# CHAPTER 1

# SCOPE AND ADMINISTRATION

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

## SECTION 101
## TITLE, PURPOSE AND SCOPE

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

**101.2 Scope.** This code applies to the construction and occupancy of any building or structure within the City. Repair, alteration, *change of occupancy*, addition to, relocation and maintenance of buildings and structures shall comply with this code as required by the International Existing Building Code. This code applies to *unsafe* buildings, structures, equipment and premises. See Chapter 32 for regulation of structures located on, over or under public property or a public right of way.

**Exceptions:**

1. Detached one- and two-family *dwellings* and multiple single-family *dwellings* (townhouses) not more than three *stories above grade plane* in height with a separate means of egress, and their accessory structures not more than three *stories above grade plane* in height, shall comply with the *International Residential Code*.
2. This code does not apply to public utility towers and poles, mechanical equipment not specifically regulated in this code, construction equipment and structural components thereof, and hydraulic flood control structures.

**101.2.1 Existing buildings.** The International Existing Building Code applies to the repair, alteration, *change of occupancy*, addition to, relocation and maintenance of *existing buildings*.

**101.3 Applicability of city laws.** A building permit application shall be considered under applicable city law in effect on the date a valid and fully complete building permit application is submitted or on a date as otherwise required by law.

**Exception:** For any project for which an associated, unexpired master use permit has been issued, a building permit application shall be considered under the versions of Seattle Municipal Code Title 23, Seattle *Land Use Code*; Seattle Municipal Code Chapter 25.09, Environmentally Critical Areas regulations; and Seattle Municipal Code Chapter 25.09, Tree Protection regulations in effect on the date established by Seattle Municipal Code Section 23.76.026 or 23.76.032.C.1 for consideration of the master use permit, unless that date is later than the date of the complete building permit application. This exception does not apply to a subdivision or short subdivision component of a master use permit.

**Note:** Applicable city law includes but is not limited to the Seattle Municipal Code Title 23, Seattle *Land Use Code*; Seattle Municipal Code Chapter 25.09, Environmentally Critical Areas regulations; Seattle Municipal Code Chapter 25.09, Tree Protection regulations; and the Seattle Building, Mechanical, Fuel Gas, Energy, Stormwater, Grading and Side Sewer codes.

**101.3.1 Complete building permit applications**. A building permit application is complete if the *building official* determines it meets the requirements of Sections 106.5.1 through 106.5.7, and the application includes, without limitation, the *construction documents* for the architectural and structural components of the building.

**Exception**: If the *building official* allows a building permit application to be submitted in phases for portions of a building, each phased portion submittal shall meet the requirements of Sections 106.5.1 through 106.5.7 applicable to the scope of the allowed phased portion, and the building permit application shall be considered complete for the purposes of Section 101.3 on the date the phased portion submittal that includes the structural frame for the entire building is submitted.

**101.3.2 Initial tenant improvements.** Complete permit applications for the initial tenant alterations submitted no later than 18 months after the date of the *approved* final inspection for the building shall be considered under the codes applicable to the permit application for the building in accordance with Section 101.3.

Complete permit applications for initial tenant alterations submitted more than 18 months after the date of the *approved* final inspection for the building shall comply with the codes in effect at the time of application.

**101.4 Purpose.** The purpose of this code is to provide minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, quality of materials, occupancy, location and maintenance of 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 benefited by the terms of this code.

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

**101.6 Referenced codes and standards.** The codes and standards referenced in this code are considered part 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, except that nothing in this code limits the effect of any provision of the Grading Code, Stormwater Code, or Regulations for Environmentally Critical Areas.

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

**101.8 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.

## SECTION 102
## UNSAFE BUILDINGS, STRUCTURES OR PREMISES

**102.1 Emergency order.** Whenever the *building official* finds that any building or structure or premises, 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. The emergency order may (1) direct that the building, structure or premises, or portion thereof be restored to a safe condition by a date certain; (2) require that the building, structure or premises, or portion thereof, be vacated within a reasonable time to be specified in the order, or in the case of extreme danger, may specify immediate vacation of the building, structure or premises, or portion thereof; or (3) authorize immediate disconnection of the utilities or energy source.

**102.1.1 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.

**102.1.2 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 *building official*.

**102.2 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 the International Existing Building Code.

**102.2.1 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.

**102.2.2 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 103
## ENFORCEMENT, VIOLATIONS AND PENALTIES

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

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

6. Conduct work under a permit without requesting an inspection as required by Section 108.

**103.2 Notice of violation.** If, after investigation, the *building official* determines that standards or requirements of this code have been violated or that orders or requirements have not been complied with, the *building official* may 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.

**103.2.1 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 *building official* to issue a notice of violation prior to the imposition of civil or criminal penalties.

**103.2.2 Review of notice of violation by the building official.** Any *person* affected by a notice of violation issued pursuant to Section 103.2 may obtain a review of the notice by making a request in writing to the *building 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.

**103.2.2.1 Review procedure.** The review shall occur not less than ten nor more than 20 days after the request is received by the *building 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 *building official*. 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.

**103.2.2.2 Decision.** After the review, the *building official* shall:

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

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

**103.3 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 contrary to a permit issued by the *building official*, 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.

**103.3.1 Service of stop work order.** The *building 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.

**103.3.2 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 103.3.1 is served.

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

**103.3.3.1 Review procedure.** The review shall occur within two business days after receipt by the *building 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 *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.

**103.3.3.2 Decision.** After the review, the *building official* may:

1. Sustain the stop work order;
2. Withdraw the stop work order;
3. Modify the stop work order; or

4. Continue the review to a date certain.

**103.3.3.3 Order.** The *building 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.

**103.4 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.

**103.4.1 Service of notice of occupancy violation.** The notice of occupancy violation 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.

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

**103.5 Civil penalties.** 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, except that the penalty for violations of Section 3107.4.1 shall be $1500 per day. In cases where the *building official* has issued a notice of violation, the violation will be deemed to begin, for purposes of determining the number of days of violation, on the date compliance is required by the notice of violation.

**103.6 Enforcement in Municipal Court.** Civil actions to enforce Title 22 of the Seattle Municipal Code (SMC) 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 *building official* is not itself evidence that a violation exists.

**103.7 Judicial review.** Because civil actions to enforce Title 22 SMC must be brought exclusively in Seattle Municipal Court pursuant to Section 103.6, orders of the *building official* including Notices of Violation issued under this chapter are not subject to judicial review pursuant to Chapter 36.70C RCW.

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

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

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

**103.11 Administrative review by the Construction Codes Advisory Board.** After administrative review by the *building official*, and prior to issuance of the building permit, applicants may request review of decisions or actions pertaining to the application and interpretation of this code by the Construction Codes Advisory Board, except for stop work orders, notices of violations, revocations of permits, and enforcement of Section 3107. 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 *building official*.

**103.12 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.

**103.13 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 104
## ORGANIZATION AND DUTIES

**104.1 Jurisdiction of 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 *building official*.

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

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

**104.4 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 strength, effectiveness, fire resistance, durability, safety and sanitation 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 relevant information in the files of the *building official* or on the *approved construction documents*.

**104.5 Alternate materials, methods of construction and design.** This code does not prevent the *use* of any material, design or method of construction not specifically allowed or prohibited by this code, provided the alternate has been approved and its use authorized by the *building official*. The *building official* may approve an alternate, provided the *building official* finds that the proposed alternate complies with the provisions of this code and that the alternate, when considered together with other safety features of the building or other relevant circumstances, will provide at least an equivalent level of strength, effectiveness, fire resistance, durability, safety and sanitation. Certain code alternates have been pre-approved by the *building official* and are identified in this code as numbered code alternates. The *building official* may require that sufficient evidence or proof be submitted to reasonably substantiate any claims regarding the use or suitability of the alternate. The *building official* may, but is not required to, record the approval of code alternates and any relevant information in the files of the *building official* or on the *approved construction documents*.

**104.6 Flood hazard areas.** The *building official* shall not grant modifications to any provision required in flood hazard areas as established by Section 1612.3 unless a determination has been made that:

1. A showing of good and sufficient cause that the unique characteristics of the size, configuration or topography of the site render the elevation standards of Section 1612 inappropriate.
2. A determination that failure to grant the variance would result in exceptional hardship.
3. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, cause fraud on or victimization of the public, or conflict with existing laws or ordinances.
4. A determination that the variance is the minimum necessary to afford relief, considering the flood hazard.
5. Submission to the applicant of written notice specifying the difference between the design flood elevation and the elevation to which the building is to be built, stating that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced floor elevation, and stating that construction below the design flood elevation increases risks to life and property.

**104.7 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* for the period required for retention of public records.

**104.8 Rules of the building official.** The *building official* has authority to issue interpretations of this code and to adopt and enforce rules and regulations supplemental to this code as may be deemed necessary in order to clarify the application of the provisions of this code. Such interpretations, rules and regulations shall be in conformity with the intent and purpose of this code.

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

**104.9 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 relieve or lessen the responsibility of any *person* owning, operating or controlling any building or structure for any damages to *persons* or property caused by defects, nor shall the Department of 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.

**104.10 Responsibilities of parties.**

**104.10.1 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, employees or agents.

**104.10.2 Responsibilities of registered design professional in responsible charge.** It is the responsibility of the *registered design professional in responsible charge* to ensure that the information in the *construction documents* is complete, accurate, and, to the best of the design professional's knowledge, conforms to the requirements of this code.

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

1. Design the primary structure;

   **Exception:** A licensed engineer other than the *structural engineer in responsible charge* may design the primary structure of single-*story* metal buildings.
2. Specify design loads, configurations, controlling dimensions, deflection limits and/or other criteria necessary for the design of secondary structural components and sub-systems and the selection of *structurally qualified products*;
3. Determine the adequacy and conformance of the application of the *structurally qualified products* with the design intent of the City-approved *construction documents*;
4. Review for compatibility with the City-approved *construction documents* previously approved by the *building official*, the *deferred submittals* for the primary structural frame and the design and *deferred submittals* for *secondary members* for the following structural elements:

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

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

**Note:** *"Primary structural frame"* and *"secondary member"* are defined in Chapter 2.

**104.10.4 Responsibilities of contractor.** It is the responsibility of the contractor to perform all the work in conformance with the City-approved *construction documents*.

**104.10.5 Responsibilities of plans examiner.** It is the responsibility of the plans examiner to verify that the description of the work in the *construction documents* is substantially complete, and to require corrections where, to the best of the plans examiner's knowledge, the *construction documents* do not conform to this code or other pertinent laws and ordinances.

**104.10.6 Responsibilities of field inspector.** It is the responsibility of the field inspector to conduct inspections to verify that the work in progress conforms with the *approved construction documents* and to require corrections where, to the best of the field inspector's knowledge, the work either does not conform to the *construction documents* or where the work is in violation of this code or other pertinent laws and ordinances.

## SECTION 105
## CONSTRUCTION CODES ADVISORY BOARD

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

1 architect;

1 structural engineer;

1 electrical engineer;

1 heating, refrigeration and air-conditioning engineer;

1 general contractor;

1 electrical contractor;

1 commercial building owner or operator;

1 apartment building owner or operator;

1 developer and/or contractor of residential projects;

1 member of organized labor; and

3 members of the general public.

A representative of each of the following departments shall be ex officio, non-voting members of the Board:

Seattle Fire Department;

Seattle City Light; and

Seattle-King County Department of Public Health.

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

**105.2.1 Code adoption and amendment.** The Board may examine proposed new editions and amendments to the following codes and regulations listed in this section. The Board may make recommendations to the *building official* and to the City Council for adoption and amendment of these codes.

Seattle Building Code – Chapter 22.100 SMC*

Seattle Residential Code – Chapter 22.150 SMC

Seattle Mechanical Code – Chapter 22.400 SMC

Seattle Fuel Gas Code – Chapter 22.420 SMC

Seattle Boiler Code – Chapter 22.450 SMC

Seattle Energy Code – Chapter 22.700 SMC

Seattle Electrical Code – Chapter 22.300 SMC

Seattle Plumbing Code – SMC Title 22 Subtitle V

* SMC is the Seattle Municipal Code.

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

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

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

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

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

## SECTION 106
## BUILDING PERMITS

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

**106.2 Work exempt from permit.** A building permit is not required for the work listed below. Exemption from the permit requirements of this code does not authorize any work to be done in any manner in violation of this code or any other laws or ordinances of the City.

1. Minor repairs or alterations if the value of construction, as determined by the *building official*, is $6,000 or less in any six month period. Such repairs and alterations shall not include the removal, reduction, alteration, or relocation of any load-bearing support. Egress, light, ventilation, and fire-resistance shall not be reduced without a permit.
2. Minor work including the following, provided no changes are made to the building envelope: patio and concrete slabs on grade, painting or cleaning a building, repointing a chimney, installing kitchen cabinets, paneling or other surface finishes over existing wall and ceiling systems applied in accordance with Chapter 8, insulating *existing buildings*, abatement of hazardous materials, demolition of nonstructural interior tenant improvements in retail and office uses, and in-kind or similar replacement of or repair of deteriorated members of a structure.
3. One-*story* detached accessory buildings used for greenhouse, tool or storage shed, playhouse, or similar uses, if:
   3.1 The projected roof area does not exceed 120 square feet; 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. Display cases, cabinets, counters and partitions not over 5 feet 9 inches high.
7. Retaining walls and rockeries which are not over 4 feet in height measured from the bottom of the footing to the top of the wall, if:
   7.1 There is no surcharge or impoundment of Class I, II or III-A liquids.
   7.2 The wall or rockery is not located in an Environmentally Critical Area (ECA) or ECA buffer pursuant to chapter 25.09 of the Seattle Municipal Code;
   7.3 Construction does not support soils in a steep slope area, potential landslide area or known slide area as identified in the Seattle Environmentally Critical Areas Ordinance Section 25.09.020 of the Seattle Municipal Code.
   7.4 Possible failure would likely cause no damage to adjoining property or structures.
8. Platforms, walks and driveways not more than 18 inches above grade and not over any basement or *story* below.
9. Temporary motion picture, television and theater stage sets and scenery.
10. Window *awnings* supported by an exterior wall of Group R-3, and Group U occupancies when projecting not more than 54 inches.
11. Prefabricated swimming pools, spas and similar equipment accessory to a Group R-3 occupancy in which the pool walls are entirely above the adjacent grade and if the capacity does not exceed 5,000 gallons.
12. Replacement of siding. This shall not include structural changes, replacement of sheathing or alterations to doors and windows. See Energy Code Sections R503.1.1, Exceptions 2 and 3 and C503.1, Exceptions 3 and 4, for requirements for *existing buildings*.
13. Roof recover.
14 Roof replacement under either of the following conditions:
   14.1 In one- and two-family *dwellings* and townhouses if no changes are made to the building envelope other than adding or replacing insulation, and the insulation value is equivalent to or better than the *existing structure*; or
   14.2 Where less than 500 square feet of roof sheathing or insulation is exposed within any 6 month period. Permits are required for structural changes and replacement of sheathing of any size. See Energy Code Sections R503.1.1, C503.1 and C503.3 for insulation requirements for *existing buildings*.
15. School, park or private playground equipment including tree houses.
16. 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.

17. Installation of dish and panel antennas 6.56 feet (2 m) or less in diameter or diagonal measurement.
18. Water tanks not located in Environmentally Critical Areas that are supported directly on grade if the capacity is not greater than 5,000 gallons (18 925 L) and the ratio of height to diameter or width is not greater than 2:1.

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

**106.4 Flood hazard areas.** In addition to the permit required by this section, all work to be performed in areas of special flood hazard, as defined in Seattle Municipal Code Chapter 25.06, are subject to additional standards and requirements, including

floodplain development approval or a Floodplain Development License, as set forth in Chapter 25.06, the Seattle Floodplain Development Ordinance.

**106.4.1 Determination of substantially improved or substantially damaged existing buildings and structures in flood hazard areas.** For applications for reconstruction, rehabilitation, *repair*, *alteration*, *addition* or other improvement of *existing buildings* or structures located in *flood hazard areas*, the *building official* shall determine if the proposed work constitutes *substantial improvement* or *repair* of *substantial damage*. Where the *building official* determines that the proposed work constitutes *substantial improvement* or *repair* of *substantial damage*, and where required by this code, the *building official* shall require the building to meet the requirements of Section 1612.

**106.5 Application for permit.** To obtain a permit, the applicant shall first file an application a format determined by the *building 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 contractor's business name, address, phone number and current contractor registration number (required if contractor has been selected).
4. Be accompanied by *construction documents*, including plans and other data as required in Section 106.5.2 through 106.5.7.
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. State the name of the owner and contractor and the name, address and phone number, of a contact *person*.
9. Substantially conform with applicable city law in effect on the date described in Section 101.3, as modified by any exception.
10. Applications that include a grading component shall include all information prescribed by the Grading Code and rules adopted thereunder, and all additional information required by the *building official* pursuant to the Grading Code and rules adopted thereunder.

**106.5.1 Construction documents.** *Construction documents* shall be submitted in two or more sets with each application for a permit, or shall be submitted in electronic format determined by the *building official*. Computations, stress diagrams, shop and fabrication drawings and other data sufficient to show the adequacy of the plans shall be submitted when required by the *building official*.

**Exception:** The *building official* may waive the submission of *construction documents*, if the *building official* finds that the nature of the work applied for is such that reviewing of *construction documents* is not necessary to obtain compliance with this code.

**106.5.2 Preparation by registered design professionals.** *Construction documents* 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 *construction documents* shall bear the seal and the signature of the registered design professional before the permit is issued.

**Exceptions:**

1. *Construction documents* for work not involving structural design are permitted to be prepared by a registered professional engineer or registered architect qualified in the proposed work.
2. When authorized by the *building official*, *construction documents* for assembly line products or designed specialty structural products may be designed by a registered professional engineer.
3. When authorized by the *building official*, *construction documents* need not be prepared by an engineer or architect licensed by the State of Washington for the following:

   3.1. Detached one- and two-family *dwellings*.

   3.2 New buildings or structures, and additions, alterations or repairs made to them of conventional light frame construction, if the value of construction, as determined by the *building official*, is less than $75,000.

   3.3. Nonstructural alterations and repairs if the value of construction, as determined by the *building official*, is less than $75,000, excluding the value of electrical and mechanical systems, fixtures, equipment, interior finish and millwork.

3.4. Other work as specified in rules promulgated by the *building official.*

**106.5.3 Design professional in responsible charge.** The *building official* is authorized to require the owner to engage and designate on the building permit application a registered design professional who shall act as the registered design professional in responsible charge. If the circumstances require, the owner shall designate a substitute registered design professional in responsible charge who shall perform the duties required of the original registered design professional in responsible charge. The *building official* shall be notified in writing by the owner if the registered design professional in responsible charge is changed or is unable to continue to perform the duties. The registered design professional in responsible charge is responsible for reviewing and coordinating submittal documents prepared by others, including phased and *deferred submittal* items, for compatibility with the design of the building.

**106.5.4 Information required on construction documents.** *Construction documents* shall include the following, as applicable:

1. A plot plan showing the width of streets, alleys, yards and courts.
2. The location (and/or location within a building), floor area, *story*, height, type of construction and occupancy classification as defined by the Building Code and use as defined by the *Land Use Code* of the proposed building and of every *existing building* on the property.
3. Where there are more than two buildings located on a property, a building identification plan identifying the location of each building on the property and identifying each building by a numbering system unrelated to address. Such plan is not required where a plan for the site is already on file and no new buildings are being added to the site.
4. Types of heating and air conditioning systems.
5. Architectural plans, including floor plans, elevations and door and finish schedules showing location of all doors, windows, mechanical equipment, shafts, pipes, vents and ducts. *Fire walls*, fire barriers, fire partitions, smoke barriers and smoke partitions or any other wall or horizontal assembly required to have protected openings or penetrations shall be identified on the architectural plans.
6. Structural plans, including foundation plan and framing plans.
7. Cross-sections and construction details for both architectural and structural plans including wall sections, foundation, floor and roof details, connections of structural members and types of construction material.
8. Topographic plans, including original and final contours, location of all buildings and structures on the site and, when required by the *building official*, adjacent to the site, and cubic yards of cut and fill.
9. If the *building official* has reason to believe that there may be an intrusion into required open areas or over the property line, a survey of the property prepared by a land surveyor licensed by the State of Washington is required for new construction, and for additions or accessory buildings.
10. If any building or structure is to be erected or constructed on property abutting an unimproved or partially improved street or alley, the plans shall also include a profile showing the established or proposed grade of the street or alley, based upon information obtained from the Director of Transportation relating to the proposed finished elevations of the property and improvements thereon.
11. Where design flood elevations are not specified, they shall be established in accordance with Section 1612.3.1.

**106.5.5 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. Occupancy classification(s) of all parts of the building(s) and where mixed use and occupancy applies, a diagram of the building or any portion thereof showing how the mixed uses/occupancies are “separated” or “non-separated” per Section 508.
5. Description of fixed fire protection devices or systems for each occupancy, or note “Full” when provided for the entire building.
6. Zoning classification of the property and existing and proposed uses of the structure(s) as defined in the *Land Use Code*.
7. Indication of location within the *fire district* as defined in this code, if applicable.
8. Type of construction as defined in this code.
9. Number of *stories above grade plane, mezzanines* and *basements* as defined in this code.
10. Variances, conditional uses, special exceptions, including project numbers, approval and approval extension dates.

11. Where applicable, a description of the design selected and approved at a Section 403 high-rise building pre-design conference, a Section 404 atrium pre-design conference, a Section 414.1.4 hazardous occupancy pre-design conference, a Section 1613.1.1 seismic design pre-design conference or a similar conference on a building subject to Fire Code Chapter 93.

**106.5.6 Structural notes.** Plans shall include applicable information including, but not limited to, the following:

1. Design loads: Snow load, live loads and lateral loads. If required by the *building official*, the structural notes for plans engineered to ASCE 7 shall include the factors of the base shear formula used in the design;
2. Foundations: Foundation investigations, allowable bearing pressure for spread footings, allowable load capacity of piles, lateral earth pressure;
3. Masonry: Type and strength of units, strength or proportions of mortar and grout, type and strength of reinforcement, method of testing, design strength;
4. Wood: Species or species groups, and grades of sawn lumber, glued-laminated lumber, plywood and assemblies, type of fasteners;
5. Concrete: Design strengths, mix designs, type and strength of reinforcing steel, welding of reinforcing steel, restrictions, if any;
6. Steel and aluminum: Specification types, grades and strengths, welding electrode types and strengths.

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

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

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

**106.5.8 Deferred submittals**. Deferral of any submittal items shall have the prior approval of the *building official*. The registered design professional in responsible charge shall list *deferred submittals* on the plans for review by the *building official*.

Documents for *deferred submittal* items shall be submitted to the registered design professional in responsible charge who shall review them and forward them to the *building official* with a notation indicating that the *deferred submittal* documents have been reviewed and been found to be in general conformance to the design of the building. The *deferred submittal* items shall not be installed until the *deferred submittal* documents have been approved by the *building official*.

**106.5.9 Construction and demolition waste.** The information in Sections 106.5.9.1 and 106.5.9.2 shall be submitted for projects generating construction or demolition material for salvage, recycling or disposal. These requirements apply to building alterations having a work area greater than 750 square feet or a project value greater than $75,000, whichever is more restrictive, and for all whole building demolitions.

**Exception:** Projects for which an emergency order or hazard correction order has been issued pursuant to Section 102.

**106.5.9.1 Salvage Assessment.** This form shall be provided at the time of permit application and is a requirement for permit application submittal.

1. A salvage assessment completed by an approved agent identifying building components having potential to be salvaged prior to building removal. The building owner is permitted to complete the assessment for building alterations that include some demolition.
2. A statement of compliance with the regulations of the Puget Sound Clean Air Agency regarding asbestos identification, notification and abatement.

**Exception:** A salvage assessment is not required if the project does not impact an existing building, such as construction of a new detached accessory dwelling unit or backyard cottage.

**106.5.9.2 Waste Diversion Report.** A Waste Diversion Report shall be submitted within 60 days of final inspection approval. The Waste Diversion Report shall identify the weight or volume of project-generated construction waste and demolition material, the hauler of the material, and the receiving facility or location for each commodity. A signed affidavit from the receiving party and photo documentation shall be included for the salvaged materials for which a tip receipt cannot be obtained.

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

**106.6 Application review and permit issuance.** The *construction documents* shall be reviewed by the *building official*. Such *construction documents* may be reviewed by other departments of the City to check compliance with the laws and ordinances under their jurisdiction.

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

**106.6.2 Decision on application.** Except as provided in Section 106.6.8, the *building official* shall approve, condition or deny the application within 120 days after the *building official* notifies the applicant that the application is complete.

To determine the number of days that have elapsed after the notification that the application is complete, the following periods shall be excluded:

1. All periods of time during which the applicant has been requested by the Director to correct plans, perform required studies, or provide additional required information, until the determination that the request has been satisfied. The period shall be calculated from the date the *building official* notifies the applicant of the need for additional information until the earlier of the date the *building official* determines whether the additional information satisfies the request for information or 14 days after the date the information has been provided to the *building official*.
2. If the *building official* determines that the information submitted by the applicant under item 1 of this subsection is insufficient, the *building official* shall notify the applicant of the deficiencies, and the procedures under item 1 of this subsection shall apply as if a new request for information had been made;
3. All extensions of time mutually agreed upon by the applicant and the *building official*.

If a project permit application is substantially revised by the applicant, the time period shall start from the date at which the revised project application is determined to be complete under Section 101.3.1.

**106.6.3 Issuance of permit.**

**106.6.3.1.** Subject to Section 106.6.3.2, the *building official* shall issue a permit to the applicant if the *building official* finds the following:

1. The work described in the *construction documents* conforms to the requirements of this code and other pertinent laws, ordinances, and regulations and with all conditions imposed under any of them,
2. The fees specified in the *Fee Subtitle* 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.

**106.6.3.2** The *building official* shall not issue a permit if the *building official* has determined that the property owner violated subsection 22.210.136.A of the Seattle Municipal Code and the owner has not obtained any required tenant relocation license.

**106.6.4 Phased permits.**

1. The *building official* may authorize construction of a portion or portions of a building or structure before complete *construction documents* for the whole building or structure have been submitted or *approved*, or before the applicant has complied with all conditions of a building permit for the entire building or structure under the *Land Use Code* or master use permit. The entire proposed project shall comply with applicable city law in effect on the date set forth in Section 101.3.

   The applicant shall proceed at the applicant's risk without assurance that a permit for the entire building or structure will be granted.
2. After approval of a Master Use Permit as required by the *Land Use Code*, if the applicant has satisfied all applicable requirements for issuance of a grading permit under the Grading Code and rules adopted thereunder, a permit for excavation, shoring and other *land-disturbing activity* may be issued.

**106.6.5 Grading permits.** The grading component of the building permit is the portion of the building permit that authorizes work that is subject to the requirements of the Grading Code. That component constitutes a grading permit.

**106.6.6 Permit conditions and denial.** The *building official* may impose on a permit any conditions authorized by this code or other pertinent ordinances or regulations, including but not limited to the Grading Code, the Stormwater Code, Regulations for Environmentally Critical Areas, and rules adopted pursuant to those codes. In addition, the *building official* may condition

a permit in order to reduce the risks associated with development, construction, ownership and occupancy including, but not limited to risks in potential slide areas. The *building official* may deny a permit if the *building official* determines that the risks cannot be reduced to an acceptable level, that the proposed project or *construction documents* do not conform to the requirements of this code or other pertinent laws, ordinances or regulations, or to requirements included in the Master Use Permit or requirements otherwise imposed by the *building official* or other City departments, or that the applicant has failed to comply with any requirement or condition imposed pursuant to the authority described above.

**106.6.7 Compliance with approved construction documents.** When the *building official* issues a permit, the *building 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 *building official*, and all work shall be done in accordance with the *approved construction documents* and permit except as authorized by the *building official* during a field inspection to correct errors or omissions or as authorized by Section 106.6.8.

**106.6.8 Revisions to the permit.** When 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 changes to the *construction documents* 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 construction documents*. No changes that are subject to special inspection required by Section 1704 shall be made during construction unless approved by the *building official*. If revised plans are required, changes shall be submitted to and approved by the *building official*, accompanied by fees specified in the *Fee Subtitle* prior to occupancy. All changes shall conform to the requirements of this code and other pertinent laws and ordinances and other issued permits.

**106.6.9 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 from the date of written notice that the permit is ready to issue. After cancellation, *construction documents* 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 thirty 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.

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

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

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

**106.8 Validity of permit.** The issuance or granting of a permit or approval of *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 *building 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 *building 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 *building official* or other administrative authority requiring the correction of any such conditions.

**106.9 Expiration of permits.** Authority to do the work authorized by a permit 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, except when there is an

associated Shoreline Substantial Development permit in which case the *building official* may authorize an expiration date not to exceed the life of the Shoreline permit.

2. The *building official* may issue permits which expire in less than eighteen months if the *building official* determines a shorter period is appropriate to complete the work.

This section is subject to the limitations in Seattle Municipal Code Section 22.800.100, Stormwater Code.

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

1. Application for renewal is made within the 30 day period immediately preceding the date of expiration of the permit; and
2. If the project has had an associated discretionary Land Use review, the land use approval has not expired; 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 the Seattle Building 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 Seattle Building, Mechanical, Fuel Gas, Energy, Stormwater, Side Sewer and Grading 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 building inspections have been *approved* for work such as foundations, framing, mechanical, insulation and finish work that 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 *building official*; and

4. If an application for renewal is made on or after January 1, 2017, the permit shall not be renewed unless: (a) the *building official* determines that the permit complies, or is modified to comply, with the Seattle Stormwater Code in effect on the date of application for renewal; or (b) construction has started. For purposes of this provision, "started construction" means the site work associated with and directly related to the *approved* project has begun. For example, grading the project site to final grade or utility installation constitutes the start of construction; simply clearing the project site does not.

**106.11 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 *building official* if it complies with Section 106.10, Items 2, 3, and 4 above. Once re-established the permit will not be considered to have expired. The new expiration date of a reestablished permit shall be determined in accordance with Section 106.9.

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

**106.12.1 Standards for revocation.** The *building official* may revoke a permit if:

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

**106.12.2 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.

**106.12.3 Effective date of revocation.** The *building 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 *building official* pursuant to Section 106.12.4.

**106.12.4 Review by the building 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 *building 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.

**106.12.4.1 Review procedure.** 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 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.

**106.12.4.2 Order of revocation of permit.** The *building 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.

**106.13 Permits for temporary structures.**

**106.13.1 Tents and similar facilities used for 18 months or less.** The *building official* may issue a permit to erect and maintain a tent or other similar temporary structure to be used for religious services, conventions, circuses, carnivals, fairs, special sales or similar uses for a period not to exceed eighteen months.

**Exceptions:**

1. Authority to issue permits is vested with the Fire Department for temporary tents and *canopies* meeting all of the following conditions:
   1.1. The permit is for less than four weeks;
   1.2. The temporary structure will be located 200 feet or more from shorelines;
   1.3. No stage, platform, bleacher or similar structure greater than 4 feet in height will be installed inside any temporary structure;
   1.4. No temporary structure will be attached to a building or other permanent structure for support;
   1.5. The temporary structure is not proposed to be used during severe weather, and
   1.6 The temporary structure is not of unusual shape, unusual location or large area or height.

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

**106.13.1.1 Renewal.** Permits issued pursuant to Section 106.13.1 are not renewable.

**106.13.1.2 Subsequent permits.** If the occupant load of the structure is 100 or more and is issued for less than 4 weeks, no more than one permit per tent vendor for each event shall be issued in any three-month period.

**106.13.1.3 Removal.** Such structures shall be removed before the expiration of the permit.

**106.13.1.4 Requirements for tents and similar structures.** The structure shall be subject to such reasonable safeguards for *persons* and property as the *building official* prescribes. The nature and extent of fire-extinguishing equipment and decorations shall be subject to the requirements of the fire chief, and the sanitary facilities shall meet the requirements of the Director of Public Health.

**106.13.1.5 Cash deposit or bond.** The *building official* may require that removal of the structure be guaranteed by a cash deposit with the *building official* or by a surety bond, the amount of which, in either case, shall be fixed by the *building official*. The cash deposit or bond shall also be conditioned so that, if the occupant or owner fails to conform to any of the requirements of the City related to the erection, maintenance or removal of the tent or other structure, the *building official* may enter the premises and take steps necessary to make the structure conform to the requirements. The City shall be permitted to recover the cost thereof from the cash deposit or bond.

**106.13.2 Temporary structures.** Temporary structures such as reviewing stands and other structures conforming to the requirements of this code, and sheds, *canopies*, or fences used for the protection of the public around and in conjunction with construction work may be erected by special permit from the *building official* for a limited period of time. The building or structure shall be subject to the bonding, removal and safety provisions of Section 106.13.1.5.

**106.13.3 Temporary structures in the right-of-way.** Temporary buildings or structures in the right-of-way are regulated by the Director of Transportation.

**106.13.4 Temporary commercial coaches and modular homes.** The *building official* may issue permits for eighteen months for the installation of commercial coaches and modular homes as temporary offices or other uses as may be determined by the *building official*, subject to the following:

1. Commercial coach shall be identified by a State of Washington black sticker located by the door. The structure may be placed on a temporary foundation and shall be anchored to resist wind and seismic lateral forces.

2. Modular homes shall be identified by a State of Washington gold sticker located by the door. Modular homes shall be permitted only if no heavy storage is anticipated for the temporary office use. The structure may be placed on a temporary foundation and shall be anchored to resist wind and seismic lateral forces.
3. A plot plan shall be submitted to verify compliance with the *Land Use Code* and to check exposure to other buildings.
4. The proposed use must be permitted outright under the *Land Use Code* and comply with all other pertinent laws and ordinances.
5. Construction offices, dry shacks and similar temporary buildings are regulated by Section 106.13.5.

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

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

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

**106.13.5.1 Removal of construction buildings.** Such structures shall be removed within 14 days after the end of the temporary permit's term. Removal shall be guaranteed by a cash deposit with the *building official* or by a surety bond, the amount of which, in either case, shall be fixed by the *building official*.

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

**106.13.5.3 Cash deposit or bond.** The *building official* may require that removal of the structure be guaranteed by a cash deposit with the *building official* or by a surety bond, the amount of which, in either case, shall be fixed by the *building official*. The cash deposit or bond shall be conditioned so that, if the occupant or owner fails to conform to any of the requirements of the City related to the erection, maintenance or removal of the tent or other structure, the *building official* may enter the premises and take steps necessary to make the structure conform to the requirements. The City shall be permitted to recover the cost thereof from the cash deposit or bond.

## SECTION 107
## FLOOR AND ROOF DESIGN LOADS

**107.1 Live loads posted.** Where the live loads for which each floor or portion thereof of a commercial or industrial building is or has been designed to exceed 125 pounds per square foot and for all warehouse and storage areas, such design live loads shall be conspicuously posted by the owner or the owner's authorized agent in that part of each *story* in which they apply, using durable signs. It shall be unlawful to remove or deface such notices.

**107.2 Issuance of certificate of occupancy.** A certificate of occupancy required by Section 109 shall not be issued until the floor load signs, required by Section 107.1, have been installed.

**107.3 Restrictions on loading.** It shall be unlawful to place, or cause or permit to be placed, on any floor or roof of a building, structure or portion thereof, a load greater than is permitted by this code.

## SECTION 108
## INSPECTIONS

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

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

**108.3 Preconstruction conferences.** When required by the *building official*, the owner or the owner's agent shall arrange a conference with the project contractor, the design team, the special inspection agency if special inspection is required, and the *building official* prior to commencing work on any portion of construction. The intent of the conference is to identify and clarify unusual inspection requirements of the project. See Section 1703.7 for preconstruction conferences for projects requiring special inspection.

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

**108.5 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 Washington Industrial Safety and Health Agency. The work shall remain accessible and exposed for inspection purposes until approved by the *building official*. Neither the *building official* nor the City shall be liable for expense entailed in the required removal or replacement of any material to allow inspection.

**108.6 Inspection record.** Work requiring a permit shall not be commenced until the permit holder or the permit holder's agent has posted an inspection record in a conspicuous place on the premises and in a position 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 or the permit holder's agent until final approval has been granted by the *building official*.

**108.7 Approvals required.** No work shall be done on any part of the building or structure beyond the point indicated in each successive inspection without first obtaining the written approval of the *building official*. Written approval shall be given only after an inspection has been made of each successive step in the construction as indicated by each of the inspections required in Section 108.9. There shall be a final inspection and approval of all buildings when completed and ready for occupancy.

**108.7.1 Effect of approval.** Approval as a result of an inspection is not an approval of any violation of the provisions of this code or of other pertinent laws and ordinances of the City. Inspections presuming to give authority to violate or cancel the provisions of this code or of other pertinent laws and ordinances of the City are not valid.

**108.8 Concealment of work.** No required reinforcing steel or structural framework of any part of any building or structure shall be covered or concealed in any manner whatsoever without first obtaining the approval of the *building official*. Protection of joints and penetrations in fire-resistance-rated assemblies, smoke barriers and smoke partitions shall not be concealed from view until inspected and *approved*.

**Exception:** Modular homes and commercial coaches identified by State of Washington stickers as specified in Section 106.13.4 and placed upon a permanent foundation approved and inspected by the *building official*.

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

**108.9.1 First ground disturbance inspection.** To be made prior to beginning *land-disturbing activity*, and following installation of erosion control measures and any required fencing that may restrict land disturbance in steep slope or other buffers as defined in Seattle Municipal Code Chapter 25.09.

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

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

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

**108.9.4 Lowest floor elevation.** In flood hazard areas, upon placement of the lowest floor, including the basement, and prior to further vertical construction, the elevation certification required in Section 1612.5 shall be submitted to the *building official*.

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

**108.9.6 Type IV-A, IV-B, and IV-C connection protection inspection.** In buildings of Type IV-A, IV-B, and IV-C construction, where connection fire resistance ratings are provided by wood cover calculated to meet the requirements of Section 2304.10.1, inspection of the wood cover shall be made after the cover is installed, but before any other coverings or finishes are installed.

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

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

**108.9.9 Final site inspection.** To be made after all grading is complete, and all permanent erosion controls, stormwater facilities and stormwater best management practices have been installed.

**Exception:** A final site inspection is not required for projects with less than 750 square feet of *land disturbing activity*.

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

**108.9.10.1 Flood hazard documentation.** If located in a flood hazard area, documentation of the elevation of the lowest floor as required in Section 1612.5 shall be submitted to the *building official* prior to the final inspection.

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

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

**108.12 Special investigation.** If work that requires a permit or approval 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 the work. Where a special investigation is made, a special investigation fee may be assessed in accordance with the *Fee Subtitle*.

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

**108.13.1 Compliance with International Existing Building Code Section 101.5.** For the purpose of determining compliance with International Existing Building Code Section 101.5, Maintenance, the *building official* or the fire chief may cause any structure to be reinspected.

**108.13.2 Reinspection fee.** The *building official* may assess a reinspection fee as set forth in the *Fee Subtitle* 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 109
## CERTIFICATE OF OCCUPANCY

**109.1 Occupancy.** No new building or structure shall be used or occupied until the *building official* has issued a Certificate of Occupancy. For *existing buildings*, a Certificate of Occupancy is required for:

1. Any *change of occupancy*,
2. Change in type of construction,
3. Addition, removal or change in type of a fire sprinkler system,
4. Changes in occupant load of an assembly occupancy,
5. Change in the number of *dwelling* units.

**Exception:** Certificates of occupancy are not required for:

1. Detached Group R-3 occupancies and Group U occupancies accessory to them, provided they shall not be used or occupied until *approved* for occupancy after final inspection.
2. Work exempt from permits under Section 106.2.
3. Work for which a temporary permit was issued under Section 106.13.

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

**109.2 Change in occupancy.** Changes in the occupancy of a building shall not be made except as specified in the International Existing Building Code.

**109.3 Certificate issued.** After satisfactory completion of inspections, if the *building official* finds that the building or structure requiring a Certificate of Occupancy complies with the provisions of this code, the Fire Code, other pertinent laws, ordinances and regulations of the City, and with all conditions imposed under any of them, and that the applicant has complied with all requirements to be performed prior to issuance of a Certificate of Occupancy in other pertinent laws, ordinances or regulations or in a Master Use Permit, or otherwise imposed by the *building official* or by another City department under any pertinent laws, ordinances or regulations, then the *building official* shall issue a Certificate of Occupancy which shall contain the following information:

1. The building permit number;
2. The address of the building;
3. A description of that portion of the building for which the certificate is issued;
4. A statement that the described portion of the building has been inspected for compliance with the requirements of this; and
5. The name of the *building official*.

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

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

**109.6 Suspension or revocation of Certificates of Occupancy.**

**109.6.1 Notice of suspension or revocation.** Whenever the *building official* determines there are grounds for suspending or revoking a Certificate of Occupancy, the *building official* may issue a notice of revocation. The notice shall state the reason for suspension or revocation, and shall set the date that the suspension or revocation will take effect if compliance is not achieved by the date set in the notice, which shall be a reasonable time for compliance.

**109.6.2 Standards for suspension or revocation of Certificates of Occupancy.** The *building official* may suspend or revoke a Certificate of Occupancy if:

1. The certificate is issued in error or on the basis of incorrect information supplied; or
2. It is determined that the building or structure or portion thereof is in violation of any pertinent laws or ordinances of the City or any of the provisions of this code; or
3. When the building, site, applicant, or owner is in violation of any requirement or condition imposed by or pursuant to any other pertinent laws or ordinances of the City that provide for suspension or revocation of a Certificate of Occupancy.

**109.6.3 Service of notice of suspension or revocation.** The notice of suspension or 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.

**109.6.4 Effect of notice of suspension or revocation.** The notice shall be considered an order of the *building official* if no request for review before the *building official* is made pursuant to Section 109.6.5. Nothing in this subsection shall be deemed to limit or preclude any action or proceeding pursuant to Sections 102 or 103 of this code.

**109.6.5 Review of suspension or revocation of Certificate of Occupancy by the building official.** Any *person* affected by a notice of revocation issued pursuant to Section 109.6 may obtain a review of the notice by making a request in writing 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 shall run until 5 p.m. of the next business day.

**109.6.5.1 Review procedure.** The review shall occur not less than ten 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* affected by the notice of revocation may submit additional information to the *building official*. 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 suspension or revocation. The reviewer may request clarification of the information received and a site visit.

**109.6.5.2 Decision.** After the review, the *building official* shall:

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

**109.6.5.3 Order.** 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.

## SECTION 110
## FEES

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