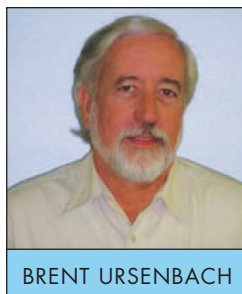


# MECHANICAL CODE DISCUSSION

## Permits—A Seven Letter Dirty Word?



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THE 2016 NOVEMBER/DECEMBER discussion addressed permits and code compliance for retrofit/replacement systems, where I referenced the 2015 International Residential Code as follows:

**R105.1 Required.** *Any owner or owner's authorized agent who intends to construct, enlarge, alter, repair, move, demolish or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be performed, shall first make application to the building official and obtain the required permit.*

This code section appears clear, with an exception for the phrase, "which is regulated by this code." If we jump ahead to the next section in the IRC, **R105.2 Work Exempt from Permit** we find:

**R105.2 Work exempt from permit.** *Exemption from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction.*

*Permits shall not be required for the following (I'll list only the Mechanical, Gas and Plumbing work, see your IRC for the Building list):*

#### Gas:

1. Portable heating, cooking or clothes drying appliances.
2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.

3. Portable-fuel-cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.

#### Mechanical:

1. Portable heating appliances.
2. Portable ventilation appliances.
3. Portable cooling units.
4. Steam, hot- or chilled-water piping within any heating or cooling equipment regulated by this code.
5. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.
6. Portable evaporative coolers.
7. Self-contained refrigeration systems containing 10 pounds (4.54 kg) or less of refrigerant or that are actuated by motors of 1 horsepower (746 W) or less.
8. Portable-fuel-cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.

#### Plumbing:

1. The stopping of leaks in drains, water, soil, waste, or vent pipe; provided, however, that if any concealed trap, drainpipe, water, soil, waste, or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work and a permit shall be obtained and inspection made as provided in this code.
2. The clearing of stoppages or the

repairing of leaks in pipes, valves or fixtures, and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.

Please consider:

- Permits and inspections provide an extra step in your quality control process, often catching life safety code violations.
- Permits and inspection is not a guarantee that the installation is 100% code compliant. I've read court filings and listened to defense attorneys make this claim in legal proceedings, but it does not hold up in the courts.
- On the other side of a legal proceeding, lack of permits and inspections, for work requiring permits is virtually impossible to defend in court.
- Yes, there are jurisdictions who make it hard to pull retrofit permits.

This is a subject under discussion within ICC Code Chapters in Utah, with most working to simplify the process. If you're having issues with a particular

jurisdiction, reach out to me and I'll pass the information onto their Chapter leadership.

*My goal in each of these discussions is to increase your success. Feel free to reach out with your continued comments and questions. — Brent ■*

