

**Mechanical Code Amendments (2006 IMC and 2006 IFGC)
Thru March 28, 2008**

Chapter 22.04 – Adoption of 2006 IBC and Wichita Amendments

Section 22.04.010. Section 22.04.010 of the Code of the City of Wichita, is hereby amended to read as follows:

“The International Mechanical Code, as published by the International Codes Council, Inc. 2006 Edition, excluding Appendix B, is hereby adopted and incorporated herein by reference, subject to such amendments thereto as are set forth hereinafter.”

Sec. 22.04.011. Section 101.1 of the International Mechanical Code, as adopted by reference herein, shall be amended to read as follows:

“101.1 Title. These regulations shall be known as the Mechanical Code of the City of Wichita, Kansas, hereinafter referred to as "this Code".

Sec. 22.04.013. Section 102.8.1 created. Section 102.8.1 of the International Mechanical Code, as adopted by reference herein, shall be created to read as follows:

Building Code Provisions. The provisions of Title 18 of the Code of the City of Wichita shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures.

Sec. 22.04.014. Section 102.8.2 created. Section 102.8.2 of the International Mechanical Code, as adopted by reference herein, shall be created to read as follows:

Electrical. The provisions of Title 19 of the Code of the City of Wichita shall apply to the installation of electrical systems, including alterations, repairs, replacement equipment, appliances, fixtures, fittings and appurtenances thereto.

Sec. 22.04.016. Section 102.8.3 created. Section 102.8.3 of the International Mechanical Code, as adopted by reference herein, shall be created to read as follows:

Gas. The provisions of Title 21 of the Code of the City of Wichita shall apply to the installation of gas piping from the point of delivery, gas appliances and related accessories as covered in this Code. These requirements apply to gas piping systems

extending from point of delivery to the inlet connections of appliances and the installation and operation of residential and commercial gas appliances and related accessories.

Sec. 22.04.017. Section 102.8.4 created. Section 102.8.4 of the International Mechanical Code, as adopted by reference herein, shall be created to read as follows:

Plumbing. The provisions of Title 21 of the Code of the City of Wichita shall apply to the installation, alterations, repairs and replacement of plumbing systems, including equipment, appliances, fixtures and appurtenances, and where connected to water or sewage systems and all aspects of a medical gas system.

Sec. 22.04.018. Section 102.8.5 created. Section 102.8.5 of the International Mechanical Code, as adopted by reference herein, shall be created to read as follows:

Fire Prevention. The provisions of Title 15 of the Code of the City of Wichita shall apply to matters affecting or relating to structures, processes and premises from the hazard of fire and explosion arising from storage, handling or use of structures, materials or devices; from conditions hazardous to life, property or public welfare in the occupancy of structures or premises; and from the construction, extension, repair, alteration or removal of fire suppression and alarm systems or fire hazards in the structure or on the premises from occupancy or operation.

Sec. 22.04.019. Section 106.5.1 amended. Section 106.5.1 of the International Mechanical Code, as adopted by reference herein, shall be amended to read as follows:

106.5.1 Work commencing before permit issuance. Any person who commences work on mechanical system before obtaining the necessary permits shall be subject to a one hundred dollar investigation fee in addition to the required permit fees.

Sec. 22.04.020. Permit fees--Section 106.5.2 amended. Section 106.5.2 of the International Mechanical Code, as adopted by reference herein, shall be amended to read as follows:

The fees for mechanical work shall be as indicated in the following schedule.

Issuance of each permit . . .	18.00
Forced Air Furnace . . .	14.50
Air Handler & Duct Work . . .	14.50
5 H.P. or Less with coil without coil . . .	7.50

Heater, Unit _____ Wall _____ Room _____ Floor _____ . . .	10.50
Appliance Vent Relocated/Replaced:	
Dryer _____ A-Coil _____ Furnace _____ Water Heater _____ Fire Place _____ . . .	10.50
Alterations, Addition to Any Equipment . . .	
3 HP or Less . . .	7.50
Over 3 Inc. 15 HP . . .	13.50
Over 15 Inc. 30 HP . . .	18.00
Over 30 Inc. 50 HP . . .	27.00
Over 50 HP . . .	45.00
100M or Less Btu/h . . .	7.50
Over 100M Inc. 500M Btu/h . . .	13.50
Over 500M Btu/h Inc. 1,000 Btu/h . . .	19.50
Over 1,000M Inc. 1,750 Btu/h . . .	27.00
Over 1,750M Btu/h . . .	45.00
Air Handling Unit & Duct Work . . .	14.50
Evaporative Cooler . . .	9.50
Ventilation Fan Over 500CFM Connected to a Single Duct . . .	7.50
Ventilation System . . .	9.50
Each Hood Served by Mechanical Exhaust . . .	9.50
Boiler (Any Size) . . .	7.00
Commercial Type Incinerator . . .	36.00
Any Appliance or Piece of Equipment Regulated by this Code-	
No Other Fee Listed . . .	7.50
Minimum Fee . . .	25.00

Provided, however, permit fees for one-and two-family dwellings shall be established in accordance with the fee schedule set forth at Table 1-A of Section 18.08.010 of the Code of the City of Wichita. The valuation used to determine the amount of the fee to be assessed in relation to Table 1-A shall be five percent (5%) of the total valuation of the one-or two-family dwelling as determined by the Building Official under authority of Section 107.1 of the Uniform Building Code. Payment shall be made by the general contractor at the time a building permit is issued.

A separate heating and air-conditioning permit is required if work requiring a permit and inspection as defined in this Code is begun more than one hundred eighty (180) days from the date of issuance of the building permit.

Exception. Every permit issued by the building 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 one hundred eighty days from the date of such permit, or if work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of one hundred eighty days, or one hundred eighty days has expired since an inspection as required in Section 107 of this Code, was requested and such inspection was approved by the building official.

Sec. 22.04.022. Section 108.4 amended. Section 108.4 of the International Mechanical Code, as adopted by reference herein, shall read as follows:

“**Corrections and re-inspections.** Section 108.4 of the International Mechanical Code is amended to read as follows:

Corrections and re-inspections. Corrections shall be completed and work rescheduled for inspection within thirty (30) days from the date of the correction notice. Corrections not completed within the thirty (30) days will be issued a UCC (Uniform Criminal Complaint). Access shall be provided for re-inspection by the property owner.”

Sec. 22.04.023. Section 108.5 amended. Section 108.5 of the International Mechanical Code, as adopted by reference herein, shall be 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, or shall be posted in writing at the site of 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 liable for the violation penalties set forth in Title 22.16 of the Code of the City of Wichita.

Sec. 22.04.024. Section 109 deleted. Section 109 of the International Mechanical Code, as adopted by reference herein, shall be deleted in its entirety.

Sec. 22.04.026. Section 301.2 deleted. Section 301.2 of the International Mechanical Code, as adopted by reference herein, shall be deleted.

Sec. 22.04.028. Section 301.7 amended. Section 301.7 of the International Mechanical Code, as adopted by reference herein, shall be amended to read as follows:

301.7 Electrical. Electrical wiring, controls and connection to equipment and appliances regulated by this Code shall be in accordance with Title 19 of the Code of the City Wichita.

Sec. 22.04.029. Section 301.8 amended. Section 301.8 of the International Mechanical Code, as adopted by reference herein, shall be amended to read as follows:

301.8 Plumbing connections. Potable water supply and building drainage system connections to equipment and appliances regulated by this Code shall be in accordance with Title 21 of the Code of the City of Wichita.

Sec. 22.04.031. Section 303.3 amended. Section 22.04.031 of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

“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 room or spaces:

1. Sleeping rooms
2. Bathrooms
3. Storage closets
4. 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, or other approved areas. Access to such enclosure shall be through a solid door, weather-stripped in accordance with the exterior door and leakage requirements of the International Energy Conservation Code”

Sec. 22.04.032. Section 304.1 amended. Section 304.1 of the International Mechanical Code, as adopted by reference herein, shall be amended to read as follows:

304.1 General. Equipment and appliances shall be installed as required by the terms of their approval, in accordance with the conditions of the listing, the manufacturer's installation instructions and this Code. The appliance installer shall leave the manufacturer's installation and operation instructions attached to the appliance.

Sec. 22.04.034. Section 306.5 amended. Section 22.04.034 of the Code of the City of Wichita, Kansas, shall read as follows:

“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 eight (8) feet above grade to the equipment and appliances' level service 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).

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 a 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 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. 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 does not apply to Group R-3 occupancies.”

Sec. 22.04.036.16. Section 504.6.1 amended. Section 22.04.036.16 of the Code of the City of Wichita, Kansas, shall read as follows:

Maximum length. Section 504.6.1 of the International Mechanical Code shall be amended 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) total developed length for rigid metal duct, and twenty (20) (6096 mm) feet for metal flex duct, including four (4) 90-degree bends. The maximum developed 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 beyond the four (4) 90 degree bends. The maximum length of the exhaust duct does not include the transition duct or the initial 90 degree inlet connection.

Section 22.04.036.20. Section 22.04.036.20 created. Section 22.04.036.20 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

Operation. Section 507.2.1.1 of the International Mechanical Code shall be amended to read as follows:

507.2.1.1 Operation. Type I hood systems shall be designed and installed to automatically activate the exhaust fan whenever cooking operations occur. The activation of the exhaust fan shall occur through an interlock system specified by a registered design professional and submitted for plan review with the complete construction document package.”

Sec. 22.04.040. Inspectors--Appointment; duties generally.

One or more duly qualified mechanical inspectors shall be appointed by the city manager. Under the direction and supervision of the superintendent of central inspection, such inspectors shall enforce the provisions of this Code, keep records, make reports and perform any other duties as are from the time to time imposed by the city manager or the superintendent of central inspection.

Sec. 22.04.050. Inspectors--Qualifications.

All mechanical inspectors shall have had a minimum of five years of practical experience in this field as a journeyman or master. Persons in the employ of the city who are duly certified as combination inspectors or mechanical inspectors by the International Conference of Building Officials shall also be qualified as mechanical inspectors for the inspection of installations in one-and two-family residential structures. All inspectors shall be thoroughly familiar with the requirements of this Code.

Sec. 22.04.070. Section 22.04.070 created. Section 22.04.070 of the Code of the City of Wichita, Kansas, shall read as follows:

“Unless otherwise specified, the following terms, as used in this chapter, mean as follows:

‘Apprentice’ means an individual who works as an employee in training under the direct supervision of a journeyman or master. An apprentice is not a certified individual.

‘Board’ means that board appointed for each licensed trade for the purpose of reviewing code interpretations taken by the building code enforcement division, granting variances from the code, reviewing license applications and license suspensions and revocation.

‘Code’ means the International or Uniform Mechanical Code as adopted by the City, as the context of this article may require.

‘Direct supervision’ means that the apprentice is limited to the same structure and/or building site as the journeyman or master, except in the case of one- and two-family residential development, where the apprentice may be on the job site within 100 feet of where the journeyman or master is working.

‘Journeyman’ means an individual that holds a license issued pursuant to this article evidencing such person to be qualified to lay out, install, maintain and repair work in his area of expertise. A journeyman is responsible for the supervision of any apprentice assigned to work with him.

‘Licensed contractor’ means a person that engages in the business of air conditioning, refrigeration or warm air heating.

‘Licensed trade’ or ‘trade’ means the mechanical, electrical, plumbing or gas fitting trade, as the context of this article may require.

‘Master mechanic’ means an individual that holds a master certificate issued pursuant to this article evidencing such person to be qualified to lay out, install, maintain and repair work in his area of expertise. A master mechanic is responsible for the supervision of any apprentice assigned to work with him.

‘Master mechanic, qualified’ means an individual who holds a contractor license issued pursuant to this article evidencing such person to be qualified to control and have authority of all technical work performed under the authority of the licensed contractor’s enterprise, and assures quality control and is responsible for complying with all applicable laws, codes and regulations.”

Sec. 22.04.080. Contractors--Defined; classifications.

A "contractor," as used in this Code, means any individual or form of organization engaged principally in the business of selling, erecting, installing, altering, repairing, servicing or maintaining, or who represents to the public as being able and capable of engaging in the business of any or all of the classifications as hereafter set forth.

Class "A-C" (air conditioning and warm air heating) This class includes air handling equipment and air distributions, chilled water systems, warm air heating systems whereby heating is accomplished by distributing heated air by forced or gravity circulation or by radiation, including controls and other items pertaining thereto.

Class "RF" (refrigeration)--This class includes refrigeration systems and equipment of all types.

Sec. 22.04.090. Contractors--Combined classification.

A contractor who has been duly qualified to operate in one of the classifications as set out in the preceding section may become qualified in either or all of the other classes by submitting to the examination as set forth in Section 22.04.200 for the particular class involved.

Sec. 22.04.100. Section 22.04.100 of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

“Contractors--Marking of vehicles. Any person, firm or corporation required by this title to obtain a mechanical contractor’s license shall be subject to the following:

(a) Vehicles used in performance of installations or service regulated under this title shall display contractors' permanent vehicle permit numbers. Such numbers shall be assigned by the superintendent of central inspection to a contractor duly licensed under the provisions of this title.

(b) Permanent vehicle permit numbers must be affixed to both sides of vehicle(s), in a conspicuous place, either by paint of a contrasting color or by the use of the permanent decal.

(c) Permanent vehicle permit numbers must be a minimum of two inches high with a one-half-inch-wide stroke per character.

(d) A contractor's employee(s) using their personal vehicles as transportation to or from the job site are exempted from the provisions of this section. A contractor's employee using a personal vehicle in any job-related capacity must display the permanent vehicle permit marking.

(e) The contractor shall be responsible for removing the permanent vehicle permit number at the time any vehicle is taken out of service.

(f) Violation of any provision of this section may result in a hearing before the board of appeals of air conditioning, refrigeration, warm air heating and boilers. The board may order any or all of the following:

(1) No further mechanical permits be issued to the contractor until such time as the violation is abated;

(2) All inspections of further work performed by the contractor will be suspended until such time as the violation is abated, excepting extreme hazard of life safety inspection;

(3) A license review, subjecting the contractor to possible suspension, recall or cancellation of the master certificate and/or license, in accordance with the provisions of Section 22.04.260.

Exception: If the contractor chooses to advertise his or her business on their vehicles and abides with Section 22.04.242, Truth in advertising requirements, then Section 22.04.100, Marking of vehicles, does not apply.”

Sec. 22.04.110. Contractors--Established place of business required. Every contractor who has obtained a license as set forth in this Code shall have and maintain an established place of business at a definite address and with his registered name and Wichita permit number displayed as it appears on his license.

Sec. 22.04.120. Journeyman mechanics; defined; classifications.

A "journeyman mechanic," as used in this Code, means any individual working for a contractor of a class as set forth in Section 22.04.080 and engaged principally in the occupation of erecting, installing, altering, repairing, servicing or maintaining in any or all of the following classifications and who is duly certified as herein set forth to engage in such occupation:

Class "A-C" (air conditioning and warm air heating) as defined in Section 22.04.080;

Class "R-F" (refrigeration) as defined in Section 22.04.080.

Exception 1: Journeyman sheet metal installer is a limited classification for any individual working for a contractor of a class set forth in Section 22.04.080 and who is duly certified as herein set forth to engage in such occupation. Journeyman sheet metal installer is limited to perform the following types of installations:

(1) The placement and installation of the furnace, air conditioning or other air handling equipment, this does not include any connections of line voltage electricity, fuel gas piping or refrigeration piping;

(2) The installation of the complete air distribution system as defined in this Code;

(3) The installation of the products of combustion venting system as defined in this Code.

Exception 2: Journeyman residential mechanic is a limited classification for an individual working for a contractor of a class as set forth in Section 22.04.080 and who is duly codified as herein set forth to engage in such occupation. Journeyman residential mechanic is limited to perform the following type of installations:

1. One and two-family residential new construction only;
2. The placement and installation of the furnace, air conditioning or other air handling equipment that pertains to residential use. This does not include gas piping or line voltage electricity.

(Note) This certificate will not be renewed after the ICBO examination becomes available.

Sec. 22.04.130. Section 22.04.130 of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

"Apprentices. (a) Apprentices shall be permitted to work when accompanied by and under the direct supervision of a master or journeyman mechanic, who shall be responsible for the mechanical work performed by the apprentice. At any given time, there shall be a maximum of two apprentices per one master or one journeyman mechanic for all one or two-family dwelling residential job sites. There shall be a maximum of three apprentices per one master or one journeyman mechanic for all triplex or greater density residential job sites or commercial job sites. The on-site master or journeyman shall be responsible for maintaining the ratio of master/journeyman to apprentices as required by this section. If an apprentice works without the required supervision, both the qualified master and the apprentice may be held responsible for violation of this section.

(b) It shall be unlawful for any qualified master to allow or permit an uncertified individual to engage in the business of erecting, installing, altering, repairing, servicing or maintaining air conditioning, warm air heating or refrigeration."

Sec. 22.04.140. Board of appeals--Created; composition.

There shall be and is authorized in the city a board of appeals of air conditioning, refrigeration and warm air heating, which shall consist of the superintendent of central inspection or his duly authorized representative, who shall serve as secretary of the board, and seven other members, as follows:

- (1) A refrigeration contractor;
- (2) A journeyman heating and air conditioning mechanic;
- (3) A boiler contractor;
- (4) A master air conditioning and warm air heating contractor;
- (5) A journeyman boiler;
- (6) A public at large;
- (7) A mechanical engineer.

Sec. 22.04.150. Board of appeals--Qualifications and appointment of members.

The contractor and journeyman members of board of appeals shall, in the first instance, be those who have been established in their respective business so as to be qualified to obtain their certificates and licenses as provided in Section 22.04.200. The mechanical engineer and architect members shall be licensed by the state to engage in business in their respective fields and be independently engaged in business and not in the employ of an air conditioning, refrigeration or warm air heating contractor. All members shall be appointed by the mayor and approved by the city council members.

Sec. 22.04.160. Same--Term of members; filling vacancies; compensation of members. The mayor, with the approval of the city council, shall designate and appoint the members. The terms of office shall be as set forth in Section 2.12.020(1). No member of the board shall receive any compensation whatsoever for his services, but the board may allow actual expenses in attending meetings and in carrying out duties of his office to any such member.

Sec. 22.04.170. Meetings; rules; records. The board of appeals of air conditioning, refrigeration and warm air heating shall meet in conformance with Chapter 2.12 of the Code of the City of Wichita.

Sec. 22.04.180. Same--Appeals. Any decision by or action of the board of appeals of air conditioning, refrigeration, warm air heating and boilers may be appealed

in writing to the city council of the city by the party adversely affected; provided such appeal is filed in writing with the city clerk within twenty days after the issuance of the decision or action complained of.

Sec. 22.04.190. Same--Acting as arbitration board. The board of appeals shall act as an arbitration board in deciding any question which may arise between an air conditioning, refrigeration, warm air heating or boiler contractor or journeyman mechanic and the inspector.

When conditions exist which are not covered by this Code, or where it would be impracticable to follow this Code, the board of appeals may grant a variance from the strict application of this Code. The contractor asking for any such concession must make his request in writing, setting out plainly the location of all equipment installed or to be installed, and a complete description of items involved. If the request is granted, a copy of the whole transaction must be placed on file in the office of the superintendent of central inspection.

The board of appeals shall pass upon materials or methods of installation not sufficiently provided for in this Code, and accept or reject the same as complying with the intent of the code. The board of appeals is expressly given the responsibility of studying and making such rules as are required for new products being offered for use in air conditioning, refrigeration, warm air heating and boiler systems. All such rules shall be in writing and filed in the office of the superintendent of central inspection.

Sec. 22.04.200. Examination of persons desiring to work at, etc., the business of air conditioning, refrigeration or warm air heating-- Required; contents; issuance of certificates.

Any person desiring to engage in or work at the business of air conditioning, refrigeration or warm air heating either as a master or as a journeyman mechanic, as defined in Section 22.04.120, or to do such work shall submit the prescribed application form to the office of central inspection for a certificate, and if applicant meets the following requirements, shall at such time and place as directed be subjected to an examination as to their qualifications. The qualifications are as follows:

- a. A minimum score of seventy-five percent on the "Block Examination" Master/Journeyman Mechanical Certificate, which is administered by Experior Assessments, 1360 Energy Park Dr., St. Paul, MN 55108;
- b. A minimum score of seventy-five percent on the International Code Council Examination for a Master/Journeyman Mechanical Certificate, which is administered by International Code Council, 900 Montclair Road, Birmingham, AL 35213;
- c. A satisfactory score on any other standard examination to determine the qualification of a Master/Journeyman Mechanic that is approved and adopted by the state of Kansas following the effective date of this Code.

Documented proof of a minimum of two years' field experience required with proof of satisfactory score on one of the above-mentioned examinations.

Applicant requirements:

Journeyman Mechanic: One year as apprentice and completion of a technical heating and air conditioning school or, two years as apprentice.

Master Mechanic: Two years as journeyman.

Sec. 22.04.210. Same--Classification of certificates issued.

The certificate issued to an individual who is to engage in the business of air conditioning, refrigeration, warm air heating or boilers as provided for in the preceding section shall be known as a master certificate and shall be authorized to so engage upon his complying with Section 22.04.240 regarding licenses and bonds. The certificate issued to an individual who is to work at the trade as an air conditioning, refrigeration, warm air heating or boiler mechanic, as defined in Section 22.04.120, shall be known as a journeyman's certificate. A journeyman's certificate may be issued to an individual who is in the permanent employ of a manufacturer whose equipment is being installed on a job that is under contract by a contractor duly licensed as set forth in Section 22.04.240.

After January 8, 1971 it shall be unlawful for any individual to engage in the business of air conditioning, refrigeration, warm air heating and/or boilers, either as a contractor or as a journeyman mechanic, as defined in Section 22.04.120, or to do such work in the city, unless and until a certificate has been obtained therefor and a license has been issued for such business and a permit has been issued for such work, all in accordance with the

provisions of the code of the city. It further is unlawful for any individual to do air conditioning, refrigeration, warm air heating and/or boiler repair or replacement or otherwise work at these trades in the city unless and until a certificate has been obtained therefor as required by the code of the city.

Sec. 22.04.220. Section 22.04.220 of the Code of the City of Wichita, Kansas, shall be amended to read as follows:

“Same—Fees for examination, certificates, etc.; duration of certificates; procedure upon failure to renew certificates.

(a) The fee for each examination and original certificate of a master or journeyman shall be established by the superintendent of the office of central inspection to cover the administrative costs of issuing such certificates. All such certificates shall be renewed bi-annually upon payment established by the superintendent of the office of central inspection to cover the administrative costs of issuing such certificates. All certificates shall expire on the thirty-first day of December of each odd-numbered year and no reduction shall be made for part of the year being elapsed. Any holder of a certificate who fails to renew the same by March 1st after their expiration may be required to take a new examination and/or provide proof of completion of the required continuing education hours set forth in subsection (b) and/or board appearance prior to reissuance of a certificate. It is the total responsibility of the certificate holder to assure that his/her certificate has been renewed and is valid.

(b) All applicants for renewal must provide written proof of having completed biannually not less than twelve (12) hours of continuing education approved by the Superintendent of Central Inspection or his/her designee.

Continuing education may be provided by the Office of Central Inspection, or a nationally recognized trade association, community college, technical school or technical college. All twelve (12) hours of education may consist of code up-date training on the Uniform or International Mechanical Codes.”

Sec. 22.04.240. Licenses.

Anyone engaging or desiring to engage in the business of air conditioning, refrigeration or warm air heating installation, repair or alteration, and who has been qualified and approved to do so as required by this Code, shall, before obtaining any permit or transacting any business, procure a license therefor, from the license collector of the city, which license shall expire on the thirty-first day of December in the year in which it was issued. No license shall be transferred from one person to another. The fee for such license shall be one hundred dollars.

An air conditioning, refrigeration or warm air heating contractor's license may be issued to any firm, co-partnership or corporation of which at least one active member or officer has been qualified and has a master's certificate as hereinbefore set forth.

Sec. 22.04.241. Insurance required.

Every air conditioning, refrigeration, warm air heating or boiler contractor licensed under this title shall procure and maintain a policy of general liability insurance covering the activities of the air conditioning, refrigeration, warm air heating or boiler contractor while engaged in contracting hereunder. Such insurance policy shall be written with an insurance company licensed to do business in the state and shall have minimum limits of coverage of three hundred thousand dollars per occurrence. In addition, every such air conditioning, refrigeration, warm air heating or boiler contractor shall procure and maintain worker's compensation insurance as required by law and automobile liability insurance as required by law. Every contractor licensed under this title shall, prior to the issuance of a license, file with the office of central inspection certificates of insurance evidencing the insurance coverage specified herein. All such certificates shall indicate that the city shall be given at least thirty days advance written notice of any cancellation or material change in coverage of such insurance. Failure of an air conditioning, refrigeration, warm air heating or boiler contractor to either procure or maintain such insurance shall be a violation of law punishable as a general misdemeanor and shall be grounds for suspension or revocation of the air conditioning, refrigeration, warm air heating or boiler contractor's license and certificate.

Sec. 22.04.242. Truth in advertising requirements

On or after July 1, 1993, any person, firm or corporation required by this title to obtain an air conditioning, refrigeration, warm air heating or boiler contractor's license shall be subject to the following:

- (a) It shall be unlawful for any such person, firm or corporation to advertise as an air conditioning, refrigeration, warm air heating or boiler contractor unless, at the time such advertisement occurs, such person, firm or corporation has a then valid air conditioning, refrigeration, warm air heating or boiler contractor's license issued under the provisions of this chapter;
- (b) Any advertisement by such person, firm or corporation as an air conditioning, refrigeration, warm air heating or boiler contractor which is placed or published in any publication or other print medium circulated, displayed or distributed within the city limits or which is broadcast by radio or television or any other means to persons within the city limits shall include the full name of the licensed person, firm or corporation and the license number assigned by the office of central inspection to such person, firm or corporation;
- (c) As used herein, the words "advertise" or "advertisement" shall mean and include, but not be limited to, a business card, contract bid proposal form, printed letterhead, any other printed or written material designed to inform persons of the services offered by the advertising person, firm or corporation and to solicit business from such persons, or any broadcast statement designed to inform persons of the services offered by the advertising person, firm or corporation and to solicit business from such persons. Such words are intended to include telephone directory display ads but not basic white and yellow page listings.

Sec. 22.04.250. Permits for work done by owner of residence--Minor repairs.

Before any air conditioning, refrigeration, warm air heating or boiler work shall begin on any building in the city, the licensed contractor proposing to do such work shall make application for and secure a permit from the office of central inspection. The application shall bear the signature of the licensed air conditioning, refrigeration, warm air heating or boiler contractor, and no more work shall be done than that authorized in the permit. An additional permit shall be obtained for work not covered in the original permit. It shall not be permissible to transfer a permit from one licensee to another.

A permit or license is not required for an installation of so-called packaged mechanical refrigeration units where the capacity of each unit does not exceed two horsepower. A permit or license is not required for the installation of room type air conditioners without duct work when the capacity of each unit does not exceed two horsepower. All such installations must comply with all other requirements contained in this Code.

Regardless of the requirements of other sections of this title, the owner-occupant of a single-family dwelling may obtain permits to repair, replace, or maintain the existing air conditioning, refrigeration, or warm air heating systems in such single-family dwelling and the usual accessory buildings in connection with such dwelling; provided, however, that the owner-occupant shall perform all such work and that the work so performed is in accordance with the code as verified by an inspection requested by such owner-occupant and performed by the office of central inspection.

No permit shall be required for minor repairs or alterations which do not exceed two hundred dollars as the price charged for such work, but such work shall comply with all requirements of this Code.

Sec. 22.04.251. Installations of air-conditioning, refrigeration, and warm air heating systems by owner-occupants of detached single-family dwellings.

The owner-occupant of a detached single-family dwelling occupied or to be occupied by the owner-occupant applying for the permit may be permitted to install air-conditioning, refrigeration, and warm air heating systems in the main structure and accessory structures thereto provided all materials are purchased and all labor is performed by the applicant.

Owner-occupants applying for permits for installations as outlined above shall first qualify themselves by successfully passing a simplified open book examination dealing with relevant provisions of the International Mechanical Code. The fee for said examination shall be five dollars. Successful passage of the examination shall qualify the applicant for future permits until the time of adoption of another edition of the International Mechanical Code by the city.

Prior to permit approval, the applicant shall also submit a plan of the installation drawn in a format acceptable to and drawn in sufficient detail as to satisfy the superintendent of central inspection of the overall code compliance of the anticipated

installation. The fee for such plan review shall be fifteen dollars. Plan submissions requiring extensive review and/or modification shall be billed at the rate of fifteen dollars for each additional half hour or portion thereof beyond the original half hour upon prior notification of the applicant of such additional charges.

Permit fees shall be as set forth elsewhere in this title and in Title 18 provided, however, that each additional inspection owing to detected code deficiencies requiring correction shall be billed at the rate of fifteen dollars each. Permits for installations in completely new residences and/or total remodel permits shall be limited to one in three years to each applicant unless a waiver is obtained, upon written application, from the board of appeals of air-conditioning, refrigeration, warm air heating and boilers.

Sec. 22.04.260. Revocation of certificates and licenses.

The board of appeals is authorized to cancel and recall the certificate of any air-conditioning, refrigeration, warm air heating or boiler contractor or journeyman for any or all of the following reasons:

1. Committing of any act in violation of any provision of this Code or any other ordinance of the city or the refusal or failure to comply with any lawful and reasonable order of the superintendent of central inspection or inspector.
2. Misrepresentation of a material fact by the applicant in obtaining a certificate.
3. Carelessness or negligence in providing reasonable safety measures for the protection of the public.

The board of appeals is hereby authorized to cancel and recall the license of any air conditioning, refrigeration, warm air heating or boiler contractor for any or all of the following reasons:

1. Abandonment of any contract without legal cause.
2. Diversion of funds or property received for performance or completion of a specific contract or a specific purpose in the performance or completion of any contract, obligation or purpose, or the failure, neglect, or refusal to use such funds or property for the performance or completion of the contract.
3. Committing any act in violation of any provision of this Code or any other ordinance of the city or the refusal or failure to comply with any lawful and reasonable order of the superintendent of central inspection or inspector.

4. Misrepresentation of a material fact by the applicant in obtaining a license.
5. Failure of any contractor to fully certify all claims for labor and materials used in the performance of any work for which he has been engaged or for which he has been paid.
6. Fraudulent use of the license to obtain a permit for another.
7. Carelessness or negligence in providing reasonable safety measures for the protection of workmen and the public.
8. Failure to obtain permits as required in Section 22.04.250.
9. Unreasonable delay in the performance and carrying out of any contract.
10. Failure by the licensee, if a firm, co-partnership or corporation, to have at least one active member or officer who has been qualified as and has a master's certificate as provided for in Sections 22.04.200 and 22.04.210.

Upon presentation by the superintendent of central inspection to the board of appeals of charges against any holder of any certificate as set forth in this section, the board of appeals shall fix a time and a place for a meeting to consider such charges and shall notify the holder of such license to be present at such meeting. Such notification shall be in writing and shall be presented to the holder at least five days in advance of the meeting. If upon full hearing of all evidence by the board of appeals, it shall be decided that such holder of a certificate has been guilty of the actions as herein before set forth in this section, then the board shall revoke or suspend the license or certificate of the holder thereof.

When a certificate of a person has been revoked, a new certificate shall not be granted until he shall have corrected the violation in accordance with this Code or any ordinance of the city and shall have made application and shall have passed an examination as required for the original certificate.

Sec. 22.04.270. Unauthorized use of certificates or licenses.

No person having a certificate or license to do air conditioning, refrigeration, warm air heating or boiler work in the city shall allow his name to be used by another, directly or indirectly, to obtain a permit to transact any business as an air conditioning, refrigeration, warm air heating or boiler contractor or journeyman mechanic. Any violation of this section shall be valid reason for the cancellation of such certificate or license as set forth in Section 22.04.260.

Sec. 22.04.280. Certain persons exempt from license and bond requirements.

Any person not engaged in the business of heating and/or air conditioning within the scope of this Code who has in his/her regular and permanent employment a person or persons who possess current and valid journeyman or master mechanical certificates shall be permitted to have such person or persons perform maintenance and repair work on buildings and premises that are owned, leased, operated or managed by him shall be exempt from this Code, as pertains to license or bond, but shall be subject to all other requirements pertaining thereto.

Sec. 22.04.300. Application of related provisions of this Code and additional codes adopted by reference.

All air conditioning, refrigeration or warm air heating installations shall comply with existing laws and ordinances covering the construction and installation of cooling towers, the use of city water, sanitary and storm sewers, the requirements for recirculation of condenser water, as contained in the following parts of this Code, and any other that may apply:

Water conservation--Title 17;

Connection to sanitary sewer--Title 16;

Towers, spires and tanks--Title 18;

Gas burning warm air furnaces--Title 18;

Ducts and appurtenances--Title 18;

Cooling units over public property--Title 18;

Gas fitting--Title 21.

Sec. 22.04.310. Electrical and plumbing work.

All electrical work, plumbing and gas fitting done in connection with any work covered by this Code shall be in conformance with Title 19 and Title 21 respectively. It is also unlawful for a person holding a license, as set forth in this Code, to operate as a contractor or as a journeyman mechanic to do or otherwise perform any electrical, plumbing or gas fitting work except as provided in this section. Such contractor or mechanic shall be permitted to do all water piping within the system, and make indirect connections to the city sewer, but shall not make direct connections to either the city water system or to city sewers.

It shall be permissible for a holder of a Class A-C or RF certificate to make original installations of package units of a capacity of seven and one-half horsepower or less on the load side of the disconnect means when such is not over five feet from the unit and is within sight thereof. It shall also be permissible for such a person to do all electrical work in connection with maintenance, repairs or replacement on any system from the load side of the disconnect means of the unit. All such electrical work shall conform in all respects to the requirements of Title 19.

**Mechanical Code Amendments (2006 IMC and 2006 IFGC)
Thru March 28, 2008**

Chapter 22.05 – Adoption of 2006 IFGC and Wichita Amendments

Sec. 22.05.010. Section 22.05.010 created. Section 22.05.010 of the Code of the City of Wichita, is created to read as follows:

“The International Fuel Gas Code, as published by the International Codes Council, Inc., 2006 Edition, is hereby adopted and incorporated herein by reference, subject to such amendments thereto as are set forth hereinafter.”

Sec. 22.05.020. Section 22.05.020 created. Section 22.05.020 of the Code of the City of Wichita, is created to read as follows:

“**Corrections and re-inspections.** Section 108.4 of the International Fuel Gas Code is amended to read as follows:

Corrections and re-inspections. Corrections shall be completed and work rescheduled for inspection within thirty (30) days from the date of the correction notice. Corrections not completed within the thirty (30) days will be issued a UCC (Uniform Criminal Complaint). Access shall be provided for re-inspection by the property owner.”

Sec. 22.05.030. Section 22.05.030 created. Section 22.05.030 of the Code of the City of Wichita, Kansas, is created to read as follows:

Section 108.5 of the International Fuel Gas Code, as adopted by reference herein, shall be amended to read as follows:

108.5 Stop work orders. Upon notice from the code official that 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 owners, agent, or to the person doing the work, or shall be posted in writing at the site of 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 liable for the violation penalties set forth in Title 22.16 of the Code of the City of Wichita.”

Sec. 22.05.040. Section 22.05.040 created. Section 22.05.040 of the Code of the City of Wichita is created to read as follows:

“**Section 109 deleted.** Section 109 of the International Fuel Gas Code is deleted.”

Sec. 22.05.050. Section 22.05.050 created. Section 22.05.050 of the Code of the City of Wichita is created to read as follows:

“**Prohibited locations.** Section 303.3 of the International Fuel Gas Code is amended to read as follows:

Section 303.3 Prohibited locations. Appliances shall not be located in sleeping rooms, bathrooms, storage closets, or surgical rooms, or in a space that opens only into such rooms or spaces, except where installation complies with one of the following:

1. The appliance is a direct-vent appliance installed in accordance with the conditions of the listing and the manufacturer's instructions.
2. Vented room heaters, wall furnaces, vented decorative appliances, vented gas fireplaces, vented gas fireplace heaters and decorative appliances for installation in vented solid fuel-burning fireplaces are installed in rooms that meet the required volume criteria of Section 304.5.
3. A single wall-mounted unvented room heater is installed in a bathroom and such unvented room heater is equipped as specified in section 621.6 and has an input rating of not greater than 6,000 Btu/h (1.76 kW). The bathroom shall meet the required volume criteria of Section 304.5.
4. A single wall-mounted unvented room heater is installed in a bedroom and such unvented room heater is equipped as specified in Section 621.6 and has an input rating not greater than 10,000 Btu/h (2.93 kW). The bedroom shall meet the required volume criteria of Section 304.5.
5. The appliance is installed in a room or space that opens only into a bedroom or bathroom, and such room or space is used for no other purpose and is

provided with a solid weather-stripped door equipped with an approved self-closing device. All combustion air shall be taken directly from the outdoors in accordance with Section 304.6.”