

Chapter 1

ADMINISTRATION

Note: Chapter 1 is entirely Seattle amendments to the *International Building Code* and is not underlined.

SECTION 101 TITLE, PURPOSE AND SCOPE

101.1 Title. This subtitle shall be known as the “*Seattle Building Code*,” may be so cited, and is referred to herein as “this code.”

101.2 Scope. The provisions of this code apply to the construction, alteration, moving, demolition, repair and occupancy of any building or structure within the City, except public utility towers and poles, mechanical equipment not specifically regulated in this code and hydraulic flood control structures. See Chapter 32 for regulation of structures located on, over or under public property or a public right of way.

Exception: 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*.

101.3 Additions, alterations, repairs and change of occupancy. Additions, alterations, repairs and changes of occupancy or character of occupancy in all buildings and structures shall comply with the provisions for new buildings and structures, except as otherwise provided in Chapter 34 of this code.

Note: If a structure is constructed and maintained in compliance with standards and procedures of the *Seattle Residential Code* currently in effect, as well as the *Seattle Building, Mechanical, Fire, Electrical and Plumbing Codes* currently in effect, the *Seattle Housing and Building Maintenance Code*, SMC 22.200-22.208 does not apply.

101.4 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, quality of materials, occupancy, location and maintenance of all buildings and structures within the City and certain equipment specifically regulated herein. 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 benefitted by the terms of this code.

101.5 Internal consistency. Where in any specific case, different sections of this code specify different materials, methods of construction or other requirements, the most restrictive governs. Where there is a conflict between a general requirement and a specific requirement, the specific requirement is applicable.

101.6 Referenced codes. The codes and standards referenced in this code are considered part of this code to the extent pre-

scribed by each such reference. Where differences occur between provisions of this code and referenced codes and standards, the provisions of this code apply.

101.7 Appendices. Provisions in the appendices of the *International Building Code* do not apply unless specifically adopted.

[W]¹ **101.8 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 govern.

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

SECTION 102 UNSAFE BUILDINGS, STRUCTURES OR PREMISES

102.1 Definition. For the purpose of this section, “unsafe buildings, structures or premises” include all buildings or structures and all premises immediately surrounding such buildings or structures, whether erected before or after the effective date of this code, that are structurally unsound or unsafe or not provided with adequate egress, or that constitute a fire hazard, or are otherwise dangerous to human life, or that, in relation to existing occupancy constitute a hazard to safety, health or public welfare by reason of inadequate maintenance, deterioration, instability, dilapidation, obsolescence, damage by fire or other causes or abandonment as specified in this code or any other effective ordinance.

102.2 Emergency orders. Whenever the building official finds that any building or structure, or portion thereof is in such a dangerous and unsafe condition as to constitute an imminent hazard to life or limb, the building official may issue an emergency order directing that the building or structure, or portion thereof be restored to a safe condition by a date certain. The order shall be posted on the premises or personally served on the owner of the building or premises and/or any person responsible for the condition and shall specify the time for compliance. The order may also require that the building or structure, or portion thereof, be vacated within a reasonable time to be specified in the order. In the case of extreme danger, the order may specify immediate vacation of the building or structure, or may authorize immediate disconnection of the utilities or energy source. No person may occupy a building or structure, or portion thereof, after the date on which the building is required to be vacated until the building or structure, or portion thereof, is restored to a safe condition as required by the order and this code. It is a violation for any person to fail to

¹[W] preceding a section number indicates that the section incorporates a provision of the *Washington State Building Code*.

comply with an emergency order issued by the building official.

102.3 Hazard correction order. Whenever the building official finds that an unsafe building, structure or premises exists, the building official may issue a hazard correction order specifying the conditions causing the building, structure or premises to be unsafe and directing the owner or other person responsible for the unsafe building, structure or premises to correct the condition by a date certain. In lieu of correction, the owner may submit a report or analysis to the building official analyzing said conditions and establishing that the building, structure or premises is, in fact, safe. The building official may require that the report or analysis be prepared by a licensed engineer and may require compliance with Chapter 34. It is a violation for any person to fail to comply with a hazard correction order as specified in this subsection.

SECTION 103 VIOLATIONS AND PENALTIES

103.1 Violations. It is a violation of this code for any person to:

1. erect, construct, enlarge, repair, move, improve, remove, convert, demolish, equip, occupy, inspect or maintain any building or structure in the City contrary to or in violation of any of the provisions of this code;
2. knowingly aid, abet, counsel, encourage, hire, induce or otherwise procure another to violate or fail to comply with this code;
3. use any material or to install any device, appliance or equipment that does not comply with applicable standards of this code or that has not been approved by the building official;
4. violate or fail to comply with any final order issued by the building official pursuant to the provisions of this code or with any requirements of this code.
5. remove, mutilate, destroy or conceal any notice or order issued or posted by the building official pursuant to the provisions of this code, or any notice or order issued or posted by the building official in response to a natural disaster or other emergency.

103.2 Notice of violation. If, after investigation, the building official determines that standards or requirements of this code have been violated or that orders or requirements have not been complied with, the building official may serve a notice of violation upon the owner, agent 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, agent or other responsible person by personal service or regular first class mail addressed to the last known address of such person. If no address is available after reasonable inquiry, the notice may be posted in a conspicuous place on the premises. The notice may also be posted even if served by personal service or first class mail. The notice of violation shall be considered an order of the building official if no request for review before the building

official is made pursuant to Section 103.3. Nothing in this section limits or precludes any action or proceeding to enforce this chapter, and nothing obligates or requires the building official to issue a notice of violation prior to the imposition of civil or criminal penalties.

103.3 Review by the building official for notice of violation.

103.3.1 Any person affected by a notice of violation issued pursuant to Section 103.2 may obtain a review of the notice by making a request in writing within 10 days after service of the notice. When the last day of the period computed is a Saturday, Sunday, federal or City holiday, the period runs until 5:00 p.m. of the next business day.

The review shall occur not less than 10 nor more than 20 days after the request is received by the building official unless otherwise agreed by the person requesting the review.

Any person aggrieved by or interested in the notice of violation may submit additional information to the building official.

103.3.2 The review shall be made by a representative of the building official who will review any additional information that is submitted and the basis for issuance of the notice of violation. The reviewer may request clarification of the information received and a site visit.

After the review, the building official shall:

1. Sustain the notice; or
2. Withdraw the notice; or
3. Continue the review to a date certain; or
4. Amend the notice.

103.3.3 The building official shall issue an order containing the decision within 15 days of the date that the review is completed and shall cause the order to be mailed by regular first class mail to the persons requesting the review and the persons named on the notice of violation, addressed to their last known addresses.

103.4 Judicial review. Because civil actions to enforce Title 22 SMC are brought in Seattle Municipal Court pursuant to Section 103.5.2, orders of the building official issued under this chapter are not subject to judicial review pursuant to Chapter 36.70C *Revised Code of Washington* (RCW).

103.5 Civil penalties.

103.5.1 Any person violating or 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 building 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.

103.5.2 Civil actions to enforce this chapter shall be brought exclusively in Seattle Municipal Court, except as otherwise required by law or court rule. In any civil action for a penalty, the City has the burden of proving by a preponderance of the evidence that a violation exists or existed; the issu-

ance of a notice of violation or of an order following a review by the building official is not itself evidence that a violation exists.

103.6 Alternative criminal penalty. Anyone who violates or fails to comply with any order issued by the building official pursuant to this code or who removes, mutilates, destroys or conceals a notice issued or posted by the building official shall, upon conviction thereof, be punished by a fine of not more than \$5000 or by imprisonment for not more than 365 days, or by both such fine and imprisonment. Each day's violation or failure to comply shall constitute a separate offense.

103.7 Additional relief. The building official may seek legal or equitable relief to enjoin any acts or practices and abate any condition when necessary to achieve compliance.

103.8 Recording of notices.

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

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

SECTION 104 ORGANIZATION AND ENFORCEMENT

104.1 Jurisdiction of Department of Planning and Development. The Department of Planning and Development is authorized to administer and enforce this code. The Department is under the administrative and operational control of the Director, who is the building official.

104.2 Deputies. The building official may appoint such officers, inspectors, assistants and other employees as shall be authorized from time to time. The building official may authorize such employees as may be necessary to carry out the functions of the building official.

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

104.4 Stop work orders. The building official may issue a stop work order 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 stop work order shall identify the violation and may prohibit work or other activity on the site.

104.4.1 Service of stop work order. The building official may serve the stop work order by posting it in a conspicuous place at the site, if posting is physically possible. If posting is not physically possible, then the stop work order may be served in the manner set forth in RCW 4.28.080 for service of a summons or by sending it by first class mail to the last known address of: the property owner, the person doing or causing the work to be done, and the holder of a permit if work is being stopped on a permit. For purposes of this section, service is complete at the time of posting or of personal

service, or if mailed, 3 days after the date of mailing. When the last day of the period so computed is a Saturday, Sunday or city holiday, the period runs until 5:00 p.m. on the next business day.

104.4.2 Effective date of stop work order. Stop work orders are effective when posted, or if posting is not physically possible, when one of the persons identified in Section 104.4.1 is served.

104.4.3 Review by the building official for stop work orders.

104.4.3.1 Any person aggrieved by a stop work order may obtain a review of the order by delivering to the building official a request in writing within 2 business days of the date of service of the stop work order.

The review shall occur within 2 business days after receipt by the building official of the request for review unless the requestor agrees to a longer time.

Any person aggrieved by or interested in the stop work order may submit additional information to the building official for consideration as part of the review at any time prior to the review.

104.4.3.2 The review will be made by a representative of the building official who will review all additional information received and may also request a site visit. After the review, the building official may:

1. Sustain the stop work order;
2. Withdraw the stop work order;
3. Modify the stop work order; or
4. Continue the review to a date certain for receipt of additional information.

104.4.3.3 The building official shall issue an order of the building official containing the decision within 2 business days after the review and shall cause the order to be sent by first class mail to the person or persons requesting the review, any person on whom the stop work order was served and any other person who requested a copy before issuance of the order. The City and all parties shall be bound by the order.

104.5 Occupancy violations.

104.5.1 Whenever any building or structure is being occupied contrary to the provisions of this code, the building official may order such occupancy discontinued and the building or structure, or portion thereof, vacated by notice. The notice shall be served by personal service or regular first class mail addressed to the last known address of the occupant of the premises or any person causing such occupancy. If no address is available after reasonable inquiry, the notice may be served by posting it in a conspicuous place on the premises.

104.5.2 Any person occupying the building or structure shall discontinue the occupancy by the date specified in the notice of the building official, or shall make the building or structure, or portion thereof, comply with the requirements of this code; provided, however, that in the event of an unsafe building, Section 102 may apply.

104.6 Liability.

104.6.1 Nothing 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 a building to conform to the provisions of this code, or by reason or as a 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.

104.6.2 This code shall not be construed to relieve 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 to have assumed any such liability by reason of the inspections authorized by this code or any permits or certificates issued under this code.

104.7 Duties of the fire chief. The duties of the fire chief are as defined in the Fire Code.

104.8 Responsibilities of parties.

104.8.1 Responsibility for compliance. 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; and other persons responsible for the condition or work, and not of the City or any of its officers or employees.

104.8.2 Responsibilities of registered design professional in responsible charge. It is the responsibility of the registered design professional in responsible charge to ensure that the information on the contract documents submitted for a building permit is complete and, to the best of the design professional’s knowledge, conforms to the requirements of this code.

104.8.3 Responsibilities of structural engineer in responsible charge. It is the responsibility of the structural engineer in responsible charge to:

1. Design the primary structure;
 - Exception:** A licensed engineer other than the structural engineer in responsible charge may design the primary structure of single-story metal buildings.
2. Specify design loads, configurations, controlling dimensions, deflection limits and/or other criteria necessary for the design of secondary structural components and subsystems and the selection of structurally qualified products;
3. Determine the adequacy and conformance of the application of the structurally qualified products with the design intent of the City-approved contract documents;
4. Review for compatibility with the City-approved contract documents the shop drawings for the primary structural parts and the design and shop drawings for

secondary structural parts for the following structural elements:

Wood trusses	Glue-lam beams
Steel joists	Structural steel
Steel decking	Prefabricated stair systems
Precast concrete piles	Post-tensioned floor systems
Curtain wall systems	Precast prestress planks
Major skylight frames	Precast concrete/masonry wall panels

The building official may approve additions to or deletions from this list. If there is no structural engineer in responsible charge on the project, the architect in responsible charge shall assume these responsibilities.

For the purpose of this section, primary structure and secondary structural part are defined as follows:

1. Primary structure consists of the foundation(s), structural floor(s), roof and walls, bracing members, columns, all other structural components and all connections within and between these elements, which, acting together, provide a complete stable structural framework.
2. Secondary structural part (component or subsystem) is a structurally significant portion of the building that is supported by the primary structure, but which does not contribute to the strength or stability of the primary structure. Such a part must have internal structural integrity to perform its function and must have its interactions with and its attachments to the primary structure analyzed and designed to assure its proper integration within the total structure.

104.8.4 Responsibilities of contractor. It is the responsibility of the contractor to perform all the work in conformance with the City-approved contract documents.

104.8.5 Responsibilities of plans examiner. It is the responsibility of the plans examiner to verify that the description of the work in an application for permit and permit plans is substantially complete, and to require corrections where, to the best of the plans examiner’s knowledge, the plans do not conform to this code or other pertinent laws and ordinances.

104.8.6 Responsibilities of field inspector. It is the responsibility of the field inspector to make called inspections to verify that the work in progress conforms with the approved plans and to require corrections where, to the best of the field inspector’s knowledge, the work either does not conform to the plans or where the work is in violation of this code or other pertinent laws and ordinances.

104.9 Modifications. The building official may modify the requirements of this code for individual cases provided the building 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 rele-

vant circumstances. The building official may, but is not required to, record the approval of modifications and any relevant information in the files of the building official or on the approved permit plans.

104.10 Alternate materials, methods of construction and design. 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 building official. The building official may approve an alternate, provided the building official 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. Certain code alternates have been pre-approved by the building official and are identified in this code as numbered code alternates. The building official may require that sufficient evidence or proof be submitted to reasonably substantiate any claims regarding the use or suitability of the alternate. The building official may, but is not required to, record the approval of modifications and any relevant information in the files of the building official or on the approved permit plans.

104.11 Tests. Whenever there is insufficient evidence of compliance with any of the provisions of this code or evidence that any material or construction does not conform to the requirements of this code, the building official may require tests as proof of compliance to be made at no expense to the City. Test methods shall be specified by this code or by other recognized test standards. If there are no recognized and accepted test methods for the proposed alternate, the building official shall determine the test procedures. All tests shall be made by an approved agency. Reports of such tests shall be retained by the building official.

104.12 Rules of the building official.

104.12.1 Authority of building official. The building official has authority to issue 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.

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

104.13 Appeals. Except for stop work orders, notices of violations and revocations of permits, appeals from decisions or actions pertaining to the administration and enforcement of this code may be addressed in writing to the building official. An appellant may request a review by three or more members of the Construction Codes Advisory Board, chosen by the Chair. The issue of the appeal shall be taken into account by the Chair when selecting members to hear an appeal. The decision of the review panel on the appeal is advisory only. The final decision on any appealable matter is made by the building official.

SECTION 105 CONSTRUCTION CODES ADVISORY BOARD

105.1 Establishment. There is a “Construction Codes Advisory Board” (“Board”) consisting of 13 voting members, appointed by the Mayor and subject to confirmation by the City Council. The Board membership consists of one representative of each of the following professions or organizations. The representative of a profession need not be a member of the profession but may be a representative of an organization of such professionals.

- 1 architect;
- 1 structural engineer;
- 1 electrical engineer;
- 1 heating, refrigeration and air-conditioning engineer;
- 1 general contractor;
- 1 electrical contractor;
- 1 commercial building owner or operator;
- 1 apartment building owner or operator;
- 1 developer and/or contractor of residential projects;
- 1 member of organized labor; and
- 3 members of the general public.

A representative of each of the following departments shall be ex officio, nonvoting members of the Board:

- Seattle Fire Department;
- Seattle City Light; and
- Seattle-King County Department of Public Health.

105.2 Duties of Board.

105.2.1 General. The Board shall act in an advisory capacity for all of its duties. The Board shall meet on call either by the building official or the Board Chair, subject to timely notice.

105.2.2 Code adoption and amendment. The Board may examine proposed new editions and amendments to the following codes and regulations:

Seattle Building Code - Chapter 22.100 SMC*

Seattle Residential Code – Chapter 22.150 SMC

Seattle Mechanical Code - Chapter 22.400 SMC

Seattle Fuel Gas Code - Chapter 22.420 SMC

Seattle Boiler Code - Chapter 22.450 SMC

Washington State Energy Code with Seattle Amendments - Chapter 22.700 SMC

Seattle Electrical Code - Chapter 22.300 SMC

Building Code-related provisions of the *Housing and Building Maintenance Code* - Chapter 22.206.

* SMC is the *Seattle Municipal Code*.

The Board may make recommendations to the building official and to the City Council for adoption and amendment of these codes.

105.2.3 Review of director’s rules. The Board may examine proposed administrative rules relating to the codes and regulations listed above and make recommendations to the building official.

105.2.4 Appeals. The Board shall serve as an advisory hearing body for appeals sought under Section 104.13 of the *Seattle Building Code*, Section R104.12 of the *Seattle Residential Code*, Section 110 of the *Seattle Mechanical Code*, Section 110 of the *Seattle Fuel Gas Code*, and Section 80.17 of the *Seattle Electrical Code*.

105.3 Organization. The Board shall organize, and elect a chair and any other officers as may be established by the Board. The Board may adopt rules of procedure. There shall be a committee of the Board for each code assigned to its review. Committees shall consist of Board members and may include additional members such as other representatives of the general public and professions not specifically represented on the Board. Any nonBoard members of committees shall be appointed by the Chair. The Chair may, from time to time, appoint special topic subcommittees.

105.4 Terms of service. Terms of Board members are three years, dating from the day of expiration of the preceding term; provided, a member whose term has expired shall continue to serve until a successor is appointed and confirmed. Terms on the Board shall be staggered so that the terms of not more than 5 positions expire concurrently. Vacancies shall be filled for any unexpired term in the same manner as the original appointment.

105.5 Removal of Board member. A member may be removed by the Mayor, subject to a vote of a majority of members of the City Council.

105.6 Compensation of Board members. No member shall receive any compensation for service on the Board.

**SECTION 106
BUILDING PERMITS**

106.1 Permits required. Except as otherwise specifically provided in this code, a building permit shall be obtained from the building official for each building or structure prior to erecting, constructing, enlarging, altering, repairing, moving, improving, removing, changing the occupancy of or demolishing such building or structure, or allowing the same to be done. All work shall comply with this code, even where no permit is required.

106.2 Work exempt from permit. A building permit is not required for the work listed below. Exemption from the permit requirements of this code does not authorize 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.

1. Minor repairs or alterations that, as determined by the building official, cost the owner \$4,000 or less in any 6-month period. Such repairs and alterations shall not include the removal, reduction, alteration or relocation of any loadbearing support. Egress, light, ventilation and fire-resistance shall not be reduced without a permit.

2. Minor work including the following, provided no changes are made to the building envelope: patio and concrete slabs on grade; painting or cleaning a building; repointing a chimney; installing kitchen cabinets, paneling or other surface finishes over existing wall and ceiling systems applied in accordance with Chapter 8; insulating existing buildings; abatement of hazardous materials; demolition of nonstructural interior tenant improvements in retail and office uses; and in-kind or similar replacement of or repair of deteriorated members of a structure.
3. One-story detached accessory buildings used for greenhouse, tool or storage shed, playhouse or similar uses, if:
 - 3.1. The projected roof area does not exceed 120 square feet (11 m²); and
 - 3.2. The building is not placed on a concrete foundation other than a slab on grade.
4. Fences not over 8 feet high that do not have masonry or concrete elements above 6 feet.
5. Arbors and other open-framed landscape structures not exceeding 120 square feet (11 m²) in projected area.
6. Cases, counters and partitions not over 5 feet 9 inches high (1753 mm).
7. Retaining walls and rockeries which are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, if:
 - 7.1. There is no surcharge or impoundment of Class I, II or IIIA liquids.
 - 7.2. Construction does not support soils in a steep slope area, potential landslide area or known slide area as identified in the Seattle Environmentally Critical Areas Ordinance, Section 25.09.020 of the *Seattle Municipal Code*.
 - 7.3. Possible failure would likely cause no damage to adjoining property or structures.
8. Platforms, walks and driveways not more than 18 inches (457 mm) above grade and not over any basement or story below.
9. Temporary motion picture, television and theater stage sets and scenery.
10. Window awnings supported by an exterior wall of Group R-3 and Group U occupancies when projecting not more than 54 inches (1372 mm).
11. Prefabricated swimming pools, spas and similar equipment accessory to a Group R-3 occupancy in which the pool walls are entirely above the adjacent grade and if the capacity does not exceed 5,000 gallons (18 927 L).
12. Replacement of roofing materials and siding. This shall not include structural changes, replacement of sheathing or alterations to doors and windows. See Energy Code Sections 101.3.2.5 and 1132.1 for insulation requirements for existing buildings.

Exception: In detached one- and two- family dwellings, the existing roof sheathing may be replaced and roof structure may be repaired without permit provided no changes are made to the building envelope other than adding or replacing insulation, and the work is equivalent to or better than the existing structure.

13. School, park or private playground equipment including tree houses.
14. Removal and/or replacement of underground storage tanks that are subject to regulation by a state or federal agency.

Note: A Fire Department permit is required for removal, replacement and decommissioning of underground storage tanks.

15. Installation of dish and panel antennas 6.56 feet (2 m) or less in diameter or diagonal measurement.

106.3 Other permits required. Unless otherwise exempted by this or other pertinent codes, separate master use, plumbing, electrical and mechanical permits may be required for the above exempted items.

106.4 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. 296948, 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.

106.5 Application for permit.

106.5.1 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 business name, address, phone number and current contractor registration number (required if contractor has been selected).
4. Be accompanied by plans, and other data as required in Section 106.5.2.
5. State the valuation of any new building or structure or any addition, remodeling or alteration to an existing building including cost breakdown between additions and alterations.
6. Be signed by the owner of the property or building, or the owner’s 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 building official, including, but not limited to, master use and shoreline permits and building identification plans.
8. Indicate the name of the owner and contractor and the name, address and phone number of a contact person.
9. Substantially conform with the *Land Use Code*, critical areas regulations and building code regulations in effect on the date the application is submitted.

106.5.2 Plans and specifications.

106.5.2.1 General. Plans, calculations, diagrams and other data shall be submitted in two or more sets with each application for a permit. Computations, stress diagrams, shop and fabrication drawings and other data sufficient to show the adequacy of the plans shall be submitted when required by the building official.

Exception: The building official may waive the submission of plans, calculations, diagrams and other data, if the building official finds that the nature of the work applied for is such that reviewing of plans is not necessary to obtain compliance with this code.

106.5.2.2 Preparation by registered design professionals. Plans, computations and specifications for all work shall be prepared and designed by or under the direct supervision of an architect or structural engineer licensed to practice under the laws of the State of Washington. Each sheet of plans shall bear the seal and the signature of the registered design professional.

Exceptions:

1. Plans and specifications for work not involving structural design are permitted to be prepared by a registered professional engineer or registered architect qualified in the proposed work.
2. When authorized by the building official, plans and specifications need not be prepared by an engineer or architect licensed by the State of Washington for the following:
 1. Detached one- and two-family dwellings.
 2. New buildings or structures, and additions, alterations or repairs made to them of conventional light frame construction, having a total valuation of less than \$30,000.
 3. Nonstructural alterations and repairs having a total valuation of less than \$30,000, excluding the value of electrical and mechanical systems, fixtures, equipment, interior finish and millwork.
 4. The building official may accept the design of a registered professional engineer for assembly line products or designed specialty structural products.
 5. Other work as specified in rules promulgated by the building official.

106.5.2.3 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 are limited to a minimum size of 18 inches by 18 inches (457 mm by 457 mm) and a maximum size of 41 inches by 54 inches (1041 mm by 1372 mm).

Exception: The plans for metal plate connected wood trusses may be not less than 8½ inches by 11 inches (216 mm by 279 mm) for single family structures and no less than 11 inches by 17 inches (279 mm by 432 mm) for all other structures.

106.5.2.4 Information required on plans. Plans shall include the following, as applicable:

1. A plot plan showing the width of streets, alleys, yards and courts.
2. The location (and/or location within a building), floor area, story, height, type of construction and occupancy classification as defined by the *Building Code* and use as defined by the *Land Use Code* of the proposed building and of every existing building on the property.
3. Where there are more than two buildings located on a property, a building identification plan identifying the location of each building on the property and identifying each building by a numbering system unrelated to address. Such plan is not required where a plan for the site is already on file and no new buildings are being added to the site.
4. Types of heating and air conditioning systems.
5. Architectural plans, including floor plans, elevations and door and finish schedules showing location of all doors, windows, mechanical equipment, shafts, pipes, vents and ducts.
6. Structural plans, including foundation plan and framing plans.
7. Cross-sections and construction details for both architectural and structural plans including wall sections, foundation, floor and roof details, connections of structural members and types of construction material.
8. Topographic plans, including original and final contours, location of all buildings and structures on the site and, when required by the building official, adjacent to the site, and cubic yards of cut and fill.
9. If the building official has reason to believe that there may be an intrusion into required open areas or over the property line, a survey of the property prepared by a land surveyor licensed by the State of Washington is required for new construction, and for additions or accessory buildings.
10. If any building or structure is to be erected or constructed on property abutting an unimproved or partially improved street or alley, the plans shall

also include a profile showing the established or proposed grade of the street or alley, based upon information obtained from the Director of Transportation relating to the proposed finished elevations of the property and improvements thereon.

106.5.2.5 Information on first sheet. The first or general note sheet of each set of plans shall specify the following, as applicable:

1. The building and street address of the work.
2. The name and address of the owner and person who prepared the plans.
3. Legal description of the property.
4. Type of occupancy of all parts of the building(s) as defined in this code, including notation of fixed fire protection devices or systems.
5. Zoning classification of the property and existing and proposed uses of the structure(s) as defined in the *Land Use Code*.
6. Indication of location within the fire district as defined in this code, if applicable.
7. Type of construction as defined in this code.
8. Number of stories and basements as defined in this code.
9. Variances, conditional uses, special exceptions, including project numbers, approval and approval extension dates.
10. Where applicable, a description of the design selected and approved at a Section 403 highrise building predesign conference, a Section 404 atrium predesign conference, a Section 414.1.4 hazardous occupancy predesign conference, a Section 1613.1.1 seismic design predesign conference or a similar conference on a building subject to *Seattle Fire Code* Chapter 93.

106.5.2.6 Structural notes. Plans submitted for buildings with an occupant load of 50 or more, buildings of more than two stories, buildings of more than 4,500 square feet (418 m²) total floor area or buildings or other structures that are determined by the building official to embody hazards or complex structural concepts shall include applicable information including, but not limited to, the following:

1. Design loads: Snow load, live loads and lateral loads. If required by the building official, the structural notes for plans engineered to Chapter 9 of ASCE 7 shall include the factors of the base shear formula used in the design;
2. Foundations: Foundation investigations, allowable bearing pressure for spread footings, allowable load capacity of piles, lateral earth pressure;
3. Masonry: Type and strength of units, strength or proportions of mortar and grout, type and strength of reinforcement, method of testing, design strength;

4. Wood: Species or species groups, and grades of sawn lumber, glued-laminated lumber, plywood and assemblies, type of fasteners;
5. Concrete: Design strengths, mix designs, type and strength of reinforcing steel, welding of reinforcing steel, restrictions, if any;
6. Steel and aluminum: Specification types, grades and strengths, welding electrode types and strengths;
7. Assignment of responsibilities for inspection and testing during construction, and the degree of inspection and testing;

In lieu of detailed structural notes the building official may approve minor references on the plans to a specific section or part of this code or other ordinances or laws.

106.5.2.7 Fire-resistive notes. The building official may require that plans for buildings more than two stories in height of other than Groups R-3 and 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.

The building official may require that, when required for fire-resistive construction, the method of installation of wall and ceiling coverings and the protection of structural parts be specified on the plans unless the listing that documents the rating specifies a method no more restrictive than the minimum standards of Chapter 7.

106.5.3 Construction inspection notes. The design professional in responsible charge shall include in the final permit documents the following:

1. Special inspections required by Chapter 17.
2. Other structural inspections required by the design professional in responsible charge.

106.6 Permit review and issuance.

106.6.1 General. The application, plans, specifications and other data filed by an applicant for permit shall be reviewed by the building official. Such plans may be reviewed by other departments of the City to check compliance with the laws and ordinances under their jurisdiction.

106.6.2 Determination of completeness. Within 28 days after an application is filed, the building official shall notify the applicant in writing either that the application is complete or that it is not complete, and if not complete, what additional information is required to make it complete. Within 14 days after receiving the additional information, the building official shall notify the applicant in writing whether the application is now complete or what additional information is necessary. An application shall be deemed to be complete if the building official does not notify the applicant in writing by the deadlines in this section that the application is incomplete.

106.6.3 Decision and issuance of permit. Except as provided in Section 106.6.7, the building official shall approve, condition or deny the application within 120 days as that

time period is calculated pursuant to RCW 36.70B.090. If the building official finds that the work as described in an application for a permit and the plans, specifications and other data filed therewith 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 building official shall issue a permit to the applicant, who then becomes the permit holder or authorized agent.

Exception:

1. The building 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, if the proposed project complies with the State Environmental Policy Act as adopted by the City (Chapter 25.05 *Seattle Municipal Code*) as amended and the *Land Use Code*, as amended; and if 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 the permit holder's risk without assurance that a permit for the entire building or structure will be granted.
2. After approval of a Master Use Permit as required by the *Land Use Code*, a permit for excavation may be issued.

106.6.4 Permit conditions and denial. The building official may condition a permit if the building official determines that risks associated with development, construction, ownership and occupation in areas of the city, including, but not limited to potential slide areas, can be reduced to an acceptable level. The building official may deny such permit if the building official determines that the risks cannot be reduced to an acceptable level.

106.6.5 Compliance with approved plans and permit. When the building official issues a permit, the building 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 building official, and all work shall be done in accordance with the approved plans and permit except as the building official may require during field inspection to correct errors or omissions.

106.6.6 Amendments to the permit. When modifications, substitutions or changes to the approved work are made during construction, approval of the building official shall be obtained prior to execution. The building inspector may approve minor modifications, substitutions and changes to the plans for work not reducing the structural strength or fire and life safety of the structure. The building inspector shall determine if it is necessary to revise the approved plans. No substitutions, modifications or changes that are subject to special inspection required by Section 1704 shall be made during construction unless approved by the building official. Substitutions, changes and clarifications shall be shown on two sets of plans that shall be submitted to and approved by the building official, accompanied by fees specified in the Fee Subtitle prior to occupancy. All substi-

tutions and changes shall conform to the requirements of this code and other pertinent laws and ordinances and other issued permits.

106.6.7 Cancellation of permit applications. Applications may be cancelled if no permit is issued by the earlier of the following: 1) 12 months following the date of application; or 2) 60 days from the date of written notice that the permit is ready to issue. After cancellation, plans and other data submitted for review may be returned to the applicant or destroyed by the building official.

The building official will notify the applicant in writing at least 30 days before the application is cancelled. The notice shall specify a date by which a request for extension must be submitted in order to avoid cancellation. The date shall be at least 2 weeks prior to the date on which the application will be cancelled.

106.6.8 Extensions prior to permit issuance. At the discretion of the building official, applications for projects that require more than 12 months to review and approve may be extended for a period that provides reasonable time to complete the review and approval, but in no case longer than 24 months from the date of the original application. No application may be extended more than once. After cancellation, the applicant shall submit a new application and pay a new fee to restart the permit process.

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.

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

106.8 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.

The issuance of a permit based upon plans shall not prevent the building official from requiring the correction of errors in the 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 building permit shall not prevent the building official from requiring correction of conditions found to be in violation of this code or other pertinent laws and ordinances 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 building official or other administrative authority requiring the correction of any such conditions.

106.9 Expiration of permits. Authority to do the work authorized by a permit or a renewed permit expires 18 months from the date of issuance.

Exceptions:

1. Initial permits for major construction projects that require more than 18 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 3 years.
2. Permits which expire in less than 18 months may be issued where the building official determines a shorter period is appropriate to complete the work.

106.10 Renewal of permits. Permits may be renewed and renewed permits may be further renewed by the building official if the following conditions are met:

1. Application for renewal is made within the 30-day period immediately preceding the date of expiration of the permit; and
2. If the project has had an associated discretionary Land Use review, the land use approval has not expired per *Seattle Municipal Code* 23.76.032; and
3. If an application for renewal is made either more than 18 months after the date of mandatory compliance with a new or revised edition of the *Building Code* or after the effective date of an amendment to applicable provisions of the *Land Use Code* or the Environmentally Critical Areas Ordinance (Chapter 25.09 of the *Seattle Municipal Code*), the permit shall not be renewed unless:
 - 3.1. The building 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
 - 3.2. The work authorized by the permit is substantially underway and progressing at a rate approved by the building official. “Substantially underway” means that work such as excavation, inspections, and installation of framing, electrical, mechanical and finish work is being completed on a continuing basis.

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.

106.11 Reestablishment. A new permit is required to complete work if a permit has expired and was not renewed.

Exception: A permit that expired less than 1 year prior to the date of a request for reestablishment may be reestablished upon approval of the building official if it complies with Section 106.10.2, Items 2 and 3 above.

106.12 Revocation of building permits.

106.12.1 Standards for revocation. A permit may be revoked if:

1. The code or the building permit has been or is being violated and issuance of a notice of violation or stop work order has been or would be ineffective to secure compliance because of circumstances related to the violation;
2. The permit was obtained with false or misleading information.

106.12.2 Notice of revocation. Whenever the building official determines there are grounds for revoking a permit, the building official may issue a notice of revocation.

The notice of revocation shall identify the reason for the proposed revocation, including the violations, the conditions violated and any alleged false or misleading information provided.

The notice of revocation shall be served on the owner of the property on which the work is occurring, the holder of a permit if different than the owner, and the person doing or causing the work to be done.

The notice of revocation shall be served in the manner set forth in RCW 4.28.080 for service of a summons or sent by first class mail. For purposes of this section, service is complete at the time of personal service, or if mailed, 3 days after the date of mailing. When the last day of the period so computed is a Saturday, Sunday or City holiday, the period runs until five p.m. on the next business day.

The building official shall identify in the notice of revocation a date certain on which the revocation will take effect unless review before the building official is requested and pursued pursuant to Section 106.12.3.

106.12.3 Review by the building official for notice of revocation.

106.12.3.1 Any person aggrieved by a notice of revocation may obtain a review by making a request in writing to the building official within 3 business days of the date of service of the notice of revocation.

The review shall occur within 5 business days after receipt by the building official of the request for review.

Any person aggrieved by or interested in the notice of revocation may submit additional information to the building official for consideration as part of the review at any time prior to the review.

106.12.3.2 The review will be made by a representative of the building official who will review all additional information received and may also request a site visit. After the review, the building official may:

1. Sustain the notice of revocation and set or modify the date the revocation will take effect;
2. Withdraw the notice of revocation;
3. Modify the notice of revocation and set or modify the date the revocation will take effect; or

4. Continue the review to a date certain for receipt of additional information.

106.12.3.3 The building official shall issue an order of the building official containing the decision within 10 days after the review and shall cause the same to be sent by first class mail to the person or persons requesting the review, any other person on whom the notice of revocation was served, and any other person who requested a copy before issuance of the order of the building official. The order of the building official is the final order of the City and the City and all parties shall be bound by the order.

106.13 Permits and certificates of occupancy for temporary structures.

106.13.1 Tents and similar facilities. The building official may issue a nonrenewable permit and certificate of occupancy to erect and maintain for a period not to exceed 6 months, a tent or other temporary structure to be used for religious services, conventions, circuses, carnivals, fairs, special sales or similar uses.

Exception: Authority to issue permits is vested with the Fire Department for temporary tents and canopies meeting all of the following conditions:

1. The permit is for less than 4 weeks;
2. The temporary structure will be located 200 feet or more from shorelines;
3. No stage, platform, bleacher or similar structure greater than 4 feet in height will be installed inside any temporary structure;
4. No temporary structure will be attached to a building or other permanent structure for support;
5. The temporary permit does not propose foul-weather use, or a structure of unusual shape, unusual location or large area or height.

Such structures shall be removed before the expiration of the 6-month period specified on the certificate of occupancy. Removal shall be guaranteed by a cash deposit with the building official or by a surety bond, the amount of which, in either case, shall be fixed by the building official.

Note: The Land Use and Fire codes may impose additional restrictions on tents and temporary structures.

The construction of the structure shall be subject to such reasonable safeguards for persons and property as the building official shall prescribe. The nature and extent of fire-extinguishing equipment and decorations shall be subject to the requirements of the fire chief, and the sanitary facilities shall meet the requirements of the Director of Public Health.

The cash deposit or bond shall also be conditioned so that, if the occupant or owner fails to conform to any of the requirements of the City related to the erection, maintenance or removal of the tent or other structure, officers of the City may enter the premises and take steps necessary to make the structure conform to the requirements. The City shall be permitted to recover the cost thereof from the cash deposit or bond.

106.13.2 Temporary structures. Temporary structures such as reviewing stands and other structures conforming to the requirements of this code, and sheds, canopies or fences used for the protection of the public around and in conjunction with construction work may be erected by special permit from the building official for a limited period of time. The building or structure shall be subject to the bonding, removal and safety provisions of Section 106.13.1. Temporary buildings or structures in the right-of-way are regulated by the Director of Transportation.

106.13.3 Temporary office trailers. The building official may issue a building/use permit and certificate of occupancy for 18 months for the installation of a commercial coach or modular home as a temporary office or other use as may be determined by the building official, subject to the following:

1. The commercial coach shall be identified by a State of Washington black sticker located by the door. The structure may be placed on a temporary foundation and shall be anchored to resist wind and seismic lateral forces.
2. The modular home shall be identified by a State of Washington gold sticker located by the door. Modular homes shall be permitted only if no heavy storage is anticipated for the temporary office use. The structure may be placed on a temporary foundation and shall be anchored to resist wind and seismic lateral forces.
3. A plot plan shall be submitted to verify compliance with the *Land Use Code* and to check exposure to other buildings.
4. The proposed use must be permitted outright under the *Land Use Code* and comply with all other pertinent laws and ordinances.
5. Construction offices are regulated by Section 106.13.4.

A subsequent permit and certificate of occupancy for another 18 months may be issued at the end of each 18-month period if the building official determines that the commercial coach or modular home complies with this section.

106.13.4 Construction buildings. The building official may issue a permit to erect and maintain construction offices, dry shacks and similar temporary buildings, including material and equipment storage, all for the purpose of constructing an improvement.

Exception: A temporary permit is not required for construction offices and similar temporary buildings located on the same premises for which a construction permit has been issued.

Such structures shall be removed within 14 days after the termination of the permit. Removal shall be guaranteed by a cash deposit with the building official or by a surety bond, the amount of which, in either case, shall be fixed by the building official.

The construction of the structure shall be subject to reasonable safeguards for persons and property as the building official shall prescribe; the nature and extent of fire-extinguishing equipment shall be subject to the requirements of the fire chief, and the sanitary facilities shall meet the requirements of the Director of Public Health.

The cash deposit or bond shall be conditioned so that, if the occupant or owner fails to conform to any of the requirements of the City related to the erection, maintenance or removal of the tent or other structure, officers of the City may enter the premises and take steps necessary to make the structure conform to the requirements. The City shall be permitted to recover the cost thereof from the cash deposit or bond.

SECTION 107 FEES

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

SECTION 108 INSPECTIONS

108.1 General. All construction or work for which a permit is required is subject to inspection by the building official, and certain types of construction shall have special inspections by registered special inspectors as specified in Chapter 17.

108.2 Surveys. A survey of the lot may be required by the building official to verify compliance of the structure with approved plans.

108.3 Preconstruction conferences. When required by the building official, the owner or the owner's agent shall arrange a conference with the project contractor, the design team, the special inspection agency if special inspection is required, and the building official prior to commencing work on any portion of construction. The intent of the conference is to identify and clarify unusual inspection requirements of the project. See Section 1703.8 for preconstruction conferences for projects requiring special inspection.

108.4 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 building official that work requiring inspection as specified in this section and Chapter 17 is ready for inspection.

108.5 Access for inspection. It is the duty of the permit holder and of the person requesting any inspections required by this code to provide access to and means for proper inspection of such work, including safety equipment required by Washington Industrial Safety and Health Agency. The work shall remain accessible and exposed for inspection purposes until approved by the building official. Neither the building official nor the City shall be liable for expense entailed in the required removal or replacement of any material to allow inspection.

108.6 Inspection record. Work requiring a permit shall not be commenced until the permit holder or the permit holder's agent

has posted an inspection record in a conspicuous place on the premises and in a position which allows the building official to conveniently make the required entries 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 building official.

108.7 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 building 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 Section 108.9. There shall be a final inspection and approval of all buildings when completed and ready for occupancy.

Approval as a result of an inspection is not an approval of any 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 are not valid.

108.8 Concealment of work. No required reinforcing steel or structural framework of any part of any building or structure shall be covered or concealed in any manner whatsoever without first obtaining the approval of the building official.

Exception: Modular homes and commercial coaches identified by State of Washington stickers as specified in Section 106.13.3 and placed upon a permanent foundation approved and inspected by the building official.

108.9 Required inspections. The building official, upon notification by the permit holder or the permit holder's agent, of the property address and permit number, shall make the following inspections and shall either approve that portion of the construction as completed or shall notify the permit holder or the permit holder's agent if the construction fails to comply with the law.

108.9.1 Site inspection. To be made at the time land-disturbing activity begins, following installation of erosion control measures and any required fencing that may restrict land disturbance in steep slope or other buffers

Note: The purpose of the site inspection is to verify the erosion control method, location and proper installation. Approved drainage plan requirements and site plan conditions will also be verified, including buffer delineations.

108.9.2 Foundation inspection. To be made after trenches are excavated and forms erected and when all materials for the foundation are delivered on the job. Where concrete from a central mixing plant (commonly termed "ready mix") is to be used, materials need not be on the job.

108.9.3 Concrete slab or under-floor inspection. To be made after all in-slab or under-floor building service equipment, conduit, piping accessories and other ancillary equipment items are in place but before any concrete is poured or floor sheathing installed, including the subfloor.

108.9.4 Frame inspection. To be made after the roof, all framing, fire-blocking and bracing are in place and all pipes,

chimneys and vents are complete and the rough electrical, plumbing and heating wires, pipes and ducts are approved.

108.9.5 Insulation inspection. To be made after all insulation and vapor barriers are in place but before any gypsum board or plaster is applied.

108.9.6 Lath and/or gypsum board inspection. For shear walls, to be made after lathing and/or gypsum board, interior and exterior, is in place, but before any plastering is applied or before gypsum board joints and fasteners are taped and finished.

108.9.7 Final inspection. To be made after finish grading and the building is completed and before occupancy.

108.10 Special inspections. For special inspections, see Chapter 17.

108.11 Other inspections. In addition to the called inspections specified above, the building official may make or require any other inspections of any construction work to ascertain compliance with the provisions of this code and other pertinent laws and ordinances which are enforced by the building official.

108.12 Special investigation. If work for which any permit or approval is required is commenced or performed prior to making formal application and receiving the building official's permission to proceed, the building 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.

108.13 Reinspections. The building official may require a reinspection if work for which inspection is called is not complete, corrections required are not made, the inspection record is not properly posted on the work site, the approved plans are not readily available to the inspector, access is not provided on the date for which inspection is requested or if deviations from plans that require the approval of the building official have been made without proper approval, or as otherwise required by the building official.

For the purpose of determining compliance with Section 3403, Maintenance, the building official or the fire chief may cause any structure to be reinspected.

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

SECTION 109 CERTIFICATE OF OCCUPANCY

109.1 Occupancy. No new building or structure shall be used or occupied, and no change in the existing occupancy classification of a building or structure, or portion thereof, shall be made until the building official has issued a Certificate of Occupancy therefore after final inspection.

Exception: Detached Group R-3 occupancies and Group U occupancies accessory to them, provided they shall not be used or occupied until approved for occupancy after final inspection.

Issuance of a Certificate of Occupancy is not approval of any violation of the provisions of this code or other pertinent laws and ordinances of the City. Certificates presuming to give authority to violate or cancel the provisions of this code or of other pertinent laws and ordinances of the City are not valid.

109.2 Change in occupancy. Changes in the occupancy of a building shall not be made except as specified in Section 3406 of this code.

109.3 Certificate issued. After satisfactory completion of inspections, if it is found that the building or structure requiring a Certificate of Occupancy complies with the provisions of this code, the Fire Code and other pertinent laws and ordinances of the City, the building official shall issue a Certificate of Occupancy which shall contain the following information:

1. The building permit number;
2. The address of the building;
3. A description of that portion of the building for which the certificate is issued;
4. A statement that the described portion of the building complies with the requirements of this code for group and division of occupancy and the activity for which the proposed occupancy is classified; and
5. The name of the building official.

109.4 Temporary certificate. A Temporary Certificate of Occupancy may be issued by the building official for the use of a portion or portions of a building or structure prior to the completion of the entire building or structure if all devices and safeguards for fire protection and life safety, as required by this code, the Fire Code and other pertinent laws and ordinances of the City, are maintained in a safe and usable condition. See Section 106.13 for Certificates of Occupancy for temporary structures.

109.5 Posting. A Certificate of Occupancy shall be posted in a conspicuous place on the premises and shall not be removed except by the building official.

109.6 Suspension or revocation of Certificates of Occupancy. The building official may suspend or revoke a Certificate of Occupancy if the certificate is issued in error or on the basis of incorrect information supplied, or when it is determined that the building or structure or portion thereof is in violation of any pertinent laws or ordinances of the City or any of the provisions of this code. The building official shall serve a notice of the suspension or revocation upon the owner, agent or other person responsible for the action or condition. The notice shall state the reason for suspension or revocation, and shall set the date that the suspension or revocation will take effect if compliance is not achieved by the date set in the notice, which shall be a reasonable time for compliance. The notice shall be served upon the owner, agent or other responsible person by personal service or regular first class mail addressed to the last known address of such person. If no address is available after reasonable inquiry, the notice may be posted in a conspicuous place on the premises. The notice shall be considered an order of the building official if no request for review before the building official is made pursuant to Section 109.6.1. Nothing in this subsection shall be deemed to limit or preclude any action or proceeding pursuant to Sections 102, 103 or 104 of this code.

109.6.1 Review by the building official for suspension or revocation of Certificate of Occupancy.

109.6.1.1 Any person affected by a notice of violation issued pursuant to Section 109.6 may obtain a review of the notice by making a request in writing within 10 days after service of the notice. When the last day of the period computed is a Saturday, Sunday, federal or City holiday, the period shall run until 5:00 p.m. of the next business day.

The review shall occur not less than 10 nor more than 20 days after the request is received by the building official unless otherwise agreed by the person requesting the review.

Any person aggrieved by or interested in the notice of violation may submit additional information to the building official.

109.6.1.2 The review shall be made by a representative of the building official who will review any additional information that is submitted and the basis for issuance of the notice of violation. The reviewer may request clarification of the information received and a site visit. After the review, the building official shall:

1. Sustain the notice; or
2. Withdraw the notice; or
3. Continue the review to a date certain; or
4. Amend the notice.

109.6.1.3 The building official shall issue an order containing the decision within 15 days of the date that the review is completed and shall cause the order to be mailed by regular first class mail to the persons requesting the review and the persons named on the notice of violation addressed to their last known address.