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BOCA BASIC BUILDING CODE**

(Editor's Note: The 1993 BOCA National Code was adopted and signed by the Mayor on September 22, 1994 by Ordinance 13280. The 1996 Edition was adopted by Ordinance 13553 on March 12, 1997. The Uniform Construction Code was adopted by Ordinance No. 14190 and passed on June 4, 2004.)

PART SEVENTEEN
BUILDING AND HOUSING
TITLE ONE
STANDARDS AND ADMINISTRATION

UNIFORM CONSTRUCTION CODES

1701 International Building Code
1703 International Plumbing Code
1705 International Electrical Code
1707 International Fire Code
1710 Sheet Metal Technician

ARTICLE 1701
BOCA-BASIC-BUILDING-CODE

~~(Editor's Note: The 1993 BOCA National Code was adopted and signed by the Mayor on September 22, 1994 by Ordinance 13280. The 1996 Edition was adopted by Ordinance 13553 on March 12, 1997.)~~

~~1701.01 ADOPTION AND PURPOSE~~

~~That a certain document being marked and designated as the National Code, 1993-1996 Edition, published by the Building Officials and Code Administrators, International, Inc., hereafter designated as the National Code is hereby proposed to be adopted as the Building Code and Mechanical Code of the City of Allentown, Pennsylvania, in accordance with, and pursuant to P.L. 901-S608, dated July 15, 1957, as amended, with the changes noted herein for regulating the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy and maintenance of all buildings and structures in the City of Allentown, Pennsylvania; providing for the issuance of permits therefore; providing penalties for violation of such Code; and all of the regulations, provisions, penalties, conditions and terms of the National Codes, 1993-1996 Editions published by the Building Officials and Code Administrators International, Inc., are hereby referred to and proposed to be adopted and made a part thereof as if fully set out in the proposed Ordinance, with the changes noted therein. (13553 §1-3/12/97)~~

Additions, changes and deletions to be made in the International Codes are as follows:

INTERNATIONAL BUILDING CODE
CHAPTER 1
ADMINISTRATION AND ENFORCEMENT

1701.02 AMENDMENTS

100.1 TITLE

~~These regulations shall be known as the Building Code and Mechanical Code of the City of Allentown hereinafter referred to as "this code" the BOCA Building Codes and the International Mechanical Code. (13553 §1-3/12/97)~~

SECTION 108.0 REPAIRS AND MAINTENANCE

105.1.3 REPAIRS HISTORIC DISTRICTS

Ordinary repairs to structures, located within an Historic District as defined in Ordinance No. 12314, as amended, shall require a building permit hereunder where such repairs affect the exterior historic or architectural features of the structure or nature of the Historic District and shall be subject to the provisions of said Ordinance, no such permit shall be issued until the applicant obtains a Certificate of Appropriateness.

~~SECTION 104.0 DIVISION OF INSPECTIONS~~

~~104.1 CODE OFFICIAL~~

~~The Bureau of Code Enforcement and Rehabilitation, Division of Inspections of the City of Allentown is hereby created and the BOCA Building Code Official in charge thereof shall be known as the Building Inspector/Plans Review Officer.~~

~~104.1.1 BUILDING OFFICIAL TITLE~~

~~The Building Inspector/Plans Review Officer shall be known hereafter as the Code Official as indicated by BOCA Code reference.~~

104.8 RELIEF FROM PERSONAL RESPONSIBILITY

The Code Official, officer, or employee, or Members of the Board of Appeals charged with the enforcement of this Code, while acting for the jurisdiction, shall not thereby be rendered liable personally, and the Code Official, officer, or employee, or the Members of the Board of Appeals is hereby relieved from all personal liability for any damage accruing to persons or property as a result of any act required or permitted in the discharge of official duties. Any suit instituted against any officer, or employee, or Member of the Board of Appeals because of an act performed by that person in the lawful discharge of duties and under the provisions of this Code shall be defended by the legal representative of the jurisdiction until the final termination of the proceedings. The Code Official or any subordinates shall not be liable for costs in any action, suit or proceeding that may be instituted in pursuance of the provisions of this Code; and any officer of the Division of Building Inspection, acting in good faith and without malice, shall be free from liability for acts performed under any of its provisions or by reason of any act or omission in the performance of official duties in connection therewith. (13553 §1 3/12/97)

SECTION 108 PERMITS

105.5 TIME LIMITATION ON PERMITS

Permits are valid for one (1) year from date of issue, with the exception of permits issued to correct cited code violations, which permits shall only be valid for a period of time in accordance with the Property Rehabilitation and Maintenance Code of the City of Allentown.

SECTION 108.0 FEES

108.7 FEE SCHEDULE

The fees, as required herein, are to be established in accordance with the requirements of ~~the Administrative Information Manual (AIM)~~ the Charter.

~~SECTION 117.0 STOP WORK ORDER~~

~~117.2 UNLAWFUL CONTINUANCE~~

~~Any person who shall continue any work in or about the structure 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 conditions, shall be liable to a fine of not more than One Thousand (\$1,000) Dollars.~~

CHAPTER 3

SECTION 312.1 USE OR OCCUPANCY

312.1.1 GENERAL

Buildings and structures of an accessory character and miscellaneous structures not classified in any specific use group shall be constructed, equipped and maintained to meet the requirements of this code commensurate with the fire and life hazard incidental to their use. Utility and miscellaneous uses shall include fences over six (6') feet (1829 mm) high, tanks, cooling towers, retaining walls and buildings such as private garages, carports, sheds and agricultural buildings.

~~EXCEPTION: Utility buildings not exceeding 150 square feet may be placed on a six (6") inch floating concrete slab, and the building shall be anchored to the slab 1/2" x 4" bolts embedded in concrete or 8' x 36' concrete piers with anchor bolts and shall not require a building permit. (13553 §1 3/12/97)~~

**CHAPTER 7
FIRE RESISTIVE CONSTRUCTION**

SECTION 705.0

705.1.2

Fire walls and party wall in R-3 and R-4 Use Groups shall be eight (8") inch concrete block. (13553 § 3/12/97)

**CHAPTER 16
STRUCTURAL LOADS
SECTION 1608.2**

Ground Snow Loads shall be forty (40) pounds per square foot. (13553 §1 3/12/97)

**CHAPTER 18
FOUNDATIONS AND RETAINING WALLS**

SECTION 1810.0 CONCRETE 1805 DEPTH OF FOOTINGS

1805.4.1.3 1805.2.4 REPLACEMENT PLAIN CONCRETE

In plain concrete footings, the edge thickness shall be not less than eight (8") inches (203 mm) for footings on soil and shall not be less than eight (8") inches wider than the wall it supports. Utility buildings not exceeding one hundred fifty (150') feet, or less may be placed on a six (6") inch floating concrete base. The bottom of all footings shall be a minimum of thirty-six (36") inches below exterior finished grade. (13553 §1 3/12/97)

SECTION 1805 FOUNDATION WALLS

1805.5.1.4

THICKNESS OF BASEMENT'S FOUNDATION WALLS

Eight (8") inch thick hollow masonry or poured concrete may be used for one (1) story frame building. A two (2) or three (3) story building shall be ten (10") inch hollow masonry or poured concrete. A four (4) story building shall be twelve (12") inches or more and shall be centered on footings. Construction of block masonry shall be topped with at least two (2) courses of brick or one (1) course of four (4") inch solid block to provide full bearing for joists. (13553 §1 3/12/97)

EXCEPTION: One (1) story brick-veneer buildings shall have ten (10") inch thick hollow or poured concrete foundation walls.

~~**CHAPTER 27
ELECTRIC WIRING, EQUIPMENT AND SYSTEMS**~~

~~Delete the entire Article. Adopted by separate Ordinance with amendments, as the Electrical Code of the City of Allentown.~~

~~**CHAPTER 29
PLUMBING SYSTEMS**~~

~~Delete the entire Article. Basic Plumbing Code Ordinance to control.~~

**CHAPTER 31
SPECIAL CONSTRUCTION**

**SECTION 3107 SIGNS
3107.2 FILING**

A person shall not erect, install, remove, rehang or maintain over public property any sign for which a permit is required under the provisions of this code until an approved bond shall have been filed in accordance with the requirements of the ~~Administrative Information Manual (AIM) Charter~~ as herein required or until an insurance policy shall have been filed for public liability in accordance with the requirements of the ~~Administrative Information Manual (AIM) Charter~~ per accident and for property
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damage in accordance with the requirements of the ~~Administrative Information Manual (AIM) Charter~~ as herein required. The amount of bond and/or liability insurance shall be established in the ~~Administrative Information Manual (AIM) Charter~~.

3107.3 SIGN ERECTORS LICENSE AND FEE

The fee as required herein is to be established in accordance with the requirements of the ~~Charter Administrative Information Manual (AIM)~~.

CHAPTER 33 SITE WORK, DEMOLITION AND CONSTRUCTION 3307.2 EXCEPTIONS

In the case of an existing party wall or an existing exposed wall which is structurally sound and which is not intended to be used by the person causing the demolition and further that the surface of the said wall is to remain exposed, such person causing the demolition shall preserve, at his own expense, the party or exposed wall, by insuring that the exposed surfaces shall be made permanently waterproof by the application of stucco, brickote, gunite or other approved noncombustible materials or in the case of combustible construction said exposed wall may be finished in like materials. Repairs to common walls exposed as a result of demolition shall be restored and/or rebuilt to be structurally sound and in conformance with the ~~BOCA International Building Code~~. This includes exposed walls that are declared structurally unsound by the Code Official and/or constructed or porous interior brick. The above required activity shall be completed within six (6) months of the completed demolition activity.

~~CHAPTER 31-13 ENERGY CONSERVATION~~

~~Delete entire Article. State legislation to Control, Act 222. (13553 §1 3/12/97)~~

~~116.4 VIOLATION PENALTIES~~

~~Any person who shall violate a provision of this Ordinance or shall fail to comply with any of the requirements thereof, or who shall erect, construct, alter, or repair a building or structure in violation of an approved plan or directive of the Code Official or of a permit or certificate issued under the provisions of the Ordinance shall, upon conviction thereof, be liable to pay a fine of not more than One Thousand (\$1,000) Dollars for each offense or imprisonment of not more than ninety (90) days, or both. Each day that a violation continues shall be deemed a separate offense.~~

~~1204.1 EXCEPTION~~

~~With the exception of existing R-3 where space is being converted to use and the ceiling height requirements is technically infeasible.~~

~~1005.5 EXCEPTION~~

~~Insert thirty six (36") inches. (11934 §4 4/26/72; 11995 §1 2/21/73; 13280 §1 9/22/94)~~

ARTICLE 1703 INTERNATIONAL PLUMBING CODE

1703.2 Amendments

~~1705.01 ADOPTION~~

~~(Editor's Note: The 1993 Code was adopted by Ordinance 13272 on August 4, 1994.)
The 1990-1993 National Plumbing Code as published by the Building Officials and Code Administrators International, Inc., hereinafter designated as the National Plumbing Code is hereby adopted as the Plumbing Code of the City of Allentown, Pennsylvania, in accordance with the changes noted herein for the design and installation of plumbing systems, including sanitary and storm drainage, sanitary facilities, water supplies, storm water and sewage disposal in buildings.~~

1703.2 AMENDMENTS

Additions, changes and deletions to be made in the Plumbing Code are as follows:

~~ARTICLE 1 CHAPTER 1 ADMINISTRATION AND ENFORCEMENT~~

SECTION P-100.0 GENERAL

P-100.1 TITLE

~~These regulations shall be known as the Plumbing Code of the City of Allentown hereinafter referred to as "this code."~~

SECTION P-104.0 EXISTING USE

P-104.1 CONTINUATION

~~The legal use and occupancy of any structure existing on July 15, 1990 or for which it had been heretofore approved, shall be continued without change except as may be specifically covered in this Code or deemed necessary by the Code Official for the general safety and welfare of the occupants and the public.~~

SECTION P-109.0 106.0 CODE OFFICIAL

P-109.1 106.1.1 GENERAL

~~The Divisions of Inspections of the City of Allentown is hereby created and the executive official in charge thereof shall be known as the Building Inspector/ Plans Review Officer. The Building Inspector/Plans Review Officer shall be the Chief Administrative Officer of the sections of Building, Plumbing and Electrical.~~

P-109.1.1 106.1.2 BUILDING OFFICIAL TITLE

~~The Building Inspector/Plans Review Officer shall be known hereafter as the Code Official as indicated by Code reference.~~

SECTION P-406.0 110.0 DEMOLITION OF STRUCTURES

P-406.2 110.2 ABANDONED PIPING

~~Abandoned drainage within the building shall be hermetically sealed by a cap or plug at the property or curblin.~~

SECTION P-110.0 DUTIES AND POWERS OF THE CODE OFFICIAL

P-110.2 APPLICATIONS AND PERMITS

~~The Code Official shall receive applications and issue permits for the installation of plumbing, inspect the premises for which such permits have been issued and enforce compliance with the provisions of this Code. The plumbing permit card shall be displayed prominently.~~

P-110.8 RULE-MAKING AUTHORITY

~~The Code Official shall have the power as may be necessary in the interest of public safety, health and general welfare, to adopt and promulgate rules and regulations to interpret and implement the provisions of this Code, to secure the intent thereof and to designate requirements applicable because of local climatic or other conditions; but no such rules shall have the effect of waiving the minimum requirements of this Code or of violating accepted engineering practice involving health and public safety. All rules and regulations shall be adopted in accordance with the Administrative Information Manual requirements (AIM). All rules and regulations adopted shall have the same effect as provisions of the Code but such rules may be amended or repealed at any time by the same procedure prescribed for adoption.~~

SECTION P-111.0 108.0 APPLICATION FOR PERMIT

P-111.1 108.1 PERMIT REQUIRED

~~Plumbing work shall not be commenced until a permit for such work has been issued by the Code Official. A permit is not required for repairs which involve only the working parts of a faucet or valve, clearance of stoppages, or repairing or replacement of defective faucets or valves, provided alterations are not made in the existing piping or fixtures. Work with less than One Hundred (\$100) Dollars appraisal value shall not require a permit.~~

P-111.3 106.4 BY WHOM APPLICATION IS MADE

~~Application for a plumbing permit shall be made by a licensed master plumber who engages in or carries on the business to install all or part of any plumbing system or from an owner/occupant occupied of a single family residence.~~

P-111.4 106.3.2 DESCRIPTION OF WORK

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The applicant shall list the number of fixtures of each type to be installed, the location of the work, the use and occupancy of the building in which the work is to be performed, the value of all labor, materials and services to be employed, and such additional information as may be required by the Code Official.

SECTION 112.0 109.0 PERMITS

P-112.1 109.1.1 ACTION ON APPLICATION

~~The Code Official shall examine or cause to be examined all applications for permits, and amendments thereto, within a reasonable time after filing. If the application or the plans do not conform to the requirements of all pertinent laws, such application shall be rejected the Code Official shall reject such application in writing, stating the reasons therefor. If the requirements of this Code and all laws and Ordinances applicable thereto, a permit shall be issued he shall issue a permit therefor as soon as practicable. A plumbing permit shall not be transferable. Permits are valid for one (1) year from date of issue, with the exception of permits issued to correct cited code violations, which permits shall only be valid for a period of time in accordance with the Property Rehabilitation and Maintenance Code of the City of Allentown.~~

SECTION P-444.0 106.5 FEES

P-114.1 GENERAL

~~A permit to begin work for new construction or alterations shall not be issued until the application and permit fees prescribed have been paid.~~

P-114.2 106.5.2 FEE SCHEDULE

SECTION P-117.0 116.0 VIOLATIONS

P-117.3 116.3 PROSECUTION

~~If the notice of violation is not complied within five (5) working days, the Code Official shall cause to be instituted the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful use of any plumbing system in violation of the provisions of this Code or of the order or direction made pursuant thereto.~~

SECTION P-118.0 117.0 STOP WORK ORDER

P-118.2 117.2 UNLAWFUL CONTINUANCE

~~Any person who shall continue any plumbing work in or about the structure 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 conditions, shall be liable to a fine of not less than Three Hundred (\$300) Dollars.~~

SECTION P-122.0 121.0 MEANS OF APPEAL

P-122.1 121.1 APPLICATION FOR APPEAL

~~The owner of a building or structure or any other person may bring before the Building Code Board of Appeals a decision of the plumbing official refusing to grant a modification of the provisions of this code covering the manner of construction or materials to be used in the erection, alteration or repair of a plumbing system. Application for appeal may be made when it is claimed that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equally good or better form of construction can be used.~~

SECTION P-423.0 122.0 LICENSING OF PLUMBERS

P-423.1 122.1 SCOPE

Sections P-423.0 122.0 to 132.0 shall regulate the business of installing, altering or repairing plumbing systems, including sanitary and storm drainage, sanitary facilities, water supplies, storm water and sewage disposal in buildings within the City of Allentown and provide for the licensing of all persons who engage in such business. The purpose of this licensing procedure is to foster the safety of those who reside, work or visit in the City of Allentown. This licensing procedure shall not be construed in such a manner as to provide artificial and unnecessary barriers to the conduct of plumbing work by a firm, proprietorship, partnership or corporation located both inside and outside of the City limits.

P-~~123.2~~ 122.2 DEFINITIONS

For the purposes of this article, the following definitions shall apply:

"Master Plumber" shall mean any person who shall have passed a Master Plumber's examination and qualified and registered in accordance with the terms of this Article and under the Rules and Regulations of the said Examining Board, and one who is the holder of a Master Plumber's License, who, within the City of Allentown, engages in or carries on the business of the plumbing trade or who carries on such business as an independent contractor or employee of a proprietorship, partnership or corporation and who has the final determination and the full responsibility for the manner in which the work is done, for the materials used and for the selection, supervision and control of Journeyman Plumbers and helpers employed on the work engaged in by said person, proprietorship, partnership or corporation. The supervisory responsibility of a Master Plumber as defined herein may be delegated by a Master Plumber to a Journeyman Plumber in his employ.

"Master Plumber's License" shall mean a license issued to a Master Plumber, as herein defined, who, by passing the required examination and tests, has qualified as a competent person to be a Master Plumber.

"Journeyman Plumber" shall mean any person who shall have passed a Journeyman Plumber's examination and qualified and registered in accordance with the terms of this Article and under the Rules and Regulations of the said Examining Board, and one who is the holder of a Journeyman Plumber's License and is employed as defined in the definition of Master Plumber.

"Journeyman Plumber's License" shall mean a license issued to a Journeyman Plumber, as herein defined, who, by passing the required examination and tests has qualified as a competent person to be a Journeyman Plumber.

"Master Plumber - Special" shall mean any person, who installs, alters or repairs plumbing, appliances for water supplies, storm water, sewage disposal, sanitary and storm drainage, sanitary facilities in or on existing buildings or lots in the City, and who is an employee of a proprietorship, partnership or corporation which owns, leases, or manages an existing building, buildings, or parts thereof situated in the City of Allentown. The Master Plumber - Special so employed shall have the final determination and the full responsibility for the manner in which the work is done, for the materials used and for the selection of supervision and control of the persons employed on such work. The Master Plumber - Special so employed shall have the final determination and the full responsibility for the manner in which the work is done, for the materials used and for the selection of supervision and control of the persons employed on such work. The Master Plumber - Special shall only be employed by one (1) proprietorship, partnership or corporation at one time.

~~**"Master Plumber - Special's License"** shall mean a license issued to a Master Plumber - Special, as herein defined, who, by passing the required examination and tests has qualified as a competent person to be a Master Plumber Special.~~

SECTION P-~~124.0~~ 123.0 LICENSE BOARD

P-~~124.1~~ 123.1 MEMBERSHIP OF BOARD

There shall be appointed by the Mayor, with the advice and consent of City Council, a five (5) member Examining Board to be known as the Plumbers Examining Board, to determine the fitness of applicants or licenses and to investigate and report on all proposed suspensions or revocations of licenses, and the Mayor may, for cause shown, remove any member thereof and shall fill any vacancy therein. Said Board shall include two (2) Master Plumbers, one (1) City Plumbing Official, and two (2) citizens-at-large to be designated by the Director of Community Development or his designee.

P-~~124.2~~ 123.2 TERMS

The terms of the members of the Plumbers Examining Board shall be as follows:

A. Two (2) members of the Board shall be appointed originally for a term of one (1) year; two (2) members for a term of two (2) years, and one (1) member for a term of three (3) years.

B. As the terms of office of each of the original members of the Board expires, their successors shall be appointed for a term of three (3) years.

P-~~124.3~~ 123.3 ORGANIZATION

The members of the Plumbers Examining Board shall within thirty (30) days from their appointment, meet specially and organize and shall elect from their members a Chairman. They shall also elect a Secretary who need not be a member of the Board. The Board shall meet as frequently as is necessary for the proper and efficient discharge of its business. Such meeting shall be held

upon forty-eight (48) hours written notice to each member of the Board, stating the purpose of such special meeting. Three (3) members of the Board shall constitute a quorum for the transaction of any and all business.

P-424.4 123.4 RULES AND REGULATIONS

The Plumbers Examining Board shall formulate its own rules and regulations for all examinations. Such rules and regulations shall become effective immediately upon the adoption by the Board and the approval of the City Council of the City of Allentown.

P-424.5 123.5 DUTIES OF THE BOARD

The Plumbers Examining Board shall investigate all applicants for licenses and shall report to the Director of Community Development the results of all examinations which it shall administer to applicants. It shall investigate and hear all written complaints against holders of such licenses and report to the Director of Community Development its findings and recommendations. It shall keep minutes of its proceedings and hearings and records of its investigations and examinations of applicants for licenses.

SECTION 125.0 APPLICANT'S QUALIFICATIONS, APPLICATIONS AND EXAMINATIONS

P-125.1 APPLICANTS' QUALIFICATIONS

Every applicant for a Master, Journeyman or Master Plumber - Special's license shall be over the age of twenty-one (21) years. At the time of application, every applicant for a Journeyman Plumber's license shall have had at least four (4) years of practical experience in the installation of drainage, waste, vent and water system with a registered Master Plumber or its equivalent. At the time of application, every applicant for a Master or Master Plumber - Special's license shall have had at least five (5) years of practical experience in the installation of drainage, waste, vent and water systems with a registered Master Plumber or its equivalent. In addition, every applicant for a Master Plumber's license shall have had at least one (1) year experience as a Journeyman.

P-125.1 APPLICATIONS

Every application for a license shall be made in writing in such form and shall furnish such information as the Plumbers Examining Board may, from time to time, require. Applications must be filed at least forty-five (45) days prior to the date of examinations as hereinafter provided.

P-125.3 EXAMINATIONS

Written, or written and practical examinations shall be prepared by the Plumbers Examining Board and administered by it to applicants to test each applicant's knowledge of the provisions of this Code and the work covered thereby and no license shall be issued unless the applicant attains a passing mark of at least ~~seventy-five (75%)~~ seventy (70%) percent in his examination to entitle him to a certificate or license. Same tests shall be administered to Master Plumbers and Master Plumbers - Special.

P-125.4 GEOGRAPHICAL REQUIREMENT

No restriction based on location shall be made on applicants for Master, Journeyman or Master Plumber - Special licenses who reside, or whose business is located, or who are employed by a business with its headquarters located outside the City of Allentown.

SECTION P-126.0 LICENSES AND FEES

P-126.1 APPLICATION FEE

At the time of filing application for an examination, each applicant shall pay a fee in accordance with the requirements of the ~~Administrative Information Manual (AIM)~~ Charter. In the case of a practical exam, an amount sufficient to cover the cost of materials expended in such practical exam. Said sum shall be deemed the cost of such examination and shall not be refunded if the applicant shall fail to present himself for examination or to obtain a passing mark. The examination fee paid for the examination upon which the applicant obtains a passing mark shall not be credited on account of the hereafter stated fee for the license.

P-126.2 LICENSE FEES

Before any license will be issued to an approved applicant, the applicant shall pay a fee. The fee as required herein is to be established in accordance with the requirements of the ~~Administrative Information Manual (AIM)~~ Charter.

P-126.2.1

No license shall be transferable.

P-126.2.2 CHANGE IN REGISTRATION

A. An application for a change of license from master Plumber to a Journeyman Plumber or Master Plumber - Special shall be granted without examination.

B. An application for a change of license from a Master Plumber - Special to a Journeyman Plumber shall be granted without examination.

C. An application for a change of license from a Journeyman Plumber or Master Plumber - Special shall be granted only upon compliance by the applicant with all applicable provisions of this Code.

P-126.3 LICENSE TERM

A. Each license shall be issued for the calendar year during which it is issued and the full fee shall be payable irrespective of the date of issue.

~~B. Each license shall continue in force only so long as the employee continues to be associated with the same proprietorship, partnership or corporation.~~

P-126.4 LICENSE RENEWAL

Any license hereunder may be renewed annually without examination, provided application for renewal is accompanied by the renewal fee prescribed by the AIM regulation. All licenses after December 31st shall be subject to a surcharge described by the AIM regulation. All licenses not renewed by November 30 shall be subject to retesting.

P-126.5 RENEWAL FEES

The fee as required herein is to be established in accordance with the requirements of the ~~Administrative Information Manual (AIM)~~ Charter.

P-126.6 PROOF OF RESPONSIBILITY

At the time of issuance of all permits, the applicant shall furnish a certificate evidencing proof of Workmen's Compensation, Bodily Injury, and Property Damage Insurance applicable to the applicant, unless such evidence is currently on file in the Bureau of Inspections.

P-126.7 CONTINUATION OF LICENSE

Any license issued under previous licensing procedure for the City of Allentown may be renewed on an annual basis without examination.

SECTION P-127.0 SUSPENSIONS OR REVOCATIONS

P-127.1 Every holder of a license, upon retiring from the plumbing business or upon the occurrence of any other cause for suspension or revocation of such license, shall notify the Director of Community Development in writing of such fact, at the same time enclosing the license certificate and identification card. The Director of Community Development may, by an order in writing, suspend or revoke any license issued by him after a hearing on notice before the Plumbers Examining Board and, upon good cause shown, including but not limited to the following: Permitting unauthorized or fraudulent use of the license by another, failure to file applications or certificates performing work which fails to meet the Plumbing Code, fraudulent dealing, or misrepresentation.

SECTION P-128.0 NON-LICENSED WORK

P-128.1 No person not the holder of an appropriate license, nor a proprietorship, partnership, or corporation not employing a holder of an appropriate license shall install, alter, or repair any plumbing system in or on any building. No person, partnership, or corporation shall cause any such work to be done by any person not the holder of such license, nor by any proprietorship, partnership or corporation not employing a holder of such license shall falsely represent that he or it holds such license or shall use in any advertising the words "Master Plumber", "Journeyman Plumber" or "Registered Plumber" or any words of similar meaning or import on any sign, card, letterhead, or in any manner.

SECTION P-129.0 FALSE STATEMENTS

Any person who, with intent to defraud or deceive, knowingly makes, causes, procures to be made, or aids and assists in the making of a false statement in an application for a license, or the renewal of a license, in an application for a permit or certificate of plumbing inspection and approval, in any application provided for in this title, in any proof or instrument in connection therewith, or who shall in any examination hereunder, deceive or substitute, shall be in violation of this Article.

SECTION P-130.0 RECIPROCITY

The Director of Community Development will accept as Master Plumbers valid licenses from other municipalities that also recognize an Allentown Master Plumber's license without formal testing and in addition all other classifications listed in this Code, provided that said municipality has a comparable testing process, provided such licensees comply with all other applicable provisions of this Code, including payment of the applicable fee. No additional fees of any type shall be charged to Master Plumbers registered in other municipalities and recognized under this Reciprocity section.

SECTION P-131.0 OWNER PERFORMANCE

The provisions herein contained shall not prohibit the owner of an owner/occupied single family residence from personally performing plumbing work therein.

P-131.1 PERMIT: A permit shall be secured as herein provided before the work is initiated.

P-131.2 WORK: All work shall actually be performed by the owner in accordance with the provisions of this Code.

P-131.3 INSPECTIONS: The owner shall make application for all required inspections.

SECTION P-132.0 ESCROW

The holder of any valid and current Master Plumber, Master Plumber Special, or Journeyman Plumber license as herein defined may, upon written request to the Plumbers Examining Board before the December 31st expiration of current license, have the Director of Community Development hold said license in escrow for a period of up to five (5) years, during which time the licensee may not perform any work which would, under the provisions of this Code, require the issuance of a license. Upon proper application for renewal of the license being held in escrow, applicant shall be granted same without examination provided the Plumbers Examining Board is satisfied as to the applicant's qualifications to engage in the work covered by said license. The holder of a current and valid Journeyman Plumber license who has previously held an Allentown Master Plumber - Master Plumber Special License, and has not had a continuous license lapse of more than five (5) years, shall not be bound by the five (5) year escrow period for the renewal of a Master - Master Special License, and upon proper application and review by the Plumbers Examining Board be granted same without examination.

ARTICLE 3 GENERAL REGULATIONS

SECTION P-301.8 CONNECTION TO PUBLIC WATER AND SEWER SYSTEM

P-301.8 PUBLIC SYSTEMS AVAILABLE

A public water main or public sewer system shall be considered available to a building when the public water main or sewer abuts the property upon which the building is located.

SECTION P-302.0 EXCLUSION OF MATERIALS DETRIMENTAL TO THE SEWER SYSTEM

P-302.3 INDUSTRIAL WASTES

All non-resident type building applications for a plumbing permit that may discharge a wastewater from an industrial process or which may discharge materials that may be deleterious, harmful or detrimental to the sewer system, shall comply with the requirements of Ordinance No. 12003, as amended. No permit holder shall discharge industrial wastewaters in excess of the quantity, rate of discharge or quality conditions specified in the permit issued under Ordinance No. 12003, as amended. Any person desiring to modify the operations which affect the approved discharge shall apply for an amended permit.

SECTION P-308.0 309.0 PROTECTION OF PIPES

P-308.3 309.4 FREEZING

~~Water service piping and sewers shall be installed below recorded frost penetration but not less than three (3') feet no (0") inches below grade for water piping and sewers. In climates with freezing temperatures, plumbing piping in exterior building walls or areas subjected to freezing temperatures shall be protected against freezing by insulation or heat or both, and shall be inspected and approved by the Code Official.~~

**ARTICLE 6
MATERIALS**

SECTION P-605.0 WATER SUPPLY PIPING SYSTEM MATERIALS

P-402.3 403.3 WATER SERVICE PIPE

~~Water service pipe shall conform to one of the standards listed in Table P-402.3 403.3. All pipe or tubing, when used underground for water service and when installed outside of the building, shall have a minimum working pressure of 160 pounds per square inch (160 psi/1103.04 kPa) at 73.4 degrees F. (23 degrees C.).~~

**TABLE P-605.3 WATER SERVICE PIPE
STANDARD
MATERIAL (See Appendix A)**

Brass Pipe ASTM B43
Cast Iron (Ductile Iron)
Water Pipe ASTM A377; AWWA C151
Copper or Copper Alloy Pipe ASTM B42; ASTM B302
Copper or Copper Alloy Tubing (Type K) ASTM B75; ASTM B88
Galvanized Steel Pipe ASTM A53; ASTM A120

P-402.4 403.5 WATER DISTRIBUTION PIPE

~~Water distribution pipe shall conform to one of the standards listed in Table P-402.4, 403.5. Thermoplastic piping as described in Table 402.4 403.5 may be used for cold water piping in new construction and in the substantial rehabilitation of existing buildings. Thermoplastic piping may only be used in existing buildings where (a) entirely new water lines are being run, or (b) adequate provision has been made for grounding consideration. Any use of thermoplastic piping in existing buildings shall be approved by the Code Official.~~

**TABLE P-402.4 403.5 WATER DISTRIBUTION PIPE
MATERIAL STANDARD
(See Appendix A)**

Brass Pipe ASTM B43
Copper or Copper ASTM B42; Alloy Pipe ASTM B302
Copper or Copper Alloy ASTM B75; Tubing ASTM B88
(Type K or L) ASTM B251

Chlorinated Polyvinyl
 Chloride ASTM D2846;
 ASTM F441
 (CPVC) Plastic Pipe and ASTM F442
 Tubing Cold Water Use Only
 Galvanized Steel Pipe ASTM A53; ASTM A120
 Polybutylene (PB) Plastic
 Pipe ASTM D3309; SDR9 or
 and Tubing Cold Water Use Only SDR11
 Cross-Linked Polyethylene (PEX)
 ASTM F877 with approved fittings

TABLE P-402.4 403.5 WATER DISTRIBUTION PIPE

**MATERIAL STANDARD
 (See Appendix A)**

Plastic Tubing CSA CAN/CSA B137.5
 Cross-linked
 Polyethylene/AL CSA/CAN/CSA
 Cross-Linked Polyethylene AB 137.0
 (PEX-AC PEX) Pipe

402.5 HOT WATER

In new installations (summer/winter hookups) or replacement of equipment that produces domestic hot water, there shall be at the hot water delivery source an approved mixing valve with temperature adjusting capabilities.

TABLE P-403.3 404.3 BUILDING SEWER PIPE

**MATERIAL MATERIAL
 (See Appendix A)**

Acrylonitrile
 Butadiene Styrene ASTM D2661; ASTM D2751;
 (ABS) Plastic Pipe ASTM F628
 Cast Iron Pipe ASTM A74; CISPI 301
 Concrete Pipe ASTM C14; ASTM C76
 Copper or Copper
 Alloy Tubing ASTM B75; ASTM B88;
 (Type K or L) ASTM B251
 Polyvinyl Chloride
 (PVC) ASTM D2665; ASTM D2949;
 Plastic Pipe ASTM D3033; ASTM D3034
 Vitrified Clay Pipe ASTM C4; ASTM C700

Note: a. Thermoplastic sewer pipe shall be installed in accordance with ASTM D2321 listed in Appendix A.

702.2.1 Underground Pipe: The minimum size for sanitary drainage pipe shall be two (2") inches.

P-903.1 MAIN VENT REQUIRED

Every sanitary drainage system receiving the discharge of a water closet shall have a main vent that is either a vent stack or stack vent. The main vent shall connect to a drainage pipe that is a minimum of three (3") inches in diameter.

**CHAPTER 10
 TRAPS, INTERCEPTORS, SEPARATORS, AND BACKWATER VALVES**

1002.6

P-1001.7 1003.7 BUILDING TRAPS

An approved house trap shall be installed in each building located below the cellar floor and just inside the foundation wall. (Exceptions: At the discretion of the plumbing official, the building trap may be installed outside below the lowest level of the building where: Buildings are on a slab, where an inside installation would be difficult to service, or where servicing would be a

detriment to a particular use of the area in which they would be installed.) There shall be an air inlet for fresh air entering the house drain just inside the water seal of the trap. The size of House trap shall not be less in size than the pipe it traps and in no case less than four (4") inches for four (4") inches. Air inlets shall be four (4") inches in size for five (5") inch and six (6") inch drains, six (6") inches for eight (8") inch drains. All house traps shall be of the double hub pattern and shall be located and installed below the cellar floor. There shall be a Wye installed on the sewer side of the house trap for the purpose of rodding. Such cleanouts must be brought to floor or grade level.

**ARTICLE 7 SANITARY DRAINAGE
SECTION P-701.0**

701.10

All sanitary sewer connections directly into a trunk (except 6") shall be made with a reducing coupling.

**CHAPTER 11
DRAINAGE PIPE CLEANOUTS**

SECTION P-1101.0 1103.0 WHERE REQUIRED

708.3.2 BUILDING SEWERS

All building sewers shall have cleanouts located not more than fifty (50') feet apart.

~~**SECTION P-1224.0 1226.0 MAXIMUM WATER FLOW REQUIREMENTS
FOR PLUMBING FIXTURES**~~

~~**SECTION P-1224.0 1226.1 GENERAL POLICY WATER CONSERVATION**~~

~~No water shall be provided for internal or external use to any residential, commercial, industrial, agricultural, recreational, governmental or public building or structure of any kind which is constructed or remodeled and in which plumbing, water piping or water fixtures are to be installed, extended or altered in any way and for which construction permit is required to be obtained from Allentown or would be required but for an exemption from a permit requirement for public or governmental agencies) unless the new, extended or altered plumbing, water piping and other water using fixtures therein conform to the requirements and standards of Section Two of this Ordinance. The provisions of the Ordinance shall apply to any such building or structure for which such a building permit is issued, or would otherwise be required to be issued but for such an exemption, on or after (Date of Adoption).~~

~~**SECTION P-1224.1 1226.2 WATER CONSERVATION PERFORMANCE STANDARDS
FOR PLUMBING FIXTURES AND FITTINGS**~~

~~**ARTICLE 1224.1.A 1226.2.A**~~

~~**WATER CLOSETS AND ASSOCIATED FLUSHING MECHANISMS**~~

~~The water consumption of water closets shall not exceed an average of 1.6 gallons per flush cycle over a range of test pressures from 20 to 80 psi. The fixture shall perform in accordance with the test requirements of the ANSI A112.19.2M and ANSI A112.19.6M.~~

~~**ARTICLE 1224.1.B 1226.2.B**~~

~~**URINALS AND ASSOCIATED FLUSHING MECHANISMS**~~

~~Urinal water consumption shall not exceed an average of 1.5 gallons per flush cycle over a range of test pressures from 20 to 80 psi. The fixtures shall perform in accordance with the test requirements of ANSI A112.19.2M and ANSI A112.19.6M.~~

~~**ARTICLE 1225.1.C 1226.2.C**~~

~~**SHOWERHEADS**~~

~~Showerhead discharge rates shall not exceed 3.0 gallons of water per minute over a range of test pressures from 20 to 80 psi. The fixture shall perform in accordance with the test requirements of ANSI A112.18.1M.~~

~~**ARTICLE 2224.1.D 1227.1.D**~~

~~The above requirements supersede standards listed in Article XII of the 1990 BOCA Plumbing Code adopted by City Council _____ of _____ 199 _____. These standards are requirements of the Delaware River Basin Commission.~~

**ARTICLE 15
WATER SUPPLY AND DISTRIBUTION**

SECTION P- 1505 1507 PROTECTION OF POTABLE WATER SUPPLY

608.14 LOCATION OF BACKFLOW PREVENTERS

Backflow preventers shall be installed in an accessible location. In the case of replacement of the water distribution system within or to the building, a backflow preventer shall be installed. Backflow preventers shall be installed as close as mechanically possible to the point of entrance to the building of the water service. For exterior use, a vacuum breaker must be self-draining.

~~P-1505.11.2 PROTECTION BY A VACUUM BREAKER~~

~~Openings and outlets shall be protected by an atmospheric type vacuum breaker backflow preventer. The critical level of the backflow preventer shall be set at least six (6") inches (152 mm) above the flood level rim of the fixture or device. Ball cocks shall be set in accordance with Section P-1207.3.2. Vacuum breakers shall not be installed under exhaust hood or similar locations which will contain toxic fumes or vapors. Sillcocks, hose bibs, wall hydrants, and other openings with a hose connection shall be protected by an atmospheric type vacuum breaker or a permanently attached hose connection vacuum breaker. This subsection shall be interpreted to read that all new or replacement installations shall be so equipped. For exterior use a vacuum breaker must be self-draining.~~

P-607.3.3 THERMAL EXPANSION CONTROL:

Where a backflow prevention device or a check valve is installed in the potable water supply of the building, a device for controlling thermal expansion shall be installed if the building supply pressure is capable of exceeding the temperature and pressure relief valve pressure settings. A proper sized thermal expansion tank shall be installed.

(Exception): This section shall not apply to potable water supply systems served by instantaneous water heaters.

~~1705.99 1810 PENALTIES~~

~~Any person violating the provisions of this Ordinance or section of this Ordinance shall upon conviction be fined not more than Three Hundred (\$300) Dollars or imprisoned not more than ninety (90) days or both. (13176 §1-1/21/93; 13272 §1-8/4/94)~~

**ARTICLE 1705
INTERNATIONAL ELECTRICAL CODE**

- 1705.01 Adoption and Purpose
- 1705.02 Amendments
- 1705.03 Licensing of Electricians
- 1705.04 Designation of Telecommunication Installation Companies
- 1705.99 Penalties

1705.01 ADOPTION AND PURPOSE

That the portion of a certain document being marked and designated as Article 27 of the Basic Code, ~~1993-1996 Edition, published by the Building Officials and Code Administrators, International, Inc.~~, hereinafter designated as the Electrical Code, be and the same is hereby proposed to be adopted as the Electrical Code of the City of Allentown, Pennsylvania, in accordance with, and pursuant to P.L. 901 §608, dated July 15, 1957, as amended, with the changes noted herein for controlling the design and construction of all new installations of electrical conductors, equipment and systems in buildings or structures; all alterations to existing wiring systems therein to insurance safety; providing for the licensing of electricians; establishing an Electricians Examining Board; establishing qualifications for licenses and fees and other regulations therein; establishing a designation procedure for telecommunication installers; declaring each and all of the regulations, provisions, penalties, conditions and terms of the National Electrical Code, ~~published by the Building Officials and Code Administrators International, Inc.~~, are hereby referred to and proposed to be adopted and made a part thereof as is fully set out in the proposed ordinance, with the changes noted therein. (13594 §1 8/7/97; 13681 6/4/98)

1705.02 AMENDMENTS

Additions, changes and deletions to be made in the Basic Electrical Code are as follows:

~~ELECTRIC WIRING, EQUIPMENT AND SYSTEMS~~

~~SECTION 2701.0 GENERAL~~

~~2701.1 SCOPE~~

~~The provisions of this chapter shall control the design and construction of all new installations of electrical conductors, equipment and systems in buildings or structures; and all alterations to existing wiring systems therein to ensure safety. All such installations shall conform to the provisions of NFPA 70 listed in Chapter 35.~~

SECTION 2703.0 PERMIT AND CERTIFICATE OF INSPECTION

2703.1 GENERAL

Electrical wiring or equipment shall not be installed within or on any building, structure or premises, nor shall any alteration be made in any such existing installation, without first securing approval and a permit from the code official except as provided for in Section 2703.2. It shall be unlawful to use or allow the use of, or to supply current for, an electrical system in a building or structure, unless the required certificate of inspection and permit have been issued by the code official. Permits may only be issued to those designated specified in Section 1707.3 to 1707.04.7. Permits are valid for one (1) year from date of issue, with the exception of permits issued to correct cited code violations, which permits shall only be valid for a period of time in accordance with the Property Rehabilitation Maintenance Code of the City of Allentown.

~~2703.5 PERMITS MUST BE CONSPICUOUSLY DISPLAY ON THE JOB SITE~~

~~2703.5.1 EXEMPTIONS~~

~~Work with less than One Hundred (\$100.00) Dollars appraised value shall not require a permit.~~

SECTION 2708.0 EXISTING INSTALLATIONS

2708.4 UPGRADING SERVICES

2708.4.1 BRANCH CIRCUITS

Two (2) separate twenty (20) ampere circuits shall be required for the kitchen and an additional twenty (20) ampere circuit shall be provided for the laundry.

2708.4.2 CELLAR AND BASEMENT WIRING

Cellar and Basement wiring shall be updated to conform to the minimum standards as prescribed by this Ordinance if, in the opinion of the electrical inspector, an unsafe condition exists. This includes removing "knob and tube" wiring located in the cellar or basement through or below the joist, if tapped or spliced. All other wiring shall be corrected to meet wiring specifications contained in the National Electrical Code.

2708.4.3. FLOOR RECEPTACLES

Floor receptacles shall be moved to the wall or baseboard in new or replacement services, unless it is an approved raised type and installed in an approved manner.

2708.4.4 MINIMUM REQUIREMENTS

A. Every habitable room shall contain at least two (2) separate and remote duplex wall electric convenience outlets; and, one (1) additional switch controlled outlet. Additional outlets shall be required to power electrical appliances serviced by temporary wiring.

B. Every water closet compartment, bathroom, laundry room, laundry area and furnace room shall contain at least one (1) ceiling or wall electric fixture; and, each bathroom, laundry room or laundry area shall contain one (1) convenience outlet.

C. Every outlet and fixture shall be installed in an approved manner on circuits properly equipped with "s" type fuses or circuit breakers, and maintained in good and safe working conditions.

D. No obvious shock hazard shall exist.

E. No temporary wiring shall be used, except extension cords which run directly from portable electrical equipment to convenience outlets, and which do not lie underneath floor covering materials or extend through doorways, transoms or other similar apertures through structural elements. Extension cords shall not exceed twelve (12') feet in length.

F. Every public hallway and stairway in every multiple dwelling and rooming house, shall be adequately lighted at all times by natural and/or electric light, so as to provide, in all parts thereof, at least (3') foot candles of light at the tread of floor level. Every public hallway and stairway in a structure containing two (2) units shall be adequately lighted at all times by natural or electric light, so as to provide, in all parts thereof, at least (3') foot candles of light at the tread or floor level, except however, that if conveniently located light switches are supplied to turn on lights when required, full time lighting shall not be required.

(1) ARTICLE 210 - BRANCH CIRCUITS
210-08 GROUND-FAULT CIRCUIT- INTERRUPTER PROTECTION FOR PERSONNEL

A. Dwelling units, Commercial, Industrial and Institutional

(2) ARTICLE 230 SERVICES
A. GENERAL
230-2 NUMBER OF SERVICES

A building or other structure served shall be supplied by only one service. Where more than one service is permitted by any of the following exceptions, a permanent plaque or director shall be installed at each service drop or lateral or at each service-equipment location denoting all other services on or in that building or structures and the area served by each.

~~Exception No. 1: For fire pumps where a separate service is required.~~

~~Exception No. 2: For emergency, legally required standby, optional standby or parallel power production systems where a separate service is required.~~

~~Exception No. 3: Multiple Occupancy Buildings: By special permission, in multiple occupancy buildings where there is no available space for service equipment accessible to all the occupants. (13594 §1 8/7/97)~~

F. SERVICE EQUIPMENT - DISCONNECTING MEANS
230-71 MAXIMUM NUMBER OF DISCONNECTS

C. EACH SINGLE FAMILY METERED SERVICE

Services rates less than 400 amperes ~~and less~~ shall be controlled by one (1) disconnecting means. (13681 6/4/98)

H. GROUNDING ELECTRODE SYSTEM

250-81 Grounding Electrode System. If available on the premises at each building or structure served, each item (a) through (d) below, and any made electrodes in accordance with Sections 250-83(c) and (d), shall be bonded together to form the grounding electrode system. The bonding jumper(s) shall be installed in accordance with Sections 250-92(a) and (b), shall be sized in accordance with Section 250-94 and shall be connected in the manner specified in Section 250- 115. The unspliced grounding electrode conductor shall be connected to the street side of the main shut-off valve. It shall be sized for the largest grounding electrode conductor required among all the available electrodes. (13594 §1 8/7/97)

J. GROUNDING CONDUCTORS

250-91 Material. The material for grounding conductors shall be as specified in (a), (b) and (c), below.

(a) Grounding Electrode Conductor. The grounding electrode conductor shall be of copper. ~~aluminum or copper-clad aluminum.~~ The material selected shall be resistant to any corrosive condition existing at the installation or shall be suitably protected against corrosion. The conductor shall be solid or stranded, insulated, covered, or bare and shall be installed in one continuous length without a splice or joint. (13594 §18/7/97)

ARTICLE 700
EMERGENCY SYSTEMS
C. SOURCES OF POWER
700-12 GENERAL REQUIREMENTS

C. Uninterruptible Power Supplies

Uninterruptible power supplies used to provide power for emergency systems shall comply with the applicable provision of Section 700-12(a) and (b).

(FPN): ~~See Section 230.82 for equipment permitted on the supply side of a service disconnecting means.~~

~~D. Separate Service~~

~~Where acceptable to the authority having jurisdiction as suitable for use as an emergency source, a second service all be permitted. This service shall be in accordance with Article 230, the separate service drop or lateral, widely separate electrically and physically from the normal service to minimize the possibility of simultaneous interruption of supply.~~

~~E. Connection Ahead of Services Disconnecting Means~~

~~Where acceptable to the authority having jurisdiction as suitable for use as an emergency source, connection ahead of, but not within, the main service disconnecting means shall be permitted. The emergency service shall be efficiently separated from the normal main service disconnecting means to prevent simultaneous interruption of supply through an occurrence within the building or groups of buildings served. (FPN): See Section 230.82 for equipment permitted on the supply side of a device disconnecting means. (13594 §1.8/7/97)~~

SECTION 1705.03 LICENSING OF ELECTRICIANS

1705.03.1 SCOPE

Sections 1705.03 to 1705.99 shall regulate the business of installing, altering, or repairing wiring and appliances, for electric light, heat and power within the City of Allentown, and to provide for the licensing of all persons who engage in such business. The purpose of this licensing procedure is to foster the safety of those who reside, work or visit in the City of Allentown. This licensing procedure shall not be construed in such a manner as to provide artificial and unnecessary barriers to the conduct of electrical work by firms located both inside and outside of the City limits. Telecommunication installations, outside of this scope, (1705.03) shall be covered by Section 1705.04 of this Code.

1705.03.2 DEFINITIONS

For the purposes of this article the following definitions shall apply:

1. **Master Electrician** shall mean any person, or employee of a proprietorship, partnership, or corporation who, within the City of Allentown, engages in or carries on the business of installing, erecting, altering, extending, maintaining, or repairing electrical wiring, apparatus, fixtures, devices, appliances or equipment utilized or designated for the utilization of electricity for light, heat, or power purposes or for signaling systems, and who carries on such business as an independent contractor or employee of a proprietorship, partnership or corporation and who has the final determination and the full responsibility for the manner in which the work is done, for the materials used and for the selection, supervision and control of Journeyman Electricians and apprentices employed on the work engaged in by said person, proprietorship, partnership, or corporation.

2. **Master Electrician's License** shall mean a license issued to a Master Electrician as herein defined, who, by passing the required examination and tests, has qualified as a competent person to be a Master Electrician.

3. **Residential Electrician** shall mean any person, or any employee of a proprietorship, partnership or corporation who, within the City of Allentown, engages in or carries on the business of installing, erecting, altering, extending, maintaining or repairing electrical wiring, apparatus, fixtures, devices, appliances or equipment utilized or designated for the utilization of electricity for light, heat or power purposes, for signaling systems, and who carries on such business as an independent contractor, or employee of a proprietorship, partnership, or corporation and who has the final determination and the full responsibility for the manner in which the work is done, and for the materials used and for the selection, supervision and control of any workers engaged by said person, proprietorship, partnership or corporation. Such licensed electrician shall be restricted to residential electrical work in one (1) and two (2) family dwelling and dwelling units. Work may not be performed in non-residential buildings nor in mixed-use buildings where a single electrical service is utilized for the entire building. Residential electricians are restricted to the installation of 200 amp single phase services or less and in buildings or not more than three (3) stories.

4. **Residential Electrician's License** shall mean a license issued to a Residential Electrician as herein defined, who, by passing the required examination and tests, has qualified as a competent person to be a Residential Electrician.

5. **Journeyman Electrician** shall mean any person who shall have passed the Journeyman Electrician's examination and qualified and registered in accordance with the terms of this article

and under the rules and regulations of the said Examining Board, and one who is the holder of a Journeyman Electrician's License and is employed as defined in the definition of Master Electrician.

6. **Journeyman Electrician's License** shall mean a license issued to a Journeyman Electrician as herein defined, who, by passing the required examination and tests, has qualified as a competent person to be a Journeyman Electrician.

7. **Special Electrician** shall mean any person, who installs, alters or repairs electrical wiring, appliances for heat, light, power, and for signaling systems in or on buildings or lots in the City, and who is an employee of a proprietorship, partnership or corporation which owns, leases, or manages a building, buildings, or parts thereon situated in the City of Allentown. The Special Electrician so employed shall be authorized to determine the method of doing the electrical work, the materials to be used and the persons to be employed on such work. (13681 §1 6/4/98)

8. **Special Electrician's License** shall mean a license issued to a Special Electrician, as herein defined, who, by passing the required examination and tests, has qualified as a competent person to be a Special Electrician.

9. **Electrical Appliance Installer** shall mean any person, or employee of a proprietorship, partnership or corporation who, within the City of Allentown, engages in or carries on the business of installing and/or repairing electrical equipment, air conditioning, signs, or equipment utilized or designated for the utilization of electricity for heat, power, or lighting purposes, and who has the final determination and the full responsibility for the manner in which the work is done, for the materials used and for the selection, supervision, and control of any persons employed on the work engaged in by said proprietorship, partnership or corporation. Such licensed installer shall be limited to the installation only, of circuit and control wiring and connection to motors rated not in excess of five (5) horsepower, heating equipment loads not in excess of ten (10) KW and sign equipment loads not in excess of two and one-half (2-1/2) KW. When necessary to alter or increase service board equipment, service feeders, or distribution to accommodate any additional light, heat, or power loads, such changes shall be performed by a registered Master Electrician or Residential Electrician, as appropriate.

10. **Electrical Appliance Installer's License** shall mean a license issued to an Electrical Appliance Installer, who, by passing the required examinations and tests, has qualified as a competent person to be an Electrical Appliance Installer. Items covered defined: Materials, Electrical, or Electrical Work, Electrical Materials, Electrical Appliances and Electrical Fixtures shall mean and include all electrical apparatus, electrical appliances, electric wiring, electrical fixtures, and all electrical supplies of whatever kind or nature used as a part of any installation for the transmission or consumption of electrical energy, including the electrical installation and apparatus used in connection with and adjunctive to heating, cooking, plumbing, ventilating and refrigerating equipment, display and advertising signs and water heaters, provided, however, said terms shall not include incandescent lamps, domestic electrical appliances severable from the freehold without material damage thereto.

SECTION 1705. 3.3 LICENSE BOARD

1707.03.3.1 Membership of Board: There shall be appointed, by the Mayor, with the advice and consent of City Council, an Examining Board to be known as the Electricians Examining Board to determine the fitness of applicants for licenses and to investigate and report on all proposed suspensions or revocations of licenses, and the Mayor may, for cause shown, remove any member thereof and shall fill any vacancy therein. Said Board shall consist of two (2) Master Electricians, one (1) Residential Electrician, one (1) City Electrical Inspector to be designated by the Director of Community Development, or designee, one (1) Electrical Engineer fully employed by local industry and two (2) Citizens-at-Large. With the exception of the Master Electrician and Residential Electrician categories, Board membership shall not include representation from the regulated industry.

1705.03.3.2 TERMS

The terms of the members of the Electricians Examining Board shall be as follows:

A. Three (3) members of the Board shall be appointed originally for a term of one (1) year, two (2) members for a term of two (2) years, and two (2) members for a term of three (3) years.

B. As the terms of office of each of the original members of the Board expires, their successors shall be appointed for a term of three (3) years.

1705.03.3.3. ORGANIZATION

The members of the Electricians Examining Board shall, within thirty (30) days from their appointment, meet specially and organize and shall elect, from their members, a Chairperson. They shall also elect a Secretary who need not be a member of the Board. The Board shall meet quarterly, after public notice, each and every year, for the purpose of considering and disposing of all applications for licenses, providing, however, that when any of the days appointed for a meeting shall fall on a legal holiday, the Board may hold special meetings as frequently as is necessary for the proper and efficient discharge of its business. Such

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meetings shall be held upon forty-eight (48) hours written notice to each member of the Board, stating the purpose of such special meeting. Four (4) members of the Board shall constitute a quorum for the transaction of any and all business.

1705.03.3.4 RULES AND REGULATIONS

The Electricians Examining Board shall formulate its own rules and regulations for all examinations. Such rules and regulations shall become effective immediately upon the adoption, by the Board and the approval of City Council, of the City of Allentown.

1705.03.3.5 DUTIES

The Electricians Examining Board shall investigate all applicants for licenses and shall report to the Director of Community Development, or designee, the results of all examinations which it shall administer to applicants. It shall investigate and hear all written complaints against holders of such licenses and designations and report to the Director of Community Development, its finds and recommendations. It shall keep minutes of its proceedings and hearings and records of its investigations and examinations of applicants for licenses. (13594 §1 8/7/97)

1705.03.4 APPLICANTS' QUALIFICATIONS, APPLICATIONS AND EXAMINATIONS

1705.03.4.1 Applicants Qualifications: Every applicant for a Master or Residential Electrician's license shall be over the age of twenty-one (21) years. An applicant for a Master Electrician's License or Journeyman Electrician's License, at the time of application, shall have had at least four (4) years practical experience in the installation, alteration, and repair of wiring and electrical construction for electric light, heat and power in or on buildings. An applicant for a Residential Electrician's License or a Special Electrician's License at the time of application, shall have had not less than two (2) years practical experience. An applicant for an Electrical Installer's License at the time of application, shall have had not less than one (1) year practical experience.

1705.03.4.2 Applications: Every application for a license shall be made in writing in such form and shall furnish such information as the Electricians Examining Board may, from time to time, require. Applications must be filed at least thirty (30) days prior to the date of examinations as hereinafter provided.

1705.03.4.3 Examinations: Written, or written and practical examinations, at the Board's discretion, shall be prepared by the Electricians Examining Board and administered by it to applicants to test each applicant's knowledge of the provisions of this Code and the work covered thereby and no license shall be issued unless the applicant attains a passing mark in such examination.

1705.03.4.4 Geographical Requirement: No restriction based on location shall be made on applicants for Master, Residential, Journeyman, or Special Licenses who reside, or whose business is located, or who are employed by a business with its headquarters located outside the City of Allentown.

1705.03.5 LICENSES AND FEES

1705.03.5.1. Application Fee: At the time of filing application for an examination, each applicant shall pay a fee to be established in accordance with the requirements of the ~~Charter Administrative Information Manual (AIM)~~. In the case of a practical exam, an amount sufficient to cover the cost of materials expended in such practical exam. Said sum shall be deemed the cost of such examination and shall not be refunded if the applicant shall fail to present him or herself for examination or to obtain a passing mark.

1705.03.5.2. License Fees: Before any license will be issued to an approved applicant, the applicant shall pay a fee. The fee, as required herein, is to be established in accordance with the requirements of the ~~Administrative Information Manual (AIM)~~ Charter.

1705.03.5.3 NO LICENSE SHALL BE TRANSFERABLE

1705.03.5.4 CHANGE IN REGISTRATION

A. An application for a change of license from Master Electrician to a Residential, Special or Journeyman Electrician shall be granted without examination.

B. An application for a change of license from Residential Electrician to Special or Journeyman Electrician shall be granted without examination.

C. An application for a change of license from Residential, Special or Journeyman Electrician to Master Electrician shall be granted only upon compliance by the applicant with all applicable provisions of this code.

1705.03.5.5 LICENSE TERM

A. Each license shall be issued for the calendar year during which it is issued and the full fee shall be payable irrespective of the date of issue.

B. Each license shall continue in force only so long as the employee continues to be associated with the license holder same proprietorship, partnership or corporation.

1705.03.5.6 License Renewal: Any license issued hereunder may be renewed without examination, provided application for renewal is accompanied by the renewal fee prescribed hereinafter. Where an applicant can show good and sufficient cause for his or her inability to renew his or her license before January 1st of any year, the Director of Community Development, or designee, may, within thirty (30) days thereafter, permit the issuance without examination of a license upon payment of the prescribed fee for such new license upon payment of the prescribed fee for such new license within said thirty (30) days.

1705.03.5.7 Renewal Fees: The fees, as required herein, are to be established in accordance with the requirements of the Charter.

1705.03.5.8 Proof of Responsibility: At the time of issuance of all permits, the applicant shall furnish a certificate evidencing proof of Workmen's Compensation, Bodily Injury and Property Damage Insurance applicable to the applicant, unless such evidence is currently on file in the Bureau of Inspections.

1705.03.6 SUSPENSIONS OR REVOCATIONS

Every holder of a license, upon retiring from the electrical business or upon the occurrence of any other cause for suspension or revocation of such license, shall notify the Director of Community Development, or designee, in writing of such fact, at the same time enclosing the license certificate and identification card. The Director of Community Development may, by an order in writing, suspend or revoke any license issued by him after a hearing on notice before the Electricians Examining Board and, upon good cause shown, including but not limited to the following: Permitting unauthorized or fraudulent use of the license by another, failure to file applications for certificates performing work which fails to meet the Electrical Code, fraudulent dealing, or misrepresentation. (13594 §1 8/7/97)

1705.03.7 NON-LICENSED WORK

No person not the holder of an appropriate license, nor a proprietorship, partnership or corporation not employing a holder of an appropriate license shall install, alter, or repair any wiring or electrical equipment for electric light, heat, or power in or on any building. No person, partnership or corporation shall cause any such work to be done by any person not the holder of such license, nor by any proprietorship, partnership or corporation not employing a holder of such license, unless employed by and working under the supervision of a person holding a license as herein defined. No person, not the holder of such license, nor proprietorship, partnership or corporation not employing a holder of such license or shall falsely represent that he or it holds such license or shall use in any advertising the words "Master Electrician", "Residential Electrician" or the words "Licensed Electrician" or the words "electrical contractor" or any words of similar meaning or import on any sign, card, letterhead, or in any manner.

1705.03.8 FALSE STATEMENTS

Any person who, with intent to defraud or deceive, knowingly makes, causes, procures to be made, or aids and assists in the making of a false statement in an application for a license, or the renewal of a license, in an application for a license, or the renewal of a license, in an application for a permit or certificate of electrical inspection and approval, in any application provided for in this title, in any proof or instrument in writing in connection therewith, or who shall in any examination hereunder, deceive or substitute, shall be in violation of this article.

1705.03.9 RECIPROCITY

The Director of Community Development, or designee, will accept, as Master Electricians, valid licenses from other municipalities that also recognize an Allentown Master Electrician's License without formal testing and in addition all other classifications listed in this Code, provided that said municipality has a testing process, provided such licensees comply with all other applicable provisions of this Code, including payment of the applicable permit fee. (13681 §1 6/4/98)

1705.03.10 OWNER PERFORMANCE

The provisions herein contained shall not prohibit the owner of a building or structure from personally installing the electrical system in his own residence or structure in which he resides under the conditions specified hereinafter and in accordance with the restrictions under Section

1707.03.2, Residential Electrician.

1705.03.10.1 Permit: A permit shall be secured as herein provided before the work is initiated.

1705.03.10.2 Work: All work shall actually be performed by the owner in accordance with the provisions of this Code.

1705.03.10.3 Inspections: The owner shall make application for all required inspections.

1705.03.11 ESCROW

The holder of any valid license as herein defined may, upon written request to the Electricians Examining Board, have the Director of Community Development hold said license in escrow for a period of up to five (5) years, during which time the licensee may not perform any work which would, under the provisions of this Code, require the issuance of a license. Upon proper application for renewal of the license being held in escrow, applicant shall be granted same without examination provided the Electricians Examining Board is satisfied as to the applicant's fitness to engage in the work covered by said license.

1705.04 DESIGNATION OF TELECOMMUNICATION INSTALLATION COMPANIES

Section 1705.04 shall regulate the business of installing telecommunications equipment including telephone systems, signaling systems, computer systems, communication links, fiber optics, alarm systems or any system designed to carry information rather than electricity for the purposes of heat, power or light and to provide for the designation of those companies which are allowed to perform this work in the City of Allentown. The purpose of this designation procedure is to foster the safety of those who reside, work or visit the City of Allentown. This designation procedure shall not be construed in such a manner as to provide artificial and unnecessary barriers to the conduct of telecommunication work by firms located both inside and outside of the City limits.

1705.04.1 SCOPE

Section 1705.04 shall regulate the business of installing telecommunications equipment including telephone systems, signaling systems, computer systems, communication links, fiber optics, alarm systems or any system designed to carry information rather than electricity for the purposes of heat, power or light, and to provide for the designation of those companies which are allowed to perform this work in the City of Allentown. The purpose of this designation procedure is to foster the safety of those who reside, work or visit the City of Allentown. This designation procedure shall not be construed in such a manner as to provide artificial and unnecessary barriers to the conduct of telecommunication work by firms located both inside and outside of the City limits. (13681 §1 6/4/98)

1705.04.2 EXEMPTION

Public Service Corporations -- This section shall not apply to P.U.C. regulated telephone and electric power companies.

1705.04.3 APPLICATION FOR DESIGNATION

1705.04.3.1 Applications: Every application for a designation shall be made in writing in such form and shall furnish such information as the Electricians Examining Board may, from time to time, require. No examination shall be required.

1705.04.3.2 Proof of Responsibility: At the time of issuance of all permits, the applicant shall furnish a certificate evidencing proof of Workmen's Compensation, Bodily Injury, and Property Damage Insurance applicable to the applicant unless such evidence is currently on file in the Bureau of Inspections.

1705.04.3.3 Geographical Requirement: No restriction based on location shall be made on applicants who reside, or whose business is located with its headquarters located outside the City of Allentown.

1705.04.4. DESIGNATION AND FEES

1705.04.4.1 Designation Fees: Before any designation will be issued to an applicant's business, the applicant shall pay a fee. The fee, as required herein, is to be established in accordance with the requirements of the ~~Administrative Information Manual~~ (AIM) Charter.

1705.04.4.2 Designation Term: Each designation shall be issued for the calendar year during which it is issued and the full fee shall be payable irrespective of the date of issue.

1705.04.4.3 Permits; Permits shall be required for all permanent installation of telecommunication equipment, except in one (1) and two (2) family dwellings. Permits shall only be issued to designated companies or licensed electricians. (13594 §1 8/7/97)

1705.04.4.4 Transferability: Designations are not transferable.

1705.04.5 SUSPENSION OR REVOCATION OF DESIGNATION

The Director of Community Development, or designee, may, by written notice, suspend or revoke any designation issued by him after a hearing on notice before the Electricians Examining Board and, upon good cause shown, including but not limited to the following: Permitting unauthorized or fraudulent use of the designation by another, failure to file application for permits, performing work which fails to meet the Electrical Code and other applicable codes, fraudulent dealing, or misrepresentation.

1705.04.6 FALSE STATEMENTS

Any person who, with intent to defraud or deceive, knowingly makes, causes, procures to be made, or aids and assists in the making of a false statement in an application for a designation, or the renewal of a designation, in an application for a permit or certificate of inspection and approval, in any application provided for in this title, in any proof or instrument in writing in connection therewith, or who shall in any application hereunder, deceive or substitute, shall be in violation of this article.

1705.04.7 NON-PERMITTED WORK

No person, partnership or corporation shall cause any such work to be done by nondesignated companies.

1705.98 SEVERABILITY

The provisions of this article are severable. If any sentence, clause or section of this article if for any reason is found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses or section of this article. It is hereby declared to be the intent of the City that this article would have been adopted had such unconstitutional, illegal or invalid sentence, clause or section not been included herein.

~~1707.99 PENALTIES~~

~~Any person violating the provisions of this article or section of this article shall, upon conviction, be fined not more than One Thousand (\$1,000) Dollars or imprisoned not more than ninety (90) days or both, and/or suspension of license or designation.~~

1707 INTERNATIONAL FIRE CODE

SECTION 1707 INTERNATIONAL FIRE CODE

CHAPTER 1 **ADMINISTRATION**

SECTION 101 **GENERAL**

101.1 Title. These regulations shall be known as the Fire Code of the City of Allentown, hereinafter referred to as "this code".

SECTION 105 PERMITS

105.1.1.1 Permit Fees. Inspection and permit fees are to be established in accordance with the Charter.

105.6.30 Open Burning. An operational permit is required for the kindling or maintaining of an open fire or a fire on any public street, alley, road or other public or private ground. Instructions and stipulations of the permit shall be adhered to.

~~Exception: Recreational fires~~

105.6.48 Family Day Care, Group Child Day Care, Adult Day Care, Child Day Care Facilities. An operational permit is required to operate a child or adult day care facility.

105.6.49 Educational Facilities. An operational permit is required to operate a post-secondary, college, university, business school, specialty or trade school.

105.6.50 Hospitals, Nursing Homes, Rehabilitation Centers, and other Group I Uses not covered elsewhere. An operational permit is required to operate an institutional facility.

105.6.51 Dormitories (off campus), Boarding Houses, Fraternity and Sorority Houses. An operational permit is required to operate such a residential use.

105.6.52 Hotels and Motels. An operational permit is required to operate a hotel or motel.

105.6.53 Pesticide Storage or Display. An operational permit is required to operate a pesticide storage. exc. mercantile displays and their accessory storage or approved residential or agricultural uses

105.6.54 Radioactive Materials. An operational permit is required to store, process, or use radioactive materials. exc. medical facilities under the direction of a licensed operator

105.6.55 Recreational Fire and Outdoor Fires. An operational permit is required to kindle or maintain a recreational fire or outdoor fire.

Exception: No permit is required for approved fires used for cooking or for outdoor fires meeting exception 6 or 7 of Section 307.1, except as required by Section 105.6.32.

SECTION 106 INSPECTIONS

106.5 Unsafe Conditions. Whenever the fire code official shall find in any structure or upon any premises dangerous or hazardous conditions or materials as follows, the code official shall order such dangerous conditions or materials to be removed or remedied in accordance with the provisions of this code:

1. Dangerous conditions liable to cause or contribute to the spread of fire in or on said premises or structure or endanger the occupants thereof.
2. Conditions which interfere with the efficiency or operation of any fire protection equipment and system.
3. Obstructions to or on fire escapes, stairs, passageways, doors or windows, which are liable to interfere with the egress of occupants or the operation of the Fire Department in case of a fire.
4. Accumulations of dust or waste material in air-conditioning or ventilating systems or grease in kitchen or other exhaust ducts.
5. Accumulations of grease on kitchen cooking equipment, or oil, grease or dirt upon, under or around any mechanical equipment.
6. Accumulations of rubbish, waste, paper, boxes, shavings or other combustible materials, or excessive storage of any combustible material.

7. Hazardous conditions arising from defective or improperly utilized or installed electrical wiring, equipment or appliances.
8. Hazardous conditions arising from defective or improperly installed equipment for handling or using combustible, explosive or otherwise hazardous materials.
9. Dangerous or unlawful amounts of combustible, explosive or otherwise hazardous materials.
10. All equipment, materials, processes or operations which are in violation of the provisions and intent of this code.
11. Storage inside or outside of any building or structure, or on any premises, shall be confined to approved areas.

SECTION 109 VIOLATIONS

109.2.3 Prosecution of Violations. If the notice of violation is not complied with promptly, the fire code official is authorized to ~~request the legal counsel of the jurisdiction~~ to institute the appropriate legal proceedings at law or in equity to restrain, correct or abate such violation or to require removal or termination of the unlawful occupancy of the structure in violation of the provisions of this code or of the order or direction made pursuant thereto.

~~**109.3 Violation penalties.** Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of a [SPECIFY OFFENSE], punishable by a fine of not more than [AMOUNT] dollars or by imprisonment not exceeding [NUMBER OF DAYS], or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.~~ Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of a summary offense, punishable by a fine of not more than One Thousand (\$1,000) Dollars or by imprisonment not exceeding ninety (90) days, or both such fine or imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

SECTION 111 STOP WORK ORDER

Section 111.4 Failure to comply. Any person who shall continue any work 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 to a fine of not less than Twenty-five (\$25) Dollars or more than Three Hundred (\$300) Dollars.

CHAPTER 3 GENERAL PRECAUTIONS AGAINST FIRE

SECTION 307 OPEN BURNING, RECREATIONAL FIRES, AND OUTDOOR FIRES

307.1 General. A person shall not kindle or maintain or authorize to be kindled or maintained any open burning or any outdoor fire, including burning in outdoor fireplaces, chimineas, firepots, stoves, cooking appliances, and barrels, unless conducted and approved in accordance with this section.

Exceptions:

1. Approved gas or liquid-fueled cooking devices used in compliance with this code.
2. Approved charcoal grills used in compliance with this code.

3. Approved enclosed food cookers or food smokers used in compliance with this code.
4. American Gas Association or other laboratory approved decorative gas-fueled appliances used in compliance with this code.
5. Outside burning in an approved device when such burning will not be a nuisance as defined in Section 307.1.1. All burning shall be attended at all times and requires a fire permit.
6. Flares, smudge pots, and similar devices used for safety or occupational uses.
7. Candles, small torches, oil lamps, and other small decorative devices when used in compliance with this code.
8. Approved bonfires and recreational fires with a permit.

~~**307.4.3 Portable Outdoor Fireplaces.** Portable outdoor fireplaces shall be used in accordance with the manufacturer's instruction and shall not be operated within 15 feet (3048 mm) of a structure or combustible material.~~

~~Exception: Portable outdoor fireplaces used at one and two family dwellings.~~

308.1.4 Open-flame cooking devices. Charcoal burners and other open-flame cooking devices shall not be operated on combustible balconies or within 10 feet (3048 mm) of combustible construction.

Exceptions:

1. One-and-two family detached dwellings.
2. Where buildings, balconies and decks are protected by an automatic sprinkler system and the cooking device is used in compliance with the manufacturer's recommendations.
3. LP-gas cooking devices having LP-gas container with a water capacity not greater than 2 ½ pounds [nominal 1 pound (0.454 kg) LP-gas capacity], if used where buildings, decks, and balconies are protected by an automatic sprinkler system and the cooking device is used in compliance with the manufacturer's recommendations.
3. LP-gas containers with a with a water capacity greater than 2 ½ pounds [nominal 1 pound (0.454 kg) LP-gas capacity] shall not be permitted on decks or balconies of dwellings of two or more dwelling units above the ground floor.

SECTION 310
SMOKING

310.9 Smoking in Public Vehicles. No person shall smoke any pipe, cigar, cigarette, or other device for the smoking of tobacco, or carry any lighted pipe, cigar, cigarette or other device for the smoking of tobacco, upon any bus, or school bus, in use for the conveyance of the general public within the limits of the City.

CHAPTER 5
FIRE SERVICE FEATURES

SECTION 503
FIRE APPARATUS ACCESS ROADS

503.4.1 Enforcement. At the discretion of the Fire Official, the fire official may deliver to any person who violates the provisions of Section 503.4 of the International Fire Code a notice of violation, in lieu of instituting a summary proceeding. For violation of this section, the owner or operator may, within ten (10) days of the time when such notice

was attached to his motor vehicle/ conveyance, pay as a penalty the sum of Twenty-five (\$25) Dollars after ten (10) days but within twenty (20) days of the violation, the sum of Thirty-five (\$35) Dollars. Any vehicle parked in violation of the provisions of this ordinance may be removed by any member of the Police, Fire or Code Enforcement, their designee, or a designated Allentown Parking Authority personnel. Any vehicle removed may be towed to and placed at any area designed by the Mayor or his duly designated representative or the Parking Authority, for impounding of vehicles. All fines and costs for removal, towing, storage or parking of any vehicle removed under the provisions of this section shall be paid by the owner of the vehicle, and the vehicle shall remain impounded until all costs are paid.

503.6.1 Sprinkler requirement in gated facilities. The Fire Chief may require an approved automatic sprinkler system be installed and maintained to fully protect all structures, buildings or hazards located within the gated areas.

CHAPTER 6 BUILDING SERVICES AND SYSTEMS

SECTION 603 FUEL-FIRED APPLIANCES

~~603.4 Portable unvented heaters. Portable unvented fuel fired heating equipment shall be prohibited in occupancies in Groups A, E, I, R-1, R-3 and R-4.~~

603.4 Portable unvented heaters. Liquid or gas type portable heating appliances shall be prohibited except in single family residential homes. Where these appliances are permitted, single family residential homes, all flammable or combustible liquid fuel shall be stored in compliance with the standards set by the Bureau of Fire Prevention of the City of Allentown.

CHAPTER 8 INTERIOR FINISH, DECORATIVE MATERIALS AND FURNISHINGS

Section 806 of this Code is to remain as an enforceable portion of this Code as authorized by Act 45 and its amendments. (The State Construction Code eliminated the restrictions on natural cut Christmas trees unless re-authorized by local ordinance)

CHAPTER 9 FIRE PROTECTION SYSTEMS

SECTION 903 AUTOMATIC SPRINKLER SYSTEMS

903.6.3. High Rise Buildings. An automatic fire suppression system shall be installed throughout every existing high-rise building.

903.6.4. Windowless Stories. An automatic sprinkler system shall be installed in existing occupancies per Section 903.2.11 of this code.

SECTION 906 PORTABLE FIRE EXTINGUISHERS

906.1 Where Required. Portable fire extinguishers shall be installed in the following locations:

1. In all Group A, B, E, F, H, I, M, R-1, R-2, R-4, and S occupancies.

Exception: In all Group A, B and E occupancies equipped throughout with quick response sprinklers, fire extinguishers shall be required only in special hazard areas as designated by the fire code official.

CHAPTER 22 MOTOR FUEL-DISPENSING STATIONS AND REPAIR GARAGES

SECTION 2211
REPAIR GARAGES

2211.9 Disposal of Waste. Proof of proper disposal of flammable, combustible, or other hazardous waste including vehicle fluids, gases, and rubber tires shall be required, in the form of signed contracts, receipts or other such form as the fire official may accept, with approved certified disposal companies or waste haulers.

CHAPTER 33
EXPLOSIVES AND FIREWORKS

SECTION 3301
GENERAL

3301.1.3.1 **Local Fireworks Regulation.**

A person shall not manufacture, store, offer or expose for sale, sell at retail, discharge or possess any fireworks in violation of this code.

SECTION TWO: That the following be added as Section 3309:

SECTION 3309
LOCAL FIREWORKS REGULATIONS

3309.1 **Displays**

All private displays of consumer-type fireworks, devices known as “ground and handheld sparkling devices” or “novelties”, shall comply with this section.

Exceptions:

1. Where approved by the Fire Code Official
 2. Small novelties and caps that are by nature of minimal consequence such as party poppers, cap guns, and similar products.
1. No pyrotechnic device shall be ignited or used on any public street, thoroughfare, alley, parking lot, public sidewalk or walkway, City parks, public way or similar area.
 2. No pyrotechnic device shall be ignited or used on private property without the owner’s permission.
 3. No pyrotechnic device shall be ignited or used beneath overhead objects, structures, or combustible material.
 4. No pyrotechnic device shall be ignited or used within fifteen (15’) feet of any structure or vehicle.
 5. No pyrotechnic device shall be ignited or used in areas deemed a fire hazard, such as dry grasses, fields, storage areas, and similar hazard sites.
 6. No pyrotechnic device shall be ignited or used in a manner in which the sparks or discharge are a hazard to any combustible material.
 7. No pyrotechnic device shall be used inside an enclosed area including but not limited to structures, buildings, porches and vehicles.
 8. All pyrotechnic devices must be used in accordance with the directions on the device.

3309.2 **Sales and Storage**

~~Sales and storage associated with sales shall conform to this section.~~

- Exceptions: _____ 1. Where approved by the Fire Code Official
_____ 2. Less than twenty-five (25) pounds total weight of small novelties and caps, such as party poppers, paper caps for cap guns, bangsite cannon chemical, and similar low hazard products.

3309.2.1.1 Tent, Canopy and Outside Sales

~~Legal fireworks may be displayed and sold in tents, canopies, or other temporary structures that are erected in compliance with the City Fire and Building Code. All fireworks must comply with APA Standard 87-1 for "toy caps", "novelties", or "ground and hand-held sparkling devices."~~

~~The distance from the edge of the tent or canopy to any building shall be a minimum of fifty (50) feet.~~

~~The distance from the edge of any tent to a public way, lot line or other hazard shall be a minimum of twenty (20) feet.~~

~~_____ Fireworks must be monitored at all times during sale hours.~~

~~_____ Fireworks must be safely secured at all other times.~~

~~No sales are permitted to persons under the age of eighteen (18) unless accompanied by an adult.~~

3309.2.2 All Stores (Not to include Tents and Canopies)

~~All displays, stock and storage must be kept inaccessible to the public.~~

~~No storage permitted in a basement.~~

~~All fireworks must comply with APA Standard 87-1 for "toy caps", "novelties", or "ground and hand-held sparkling devices."~~

~~Fireworks shall not be located in any manner that is a fire hazard or restrict egress from the occupancy.~~

~~No sales are permitted to persons under the age of eighteen (18) unless accompanied by an adult.~~

3309.2.2.1 Stores Larger than 5,000 Square Feet

~~Sales and storage is restricted to five hundred (500) pounds of total package and product weight unless controlled areas are constructed in compliance with the International Building Code. This amount may be doubled if the building is equipped with an approved fire sprinkler system meeting Ordinary Hazard Group 2 density.~~

3309.2.2.2 Stores Smaller than 5,000 Square Feet

~~Sales and Storage is restricted to one hundred (100) pounds of total package and product weight or fifty (50) cubic feet.~~

SECTION THREE: That the geographic limits referred to in certain sections of the 2009 International Fire Code are hereby established as follows:

Ordinance 14830 passed and signed by the Mayor on November 5, 2010 adopted the following regulations relating to fireworks:

SECTION ONE: That the City of Allentown adopted the International Fire Code of 2006, as amended, on August 26, 2008 at Section 1707 of the Codified Ordinances.

SECTION TWO: That Chapter 33 (Explosives and Fireworks) of the International Fire Code of 2008, Part 3309 (Local Fireworks Regulations), Section 3309.2 (Sales and Storage) permits the display and sale of fireworks from tents, canopies and stores smaller and larger than five thousand (5,000) square feet.

SECTION THREE: That the City of Allentown intends to forbid the sale of “Consumer Fireworks” as defined by Pennsylvania State Law at 35 P.S. Section 1271(1) which can only be sold to out-of-state residents according to 35 P.S. Section 1275 but to permit the sale of devices known as “ground and hand-held sparkling devices,” “novelties” and “toy caps” in American Pyrotechnics Association (APA) Standard 87-1, the sale, possession and use of which shall be permitted at all times throughout this Commonwealth according to 35 P.S. Section 1271(2); and

SECTION FOUR: That the City Council of the City of Allentown, contemporaneously herewith, adopts the International Fire Code of 2009, amending Section 3309.2 by deleting this Section which currently permits the sale and storage of fireworks from tents, canopies and temporary structures in its entirety with the express intent of prohibiting the sale of any type of fireworks from tent, canopies and temporary structures within the corporate limits of the City of Allentown.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ALLENTOWN AS FOLLOWS:

Section 1. Fireworks – Sales Prohibited.

It shall be unlawful for any person, partnership, association or corporation to sell or offer for sale any “Consumer Fireworks”, as defined by law, 35 P.S. Section 1271(1) within the corporate limits of the City of Allentown.

It shall be lawful for any person, partnership, association or corporation to sell or offer for sale, possess or store any device defined in 35 P.S. Section 1271(2) as “ground and hand-held sparkling devices,” “novelties” and “toy caps” in APA Standard 87-1, the sale, possession and use of which shall be permitted at all times throughout this Commonwealth, except such sales from tents, canopies and temporary structures, which shall be unlawful.

Section 2. Violation of Ordinance.

Any person, partnership, association or corporation found to be in violation of Section 1 shall, upon conviction be sentenced to pay a fine the sum of \$1000.00 or to a sentence of ninety (90) days in jail.

Section 3. Repealer.

All Ordinances or parts of Ordinances inconsistent herewith be and the same are hereby repealed.

Section 4. Severability.

If any section, clause, provision or portion of this Ordinance shall be held to be invalid or unconstitutional by any Court of competent jurisdiction, such decision shall not affect any other section, clause, provision or portion of this Ordinance.

Section 5. Effective Date.

This Ordinance shall be effective in thirty (30) days from the date of passage.

CHAPTER 34 FLAMMABLE AND COMBUSTIBLE LIQUIDS

SECTION 3404 STORAGE

3404.2.9.6.1 Locations Where Above-Ground Tanks are Prohibited. Storage of Class I and II liquids in above-ground tanks outside of buildings is prohibited within the City of Allentown.

Exception: This provision shall not apply when it is determined by the fire code official that the container does not constitute a hazard and the container is installed in compliance with this chapter.

SECTION 3406 SPECIAL OPERATIONS

3406.2.4.4 Locations Where Above-Ground Tanks are Prohibited. The storage of Class I and II liquids in above-ground tanks is prohibited within the City of Allentown.

Exception: This Provision shall not apply when it is determined by the fire code official that the container does not constitute a hazard and the container is installed in compliance with this chapter.

CHAPTER 35
FLAMMABLE GASES AND FLAMMABLE CRYOGENIC FLUIDS

SECTION 3506
STORAGE

3506.2 Location. Storage of flammable cryogenic fluids in stationary containers outside of buildings is prohibited within the City of Allentown

Exception: This provision shall not apply when it is determined by the fire code official that the container does not constitute a hazard and the container is installed in compliance with this chapter and national standards.

CHAPTER 46
CONSTRUCTION REQUIREMENTS FOR EXISTING BUILDINGS

4603.4.3 High Rise Buildings. An automatic fire suppression system shall be installed throughout every existing high-rise building.

4603.4.4 Windowless Stories. An automatic sprinkler system shall be installed in existing occupancies per Section 903.2.11 of this code.

4603.5 Standpipes. Existing structures with occupied floors located more than 50 feet (15 240 mm) four (4) stories above or below the lowest level of Fire Department access shall be equipped with standpipes installed in accordance with Section 905. The standpipes shall have an *approved* fire department connection with hose connections at each floor level above or below the lowest level of Fire Department access. The *fire code official* is authorized to approve the installation of manual standpipe systems to achieve compliance with this section where the responding Fire Department is capable of providing the required hose flow at the highest standpipe outlet.

4603.6.5 Fire Alarm and Detection Systems

~~**4603.6.5.2 Group R-1 boarding and rooming houses manual fire alarm system.** A manual fire alarm system that activates the occupant notification system in accordance with Section 907.6 shall be installed in existing Group R-1 boarding and rooming houses.~~

~~**Exception:** Buildings less than two stories in height where all *sleeping units*, attics and crawl spaces are separated by 1-hour fire-resistance-rated construction and each *sleeping unit* has direct access to a *public way, exit court* or yard.~~

~~**4603.6.5.2.1 Group R-1 boarding and rooming houses automatic smoke detection system.** An automatic smoke detection system that activates the occupant notification system in accordance with Section 907.6 shall be installed in existing Group R-1 boarding and rooming houses throughout all interior *corridors serving sleeping units* not equipped with an *approved, supervised* sprinkler system installed in accordance with Section 903.~~

~~**Exception:** Buildings equipped with single station smoke alarms meeting or exceeding the requirements of Section 907.2.10.1 and where the fire alarm system includes at least one manual fire alarm box per floor arranged to initiate an alarm.~~

~~**4603.6.6 Group R-2.** An automatic or manual fire alarm system that activates the occupant notification system in accordance with Section 907.6 shall be installed in existing Group R-2 occupancies more than three (3) stories in height or with more than sixteen (16) *dwelling or sleeping units*.~~

Exceptions:

- ~~1.—Where each living unit is separated from other contiguous living units by *fire barriers* having a *fire-resistance rating* of not less than 0.75 hour, and where each living unit has either its own *Independent exit* or its own *independent stairway or ramp discharging at grade*.~~

~~2.— A separate fire alarm system is not required in buildings that are equipped throughout with an approved supervised automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2 and having a local alarm to notify all occupants~~

~~3. A fire alarm system is not required in buildings that do not have interior corridors serving dwelling units and are protected by an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2, provided that dwelling units either have a means of egress door opening directly to an exterior exit access that leads directly to the exits or are served by open ended corridors designed in accordance with Section 1023.6, Exception 4.~~

~~4603.6.7 Group R-4. An automatic or manual fire alarm system that activates the occupant notification system in accordance with Section 907.6 shall be installed in existing Group R-4 residential care/assisted living facilities in accordance with Section 907.2.10.~~

Exceptions:

~~1. Where there are interconnected smoke alarms meeting the requirements of Section 907.2.11 and there is at least one manual fire alarm box per floor arranged to continuously sound the smoke alarms.~~

~~2. Other manually activated, continuously sounding alarms approved by the fire code official.~~

~~4603.7 Single and multiple station smoke alarms. Single and multiple station smoke alarms shall be installed in existing Group R occupancies and in dwellings not classified as Group R in accordance with Sections 4603.7.1 through 4603.7.3.~~

~~4603.7.1 Where required. Existing Group R occupancies and dwellings not classified as Group R occupancies, but in use as either permanent or temporary Group R housing or shelters, not already provided with single-station smoke alarms shall be provided with single-station smoke alarms. Installation shall be in accordance with Section 907.2.10, except as provided in Sections 4603.7.2 and 4603.7.3. a fire safety review performed by the Fire Code Official.~~

~~4603.7.2 Interconnection. Where more than one smoke alarm is required to be installed within an individual dwelling or sleeping unit, the smoke alarms shall be interconnected in such a manner that the activation of one alarm will activate all of the alarms in the individual unit. The alarm shall be clearly audible in all bedrooms over background noise levels with all intervening doors closed.~~

Exceptions:

~~1. Interconnection is not required in buildings that are not undergoing alterations, repairs or construction of any kind.~~

~~2. Smoke alarms in existing areas are not required to be interconnected where alterations or repairs do not result in the removal of interior wall or ceiling finishes exposing the structure, unless there is an attic, crawl space or basement available which could provide access for interconnection without the removal of interior finishes.~~

~~4603.7.3 Power source. Single station smoke alarms shall receive their primary power from the building wiring provided that such wiring is served from a commercial source and shall be equipped with a battery backup. Smoke alarms with integral strobes that are not equipped with battery backup shall be connected to an emergency electrical system. Smoke alarms shall emit a signal when the batteries are low. Wiring shall be permanent and without a disconnecting switch other than as required for overcurrent protection.~~

Exceptions:

~~1. Smoke alarms are permitted to be solely battery operated in existing buildings where no construction is taking place.~~

~~2. Smoke alarms are permitted to be solely battery operated in buildings that are not served from a commercial power source.~~

~~3. Smoke alarms are permitted to be solely battery operated in existing areas of buildings undergoing alterations or repairs that do not result in the removal of interior walls or ceiling finishes exposing the structure, unless there is an attic, crawl space or basement available which could provide access for building wiring without the removal of interior finishes.~~

4603.8 Required smoke detection

A. Single family buildings. In all single family residential buildings smoke detectors shall be required in each sleeping room, in the immediate area outside of each sleeping room and on every story of the dwelling unit, including basements. Smoke detectors may be battery operated.

B. 2 to 12 unit residential buildings. In two (2) to twelve (12) unit residential buildings interconnected smoke detectors shall be required in common public use areas such as halls, corridors, stairways, stair towers, lobbies, basements or similar common areas.

B.1. Approved smoke detectors shall be required in each sleeping room, in the immediate area outside of each sleeping room, and on each floor level, including the basement. Smoke detectors inside dwelling units may be battery-operated. Smoke detection in common areas are required to be connected to the common area system and must be hard-wired with battery back-up.

C. 13 or more unit residential buildings. Any building containing thirteen (13) or more residential units must ~~comply with the most recently adopted International Fire Code~~ have an approved automatic fire alarm installed in all-common areas. The fire alarm shall meet the standards set forth in NFPA National Fire Code 72, as referenced by this code.

C.1. Approved smoke detectors shall be required in each sleeping room, in the immediate area outside of each sleeping room, and on each floor level, including the basement. Smoke detectors inside dwelling units may be battery-operated. Smoke detection in common areas are required to be connected to the common area system and must be hard-wired with battery back-up.

D. Mixed use buildings. In mixed use buildings containing any non-residential use and any residential unit(s) interconnected smoke detectors shall be required serving the non-residential use(s), and common use areas such as halls, corridors, stairways, stair towers, lobbies, basements or similar common areas.

D.1. Approved smoke detectors shall be required in each sleeping room, in the immediate area outside of each sleeping room, and on each floor level, including the basement. Smoke detectors inside dwelling units may be battery-operated. Smoke detection in common areas are required to be connected to the common area system and must be hard-wired with battery back-up.

E. Occupancies in use as temporary or permanent shelters and in use a dwellings or sleeping units, must have approved smoke detection installed to protect the occupants.

~~EXCEPTION 1: Buildings that comply with the currently adopted International Fire Prevention Code and were constructed or converted by alteration to a different use and occupancy by meeting the standards of the Pennsylvania Uniform Construction Code or prior Building Codes adopted by the City of Allentown.~~

EXCEPTION 2: Buildings that are sprinklered in a manner approved by the International Fire Prevention Code, as amended, will be permitted the following exceptions:

A. Common public use area smoke detection is not required ~~other than in the basement~~.

B. Smoke detectors will not be retroactively required inside sleeping rooms, providing that an approved smoke detector is installed in the immediate vicinity outside each sleeping room. This exception does not apply to rooming units or similar sleeping units. All dwelling units must have at least one approved smoke detector installed inside that unit.

NOTE: Immediate area outside each sleeping room shall mean approximately fifteen (15) linear feet.

NOTE: The smoke detector(s) installed to protect the area outside of each sleeping room satisfies the requirement of one smoke detector per floor within that unit.

PROHIBITING THE SALE OF FIREWORKS:

Ordinance 14830, Prohibiting the Sale of Fireworks in the City – adopted in conjunction with the adoption of the 2009 International Fire Code.

SECTION ONE: That the City of Allentown adopted the International Fire Code of 2006, as amended, on August 26, 2008 at Section 1707 of the Codified Ordinances.

SECTION TWO: That Chapter 33 (Explosives and Fireworks) of the International Fire Code of 2008, Part 3309 (Local Fireworks Regulations), Section 3309.2 (Sales and Storage) permits the display and sale of fireworks from tents, canopies and stores smaller and larger than five thousand (5,000) square feet.

SECTION THREE: That the City of Allentown intends to forbid the sale of "Consumer Fireworks" as defined by Pennsylvania State Law at 35 P.S. Section 1271(1) which can only be sold to out-of-state residents according to 35 P.S. Section 1275 but to permit the sale of devices known as "ground and hand-held sparkling devices," "novelties" and "toy caps" in American Pyrotechnics Association (APA) Standard 87-1, the sale, possession and use of which shall be permitted at all times throughout this Commonwealth according to 35 P.S. Section 1271(2); and

SECTION FOUR: That the City Council of the City of Allentown, contemporaneously herewith, adopts the International Fire Code of 2009, amending Section 3309.2 by deleting this Section which currently permits the sale and storage of fireworks from tents, canopies and temporary structures in its entirety with the express intent of prohibiting the sale of any type of fireworks from tent, canopies and temporary structures within the corporate limits of the City of Allentown.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ALLENTOWN AS FOLLOWS:

Section 1. Fireworks – Sales Prohibited.

It shall be unlawful for any person, partnership, association or corporation to sell or offer for sale any "Consumer Fireworks", as defined by law, 35 P.S. Section 1271(1) within the corporate limits of the City of Allentown.

It shall be lawful for any person, partnership, association or corporation to sell or offer for sale, possess or store any device defined in 35 P.S. Section 1271(2) as "ground and hand-held sparkling devices," "novelties" and "toy caps" in APA Standard 87-1, the sale, possession and use of which shall be permitted at all times throughout this Commonwealth, except such sales from tents, canopies and temporary structures, which shall be unlawful.

Section 2. Violation of Ordinance.

Any person, partnership, association or corporation found to be in violation of Section 1 shall, upon conviction be sentenced to pay a fine the sum of \$1000.00 or to a sentence of ninety (90) days in jail..

Section 3. Repealer.

All Ordinances or parts of Ordinances inconsistent herewith be and the same are hereby repealed.

Section 4. Severability.

If any section, clause, provision or portion of this Ordinance shall be held to be invalid or unconstitutional by any Court of competent jurisdiction, such decision shall not affect any other section, clause, provision or portion of this Ordinance.

Section 5. Effective Date.

This Ordinance shall be effective in thirty (30) days from the date of passage.

ARTICLE 1710 SHEET METAL TECHNICIAN

(Passed by Ordinance No. 14687 on March 11, 2009)

- 1710.01 Purpose
- 1710.02 Definitions
- 1710.03 Prohibited Conduct
- 1710.04 Powers and Duties of Bureau of Building Standards and Safety
- 1710.05 Sheet Metal Systems Technician License
- 1710.06 Sheet Metal Systems Apprentice Permits
- 1710.07 Reciprocity
- 1710.08 Grace Period for Initial License Applicants
- 1710.09 Registry of Sheet Metal Technician License and Permit Holders
- 1710.10 Expiration of Licenses and Permits
- 1710.11 Sheet Metal License Board
- 1710.98 Severability
- 1710.99 Enforcement and Penalties

1710.01 PURPOSE

The purpose of this legislation is to provide for the protection and safety of City residents by establishing standards and creating licensing provisions for Sheet Metal Technicians. (14687 §1 3/11/09)

1710.02 DEFINITIONS

A. Licensed Sheet Metal Systems Technician. A person who obtains a valid sheet metal systems technician license in accordance with the requirements of this Article.

B. Bureau. The Bureau of Building Standards and Safety.

C Registered Sheet Metal Technician Apprenticeship Program. A program of apprenticeship skills training that is currently approved by and registered with the United States Bureau of Labor or a State Apprenticeship Council involving at least 8,000 hours of documented practical experience in the installation, maintenance and other servicing of sheet metal systems and at least ~~600~~ 576 hours of classroom, shop or related instruction in the installation, maintenance and other servicing of sheet metal systems.

D. Sheet Metal Systems. All duct work, ferrous and non-ferrous, including applicable materials and parts, used for providing heating, ventilating, air conditioning and exhaust to buildings or structures.

E. Work on Sheet Metal Systems. The installation, erection, replacement, rebuilding, modification, alteration, repair, testing or other servicing of sheet metal systems. (14687 §1 3/11/09)

1710.03 PROHIBITED CONDUCT

A. Except as provided in Section 1710.03 (E) no person shall engage, or cause or direct any other person to engage in work on a sheet metal system who does not have a valid sheet metal systems technician license or sheet metal systems apprentice permit as required by this Article.

B. No person shall knowingly or recklessly make any misrepresentation or omission regarding the status of a person's sheet metal systems technician license or sheet metal systems apprentice permit with the intent to influence, persuade or induce an individual to contract for work on sheet metal systems.

C. No person shall knowingly or recklessly make a misrepresentation or omission regarding work on sheet metal systems which has been performed or which is to be performed.

D. This Article shall not apply to work on sheet metal systems in residential properties of three (3) units or less. This Article shall not apply to minor work on sheet metal systems that involves solely the disconnection and reconnection of transition

pieces, curbs and flexible tie-ins that are appurtenant to the replacement of, or servicing of, existing heating and air conditioning equipment, chillers and air handlers.

1710.04 POWERS AND DUTIES OF BUREAU OF BUILDING STANDARDS AND SAFETY

A. The Bureau shall issue sheet metal systems technician licenses and sheet metal systems apprentice permits under the requirements of this Article and enforce the provisions of this Article.

B. The Bureau may adopt regulations regarding the issuance of licenses and permits under this Article and regarding enforcement of this Article that are not inconsistent with this Article. (14687 §1 3/11/09)

1710.05 SHEET METAL SYSTEMS TECHNICIAN LICENSE

A. To obtain a sheet metal systems technician license, an applicant must pay an application fee.

1. Take and pass an examination designated by the Bureau for purposes of this Article; or
2. Meet the qualifications for reciprocity pursuant to Section 1710.07; or
3. Meet the requirements of Section 1710.08 of this Article and apply for such license

within the time frame specified in that section.

B. The Bureau shall issue a license card to persons who meet the qualifications for a sheet metal systems technician license under this Article. A licensed sheet metal systems technician shall carry this card at all times when performing work on sheet metal systems. (14687 §1 3/11/09)

1710.06 SHEET METAL SYSTEMS APPRENTICE PERMITS

A. To obtain a sheet metal systems apprentice permit, an applicant must pay an application fee and either:

1. Meet the qualifications for reciprocity pursuant to Section 1710.07; or
2. Obtain a permit under Subsection B of this Section.

B. The Bureau shall issue a sheet metal systems apprentice permit to any person who:

1. Completes an application for such a permit established by the Bureau; and
2. Is enrolled in a registered sheet metal technician apprenticeship program.

C. A sheet metal systems apprentice permit issued by the Bureau shall be valid only for such time as the holder is enrolled in a registered sheet metal technician apprenticeship program in accordance with this Article.

D. Nothing in this Article shall be construed to prohibit a sheet metal systems apprentice who is issued a permit pursuant to this Article from engaging in work regulated by this Article provided the apprentice is working under the supervision of a licensed sheet metal systems technician in accordance with the requirements of a registered sheet metal technician apprenticeship program.

E. There will be a fee for a replacement permit. (14687 §1 3/11/09)

1710.07 RECIPROACITY

The Bureau shall issue a sheet metal systems technician license or apprentice permit without examination, and by reciprocity, to any currently practicing sheet metal systems technician or apprentice who:

A. Holds a similar authorization granted by any other state or local jurisdiction which establishes qualification requirements equal to, or greater than, those established under this Article (provided that the state or local jurisdiction grants such authorizations to any currently practicing, competent person holding a license or apprentice permit under this Article); and

B. Pays a fee for a sheet metal systems technician license or for a sheet metal systems apprentice permit. (14687 §1 3/11/09)

1710.08 GRACE PERIOD FOR INITIAL LICENSE APPLICANTS

A. The Bureau shall issue a sheet metal systems technician license without examination to any person who meets the qualification standards of Subsection 1710.08(B) and submits an application for such license within sixty (60) days after the Bureau issues public notice that it is accepting applications pursuant to this Article.

B. An applicant may receive a sheet metal systems technician license if he or she meets the requirements of Subsection 1710.08(A) and pays the required application fee and submits evidence demonstrating he or she has:

1. Has completed a registered sheet metal technician apprenticeship program as evidenced by a license of completion from such a program or other appropriate documentation of program completion as specified by the Bureau; or
2. Performed at least 8,000 hours of documented full-time practical experience working on sheet metal systems as such systems are defined in this Article; a person seeking license under this subsection shall provide a sworn affidavit, given under the penalty of perjury, that specifically verifies compliance with the work experience required by this subsection and shall further provide verification from his or her past employers regarding such work experience.

1710.09 REGISTRY OF SHEET METAL TECHNICIAN LICENSE AND PERMIT HOLDERS

To promote the effective enforcement of this Article, the Bureau shall maintain a central registry of the names of all persons to whom it has issued sheet metal systems licenses and apprentice permits. This list shall be available for inspection to the public, updated each month to reflect new licenses or permits issued and maintained on the Bureau's publicly available website. This list shall also identify the names of any person whose license or permit has been revoked or suspended. (14687 §1 3/11/09)

1710.10 EXPIRATION OF LICENSES AND PERMITS

A. Any sheet metal systems technician license or apprentice permit issued by the Bureau under this Article shall be valid for a period of two (2) years from the date it is issued and must thereafter be renewed. The Bureau shall renew for a period of two (2) years any license or permit issued under this Article upon receiving from the renewal applicant a completed renewal form, as established by the Bureau and the required renewal fee.

B. Applicants for renewal shall be afforded a grace period to renew both licenses and apprentice permits. That grace period shall extend thirty (30) days beyond the expiration date of either the license or apprentice permit. If an applicant fails to renew the license before the expiration of the grace period, a surcharge shall be attached to the renewal fee. (14687 §1 3/11/09)

1710.11 SHEET METAL LICENSING BOARD

A. **Membership of Board.** There shall be appointed, by the Mayor, with the advice and consent of City Council, an Examining Board to be known as the Sheet Metal Licensing Board to determine the fitness of applicants for licenses and to investigate and report on all proposed suspensions or revocations of licenses. Said Board shall consist of one (1) Code Inspector and one Code Inspector Alternate designated by the Director of Community Development, and two (2) Licensed Sheet Metal Technicians and two Sheet Metal Technicians Alternates, fully employed by local industry..

B. **Terms.** The terms of the members of the Sheet Metal Licensing Board shall be as follows:

1. The Code Inspector shall be appointed, originally, for a term of two (2) years; the term of one (1) Licensed Sheet Metal Technician shall serve, originally, for a term of three (3) years and the term of the other Licensed Sheet Metal Technician shall serve for a term of five (5) years.

2. As the terms of office of each of the original members of the Board expires, their successors shall be appointed for a term of five (5) years.

C. **Organization.** The members of the Sheet Metal Licensing Board shall, within thirty (30) days from their appointments, meet, organize and shall elect, from their members, a Chairperson. They shall also elect a Secretary who need not be a member of the Board. The Board shall meet quarterly, after public notice, each and every year, for the purpose of considering and disposing of all applications for licenses, providing. The Board may hold special meetings as frequently as is necessary for the proper and efficient discharge of its business. Such meeting shall be held upon forty-eight (48) hours written notice to each member of the Board, stating the purpose of such special meeting. Two (2) members of the Board shall constitute a quorum for the transaction of any and all business.

D. Rules and Regulations. The Sheet Metal Licensing Board shall investigate all applications for licenses and shall report to the Director of Community Development, or designee, the results of all examinations which it shall administer to applicants. It shall investigate and hear all written complaints against holders of such licenses and designations and report to the Director of Community and Economic Development, its finds and recommendations. It shall keep minutes of its proceedings and hearings and records of its investigations and examinations of applications for licenses. (14687 §1 3/11/09)

1710.98 SEVERABILITY

If any provision, paragraph, word, section or subsection of this Article is invalidated by any court of competent jurisdiction, the remaining provisions, paragraphs, words, sections, or subsection shall not be affected and shall remain in full force and effect. (14687 §1 3/11/09)

1710.99 ENFORCEMENT AND PENALTIES

A. Any person who violates any provision of this Article or regulation adopted by the Bureau under this Article is subject to a fine of not less than One Hundred (\$100) Dollars or more than Three Hundred (\$300) Dollars for each violation.

B. Any corporation, partnership or other business entity that violates any provision of this Article or regulation adopted by the Bureau under this Article is subject to a fine of not less than Five Hundred (\$500) Dollars or more than One Thousand (\$1000) Dollars for each violation.

C. If the Bureau finds that a person, corporation, partnership or other business entity is performing work on a sheet metal system without possessing a license or apprentice permit or employing properly licensed or permitted persons as required by this Article, it shall issue a Stop Work Order to prevent further work from being performed by any such person or entity. The Stop Work Order shall remain in effect until appropriate action is taken to ensure full compliance with the requirements of this Article.

D. Each day a person performs work on a sheet metal system without possessing a license or apprentice permit as required by this Article shall constitute a separate violation of this Article for which such person shall be liable. Each day a person, corporation, partnership or other business entity employs a person to perform work on a sheet metal system who does not have a license or apprentice permit in violation of this Article shall be a separate violation for which such person or entity shall be liable.

E. The Bureau may, after providing notice and an opportunity to be heard, revoke or suspend a license or apprentice permit for any violation of this Article or regulation adopted by the Bureau under this Article or upon a finding of technical incompetence.

F. All records created pursuant to this Article shall be considered public records and made available to the public upon written request. Applications and other records submitted in support of applications for sheet metal systems technician licenses or permits under this Article, including records submitted pursuant to Section 1710.08 of this Article shall be made immediately available for public inspection upon written request. (14687 §1 3/11/09)

Effective Date: Article 1710 shall become effective Ninety (90) days after passage by City Council and signed by the Mayor. The Bureau of Building Standards shall publicize notice of this at least Sixty (60) days prior to its effective date. Editors Note: The Sheet Metal Technician Bill, Ordinance Number 14687, was passed by Council and signed by the Mayor on Marh 11, 2009.

Editors Note:

2010 Ordinances:

14830 (11/5/2011) adopted regulations prohibiting the sale of fireworks within the City.

14829 (11/5/2010) adopted the 2009 International Fire Code as amended.

2009 Ordinances:

14687 (3/11/2009) adopted regulations for sheet metal technicians.