

SENATE BILL NO. 247

IN THE LEGISLATURE OF THE STATE OF ALASKA

SEVENTEENTH LEGISLATURE - FIRST SESSION

BY SENATOR ELIASON

Introduced: 4/8/91
Referred: Labor and Commerce

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the plumbing, mechanical, and boiler standards of the state."**

2 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 *** Section 1. AS 18.56.300(e) is amended to read:**

4 (e) In this section,

5 (1) "construction codes" means, with reference to a municipality, the building,
6 mechanical, plumbing, and electrical codes, or any of them that have been adopted and are
7 enforced by the municipality;

8 (2) "state building code" means

9 (A) for building standards, the standards set out in the version of the
10 Uniform Building Code adopted by the Department of Public Safety under AS 18.70.080,
11 including the provisions of that code applicable to buildings used for residential purposes
12 containing fewer than four dwelling units, notwithstanding the exclusion of those
13 buildings from the Department of Public Safety's jurisdiction made by
14 AS 18.70.080(a)(2);

1 (B) for mechanical standards, the standards set out in the version of the
2 Uniform Mechanical Code identified under AS 18.60.860 [ADOPTED BY THE
3 DEPARTMENT OF PUBLIC SAFETY UNDER AS 18.70.080, INCLUDING THE
4 PROVISIONS OF THAT CODE APPLICABLE TO BUILDINGS USED FOR
5 RESIDENTIAL PURPOSES CONTAINING FEWER THAN FOUR DWELLING UNITS,
6 NOTWITHSTANDING THE EXCLUSION OF THOSE BUILDINGS FROM THE
7 DEPARTMENT OF PUBLIC SAFETY'S JURISDICTION MADE BY
8 AS 18.70.080(a)(2)];

9 (C) for plumbing standards, the publications identified as the minimum
10 plumbing code [ADOPTED BY THE DEPARTMENT OF LABOR] under AS 18.60.705;
11 and

12 (D) for electrical standards, the minimum electrical standards prescribed
13 by AS 18.60.580.

14 * Sec. 2. AS 18.60.210(a) is amended to read:

15 (a) AS 18.60.180 - 18.60.390 do not apply to the following:

- 16 (1) boilers and unfired pressure vessels under federal regulation;
- 17 (2) unfired pressure vessels meeting the requirements of the Department of
18 Transportation and Public Facilities for shipment of liquids or gases under pressure;
- 19 (3) air tanks located on vehicles operating under the regulations of another state
20 authority and used for carrying passengers or freight;
- 21 (4) air tanks installed on the right-of-way of railroads and used directly in the
22 operation of trains;
- 23 (5) unfired pressure vessels having a volume of five cubic feet or less or vessels
24 having an inside diameter not exceeding six inches;
- 25 (6) unfired pressure vessels designed for a pressure not exceeding 15 pounds per
26 square inch when not located in a place of public assembly;
- 27 (7) manually fired miniature boilers for model locomotive, boat, tractor, or
28 stationary engines constructed or maintained as a hobby for exhibition use, having a volume less
29 than five cubic feet and grate area less than two square feet and equipped with an American
30 Society of Mechanical Engineers coded safety valve of adequate capacity and size, a water level
31 indicator and pressure gauge;

1 (8) except as provided in (c) of this section, antique manually fired boilers of
2 locomotive, boat, tractor, or stationary engines constructed or maintained as a hobby and
3 equipped with an American Society of Mechanical Engineers coded safety valve of adequate
4 capacity and size;

5 (9) automatic utility hot water heaters that are used for space heating using
6 the potable system, if the hot water heater

7 (A) is equipped with a safety relief valve and operational controls
8 required by the latest Boiler Construction Code published by the American Society
9 of Mechanical Engineers that has been adopted by the Department of Labor under
10 AS 18.60.180;

11 (B) contains only water;

12 (C) does not exceed 120 gallons in capacity, a water temperature of
13 210 degrees Fahrenheit, a pressure of 150 pounds of square inch gauge pressure, or
14 a heat input of more than 200,000 BTU an hour; and

15 (D) contains a tempering valve that will regulate the outlet domestic
16 water temperature at not more than 140 degrees Fahrenheit.

17 * Sec. 3. AS 18.60.705(a) is repealed and reenacted to read:

18 (a) The following publications are adopted as the minimum plumbing code for the state:

19 (1) chapters 1 - 13 of Part II and the appendices of the 1991 edition of the
20 Uniform Plumbing Code, published by the International Association of Plumbing and Mechanical
21 Officials and adopted at the 61st annual conference, September 1990;

22 (2) the 1991 edition of the Uniform Swimming Pool, Spa, and Hot Tub Code,
23 published by the International Association of Plumbing and Mechanical Officials and adopted at
24 the 61st annual conference, September 1990, but excluding Part I, Administration, pages xiii -
25 xxi; and

26 (3) the 1991 edition of the Uniform Solar Energy Code, published by the
27 International Association of Plumbing and Mechanical Officials and adopted at the September
28 1990 annual conference, but excluding Part I, Administration, pages xv - xxii.

29 * Sec. 4. AS 18.60.740 is amended to read:

30 Sec. 18.60.740. DEFINITIONS. In AS 18.60.705 - 18.60.740,

31 (1) "code" means the publications identified as the minimum plumbing code

1 [ADOPTED] under AS 18.60.705(a) as amended by AS 18.60.705(b);

2 (2) "commissioner" means the commissioner of labor;

3 (3) "department" means the Department of Labor;

4 (4) "inspector" means a qualified inspector employed by, designated by, or under
5 contract to the Department of Labor.

6 * Sec. 5. AS 18.60 is amended by adding new sections to read:

7 ARTICLE 13A. MECHANICAL CODE.

8 Sec. 18.60.860. MECHANICAL CODE. Chapters 4 - 20 and the appendices, except for
9 section 2125 in appendix B, of the 1991 edition of the Uniform Mechanical Code, published by
10 the International Association of Plumbing and Mechanical Officials and the International
11 Conference of Building Officials and adopted at the 68th Annual Conference of the International
12 Conference of Building Officials are adopted as the official minimum mechanical code for the
13 state.

14 Sec. 18.60.865. ADMINISTRATION. (a) The department is responsible for the
15 administration of the code.

16 (b) The department may inspect work installed, removed, altered, or replaced that is
17 subject to the code.

18 (c) The department shall maintain a record of all inspections performed by it and of all
19 inspection fees and permit fees collected by it under the code.

20 (d) The department may adopt regulations under AS 44.62 (Administrative Procedure
21 Act) to implement the code, including the establishment of fees for inspections and permits.

22 Sec. 18.60.870. ENFORCEMENT OF COMPLIANCE. (a) The department shall give
23 written notice of each violation of the code to

24 (1) the owner if the violation occurs in existing premises;

25 (2) the contractor if the violation occurs in premises under construction.

26 (b) The notice of violation must accurately describe the violation, identify the code
27 section and paragraph being violated, and describe the changes necessary to correct the violation.

28 Sec. 18.60.875. PENALTY FOR VIOLATION. A person who violates a provision of
29 the code and who, after receiving the notification required by AS 18.60.870, refuses to correct
30 the violation is subject to a fine of \$1,000.

31 Sec. 18.60.880. MUNICIPALITY REGULATION. AS 18.60.860 - 18.60.890 do not

1 affect the authority of a municipality to prescribe by ordinance standards for the municipality that
2 are at least as stringent as the code. AS 18.60.860 - 18.60.890 are not intended to duplicate or
3 preempt code administration or enforcement by a municipality. A municipality or unorganized
4 village that has less than 2,500 inhabitants is exempt from AS 18.60.860 - 18.60.890.

5 Sec. 18.60.885. APPLICATION. The code applies to new construction, new work in
6 relocated buildings, and the alteration, repair, and reconstruction of buildings.

7 Sec. 18.60.890. DEFINITIONS. In AS 18.60.860 - 18.60.890,

8 (1) "code" means the code adopted under AS 18.60.860;

9 (2) "department" means the Department of Labor.

10 * Sec. 6. AS 18.62.070 is amended to read:

11 Sec. 18.62.070. PERSONS REQUIRED TO OBTAIN CERTIFICATE. A person engaged
12 in one of the following trades shall first obtain from the department the appropriate certificate
13 of fitness in that trade:

14 (1) electrical wiring subject to the standards established in AS 18.60.580; and

15 (2) plumbing subject to the uniform plumbing code; in this paragraph. "uniform
16 plumbing code" means the publications identified as the minimum plumbing code for the
17 state under [, AS ESTABLISHED IN] AS 18.60.705.

18 * Sec. 7. AS 18.60.715(c) is repealed.