

CHAPTER 1

ADMINISTRATION

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

SECTION 101 TITLE

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

SECTION 102 PURPOSE

102.1 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 apply to the erection, installation, alteration, repair, relocation, replacement, addition to, use or maintenance of fuel-gas piping systems, fuel-gas utilization equipment and related accessories within the City. The design and testing of equipment regulated by this code are subject to the approval of the code official.

Exceptions:

1. Detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories above grade plane with separate means of egress and their accessory structures shall comply with the *International Residential Code*.
2. The standards for liquefied petroleum gas installations are the 2004 edition of NFPA 58 (*Liquefied Petroleum Gas Code*) and the 2006 edition of ANSI Z223.1/NFPA 54 (*National Fuel Gas Code*), as amended.

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 gov-

erns. Where there is a conflict between a general requirement and a specific requirement, the specific requirement is applicable.

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

103.5 Referenced codes and standards. The codes and standards referenced in this code are part of the requirements of this code to the extent prescribed by each such reference. Where differences occur between provisions of this code and referenced codes and standards, the provisions of this code apply.

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

103.6 Appendices. Provisions in the *International Fuel Gas Code* appendices do not apply unless specifically adopted.

103.7 Metric units. Wherever in this ordinance there is a conflict between metric units of measurement and English units, the English units 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, if the addition, alteration, renovation or repair conforms to the standards 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, if approved by the code official.

104.2 Existing Installations. Mechanical systems lawful at the time of the adoption of this code may continue their use, be maintained or repaired, be converted to another type of fuel or have components replaced if the use, maintenance, repair, conversion of fuel or component replacement is done 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 that are a part of a building or structure undergoing a change in

use or occupancy, as defined in the *Building Code*, shall comply with all requirements of this code that are applicable to the new use or occupancy.

104.4 Maintenance. All mechanical systems, materials, equipment and appurtenances, 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 that were required by a code in effect when the mechanical system was installed shall be maintained in conformance with the code edition under which installed. The owner or the owner's designated agent is responsible for maintenance of 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 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. Buildings 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 inspects the building for compliance with this code and the permit holder agrees to correct all deficiencies found and is 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 115 for information required on plans. Any moved building that is not in complete compliance with standards for moved buildings within 18 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 landmarks and require in lieu thereof alternate requirements that, in the opinion of the code official, will result in a reasonable degree of safety to the public and the occupants of those buildings.

For purposes of this section a landmark is a building or structure that is subject to a requirement to obtain a certificate of approval from the City Landmarks Preservation Board before altering or making significant changes to specific features or characteristics that has been nominated for designation or has been designated for preservation by the City Landmarks Preservation Board, or a building or structure that has been designated for preservation by the State of Washington, or has been listed or determined eligible to be listed in the National Register of Historic Places, or is a structure in a landmark or special review district subject to a requirement to obtain a certificate of approval before making a change to the external appearance of the structure.

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 is approved and its use authorized by the code official. The code official may approve an alternate, provided the code 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. 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 alternates and any relevant information in the files of the code official or on the approved permit plans.

SECTION 106 MODIFICATIONS

The code official may modify the requirements of this code for individual cases, if 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 any of 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 by 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 THE CODE OFFICIAL

108.1 Jurisdiction. The Department of Planning and Development is authorized to administer and enforce this code. Enforcement of Chapters 4 and 7 are the primary responsibility of the Director of Public Health. The Department of Planning and Development is under the administrative and operational control of the Director, who is the code official.

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

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

108.4 Stop Work Orders. The code 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 equipment. The stop work order shall identify the violation and may prohibit work or other activity on the site.

108.4.1 Service of Stop Work Order. The code 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 *Revised Code of Washington* (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 the permit if the 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.

108.4.2 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 108.4.1 is served.

108.4.3 Review by the Code Official for Stop Work Orders.

108.4.3.1 Any person aggrieved by a stop work order may obtain a review of the order by delivering to the code 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 code 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 code official for consideration as part of the review at any time prior to the review.

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

- a. Sustain the stop work order;
- b. Withdraw the stop work order;
- c. Modify the stop work order; or
- d. Continue the review to a date certain for receipt of additional information.

108.4.3.2 The code official shall issue an order of the code 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.

108.5 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 the occupant of the building, structure or premises of the decision to disconnect prior to taking such action, and shall notify the serving utility, owner and occupant of the building, structure or premises in writing of such disconnection immediately thereafter.

108.6 Authority to Condemn Equipment. Whenever the code official determines that any equipment, or portion thereof, regulated by this code is 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 date certain 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 therefor within 24 hours to the serving utility, the owner and the 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.

108.7 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.

108.8 Liability. 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 equipment 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.

This code shall not be construed to lessen or relieve the responsibility of any person owning, operating or controlling any building, structure or equipment 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

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authorized by this code or any permits or certificates issued under this code.

108.9 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 which 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 by a date certain. 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 a violation of this code for any person to fail to comply with a hazard correction order as specified in this subsection.

SECTION 110 APPEALS

110.1 Appeals. Except where this code provides for review by the code official, appeals of the code official's interpretations of this code may be made to the Construction Codes Advisory Board by sending a request in writing to the code official. The review shall be conducted 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 the appeal. The decision of the review panel is advisory only. The final decision on any appealable matter is made by the building official.

SECTION 111 RESPONSIBILITY FOR COMPLIANCE

111.1. General. 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.

SECTION 112 VIOLATIONS AND PENALTIES

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

1. 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;
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 is subject to this code that has not been approved by the code official;
4. violate or fail to comply with any final order issued by the code official pursuant to the provisions of this code;
5. remove, mutilate, destroy or conceal any notice or order issued or posted by the code official pursuant to the provisions of this code, or any notice or order issued or posted by the code official in response to a natural disaster or other emergency.

112.2 Notice of Violation. If, after investigation, the code official determines that standards or requirements of this code have been violated or that orders or requirements have not been complied with, the code 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, or if no address is available after reasonable inquiry, the notice may be served by posting it in a conspicuous place on the premises. The notice may also be posted if served by personal service or first class mail. The notice of violation shall be considered an order of the code official, if no request for review before the code official is made pursuant to Section 112.3.

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

112.3 Review by the code official for notice of violation.

112.3.1 Any person affected by a notice of violation issued pursuant to Section 112.2 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, 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 code 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 code official.

112.3.2 The review shall be made by a representative of the code 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 code 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.

112.3.3 The code 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.

112.3.4 Because civil actions to enforce Title 22 *Seattle Municipal Code* are brought in Seattle Municipal Court pursuant to Section 111.4.2, orders of the code official issued under this chapter are not subject to judicial review pursuant to chapter 36.70C RCW.

112.4 Civil penalties.

112.4.1 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 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.

112.4.2 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 issuance of the notice of violation or of an order following a review by the code official is not itself evidence that a violation exists.

112.5 Alternative 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 \$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.

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

112.7 Recording of Notices. 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 notice 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 authority 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.

113.2 Procedure for Adoption of Rules. The code official shall promulgate, adopt and issue rules according to the procedures as specified in the *Administrative Code*, Chapter 3.02 of the *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 an as needed basis by the Construction Codes Advisory Board.

SECTION 115 PERMITS

115.1 Permits Required. Except as otherwise specifically provided in this code, a permit shall be obtained from the code official prior to erecting, constructing, enlarging, altering, repairing, moving, improving, removing, changing the occupancy of, or demolishing any equipment or mechanical system regulated by this code. A separate permit is required for each separate building or structure.

115.2 Work Exempt from Permit. A mechanical permit is not required for the work listed below.

1. Any portable heating appliance, portable ventilating equipment, or portable cooling unit if the total capacity of these portable appliances does not exceed 40 percent of the cumulative heating, cooling or ventilating requirements of a building or dwelling unit and does not exceed 3 kW or 10,000 Btu/h input. See water heater definition.
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 that does not alter its original approval and complies with other applicable requirements of this code.

115.3 Compliance Required. 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.

115.4 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*.

115.5 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 is made within twenty-four hours or within one working day from the time when the emergency work was started.

115.6 Application for permit.

115.6.1 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 the contractor’s business name, address, phone number, and current contractor registration number (required if the contractor has been selected). 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 schedules and other data as required in Sections 115.6.2 and 115.6.3.
5. State the valuation of the mechanical work to be done. The value or valuation of the mechanical work is the estimated current value of all labor and material, whether actually paid for or not, for which the permit is sought.
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 code official.
8. Indicate the name of the owner and contractor and the name, address and phone number of a contact person.

115.6.2 Plans and Specifications. Plans, engineering calculations, diagrams and other data shall be submitted in two 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 \$50,000 or larger shall require a mechanical engineering stamp and signature on each sheet.

Exception: A mechanical engineer’s stamp or submission of plans, calculations or other data is not required if the code official finds that the nature of the work applied for is such that review of plans is not necessary to obtain compliance with this code.

115.6.3 Information on Plans and Specifications.

115.6.3.1 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. 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.

115.6.3.2 Fire-resistive notes. The code official may require that plans for buildings more than two stories in height of other than Group R-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.

115.6.3.3 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 *Washington State Energy Code with Seattle Amendments*.
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.
10. 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 *Washington State Energy Code with Seattle Amendments*.

SECTION 116 PERMIT REVIEW AND ISSUANCE

116.1 Review.

116.1.1 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.

116.1.2 Decision and issuance of permit. 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 then 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, if the proposed project complies with the State Environmental Policy Act (Chapter 25.05 of the *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 holder's own risk without assurance that a permit for the entire building or structure will be granted.

116.1.3 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.

116.1.4 Amendments to the permit. When substitutions or changes to the approved work are made during construction, approval of the code official shall be obtained prior to execution. The building inspector may approve minor modifications and changes 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. All other changes, modifications or clarifications shall be shown on two sets of plans which shall be submitted to and approved by the code official, accompanied by appropriate fees as specified in the Fee Subtitle prior to occupancy. 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 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; or 5) require extensive re-review of the plans and specifications.

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

The code official shall 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 two weeks prior to the date on which the application will be cancelled.

116.1.6 Extensions prior to permit issuance. At the discretion of the code 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 process, but in no case longer than twenty-four months from the date of the original application. No application shall 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, an application 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 possible fee refunds.

116.2 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 for use by inspection personnel at all times during which the work authorized is in progress.

116.3 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. The issuance of a permit based upon plans shall not prevent the code official from requiring the correction of errors in said plans or from preventing work or building operations that violate this code or 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 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 code official or other administrative authority requiring the correction of any such conditions.

116.4 Permit Expiration. 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 that expire in less than 18 months may be issued where the code official determines a shorter period is appropriate to complete the work.

116.5 Renewal of permits. Permits may be renewed and renewed permits may be further renewed by the code 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;
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 this 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 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
 - 3.2. The work authorized by the permit is substantially underway and progressing at a rate approved by the code official. “Substantially underway” means that 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 118.1 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.

116.6 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 code official if it complies with Section 116.5, Items 2 and 3.

116.7 Revocation.

116.7.1 Standards for Revocation. A permit may be revoked if:

1. The code or the 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 com-

pliance because of circumstances related to the violation;

2. The permit was obtained with false or misleading information.

116.7.2 Notice of revocation. Whenever the code official determines there are grounds for revoking a permit, the code 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 code official shall identify in the notice of revocation a date certain on which the revocation will take effect unless review before the code official is requested and pursued pursuant to Section 116.7.3.

116.7.3 Review by the code official for notice of revocation.

116.7.3.1 Any person aggrieved by a notice of revocation may obtain a review by making a request in writing to the code 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 code official of the request for review.

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

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

116.7.3.2 The code official shall issue an order of the code 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 code official. The order of the code official is the final order of the City and the City and all parties shall be bound by the order.

SECTION 117 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 118 INSPECTIONS

118.1 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*.

118.2 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 specified in this section and Section 119 is ready for inspection.

118.3 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 the Washington Industrial Safety and Health Agency. The work shall remain 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.

118.4 Inspection Record. Work requiring a mechanical permit shall not be commenced until the permit holder or permit holder's agent has posted an inspection record in a conspicuous place on the premises and in a position that 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.

118.5 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.

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

118.6 Final inspection. When the installation of a mechanical system is complete, final inspection shall be made.

118.7 Operation of Mechanical Equipment. The requirements of this section do not 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 inspection of such equipment or fixture has been filed with the code official not 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.

118.8 Testing of Equipment and Systems. When applicable, fuel-gas piping shall be tested and approved as required by this code.

118.9 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 that are enforced by the code official.

118.10 Special Investigation. If work for which 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 is issued for the work. If a special investigation is made, a special investigation fee may be assessed in accordance with the Fee Subtitle.

118.11 Reinspections. The code official may require a reinspection if work for which inspection is made 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, if deviations from plans that require the approval of the code official have been made without proper approval, or as otherwise required by the code official.

For the purpose of determining compliance with Section 104.4 the code official or the fire chief may cause any structure or system 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 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 119 CONNECTION APPROVAL

119.1 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.

119.2 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.

