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JUN 16 2010

LANCASTER COUNTY
CLERK

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF LANCASTER COUNTY, NEBRASKA

IN THE MATTER OF ADOPTING)
THE 2006 EDITION OF THE)
INTERNATIONAL MECHANICAL)
CODE)

RESOLUTION NO. R-10-0054

WHEREAS, Lancaster County, Nebraska, (the "County"), may adopt construction codes by virtue of Neb. Rev. Stat. § 23-172 (Reissue 2007), as amended, which are applicable throughout all of the County except within the jurisdiction of any incorporated city or village, and except within an unincorporated area where a city or village has been granted zoning jurisdiction and is exercising such jurisdiction; and

WHEREAS, the County, pursuant to the Interlocal Cooperation Act, Neb. Rev. Stat. § 13-801 *et seq.* (Reissue 2007), has entered into an agreement with the City of Lincoln (the "City"), providing for enforcement of the County construction codes by the City Codes Administration; and

WHEREAS, one of the provisions of said agreement requires that the County adopt construction codes which have been adopted by the City, in order to provide a uniform code for permit and inspection purposes; and

WHEREAS, the City adopted the International Mechanical Code, 2006 Edition, with certain amendments thereto; and

WHEREAS, on July 13, 2010, the Lancaster County Board of Commissioners conducted a public hearing regarding adoption of construction codes; and

WHEREAS, pursuant to Neb. Rev. Stat. § 23-172, the adoption of any standard code by reference shall be construed to incorporate such amendments thereof as may be made if the copy of such standard code is kept current in the office of the County Clerk.

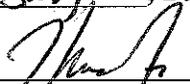
NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Lancaster County that the International Mechanical Code (2006 Edition), adopted by the City and attached hereto, including any amendments thereto, is incorporated in full by this reference and is hereby adopted for use in the County.

BE IT FURTHER RESOLVED that a copy of said International Mechanical Code described herein, be placed on file in the Office of the County Clerk pursuant to Neb. Rev. Stat. § 23-172.

BE IT FURTHER RESOLVED that this Resolution hereby replaces and rescinds County Resolution No. 00-54 and any previously existing Mechanical Code.

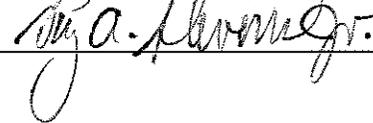
DATED this 13th day of July, 2010, at the County-City Building, Lincoln, Lancaster County Nebraska.

BY THE BOARD OF COUNTY
COMMISSIONERS OF LANCASTER
COUNTY, NEBRASKA

APPROVED AS TO FORM
this 13th day of
July, 2010.

for GARY E. LACEY
County Attorney







Chapter 25.04

LINCOLN MECHANICAL CODE

Sections:

- 25.04.010 Adoption of the International Mechanical Code, 2006 Edition.
- 25.04.020 Section 101.1 Amended; Title.
- 25.04.030 Section 103 Amended; Department of Building and Safety and Code Official.
- 25.04.040 Section 104.4 Amended; Inspections.
- 25.04.050 Section 106.1 Amended; Permits; When Required.
- 25.04.060 Section 106.3 Amended; Application for Permit.
- 25.04.070 Section 106.4.3 Amended; Permit Issuance; Expiration.
- 25.04.080 Section 106.5.1 Deleted; Work Commencing Before Permit Issuance.
- 25.04.090 Section 106.5.2 Amended; Fee Schedule.
- 25.04.100 Section 106.5.3 Amended; Fee Refunds.
- 25.04.110 Section 107.1 Amended; Required Inspections and Testing.
- 25.04.120 Section 107.2.3 Amended; Reinspection and Testing.
- 25.04.130 Section 107.4 Amended; Testing and Inspections; Temporary Connection.
- 25.04.140 Section 108.4 Amended; Penalties.
- 25.04.150 Section 108.5 Amended; Stop Work Orders.
- 25.04.160 Section 109 Amended; Means of Appeal.
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- 25.04.190 Registration of Master Mechanical Contractors and Technicians; Application.
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- 25.04.220 Examination and Registration Fee.
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- 25.04.280 Registered Master Mechanical Contractor; Death or Severed Relationship.
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- 25.04.300 Installation by Owner.
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- 25.04.320 Section 304.9 Amended; Clearances From Grade.

- 25.04.330 **Section 306.5 Amended; Equipment and Appliances on Roofs or Elevated Structures.**
- 25.04.340 **Section 309.1 Amended; Space-heating Systems.**
- 25.04.350 **Section 501.2 Amended; Exhaust Discharge.**
- 25.04.360 **Section 504.4 Amended; Exhaust Installation.**
- 25.04.370 **Section 506.3.4 Amended; Air Velocity.**
- 25.04.380 **Section 507.1 Amended; Commercial Kitchen Hoods; General.**
- 25.04.390 **Section 507.2.1.1 Deleted; Type I Hoods; Operation.**
- 25.04.400 **Section 507.16 Amended; Commercial Kitchen Hoods; Performance Test.**
- 25.04.410 **Section 508.1.1 Deleted; Makeup Air Temperature.**
- 25.04.420 **Section 508.2 Amended; Compensating Hoods.**
- 25.04.430 **Section 603.6.1.1 Amended; Duct Length.**
- 25.04.440 **Section 603.8 Amended; Underground Ducts.**
- 25.04.450 **Section 708.1 Amended; Combustion Air Ducts.**

25.04.010 Adoption of the International Mechanical Code, 2006 Edition.

Except as hereinafter provided by specific amendment, the 2006 edition of the International Mechanical Code, including Appendix Chapters A and B, as published by the International Code Council, is hereby adopted. One printed copy of the International Mechanical Code, 2006 Edition, has been filed in the office of the City Clerk for use and examination by the public. (Ord. 19276 §1 June 29, 2009).

25.04.020 Section 101.1 Amended; Title.

Section 101.1 of the International Mechanical Code is amended to read as follows:

101.1 Title. These regulations shall be known as the Lincoln Mechanical Code, hereinafter referred to as “this code.” (Ord. 19276 §2; June 29, 2009).

25.04.030 Section 103 Amended; Department of Building and Safety and Code Official.

Section 103 of the International Mechanical Code is amended to read as follows:

Section 103. Department of Building and Safety.

103.1 Code Official defined. The Director of Building and Safety is hereinafter designated as the “Code Official.” The Code Official or an authorized representative of the Code Official is hereby authorized and directed to enforce all of the provisions of this code.

103.2 Enforcing department. The Department of Building and Safety shall be referenced as the enforcing department and shall be substituted for Department of Mechanical Inspection. (Ord. 19276 §3; June 29, 2009).

25.04.040 Section 104.4 Amended; Inspections.

Section 104.4 of the International Mechanical Code is amended to read as follows:

104.4 Inspections. All equipment for which a permit is obtained under this code shall be inspected by the code official.

No portion of any equipment intended to be concealed by any permanent portion of the building shall be concealed until inspected and approved.

When the installation of any equipment is completed, the second or final inspection shall be made. The registered master mechanical contractor shall be required to promptly call for inspection upon completion of the work. Failure to do so shall be grounds for withholding further permits until any backlog of final inspections is completed. In the event that the registered master mechanical contractor authorized to take out a permit under Section 106.1 as amended by Lincoln Municipal Code Section 25.04.050 intends for the owner of the property to request a final inspection, said registered mechanical contractor shall provide the owner of the property with information on requesting a city inspection. The owner of the property shall have the duty of requesting the final inspection and to provide access and a means for proper inspection.

A final inspection approval may, upon notice, be revoked by the Code Official if the Code Official finds that the mechanical equipment fails to comply in any respect with the requirements of this code, or that any installation is unsafe, dangerous, or a hazard to life or property. A time limit of seven days shall be allowed for the correction of rejected installation. Corrections not made and approved by the Code Official in the allotted time shall be grounds for withholding further permits until corrections are made and approved by the Code Official. (Ord. 19276 §4; June 29, 2009).

25.04.050 Section 106.1 Amended; Permits; When Required.

Section 106.1 of the International Mechanical Code is amended to read as follows:

106.1 When required. A registered master mechanical contractor or homeowner under certain conditions as authorized in Lincoln Municipal Code Section 24.04.310 who desires to erect, install, enlarge, alter, repair, remove, convert or replace a mechanical system, the installation of which is regulated by this code, or to cause such work to be done, shall first make application to the Code Official and obtain the required permit for the work.

Exception: Where equipment and appliance replacements or repairs must be performed in an emergency situation, the permit application shall be submitted within the next working business day to the Code Official.

(Ord. 19276 §5; June 29, 2009).

25.04.060 Section 106.3 Amended; Application for Permit.

Section 106.3 of the International Mechanical Code is amended to read as follows:

106.3 Application for permit. Each application for a permit, with the required fee, shall be filed with the Code Official on a form furnished for that purpose and shall contain a general description of the proposed work and its location. The application shall be signed by the registered master mechanical contractor or homeowner as authorized under Lincoln Municipal Code Section 24.04.310. The permit application shall indicate the proposed occupancy of all parts of the building and of that portion of the site or lot, if any, not covered by the building or structure and shall contain such other information required by the Code Official.

106.3.1 Online Permit Application. A permit may be obtained online through the Code Official's electronic permit application form. The Code Official shall establish and maintain written procedures and requirements for issuing the registered master mechanical contractor a unique personal identification number to be used in combination with an authenticated personal computer under the exclusive control of the registered master mechanical contractor. The written procedures shall list the acceptable verification or authentication services, payment and use of which shall be the sole responsibility of the registered master mechanical contractor. If a permit is applied for electronically, the applicant shall affix a signature by use of a digital or electronic signature that complies with the requirements of state law. The use of a digital or electronic signature shall have

the same force and effect as the use of a manual signature and the registered master mechanical contractor shall be responsible for all aspects of the proper use or misuse of either the electronic signature or the unique personal identification number.

106.3.2 Construction documents. When required by the Code Official for the enforcement of any provisions of this code, plans and specifications for the installation of mechanical systems or fuel gas systems shall be designed and prepared by an engineer or architect licensed by the state to practice as such and shall be filed with the Code Official and approved before the issuance of any permit. A sealed plan is required when the building has an occupancy load of twenty persons, is 5,000 feet in floor space, or has a wall thirty-five feet in height. One set of plans and specifications may be filed for checking, provided that not less than three sets of corrected plans and specifications are filed before approval is given by the Code Official. After approval, two sets of plans shall be returned to the applicant, and the other set shall be retained by the Code Official.

When the plans and specifications do not comply with the provisions of this code or the Lincoln Fuel Gas Code, the necessary changes or revisions shall be made thereto.

Every plan shall be a print or other type of plan approved by the Code Official. The information contained on the plans shall be clearly legible and specifically indicated. No plan shall be a scale smaller than one-eighth inch per foot.

Specifications, legibly and definitely stated, shall be included either on the plan or on separate sheets.

The approval of any plans or specifications shall not be construed to sanction any violation of this code, the Lincoln Fuel Gas Code, or any other Lincoln ordinance.

No person shall deviate materially from any approved plans or specifications or fail, neglect, or refuse to comply therewith, unless permission to do so has been obtained from the Code Official and subject to architect or engineer approval, where applicable.

Every dwelling unit shall be provided with heating facilities capable of maintaining a room temperature of 70° F. at a point between three and five feet above the floor level, under local outdoor winter design conditions as specified in ASHRAE Handbook.

The above temperature shall be measured in the approximate center of all habitable rooms, on the story that the thermostat is located.

With central forced air systems, the furnace blower shall be in constant operation for a minimum of two hours preceding temperature readings.

Where air conditioning is provided, the cooling system shall be capable of maintaining a temperature of 78° F. as measured in a manner the same as for heating.

The plans or specifications shall show the following:

- (a) Layout for each floor with dimensions of all working spaces and a legend of all symbols used;
- (b) Location, size, and material of all piping;
- (c) Location, size, and materials of all air ducts, air inlets, and air outlets;
- (d) Location of all fans, furnaces, boilers, absorption units, refrigerant compressors and condensers, and the weight of all pieces of such equipment weighing 200 pounds or more.
- (e) Rated capacity or horsepower of all furnaces, heat exchanges, blower fans, refrigerant compressors, and absorption units;
- (f) Location, size, and material of all combustion product vents and chimneys;
- (g) Location and area of all ventilation and combustion air openings and ducts;
- (h) Location of all air dampers and fire shutters;

(i) First sheet of each set of plans and specifications shall show the address of the proposed work and the name and address of the owner or lessee of the premises;

(j) Plans and specifications shall be of sufficient clarity to show that the proposed installation will conform to the provisions of this code and of all applicable laws, ordinances, rules, regulations, and orders. (Ord. 19276 §6; June 29, 2009).

25.04.070 Section 106.4.3 Amended; Permit Issuance; Expiration.

Section 106.4.3 of the International Mechanical Code is amended to read as follows:

106.4.3 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 120 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 recommences, a new permit shall be first obtained and the fee, therefore, 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. (Ord. 19276 §7; June 29, 2009).

25.04.080 Section 106.5.1 Deleted; Work Commencing Before Permit Issuance.

Section 106.5.1 of the International Mechanical Code is hereby deleted. (Ord. 19276 §7; June 29, 2009).

25.04.090 Section 106.5.2 Amended; Fee Schedule.

Section 106.5.2 of the International Mechanical Code is amended to read as follows:

106.5.2 Fee schedule. Any person desiring a permit required by this code or the Lincoln Fuel Gas Code shall, at the time of filing an application therefor, pay a fee to the Code Official as set forth below.

Where work for which a permit is required by this code is started or proceeded with prior to obtaining said permit, the fees hereinafter specified shall be doubled; but the payment of such double fees shall not relieve any person or persons from fully complying with the requirements of this code in the execution of the work or any other penalties prescribed herein.

**MECHANICAL SYSTEMS
PERMIT FEE SCHEDULE**

Electric Furnace	\$28.00
Gas Furnace	\$28.00
Air Conditioner	\$25.00
Heat Pump	\$25.00
Roof Top Heating/Cooling	\$50.00
Air Handling Unit	\$25.00
Residential Exhaust System	\$15.00
Vent Fan (Single Duct)	\$7.00
Clothes Dryer Vent	\$7.00
Vent or Chimney Liner	\$23.00
Alteration of Existing Work/Duct	\$23.00
Decorative Fireplace	\$50.00

Underground Duct work (per system)	\$23.00
Vent System	\$23.00
Type II Hood	\$50.00
Make-up Air System	\$50.00
Heat Recovery System	\$28.00
Paint Booth/Fume Hood Exhaust	\$50.00
Mixing/VAV Boxes	\$12.00
Unit Heater	\$32.00
Infrared Pipe Heating System	\$32.00
Type I Hood, including Ducts	\$200.00
Gas New Construction (1-5 outlets)	\$25.00
Each Additional Outlot	\$1.00
Gas Piping Replacement Appliance	\$5.00
Gas Piping Replacement	\$15.00
Gas Piping Alteration	\$15.00
Minimum Fee	\$25.00
Reinspection Fee	\$30.00
(Ord. 19276 §9; June 29, 2009).	

25.04.100 Section 106.5.3 Amended; Fee Refunds.

Section 106.5.3 of the International Mechanical Code is amended to read as follows:

106.5.3 Fee refunds. The Code Official shall authorize the refunding of fees as follows.

There shall be no refunds or credits given on permits which have expired. Permit holders returning an unused permit prior to the expiration date of the permit shall be limited to a maximum refund amounting to two-thirds of the original fee for total refund amounts of \$75.00 and less. For permit fee refund totals in excess of \$75.00, a \$25.00 processing fee will be levied against the refund amount, but the two-thirds maximum shall not apply. (Ord. 19276 §10; June 29, 2009).

25.04.110 Section 107.1 Amended; Required Inspections and Testing.

Section 107.1 of the International Mechanical Code is amended to read as follows:

107.1 Required inspection and testing. The Code Official upon notification from the permit holder or the permit holder's agent, shall make the following inspections and other such inspections as necessary, and shall either release that portion of the construction or shall notify the permit holder or the permit holder's agent of violations that must be corrected. The holder of the permit shall be responsible for the scheduling of such inspections. The Code Official may require that every request for inspection be filed at least one day before such inspection is desired. Such request may be in writing or by telephone at the option of the Code Official.

It shall be the duty of the person requesting inspection of any equipment regulated by this code to provide access and means for proper inspection of such equipment. It shall also be the duty of the person requesting final inspection to determine that the equipment is operational with permanent gas and/or electrical connections before requesting such final inspection.

1. Underground inspection shall be made after trenches or ditches are excavated and bedded, piping installed, and before 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.

2. Rough-in inspection shall be made after the roof, framing, fireblocking 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.

3. Final inspection shall be made upon completion of the mechanical system. The owner of the property shall have the duty of requesting the final inspection and to provide access and a means for proper inspection.

Exception: Ground-source heat pump loop systems tested in accordance with Section 1208.1.1 shall be permitted to be backfilled prior to inspection.

The requirements of this section shall not be considered to prohibit the operation of any heating equipment or appliances installed to replace existing heating equipment or appliances serving an occupied portion of a structure provided that a request for inspection of such heating equipment or appliances has been filed with the department not more than 48 hours after such replacement work is completed, and before any portion of such equipment or appliances is concealed by any permanent portion of the structure. (Ord. 19276 §11; June 29, 2009).

25.04.120 Section 107.2.3 Amended; Reinspection and Testing.

Section 107.2.3. of the International Mechanical Code is amended to read as follows:

107.2.3 Reinspection and testing. Where any work or installation does not pass an initial test or inspection, the necessary corrections shall be made so as to achieve compliance with this code within ten working days. The work or installation shall then be resubmitted to the Code Official for inspection and testing. (Ord. 19276 §12; June 29, 2009).

25.04.130 Section 107.4 Amended; Testing and Inspections; Temporary Connection.

Section 107.4 of the International Mechanical Code is amended to read as follows:

107.4 Temporary connection. The Code Official shall have the authority to authorize the temporary connection of a mechanical system to the sources of energy for the purpose of testing mechanical systems. (Ord. 19276 §13; June 29, 2009).

25.04.140 Section 108.4 Amended; Penalties.

Section 108.4 of the International Mechanical Code is amended to read as follows:

108.4 Penalties. Any person, firm, or corporation violating any of the provisions of this code shall be guilty of a misdemeanor, and each such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this code is committed, continued, or permitted, and upon conviction of any such violation, such person shall be punishable by a fine not to exceed \$500.00, or by imprisonment for not more than six months, or by both such fine and imprisonment, except that each person so convicted shall be fined in a sum of not less than \$200.00 for the first offense, not less than \$250.00 for the second offense, and not less than \$300.00 for the third offense and each offense thereafter. (Ord. 19276 §14; June 29, 2009).

25.04.150 Section 108.5 Amended; Stop Work Orders.

Section 108.5 of the International Mechanical Code is amended to read as follows:

108.5 Stop work orders. Upon notice from the Code Official that mechanical work is being done contrary to the provisions of this code or in a dangerous or unsafe manner, such work shall

immediately cease. 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. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the Code Official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work on the system after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be guilty of a misdemeanor. (Ord. 19276 §15; June 29, 2009).

25.04.160 Section 109 Amended; Means of Appeal.

Section 109 of the International Mechanical Code is amended to read as follows:

109.1 Application for appeal. A person shall have the right to appeal a decision of the Code Official to the board of appeals. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equally good or better form of construction is proposed. The application shall be filed on a form obtained from the Code Official within 30 days after the notice was served.

109.1.1 Limitation of authority. The board of appeals shall have no authority relative to interpretation of the administration of this code nor shall such board be empowered to waive requirements of this code.

109.2 Mechanical Advisory and Appeals Board Created. In order to review determinations of the Code Official as to the suitability of alternate materials and types of installation and the reasonable interpretations of the provisions of this code and the Lincoln Fuel Gas Code, there shall be and is hereby created a Lincoln Mechanical Advisory and Appeals Board, consisting of the members of the Board of Examiners created by Section 25.04.170 and two additional members appointed by the Mayor to serve at the Mayor's pleasure and who are qualified by experience and training to pass upon matters pertaining to mechanical systems installation. The Code Official shall be an ex officio member and shall act as secretary of the board. The board may adopt reasonable rules and regulations for the conduct of its investigations and shall render all decisions and findings in writing to the Code Official within a duplicate copy to the person appealing to it.

Any person who is aggrieved by a decision, notice, or order of the Code Official under this code or the Lincoln Fuel Gas Code may appeal such decision to the board by filing an appeal in the office of the Code Official within thirty days from the date of such decision, notice or order and payment of a filing fee as provided below:

(a) A \$100.00 fee for review of a decision of the Code Official interpreting a provision or provisions of this code or the Lincoln Fuel Gas Code; matters pertaining to mechanical or fuel gas installations.

(b) A \$100.00 fee for review of a decision of the Code Official concerning the suitability of alternate materials or types of installation.

All properly and timely filed appeals shall be referred to the Mechanical Advisory and Appeals Board for hearing. The secretary of said board shall in each appeal notify the appellant in writing of the date, time, and place of hearing before the board, which date shall be no later than thirty days from the date of filing of the appeal. Such notice shall be served upon the appellant by personal service or certified mail.

Hearings on appeal need not be conducted according to technical rules relating to evidence and witnesses. Oral evidence shall be taken only on oath or affirmation. Any relevant evidence

shall be admitted if it is the type of evidence upon which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule which may make improper the admission of such evidence over objection in civil actions in courts of competent jurisdiction in this state. Irrelevant and unduly repetitious evidence shall be excluded. The appellant, the board members, the Code Official, and any other party to an appeal hereunder shall have these rights, among others:

- (a) To call and examine witnesses on any matter relevant to the issues of the hearing;
- (b) To introduce documentary and physical evidence;
- (c) To cross-examine opposing witnesses on any matter relevant to the issues of the hearing; and
- (d) To rebut evidence.

The Mechanical Advisory and Appeals Board shall then within a reasonable time after the hearing render a written decision which shall state its findings and conclusions. Decisions of the Mechanical Advisory and Appeals Board may be appealed as provided by law.

Enforcement of any decision, notice, or order of the Code Official issued under this code or the Fuel Gas Code shall be stayed during the pendency of an appeal therefrom which is properly and timely filed, except in cases of emergency, where enforcement of the same is necessary for the protection of persons or property. (Ord. 19276 §16; June 29, 2009).

25.04.170 Board of Mechanical Examiners.

There is hereby created a Board of Mechanical Examiners which shall consist of five members and shall be referred to herein as the Board of Examiners. Members of the Board of Examiners shall consist of the Code Official, a registered professional mechanical engineer, the chief mechanical inspector, and two registered mechanical contractors. Said mechanical contractors and professional mechanical engineer shall be appointed by the Mayor with the concurrence of the City Council for staggered terms of three years each. The mechanical inspector shall be the permanent secretary of the board of examiners and shall keep a record of all meetings.

The Board of Examiners shall have power and authority to adopt such rules and regulations as are consistent with the provisions of this code, subject to approval of the Mayor, for the examination of applicants for registration under the terms of this code. All decisions of the Board of Examiners shall be subject to review by the Mechanical Advisory and Appeals Board. The Board of Examiners shall determine minimum qualifications for applicants for registration and as part of the rules and regulations shall determine the nature of the examination to be given applicants for registration and shall elect annually a chairperson who shall preside at all meetings.

Regular meetings of the Board of Examiners shall be held in January of each year. Special meetings may be held when deemed necessary at the call of the chairperson. (Ord. 19276 §17; June 29, 2009).

25.04.180 Registration of Master Mechanical Contractors and Mechanical Technicians.

There shall be three classes of registration as follows:

- (a) Master mechanical contractor is hereby defined to be any person skilled in the planning, superintending, and material installation of mechanical (heating, ventilating, and cooling) and fuel gas equipment and their accessories and who is familiar with the ordinances and regulations governing the same, and who is competent to install, repair, alter, or remove mechanical (heating, ventilating, and cooling) equipment, fuel gas equipment, or gas piping with the full responsibility

of supervision, whether doing such work by himself or employing journeyman mechanical technicians and apprentice mechanical technicians to assist him.

Inactive Master mechanical contractor is hereby defined to be any person meeting the qualifications of a Master mechanical contractor but will not be active as an mechanical contractor and will not be issued mechanical permits.

(b) Journeyman mechanical technician is hereby defined to be any person employed by a master mechanical contractor, other than an apprentice mechanical technician, who as his principal occupation is engaged in the practical installation, alteration, repair, or removal of mechanical (heating, ventilating, and cooling) or fuel gas equipment. A journeyman may supervise a maximum of five apprentices on a job site.

(c) Apprentice mechanical technician is hereby defined to be any person, other than a master mechanical contractor or journeyman mechanical technician, who as his principal occupation is engaged in learning and assisting in the installation, repair, alteration, or removal of mechanical (heating, ventilating and cooling) or fuel gas equipment and their accessories as an employee under the supervision of a master mechanical contractor or journeyman mechanical technician.

No person shall engage in or hold himself out as engaging in the mechanical (heating, ventilating and cooling) or fuel gas business in the city or within three miles thereof or install any mechanical (heating, ventilating and cooling) systems or fuel gas systems or their accessories (unless duly authorized to do so by registration) except as provided for in Section 25.04.310. (Ord. 19276 §18; June 29, 2009).

25.04.190 Registration of Master Mechanical Contractors and Technicians; Application.

Application for registration as a master mechanical contractor, journeyman mechanical technician, or apprentice mechanical technician, shall be made in writing to the Code Official on a form furnished by the Code Official for such purpose. Such form shall require the name and address of the applicant, the business location of the applicant, a statement of the practical experience of the applicant, and such other relevant information as may be required by the Code Official. (Ord. 19276 §19; June 29, 2009).

25.04.200 Registration of Master Mechanical Contractors and Technicians; Examination.

Before any applicant shall be registered as a master mechanical contractor or journeyman mechanical technician, he shall pay an examination fee and shall be required to submit to and pass a written examination to determine his qualifications and fitness for executing the class of work under this code, the Lincoln Fuel Gas Code, and the Lincoln Gas Piping Systems Code covered by the registration for which application is made. Such examination shall normally be given the third Wednesday in January, April, July, and October under the direction of the Board of Examiners. The examination date may be changed by majority approval of the Board of Examiners. Any applicant who fails to pass the required examination shall not be eligible to take another examination until at least six months shall have elapsed from the date of last examination. (Ord. 19276 §20; June 29, 2009).

25.04.210 Registration of Corporation, Firm or Partnership.

Any corporation may be registered as a master mechanical contractor in the name of such corporation, provided such corporation shall have a registered master mechanical contractor as a bona fide officer or employee of such corporation who shall at all times be on duty and be in actual charge of mechanical or fuel gas work done by such corporation. The registration certificate shall

also be issued in the name of the person registered as a master mechanical contractor. In the event such master mechanical contractor shall sever his or her relationship with such corporation as a bona fide officer or employee, such registered master mechanical contractor must immediately notify the Code Official who shall forthwith recommend to the Mechanical Advisory and Appeals Board that the certificate of registration of such corporation be revoked. It shall be unlawful for any corporation to act, engage in, advertise, or to otherwise represent itself as a master mechanical contractor in the City of Lincoln unless a bona fide officer or employee of such corporation is duly registered as a master mechanical contractor as provided in this code.

Any firm or partnership may be registered as a master mechanical contractor in the name of such firm or partnership, provided such firm or partnership shall have a registered master mechanical contractor as a bona fide member or employee of such firm or partnership and who shall at all times be on duty and be in actual charge of the mechanical or fuel gas work done by such firm or partnership. The registration certificate shall also be issued in the name of the person registered as a master mechanical contractor. In the event such master mechanical contractor shall sever his or her relationship with such firm or partnership as a bona fide member or employee, such registered master mechanical contractor must immediately notify the Code Official who shall forthwith recommend to the Mechanical Advisory and Appeals Board that the certificate of registration of such firm or partnership be revoked. It shall be unlawful for any firm or partnership to act, engage in, advertise, or to otherwise represent itself as a master mechanical contractor in the City of Lincoln unless a bona fide member or employee of such firm or partnership is duly registered as a master mechanical contractor as provided in this code.

No corporation, firm, or partnership shall be registered as a master mechanical contractor until the corporation, firm, or partnership has a registered master mechanical contractor as a bona fide officer, member, or employee of such corporation, firm, or partnership who shall at all times be on duty and be in actual charge of mechanical or fuel gas work being done by such corporation, firm, or partnership. (Ord. 19276 §21; June 29, 2009).

25.04.220 Examination and Registration Fee.

Each applicant for a master mechanical contractor registration or journeyman mechanical technician registration shall pay to the Code Official an examination fee as follows:

Master mechanical contractor examination fee	\$150.00
Journeyman mechanical technician examination fee	\$100.00

Upon the initial issuance or subsequent renewal of a registration certificate, a registration fee shall be paid annually to the Code Official as follows:

Master mechanical contractor registration fee	\$250.00
Inactive Master mechanical contractor registration fee	\$50.00
Journeyman mechanical technician registration fee	\$25.00
Apprentice mechanical technician registration fee	\$15.00

Any person dealing in mechanical or fuel gas equipment or supplies, but not engaged in the installation, alteration, repair, or removal of equipment or supplies shall not be required to register hereunder. (Ord. 19276 §22; June 29, 2009).

25.04.230 Continuing Education Requirements.

All registered master mechanical contractors shall submit proof of eight hours of continuing education. Credit for continuing education may include attending educational meetings with organizations such as ASHRAE, RSES, ACCA, Lincoln Heating and Cooling Contractors

Association, or Manufacturers Seminar presentations. These continuing education credits shall be submitted to the Code Official each calendar year before the registration certificate expires (December 31). (Ord. 19276 §23; June 29, 2009).

25.04.240 Certificate of Insurance.

Before any master mechanical contractor as defined by the provisions of this code may be issued a permit, such contractor shall be required to:

(a) At all times maintain public liability insurance coverage for all claims arising out of all work in the City of Lincoln and within three miles of the corporate limits thereof done by or under the supervision of the contractor under the provisions of this code. Such insurance shall be in the form of a commercial or comprehensive general liability policy, or an acceptable substitute policy form as permitted by the City Attorney, with a minimum combined single limit of \$500,000.00 aggregate for any one occurrence on any job for which a permit is required under this code, provided the City of Lincoln shall be named an additional insured thereunder. The coverage required herein shall be subject to review and approval by the City Attorney for conformance with the provisions of this section.

(b) At all times keep on file with the Code Official a current certificate of insurance signed by a qualified agent of an insurance company licensed to do business in the State of Nebraska and approved by the City Attorney for conformance with the provisions of this section evidencing the existence of valid and effective policies of insurance naming the city as an additional insured for the coverage required by subsection (a) of this section, the limits of each policy, the policy number, the name of the insurer, the effective date and expiration date of each policy, the deductibles or self-insurance retainers of each policy, and a copy of an endorsement placed on each policy requiring thirty days notice by mail to the Code Official before the insurer may cancel the policy for any reason, and upon request of the Code Official or the City Attorney, a copy of any endorsements placed on such policies or the declarations page of such policies.

Expiration or cancellation of any insurance coverage required by this section shall constitute an automatic and immediate termination of the contractor's privilege to be issued permits under the provisions of this code, unless other insurance meeting the requirements of this section is provided and in full force and effect at the time of such expiration or cancellation. (Ord. 19276 §24; June 29, 2009).

25.04.250 Lapsed Registration Certificate.

Any person registered under the provisions of this code as a master mechanical contractor or a journeyman mechanical technician who does not renew his certificate of registration within a period of sixty days after the expiration of same shall pay the examination fee required by this code for a master mechanical contractor or a journeyman mechanical technician, as the case may be, and shall submit himself to and pass the regularly scheduled examination given by the Board of Examiners before such person can be again registered hereunder.

No registered master mechanical contractor nor journeyman mechanical technician shall employ any person as an apprentice who is not registered as an apprentice mechanical technician within the City of Lincoln. No apprentice mechanical technician shall be permitted to work at the installation, alteration, repair, or removal of any mechanical or fuel gas equipment and their accessories except under the direct supervision and in the immediate presence of a duly registered master mechanical contractor or journeyman mechanical technician. (Ord. 19276 §25; June 29, 2009).

25.04.260 Suspension or Revocation of Certificate of Registration.

The Mechanical Advisory and Appeals Board, upon the recommendation of the Code Official and after conducting a hearing as herein provided, shall have the power to suspend or revoke any registration of any master mechanical contractor or journeyman mechanical technician hereunder if the same was obtained by error or fraud, or if the holder thereof is shown to be no longer qualified, or if such holder fails to comply with the provisions of this code.

Where the Code Official has recommended suspension or revocation of a registered master mechanical contractor's or journeyman mechanical technician's certificate of registration, the Code Official shall cause written notice to be served upon the registered master mechanical contractor or journeyman mechanical technician whose registration has been recommended for suspension or revocation, setting forth the time and place for a public hearing thereon. Such written notice shall be served by certified mail or registered mail to the registrant's last known business address. At such hearing, the Mechanical Advisory and Appeals Board shall hear all parties concerned and afford them the following rights, among others:

- (a) To call and examine witnesses on any matter relevant to the issues of the hearing;
- (b) To introduce documentary and physical evidence;
- (c) To cross-examine opposing witnesses on any matter relevant to the issues of the hearing; and
- (d) To rebut the evidence against him or her.

The Board shall then within a reasonable time after the hearing render a written decision, setting forth its findings and conclusions. If a certificate is revoked, the holder of the same shall not apply for a new registration until one year after the date of such revocation. Decisions of the Board are final unless appealed as provided by law. (Ord. 19276 §26; June 29, 2009).

25.04.270 Registered Master Mechanical Contractor Not to Allow Another Person to Work On His or Her Permit.

No registered master mechanical contractor or journeyman mechanical technician shall allow his or her name to be used by another person, firm, partnership, or corporation, directly or indirectly, either to obtain a permit for the installation of any mechanical or fuel gas equipment or to install any such equipment.

No work for which a permit has been issued shall be performed on behalf of the master mechanical contractor, under whose registration the permit was issued, by any subcontractor unless such subcontractor is also registered under the provisions of this code.

Violations of this section shall be sufficient grounds for suspension or revocation of said certificate of registration as provided in this chapter. (Ord. 19276 §27; June 29, 2009).

25.04.280 Registered Master Mechanical Contractor; Death or Severed Relationship.

In the case of death or severed relationship of the only registered master mechanical contractor of a firm, partnership, or corporation, an employee of such firm, partnership, or corporation may be issued a temporary registration permitting such firm, partnership, or corporation to complete the work for which a permit is issued, provided that said employee has first obtained and submitted the necessary certificate of insurance and is found by the Board of Examiners to be competent to hold such registration. Additionally, the Board may, upon request of the employee, hold a special meeting for the examination of such employee for a registration in accordance with Section 25.04.200.

In no event shall such temporary registration be valid for more than six months from the date of its issuance. (Ord. 19276 §28; June 29, 2009).

25.04.290 Installation, Alteration, Reconstruction, or Repair to be Performed by Master Mechanical Contractor Only, Except as Otherwise Provided.

It shall be unlawful for any person, firm, or corporation as owner, agent, or tenant of a premises to knowingly permit any mechanical or fuel gas equipment to be installed, altered, reconstructed, or repaired, except as otherwise provided herein, by other than a registered master mechanical contractor or journeyman mechanical technician of the City of Lincoln.

All registered master mechanical contractors shall display the firm, corporation or company name and their registration number on the side doors or side panels of all vehicles while they are engaged in the installation, repair or replacement of mechanical or fuel gas equipment. The name shall be readily visible with at least three-inch letters and the registration number with at least two-inch numbers. The registration number shall be included in all printed advertisements. (Ord. 19276 §29; June 29, 2009).

25.04.300 Installation by Owner.

Homeowners may install mechanical or fuel gas equipment only in a single family residence which they occupy as their own home. All equipment installed by homeowners shall be for themselves without compensation or pay from or to any other person for such labor or installation. Such installation by owners shall comply with the requirements of this code, and the owners in exercising this privilege shall not set themselves up as a master mechanical contractor. The owner shall be required to file plans, apply for, and secure a permit, pay fees, and call for all inspections in the manner provided in this code. (Ord. 19276 §30; June 29, 2009).

25.04.310 Section 303.3 Amended; Prohibited Locations.

Section 303.3 of the International Mechanical Code is amended to read as follows:

303.3 Prohibited locations. Fuel-fired appliances shall not be located in, or obtain combustion air from, any of the following rooms or spaces:

1. Sleeping rooms.
2. Bathrooms.

Exception: Fuel-burning equipment may be approved for replacement in a bathroom with combustion air obtained in accordance with Chapter 7 of the International Mechanical Code.

3. Toilet rooms.
4. Storage closets.
5. Surgical rooms.

Exception: This section shall not apply to the following appliances:

1. Direct-vent appliances that obtain all combustion air directly from the outdoors.
2. Solid fuel-fired appliances, provided that the room is not a confined space and the building is not of unusually tight construction.
3. Appliances installed in a dedicated enclosure in which all combustion air is taken directly from the outdoors, in accordance with Section 703. Access to such enclosure shall be through a solid door, weather-stripped in accordance with the exterior door air leakage requirements of the International Energy Conservation Code and equipped with an approved self-closing device.

4. Fuel burning equipment may be approved for replacement in a bathroom with combustion air obtained in accordance with Chapter 7 of the International Mechanical Code.

(Ord. 19276 §31; June 29, 2009).

25.04.320 Section 304.9 Amended; Clearances From Grade.

Section 304.9 of the International Mechanical Code is amended 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 or shall be suspended a minimum of two inches (51 mm) above adjoining grade or according to the manufacturer's instructions. (Ord. 19276 §32; June 29, 2009).

25.04.330 Section 306.5 Amended; Equipment and Appliances on Roofs or Elevated Structures.

Section 306.5 of the International Mechanical Code is amended 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 grade or floor level to the equipment and appliances' level services space. Such access shall not require climbing over obstructions greater than 30 inches (762 mm) high or walking on roofs having a slope greater than 4 units vertical in 12 units horizontal (33-percent slope).

Exception: Equipment on roofs of existing commercial and Group R-1 residential buildings less than 24 feet in height may be accessed by portable ladders. Permanent level platforms or staging areas such as roofs or balconies having a minimum dimension of 6 feet by 6 feet may be considered to reduce the 24-foot minimum height. This section shall not apply to Group R-3 occupancies.

Permanent ladders installed to provide the required access shall comply with the following minimum design criteria:

1. The side railing shall extend above the parapet or roof edge not less than 30 inches (762 mm).
2. Ladders shall have rung spacing not to exceed 14 inches (356 mm) on center.
3. Ladders shall have a toe spacing not less than 6 inches (152 mm) deep.
4. There shall be a minimum of 18 inches (457 mm) between rails.
5. Rungs shall have a minimum 0.75-inch (19 mm) diameter and be capable of withstanding a 300-pound (136.1 kg) load.
6. Ladders over 30 feet (9144 mm) in height shall be provided with offset sections and landings capable of withstanding 100 pounds (488.2 kg/m²) per square foot.
7. Ladders shall be protected against corrosion by approved means.
8. All buildings requiring permanent ladder access shall have the bottom of ladders accessible at a height of ten feet or less from grade or floor level.

Catwalks installed to provide the required access shall be not less than 24 inches (610 mm) wide and shall have railings as required for service platforms.

Exception: This section shall not apply to Group R-3 occupancies. (Ord. 19276 §33; June 29, 2009).

25.04.340 Section 309.1 Amended; Space-heating systems.

Section 309.1 of the International Mechanical Code is amended to read as follows:

309.1 Space-heating systems. Interior spaces intended for human occupancy shall be provided with active or passive space-heating systems capable of maintaining a minimum indoor temperature of 70°F at a point 3 feet (914 mm) above floor on the design heating day. The installation of portable space heaters shall not be used to achieve compliance with this section.

Exception: Interior spaces where the primary purpose is not associated with human comfort. (Ord. 19276 §34; June 29, 2009).

25.04.350 Section 501.2 Amended; Exhaust Discharge.

Section 501.2 of the International Mechanical Code is amended to read as follows:

501.2 Exhaust discharge. The air removed by every mechanical exhaust system shall be discharged outdoors at a point where it will not cause a nuisance and not less than the distances specified in Section 501.2.1. The air shall be discharged to a location from which it cannot again be readily drawn in by a ventilating system. Air shall not be exhausted into an attic or crawl space.

Exception: Whole-house ventilation-type attic fans shall be permitted to discharge into the attic space of dwelling units having private attics. (Ord. 19276 §35; June 29, 2009).

25.04.360 Section 504.4 Amended; Exhaust Installation.

Section 504.4 of the International Mechanical Code is amended to read as follows:

5.04.4 Exhaust installation. Dryer exhaust ducts for clothes dryers shall terminate on the outside of the building and shall be equipped with a backdraft damper. Screens shall not be installed at the duct termination. Ducts shall not be connected or installed with sheet metal screws or other fasteners that will obstruct the exhaust flow. Clothes dryer exhaust ducts shall not be connected to a vent connector, vent or chimney. Clothes dryer exhaust ducts may extend into or through ducts or plenums provided their connections are sealed airtight. (Ord. 19276 §36; June 29, 2009).

25.04.370 Section 506.3.4 Amended; Air Velocity.

Section 506.3.4 of the International Mechanical Code is amended to read as follows:

506.3.4 Air velocity. Grease duct systems serving a Type I hood shall be designed and installed to provide an air velocity within the duct system of not less than 1,500 feet per minute and not to exceed 2,500 feet per minute. Ducts for Type II hoods that collect and remove steam, vapors, heat, and odors shall have a minimum velocity of 1,000 feet per minute and a maximum velocity of 1,500 feet per minute.

Exception: The velocity limitations shall not apply within duct transitions utilized to connect ducts to differently sized or shaped openings in hoods and fans, provided that such transitions do not exceed three feet in length and are designed to prevent the trapping of grease. (Ord. 19276 §37; June 29, 2009).

25.04.380 Section 507.1 Amended; Commercial Kitchen Hoods; General.

Section 507.1 of the International Mechanical Code is amended to read as follows:

507.1 General. Commercial kitchen exhaust hoods shall comply with the requirements of this section. Hoods shall be Type I or Type II and shall be designed to capture and confine cooking vapors and residues. Commercial kitchen exhaust hood systems shall operate during the cooking operation.

Exceptions:

1. Factory-built commercial exhaust hoods which are tested in accordance with UL 710, listed, labeled and installed in accordance with Section 304.1 shall not be required to comply with Sections 507.4, 507.7, 507.11, 507.12, 507.13, 507.14 and 507.15.
2. Net exhaust volumes for hoods shall be permitted to be reduced during no-load cooking conditions, where engineered or listed multispeed or variable-speed controls automatically operate the exhaust system to maintain capture and removal of cooking effluents as required by this section.

(Ord. 19276 §38; June 29, 2009).

25.04.390 Section 507.2.1.1 Deleted; Type I Hoods; Operation.

Section 507.2.1.1 of the International Mechanical Code is hereby deleted. (Ord. 19276 §39; June 29, 2009).

25.04.400 Section 507.16 Amended; Commercial Kitchen Hoods; Performance Test.

Section 507.16 of the International Mechanical Code is amended to read as follows:

507.16 Performance test. A performance test shall be conducted upon completion and before final approval of the installation of a ventilation system serving commercial cooking appliances. The test shall verify the rate of exhaust airflow required by Section 507.13, makeup airflow required by Section 508, and proper operation as specified in this chapter. The permit holder shall furnish the necessary test equipment and devices required to perform the tests. An air balance report shall be submitted by a NEPB, AABC, NCI or equivalent Certified Air Balancer. (Ord. 19276 §40; June 29, 2009).

25.04.410 Section 508.1.1 Deleted; Makeup Air Temperature.

Section 508.1.1 of the International Mechanical Code is hereby deleted. (Ord. 19276 §41; June 29, 2009).

25.04.420 Section 508.2 Amended; Compensating Hoods.

Section 508.2 of the International Mechanical Code is amended to read as follows:

508.2 Compensating hoods. Manufacturers of compensating hoods shall provide a label indicating minimum exhaust flow and/or maximum makeup airflow that provides capture and containment of the exhaust effluent. All compensating hoods shall extract a minimum of forty percent (40%) of their required exhaust airflow from the kitchen area. (Ord. 19276 §42; June 29, 2009).

25.04.430 Section 603.6.1.1 Amended; Duct Length.

Section 603.6.1.1 of the International Mechanical Code is amended to read as follows:

603.6.1.1 Duct length. Flexible air ducts shall not exceed twenty-five feet (25') in length. (Ord. 19276 §43; June 29, 2009).

25.04.440 Section 603.8 Amended; Underground Ducts.

Section 603.8 of the International Mechanical Code is amended to read as follows:

603.8 Underground ducts. Ducts shall be approved for underground installation. Metallic ducts for underground use shall have an approved protective coating listed for direct burial. (Ord. 19276 §44; June 29, 2009).

25.04.450 Section 708.1 Amended; Combustion Air Ducts.

Section 708.1 of the International Mechanical Code is amended to read as follows:

708.1 General. Combustion air ducts shall:

1. Be of galvanized steel complying with Chapter 6 or of equivalent corrosion-resistant material approved for this application.
2. Have a minimum cross-sectional dimension of 3 inches (76 mm).
3. Terminate in an unobstructed space allowing free movement of combustion air to the appliances.
4. Have the same cross-sectional areas as the free area of the openings to which they connect.
5. Serve a single appliance enclosure.
6. Not serve both upper and lower combustion air openings where both such openings are used. The separation between ducts serving upper and lower combustion air openings shall be maintained to the source of combustion air.
7. Not be screened where terminating in an attic space.
8. Not slope downward toward the source of combustion air, where serving the upper required combustion air opening. (Ord. 19276 §45; June 29, 2009).