

Ordinance No. 120134

Council Bill No. 113380

The City of Seattle
Council Bill/Ordinance

AN ORDINANCE relating to the Refrigeration Systems Code, Chapter 6.82 of the Seattle Municipal Code; amending Sections 6.82.020, 6.82.030, 6.82.060, 6.82.100, 6.82.110, 6.82.120, 6.82.190, 6.82.320, and repealing Sections 6.82.050 and 6.82.180.

10/17/00 POISS 3-0

10-23-00 PO

CF No. _____

Date Introduced:	SEP 18 2000	
Date 1st Referred:	SEP 18 2000	To: (committee) Landlord/Tenant & Land Use Committee
Date Re - Referred:		To: (committee)
Date Re - Referred:		To: (committee)
Date of Final Passage:	Full Council Vote: 8-0	
Date Presented to Mayor:	Date Approved: 10/30/00	
Date Returned to City Clerk:	Date Published: 7/11/00	T.O. <input checked="" type="checkbox"/> F.T. <input checked="" type="checkbox"/>
Date Vetted by Mayor:	Date Veto Published:	
Date Passed Over Veto:	Veto Sustained:	

This file is complete and ready

Law Department

Law Dept. Review

The City of Seattle - Legislative Department

Council Bill/Ordinance sponsored by:

[Signature] NICASTRO
Councilmember

Committee Action:

10/17/00 PASS 3-0 (JN, PS, MP)

10-23-00 Passed 8-0 (Excused: Pageler)

This file is complete and ready for presentation to Full Council. Committee: _____
(Initial/Date)

Law Department

Law Dept. Review

OMP
Review

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City Clerk
Review

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Ordinance 120134

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3 AN ORDINANCE relating to the Refrigeration Systems Code, Chapter 6.82 of the Seattle
4 Municipal Code; amending Sections 6.82.020, 6.82.030, 6.82.060, 6.82.100,
5 6.82.110, 6.82.120, 6.82.190, 6.82.320, and repealing Sections 6.82.050 and
6 6.82.180.
7

8 **Section 1.** Section 6.82.020 of the Seattle Municipal Code, as last amended by
9 Ordinance 117425, is further amended as follows:
10

11 **SMC 6.82.020 Definitions.**
12

13 Words and phrases used in this Chapter have the following meanings:
14

15 A. "Air-conditioning contractor" means a person who engages in the business of
16 installation, alteration, or repairing of refrigeration equipment as defined in Sections 2.48.3
17 and 2.48.4 of the A.S.A. B9.1-1953 Standard Comptroller's File No. 227141.
18

19 B. "Apprentice" means a person who is employed in installation, alteration, repair,
20 servicing, or operation of refrigeration systems or equipment, as an artisan, and who is
21 registered and is working under the direct supervision of a licensed operating engineer,
22 industrial engineer, refrigeration mechanic, or service shop mechanic.
23

24 C. "Board" means the Refrigeration Supervisory and Examining Advisory Board created by
25 this Chapter.
26

27 D. (~~"Committee" means Refrigeration Advisory Committee created by this Chapter.~~)
28 "Department" means the Department of Design, Construction and Land Use.
29

30 E. "Director" means the Director of the Department of Design, Construction and Land Use
31 or his/her duly authorized representative.
32

33 F. "Industrial refrigeration engineer" means a full-time employee who spends a substantial
34 portion of his/her time in the installation, addition to, repair, service, or operation of
35 refrigeration systems in a building, or portion thereof, used for manufacturing, processing,
36 or storage of materials or products, including among others, chemicals, food, candy((;)) and
37 ice cream factories, ice-making plants, meat-packing plants, refineries, perishable food
38 warehouses, hotels, hospitals, restaurants, and similar occupancies and equipped with a
39 refrigeration system, and whose duty shall be to install, add to, repair, service, and operate
40 all of his/her employers' refrigeration systems and equipment.
41

42 G. "Journeyman refrigeration mechanic" means a person engaged in the installation, repair,
43 or servicing, as an artisan, of any refrigeration system, equipment, or parts thereof.
44

45 H. "Person" means any individual, firm, corporation, partnership, or association.



1
2 I. "Recognized school of technology" means one which is accredited by national or regional
3 accrediting association.
4

5 J. "Refrigerating contractor" means a person who engages in the business of installation,
6 alteration, or repairing of refrigeration equipment and in planning, engineering, and
7 superintendence in connection therewith.
8

9 K. "Refrigeration operating engineer" means a full-time employee who spends a substantial
10 portion of his/her time in the maintenance and operation of a refrigeration system in a
11 building, or portion thereof, used for manufacturing, processing, or storage of materials or
12 products, including among others, chemicals, food, candy((;)) and ice cream factories, ice-
13 making plants, meat-packing plants, refineries, perishable food warehouses, hotels,
14 hospitals, restaurants, and similar occupancies and equipped with a refrigeration system, and
15 whose duty shall be to operate, maintain, and keep in a safe and serviceable condition all of
16 his/her employers' refrigeration systems and equipment.
17

18 L. (~~"Refrigeration service shop" means a person engaged in the business of rendering~~
19 ~~refrigeration service on refrigeration systems or machines having a standard rating of less~~
20 ~~than one-fourth (1/4) horsepower or one-fourth (1/4) ton refrigeration effect and containing~~
21 ~~less than six (6) pounds of refrigerants and on approved self-contained systems of one (1)~~
22 ~~horsepower and less.~~
23

24 M. ~~"Refrigeration service shop mechanic" means a person engaged in the installation, repair~~
25 ~~and servicing, as an artisan, of any refrigeration system or machine having a standard rating~~
26 ~~of less than one-fourth (1/4) horsepower or one-fourth (1/4) ton refrigeration effect and~~
27 ~~containing less than six (6) pounds of refrigerants and of approved self-contained systems of~~
28 ~~one (1) horsepower and less.~~
29

30 N.)) "Refrigeration system" is a combination of interconnected refrigerant-containing parts
31 constituting one (1) closed refrigerant circuit in which a refrigerant is circulated for the
32 purpose of extracting heat and shall include not only the direct system but also the "indirect
33 system" as defined in the Seattle Municipal Code.
34

35 **Section 2.** Section 6.82.030 of the Seattle Municipal Code, as last amended by
36 Ordinance 117425, is further amended as follows:
37

38 **SMC 6.82.030 Mechanics or engineers -- License required -- Issuance by ((Examining**
39 **Board)) Department.**
40

41 A. No one shall engage in the work of installation, alteration, repair, or servicing of
42 refrigeration systems or equipment as a journeyman refrigeration mechanic without a
43 journeyman refrigeration mechanic's license or as a ((~~refrigeration service shop mechanic~~
44 ~~without a refrigeration service shop mechanic's license or as a~~)) refrigeration operating
45 engineer without a refrigeration operating engineer's license or as an industrial refrigeration



1 engineer without an industrial refrigeration engineer's license issued under the provisions of
2 this Chapter; provided, that a welder may be allowed to weld on refrigeration installations
3 and equipment without a license under the direct supervision of a licensed journeyman
4 refrigeration mechanic or licensed industrial refrigeration engineer; provided, further that an
5 apprentice may engage in such work without a license as herein authorized.
6

7 B. Before ~~((the Board shall permit))~~ a candidate is allowed to take an examination for a
8 license as a journeyman refrigeration mechanic or as ~~((a refrigeration shop mechanic or as))~~
9 an industrial refrigeration engineer, the ~~((applicant))~~ candidate shall furnish proof
10 satisfactory to the Board of the following qualifications:

11 1. Three (3) years~~((s))~~ actual full-time experience as a journeyman refrigeration
12 mechanic or ~~((refrigeration service shop mechanic or))~~ industrial refrigeration engineer or its
13 equivalent; or

14 2. Two (2) years~~((s))~~ training in a recognized school of technology, plus two (2)
15 years~~((s))~~ full-time actual experience at the trade; or

16 3. Graduation from a recognized school of technology plus one (1) year~~((s))~~ actual
17 experience at the trade.
18

19 C. ~~((Licenses may be approved by the Examining Board))~~ The Director may approve
20 licenses for refrigeration operating engineers limited as to employment of such engineer in a
21 particular location and with respect to a refrigeration system using specified types of
22 refrigerants. A limitation to a particular location may be changed from one (1) location to
23 another upon ~~((approval by the Examining Board))~~ a petition by the applicant to the Board
24 and the payment of a fee of One Dollar (\$1.00). Not more than two (2) such changes of
25 location shall be granted to a licensee without reexamination nor shall any such change of
26 location be granted without reexamination after the expiration of one (1) year from the date
27 of issuance of the license.
28

29 D. All applications for examinations shall be filed with the Board, accompanied by the
30 required examination fee, and the applicant shall be examined by the Board, and if he/she
31 passes, the Director shall be notified and shall, upon payment of the required license fee,
32 issue to the applicant the proper license.
33

34 **Section 3.** Section 6.82.050 of the Seattle Municipal Code, as adopted by Ordinance
35 84297, is hereby repealed.
36

37 **Section 4.** Section 6.82.060 of the Seattle Municipal Code, as last amended by
38 Ordinance 117425, is further amended as follows:
39

40 **SMC 6.82.060 Refrigeration Supervisory and Examining Advisory Board.**
41

42 A. There is created a Refrigeration Supervisory and Examining Advisory Board for the
43 purpose of ~~((conducting examinations and certifying as to qualifications for issuance of~~
44 ~~licenses under this Chapter. The Board shall consist of:~~
45

1. Chief of Environmental Health;



1 ~~2. A duly authorized representative of and appointed by the Director.))~~ advising and
2 assisting the Department in the administration of all the licenses regulated by this Chapter.
3 The Department is authorized to define the duties and prescribe the procedures for such a
4 Board. The Board may recommend to the Department such revisions to this Chapter as it
5 may deem appropriate. The Board shall consist of five voting members who are, or who
6 have been licensed under the provisions of this Chapter. A representative of the Department
7 shall serve as a non-voting member.

8
9 B. The Director shall act as secretary of the Board. The Board shall conduct examinations
10 and certify applicants for licenses under this Chapter.

11
12 **Section 5.** Section 6.82.100 of the Seattle Municipal Code, as last amended by
13 Ordinance 117425, is further amended as follows:

14
15 **SMC 6.82.100 Contractor's ~~((or service shop))~~ license -- Application and issuance --**
16 **Exceptions.**

17
18 A. Applications for a refrigeration contractor's license~~((;))~~ or an air-conditioning
19 contractor's license~~((, or a refrigeration service shop license))~~ shall be made to the Director
20 on forms prescribed by ~~((him/her))~~ the Department, and shall be accompanied by the
21 required fee ~~((and an affidavit of the applicant or some qualified person in his/her~~
22 ~~employment that the applicant has been actively engaged in the installation, repair, alteration~~
23 ~~and/or servicing, as the case may be, of refrigeration systems, and)).~~ The application shall
24 ~~((also))~~ set forth the types of refrigerants and types of refrigerating systems with which the
25 applicant is familiar by actual experience or education. ~~((No contractor's or service shop~~
26 ~~license shall be required to install, alter, add to, repair, or service an established refrigeration~~
27 ~~system in a building where the owner and/or operator thereof employs in the regular course~~
28 ~~of business an industrial refrigeration engineer licensed under this Chapter; and no such~~
29 ~~license shall be required to repair or service an established refrigeration system in a building~~
30 ~~where the owner and/or operator thereof employs in the regular course of business a~~
31 ~~refrigeration operating engineer licensed under this Chapter.))~~ Upon approval of such
32 application by the Director, the Director shall issue such a license.

33
34 B. ~~((Upon approval of such application by the Director, he/she shall issue such license))~~ No
35 contractor's license shall be required to install, alter, add to, repair, or service an established
36 refrigeration system in a building where the owner and/or operator employs in the regular
37 course of business an industrial refrigeration engineer licensed under this Chapter. No such
38 license shall be required to repair or service an established refrigeration system in a building
39 where the owner and/or operator employs in the regular course of business a refrigeration
40 operating engineer licensed under this Chapter.

41
42 **Section 6.** Section 6.82.110 of the Seattle Municipal Code, as last amended by
43 Ordinance 117425, is further amended as follows:

44
45 **SMC 6.82.110 Applications by corporation, ~~((eo))~~partnership, or association.**



1
2 If application for a refrigeration contractor's license((-)) or an air-conditioning contractor's
3 license((- or a refrigeration service shop license)) is by a corporation, ((e))partnership, or
4 association, or by an individual owner or operator who does not perform actual work as an
5 artisan, the application shall designate one (1) or more individuals as officers or employees,
6 who shall take the qualifying examinations as approved by the Refrigeration Supervisory
7 and Examining Advisory Board. If the individual or individuals designated pass the
8 examination, the license shall be issued in the name of the applicant and the individual
9 passing the examination. The individual named in the license shall be in charge of all
10 refrigeration installation, alteration, repair or service done by or for the corporation,
11 ((e))partnership or association, or by such individual owner. Whenever any such
12 individual is no longer associated with the corporation, ((e))partnership or association, or
13 such individual owner, they shall report the fact of such disassociation to the Director within
14 thirty (30) days and the license shall be suspended until a new qualified individual is
15 designated to perform such work in behalf of the corporation, ((e))partnership or
16 association or individual owner. Failure of a corporation, ((e))partnership or association or
17 such individual owner to report such disassociation shall be a violation of this Chapter. An
18 individual who has qualified to render service for one (1) corporation, ((e))partnership or
19 association, or individual owner, may on written application have his/her authority and
20 qualifications to act transferred to any other licensed corporation, ((e))partnership, or
21 association, or individual owner with the written consent of such other corporation,
22 ((e))partnership or association, or individual owner.
23

24 **Section 7.** Section 6.82.120 of the Seattle Municipal Code, as adopted by Ordinance
25 84297, is amended as follows:
26

27 **SMC 6.82.120 License classifications.**

28 Licenses shall be classified as follows:
29
30

31 A. A refrigeration contractor's license shall be required except as herein provided for all
32 persons who install, alter or repair a refrigeration system with a unit containing six (6)
33 pounds or more of any refrigerant and actuated by a motor or engine having a standard
34 rating of one-fourth (1/4) horsepower or more, or absorption systems having a rating of one-
35 fourth (1/4) ton or more refrigeration effect. There shall be three (3) classes of licenses for
36 refrigeration contractors and for journeyman refrigeration mechanics as follows:
37

38 Class A -- Covering refrigeration machine using only sulphur dioxide, methyl chloride, all
39 freons;

40 Class B -- Covering refrigerating machines using all other refrigerants((-));

41 Class C -- Covering all refrigerating machines using refrigerants included in Classes A and
42 B.
43
44
45



1 B. (~~Refrigeration Service Shop License. This license shall be required for any persons~~
2 ~~operating a refrigeration service shop for the purpose of installing, altering, or repairing~~
3 ~~approved self-contained refrigeration systems or machines containing less than six (6)~~
4 ~~pounds of refrigerant or actuated by a motor having a standard rating of one (1) horsepower~~
5 ~~and less.~~

6
7 C.) Air-conditioning Contractor's License. An air-conditioning contractor's license shall be
8 required except as provided by this Chapter for all persons who install, repair, service, alter,
9 or move approved self-contained or unit refrigeration systems as defined by Sections 2.48.3
10 and 2.48.4 of the A.S.A. B9.1-1953 Standard, Comptroller's File No. 227141.

11
12 **Section 8.** Section 6.82.180 of the Seattle Municipal Code, as last amended by
13 Ordinance 117169, is hereby repealed.

14
15 **Section 9.** Section 6.82.190 of the Seattle Municipal Code, as last amended by
16 Ordinance 117169, is further amended as follows:

17
18 **SMC 6.82.190 Revocation of license.**

19
20 Any license issued pursuant to this Chapter may be revoked by the Director (~~of~~
21 ~~Construction and Land Use~~) for incompetence, negligence, misrepresentation, giving
22 fraudulent information in making application for a license or permit, failure to comply with
23 the requirements of this Chapter, or upon cancellation or revocation of the bond required
24 herein. Before any bond is cancelled the surety thereon shall give the Director (~~of~~
25 ~~Construction and Land Use~~) and the principal thirty (30) days⁽¹⁾ written notice of intention
26 so to do. Upon cancellation of the bond the license shall be suspended: Provided, if a new
27 bond of the same tenor and effect is supplied, the license shall continue effective.

28
29 **Section 10.** Section 6.82.320 of the Seattle Municipal Code, as adopted by
30 Ordinance 84297, is amended as follows:

31
32 **SMC 6.82.320 Existing license continued.**

33
34 Anyone holding a (~~refrigeration service shop, refrigeration service shop mechanic, a~~)
35 refrigeration contractor, refrigeration journeyman, refrigeration operating engineer, air
36 conditioning contractor, or industrial refrigeration engineer's license under Ordinance No.
37 80153 as amended, and in effect at the time the ordinance codified in this Chapter becomes
38 effective, shall be entitled to continue to operate under that license, and shall be entitled to
39 renewal of the same upon paying the annual license fee herein required. Provided, that no
40 renewal of such license shall be allowed unless application for renewal is made within thirty
41 (30) days after the date of expiration. Any such license shall be subject to revocation under
42 the provisions of this Chapter.

43
44 **Section 11.** This Ordinance shall take effect and be in force thirty (30) days from
45 and after its approval by the Mayor, but if not approved and returned by the Mayor within



1 ten (10) days after presentation, it shall take effect as provided by Seattle Municipal Code
2 Section 1.04.020.
3

4 **Section 12. Severability.** The several provisions of this ordinance are declared to be
5 separate and severable and the invalidity of any clause, sentence, paragraph, subdivision,
6 section subsection, or portion of this ordinance, or the invalidity of the application thereof to
7 any person or circumstance, shall not affect the validity of the remainder of this ordinance or
8 the validity of its application to other persons or circumstances.
9

10 Passed by the City Council the 23rd day of October, 2000, and signed by
11 me in open session in authentication of its passage this 23rd day of October,
12 2000.

13
14
15 Rickard J. M. S. Soren
16 Pro Tem President Pager of the City Council

17
18 Approved by me this 30th day of OCTOBER, 2000.

19
20 Paul Schell
21 Paul Schell, Mayor
22

23
24 Filed by me this 31st day of October, 2000.

25
26 Chris Danfeld
27 acting City Clerk
28
29

30 (SEAL)





City of Seattle

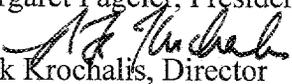
Paul Schell, Mayor

Department of Design, Construction and Land Use

R. F. Krochalis, Director

August 15, 2000

TO: Margaret Pageler, President, City Council

FROM: 
Rick Krochalis, Director

SUBJECT: Proposed Changes to Seattle Refrigeration Systems Code

Attached for your consideration are proposed revisions to the Refrigeration Systems Code, Seattle Municipal Code Chapter 6.82. The purpose of this ordinance is primarily housekeeping in nature, updates or deletes obsolete references, and abolishes outdated license classes and registration requirements. Many of these changes were recommended by Law Department staff during a recent review of this Code's relevance to existing practice.

PUBLIC REVIEW

The primary avenues of public review for the Refrigeration Systems Code are the Refrigeration Supervisory and Examining Advisory Board and the refrigeration system licensees themselves. We published announcements about the availability of this proposed ordinance in the DCLU INFO and on DCLU's website. We also sent a summary of the proposed changes to each refrigeration system licensee. We responded to several requests for copies of the proposed ordinance, and received only one comment to combine refrigeration system licensing with the new licenses for gas piping installers. Because connecting pipes that convey gases is all that refrigeration system licensees and gas piping licensees have in common, and because of the varied and specialized gases refrigeration system licensees use, DCLU staff did not feel there were enough commonalities between the two licensing regimes to warrant combining them.

COST IMPACTS

The cost of adopting changes to this code is part of DCLU's normal operation and budget.

ENVIRONMENTAL (SEPA) REVIEW

Adoption of the changes to occupational licensing laws are categorically exempt from environmental review per Section 25.05.800 N.1 of the Seattle Municipal Code.

CHANGES TO THE REFRIGERATION SYSTEMS CODE

Section 6.82.020 Definitions. Some definitions are amended reflecting the change of the Refrigeration Supervisory Examining Board to the Refrigeration Supervisory and Examining Advisory Board. Definitions of two license classes, refrigeration service shop and refrigeration service shop mechanic, are removed. These licenses have become obsolete



because of the evolution of the refrigeration business, and their holders let them expire. There are no active refrigeration service shop or refrigeration service shop mechanic licenses.

Section 6.82.030 Mechanics or engineers -- License required -- Issuance by Department.

This section is amended to clarify that the Department, as opposed to the Examining Board, issues refrigeration mechanics or engineers licenses, and to remove references to the abolished license class of refrigeration service shop mechanic.

Section 6.82.050 Apprentice -- Certificate of Registration. The requirement for anyone employed as an apprentice refrigeration mechanic to register with the Department is repealed. The local refrigeration mechanics union maintains and self-polices a better registration program than that required by this section.

Section 6.82.060 Refrigeration Supervisory and Examining Advisory Board. This section is amended to change the name of the Supervisory and Examining Board to the Refrigeration Supervisory and Examining Advisory Board. Additional amendments are made that reflect the actual composition and functions of this advisory board.

Section 6.82.100 Contractor's license -- Application and issuance -- Exceptions. This section is amended to remove references to the abolished refrigeration service shop license class and to clarify the application requirements for a refrigeration contractor's license. Other amendments alter the order in which requirements and exceptions appear, but do not substantively change the requirements or exceptions.

Section 6.82.110 Applications by corporation, partnership, or association. This section is amended to remove a reference to the abolished refrigeration service shop license class and to update the name of the Refrigeration Supervisory and Examining Advisory Board.

Section 6.82.120 License classifications. This section is amended to remove the refrigeration service shop license classification. This classification is no longer used because it has been subsumed by the scope of the remaining refrigeration system license classes.

Section 6.82.180 License exemption for certain air-conditioning contractors. This section, adopted in 1955, is repealed because it was used to "grandfather" air-conditioning contractors operating before the creation of the Refrigeration Systems Code. There are no longer any contractors to which this exemption applies. Currently, applicants for an air-conditioning contractor license prefer to be licensed under the general refrigerator contractor license class.

Section 6.82.190 Revocation of license. This section is amended to remove references to the name of the Department because the term "Director" is defined in the definitions section to mean the Director of the Department of Design, Construction and Land Use.

Section 6.82.320 Existing license continued. This section is amended to remove references to the abolished refrigeration service shop and refrigeration service shop mechanic licenses classes, and to add air-conditioning contractor to the list of existing licenses that may be continued.



124393

City of Seattle, Clerk's Office

—ss.

No. ORDINANCE

STATE OF WASHINGTON - KING COUNTY

Affidavit of Publication

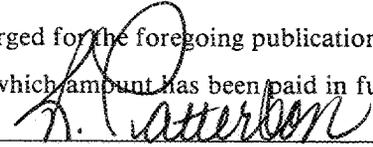
The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:120134 ORD IN FUL

was published on
11/14/00

The amount of the fee charged for the foregoing publication is the sum of \$ _____, which amount has been paid in full.



11/14/00 Subscribed and sworn to before me on

Notary Public for the State of Washington,
residing in Seattle

