

Part I — Administrative

CHAPTER 1 ADMINISTRATION

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

SECTION R101 TITLE, SCOPE AND PURPOSE

R101.1 Title. This subtitle shall be known as the “*Seattle Residential Code*” and may be so cited, and is referred to herein as “this code.”

R101.2 Scope. The provisions of this code apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, removal and demolition of detached one- and two-family dwellings and townhouses not more than three stories above grade in height with a separate means of egress, and their accessory structures, including adult family homes, foster family care homes and family day care homes licensed by the Washington State Department of Social and Health Services.

Note: The seismic design for wood-frame buildings with more than two stories above grade shall comply with the *Seattle Building Code* or other standards referenced in Section R301.1. See Sections R301.2.2.4 and Table R602.10.1.

Interpretation R101.2a: Buildings with mixed occupancies, other than residences with home occupations, are not within the scope of the *Seattle Residential Code* and shall comply with the *Seattle Building Code*.

Interpretation R101.2b: Dwellings located above a common garage or other common space are not within the scope of the *Seattle Residential Code*, and shall comply with the *Seattle Building Code*. Units in detached two-family dwellings that share a garage are within the scope 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.

R101.3 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 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.

R101.4 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.

R101.5 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 manufacturer’s instructions apply.

R101.6 Appendices. Provisions in the *International Residential Code* appendices do not apply unless specifically adopted.

[W]¹ R101.7 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.

R101.8 Metric units. Wherever in this ordinance there is a conflict between metric units of measurement and English units, the English units govern.

SECTION R102 UNSAFE BUILDINGS, STRUCTURES OR PREMISES

R102.1 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.

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

R102.2 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 comply with an emergency order issued by the building official.

R102.3 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 *Seattle Building Code* Chapter 34. 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 R103 VIOLATIONS AND PENALTIES

R103.1 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 is subject to this code and that has not been approved by the building official.
4. violate or fail to comply with any requirements of this code or with any final order issued by the building official pursuant to the provisions 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.

R103.2 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, 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 building official if no request for review before the building official is made pursuant to Section R103.3. 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.

R103.3 Review by the building official for notice of violation.

R103.3.1 Any person affected by a notice of violation issued pursuant to Section R103.2 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.

R103.3.2 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.

R103.3.3 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 address.

R103.4 Because civil actions to enforce Title 22 *Seattle Municipal Code* (SMC) are brought in Seattle Municipal Court pursuant to Section R103.5.2, orders of the building official issued

under this chapter are not subject to judicial review pursuant to chapter 36.70C RCW.

R103.5 Civil penalties.

R103.5.1. 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.

R103.5.2 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 issuance of the notice of violation or of an order following a review by the building official is not itself evidence that a violation exists.

R103.6 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.

R103.7 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.

R103.8 Recording of notices. The building official may record a copy of any order or notice with the Department of Records and Elections of King County. 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 R104
ORGANIZATION AND ENFORCEMENT**

R104.1 Jurisdiction of Department of Planning and Development. The Department of Planning and Development is authorized to administer and enforce this code. The Department of Planning and Development is under the administrative and operational control of the Director, who is the building official.

R104.2 Deputies. The building official may appoint such officers, inspectors, assistants and other employees as are 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.

R104.3 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.

R104.4 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.

R104.4.1 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 Revised Codes 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 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, three 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.

R104.4.2 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 R104.4.1 is served.

R104.4.3 Review by the building official for stop work orders. 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.

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:

- 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.

R104.4.4 Order of the building official. 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.

R104.5 Occupancy violations. 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.

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 R102 may apply.

R104.6 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 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.

This code shall not be construed to lessen or relieve 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.

R104.7 Responsibilities of parties.

R104.7.1 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.

R104.7.2 Responsibility of design professional, contractor, plans examiner and inspector. The responsibilities of the design professional in responsible charge, contractor, plans examiner, and field inspector are as provided in the *Seattle Building Code*.

R104.8 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 relevant circumstances. The building official may, but is not required to, record the approval of modifications and any rele-

vant information in the files of the building official or on the approved permit plans.

R104.9 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 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 alternates and any relevant information in the files of the building official or on the approved permit plans.

R104.10 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.

R104.11 Rules of the building official.

R104.11.1 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.

R104.11.2 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*.

R104.12 Appeals. Except for building official reviews, appeals from decisions or actions pertaining to the administration and enforcement of this code shall be addressed to the building official according to *Seattle Building Code* Section 104.13.

**SECTION R105
BUILDING PERMITS**

R105.1 Permits required. Except as otherwise specifically provided in this code, a building permit shall be obtained from the building official for each building, structure or mechanical system prior to erecting, constructing, enlarging, altering, repairing, moving, improving, removing, changing the occu-

pancy of, or demolishing such building, structure or mechanical system, or allowing the same to be done. All work shall comply with this code, even where no permit is required.

R105.2 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 grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of the City.

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; insulating existing buildings; abatement of hazardous materials; and in-kind or similar replacement 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; 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 in projected area.
6. Retaining walls and rockeries not over 4 feet in height measured from the bottom of the footing to the top of the wall, if:
 - 6.1. There is no surcharge or impoundment of Class I, II or III-A liquids.
 - 6.2. 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*.
 - 6.3. Possible failure would likely cause no damage to adjoining property or structures.
7. Platforms, walks and driveways not more than 18 inches above grade and not over any basement or story below.
8. Window awnings supported by an exterior wall when projecting not more than 54 inches.
9. Prefabricated swimming pools, spas and similar equipment accessory to a building subject to this code in which the pool walls are entirely above the adjacent grade and if the capacity does not exceed 5000 gallons.

10. Replacement of roofing materials and siding. This does 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 if 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.

11. Private playground equipment including tree houses.
12. 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.

13. Installation of dish and panel antennas 6.56 feet (2 m) or less in diameter or diagonal measurement.
14. Portable heating appliances, portable ventilating equipment and portable cooling units, provided that 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 input.
15. Any closed system of steam, hot or chilled water piping within heating or cooling equipment regulated by this code.
16. 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.

R105.3 Other permits required. Unless otherwise exempted by this or other pertinent codes, master use, plumbing, electrical, mechanical and other permits may be required for the above exempted items.

R105.4 Flood hazard areas. In addition to the permit required by this section, all work to be performed in areas of special flood hazard, 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.

R105.5 Application for permit.

R105.5.1 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 the 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 required in Section R105.5.2.
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 *Seattle Residential Code* in effect on the date that the application is submitted.

R105.5.2 Plans and specifications.

R105.5.2.1 General. Plans, engineering calculations, diagrams and other data shall be submitted in two or more sets with each application for a permit.

Exception: An engineer's stamp or submission of plans, calculations or other data is not required if the building 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.

R105.5.2.2 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.

Exception: 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. One- and two-family detached dwellings and accessory structures constructed of light-frame wood or cold-formed steel construction with a shear wall lateral-force-resisting system.

Interpretation R105.5.2: Steel moment frames or extensive or more complex concrete structures such as concrete frame, mild reinforced or post-tensioned floor slabs, shall be designed by a licensed structural engineer.

2. New construction, additions, alterations or repairs of conventional light-frame construction, and nonstructural alterations having a total valuation of less than \$30,000 excluding the value of electrical and mechanical systems, fixtures, equipment, interior finish and millwork.
3. The building official may accept the design of a licensed professional engineer for assembly line products or designed specialty structural products.
4. Other work specified in rules promulgated by the building official.

R105.5.2.3 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 limited to a minimum size of 18 inches by 18 inches and a maximum size of 41 inches by 54 inches.

Exception: The plans for metal-plate-connected wood trusses may be not less than 8½ inches by 11 inches for detached single family structures and no less than 11 inches by 17 inches for all other structures.

R105.5.2.4 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, floor area, story, height and use defined by the Land Use Code of the proposed building and of every existing building on the property.
3. Types of heating and air conditioning systems.
4. Architectural plans, including floor plans, elevations and door and finish schedules showing location of all doors, windows, mechanical equipment, shafts, pipes, vents and ducts.
5. Structural plans, including foundation plan and framing plans.
6. 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.
7. 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.
8. 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 all new construction, and for additions or accessory buildings.

9. 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.

R105.5.2.5 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 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 as defined in the *Land Use Code*.
6. Number of stories above grade and the number of basements as defined in this code.
7. Variances, conditional uses, special exceptions, including project numbers, approval and approval extension dates.

R105.5.2.6 Structural notes. Plans submitted for buildings with more than two stories, buildings of more than 4,500 square feet 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 live load reductions and lateral loads.
2. Foundations: Foundation investigations, allowable bearing pressure for spread footings, allowable load capacity of piles, pile driving formulas, lateral earth pressure;
3. Soil fill and back fill: Type, compaction and drainage;
4. Masonry: Type and strength of units, strength or proportions of mortar and grout, type and strength of reinforcement, method of testing, design strength;
5. Wood: Species or species groups, and grades of sawn lumber, glued-laminated lumber, plywood and assemblies, type of fasteners;
6. Concrete: Design strengths, mix designs, type and strength of reinforcing steel, welding of reinforcing steel, restrictions, if any;
7. Steel and aluminum: Specification types, grades and strengths, welding electrode types and strengths;

8. Assignment of responsibilities for inspection and testing during construction, and the degree of inspection and testing;
9. When required by the building official, computations, stress diagrams, shop and fabrication drawings and other data sufficient to show the adequacy of the plans.

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.

R105.6 Permit review and issuance.

R105.6.1 General. The application, plans, specifications and other data filed by an applicant for a 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.

R105.6.2 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.

R105.6.3 Decision and issuance of permit. Except as provided in Section R105.9, 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.

Exceptions:

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 (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.
2. After approval of a Master Use Permit required by the *Land Use Code*, a permit for excavation may be issued.

R105.6.4 Permit conditions and denial. The building official may condition a permit if the building official determines that risks associated with development, construction, ownership and occupancy 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.

R105.6.5 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.

Exception: Approval of the building official is not required for modifications to approved plans and permit when the scope of work proposed in the modifications would not require a permit.

R105.7 Amendments to the permit. When 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 substitutions 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. Substitutions, changes and clarifications shall be shown on two sets of plans, which shall be submitted to and approved by the building official, accompanied by fees 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.

R105.8 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 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 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.

R105.9 Extensions prior to permit issuance. At the discretion of the building official, an application for a project that requires 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 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, 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.

R105.10 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 the inspection personnel at all times during which the work authorized is in progress.

R105.11 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 said plans or from preventing work or occupancy that violates this code or 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.

R105.12 Expiration of permits. Authority to do the work authorized by a permit or a renewed permit expires eighteen months from the date of issuance.

Exception: Permits that expire in less than 18 months may be issued where the building official determines a shorter period is appropriate to complete the work.

R105.13 Renewal of permits.

R105.13.1 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;
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.

R105.13.2 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, that are beyond the permit holder’s control.

↪ **R105.14 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 one year prior to the date of a request for reestablishment may be reestablished upon approval of the building official, if it complies with Section R105.13.1, Items 2 and 3 above.

R105.15 Revocation.

R105.15.1 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 compliance because of circumstances related to the violation;
2. The permit was obtained with false or misleading information.

R105.15.2 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 5 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 R105.15.3.

R105.15.3 Review by the building official for notice of revocation.

R105.15.3.1 Any person aggrieved by a notice of revocation may obtain a review by making a request in writ-

ing 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.

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.

R105.15.3.2 Order of the building official. 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

**SECTION R106
FEES**

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

**SECTION R107
INSPECTIONS**

R107.1 General. All construction or work for which a permit is required is subject to inspection by the building official. A survey of the lot may be required by the building official to verify compliance of the structure with approved plans.

R107.2 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 building official that work requiring inspection specified in this section is ready for inspection.

R107.3 Access for inspection. It is the duty of the permit holder and of the person requesting any inspection 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 building official. Neither the building

official nor the City is liable for expense entailed in the required removal or replacement of any material to allow inspection.

R107.4 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 that 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.

R107.5 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 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 R107.6. 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 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.

R107.6 Required inspections.

R107.6.1 General. No required reinforcing steel or structural framework of any part of a 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 specified in Section 106.10.3 of the *Seattle Building Code* and placed upon a permanent foundation approved and inspected by the building official.

R107.6.2 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.

R107.6.2.1 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 this inspection is to verify the erosion control method, location and proper installation. Approved drainage plan requirements and site plan conditions will also be verified.

R107.6.2.2 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.

R107.6.2.3 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.

R107.6.2.4 Frame inspection. To be made after the roof, all framing, fire-blocking and bracing are in place; all pipes, chimneys and vents are complete; and the rough electrical, plumbing and heating wires, pipes and ducts are approved.

R107.6.2.5 Insulation inspection. To be made after all insulation and vapor barriers are in place but before any gypsum board or plaster is applied.

R107.6.2.6 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.

R107.6.2.7 Final inspection. To be made after finish grading and the building is completed and before occupancy.

R107.7 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 that are enforced by the building official.

R107.8 Special investigation. If work for which a 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 is issued for such work. If a special investigation is made, a special investigation fee may be assessed in accordance with the Fee Subtitle.

R107.9 Reinspections. The building 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 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 R108.3 the building official or the fire chief may cause a 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.

R107.10 Approval for occupancy. Except for alterations and additions, no building or structure subject to this code shall be occupied until approved for occupancy after final inspection. Final inspection is not an 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.

SECTION R108 EXISTING STRUCTURES AND EQUIPMENT

R108.1 General. Buildings in existence at the time of the passage of this code that were legally constructed and occupied in accordance with the provisions of a prior code may continue their existing use, if such use is not unsafe.

Mechanical systems lawful at the time of the adoption of this code may continue and may be maintained or repaired, converted to another type of fuel or have components replaced if it is done in accordance with the basic original design and location and no hazard to life, health or property is created by such mechanical system.

R108.2 Legalizing existing uses. In order to legalize an existing use for the record, the building shall comply with the fire and life safety requirements of this code or the code effective at the time the building was constructed. If the existing use is other than that for which the building was constructed, the building shall comply with this code or the code effective at the time the existing use was legally established.

R108.3 Maintenance. All buildings and structures and all parts thereof shall be maintained in a safe and sanitary condition.

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 are or were required by a code in effect when the building or structure was erected, altered or repaired shall be maintained in conformance with the code edition under which installed. To determine compliance with this subsection, the building official may cause a mechanical system or equipment to be inspected.

The owner or a designated agent is responsible for maintenance of buildings, structures, mechanical systems, materials, equipment, devices, safeguards and appurtenances. It is a violation to fail to maintain such buildings, structures, mechanical systems, materials, equipment, devices, safeguards and appurtenances or to fail to immediately comply with any lawful notice or order of the building official.

Exceptions:

1. The building official may modify the requirements of this subsection if all or a portion of a building is unoccupied, closed off and reasonably secure from unlawful entry.
2. Occupants of dwellings are responsible for the maintenance of smoke alarms required by Section R313 and the *International Fire Code*.

R108.4 Unsafe building appendages. Parapet walls, cornices, chimneys and other appendages or structural members that are supported by, attached to, or a part of a building and that are in a deteriorated condition or are otherwise unable to sustain the design loads specified in this code, are hereby des-

ignated as unsafe building appendages. All such unsafe building appendages are public nuisances and shall be treated as an unsafe building in accordance with Section R102 of this code.

R108.5 Additions, alterations or repairs.

R108.5.1 General. Buildings and structures to which additions, alterations or repairs are made shall comply with all the requirements of this code for new facilities except as specifically provided in this section. See also applicable provisions of the *Seattle Energy Code*.

Any building or addition that is not covered by or within the scope of this code as provided in Section R101.2 shall be designed to the provisions of the *International Building Code*.

Exception: An addition may be made to an existing nonconforming building if the following conditions are met:

1. A fire wall, constructed in compliance with *International Building Code* Section 705, separates the addition and the existing structure;
2. The existing building is not made more nonconforming; and
3. The addition conforms to this code.

R108.5.2 When allowed. Additions, alterations or repairs may be made to any existing building or structure without requiring the existing building or structure to comply with all the requirements of this code, if the addition, alteration or repair conforms to the standards required for a new building or structure and complies with Section R108.5.1.

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 building official.

R108.5.3 Impracticality. In cases where total compliance with the requirements of this code is impractical, the applicant may arrange a presubmittal conference with the design team and the building official. The applicant shall identify alternate design solutions and modifications and demonstrate conformance to Section R104.8 or R104.9. The building official may waive specific requirements in this code that the building official determines to be impractical.

R108.5.4 Compliance with retroactive ordinances. Alterations and repairs to existing buildings that are being made in response to a notice or order requiring compliance with the *Housing and Building Maintenance Code*, Subtitle II, Title 22 of the *Seattle Municipal Code*, the *Fire Code*, Subtitle VI, Title 22 of the *Seattle Municipal Code*, or other ordinances applicable to existing buildings, shall be permitted to be made in accordance with the standards contained in

those ordinances rather than the standards for new buildings contained in this code. If standards are not specified in those ordinances, such alterations or repairs shall conform to the requirements of this chapter.

R108.5.5 Nonstructural alterations or repairs. Alterations or repairs that are nonstructural and that do not affect any member or part of the building or structure having required fire-resistance may be made with the same materials of which the building or structure is constructed, provided that no change is permitted that increases its hazard.

R108.5.6 Maintenance of structural stability. If approved by the building official, minor structural alterations or repairs necessary to maintain the structural stability of the building may be made with the same material of which the building or structure is constructed.

R108.6 Historic buildings and structures. The building 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 building 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, that has been designated for preservation by the State of Washington, has been listed or determined eligible to be listed in the National Register of Historic Places or is located 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.



R108.7 Unreinforced masonry chimneys. If an unreinforced masonry chimney is altered or if the building in which such a chimney is located undergoes substantial alteration, the chimney shall be altered to conform to rules promulgated by the building official.

R108.8 Substantial alterations or repairs.

R108.8.1 General. Any building or structure to which substantial alterations or repairs are made shall conform to the requirements of this Section and Sections R310 (emergency escape and rescue openings), R311 (means of egress), R313 (smoke alarms), and R317 (dwelling unit separation).

R108.8.2 Definition. For the purpose of this section, substantial alterations or repairs may mean any one of the following, as determined by the building official:

1. Extensive structural repair.
2. Remodeling or additions that substantially extend the useful physical and/or economic life of the building or a significant portion of the building.
3. Change to a use within the scope of this code from any other use.
4. Change from an accessory structure to any other use within the scope of this code.

5. Change from a detached one- or two-family dwelling to a townhouse.
6. Change to adult family home or family child day care home from any other use.
7. Repairs to a building damaged by fire or other means that exceed 60 percent of the building's value as determined by the building official, or by the assessed value per King County records, or by an appraisal made by a recognized appraisal agency approved by the building official.

R108.8.3 Seismic regulations. Buildings or structures to which substantial alterations or repairs are made shall comply with Sections R301.1.3 or Sections R403.1.6, R602.10 and R602.11. In addition, the building official may require testing of existing materials if there is insufficient evidence of structural strength or integrity.

Exception: In lieu of compliance with the seismic provisions of Sections R403.1.6, R602.10 and R602.11, if approved by the building official, the applicant may evaluate and strengthen portions of the building lateral support structure, such as foundations and cripple walls.

R108.8.4 Other structural work. All other structural work shall comply with the requirements of Chapters 3, 4, 5, 6, 8 and 10 of this code.

R108.9 Change of use.

R108.9.1 If the use of a building or portion thereof is changed, any elements of the dwelling unit envelope that are altered shall comply with the sound transmission control requirements of Section R331.

R108.9.2 If the use of a building or portion thereof is changed to adult family home or to family child day care home, the building shall comply with the applicable provisions of Section R325 or R326.

R108.10 Moved buildings. Residential buildings or structures moved into or within the City are not required to comply with the requirements of this code if the original use classification of the building or structure is not changed. Compliance with the requirements of this chapter is required if the moved residential buildings or structures undergo substantial alteration. Work performed on new and existing foundations shall comply with all of the requirements of this code for new construction.