

CHAPTER 1

GENERAL REQUIREMENTS

SECTION 101 TITLE, SCOPE AND PURPOSE

101.1 Title. These provisions shall be known as the *Mechanical Code of New York State* and shall be cited as such and will be referred to herein as “this code.”

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

Exceptions:

1. Detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories in height above grade with separate means of egress and their accessory structures shall comply with the *Residential Code of New York State*.
2. Mechanical systems in existing buildings that are undergoing repairs, alterations, changes in occupancy or construction of additions shall be permitted to comply with provisions of the *Existing Building Code of New York State*.

101.3 Purpose. This code is intended to provide minimum requirements to safeguard life and limb, health, property and public welfare by regulating and controlling the design, construction, installation, quality of materials, location, operation and maintenance or use of mechanical systems.

SECTION 102 APPLICABILITY

102.1 General. Where, in any specific case, different sections of this code specify different materials, methods of construction or other requirements, the most restrictive shall be applicable. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

102.2 Other laws and regulations. The provisions of this code shall not be deemed to nullify any provisions of local, state or federal laws and regulations.

102.3 Application of references. References to chapter or section numbers, or to provisions not specifically identified by number, shall be construed to refer to such chapter, section or provision of this code.

102.4 Referenced standards. The standards referenced in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where differences

occur between provisions of this code and referenced standards, the provisions of this code shall apply.

102.5 Appendix. The following appendix has been adopted and is made part of this code:

Appendix C - Structural Safety

102.6 Partial invalidity. In the event any part or provision of this code is held to be illegal or void, this shall not have the effect of making void or illegal any of the other parts or provisions.

102.7 Existing installations. Mechanical systems lawfully in existence at the time of the adoption of this code shall be permitted to have their use and maintenance continued if the use, maintenance or repair is in accordance with the original design and no hazard to life, health and property is created by such mechanical system, and except as specifically covered in this code, the *Property Maintenance Code of New York State*, the *Fire Code of New York State*, or the *Existing Building Code of New York State*.

SECTION 103 MATERIALS, EQUIPMENT AND METHODS OF CONSTRUCTION

103.1 Approved materials and equipment. Materials, equipment and devices approved by the code enforcement official for use shall be constructed and installed in accordance with such approval. Materials, equipment and devices tested by an approved testing laboratory shall be permitted to be constructed and installed in accordance with such approval.

103.2 Used materials and equipment. Material, equipment and devices shall not be reused unless they meet the requirements of this code for new materials.

103.3 Alternate materials, design and methods of construction and equipment. This code is not intended to prevent the use of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided that any such alternative has been approved by the code enforcement official or the State Fire Prevention and Building Code Council.

An alternative material, design or method of construction may only be approved when it is determined to comply with the intent of the provisions of this code and be at least equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability and safety.

103.4 Safeguards during construction. All construction work covered in this code, including any demolition, shall comply with the requirements of the *Fire Code of New York State* and Chapter 33 of the *Building Code of New York State*.

103.5 Workmanship. Repairs, maintenance work, alterations or installations which are caused directly or indirectly by the enforcement of this code shall be executed and installed in a

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workmanlike manner and installed in accordance with this code and the manufacturer's installation instructions.

SECTION 104 SERVICE UTILITIES

104.1 Connection of service utilities. Connections from a utility, source of energy, fuel or power to any building or system which is regulated by this code shall be made in accordance with the regulations of the public utility or other authority having jurisdiction.

104.2 Temporary power. Temporary power shall comply with the requirements of Chapter 27 of the *Building Code of New York State*.

SECTION 105 ADMINISTRATION AND ENFORCEMENT

105.1 Administration and enforcement. Administration and enforcement of the New York State Uniform Fire Prevention and Building Code shall be in accordance with local law, subject to the minimum requirements set forth in the "Official Compilation of Codes Rules and Regulations of the State of New York," 19 NYCRR Part 1203, "Minimum Standards for Administration and Enforcement." State agencies shall comply with the minimum requirements set forth in 19 NYCRR Part 1204, "Administration and Enforcement by State Agencies."

105.2 Modification No town, village, city or county, nor any state agency charged with the administration and enforcement of this code may waive, modify or otherwise alter any provision of this code unless approved by the State Fire Prevention and Building Code Council in accordance with Section 379 of Article 18 of the Executive Law.

105.3 Application for variance or appeal. Variance or appeal of any provision of this code shall be in accordance with the provisions of the "Official Compilation of Codes Rules and Regulations of the State of New York," 19 NYCRR Part 1205, "Variance Procedures."

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