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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

### INSPECTIONS

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

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

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

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

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

Steam and hot-water boilers and piping shall be tested and approved as required by Section 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.

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

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

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

8 NOES:

9 EXCUSED:

10 ABSTAINED:

11 (Signature on File)

12 Susan Novak, Clerk of the Board of Supervisors, County of Orange, California  
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