

# CHAPTER 1

## ADMINISTRATION

(including 2017 errata)

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

### SECTION 101 TITLE

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

**103.1 Scope.** This code applies to the erection, installation, *alteration*, repair, relocation, replacement, addition to, use or maintenance of any heating, ventilating, cooling, refrigeration systems, incinerators or other miscellaneous heat-producing appliances within the City. The design and testing of *equipment* regulated by this code 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 a 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 2014 edition of NFPA 58 (Liquefied Petroleum Gas Code) and the 2015 edition of ANSI Z223.1/NFPA 54 (National Fuel Gas Code), as amended.

**103.2 Applicability of city laws.** A mechanical permit application shall be considered under the Seattle Mechanical, Fuel

Gas and Energy codes in effect on a date as provided below, or on a date as otherwise required by law.

1. Mechanical permit applications shall be considered under the codes in effect on the date used to determine the codes applicable to the building permit application according to Seattle Building Code Section 101.3 if any of Items 1.1 through 1.3 apply:
  - 1.1 The mechanical permit application is submitted as part of a building permit application;
  - 1.2 The mechanical permit application is for work directly associated with a building permit but is submitted separately from the building permit application; or
  - 1.3 The mechanical permit application is for initial tenant *alterations* submitted no later than 18 months after the date of the *approved* final inspection for the building, and is submitted before the expiration date of the building permit for the tenant *alteration*, as determined by *Seattle Building Code* Section 106.9.
2. Mechanical permit applications other than those subject to Item 1 shall be considered under the codes in effect on the date a complete mechanical permit application is submitted that complies with all the requirements of Section 116.

**103.3 Additions, alterations and repairs.** 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.

**Exception:** Additions, *alterations*, renovations or repairs to a mechanical system that is part of a building addition with less than 500 square feet of conditioned floor area are exempt from the requirements for *whole house ventilation systems*, Section 403.8.5.

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

**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. If 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

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appliance, the conditions of the listing and manufacturer's instructions apply.

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

**103.7 Metric units.** Wherever in this code there is a conflict between metric units of measurement and U.S. customary units, the U.S. customary units govern.

**103.8 References to other codes.** Whenever an International, National or Uniform Code is referenced in this code, it means the Seattle edition of that code, including local amendments. References to the "Building Code", "Fuel Gas Code", "Fire Code", "Residential Code" and "Plumbing Code" mean the Seattle editions of those codes.

### SECTION 104 APPLICATION TO EXISTING MECHANICAL SYSTEMS

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

**104.6 Landmarks—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 and the City Landmarks Preservation Board has not issued a determination regarding designation, that has been designated for preservation by the City Landmarks Preservation Board, that has been designated for preservation by the State of Washington, that has been listed or determined eligible to be listed in the National Register of Historic Places, or that 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 a structure.

### SECTION 105 ALTERNATE MATERIALS AND METHODS OF CONSTRUCTION

**105.1 Alternate materials and 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 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* construction documents.

## SECTION 106 MODIFICATIONS

**106.1 Modifications.** The code official may modify the provisions 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 strength, effectiveness, fire resistance, durability, safety and sanitation 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* construction documents.

## SECTION 107 TESTS

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

## SECTION 108 ORGANIZATION AND DUTIES OF CODE OFFICIAL

**108.1 Jurisdiction of the Department of Construction and Inspections.** The Department of Construction and Inspections is authorized to administer and enforce this code. The Department of Construction and Inspections is under the administrative and operational control of the Director, who is the code official.

**108.2 Designees.** The code official may appoint such officers, inspectors, assistants and employees as are authorized from time to time. The code official may authorize such employees and other agents 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 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 *equipment*, building or structure for any damages to *persons* or property caused by defects, nor shall the Seattle Department of Construction and Inspections 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.

**108.5 Responsibility for compliance.** Compliance with the requirements of this code is the obligation of the owner of the building, structure or premises, the authorized agent of the owner, and other *persons* responsible for the condition or work, and not of the City or any of its officers, employees or agents.

## SECTION 109 UNSAFE EQUIPMENT AND HAZARD CORRECTION ORDER

**109.1 Emergency order.** Whenever the code official finds that any *equipment* regulated by this code is in such a dangerous and *unsafe* condition as to constitute an imminent hazard to life or limb, the code official may issue an emergency order. The emergency order may (1) direct that the *equipment* be restored to a safe condition by a date certain; (2) require that the building, structure or premises, or portion thereof, containing the *equipment* be vacated within a reasonable time to be specified in the order, or in the case of extreme danger, the order may specify immediate vacation of the building, structure or premises, or portion thereof; or (3) authorize immediate disconnection of the utilities or energy source.

**109.1.1 Service of emergency order.** The order shall be posted on the premises or personally served on the owner of the building or premises or any *person* responsible for the condition. The order shall specify the time for compliance.

**109.1.2 Effect of emergency order.** No *person* may occupy a building, structure or premises, or portion thereof, after the date on which the building is required to be vacated until the building, structure or premises, 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 code official.

**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,

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safe. The code official may require that the report or analysis be prepared by a licensed engineer.

**109.2.1 Service of hazard correction order.** The order 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 order may be posted in a conspicuous place on the premises. The order may also be posted if served by personal service or first class mail.

**109.2.2 Effect of hazard correction order.** It is a violation for any *person* to fail to comply with a hazard correction order as specified in this subsection.

### SECTION 110 ENFORCEMENT, VIOLATIONS AND PENALTIES

**110.1 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 system 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 install any device, appliance or *equipment* that is subject to this code and has not been *approved* by the code official.
4. Violate or fail to comply with any order issued by the code official pursuant to the provisions of this code or with any requirements of this code.
5. Remove, mutilate, destroy or conceal any notice or order issued or posted by the 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.
6. Conduct work under a permit without requesting an inspection as required by Section 119.

**110.2 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 issue 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.

**110.2.1 Service of notice of violation.** 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 posted in a conspicuous place on the premises. The notice

may also be posted if served by personal service or first class mail. Nothing in this section limits or precludes any action or proceeding to enforce this code, and nothing obligates or requires the code official to issue a notice of violation prior to the imposition of civil or criminal penalties.

**110.2.2 Review of notice of violation by the code official.** Any *person* affected by a notice of violation issued pursuant to Section 111.2 may obtain a review of the notice by making a request in writing to the code official within ten 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 p.m. of the next business day.

**110.2.2.1 Review procedure.** The review shall occur not less than ten nor more than 20 days after the request is received by the code official unless otherwise agreed to by the *person* requesting the review. Any *person* affected by the notice of violation may submit additional information to the code official. 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.

**110.2.2.2 Decision.** After the review, the code official shall:

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

**110.2.2.3 Order.** 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.

**110.3 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 contrary to a permit issued by the code official, or in the event of dangerous or *unsafe* conditions related to *equipment* or construction. The stop work order shall identify the violation and may prohibit work or other activity on the site.

**110.3.1 Service of stop work order.** The code official shall serve the stop work order by posting it in a conspicuous place at the site. If posting is not physically possible, the stop work order may be served by personal service or by regular first class mail to the last known address of: the property owner, the *person* doing or causing the work to be done, or 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 p.m. on the next business day.

**110.3.2 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 111.3.1 is served.

**110.3.3 Review of stop work orders by the code official.** 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 two business days of the date of service of the stop work order.

**110.3.3.1 Review procedure.** The review shall occur within two business days after receipt by the code official of the request for review unless otherwise agreed by the *person* making the request. Any *person* affected by 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.

**110.3.3.2 Decision.** After the review, the code official may:

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

**110.3.3.3 Order.** The code official shall issue an order containing the decision within two business days after the review is completed and shall cause the order to be sent by regular 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, addressed to their last known address.

**110.4 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.

**110.5 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* either be disconnected, removed or restored to a safe or sanitary condition, as appropriate. The written notice shall fix a date certain for compliance with such order. It is a violation for any *person* to use or maintain defective *equipment* after receiving such notice.

When any *equipment* or installation is to be disconnected, the code official shall give written notice of such disconnection and causes therefore 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.

**110.6 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 that 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*.

**110.7 Civil penalties.** Any *person* violating or failing to comply with the provisions of this code is 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 the date 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.

**110.8 Enforcement in Municipal Court.** Civil actions to enforce this code 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 a notice of violation or of an order following a review by the code official is not itself evidence that a violation exists.

**110.9 Judicial review.** Because civil actions to enforce this code must be brought exclusively in Seattle Municipal Court pursuant to Section 111.8, orders of the code official, including notices of violation issued under this chapter, are not subject to judicial review pursuant to chapter 36.70C RCW.

**110.10 Alternative criminal penalty.** Anyone who violates or fails to comply with any notice of violation or 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 for each separate violation. Each day's violation shall constitute a separate offense.

**110.11 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.

**110.12 Administrative review by the code official.** Prior to issuance of the mechanical permit, applicants may request administrative review by the code official of decisions or actions pertaining to the administration and enforcement of this code. Requests shall be addressed to the code official.

**110.13 Administrative review by the Construction Codes Advisory Board.** After administrative review by the code

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official, and prior to issuance of the mechanical permit, applicants may request review of decisions or actions pertaining to the application and interpretation of this code by the Construction Codes Advisory Board according to International Building Code Section 103.11, except for stop work orders, notices of violations and revocations of permits. The review will be performed by three or more members of the Construction Codes Advisory Board, chosen by the Board Chair. The Chair shall consider the subject of the review and members' expertise when selecting members to conduct a review. The decision of the review panel is advisory only; the final decision is made by the code official.

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

**110.15 Appeal to Superior Court.** Final decisions of the Seattle Municipal Court on enforcement actions authorized by Title 22 and this code may be appealed pursuant to the Rules for Appeal of Decisions of Courts of Limited Jurisdiction.

### SECTION 111 RULES OF THE CODE OFFICIAL

**111.1 Authority.** The code 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 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.

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

### SECTION 112 CONSTRUCTION CODES ADVISORY BOARD

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

### SECTION 113 PERMITS

**113.1 Permits required.** Except as otherwise specifically provided in this code, a permit shall be obtained from the code official prior to each installation, *alteration*, repair, replacement or remodel of any *equipment* or mechanical system regulated by this code. A separate mechanical permit is required for each separate building or structure.

### 113.2 Work exempt from permit.

**113.2.1 Mechanical.** A mechanical permit is not required for the work listed below.

1. Portable heating appliances, portable ventilating *equipment*, and portable cooling units, 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 input.
2. Any closed system of steam, hot or chilled water piping within heating or cooling *equipment* regulated by this code.
3. Minor work or the replacement of any component part of a mechanical system that does not alter its original approval and complies with other applicable requirements of this code.

**113.2.2 Refrigeration.** A mechanical permit is not required for the following refrigerant *equipment*:

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

**113.3 Compliance required.** All work shall comply with this code, even where no permit is required.

**113.4 Flood hazard areas.** In addition to the permit required by this section, all work to be performed in areas of special flood hazard as defined in Chapter 25.06 of the *Seattle Municipal Code*, subject to additional standards and requirements set forth in Chapter 25.06, the Seattle Floodplain Development Ordinance.

**113.5 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 the later of 24 hours or one working day from the time when the emergency work was started.

### SECTION 114 APPLICATION FOR PERMIT

**114.1 Application.** To obtain a permit, the applicant shall first file an application in a format determined by the code official. 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). 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 construction documents, including plans, diagrams, computations and specifications, *equipment* schedules and other data as required in Sections 116.2 and 116.3.
5. State the valuation of the mechanical work to be done. The 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. State the name of the owner and the name, address and phone number of a contact *person*.
9. Substantially conform with applicable law in effect on the date described in Section R101.3, as modified by any exception.

**114.2 Construction documents.** Construction documents shall be submitted in one or more sets with each application for a permit, or shall be submitted in electronic format determined by the code official. 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 have a mechanical engineering stamp and signature on each sheet.

**Exception:** A mechanical engineer's stamp or submission of construction documents is not required if the code official finds that the nature of the work applied for is such that review of construction documents is not necessary to obtain compliance with this code.

#### **114.3 Information on construction documents.**

**114.3.1 Clarity of plans.** Plans shall be drawn to a clearly indicated and commonly accepted scale in a format determined by the code official.

**114.3.2 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.

**114.3.3 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 *International Energy Conservation Code*.
6. Location, size and material of all *combustion* products vents and *chimneys*.
7. Location and area of all ventilation and *combustion* air openings and ducts.
8. Location of all air dampers and fire shutters.
9. The first sheet of each set of plans and specifications shall show the address of the proposed work and the name and address of the owner or lessee of the premises.
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 *International Energy Conservation Code*.

## **SECTION 115 APPLICATION REVIEW AND PERMIT ISSUANCE**

**115.1 Issuance.** The application and construction documents shall be reviewed by the code official. The construction documents may be reviewed by other departments of the City to check compliance with the laws and ordinances under their jurisdiction.

**115.1.1 Issuance of permit.** The code official shall issue a permit to the applicant if the code official finds the following:

1. The work described in the construction documents substantially conforms to the requirements of this code and other pertinent laws and ordinances;
2. The fees specified in the Seattle Municipal Code, Title 22, Subtitle IX, Permit Fees have been paid; and
3. The applicant has complied with all requirements to be performed prior to issuance of a permit for the work under other pertinent laws, ordinances or regulations or included in a master use permit, or otherwise imposed by the building official.

When the permit is issued, the applicant or the applicant's authorized agent becomes the permit holder.

**115.1.2 Compliance with approved construction documents.** When the code official issues a permit, the code official shall endorse the permit in writing or in electronic format and 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* construction documents and permit except as authorized by the code official during a field inspection to correct errors or omissions, or as authorized by Section 115.2.

**115.2 Revisions to the permit.** When changes to the *approved* work are made during construction, approval of the

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code official shall be obtained prior to execution. The building or mechanical inspector may approve minor changes for work not reducing the structural strength or fire and life safety of the structure. The building or mechanical inspector shall determine if it is necessary to revise the *approved* construction documents. If revised plans are required, changes shall be submitted to and *approved* by the code official, accompanied by fees specified in the Seattle Municipal Code, Title 22, Subtitle IX, Permit Fees prior to *occupancy*. All changes shall conform to the requirements of this code and other pertinent laws and ordinances and other issued permits.

Minor changes shall not incur additional fees if these 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.

**115.3 Cancellation of permit applications.** Applications may be cancelled if no permit is issued by the earlier of the following: (1) twelve months following the date of application; or (2) sixty days after the date of written notice that the permit is ready to be issued. After cancellation, construction documents 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.

**115.4 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, but in no case longer than 24 months from the date of the original application. No application may be extended more than once. After cancellation, the applicant shall submit a new application and pay a new fee to restart the permit process.

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

**115.5 Retention of plans.** One set of *approved* plans, which may be on microfilm or in electronic format, 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 the inspection personnel at all times when the work authorized is in progress.

**115.6 Validity of permit.** The issuance or granting of a permit or approval of construction documents shall:

1. 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.

2. Not prevent the code official from requiring the correction of errors in the construction documents, or from preventing building operations being carried on thereunder when in violation of this code or of other pertinent laws and ordinances of the City.
3. 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, or
4. Not be construed to extend the period of time for which any such permit is issued 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.

**115.7 Expiration of permits.** Authority to do the work authorized by a permit expires 18 months from the date of issuance. An *approved* renewal extends the life of a permit for an additional 18 months from the prior expiration date. An *approved* reestablishment extends the life of the permit for 18 months from the date the permit expired.

### Exceptions:

1. Initial permits for major construction projects that require more than 18 months to complete may be issued for a period that provides reasonable time to complete the work, according to an *approved* construction schedule. The building official may authorize a permit expiration date not to exceed three years from the date of issuance.
2. The code official may issue permits that expire in less than 18 months if the code official determines a shorter period is appropriate to complete the work.

**115.8 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; and
2. If the project has had an associated discretionary Land Use review, and the land use approval has not expired; and
3. If an application for renewal is made more than 18 months after the date of mandatory compliance with a new or revised edition of this 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 Seattle Mechanical, Fuel Gas and Energy codes in effect on the date of application for 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 normally required inspections have been *approved* for work such as foundations, framing, mechanical, insulation and finish work is being completed on a continuing basis; or



- 3.3 Commencement or completion of the work authorized by the permit is delayed by litigation, appeals, strikes or other extraordinary circumstances related to the work authorized by the permit, beyond the permit holder's control, subject to approval by the code official.

**115.9 Reestablishment of expired permits.** 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 code official if it complies with Items 2 and 3 of Section ((47.8)) 115.8. Once reestablished the permit will not be considered to have expired. The new expiration date of a re-established permit shall be determined in accordance with Section ((47.7)) 115.7.

**115.10 Revocation of mechanical permits.** 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, but not limited to, the violations, the conditions violated, and any alleged false or misleading information provided.

**115.10.1 Standards for revocation.** The code official may revoke a permit 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; or
2. The permit was obtained with false or misleading information.

**115.10.2 Service of notice of revocation.** The notice of revocation 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 posted in a conspicuous place on the premises. The notice may also be posted if served by personal service or first class mail.

**115.10.3 Effective date of revocation.** The code official shall identify in the notice of revocation a date certain on which the revocation will take effect. This date may be stayed pending complete review by the code official pursuant to Section 117.10.4.

**115.10.4 Review by the code official for notice of revocation.** Any *person* aggrieved by a notice of revocation may obtain a review by making a request in writing to the code official within three business days of the date of service of the notice of revocation. The review shall occur within five business days after receipt by the building official of the request for review. Any *person* affected by 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.

**115.10.4.1 Review procedure.** 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 affirm or modify the date the revocation will take effect;
2. Withdraw the notice of revocation;
3. Modify the notice of revocation and affirm or modify the date the revocation will take effect; or
4. Continue the review to a date certain.

**115.10.4.2 Order of revocation of permit.** The code official shall issue an order containing the decision within ten days after the review is completed and shall cause the same to be sent by regular 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. 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 116 INSPECTIONS

**116.1 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 specified in Chapter 17 of the *International Building Code*. In addition to the inspections specified above, 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.

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

**116.3 Access for inspection.** The permit holder and the *person* requesting any inspections required by this code shall 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.

**116.4 Inspection record.** Work requiring a mechanical 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 code 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 or the per-

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mit holder's agent until final approval has been granted by the code official.

**116.5 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.

**116.5.1 Effect of approval.** 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.

**116.6 Final inspection.** When the installation of a mechanical system is complete, an additional and final inspection shall be made.

**116.7 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.

**116.8 Testing of equipment and systems.** Refrigeration *equipment* regulated by this code shall be tested and *approved* as required by Chapter 11 of this code. Fuel-oil piping shall be tested and *approved* as required by Chapter 13 of this code.

**116.9 Special investigation.** If work that requires a permit or approval 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.

**116.10 Reinspections.** The code official may require a reinspection if work for which inspection is called is not complete, required corrections 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 construction documents that require the approval of the code official have been made without proper approval, or as otherwise required by the code official.

**116.10.1 Compliance with Section 104.4.** For the purpose of determining compliance with Section 104.4, Maintenance, the code official or the fire chief may cause any structure or system to be reinspected.

**116.10.2 Reinspection fee.** The code official may assess a reinspection fee as set forth in the *Seattle Municipal Code*, Title 22, Subtitle IX, Permit Fees for any action 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 117 CONNECTION APPROVAL

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

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

## SECTION 118 REFRIGERATION LICENSES

**118.1 Refrigeration licenses.** No *person* shall perform any of the services or activities related to refrigeration systems regulated by Chapter 11 without a license required by Chapter 6.82 of the *Seattle Municipal Code*, or under the direct supervision of a *person* holding a required license.

## SECTION 119 OPERATING PERMITS FOR REFRIGERATION SYSTEMS

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

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

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

## SECTION 120 FEES

**120.1 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 *Seattle Municipal Code*, Title 22, Subtitle IX, Permit Fees.