

CHAPTER 1

ADMINISTRATION

SECTION 101 (IFGC) GENERAL

101.1 Title. These regulations shall be known as the *Fuel Gas Code* of [NAME OF JURISDICTION], hereinafter referred to as “this code.”

101.2 Scope. This code shall apply to the installation of fuel gas piping systems, fuel gas utilization equipment, gaseous hydrogen systems and related accessories in accordance with Sections 101.2.1 through 101.2.5.

Exception: Detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories high with separate means of egress and their accessory structures shall comply with the *International Residential Code*.

➔ **101.2.1 Gaseous hydrogen systems.** Gaseous hydrogen systems shall be regulated by Chapter 7.

101.2.2 Piping systems. These regulations cover piping systems for natural gas with an operating pressure of 125 pounds per square inch gauge (psig) (862 kPa gauge) or less, and for LP-gas with an operating pressure of 20 psig (140 kPa gauge) or less, except as provided in Section 402.6.1. Coverage shall extend from the point of delivery to the outlet of the equipment shutoff valves. Piping systems requirements shall include design, materials, components, fabrication, assembly, installation, testing, inspection, operation and maintenance.

101.2.3 Gas utilization equipment. Requirements for gas utilization equipment and related accessories shall include installation, combustion and ventilation air and venting and connections to piping systems.

101.2.4 Systems and equipment outside the scope. This code shall not apply to the following:

1. Portable LP-gas equipment of all types that is not connected to a fixed fuel piping system.
2. Installation of farm equipment such as brooders, dehydrators, dryers and irrigation equipment.
3. Raw material (feedstock) applications except for piping to special atmosphere generators.
4. Oxygen-fuel gas cutting and welding systems.
5. Industrial gas applications using gases such as acetylene and acetylenic compounds, hydrogen, ammonia, carbon monoxide, oxygen and nitrogen.
6. Petroleum refineries, pipeline compressor or pumping stations, loading terminals, compounding plants, refinery tank farms and natural gas processing plants.
7. Integrated chemical plants or portions of such plants where flammable or combustible liquids or gases are produced by, or used in, chemical reactions.

8. LP-gas installations at utility gas plants.
9. Liquefied natural gas (LNG) installations.
10. Fuel gas piping in power and atomic energy plants.
11. Proprietary items of equipment, apparatus or instruments such as gas-generating sets, compressors and calorimeters.
12. LP-gas equipment for vaporization, gas mixing and gas manufacturing.
13. Temporary LP-gas piping for buildings under construction or renovation that is not to become part of the permanent piping system.
14. Installation of LP-gas systems for railroad switch heating.
15. Installation of hydrogen gas, LP-gas and compressed natural gas (CNG) systems on vehicles.
16. Except as provided in Section 401.1.1, gas piping, meters, gas pressure regulators and other appurtenances used by the serving gas supplier in the distribution of gas, other than undiluted LP-gas.
17. Building design and construction, except as specified herein.
18. Piping systems for mixtures of gas and air within the flammable range with an operating pressure greater than 10 psig (69 kPa gauge).
19. Portable fuel cell appliances that are neither connected to a fixed piping system nor interconnected to a power grid.

101.2.5 Other fuels. The requirements for the design, installation, maintenance, alteration and inspection of mechanical systems operating with fuels other than fuel gas shall be regulated by the *International Mechanical Code*.

101.3 Appendices. Provisions in the appendices shall not apply unless specifically adopted.

101.4 Intent. The purpose of this code is to provide minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, installation, quality of materials, location, operation and maintenance or use of fuel gas systems.

101.5 Severability. If a section, subsection, sentence, clause or phrase of this code is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this code.

SECTION 102 (IFGC) APPLICABILITY

102.1 General. The provisions of this code shall apply to all matters affecting or relating to structures and premises, as set forth in Section 101. Where, in a specific case, different sec-

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tions of this code specify different materials, methods of construction or other requirements, the most restrictive shall govern.

102.2 Existing installations. Except as otherwise provided for in this chapter, a provision in this code shall not require the removal, alteration or abandonment of, nor prevent the continued utilization and maintenance of, existing installations lawfully in existence at the time of the adoption of this code.

[EB] **102.2.1 Existing buildings.** Additions, alterations, renovations or repairs related to building or structural issues shall be regulated by the *International Building Code*.

102.3 Maintenance. Installations, both existing and new, and parts thereof shall be maintained in proper operating condition in accordance with the original design and in a safe condition. Devices or safeguards which are required by this code shall be maintained in compliance with the code edition under which they were installed. The owner or the owner's designated agent shall be responsible for maintenance of installations. To determine compliance with this provision, the code official shall have the authority to require an installation to be reinspected.

102.4 Additions, alterations or repairs. Additions, alterations, renovations or repairs to installations shall conform to that required for new installations without requiring the existing installation to comply with all of the requirements of this code. Additions, alterations or repairs shall not cause an existing installation to become unsafe, hazardous or overloaded.

Minor additions, alterations, renovations and repairs to existing installations shall meet the provisions for new construction, unless such work is done in the same manner and arrangement as was in the existing system, is not hazardous and is approved.

102.5 Change in occupancy. It shall be unlawful to make a change in the occupancy of a structure which will subject the structure to the special provisions of this code applicable to the new occupancy without approval. The code official shall certify that such structure meets the intent of the provisions of law governing building construction for the proposed new occupancy and that such change of occupancy does not result in any hazard to the public health, safety or welfare.

102.6 Historic buildings. The provisions of this code relating to the construction, alteration, repair, enlargement, restoration, relocation or moving of buildings or structures shall not be mandatory for existing buildings or structures identified and classified by the state or local jurisdiction as historic buildings when such buildings or structures are judged by the code official to be safe and in the public interest of health, safety and welfare regarding any proposed construction, alteration, repair, enlargement, restoration, relocation or moving of buildings.

102.7 Moved buildings. Except as determined by Section 102.2, installations that are a part of buildings or structures moved into or within the jurisdiction shall comply with the provisions of this code for new installations.

102.8 Referenced codes and standards. The codes and standards referenced in this code shall be those that are listed in Chapter 8 and such codes and standards 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 the referenced standards, the provisions of this code shall apply.

Exception: Where enforcement of a code provision would violate the conditions of the listing of the equipment or appliance, the conditions of the listing and the manufacturer's installation instructions shall apply.

102.9 Requirements not covered by code. Requirements necessary for the strength, stability or proper operation of an existing or proposed installation, or for the public safety, health and general welfare, not specifically covered by this code, shall be determined by the code official.

SECTION 103 (IFGC) DEPARTMENT OF INSPECTION

103.1 General. The Department of Inspection is hereby created and the executive official in charge thereof shall be known as the code official.

103.2 Appointment. The code official shall be appointed by the chief appointing authority of the jurisdiction; and the code official shall not be removed from office except for cause and after full opportunity to be heard on specific and relevant charges by and before the appointing authority.

103.3 Deputies. In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the appointing authority, the code official shall have the authority to appoint a deputy code official, other related technical officers, inspectors and other employees.

103.4 Liability. The code official, officer or employee charged with the enforcement of this code, while acting for the jurisdiction, shall not thereby be rendered liable personally, and is hereby relieved from all personal liability for any damage accruing to persons or property as a result of an act required or permitted in the discharge of official duties.

Any suit instituted against any officer or employee because of an act performed by that officer or employee 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 subordinate shall not be liable for costs in an action, suit or proceeding that is instituted in pursuance of the provisions of this code; and any officer of the Department of 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.

SECTION 104 (IFGC) DUTIES AND POWERS OF THE CODE OFFICIAL

104.1 General. The code official shall enforce the provisions of this code and shall act on any question relative to the installation, alteration, repair, maintenance or operation of systems, except as otherwise specifically provided for by statutory requirements or as provided for in Sections 104.2 through 104.8.

104.2 Rule-making authority. The code official shall have authority as necessary in the interest of public health, safety and general welfare to adopt and promulgate rules and regulations; interpret and implement the provisions of this code; secure the intent thereof and designate requirements applicable because of local climatic or other conditions. Such rules shall not have the effect of waiving structural or fire performance requirements specifically provided for in this code, or of violating accepted engineering methods involving public safety.

104.3 Applications and permits. The code official shall receive applications and issue permits for installations and alterations under the scope of this code, inspect the premises for which such permits have been issued and enforce compliance with the provisions of this code.

104.4 Inspections. The code official shall make all of the required inspections, or shall accept reports of inspection by approved agencies or individuals. All reports of such inspections shall be in writing and shall be certified by a responsible officer of such approved agency or by the responsible individual. The code official is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise, subject to the approval of the appointing authority.

104.5 Right of entry. Whenever it is necessary to make an inspection to enforce the provisions of this code, or whenever the code official has reasonable cause to believe that there exists in a building or upon any premises any conditions or violations of this code that make the building or premises unsafe, dangerous or hazardous, the code official shall have the authority to enter the building or premises at all reasonable times to inspect or to perform the duties imposed upon the code official by this code. If such building or premises is occupied, the code official shall present credentials to the occupant and request entry. If such building or premises is unoccupied, the code official shall first make a reasonable effort to locate the owner or other person having charge or control of the building or premises and request entry. If entry is refused, the code official has recourse to every remedy provided by law to secure entry.

When the code official has first obtained a proper inspection warrant or other remedy provided by law to secure entry, an owner or occupant or person having charge, care or control of the building or premises shall not fail or neglect, after proper request is made as herein provided, to promptly permit entry therein by the code official for the purpose of inspection and examination pursuant to this code.

104.6 Identification. The code official shall carry proper identification when inspecting structures or premises in the performance of duties under this code.

104.7 Notices and orders. The code official shall issue all necessary notices or orders to ensure compliance with this code.

104.8 Department records. The code official shall keep official records of applications received, permits and certificates issued, fees collected, reports of inspections, and notices and orders issued. Such records shall be retained in the official records as long as the building or structure to which such records relate remains in existence, unless otherwise provided for by other regulations.

SECTION 105 (IFGC) APPROVAL

105.1 Modifications. Whenever there are practical difficulties involved in carrying out the provisions of this code, the code official shall have the authority to grant modifications for individual cases, provided the code official shall first find that special individual reason makes the strict letter of this code impractical and that such modification is in compliance with the intent and purpose of this code and does not lessen health, life and fire safety requirements. The details of action granting modifications shall be recorded and entered in the files of the Department of Inspection.

105.2 Alternative materials, methods and equipment. The provisions of this code are not intended to prevent the installation of any material or to prohibit any method of construction not specifically prescribed by this code, provided that any such alternative has been approved. An alternative material or method of construction shall be approved where the code official finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability and safety.

105.3 Required testing. Whenever there is insufficient evidence of compliance with the provisions of this code, evidence that a material or method does not conform to the requirements of this code, or in order to substantiate claims for alternative materials or methods, the code official shall have the authority to require tests as evidence of compliance to be made at no expense to the jurisdiction.

105.3.1 Test methods. Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the code official shall approve the testing procedures.

105.3.2 Testing agency. All tests shall be performed by an approved agency.

105.3.3 Test reports. Reports of tests shall be retained by the code official for the period required for retention of public records.

105.4 Material and equipment reuse. Materials, equipment and devices shall not be reused unless such elements have been reconditioned, tested and placed in good and proper working condition, and approved.

SECTION 106 (IFGC) PERMITS

106.1 When required. An owner, authorized agent or contractor who desires to erect, install, enlarge, alter, repair, remove, convert or replace an installation regulated by this code, or to cause such work to be done, shall first make application to the code official and obtain the required permit for the work.

Exception: Where equipment replacements and repairs are required to be performed in an emergency situation, the permit application shall be submitted within the next working business day of the Department of Inspection.

106.2 Permits not required. Permits shall not be required for the following:

1. Any portable heating appliance.
2. Replacement of any minor component of equipment that does not alter approval of such equipment or make such equipment unsafe.

Exemption from the permit requirements of this code shall not be deemed to grant authorization for work to be done in violation of the provisions of this code or of other laws or ordinances of this jurisdiction.

106.3 Application for permit. Each application for a permit, with the required fee, shall be filed with the code official on a form furnished for that purpose and shall contain a general description of the proposed work and its location. The application shall be signed by the owner or an authorized agent. The permit application shall indicate the proposed occupancy of all parts of the building and of that portion of the site or lot, if any, not covered by the building or structure and shall contain such other information required by the code official.

106.3.1 Construction documents. Construction documents, engineering calculations, diagrams and other data shall be submitted in two or more sets with each application for a permit. The code official shall require construction documents, computations and specifications to be prepared and designed by a registered design professional when required by state law. Construction documents shall be drawn to scale and shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that the work conforms to the provisions of this code. Construction documents for buildings more than two stories in height shall indicate where penetrations will be made for installations and shall indicate the materials and methods for maintaining required structural safety, fire-resistance rating and fireblocking.

Exception: The code official shall have the authority to waive the submission of construction documents, calculations or other data if the nature of the work applied for is such that reviewing of construction documents is not necessary to determine compliance with this code.

106.4 Permit issuance. The application, construction documents and other data filed by an applicant for a permit shall be reviewed by the code official. If the code official finds that the proposed work conforms to the requirements of this code and all laws and ordinances applicable thereto, and that the fees specified in Section 106.5 have been paid, a permit shall be issued to the applicant.

106.4.1 Approved construction documents. When the code official issues the permit where construction documents are required, the construction documents shall be endorsed in writing and stamped "APPROVED." Such approved construction documents shall not be changed, modified or altered without authorization from the code official. Work shall be done in accordance with the approved construction documents.

The code official shall have the authority to issue a permit for the construction of part of an installation before the construction documents for the entire installation have been

submitted or approved, provided adequate information and detailed statements have been filed complying with all pertinent requirements of this code. The holder of such permit shall proceed at his or her own risk without assurance that the permit for the entire installation will be granted.

106.4.2 Validity. The issuance of a permit or approval of construction documents shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or of other ordinances of the jurisdiction. A permit presuming to give authority to violate or cancel the provisions of this code shall be invalid.

The issuance of a permit based upon construction documents and other data shall not prevent the code official from thereafter requiring the correction of errors in said construction documents and other data or from preventing building operations from being carried on thereunder when in violation of this code or of other ordinances of this jurisdiction.

106.4.3 Expiration. Every permit issued by the code official under the provisions of this code shall expire by limitation and become null and void if the work authorized by such permit is not commenced within 180 days from the date of such permit, or is suspended or abandoned at any time after the work is commenced for a period of 180 days. Before such work recommences, a new permit shall be first obtained and the fee, therefor, shall be one-half the amount required for a new permit for such work, provided no changes have been or will be made in the original construction documents for such work, and further that such suspension or abandonment has not exceeded one year.

106.4.4 Extensions. A permittee holding an unexpired permit shall have the right to apply for an extension of the time within which he or she will commence work under that permit when work is unable to be commenced within the time required by this section for good and satisfactory reasons. The code official shall extend the time for action by the permittee for a period not exceeding 180 days if there is reasonable cause. A permit shall not be extended more than once. The fee for an extension shall be one-half the amount required for a new permit for such work.

106.4.5 Suspension or revocation of permit. The code official shall revoke a permit or approval issued under the provisions of this code in case of any false statement or misrepresentation of fact in the application or on the construction documents upon which the permit or approval was based.

106.4.6 Retention of construction documents. One set of construction documents shall be retained by the code official until final approval of the work covered therein. One set of approved construction documents shall be returned to the applicant, and said set shall be kept on the site of the building or work at all times during which the work authorized thereby is in progress.

106.5 Fees. A permit shall not be issued until the fees prescribed in Section 106.5.2 have been paid, nor shall an amendment to a permit be released until the additional fee, if any, due to an increase of the installation, has been paid.

106.5.1 Work commencing before permit issuance. Any person who commences work on an installation before obtaining the necessary permits shall be subject to 100 percent of the usual permit fee in addition to the required permit fees.

106.5.2 Fee schedule. The fees for work shall be as indicated in the following schedule.

[JURISDICTION TO INSERT APPROPRIATE SCHEDULE]

106.5.3 Fee refunds. The code official shall authorize the refunding of fees as follows.

1. The full amount of any fee paid hereunder which was erroneously paid or collected.
2. Not more than [SPECIFY PERCENTAGE] percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.
3. Not more than [SPECIFY PERCENTAGE] percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review effort has been expended.

The code official shall not authorize the refunding of any fee paid, except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

SECTION 107 (IFGC) INSPECTIONS AND TESTING

107.1 Required inspections and testing. The code official, upon notification from the permit holder or the permit holder's agent, shall make the following inspections and other such inspections as necessary, and shall either release that portion of the construction or notify the permit holder or the permit holder's agent of violations that are required to be corrected. The holder of the permit shall be responsible for scheduling such inspections.

1. Underground inspection shall be made after trenches or ditches are excavated and bedded, piping is installed and before backfill is put in place. When excavated soil contains rocks, broken concrete, frozen chunks and other rubble that would damage or break the piping or cause corrosive action, clean backfill shall be on the job site.
2. Rough-in inspection shall be made after the roof, framing, fireblocking and bracing are in place and components to be concealed are complete, and prior to the installation of wall or ceiling membranes.
3. Final inspection shall be made upon completion of the installation.

The requirements of this section shall not be considered to prohibit the operation of any heating equipment installed to replace existing heating equipment serving an occupied portion of a structure in the event a request for inspection of such heating equipment has been filed with the department not more than 48 hours after replacement work is completed, and before any portion of such equipment is concealed by any permanent portion of the structure.

107.1.1 Approved inspection agencies. The code official shall accept reports of approved agencies, provided that such agencies satisfy the requirements as to qualifications and reliability.

107.1.2 Evaluation and follow-up inspection services. Prior to the approval of a prefabricated construction assembly having concealed work and the issuance of a permit, the code official shall require the submittal of an evaluation report on each prefabricated construction assembly, indicating the complete details of the installation, including a description of the system and its components, the basis upon which the system is being evaluated, test results and similar information and other data as necessary for the code official to determine conformance to this code.

107.1.2.1 Evaluation service. The code official shall designate the evaluation service of an approved agency as the evaluation agency, and review such agency's evaluation report for adequacy and conformance to this code.

107.1.2.2 Follow-up inspection. Except where ready access is provided to installations, service equipment and accessories for complete inspection at the site without disassembly or dismantling, the code official shall conduct the in-plant inspections as frequently as necessary to ensure conformance to the approved evaluation report or shall designate an independent, approved inspection agency to conduct such inspections. The inspection agency shall furnish the code official with the follow-up inspection manual and a report of inspections upon request, and the installation shall have an identifying label permanently affixed to the system indicating that factory inspections have been performed.

107.1.2.3 Test and inspection records. Required test and inspection records shall be available to the code official at all times during the fabrication of the installation and the erection of the building; or such records as the code official designates shall be filed.

107.2 Testing. Installations shall be tested as required in this code and in accordance with Sections 107.2.1 through 107.2.3. Tests shall be made by the permit holder and observed by the code official.

107.2.1 New, altered, extended or repaired installations. New installations and parts of existing installations, which have been altered, extended, renovated or repaired, shall be tested as prescribed herein to disclose leaks and defects.

107.2.2 Apparatus, instruments, material and labor for tests. Apparatus, instruments, material and labor required for testing an installation or part thereof shall be furnished by the permit holder.

107.2.3 Reinspection and testing. Where any work or installation does not pass an initial test or inspection, the necessary corrections shall be made so as to achieve compliance with this code. The work or installation shall then be resubmitted to the code official for inspection and testing.

107.3 Approval. After the prescribed tests and inspections indicate that the work complies in all respects with this code, a notice of approval shall be issued by the code official.

107.4 Temporary connection. The code official shall have the authority to allow the temporary connection of an installation to the sources of energy for the purpose of testing the installation or for use under a temporary certificate of occupancy.

SECTION 108 (IFGC) VIOLATIONS

108.1 Unlawful acts. It shall be unlawful for a person, firm or corporation to erect, construct, alter, repair, remove, demolish or utilize an installation, or cause same to be done, in conflict with or in violation of any of the provisions of this code.

108.2 Notice of violation. The code official shall serve a notice of violation or order to the person responsible for the erection, installation, alteration, extension, repair, removal or demolition of work in violation of the provisions of this code, or in violation of a detail statement or the approved construction documents thereunder, or in violation of a permit or certificate issued under the provisions of this code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

108.3 Prosecution of violation. If the notice of violation is not complied with promptly, the code official shall request the legal counsel of the jurisdiction to institute 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 occupancy of the structure in violation of the provisions of this code or of the order or direction made pursuant thereto.

108.4 Violation penalties. Persons who shall violate a provision of this code, fail to comply with any of the requirements thereof or erect, install, alter or repair work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the 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.

108.5 Stop work orders. Upon notice from the code official that work is being done contrary to the provisions of this code or in a dangerous or unsafe manner, such work shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, the owner's agent, or the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work on the system 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 for a fine of not less than [AMOUNT] dollars or more than [AMOUNT] dollars.

108.6 Abatement of violation. The imposition of the penalties herein prescribed shall not preclude the legal officer of the jurisdiction from instituting appropriate action to prevent unlawful construction, restrain, correct or abate a violation, prevent illegal occupancy of a building, structure or premises,

or stop an illegal act, conduct, business or utilization of the installations on or about any premises.

108.7 Unsafe installations. An installation that is unsafe, constitutes a fire or health hazard, or is otherwise dangerous to human life, as regulated by this code, is hereby declared an unsafe installation. Use of an installation regulated by this code constituting a hazard to health, safety or welfare by reason of inadequate maintenance, dilapidation, fire hazard, disaster, damage or abandonment is hereby declared an unsafe use. Such unsafe installations are hereby declared to be a public nuisance and shall be abated by repair, rehabilitation, demolition or removal.

108.7.1 Authority to condemn installations. Whenever the code official determines that any installation, or portion thereof, regulated by this code has become hazardous to life, health or property, he or she shall order in writing that such installations either be removed or restored to a safe condition. A time limit for compliance with such order shall be specified in the written notice. A person shall not use or maintain a defective installation after receiving such notice.

When such installation is to be disconnected, written notice as prescribed in Section 108.2 shall be given. In cases of immediate danger to life or property, such disconnection shall be made immediately without such notice.

108.7.2 Authority to disconnect service utilities. The code official shall have the authority to require disconnection of utility service to the building, structure or system regulated by the technical codes in case of emergency where necessary to eliminate an immediate hazard to life or property. The code official shall notify the serving utility, and wherever possible, the owner and occupant of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnection, the owner or occupant of the building, structure or service system shall be notified in writing, as soon as practicable thereafter.

108.7.3 Connection after order to disconnect. A person shall not make energy source connections to installations regulated by this code which have been disconnected or ordered to be disconnected by the code official, or the use of which has been ordered to be discontinued by the code official until the code official authorizes the reconnection and use of such installations.

When an installation is maintained in violation of this code, and in violation of a notice issued pursuant to the provisions of this section, the code official shall institute appropriate action to prevent, restrain, correct or abate the violation.

SECTION 109 (IFGC) MEANS OF APPEAL

109.1 Application for appeal. A person shall have the right to appeal a decision of the code official to the board of appeals. An application for appeal shall be based on a claim 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 is

proposed. The application shall be filed on a form obtained from the code official within 20 days after the notice was served.

109.2 Membership of board. The board of appeals shall consist of five members appointed by the chief appointing authority as follows: one for five years; one for four years; one for three years; one for two years and one for one year. Thereafter, each new member shall serve for five years or until a successor has been appointed.

109.2.1 Qualifications. The board of appeals shall consist of five individuals, one from each of the following professions or disciplines.

1. Registered design professional who is a registered architect; or a builder or superintendent of building construction with at least 10 years' experience, five of which shall have been in responsible charge of work.
2. Registered design professional with structural engineering or architectural experience.
3. Registered design professional with fuel gas and plumbing engineering experience; or a fuel gas contractor with at least 10 years' experience, five of which shall have been in responsible charge of work.
4. Registered design professional with electrical engineering experience; or an electrical contractor with at least 10 years' experience, five of which shall have been in responsible charge of work.
5. Registered design professional with fire protection engineering experience; or a fire protection contractor with at least 10 years' experience, five of which shall have been in responsible charge of work.

109.2.2 Alternate members. The chief appointing authority shall appoint two alternate members who shall be called by the board chairman to hear appeals during the absence or disqualification of a member. Alternate members shall possess the qualifications required for board membership and shall be appointed for five years, or until a successor has been appointed.

109.2.3 Chairman. The board shall annually select one of its members to serve as chairman.

109.2.4 Disqualification of member. A member shall not hear an appeal in which that member has a personal, professional or financial interest.

109.2.5 Secretary. The chief administrative officer shall designate a qualified clerk to serve as secretary to the board. The secretary shall file a detailed record of all proceedings in the office of the chief administrative officer.

109.2.6 Compensation of members. Compensation of members shall be determined by law.

109.3 Notice of meeting. The board shall meet upon notice from the chairman, within 10 days of the filing of an appeal, or at stated periodic meetings.

109.4 Open hearing. All hearings before the board shall be open to the public. The appellant, the appellant's representative, the code official and any person whose interests are affected shall be given an opportunity to be heard.

109.4.1 Procedure. The board shall adopt and make available to the public through the secretary procedures under which a hearing will be conducted. The procedures shall not require compliance with strict rules of evidence, but shall mandate that only relevant information be received.

109.5 Postponed hearing. When five members are not present to hear an appeal, either the appellant or the appellant's representative shall have the right to request a postponement of the hearing.

109.6 Board decision. The board shall modify or reverse the decision of the code official by a concurring vote of three members.

109.6.1 Resolution. The decision of the board shall be by resolution. Certified copies shall be furnished to the appellant and to the code official.

109.6.2 Administration. The code official shall take immediate action in accordance with the decision of the board.

109.7 Court review. Any person, whether or not a previous party to the appeal, shall have the right to apply to the appropriate court for a writ of certiorari to correct errors of law. Application for review shall be made in the manner and time required by law following the filing of the decision in the office of the chief administrative officer.

