



**Joint Ruling  
SDCI Director's Rule 19-2017  
SFD Administrative Rule 9.07.17**

<p>SUBJECT:</p> <p><b>PARTIAL/PHASED OCCUPANCY, OCCUPANCY DURING CONSTRUCTION AND TEMPORARY CERTIFICATES OF OCCUPANCY</b></p>	<p>EFFECTIVE DATE: <b>September 6, 2017</b></p> <p>SUPERSEDES: SFD Administrative Rule 9.07.07 Partial /Phase Occupancy During Construction and Temporary Certificates of Occupancy, May 15, 2007</p>
<p>REFERENCES: Seattle Fire Code Seattle Building Code SFD Administrative Rule 9.04.17 Impaired Fire Protection Systems</p>	<p>CCAB REVIEW DATE: June 15, 2017</p> <p>FCAB REVIEW DATE: June 20, 2017</p>
<p>NOTICE: Administrative Rules are established per 2015 Seattle Fire Code Section 104.1, and they are subject to the Administrative Sections 104.9 Alternate Materials and Methods, Section 104.8 Modifications, and Section 108.1 Appeals. And pursuant to SMC 3.06.040.</p>	<p>APPROVED:</p> <p>(signature on file) _____ 8/31/17 Nathan Torgelson, SDCI Director</p>
<p>Index:</p> <p>Seattle Building Code</p>	<p>APPROVED:</p> <p>(signature on file) _____ 9/1/17 Charles Cordova, FIRE MARSHAL</p>

**Section 1. SCOPE**

This Administrative Rule provides the requirements for obtaining a Temporary Certificate of Occupancy to allow partial and phased occupancy of buildings being newly constructed, and to continue partial occupancy in existing buildings undergoing remodel.

**Section 2. GENERAL**

The Seattle Building Code prohibits occupancy of new buildings or structures prior to Seattle Department of Construction and Inspections (SDCI) issuing a Temporary Certificate of

Occupancy or a Certificate of Occupancy. The same requirement applies to occupancy changes in existing buildings. Existing buildings under remodel do not require a new certificate unless there is an occupancy change.

The basic requirement for obtaining a Certificate of Occupancy is that all required fire and life safety systems must be complete and functioning throughout the building. The requirements for obtaining a Temporary Certificate of Occupancy are less stringent as detailed in the Requirements section of this rule.

### **Section 3. DEFINITIONS**

For the purposes of this rule the following words and terms have the meanings indicated below:

**Non-construction workers.** Any person not directly associated with construction of the buildings such as prospective tenants, project finance or management representatives, inspectors, vendors, equipment installers, individuals preparing the building for occupancy and similar personnel.

**Individuals preparing the building for occupancy.** Any person who is not directly associated with construction of the building but is involved in preparing the building for occupancy, such as vendors who install shelving in a retail store. For school projects, this classification includes teachers preparing classrooms.

**Unoccupied Areas.** Useable areas within a building that are in a shell status awaiting initial build-out for a future tenant, or are not in use after a tenant vacates the space.

### **Section 4. INSPECTION RESPONSIBILITIES**

Both SDCI and the Seattle Fire Department must approve requests for TCO's before they will be issued. Each department will inspect and approve different portions of the building for a TCO as outlined below:

SDCI's responsibilities include but are not limited to inspections of:

- Egress Requirements including pathway lighting and exit signage
- General Construction Features such as structural, electrical, mechanical, fire resistance, dampers etc
- Emergency Generator and associated electrical distribution system
- Shaft Pressurization Systems
- Smoke and Carbon Monoxide Alarms
- Smoke Control Systems
- Elevators as required

The Seattle Fire Department inspection responsibilities include:

- Fire Alarm Systems and Associated Interlocks for Elevators, Shaft Pressurization, Suppression Systems etc.
- Automatic Sprinklers and Fire Pumps, where applicable
- Standpipe Systems
- Commercial Kitchen Hood Fire Suppression Systems
- Emergency Responder Radio Coverage Systems
- Fire Extinguishers

## **Section 5. REQUIREMENTS FOR OBTAINING A TEMPORARY CERTIFICATE OF OCCUPANCY**

The following items are the requirements for obtaining a Temporary Certificate of Occupancy:

1. All required fire and life safety systems must be approved, inspected, acceptance tested, and be functional in all areas to be occupied as detailed in the request to obtain a Temporary Certificate of Occupancy (TCO). Required fire and life safety systems may include:
  - Fire Alarm Systems
  - Automatic Sprinkler Systems (and any associated fire pumps)
  - Standpipe Systems (and any associated pressure regulating valves)
  - Commercial Kitchen Hood Fire Suppression Systems
  - Emergency Responder Radio Coverage Systems (or test report verifying there is code compliant radio signal strength)
  - Emergency Generators and associated electrical distribution systems if a TCO area is proposed to be above the 7<sup>th</sup> floor
  - Shaft pressurization systems if a TCO area is proposed to be above the 7<sup>th</sup> floor
  - Smoke and Carbon Monoxide Alarms
  - Smoke and Fire Dampers
  - Pathway lighting and exit signage
  - At least one elevator if a TCO area is proposed to be above the 4<sup>th</sup> floor, and, if available, two elevators if the TCO area is proposed to be above the 7<sup>th</sup> floor.
2. In buildings required to be sprinklered throughout, a TCO is only permitted for floors where approved, inspected, and acceptance tested sprinkler coverage is in service throughout the floors seeking occupancy and all floors below. The sprinkler system shall be provided with valves and supplies arranged to allow work on the sprinkler systems on unoccupied floors to occur without shutting off the water supply to the sprinklers on the occupied floors.

If an area proposed for TCO is in a building required to be sprinklered throughout and is on a floor where construction activities will continue, the TCO area shall be separated from the construction area with full height walls having a single layer of 5/8 inch Type X gypsum board on the occupied side, unless the floor has residential occupancies in

which case the gypsum board is required on both sides of the wall. Openings in the separation wall shall be protected with self-closing fire doors with a 20 minute fire-resistance rating, The sprinkler system shall be arranged as described above to permit work on the system in the construction area without shutting off sprinklers in the occupied area.

In buildings not required to be sprinklered by the applicable building and fire codes, a TCO can be issued without a functioning sprinkler system. A fire-resistance rated separation is not required between the occupied areas and construction areas. Required exit paths from occupied areas that pass through areas under construction require a 1 hour fire-resistance rated corridor.

3. All required exits, corridors, rated separations, and stairways serving the occupied areas shall be complete, including exit signs, exit illumination, stairway handrails, doors, ceiling tiles, and unobstructed egress to the public way. The egress path(s) shall not pass through any construction areas unless separated with 1 hour fire resistive construction, or 2 hour separation if required by the applicable building or fire codes. Temporary alternative exiting or reduced occupancy loads may be considered when necessary. Exiting must not be compromised with storage or staging of construction materials. Fire doors separating exits from construction areas must not be blocked open or have the latches taped. All shafts, floor openings, or other penetrations that could affect the occupied areas must be complete or protected, including installation of required fire-rated doors, fire dampers, etc.
4. Hazardous operations in areas under construction shall meet the requirements of Seattle Fire Code Chapter 33, *Fire Safety During Construction and Demolition*.
5. Areas seeking occupancy shall be provided with a minimum Class 2A rated fire extinguisher for every 3,000 sq. ft. of ordinary hazard occupancy (retail, storage, etc.), and for every 6,000 sq. ft. of light hazard occupancy (office, residential, etc.). All portions of any occupancy must be within 75 ft. of travel to a fire extinguisher. Areas under construction shall be provided with fire extinguishers in accordance with Seattle Fire Code Chapter 33.
6. In buildings required to be provided with a fire alarm system, a TCO will be approved only in areas with approved, inspected, acceptance tested, and functional fire alarm system activated by required detectors, manual pull stations and sprinkler waterflow alarm devices. If a TCO area includes residential occupancies, the fire alarm system shall be installed so that fire alarm work can continue in non-occupied areas without shutting off the fire alarm system serving the occupied areas. Required fire alarm systems shall include the system's control panel or annunciator located in a finished area just inside the entrance to the building or tower seeking occupancy, or within the Fire Command Center for high rise buildings.
7. Fire watch shall be provided for impaired fire alarm systems, standpipes, and fire sprinkler systems in accordance with Administrative Rule 9.03.17 *Impaired Fire Protection Systems*.

8. The fire command center shall be complete and functional for high rise buildings prior to approval of any TCO and access must be maintained. Functional requirements of the fire command center apply only to those systems serving floors seeking TCO.

## **Section 6. OCCUPANCY IN EXISTING BUILDINGS DURING RENOVATIONS**

Occupancy in existing buildings that are not required to be provided with automatic sprinklers is permitted on the condition that required exiting is not compromised and all other features related to life safety such as shafts, opening protection, etc. remain in place and operational. In non-residential buildings, a fire-resistance rated separation is not required between the occupied areas and construction areas. In residential buildings, construction areas are required to be separated from the occupied areas on the same floor with full height walls having 5/8 inch Type X gypsum board on both sides of the wall. Openings in the separation wall shall be protected with self-closing fire doors having a 20 minute fire-resistance rating. Exiting from the occupied areas shall not be compromised and all other features related to life safety such as shafts, fire resistance rated separations, opening protection, etc. shall remain in place and operational. Required exit paths from occupied areas that pass through areas under construction require a 1 hour fire-resistance rated corridor.

Occupied areas in existing buildings that are required to be provided with automatic sprinklers which are being shut down, are required to be separated from the construction areas on the same floor with full height walls having a single layer of 5/8 inch Type X gypsum board on the occupied side, unless the floor has residential occupancies in which case the gypsum board is required on both sides of the wall. Openings in the separation wall shall be protected with self-closing fire doors with a 20 minute fire-resistance rating, Exiting from the occupied areas shall not be compromised and all other features related to life safety such as shafts, fire resistance rated separations, opening protection, etc. shall remain in place and operational. Required exit paths from occupied areas that pass through areas under construction require a 1 hour fire-resistance rated corridor.

## **Section 7. REQUIREMENTS FOR *UNOCCUPIED* AREAS IN OCCUPIED BUILDINGS**

*Unoccupied areas* in buildings or portions of buildings required to be provided with automatic sprinklers shall have sprinklers installed in accordance with all requirements applicable to an occupied area including the distance between the ceiling and the sprinkler heads.

*Unoccupied areas* in buildings required to be provided with a fire alarm system shall be provided with a single notification device with both audible and visible features in each area. Each area separated by a full height wall shall be provided with their own single notification device. This requirement does not apply to areas such as closets where the Seattle Fire Code does not require visible alarm devices.

## **Section 8. REQUIREMENTS FOR *NON-CONSTRUCTION WORKERS* ENTERING A BUILDING BEFORE TEMPORARY OCCUPANCY APPROVAL**

Individuals who are *non construction workers* are permitted to enter the building prior to the building receiving a Temporary Certificate of Occupancy when permitted by the General Contractor. The General Contractor is responsible to provide safety training to authorized individuals and to ensure they are properly equipped with all personal protection equipment required for the construction site by Washington State Labor & Industry regulations. All such individuals touring the building are required to be escorted by the General Contractor or their designee. *Individuals preparing the building for occupancy* do not require an escort when permitted by the General Contractor. In occupancies required to be provided with automatic sprinklers, storage or accumulation of combustible material not associated with building construction is prohibited in the building before the sprinkler system is approved.

## **Section 9. PROCESS FOR OBTAINING A TEMPORARY CERTIFICATE OF OCCUPANCY**

Obtaining a Temporary Certificate of Occupancy (TCO) is a two-step process that requires the applicant to separately contact both the Fire Department and SDCI. The process begins with a written request to the Fire Department as detailed below. Simultaneously, a TCO inspection must be verbally requested from SDCI. The TCO is issued by SDCI, but first the applicant must obtain a TCO recommendation from the Fire Department.

To obtain a Fire Department recommendation for a TCO, submit a written request to the Fire Marshal through the Fire Department Engineering Section at least two weeks in advance of the desired TCO date. The TCO request letter shall include a description of the area seeking TCO and contact information for the general contractor, automatic sprinkler system contractor and fire alarm contractor. The letter must also include the reason for the request, a description of the work that is not completed, and adequate documentation verifying that the minimum requirements for a TCO as established by this rule are met. Seattle Fire Department will contact SDCI with results of the request.

A recommendation for TCO from the Seattle Fire Department does not preclude additional requirements by other City Departments.

A request for a TCO from SDCI shall be done through the normal inspection request process. A time limit for a TCO will be established by SDCI.

## **Section 10. FEES**

Both the Seattle Fire Department and the SDCI have implemented fees to recover the costs of office and inspection time associated with issuance of Temporary Certificate of Occupancies (TCO). Applicants for TCOs are required to pay the fees for both departments in accordance with the current fee ordinances for each department.