

1 **ORDINANCE NO. 13-012**
2 **AN ORDINANCE OF THE COUNTY OF ORANGE, CALIFORNIA**
3 **REPEALING THE 2009 EDITION OF THE UNIFORM**
4 **MECHANICAL CODE, REPEALING ORDINANCE 11-003 AND**
5 **ADOPTING BY REFERENCE THE UNIFORM MECHANICAL**
6 **CODE, 2012 EDITION, AND THE CALIFORNIA MECHANICAL**
7 **CODE, 2013 EDITION, AMENDMENTS THERETO.**

8 The Board of Supervisors of the County of Orange, California, does ordain as follows:

9 SECTION 1. Article 1 of Division 5 of Title 7 of the Orange County Codified Ordinances is hereby
10 repealed.

11 SECTION 2. Article 1 of Division 5 is hereby added to Title 7 of the Orange
12 County Codified Ordinances to read as follows:

13 Section 7-5-1 ADOPTION OF UNIFORM MECHANICAL CODE, 2012 EDITION AND THE
14 CALIFORNIA MECHANICAL CODE, 2013 EDITION AND AMENDMENTS THERETO

- 15 a. The Board of Supervisors of the County of Orange hereby adopts the Uniform Mechanical Code,
16 2012 Edition and the California Mechanical Code, 2013 Edition as published by the International
17 Association of Plumbing and Mechanical Officials (IAPMO), including Appendices A through D,
18 Division II of Chapter 1, except such portions as are deleted, modified, or amended in this
19 Article. Chapter 1 of the Uniform Mechanical Code is replaced with Division II of Chapter 1 of the
20 California Mechanical Code.
- 21 b. The purpose of this Code is to prescribe regulations for the protection of the public health and
22 safety and to establish minimum regulations for the installation, alteration, design, construction,
23 quality of materials, location, operation, and maintenance of heating, ventilating, comfort
24 cooling, refrigeration systems, incinerators and other miscellaneous heat-producing appliances,
25 and the inspection thereof.
- 26 c. Not less than one (1) copy of each has been made and is now filed in the office of the OC Public
 Works. They are hereby adopted and incorporated as if set forth at length herein.

 Sec 7-5-2. Section 101.3 replaced.

1 Section 101.3 of said Division II of Chapter 1 of the California Mechanical Code is hereby
2 replaced to read as follows:

3 GENERAL The provisions of this Code shall apply to the erection, installation, alteration, repair,
4 relocation, replacement, use or maintenance of any heating, ventilating, cooling, refrigeration systems,
5 incinerators or other miscellaneous heat-producing appliances within the unincorporated area of the
6 County and County-owned buildings, except work located in a public way and hydraulic flood control
7 structures.

8 Addition, alterations, repairs and replacement of equipment or systems shall comply with the
9 provisions for new equipment and systems, except as otherwise provided in Section 102.0 of this Code.

10 Whenever the term "Authority Having Jurisdiction" is used in this Code, it shall mean the
11 "Building Official" of the County of Orange.

12 In the event of any differences between the California Code and the Uniform Code, the text of
13 the California Code shall govern.

14 The design and testing of equipment regulated by this Code shall be subject to the
15 approval of the Building Official.

16 Sec. 7-5-3. Section 108 amended.

17 Section 108 of said Division II of Chapter 1 of the California Mechanical Code is hereby amended
18 to read as follows:

19 HEARING OFFICER Sec. 108.1 In order to determine the suitability of alternate materials and
20 methods of installation and to provide for reasonable interpretation of the provisions of this Code, there
21 shall be and is hereby created a Hearing Officer as specified in Orange County Codified Ordinances Sec.
22 7-1-23.

23 Sec. 7-5-4. Section 108.3 added.

24 Section 108 of said Division II of Chapter 1 of the California Mechanical Code is hereby amended
25 by adding Section 108.3 to read as follows:

26 Section 108.3 NOTICE, ADMINISTRATIVE HEARING, APPEAL

1 Whenever the Building Official issues a Condemnation Order in accordance with the provisions of
2 Section 106.6 of Division II of Chapter 1 of the California Mechanical Code, or a Stop Work Order in
3 accordance with the provisions of Section 106.4 of said Code, the procedures for notice, administrative
4 hearing, and appeal may be instituted in accordance with the provisions of Section 7-1-16 - UNSAFE
5 BUILDING, NUISANCE, NOTICE, ADMINISTRATIVE HEARING, APPEAL of the Orange County Codified
6 Ordinance . The remedies and procedures here provided for shall be cumulative and in addition to the
7 penalties provided for in the Orange County Codified Ordinances pertaining to "Violations and
8 Penalties."

9 Sec. 7-5-5. Section 111.2 amended.

10 Section 111.2 of said Division II of Chapter 1 of the California Mechanical Code is hereby
11 amended to read as follows:

12 111.2 Exempt Work. A mechanical permit shall not be required for the following:

13 111.2.1 A portable heating appliance, portable ventilating equipment, portable cooling
14 unit or portable evaporative cooler.

15 111.2.2 A closed system of steam, hot or chilled water piping within heating or cooling
16 equipment regulated by this Code.

17 111.2.3 Replacement of any component part or assembly of an appliance which does
18 not alter its original approval and complies with other applicable requirements of this Code.

19 111.2.4 Refrigerating equipment which is part of the equipment for which a permit has
20 been issued pursuant to the requirements of this Code.

21 111.2.5 A unit refrigerating system.

22 111.2.6 Other incidental improvements of a minor nature may be exempt from the
23 provisions of this Code upon the determination of the Building Official.

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

1 Sec. 7-5-6. Section 113 amended.

2 Section 113 of said Division II of Chapter 1 of the California Mechanical Code is hereby amended
3 to read as follows:

4 Section 113.1 Issuance. The application, plans and specifications and other data filed by an
5 applicant for permit shall be reviewed by the Building Official. Such plans may be reviewed by other
6 departments of this jurisdiction to verify compliance with applicable laws under their jurisdiction. If the
7 Building Official finds that the work described in an application for a permit and the plans,
8 specifications and other data filed therewith conform to the requirements of this Code and other
9 pertinent laws and ordinances and that the fees as established by the Board of Supervisors have been
10 paid, he shall issue a permit therefor to the applicant.

11 When the Building Official issues the permit where plans are required, he shall endorse in writing
12 or stamp the plans and specifications "APPROVED." Such approved plans and specifications shall not be
13 changed, modified or altered without authorization from the Building Official, and all work regulated by
14 this Code shall be done in accordance with the approved plans.

15 The Building Official may issue a permit for the construction of a part of the mechanical system
16 before the entire plans and specifications for the whole system have been submitted or approved,
17 provided adequate information and detailed statements have been filed complying with all pertinent
18 requirements of this Code. The holder of such permit may proceed at his own risk without assurance
19 that the permit for the entire building, structure or mechanical system will be granted.

20 113.2 Retention of Plans. One (1) set of approved plans, specifications and computations shall
21 be retained by the Building Official until final approval of the work covered therein. One set of
22 approved plans and specifications shall be returned to the applicant, and said set shall be kept on the
23 site of the building or work at all times during which the work authorized thereby is in progress.

24 113.3 Validity of Permit. The issuance of a permit or approval of plans and specifications and
25 computation shall not be construed to be a permit for, or an approval of, any violation of any of the
26 provisions of this Code or of other ordinance of the jurisdiction. Permits presuming to give authority to

1 violate or cancel the provisions of this Code or of other ordinances of the jurisdiction shall not be valid.

2 The issuance of a permit based upon plans, specifications, computations and other data shall not
3 prevent the Building Official from thereafter requiring the correction of errors in said plans,
4 specifications, and other data or from preventing building operations being carried on thereunder when
5 in violation of this Code or of other ordinances of this jurisdiction.

6 113.4 Expiration. Every permit issued by the Building Official under the provisions of this Code
7 shall expire by limitation and become null and void if the work authorized by such permit is not
8 commenced within one hundred eighty (180) days from the date of such permit, or if the work
9 authorized by such permit is suspended or abandoned at any time after the work is commenced for a
10 period of one hundred eighty (180) days. Before such work can be commenced or recommenced, a
11 permit shall first be extended or re-issued.

12 (1) Requesting extension of an unexpired permit: Any permittee holding an unexpired permit
13 or a permit which has expired for less than 180 days may apply for an extension of time within which
14 permittee may commence work under that permit when permittee is unable to commence or
15 recommence work within the time required by this section for good and satisfactory reasons. The
16 Building Official may extend the time for action by the permittee for a period not exceeding one
17 hundred eighty (180) days upon written request by the permittee showing that circumstances beyond
18 the control of the permittee have prevented action from being taken. Permits extended in this manner
19 will not be subject to new regulations adopted after issuance of the permit. Fees for time extension
20 shall be as established by the Board of Supervisors. Fees shall not be required for first extension.

21 (2) Requesting re-issuance of a permit which has been expired for 180 days or more: Any
22 permittee holding a permit which has been expired for 180 days or more may apply for re-issuance of
23 the permit subject to compliance with current regulations and payment of full plan check and permit
24 fees. Plans must be re-submitted for plan check. Portions of the structure which have been built under
25 the expired permit will not be subject to current regulations.

26 For the purpose of permit extension, multiple permits of the same structure such as building,

1 foundation, retaining wall, plumbing, mechanical, and electrical permits shall be considered as one
2 permit. Extension of building permit shall include extension of ancillary permits of the same structure.
3 Each separate permit with work completed, inspected and approved entirely prior to suspension or
4 abandonment will not be subject to extension or re-issuance.

5 113.4.1 Change of Contractor or of Ownership. A permit issued hereunder shall expire
6 upon a change of ownership or a change of contractor regarding the building, structure or grading for
7 which said permit was issued if the work thereon has not been completed, and a new permit shall be
8 required for the completion of the work. If the provisions of Section 113.4 above are not applicable and
9 if no changes have been made to the plans and specifications last submitted to the Building Official, no
10 charge, other than a "name change" fee and the permit issuance fee, shall be made for the issuance of
11 the new permit under such circumstances. If, however, changes have been made to the plans and
12 specifications last submitted to the Building Official, a fee as established by the Board of Supervisors
13 shall be charged to the permit application.

14 113.5 Suspension or Revocation. The Building Official may, in writing, suspend or revoke a
15 permit issued under the provisions of this Code whenever the permit is issued in error or on the basis
16 of incorrect information supplied or in violation of other ordinance or regulation of the jurisdiction.

17 Sec. 7-5-7. Section 114 amended.

18 Section 114 of said Division II of Chapter 1 of the California Mechanical Code is hereby amended
19 to read as follows:

20 **FEES**

21 Sec. 114.1 General. Fees shall be assessed in accordance with the provisions of this section.

22 Sec. 114.2 Permit Fees. A fee as established by the Board of Supervisors shall be paid for each
23 permit at the time of issuance.

24 Failure to pay fees and obtain a permit before commencing work shall be deemed a violation of
25 this Code, except when it can be proven to the satisfaction of the Building Official that an emergency
26 existed which made it impractical to first obtain the permit. A violation shall result in an assessment of

1 double fees for work done prior to permit issuance. Payment of a double fee shall not relieve any
2 person from fully complying with the requirements of Code nor from any other penalties prescribed
3 herein.

4 114.3 Plan Check Fees. When plans are required, a plan check fee as established by the Board of
5 Supervisors shall be paid at the time of submittal of such plans.

6 114.3.1 Additional Plan Review Fees. Where plans are incomplete or changed so as to
7 require additional plan checking, an additional plan checking fee as established by the Board of
8 Supervisors shall be paid. Said fee may be waived when in the opinion of the Building Official the
9 additional fee is not warranted. 114.4 Expiration of Plan Review. Application for which no permit is
10 issued within 180 days following the date of application shall expire by limitation, and plans and other
11 data submitted for review may thereafter be returned to the applicant or destroyed by the Building
12 Official. The Building Official may extend the time for action by the applicant for a period not exceeding
13 180 days upon request by the applicant showing that circumstances beyond the control of the applicant
14 have prevented action from being taken. No application shall be extended more than once. In order to
15 renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan
16 review fee.

17 114.5 Special Investigation Fees. A special investigation may be required before a permit will be
18 issued for work which has been started without first obtaining a permit. Except in the case of
19 emergency work, a fee as established by the Board of Supervisors may be collected for such
20 investigation. The special investigation fee shall be in addition to any regular or double fee.

21 No permit shall be issued when an investigation fee is due until such fee has been paid.

22 The payment of the investigation fee shall not exempt any person from compliance with all other
23 provisions of this Code nor from any penalty prescribed by law.

24 114.6 Fee Refunds. The Building Official may authorize refunding of fee which was erroneously
25 paid or collected.

26 Sec. 7-5-8. Section 115 Amended.

1 Section 115 of said Division II of Chapter 1 of the California Mechanical Code is hereby amended
2 to read as follows:

3 INSPECTIONS

4 Sec. 115.1 General. Mechanical systems for which a permit is required by this Code shall be
5 subject to inspection by the Building Official and such mechanical systems shall remain accessible and
6 exposed for inspection purposes until approved by the Building Official.

7 It shall be the duty of the permit applicant to cause the mechanical system to remain accessible
8 and exposed for inspection purposes. Neither the Building Official nor the jurisdiction shall be liable for
9 expense entailed in the removal or replacement of any material required to permit inspection. When
10 installation of a mechanical system is complete, an additional and final inspection shall be made.
11 Mechanical systems regulated by this Code shall not be connected to the energy fuel-supply lines until
12 authorized by the Building Official.

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

17 115.2 Operation of Mechanical Equipment. The requirements of this section shall not be
18 considered to prohibit the operation of any mechanical systems installed to replace existing equipment
19 or fixtures serving an occupied portion of the building in the event a request for inspection of such
20 equipment or fixture has been filed with the Building Official not more than 48 hours after such
21 replacement work is completed, and before any portion of such mechanical system is concealed by any
22 permanent portion of the building.

23 115.3 Testing of Equipment. Refrigeration equipment regulated by this Code shall be tested and
24 approved as required by Section 1124.0 of this Code.

25 Steam and hot-water boilers and piping shall be tested and approved as required by Section
26 1021.1, 1201.3.9, and 1207.0 of this Code.

1 Where applicable (see Section 101.3.2), fuel-gas piping shall be tested and approved as required
2 by Section 1303 of this Code.

3 115.4 Inspection Requests. It shall be the duty of the person doing the work authorized by a
4 permit to notify the Building Official that such work is ready for inspection. The Building Official may
5 require that every request for inspection be filed at least one working day before such inspection is
6 desired. Such request may be in writing, telephone or by Internet at the option of the Building Official.

7 It shall be the duty of the person requesting inspections required by this Code to provide access
8 to and means for proper inspection of such work.

9 115.5 Other Inspections. In addition to the called inspections required by this Code, the Building
10 Official may make or require other inspections of any mechanical work to ascertain compliance with the
11 provisions of this Code and other laws which are enforced by the code enforcement agency.

12 115.6 Reinspections. To obtain reinspection, the applicant shall pay the reinspection fee as
13 established by the Board of Supervisors.

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

16 Section 115.7 PENALTIES. Any person, firm or corporation violating any of the provisions of this
17 Code shall be deemed guilty of a misdemeanor, and each such person shall be deemed guilty of a
18 separate offense for each and every day or portion thereof during which any violation of any of the
19 provisions of the Code is committed, continued, or permitted, and upon conviction of any such violation
20 such person shall be punished by a fine of not more than five hundred dollars (\$500) or by
21 imprisonment for not more than six (6) months, or by both such fine and imprisonment.

22 In addition to the provisions of the subsection above, a notice of violation of this Code may be
23 recorded in accordance with Subsections 1 through 6 of Section 7-1-24 of the Orange County Codified
24 Ordinances.

25
26 This ordinance shall take effect and be in full force thirty (30) days from and after its passage and
before the expiration of fifteen (15) days after the passage thereof, shall be published once in an
adjudicated newspaper in the County of Orange.

1 THE FOREGOING was PASSED and ADOPTED by the following vote of the Orange County Board
2 of Supervisors on December 17, 2013, to wit:

3 AYES: Supervisors: JOHN M.W. MOORLACH, SHAWN NELSON, JANET NGUYEN
4 TODD SPITZER, PATRICIA BATES

5 NOES:
6 EXCUSED:
7 ABSTAINED:

8 (Signature on File)

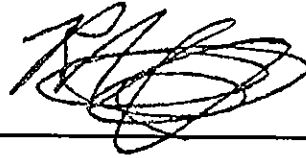
9 Susan Novak, Clerk of the Board of Supervisors, County of Orange, California
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This ordinance shall take effect and be in full force thirty (30) days from and after its passage and before the expiration of fifteen (15) days after the passage thereof, shall be published once in an adjudicated newspaper in the County of Orange.

THE FOREGOING was **PASSED** and **ADOPTED** by the following vote of the Orange County Board of Supervisors on December 17, 2013, to wit:

AYES: Supervisors: JOHN M.W. MOORLACH, SHAWN NELSON, JANET NGUYEN
TODD SPITZER, PATRICIA BATES

NOES:
EXCUSED:
ABSTAINED:

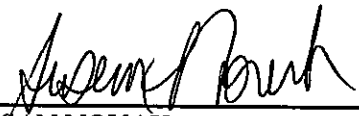


CHAIRMAN

STATE OF CALIFORNIA)
) ss:
COUNTY OF ORANGE)

I, SUSAN NOVAK, Clerk of the Board of Orange County, California, hereby certify that a copy of this document has been delivered to the Chairman of the Board and that the above and foregoing Ordinance was duly and regularly adopted by the Orange County Board of Supervisors.

IN WITNESS WHEREOF, I have hereto set my hand and seal.



SUSAN NOVAK
Clerk of the Board.
County of Orange, State of California



Ordinance No.: 13-012
Agenda Date: 12/17/2013
Item No.: 69



I certify that the foregoing is a true and correct copy of the Ordinance adopted by the Board of Supervisors, Orange County, State of California

Susan Novak, Clerk of the Board of Supervisors

By: _____
Deputy