

## Legislation Details (With Text)

**File #:** 030772      **Version:** 1      **Name:**

**Type:** Bill      **Status:** ENACTED

**File created:** 11/20/2003      **In control:** Committee on Licenses and Inspections

**On agenda:**      **Final action:** 12/18/2003

**Title:** Repealing Subcode "M" (The Philadelphia Mechanical Code) of Title 4 of The Philadelphia Code, entitled "The Philadelphia Building Construction and Occupancy Code," and adopting and incorporating, with certain additions, deletions and amendments the 2003 International Mechanical Code as the Philadelphia Mechanical Code, all under certain terms and conditions.

**Sponsors:** Councilmember Mariano

**Indexes:** BUILDING CODE

**Code sections:**

**Attachments:** 1. CertifiedCopy03077201.pdf

Date	Ver.	Action By	Action	Result	Tally
12/31/2003	1	MAYOR	SIGNED		
12/18/2003	1	CITY COUNCIL	READ		
12/18/2003	1	CITY COUNCIL	PASSED	Pass	15:0
12/11/2003	1	CITY COUNCIL	ORDERED PLACED ON THIS DAY'S FIRST READING CALENDAR		
12/11/2003	1	CITY COUNCIL	SUSPEND THE RULES OF THE COUNCIL	Pass	
12/11/2003	1	CITY COUNCIL	ORDERED PLACED ON NEXT WEEK'S SECOND READING CALENDAR		
12/10/2003	0	Committee on Licenses and Inspections	HEARING NOTICES SENT		
12/10/2003	1	Committee on Licenses and Inspections	REPORTED FAVORABLY, RULE SUSPENSION REQUESTED		
12/10/2003	0	Committee on Licenses and Inspections	AMENDED		
12/10/2003	0	Committee on Licenses and Inspections	HEARING HELD		
11/20/2003	0	CITY COUNCIL	Referred		
11/20/2003	0	CITY COUNCIL	Introduced	Pass	

Repealing Subcode "M" (The Philadelphia Mechanical Code) of Title 4 of The Philadelphia Code, entitled "The Philadelphia Building Construction and Occupancy Code," and adopting and incorporating, with certain additions, deletions and amendments the 2003 International Mechanical Code as the Philadelphia Mechanical Code, all under certain terms and conditions.

WHEREAS, as required by Pennsylvania Act 45 of November 10, 1999 (35 P.S. §7210.501(a)), the City must adopt standards consistent with those set forth in the Pennsylvania Uniform Construction Code; and

WHEREAS, the purpose of this Bill is to repeal The Mechanical Code, which appears as Subcode "M" of Title 4 of the Philadelphia Code, and adopt, with certain additions, deletions and amendments, the 2003 International Mechanical Code, as published by the International Code Council, as the Philadelphia Mechanical Code, to

achieve consistency with Act 45 as well as to make certain other technical and related changes; and

WHEREAS, separate bills are being introduced to add and amend other Subcodes included within Title 4;  
NOW THEREFORE,

*THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:*

**Section 1.** Subcode "M", entitled "The Philadelphia Mechanical Code," of Title 4 of The Philadelphia Code, entitled "The Philadelphia Building Construction and Occupancy Code," is deleted in its entirety.

**Section 2.** Title 4 of The Philadelphia Code, entitled "The Philadelphia Building Construction and Occupancy Code" is hereby amended to read as follows:

TITLE 4. THE PHILADELPHIA BUILDING  
CONSTRUCTION AND OCCUPANCY CODE

CHAPTER 4-100.0 LISTING OF SUBCODES

§4-101.0 Listing of Subcodes. This title shall consist of the following subcodes:

\* \* \*

[(e)] (h) Subcode "M" (The Philadelphia Mechanical Code)

\* \* \*

CHAPTER 4-200.0 TEXT OF SUBCODES

\* \* \*

SUBCODE "M" (THE PHILADELPHIA MECHANICAL CODE)

**ARTICLE M-1.0** Adoption of the 2003 International Mechanical Code, with additions, deletions and amendments.

**§M-1.1** The "2003 International Mechanical Code" as published by the International Code Council is hereby adopted as the Mechanical Code of the City of Philadelphia, with such additions, deletions and amendments as set forth in §M-1.2.

**§M-1.2** The 2003 International Mechanical Code, copies of which are on file with the Department of Licenses and Inspections, is incorporated as if fully set forth herein, subject to the following additions, deletions and amendments, including errata issued by the International Code Council.

**§M-1.2.1** [Brackets] indicate matter deleted. *Italics* indicate matter added.

**§M-1.2.2** The numbers of all sections and subsections shall be preceded with the prefix "M-."

**§M-1.2.3** Throughout the code, references to "International" codes or "ICC" codes shall be deemed to refer to the "Philadelphia" codes of the same name.

§M-1.2.4 THE 2003 INTERNATIONAL MECHANICAL CODE:

**CHAPTER 1  
ADMINISTRATION**

**(Delete the Chapter in its entirety and substitute the following)**

**SECTION M-101 GENERAL**

**M-101.1 Title.** *These provisions shall be known as the Philadelphia Mechanical Code, and shall be cited as such and will be referred to herein as “this code.”*

**M-101.2 Scope.** *This code shall regulate the design, installation, maintenance, alteration and inspection of mechanical systems that are permanently installed and utilized to provide control of environmental conditions and related processes within buildings. This code shall also regulate those mechanical systems, system components, equipment and appliances specifically addressed herein. The installation of fuel gas distribution piping and equipment, fuel gas-fired appliances and fuel gas-fired appliance venting systems shall be regulated by the Fuel Gas Code.*

**Exceptions:**

- 1. Detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories high with separate means of egress and their accessory structures shall comply with the Residential Code.*
- 2. Mechanical systems in existing buildings undergoing repair, alterations, or additions, and change of occupancy shall be permitted to comply with the Existing Building Code.*

**M-101.2.1 Appendices.** *No appendices are adopted as a part of this code.*

**M-101.3 Intent.** *The purpose of this code is to provide minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, installation, quality of materials, location, operation and maintenance or use of mechanical systems.*

**M-101.4 Administrative provisions.** *This chapter contains those provisions that are unique to the administration of this code. All other administrative provisions applicable to this code are as set forth in the Administrative Code.*

**SECTION M-102 INSPECTIONS AND TESTING**

**M-102.1 Evaluation and follow-up inspection services.** *Prior to the approval of a prefabricated construction assembly having concealed work and the issuance of a permit, the code official shall require the submittal of an evaluation report from an approved agency on each prefabricated construction assembly. The report shall indicate the complete details of the mechanical system, including a description of the system and its components, the basis upon which the system is being evaluated, test results and similar information and other data as necessary for the code official to determine conformance to this code.*

*Exception: Manufactured and Industrialized housing pursuant to Section A-102.12 of the Administrative Code.*

**M-102.1.1 Follow-up inspection.** *Except where ready access is provided to mechanical systems, service equipment and accessories for complete inspection at the site without disassembly or dismantling, the code official shall conduct in-plant inspections to ensure conformance to the approved evaluation report or shall accept inspection reports from an approved independent inspection agency. The inspection agency shall furnish the code official with the follow-up inspection manual and a report of inspections upon request. The mechanical system shall have an identifying label permanently affixed to the system indicating that factory inspections have been performed.*

**M-102.1.2 Test and inspection records.** *Required test and inspection records shall be available to the code official at all times during the fabrication of the mechanical system and the erection of the building.*

**M-102.2 Testing.** *Mechanical systems shall be tested as required in this code and in accordance with Sections M-102.2.1 through M-102.2.3. Tests shall be made by the permit holder after notifying the code official, who shall have the authority to observe the tests.*

**M-102.2.1 New, altered, extended or repaired systems.** *New mechanical systems and parts of existing systems, which have been altered, extended, renovated or repaired, shall be tested as prescribed herein to disclose leaks and defects.*

**M-102.2.2 Apparatus, instruments, material and labor for tests.** *Apparatus, instruments, material and labor required for testing a mechanical system or part thereof shall be furnished by the permit holder.*

**M-102.2.3 Reinspection and testing.** *Where any work or mechanical system does not pass an initial test or inspection, the necessary corrections shall be made so as to achieve compliance with this code. The work or system shall then be reinspected or re-tested and the results resubmitted to the code official as appropriate.*

**CHAPTER 2  
DEFINITIONS**

\* \* \*

**SECTION M-202 GENERAL DEFINITIONS**

\* \* \*

**CODE OFFICIAL.** The [officer or other designated authority] *Commissioner of Licenses and Inspections or his or her duly authorized representative* charged with the administration and enforcement of this code[, or a duly authorized representative].

\* \* \*

**CHAPTER 3  
GENERAL REGULATIONS**

**SECTION M-301 GENERAL**

\* \* \*

**M-301.4 Listed and labeled.** All appliances regulated by this code shall be listed and labeled, unless otherwise approved in accordance with Section [105] *A-203 of the Philadelphia Administrative Code*.

\* \* \*

**CHAPTER 4  
VENTILATION**

\* \* \*

**SECTION M-404 ENCLOSED PARKING GARAGES**

\* \* \*

**M-404.4 Monitoring.** *Enclosed parking garages containing 35 or more parking spaces shall be equipped with a carbon monoxide monitoring system in accordance with the Philadelphia Department of Public Health Air Management Regulations.*

\* \* \*

**Section 3.** The provisions of Title 4 of The Philadelphia Code added by Section 2 of this Ordinance, so far as they are the same as existing provisions of The Philadelphia Code, shall be construed as a continuation of such provisions and not as new enactments.

**Section 4.** This Ordinance shall take effect as follows:

(a) From the time of adoption of this Ordinance until January 1, 2004, an applicant for a permit under one or more of the subcodes of Title 4 of The Philadelphia Code shall have the option of proceeding under the provisions of Title 4 as amended by this Ordinance, or under the provisions of Title 4 as they existed immediately prior to adoption of this Ordinance.

(b) Effective January 1, 2004, the provisions of this Ordinance shall apply.

(c) *Notwithstanding any provision of this Ordinance to the contrary, at the option of the permit applicant, this Ordinance shall not apply to:*

(1) *new buildings or renovations to existing buildings for which an application for a building permit has been made to the City prior to the effective date of this Ordinance; or*

(2) *new buildings or renovations to existing buildings on which a contract for design or construction has been signed prior to the effective date of this Ordinance.*

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**Explanation:**

[Brackets] indicate matter deleted.

*Italics* indicate new matter added.