

## CHAPTER 1

# ADMINISTRATION

### SECTION 101 TITLE

These regulations shall be known as the “Seattle Mechanical Code,” may be cited as such, and will be referred to herein as “this code.” All references to the *International Mechanical Code* contained in this code shall mean the *Seattle Mechanical Code*.

### SECTION 102 PURPOSE

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 heating, ventilating, cooling, refrigeration systems, incinerators and other miscellaneous heat-producing appliances within the City.

The purpose of this code is to provide for and promote the health, safety and welfare of the general public, and not to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefited by the terms of this code.

### SECTION 103 SCOPE

**103.1 Applicability.** The provisions of this code shall apply to the erection, installation, alteration, repair, relocation, replacement, addition to, use or maintenance of any heating, ventilating, cooling, refrigeration systems, incinerators or other miscellaneous heat-producing appliances within the City. The design and testing of equipment regulated by this code shall be subject to the approval of the code official.

#### Exceptions:

1. Detached one- and two-family dwellings and multiple single-family dwellings (town houses) not more than three stories above grade plane in height with a separate means of egress and their accessory structures shall comply with the *International Residential Code*.
2. The standards for liquefied petroleum gas installations shall be the 2001 edition of NFPA 58 (Liquefied Petroleum Gas Code) as amended and the 2002 edition of ANSI Z223.1/NFPA 54 (National Fuel Gas Code).

**103.2 Alterations.** Additions, alterations, repairs and replacement of equipment or systems shall comply with the provisions for new equipment and systems except as otherwise provided in Section 104 of this code.

**103.3 Most restrictive.** Where, in any specific case, different sections of this code specify different materials, methods of construction or other requirements, the most restrictive shall govern. Where there is a conflict between a general

requirement and a specific requirement, the specific requirement shall be applicable.

**[W] 103.4 Conflict with ventilation code.** In the case of conflict between the ventilation requirements of this code and the ventilation requirements of Washington Administrative Code Chapter 51-13 the Washington State Ventilation and Indoor Air Quality Code (VIAQ), the provisions of the VIAQ shall govern.

**103.5 Referenced codes and standards.** The codes and 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 codes and 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 manufacturer’s instructions shall apply.

**103.6 Appendices.** Provisions in the appendices shall not apply unless specifically referenced in the adopting ordinance.

**103.7 Metric units.** Wherever in this ordinance there is a conflict between metric units of measurement and English units, the English units shall govern.

### SECTION 104 APPLICATION TO EXISTING MECHANICAL SYSTEMS

**104.1 Additions, alterations or repairs.** Additions, alterations, renovations or repairs may be made to any mechanical system without requiring the existing mechanical system to comply with all the requirements of this code, provided the addition, alteration, renovation or repair conforms to that required for a new mechanical system. Additions, alterations, renovations or repairs shall not cause an existing system to become unsafe, unhealthy or overloaded.

Minor additions, alterations, renovations, and repairs to existing mechanical systems may be installed in accordance with the law in effect at the time the original installation was made, when approved by the code official.

**104.2 Existing installations.** Mechanical systems lawfully in existence at the time of the adoption of this code may have their use, maintenance or repair, conversion of fuel, or component replacement continued if the use, maintenance, repair, conversion of fuel, or component replacement is in accordance with the basic original design and location, and no hazard to life, health or property has been created by such mechanical system.

**104.3 Changes in building occupancy.** Mechanical systems which are a part of any building or structure undergoing a change in use or occupancy, as defined in the Building Code, shall comply with all requirements of this code which may be applicable to the new use or occupancy.

**104.4 Maintenance.** All mechanical systems, materials and appurtenances, both existing and new, and all parts thereof shall be maintained in proper operating condition in accordance with the original design and in a safe and hazard-free condition. All devices or safeguards which are required by this code shall be maintained in conformance with the code edition under which installed. The owner or the owner’s designated agent shall be responsible for maintenance of

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mechanical systems and equipment. To determine compliance with this subsection, the code official may cause a mechanical system or equipment to be reinspected.

The Fire Chief and the code official shall each have authority to obtain compliance with the requirements of this subsection.

**Exception:** The code official may modify the requirements of this section where all or a portion of the building is unoccupied.

**104.5 Moved buildings.** Building or structures moved into or within the City shall comply with standards adopted by the code official. No building shall be moved into or within the City unless, prior to moving, the code official has inspected the building for compliance with this code and the permit holder has agreed to correct all deficiencies found and has been issued a building permit for the work. A bond or cash deposit in an amount sufficient to abate or demolish the building shall be posted prior to issuance of a permit. See Section 116 for information required on plans. Any moved building that is not in complete compliance with standards for moved buildings within eighteen months from the date of permit issuance and is found to be a public nuisance may be abated.

**104.6 Historic buildings and structures.** The code official may modify the specific requirements of this code as it applies to buildings and structures designated as landmarks of historical or cultural importance and require in lieu thereof alternate requirements which, in the opinion of the code official, will result in a reasonable degree of safety to the public and the occupants of those buildings.

A historic building or structure is one which has been designated for preservation by the City Landmarks Preservation Board or the State of Washington, has been listed, or has been determined eligible to be listed, in the National Register of Historic Places, has been officially nominated for such status, or is a structure contributing to the character of a designated landmark or special review district.

### SECTION 105 ALTERNATE MATERIALS AND METHODS OF CONSTRUCTION

This code does not prevent the use of any material, design or method of construction not specifically allowed or prohibited by this code, provided the alternate has been approved and its use authorized by the code official.

The code official may approve an alternate, provided he/she finds that the proposed alternate complies with the provisions of this code and that the alternate, when considered together with other safety features of the building or other relevant circumstances, will provide at least an equivalent level of strength, effectiveness, fire resistance, durability, safety and sanitation.

The code official may require that sufficient evidence or proof be submitted to reasonably substantiate any claims regarding the use or suitability of the alternate. The code official may, but is not required to, record the approval of modifications and any relevant information in the files of the code official or on the approved permit plans.

## SECTION 106 MODIFICATIONS

The code official may approve modifications for individual cases, provided the code official finds: (1) there are practical difficulties involved in carrying out the provisions of this code; (2) the modification is in conformity with the intent and purpose of this code; and (3) the modification will provide a reasonable level of fire protection and structural integrity when considered together with other safety features of the building or other relevant circumstances. The code official may, but is not required to, record the approval of modifications and any relevant information in the files of the code official or on the approved permit plans.

### SECTION 107 TESTS

Whenever there is insufficient evidence of compliance with the provisions of this code, or evidence that any material or method of construction does not conform to the requirements of this code, the code official may require tests as proof of compliance to be made at no expense to the City.

Test methods shall be as specified in this code or by other recognized test standards. If there are no recognized and accepted test methods for the proposed alternate, the code official shall determine the test procedures.

All tests shall be made by an approved agency. Reports of such tests shall be retained by the code official.

### SECTION 108 JURISDICTION AND POWERS AND DUTIES OF CODE OFFICIAL

**108.1 Jurisdiction.** The Department of Planning and Development is the code enforcement agency in the City of Seattle for this code. The Director of the Department of Planning and Development is the code official.

**108.2. General.** The code official is authorized and directed to enforce this code, except that enforcement authority as provided in this code to the code official is also vested in the Director of Public Health and the Fire Chief. Compliance with the requirements of this code is the obligation of the owner of the building, structure or premises, the duly authorized agent of the owner, or other person responsible for the condition or work, and not of the City or any of its officers or employees.

**108.3 Deputies.** The code official may appoint such officers and inspectors and other employees as shall be authorized from time to time. The code official may deputize such inspectors or employees as may be necessary to carry out the functions of the code official.

**108.4 Right of entry.** With the consent of the owner or occupier of a building or premises, or pursuant to a lawfully issued warrant, the code official may enter a building or premises at any reasonable time to perform the duties imposed by this code.

**108.5 Stop orders.** Whenever any work is being done contrary to the provisions of this code, or in the event of dangerous or unsafe conditions related to construction or demolition, the code official may order the affected work stopped by a notice describing the violation in writing, posted on the premises or served on any person responsible for the condition or work. It is unlawful for any person to engage in or to cause such work to be done until authorization from the code official is received.

**108.6 Authority to disconnect utilities in emergencies.** The code official has the authority to disconnect fuel–gas utility service or energy supplies to a building, structure, premises or equipment regulated by this code in case of emergency where necessary to eliminate an immediate hazard to life or property. The code official may enter any building or premises to disconnect utility service. The code official shall, whenever possible, notify the serving utility, the owner and occupant of the building, structure or premises of the decision to disconnect prior to taking such action, and shall notify such serving utility, owner and occupant of the building, structure or premises in writing of such disconnection immediately thereafter.

**108.7 Authority to condemn equipment.** Whenever the code official ascertains that any equipment, or portion thereof, regulated by this code has become hazardous to life, health or property, the code official shall order in writing that such equipment may either be disconnected, removed or restored to a safe or sanitary condition, as appropriate. The written notice itself shall fix a time limit for compliance with such order. It is unlawful for any person to use or maintain defective equipment after receiving such notice.

When such equipment or installation is to be disconnected, the code official shall give written notice of such disconnection and causes therefore shall be given within 24 hours to the serving utility, the owner and occupant of the building, structure or premises. When any equipment 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 any appropriate action to prevent, restrain, correct or abate the violation.

**108.8 Connection after order to disconnect.** No person shall make connections from any energy, fuel or power supply nor supply energy or fuel to any equipment regulated by this code which has 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 equipment.

**108.9 Liability.** Nothing contained in this code is intended to be nor shall be construed to create or form the basis for any liability on the part of the City, or its officers, employees or agents, for any injury or damage resulting from the failure of equipment to conform to the provisions of this code, or by reason or in consequence of any inspection, notice, order, certificate, permission or approval authorized or issued or done in connection with the implementation or enforcement of this code, or by reason of any action or inaction on the part of the City related in any manner to the enforcement of this code by its officers, employees or agents.

This code shall not be construed to relieve from or lessen the responsibility of any person owning, operating or controlling any building or structure for any damages to persons or property caused by defects, nor shall the Department of Planning and Development or the City of Seattle be held as assuming any such liability by reason of the inspections authorized by this code or any permits or certificates issued under this code.

**108.10 Cooperation of other officials and officers.** The code official may request, and shall receive so far as is

required in the discharge of the code official's duties, the assistance and cooperation of other officials of the City of Seattle.

## SECTION 109

### UNSAFE EQUIPMENT AND HAZARD CORRECTION ORDER

**109.1 Unsafe equipment.** Any equipment regulated by this code that constitutes a fire or health hazard or is otherwise dangerous to human life is, for the purpose of this section, unsafe. Any use of equipment regulated by this code constituting a hazard to safety, health or public welfare by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster, damage or abandonment is, for the purpose of this section, an unsafe use. Any such unsafe equipment is hereby declared to be a public nuisance and may be abated.

**109.2 Hazard correction order.** Whenever the code official finds that unsafe equipment exists, the code official may issue a hazard correction order specifying the conditions causing the equipment to be unsafe and directing the owner or other person responsible for the unsafe equipment to correct the condition. In lieu of correction, the owner may submit a report or analysis to the code official analyzing said conditions and establishing that the equipment is, in fact, safe. The code official may require that the report or analysis be prepared by a licensed engineer. It is unlawful for any person to fail to comply with a hazard correction order as specified in this subsection.

## SECTION 110

### APPEALS

Appeals from decisions or actions pertaining to the administration and enforcement of this code shall be addressed to the code official. The appellant may request a review by three or more members of the Construction Codes Advisory Board, convened by the Chair. The issue of the appeal shall be taken into account by the Chair when selecting members to hear an appeal. The results of this appeal shall be advisory only.

## SECTION 111

### VIOLATIONS AND PENALTIES

**111.1 Violations.** It is a violation of this code for any person, firm or corporation to install, erect, construct, enlarge, alter, repair, replace, remodel, move, improve, remove, convert or demolish, equip, occupy, use or maintain any mechanical systems or equipment or cause or permit the same to be done in the City, contrary to or in violation of any of the provisions of this code.

It is a violation of this code for any person, firm or corporation to use any material or to install any device, appliance or equipment which does not comply with the applicable standards of this code or which has not been approved by the code official.

**111.2 Notice of violation.** If, after investigation, the code official determines that standards or requirements of this code have been violated, the code official may serve a notice of violation upon the owner or other person responsible for the action or condition. The notice of violation shall state the standards or requirements violated, shall state what corrective action, if any, is necessary to comply with the standards or requirements, and shall set a reasonable time for compliance. The notice shall be served upon the owner or other responsible person by personal service, registered mail or certified mail with return receipt requested, addressed to the last known address of such person. In addition, a copy of the notice may be posted at a conspicuous place on the property. The notice of violation shall be considered an order of the code official. Nothing in this subsection shall be deemed to limit or preclude any action or proceeding pursuant

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to Sections 108 or 109 of this code, and nothing in this section shall be deemed to obligate or require the code official to issue a notice of violation prior to the imposition of civil or criminal penalties in this section.

**111.3 Civil penalties.** Any person, firm or corporation failing to comply with the provisions of this code shall be subject to a cumulative civil penalty in an amount not to exceed \$500 per day for each violation from the date the violation occurs or begins until compliance is achieved. In cases where the code official has issued a notice of violation, the violation will be deemed to begin, for purposes of determining the number of days of violation, on the date compliance is required by the notice of violation.

**111.4 Criminal penalty.** Anyone who violates or fails to comply with any order issued by the code official pursuant to this code or who removes, mutilates, destroys or conceals a notice issued or posted by the code official shall, upon conviction thereof, be punished by a fine of not more than \$1,000 or by imprisonment for not more than 360 days, or by both such fines and imprisonment. Each day's violation or failure to comply shall constitute a separate offense.

Anyone violating or failing to comply with any of the provisions of this code and who within the past five years has a judgment against them pursuant to Section 111.3, shall upon conviction thereof, be punished by a fine in a sum not to exceed \$500 or imprisonment for not more than 180 days, or by both such fine and imprisonment. Each day's violation or failure to comply shall constitute a separate offense.

**111.5 Additional relief.** The code official may seek legal or equitable relief to enjoin any acts or practices and abate any condition which constitutes a violation of this code when civil or criminal penalties are inadequate to effect compliance.

### SECTION 112 NOTICES

It is unlawful for any person to remove, mutilate, destroy or conceal any notice issued or posted by the code official pursuant to the provisions of this code or any notice issued or posted by the code official in response to a natural disaster or other emergency.

The code official may record a copy of any order or notice with the Department of Records and Elections of King County.

The code official may record with the Department of Records and Elections of King County a notification that a permit has expired without a final inspection after reasonable efforts have been made to provide a final inspection.

### SECTION 113 RULES OF THE CODE OFFICIAL

**113.1 Authority.** The code official has the power to render interpretations of this code and to adopt and enforce rules and regulations supplemental to this code as may be deemed necessary in order to clarify the application of the provisions of this code. Such interpretations, rules and regulations shall be in conformity with the intent and purpose of this code. The code official is authorized to promulgate, adopt and issue the following rules:

"Building Construction Standards" to promulgate standards which are acceptable as a method or as an alternative design for meeting code required performance criteria, to recognize new technical data affecting code requirements, and to eliminate conflicts among code requirements.

"Code Interpretations" to interpret and clarify conditions or language expressed in this code.

Any other rule necessary for the administration of the purpose and intent of this code.

**113.2 Procedure for adoption of rules.** The code official shall promulgate, adopt and issue rules according to the procedures as specified in Chapter 3.02 of the Administrative Code, Seattle Municipal Code.

### SECTION 114 CONSTRUCTION CODES ADVISORY BOARD

A committee of the Construction Codes Advisory Board may examine proposed administrative rules, appeals and amendments relating to this code and related provisions of other codes and make recommendations to the code official and to the City Council for changes in this code. The committee will be called on as-needed by the Construction Codes Advisory Board.

### SECTION 115 PERMITS

**115.1 Permits required.** It is unlawful to make any installation, alteration, repair, replacement or remodel of any mechanical system regulated by this code except as permitted in Section 115.2 of this code, or to allow the same to be done without first obtaining a separate mechanical permit for each separate building or structure. All work shall comply with this code, even where no permit is required.

#### 115.2 Work exempt from permit.

**115.2.1 Mechanical.** A mechanical permit shall not be required for the following:

1. Any portable heating appliance, portable ventilating equipment, or portable cooling unit, provided that the total capacity of these portable appliances shall not exceed 40 percent of the cumulative heating, cooling or ventilating requirements of a building or dwelling unit and shall not exceed 3 kW or 10,000 Btu input.
2. Any closed system of steam, hot or chilled water piping within heating or cooling equipment regulated by this code.
3. Minor work or the replacement of any component part of a mechanical system which does not alter its original approval and complies with other applicable requirements of this code.

**115.2.2 Refrigeration.** A mechanical permit shall not be required for the following refrigerant equipment:

1. Any self-contained refrigerating equipment for which an operating permit is not required.
2. Any self-contained refrigeration system which does not exceed three horsepower rating.

Exemption from the 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 the City.

**115.3 Flood hazard areas.** In addition to the permit required by this section, all work to be performed in areas of special flood hazard, as identified in the report entitled “Flood Insurance Study for King County, Washington and Incorporated Areas” and the accompanying Flood Insurance Rate Maps and filed in C.F. 295948, is subject to additional standards and requirements, including floodplain development approval or a Floodplain Development License, as set forth in Chapter 25.06, the Seattle Floodplain Development Ordinance.

**115.4 Emergency repairs.** In the case of an emergency, the installation, alteration or repair of any refrigeration system or equipment may be made without a permit, provided that application for a permit shall be made within twenty-four hours or within one working day from the time when the emergency work was started.

## **SECTION 116 APPLICATION FOR PERMIT AND INFORMATION ON PLANS AND SPECIFICATIONS**

**116.1 Application.** To obtain a permit, the applicant shall first file an application in writing on a form furnished by the Department of Planning and Development for that purpose. Every such application shall:

1. Identify and describe the work to be covered by the permit for which application is made.
2. Describe the land on which the proposed work is to be done by legal description, property address or similar description that will readily identify and definitely locate the proposed building or work.
3. Provide contractor’s state license number (required if permit is to be issued to the contractor). To obtain a permit for work on a refrigeration system, the applicant shall also provide the number of the refrigeration contractor license issued by the City.
4. Be accompanied by plans, diagrams, computations and specifications, equipment schedule and other data as required in Sections 116.2 and 116.3.
5. State the valuation of the mechanical work to be done. The value or valuation of the mechanical work shall be the estimated current value of all labor and material, whether actually paid for or not, for which the permit is issued.
6. Be signed by the owner of the property or building, or his/her authorized agent, who may be required to submit evidence to indicate such authority.
7. Give such other data and information as may be required by the code official.
8. Indicate the name of the owner and contractor and the name, address and phone number of a contact person.

**116.2 Plans and specifications.** Plans, engineering calculations, diagrams and other data shall be submitted in one or more sets with each application for a permit. The code official may require plans, computations and specifications to be prepared and designed by an engineer or architect licensed by the state to practice as such. Projects having a total

mechanical valuation of \$30,000 or larger shall require a mechanical engineering stamp and signature on each sheet.

**Exception:** The code official may waive the requirements for a mechanical engineer’s stamp or submission of plans, calculations or other data if the code official finds that the nature of the work applied for is such that the reviewing of plans is not necessary to obtain compliance with this code.

### **116.3 Information on plans and specifications.**

**116.3.1 Clarity of plans.** Plans shall be drawn to a clearly indicated and commonly accepted scale upon substantial paper such as blueprint quality or standard drafting paper. Tissue paper, posterboard or cardboard will not be accepted. The plans shall be of microfilm quality and limited to a minimum size of 18 inches by 18 inches and a maximum size of 41 inches by 54 inches.

**116.3.2 Fire-resistive notes.** The code official may require that plans for buildings more than two stories in height of other than Group R, Division 3 and Group U Occupancies indicate how required structural and fire-resistive integrity will be maintained where a penetration will be made for electrical, mechanical, plumbing and communication conduits, pipes and similar systems.

**116.3.3 Information required on plans.** The plans or specifications shall show the following:

1. Layout for each floor with dimensions of all working spaces and a legend of all symbols used.
2. Location, size and material of all piping.
3. Location, size and materials of all air ducts, air inlets and air outlets.
4. Location of all fans, warm-air furnaces, boilers, absorption units, refrigerant compressors and condensers and the weight of all pieces of such equipment weighing 200 pounds or more.
5. Rated capacity or horsepower and efficiency rating of all boilers, warm-air furnaces, heat exchangers, blower fans, refrigerant compressors and absorption units. See also the Seattle Energy Code.
6. Location, size and material of all combustion products vents and chimneys.
7. Location and area of all ventilation and combustion air openings and ducts.
8. Location of all air dampers and fire shutters.
9. The first sheet of each set of plans and specifications shall show the address of the proposed work and the name and address of the owner or lessee of the premises.

Plans and specifications shall be of sufficient clarity to show that the proposed installation will conform to the provisions of this code and to the provisions of all applicable laws, ordinances, rules, regulations and orders.

Architectural drawings, typical envelope cross sections and other drawings or data may be required to support system sizing calculations or other thermal requirements of this code or the Seattle Energy Code.

## SECTION 117 PERMIT ISSUANCE

### 117.1 Issuance.

**117.1.1 General.** The application, plans, specifications, and other data filed by an applicant for permit shall be reviewed by the code official. Such plans may be reviewed by other departments of the City to check compliance with the laws and ordinances under their jurisdiction. If the code official finds that the work as described in an application for a permit and the plans, specifications and other data filed therewith substantially conforms to the requirements of this code and other pertinent laws and ordinances and that the fees specified in the Fee Subtitle have been paid, the code official shall issue a permit to the applicant who becomes the permit holder or authorized agent.

**Exception:** The code official may issue a permit for the construction of part of a building or structure before complete plans for the whole building or structure have been submitted or approved, provided that the proposed project complies with the State Environmental Policy Act as adopted by the City (Chapter 25.05 Seattle Municipal Code) and as amended and the Land Use Code as amended; and provided further that adequate information and plans have been filed and checked to assure compliance with all pertinent requirements of this and other pertinent codes. The holder of such a permit shall proceed at his/her own risk without assurance that the permit for the entire building or structure will be granted.

**117.1.2 Compliance with approved plans and permit.** When the code official issues a permit, the code official shall endorse the permit in writing and endorse in writing or stamp the plans "APPROVED." Such approved plans and permit shall not be changed, modified or altered without authorization from the code official, and all work shall be done in accordance with the approved plans and permit except as the code official may require during field inspection to correct errors or omissions.

**117.1.3 Amendments to the permit.** When substitutions or changes are made during construction, approval shall be secured prior to execution, however, the building inspector may approve minor modifications for work not reducing the structural strength and fire and life safety of the structure. The building inspector shall determine if it is necessary to revise the approved plans. These substitutions and changes shall conform to the requirements of this code and other pertinent laws and ordinances. Minor substitutions or changes shall be documented, but shall not incur additional fees if these substitutions and/or changes do not (1) add to the general scope of work; (2) change the basic design concept; (3) involve major relocation of equipment, ducts, or pipes; (4) substantially alter approved equipment size; (5) require extensive re-review of the plans and specifications.

All other changes, substitutions, or clarifications shall be shown on two sets of plans which shall be submitted to and approved by the code official prior to execution or occupancy. These submittals shall be accompanied by

appropriate fees as specified in the Fee Subtitle prior to issuance of the Certificate of Occupancy.

**117.1.4 Cancellation of permit application.** Applications may be cancelled if no permit is issued by the earlier of the following: (1) within twelve months following the date of application; or (2) within sixty days from the date of written notice of approval for issuance. Plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the building official.

The building official shall notify the applicant in writing at least thirty days before the application is cancelled. The notice shall specify a date by which a request for extension must be submitted. The date shall be at least two weeks prior to the date on which the application will be cancelled.

At the discretion of the building official, applications for projects that require more than twelve months to complete may be extended for a period that provides reasonable time to complete the work, but in no case longer than twenty-four months from the date of application. No application shall be extended more than once. In order to renew action on an application after cancellation, the applicant shall submit a new application and pay a new fee.

Notwithstanding other provisions of this code, applications may be extended where issuance of the permit is delayed by litigation, preparation of environmental impact statements, appeals, strikes or other causes related to the application that are beyond the applicant's control, or while the applicant is making progress toward issuance of a master use permit.

See the Fee Subtitle for fee refunds.

**117.2 Retention of plans.** One set of approved plans, which may be on microfilm, shall be retained by the code official. One set of approved plans shall be returned to the applicant, and shall be kept at the site of the building or work at all times during which the work authorized is in progress for use by the inspection personnel.

**117.3 Validity of permit.** The issuance or granting of a permit or approval of plans shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or other pertinent laws and ordinances. No permit presuming to give authority to violate or cancel the provisions of this code shall be valid, except insofar as the work or use which it authorizes is lawful.

The issuance of a permit based upon plans shall not prevent the code official from thereafter requiring the correction of errors in said plans, or from preventing building operations being carried on thereunder when in violation of this code or of other pertinent laws and ordinances of the City.

The issuance of a mechanical permit shall not prevent the code official from requiring correction of conditions found to be in violation of this code or other pertinent laws of the City, nor shall the period of time for which any such permit is issued be construed to extend or otherwise affect any period of time for compliance specified in any notice or order issued by the code official or other administrative authority requiring the correction of any such conditions.

### 117.4 Permit expiration and renewal.

**117.4.1 Expiration.** Permits and renewed permits shall expire eighteen months from the date of issuance.

**Exceptions:**

1. Initial permits for major construction projects that require more than eighteen months to complete, according to a construction schedule submitted by the applicant, may be issued for a period that provides reasonable time to complete the work but in no case longer than three years.
2. Permits which expire in less than eighteen months may be issued where the code official determines a shorter period is appropriate.

**117.4.2 Renewal.** Permits may be renewed and renewed permits may be further renewed by the code official, provided the following conditions are met:

1. Application for renewal shall be made within the thirty-day period immediately preceding the date of expiration of the permit;
2. The work authorized by the permit has been started and is progressing at a rate approved by the code official. Progress justifying renewal of a permit, except as specified by Item 3, shall include, but is not limited to, requesting of a required inspection, the arranging of financing, selection of contractors and subcontractors, securing other necessary permits and licenses, site preparation such as demolition, clearing and excavation, soils investigation and work done to overcome unusual construction difficulties;
3. If an application for renewal is made either more than eighteen months after the date of mandatory compliance with a new or revised edition of this code or after the effective date of an amendment to applicable provisions of the Land Use Code, the permit shall not be renewed unless:
  - (i) The code official determines that the permit complies, or is modified to comply with the code or codes in effect on the date of application renewal; or
  - (ii) The work authorized by the permit is substantially underway and progressing at a rate approved by the code official. Progress justifying renewal of the permit shall be evidenced by notification by the permit holder that a construction step is ready for an inspection required by Section 119.4 of this code.

Permits may also be renewed where commencement or completion of the work authorized by the permit is delayed by litigation, appeals, strikes or other causes related to the work authorized by the permit, beyond the permit holder's control.

**117.4.3 Re-establishment.** A new permit shall be required to complete work where a permit has expired and was not renewed.

**Exception:** A permit which has been expired for less than one year may be reestablished upon approval of the code official provided it complies with Items 2 and 3 of Section 117.4.2.

**117.5 Suspension or revocation.** The code official may, by written order, suspend or revoke a permit issued under the provisions of this code whenever the permit is issued in error or on the basis of incorrect information supplied, or in violation of any ordinance or regulation or any provisions of this code.

## **SECTION 118 FEES**

A fee for each mechanical permit and for other activities related to the enforcement of this code shall be paid as set forth in the Fee Subtitle.

## **SECTION 119 INSPECTIONS**

**119.1 General.** All construction or work for which a permit is required is subject to inspection by the code official, and certain types of construction shall have special inspections by registered special inspectors as specified in Section 1704 of the Seattle Building Code.

**119.2 Inspection requests.** It is the duty of the owner of the property or the owner's authorized agent, or the person designated by the owner/agent to do the work authorized by a permit, to notify the code official that work requiring inspection as specified in this section and Section 120 is ready for inspection.

It is the duty of the person requesting any inspections required by this code to provide access to and means for proper inspection of such work. It is the duty of the permit holder to cause the work to be accessible and exposed for inspection purposes until approved by the code official. Neither the code official nor the City shall be liable for expense entailed in the required removal or replacement of any material to allow inspection.

**119.3 Inspection record.** Work requiring a mechanical permit shall not be commenced until the permit holder or agent has posted an inspection record in a conspicuous place on the premises and in a position which allows the code official to conveniently make the required entries thereon regarding inspection of the work. This record shall be maintained in such a position by the permit holder until final approval has been granted by the code official.

**119.4 Approvals required.** No work shall be done on any part of the building or structure beyond the point indicated in each successive inspection without first obtaining the written approval of the code official. Such written approval shall be given only after an inspection has been made of each successive step in the construction as indicated by each of the inspections required in this section.

All mechanical systems for which a permit is required by this code shall be inspected by the code official. No portion of any mechanical system intended to be concealed shall be concealed until inspected and approved. Neither the code official nor the City shall be liable for expense entailed in the removal or replacement of material required to permit inspection. When the installation of a mechanical system is complete, an additional and final inspection shall be made.

Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this code or of other pertinent laws and ordinances of the City. Inspections presuming to give authority to violate or cancel the provisions of this code or of other pertinent laws and ordinances of the City shall not be valid.

**119.5 Operation of mechanical equipment.** The requirements of this section shall not be considered to prohibit the operation of any mechanical systems installed to replace existing equipment or fixtures serving an occupied portion of the building in the event a request for

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inspection of such equipment or fixture has been filed with the code official more than 48 hours after such replacement work is completed, and before any portion of such mechanical system is concealed by any permanent portion of the building.

**119.6 Testing of equipment and systems.** Refrigeration equipment regulated by this code shall be tested and approved as required by Chapter 11 of this code.

Fuel-gas piping shall be tested and approved as required by Chapter 13 of this code.

**119.7 Other inspections.** In addition to the called inspections required by this code, the code official may make or require any other inspections of any mechanical work to ascertain compliance with the provisions of this code and other laws and ordinances which are enforced by the code official.

Where work for which any permit or approval is required is commenced or performed prior to making formal application and receiving the code official's permission to proceed, the code official may make a special investigation inspection before a permit may be issued for such work. Where a special investigation is made, a special investigation fee may be assessed in accordance with the Fee Subtitle.

**119.8 Reinspections.** The code official may require a reinspection when work for which inspection is called is not complete, corrections called for are not made, the inspection record is not properly posted on the work site, the approved plans are not readily available to the inspector, for failure to provide access on the date for which inspection is requested, or when deviations from plans which require the approval of the code official have been made without proper approval.

For the purpose of determining compliance with Section 104.4, Maintenance, the code official or the Fire Chief may cause any structure to be reinspected.

The code official may assess a reinspection fee as set forth in the Fee Subtitle for any action listed above for which reinspection may be required. In instances where reinspection fees have been assessed, no additional inspection of the work shall be performed until the required fees have been paid.

## SECTION 120 CONNECTION APPROVAL

**120.1 Energy connections.** No person shall make connections from a source of energy fuel to a mechanical system or equipment regulated by this code and for which a permit is required until approved by the code official.

**120.2 Temporary connections.** The code official may authorize temporary connection of the mechanical equipment to the source of energy fuel for the purpose of testing the equipment, or for use under a temporary certificate of occupancy.

## SECTION 121 REFRIGERATION LICENSES

No one shall perform any of the services or activities related to refrigeration systems as regulated by Chapter 11 without a license as required by Chapter 6.82 of the Seattle Municipal

Code, or under the direct supervision of a person, firm, associates or corporation holding a required license.

## SECTION 122 OPERATING PERMITS FOR REFRIGERATION SYSTEMS

**122.1** An operating permit issued by the code official shall be required to operate any refrigeration system meeting any one of the following criteria:

1. Any system over 50 horsepower, or
2. Any system over 50 tons of refrigerant effect, or
3. Any system which contains over 150 pounds of refrigerant, or
4. Any system which includes a refrigerant containing a pressure vessel over six inches in diameter with a capacity of more than 5 cubic feet and a design working pressure under 250 psig., or
5. Any system which includes a refrigerant containing a pressure vessel over six inches in diameter having a capacity of one and one-half cubic feet and a design working pressure over 250 psig.

**122.2** The operating permit shall not be issued until the system has been inspected and approved by the code official as to its safe operation and compliance with the provisions of this code. The permit shall be valid for a period of one year, renewable annually. The permit shall be displayed in a conspicuous place adjacent to the refrigeration system.