitted by the Building Code, the The cutting, notching and boring of wood framing members shall comply with Sections 302.3.1 through 302.3.4.

IMC SECTION 304

*Section 304.2; changed to read as follows:

304.2 Conflicts. Where conflicts between this code and the conditions of listing or the manufacturer's installation instructions occur, the provisions of this code shall apply unless in the opinion of the Code Official the conditions of listing or the manufacturer's installation instructions when taken as a whole provide a higher level of protection.

{exception is unchanged}

*IMC Section 304.6; delete.

*IMC Section 304.9; changed to read as follows:

304.9 Clearances from grade. Equipment and appliances installed at grade level shall be supported on a level concrete slab or other approved material extending above adjoining grade a minimum of 3 inches (76 mm) or shall be suspended a minimum of 6 inches (152 mm) above adjoining grade.

*IMC Section 304.12; added to read as follows:

304.12 Minimum burial depth. Underground fuel piping systems shall be installed a minimum depth of 18 inches (458 mm) below grade.

IMC SECTION 306

*IMC Section 306.3; changed to read as follows:

306.3 Appliances in attics. Attics containing appliances requiring access shall be provided . . . *{bulk of paragraph unchanged}* . . . 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 of residential uses shall be provided by one of the following:

1. A permanent stair.
2. A pull down stair.
3. An access door from an upper floor level.

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 not less than 6 feet (1829 mm) high for its entire length, with a continuous unobstructed solid flooring not less than 30 inches (762 mm) in width, shall be not greater than 50 feet (15 250mm) in length.

Water heaters shall not be installed in residential attics.

Exception: Tankless water heaters.

*IMC Section 306.3.1; add a sentence to read as follows:

Low voltage wiring of 50 Volts or less shall be installed in a manner to prevent physical damage.

*IMC Section 306.4; add a second exception and a paragraph after the exceptions to read as follows;

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 not less than 6 feet high (1829 mm) for its entire length, the passageway shall not be limited in length.

Under floor spaces that are more than 30 inches (762 mm) below the access level shall be provided with a permanent ladder as detailed in Section 306.5.

*IMC Section 306.4.1; add a sentence to read as follows:

Low voltage wiring of 50 Volts or less shall be installed in a manner to prevent physical damage.

*IMC Section 306.5; changed to read as follows:

306.5 Equipment and appliances on roofs or elevated structures. Where equipment and appliances requiring access are installed on roofs or elevated structures at a height exceeding 16 feet (4877 mm), such access shall be provided by a permanent approved means of access, ~~the extent of which shall be from~~ Permanent exterior ladders providing roof access need not extend closer than 8 feet (2438 mm) to the finish grade or floor level below and shall extend to the equipment and appliance's level service space. Such access shall . . . *{bulk of section to read the same}*. . . on roofs having a slope greater than 4 units vertical in 12 units horizontal (33-percent slope).

Where an appliance has a serviceable area located at a height exceeding 16 feet (4877 mm) above the access level, a permanent approved means of access and a catwalk or working deck shall be provided on at least one side. Such permanent exterior ladder need not extend closer than 8 feet (2438 mm) to the access level below.

{Remainder of section unchanged}

*IMC Section 306.5.1; added to read as follows:

306.5.1 Electrical requirements. A receptacle outlet shall be provided at or near the equipment and appliance location in accordance with the Electrical Code. Low voltage wiring of 50 Volts or less shall be installed in a manner to prevent physical damage.

*IMC Section 306.6.1 and 306.6.2; added to read as follows:

306.6.1 Catwalk. On roofs having slopes greater than 4 in 12, a catwalk at least 24 inches in width with substantial cleats spaced not more than 16 inches apart shall be provided from the roof access to the working platform at the appliance.

306.6.2 Electrical requirements. A receptacle outlet shall be provided at or near the equipment and appliance location in accordance with the Electrical Code. Low voltage wiring of 50 Volts or less shall be installed in a manner to prevent physical damage.

*IMC Section 306.7; added to read as follows:

306.7 Water heaters above ground or floor. When the mezzanine or platform in

which a water heater exceeding a capacity of 10 gallons is installed is more than eight (8) feet (2438 mm) above the ground or floor level, it shall be made accessible by a stairway or permanent ladder fastened to the building.

306.7.1 Whenever the mezzanine or platform is not adequately lighted or access to a receptacle outlet is not obtainable from the main level, lighting and a receptacle outlet shall be provided in accordance with Section 306.3.1.

IMC SECTION 307

**IMC Section 307.2.1; change 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. 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. Rooftop units may be piped to discharge into roof drains when such drains do not discharge in a publicly exposed area as listed above.

**IMC Section 307.2.2; change to read and add a second paragraph 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, AFS, CPVC or PVC pipe or tubing. All components shall be selected for the pressure, ~~and~~ temperature and exposure rating of the installation. Condensate waste and drain line size shall be not . . . *{remainder of paragraph unchanged}* . . . uniform slope.

Condensate waste pipes from air-cooling coils may be sized in accordance with equipment capacity as follows:

<u>Equipment Capacity in tons of refrigeration</u>	<u>Minimum Condensate Pipe Inside Diameter</u>
<u>Up to 20 tons</u>	<u>3/4 inch</u>
<u>Over 20 to 40 tons</u>	<u>1 inch</u>
<u>Over 40 to 90 tons</u>	<u>1 1/4 inch</u>
<u>Over 90 to 125 tons</u>	<u>1 1/2 inch</u>
<u>Over 125 to 250 tons</u>	<u>2 inch</u>

The size of condensate waste pipes may be for one unit or a combination of units, or as recommended by the manufacturer. The capacity of waste pipes assumes a 1/8-inch-per-foot

slope, with the pipe running three-quarters full.

*IMC Section 307.2.3; add item #4 to read as follows:

4. Discharge, as noted, shall be to a conspicuous point of disposal to alert occupants in the event of a stoppage of the drain. However, the conspicuous point shall not create a hazard such as dripping over a walking surface or other areas so as to create a nuisance.

IMC SECTION 401

*IMC Section 401.5; add a second exception to read as follows:

Exceptions:

1. Group R-3.
2. Toilet room exhaust ducts may terminate in a warehouse or shop area when infiltration of outside air is present.

IMC SECTION 403

*IMC Section 403.2; add an exception to read as follows:

Exception: Where the design professional demonstrates that an engineered ventilation system is designed in accordance with ASHRAE 62, the minimum required rate of outdoor air shall be permitted to be as specified in such engineered system design.

*IMC Section 403.2.1; change item 1 and add an item #4 to read as follows:

1. Ventilation air shall not be recirculated from one dwelling unit to another or to dissimilar occupancies. See also Table 403.3, footnote b. When dissimilar occupancies produce odors or smells that may infiltrate neighboring tenant spaces through wall or ceiling openings, during positive or negative pressures, efforts shall be taken to seal such openings and/or provide supply air in a method that would prevent such infiltration.
2. *{unchanged}*
3. *{unchanged}*
4. Toilet rooms within private dwellings that contain only a water closet, lavatory or combination thereof may be ventilated with an approved mechanical recirculating fan or

similar device designed to remove odors from the air.

TABLE 403.3

*IMC Table 403.3; add a listing under "Storage" to read as follows:

Valve-Regulated Lead-Acid (VRLA) Battery Systems

1. Room ventilation (see Fire Code Section 609.6)
2. Cabinet ventilation (see Fire Code Section 609.7)

*IMC Table 403.3, footnote g: change to read as follows:

- g. Transfer air permitted in accordance with Section 403.2.2. Toilet rooms within private dwellings that contain only a water closet, lavatory or combination thereof may be ventilated with an approved mechanical recirculating fan or similar device designed to remove odors from the air.

IMC SECTION 501

*IMC Section 501.2; add a third exception to read as follows:

Exceptions:

1. {unchanged}
2. {unchanged}
3. Toilet room exhaust ducts may terminate in a warehouse or shop area when infiltration of outside air is present.

IMC SECTION 504

*IMC Section 504.6; add a sentence to read as follows:

The size of duct shall not be reduced along its developed length nor at the point of termination.

*IMC Section 504.6.1; changed to read as follows:

504.6.1 Maximum length. The maximum length of a clothes dryer exhaust duct shall not exceed 25 feet (7620 mm) from the dryer location to the outlet terminal with not more than two bends. When extra bends are installed, the maximum length of the duct shall be

reduced 2.5 feet (762 mm) for each 45-degree (0.79 rad) bend and 5 feet (1524 mm) for each 90-degree (1.6 rad) bend that occur after the first two bends, measuring in the direction of airflow. The maximum length of the exhaust duct does not include the transition duct.

{Exception is unchanged}

IMC SECTION 506

*IMC Section 506.3.10; changed to read as follows:

506.3.10 Grease duct enclosure. A grease duct serving a Type I hood that penetrates a ceiling, wall or floor shall be enclosed ...*{bulk of paragraph unchanged}*... shall be not less than 18 inches (457 mm). Clearance from the duct to the interior surface of enclosures of noncombustible construction or gypsum wallboard attached to noncombustible structures shall be not less than 6 3/4 inches (171 mm) and a maximum of 12 inches (305 mm). The duct enclosure shall serve a single grease exhaust duct system and shall not contain any other ducts, piping, wiring or systems.

{Exceptions remain unchanged.}

IMC SECTION 509

*IMC Section 509; For enforcement purposes, Fire Code Section 904.11 is reprinted herein and adopted as part of this code as follows:

[F] 904.11 Commercial cooking systems. The automatic fire-extinguishing system for commercial cooking systems shall be of a type recognized for protection of commercial cooking equipment and exhaust systems of the type and arrangement protected. Pre-engineered automatic dry- and wet-chemical extinguishing systems shall be tested in accordance with UL 300 and listed and labeled for the intended application. Other types of automatic fire-extinguishing systems shall be listed and labeled for specific use as protection for commercial cooking operations. The system shall be installed in accordance with this code, its listing and the manufacturer's installation instructions. Automatic fire-extinguishing systems of the following types shall be installed in accordance with the referenced standard indicated, as follows:

1. Carbon dioxide extinguishing systems, NFPA 12.
2. Automatic sprinkler system, NFPA 13.
3. Foam-water sprinkler system or foam-water spray systems, NFPA 16.
4. Dry-chemical extinguishing systems, NFPA 17.
5. Wet-chemical extinguishing systems, NFPA 17A.

Exception: Factory-built commercial cooking recirculating systems that are

tested in accordance with UL 197 and listed, labeled and installed in accordance with Section 304.1 of the *International Mechanical Code*.

[F] 904.11.1 Manual system operation. A manual actuation device shall be located at or near a means of egress from the cooking area, a minimum of 10 feet (3048 mm) and a maximum of 20 feet (6096 mm) from the kitchen exhaust system. The manual actuation device shall be located a minimum of 4 feet (1219 mm) and a maximum of 5 feet (1524 mm) above the floor. The manual actuation shall require a maximum force of 40 pounds (178 N) and a maximum movement of 14 inches (356 mm) to actuate the fire suppression system.

Exception: Automatic sprinkler systems shall not be required to be equipped with manual actuation means.

[F] 904.11.2 System interconnection. The actuation of the fire suppression system shall automatically shut down the fuel or electrical power supply to the cooking equipment. The fuel and electrical supply reset shall be manual.

[F] 904.11.3 Carbon dioxide systems. When carbon dioxide systems are used, there shall be a nozzle at the top of the ventilating duct. Additional nozzles that are symmetrically arranged to give uniform distribution shall be installed within vertical ducts exceeding 20 feet (6096 mm) and horizontal ducts exceeding 50 feet (15 240 mm). Dampers shall be in-stalled at either the top or the bottom of the duct and shall be arranged to operate automatically upon activation of the fire-extinguishing system. When the damper is installed at the top of the duct, the top nozzle shall be immediately be-low the damper. Automatic carbon dioxide fire-extinguishing systems shall be sufficiently sized to protect all hazards venting through a common duct simultaneously.

[F] 904.11.3.1 Ventilation system. Commercial-type cooking equipment protected by an automatic carbon dioxide extinguishing system shall be arranged to shut off the ventilation system upon activation.

[F] 904.11.4 Special provisions for automatic sprinkler systems. Automatic sprinkler systems protecting commercial-type cooking equipment shall be supplied from a separate, readily accessible, indicating-type control valve that is identified.

[F] 904.11.4.1 Listed sprinklers. Sprinklers used for the protection of fryers shall be listed for that application and installed in accordance with their listing.

[F] 904.11.5 Commercial cooking equipment. Portable fire extinguishers shall be provided within a 30-foot (9144 mm) travel distance of commercial-type cooking equipment. Cooking equipment involving vegetable or animal oils and fats shall be protected by a Class K rated portable extinguisher.

[F] 904.11.6 Operations and maintenance. Commercial cooking systems shall be operated and maintained in accordance with this section.

[F] 904.11.6.1 Ventilation system. The ventilation system in connection with hoods shall be operated at the required rate of air movement, and classified grease filters shall be in place when equipment under a kitchen grease hood is used.

[F] 904.11.6.2 Grease extractors. Where grease extractors are installed, they shall be operated when the commercial-type cooking equipment is used.

[F] 904.11.6.3 Cleaning. Hoods, grease-removal devices, fans, ducts and other appurtenances shall be cleaned at intervals necessary to prevent the accumulation of grease. Cleanings shall be recorded, and records shall state the extent, time and date of cleaning. Such records shall be maintained on the premises.

[F] 904.11.6.4 Extinguishing system service. Automatic fire-extinguishing systems shall be serviced at least every 6 months and after activation of the system. Inspection shall be by qualified individuals, and a certificate of inspection shall be forwarded to the code official upon completion.

[F] 904.11.6.5 Fusible link and sprinkler head replacement. Fusible links and automatic sprinkler heads shall be replaced at least annually, and other protection devices shall be serviced or replaced in accordance with the manufacturer's instructions.

Exception: Frangible bulbs are not required to be replaced

IMC SECTION 510

**Section 510.2.1.1; added to read as follows:*

510.2.1.1 (1903.2.2) Woodworking (or cabinet) shop. Where more than three fixed or table mounted pieces of dust producing equipment exists, each fixed or table mounted piece shall be connected to a dust collection system, in accordance with this section and Section 511, and interconnected such that the dust collection is automatically activated whenever the equipment is on.

IMC SECTION 513

**Section 513.5.3; added to read as follows:*

513.5.3 Corridors and Exit Passageways. When smoke control is required, and when required to have protected openings, the construction of corridor and exit passageways shall also comply with these provisions as a smoke barrier.

Exception: When the corridor or exit passageway has a positive pressure

difference between it and the neighboring spaces that complies with the provisions of this section, only a negative pressure difference shall be required between the corridor or exit passageway and the pressurized exit enclosure of Section 909.20.5.

However, if the corridor or exit passageway is placed in negative pressure relative to its neighboring spaces, then the pressure differences between the corridor or exit passageway and the vestibule or pressurized exit enclosure shall comply with the provisions of this section.

IMC SECTION 607

**IMC Section 607.2.2; changed to read as follows:*

607.2.2 Hazardous exhaust ducts. Hazardous exhaust duct systems shall extend directly to the exterior of the building and shall not extend into or through ducts and plenums. Fire dampers are not required at penetration of fire-rated elements for hazardous exhaust duct systems. Penetration of fire-rated elements shall comply with Section 510 and the Building Code.

IMC Section 607.5.1; changed to read as follows:

607.5.1 Fire Walls. Ducts and transfer openings permitted in fire walls in accordance with Section 705.11 of the *International Building Code* shall be protected with approved fire dampers installed in accordance with their listing. Hazardous exhaust ducts shall not penetrate fire walls.

SECTION 3.

That Section 7-168 of the Code of the City of Fort Worth (1986), as amended, is hereby amended to read as follows:

Sec. 7-168 Effect of Conflict with Other Ordinances.

This article shall be cumulative of all provisions of ordinances of the Code of the City of Fort Worth, Texas (1986), affecting Mechanical Code provisions, as amended, and shall not repeal any of the provisions of such ordinances, except in those instances where provisions of such ordinances are in direct conflict with the provisions of this ordinance.

SECTION 4.

That Section 7-169 of the Code of the City of Fort Worth (1986), as amended, is hereby amended to read as follows:

Sec. 7-169 Penalty for violation.

Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine not to exceed Two Thousand Dollars (\$2,000.00) for all violations involving fire safety, or public health and sanitation and shall be fined not more than Five Hundred Dollars (\$500.00) for all other violations of this ordinance. Each day or any portion thereof during which any violation of this ordinance occurs or continues shall be deemed a separate offense and upon conviction thereof shall be punishable as herein provided.

SECTION 5.

This article shall be cumulative of all provisions of ordinances of the Code of the City of Fort Worth, Texas (1986), affecting Mechanical Code provisions, as amended, and shall not repeal any of the provisions of such ordinances, except in those instances where provisions of such ordinances are in direct conflict with the provisions of this ordinance.

SECTION 6.

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this ordinance are severable, and, if any phrase, clause, sentence, paragraph, or section of this ordinance shall be declared void, ineffective, or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such voidness, ineffectiveness, or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this ordinance, since the same would have been

enacted by the City Council without the incorporation in this ordinance of any such void, ineffective, or unconstitutional phrase, clause, sentence, paragraph, or section.

SECTION 7.

Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine not to exceed Two Thousand Dollars (\$2,000.00) for all violations involving fire safety, or public health and sanitation and shall be fined not more than Five Hundred Dollars (\$500.00) for all other violations of this ordinance. Each day or any portion thereof during which any violation of this ordinance occurs or continues shall be deemed a separate offense and upon conviction thereof shall be punishable as herein provided.

SECTION 8.

All rights and remedies of the City of Fort Worth, Texas are expressly saved as to any and all violations of the previous Mechanical Code, or any other ordinances affecting construction and fire safety, which have accrued at the time of the effective date of this ordinance: and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

SECTION 9.

A copy of the 2003 International Mechanical Code, together with the local amendments contained in this ordinance, shall be filed in the office of the City Secretary for permanent record and inspection.

SECTION 10.

The Department of Planning and Development of the City of Fort Worth, Texas, is hereby authorized to publish this ordinance in pamphlet form for general distribution among the public, and the operative provisions of this ordinance as so published shall be admissible in evidence in all courts without further proof than the production thereof, as provided in Chapter XXV, Section 3, of the Charter of the City of Fort Worth, Texas.

SECTION 11.

The City Secretary of the City of Fort Worth, is hereby directed to publish the caption and Sections 1, 7, 9, 11 and 12 of this ordinance for two (2) days in the official newspaper of the City of Fort Worth, Texas as authorized by Section 2, Chapter XXV of the Charter of the City of Fort Worth, Texas and by Section 52.013 (a) of the Texas Local Government Code.

SECTION 12.

This ordinance shall take effect upon adoption and publication as required by law.

APPROVED AS TO FORM AND LEGALITY:

By: _____
Assistant City Attorney

Ordinance 15950

Adopted: ____ 4-13-04 ____

Effective: ____ 4-20-04 ____

Ordinance 16163

Adopted: ____ 10-12-04 ____

Effective: ____ 10-25-04 ____

Ordinance 17202-09-2006

Adopted: ____ 9-26-06 ____

Effective: ____ 10-2-06 ____

Ordinance 17522-04-2007

Adopted: ____ 4-24-07 ____

Effective: ____ 5-3-07 ____

7-22-08