

CHAPTER 1 [RE]

SCOPE AND ADMINISTRATION

PART 1—SCOPE AND APPLICATION

SECTION R101

SCOPE AND GENERAL REQUIREMENTS

R101.1 Title. This code, consisting of Chapter 1 [RE] through Chapter 5 [RE] and Appendices A through C, shall be known as the “Residential Portions of the International Energy Conservation Code of Seattle, or the “Seattle Residential Energy Code”, and shall be cited as such. It is referred to herein as “this code.”

R101.2 Scope. This code applies to *residential buildings* and the buildings sites and associated systems and equipment. This code shall be the maximum and minimum energy code for residential construction in each town, city and county.

R101.3 Intent. This code shall regulate the design and construction of buildings for the effective use and conservation of energy over the useful life of each building. This code is intended to provide flexibility to permit the use of innovative approaches and techniques to achieve this objective. This code is not intended to abridge safety, health or environmental requirements contained in other applicable codes or ordinances.

R101.4 Applicability. Where, in any specific case, different sections of this code specify different materials, methods of construction or other requirements, the most restrictive shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall govern.

R101.4.1 Existing buildings. Except as specified in this chapter, this code shall not be used to require the removal, *alteration* or abandonment of, nor prevent the continued use and maintenance of, an existing building or building system lawfully in existence at the time of adoption of this code.

R101.4.2 ((Historic)) Landmark buildings. The building official may modify the specific requirements of this code for ~~((historic buildings)) landmarks~~ and require in lieu thereof alternative provisions ~~((which)) that the code official determines will not have an adverse effect on the designated historic features of the building and will result in a reasonable degree of energy efficiency. ((This modification may be allowed for those buildings or structures that are listed in the State or National Register of Historic Places; designated as a historic property under local or state designation law or survey; certified as a contributing resource with a National Register listed or locally designated historic district; or with an opinion or certification that the property is eligible to be listed on the National or State Registers of Historic Places either individually or as a contributing building to a historic district by the State~~

~~Historic Preservation Officer or the keeper of the National Register of Historic Places.))~~

R101.4.3 Additions, alterations, renovations or repairs.

Additions, alterations, renovations or repairs to an existing building, building system or portion thereof shall conform to the provisions of this code as they relate to new construction without requiring the unaltered portion(s) of the existing building or building system to comply with this code. Additions, alterations, renovations or repairs shall not create an unsafe or hazardous condition or overload existing building systems. An addition shall be deemed to comply with this code if the addition alone complies or if the existing building and addition comply with this code as a single building.

Exception: The following need not comply provided the energy use of the building is not increased:

1. Storm windows installed over existing fenestration.
2. Glass only replacements in an existing sash and frame.
3. Existing ceiling, wall or floor cavities exposed during construction provided that these cavities are filled with insulation. 2 × 4 framed walls shall be insulated to a minimum of R-15 and 2 × 6 framed walls shall be insulated to a minimum of R-21.
4. Construction where the existing roof, wall or floor cavity is not exposed.
5. Reroofing for roofs where neither the sheathing nor the insulation is exposed. Roofs without insulation in the cavity and where the sheathing or insulation is exposed during reroofing shall be insulated either above or below the sheathing.
6. Replacement of existing doors that separate *conditioned space* from the exterior shall not require the installation of a vestibule or revolving door, provided, however, that an existing vestibule that separates a *conditioned space* from the exterior shall not be removed,
7. Alterations that replace less than ~~((60)) 20~~ percent of the luminaires in a space, provided that such alterations do not increase the installed interior lighting power.
8. Alterations that replace only the bulb and ballast within the existing luminaires in a space provided that the *alteration* does not increase the installed interior lighting power.

The building official may approve designs of alterations or repairs which do not fully conform to all of the requirements of this code where in the opinion of the

building official full compliance is physically impossible and/or economically impractical and:

1. The alteration or repair improves the energy efficiency of the building; or
2. The alteration or repair is energy efficient and is necessary for the health, safety, and welfare of the general public.

R101.4.3.1 Mechanical systems. When a space-conditioning system is altered by the installation or replacement of space-conditioning equipment (including replacement of the air handler, outdoor condensing unit of a split system air conditioner or heat pump, cooling or heating coil, or the furnace heat exchanger), the duct system that is connected to the new or replacement space-conditioning equipment shall be tested as specified in WSU RS-33. The test results shall be provided to the building official and the homeowner.

Exceptions:

1. Duct systems that are documented to have been previously sealed as confirmed through field verification and diagnostic testing in accordance with procedures in WSU RS-33.
2. Ducts with less than 40 linear feet (12 190 mm) in unconditioned spaces.
3. Existing duct systems constructed, insulated or sealed with asbestos.
4. Additions of less than 750 square feet (70 m²).

R101.4.4 Change in occupancy or use. Any space not within the scope of Section R101.2 which is converted to space that is within the scope of Section R101.2 shall be brought into full compliance with this code.

Spaces undergoing a change in occupancy that would result in an increase in demand for either fossil fuel or electrical energy shall comply with this code.

R101.4.5 Change in space conditioning. Any nonconditioned space that is altered to become *conditioned space* shall be required to be brought into full compliance with this code.

R101.4.6 Mixed occupancy. Where a building includes both *residential* and *commercial* occupancies, each occupancy shall be separately considered and meet the applicable provisions of the IECC—Commercial and Residential Provisions.

R101.5 Compliance. *Residential buildings* shall meet the provisions of IECC—Residential Provisions. *Commercial buildings* shall meet the provisions of IECC—Commercial Provisions.

R101.5.1 Compliance materials. The *code official* shall be permitted to approve specific computer software, worksheets, compliance manuals and other similar materials that meet the intent of this code.

R101.5.2 Low energy buildings. The following buildings, or portions thereof, separated from the remainder of the building by *building thermal envelope* assemblies

complying with this code shall be exempt from the *building thermal envelope* provisions of this code:

1. Those with a peak design rate of energy usage less than 3.4 Btu/h · ft² (10.7 W/m²) or 1.0 watt/ft² (10.7 W/m²) of floor area for space conditioning purposes.
2. Those that do not contain *conditioned space*.
3. Greenhouses isolated from any conditioned space and not intended for occupancy.

**SECTION R102
ALTERNATE MATERIALS—METHOD
OF CONSTRUCTION, DESIGN
OR INSULATING SYSTEMS**

R102.1 General. This code ~~((is))~~ does not ~~((intended to))~~ prevent the use of any material, method of construction, design or insulating system prohibited by this code or not specifically ~~((prescribed))~~ allowed herein, provided that such construction, design or insulating system has been *approved* by the *code official* ~~((as meeting the intent of this code)).~~

The *code official* may approve an alternate material, method of construction, design or insulating system, provided the *code official* finds that the proposed alternate complies with the provisions of this code, and that the alternate, when considered together with other safety features of the building or other relevant circumstances, will provide at least an equivalent level of strength, effectiveness, fire resistance, durability, safety and sanitation.

The *code official* may require that sufficient evidence or proof be submitted to reasonably substantiate any claims regarding the use or suitability of the alternate. The *code official* may, but is not required to, record the approval of modifications and any relevant information in the files of the *code official* or on the approved permit plans.

R102.2 Modifications. The *code official* may modify the requirements of this code for individual cases provided the *code official* finds: (1) there are practical difficulties involved in carrying out the provisions of this code; (2) the modification is in conformity with the intent and purpose of this code; (3) the modification will provide a reasonable level of fire protection and structural integrity when considered together with other safety features of the building or other relevant circumstances; and (4) the modification maintains or improves the energy efficiency of the building. The *code official* may, but is not required to, record the approval of modifications and any relevant information in the files of the *code official* or on the approved permit plans.

PART 2—ADMINISTRATION AND ENFORCEMENT

**SECTION R103
APPLICATIONS AND PERMITS
((CONSTRUCTION DOCUMENTS))**

R103.1 General. A permit for work performed according to this code shall be obtained in accordance with Chapter 1 of the *International Residential Code, International Building*

Code, International Mechanical Code or Seattle Electrical Code.

R103.2 Construction documents. Construction documents and other supporting data shall comply with this section and the *International Residential Code, the International Building Code, the International Mechanical Code, the International Existing Building Code and the Seattle Electrical Code.* ((be submitted in one or more sets with each application for a permit. The construction documents shall be prepared by a registered design professional where required by the statutes of the jurisdiction in which the project is to be constructed. Where special conditions exist, the *code official* is authorized to require necessary construction documents to be prepared by a registered design professional.))

((**Exception:** The *code official* is authorized to waive the requirements for construction documents or other supporting data if the *code official* determines they are not necessary to confirm compliance with this code.))

R103.2.1 Information on construction documents. Construction documents shall be drawn to scale upon suitable material. Electronic media documents are permitted to be submitted when *approved* by the *code official*. Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed, and show in sufficient detail pertinent data and features of the building, systems and equipment as herein governed. Details shall include, but are not limited to, as applicable, insulation materials and their *R*-values; fenestration *U*-factors and SHGCs; area-weighted *U*-factor and SHGC calculations; mechanical system design criteria; mechanical and service water heating system and equipment types, sizes and efficiencies; economizer description; equipment and systems controls; fan motor horsepower (hp) and controls; duct sealing, duct and pipe insulation and location; lighting fixture schedule with wattage and control narrative; and air sealing details.

((**R103.3 Examination of documents.** The *code official* shall examine or cause to be examined the accompanying construction documents and shall ascertain whether the construction indicated and described is in accordance with the requirements of this code and other pertinent laws or ordinances.))

((**R103.3.1 Approval of construction documents.** When the *code official* issues a permit where construction documents are required, the construction documents shall be endorsed in writing and stamped "Reviewed for Code Compliance." Such *approved* construction documents shall not be changed, modified or altered without authorization from the *code official*. Work shall be done in accordance with the *approved* construction documents.))

One set of construction documents so reviewed shall be retained by the *code official*. The other set shall be returned to the applicant, kept at the site of work and shall be open to inspection by the *code official* or a duly authorized representative.))

((**R103.3.2 Previous approvals.** This code shall not require changes in the construction documents, construction or designated occupancy of a structure for which a

lawful permit has been heretofore issued or otherwise lawfully authorized, and the construction of which has been pursued in good faith within 180 days after the effective date of this code and has not been abandoned.))

((**R103.3.3 Phased approval.** The *code official* shall have the authority to issue a permit for the construction of part of an energy conservation system before the construction documents for the entire system have been submitted or *approved*, provided adequate information and detailed statements have been filed complying with all pertinent requirements of this code. The holders of such permit shall proceed at their own risk without assurance that the permit for the entire energy conservation system will be granted.))

((**R103.4 Amended construction documents.** Changes made during construction that are not in compliance with the *approved* construction documents shall be resubmitted for approval as an amended set of construction documents.))

((**R103.5 Retention of construction documents.** One set of *approved* construction documents shall be retained by the *code official* for a period of not less than 180 days from date of completion of the permitted work, or as required by state or local laws.))

SECTION R104 INSPECTIONS

R104.1 General. Construction or work for which a permit is required shall be subject to inspection by the *code official* in accordance with this section and the *International Residential Code* and the *Seattle Electrical Code*.

R104.2 Required approvals. Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the *code official*. The *code official*, upon notification, shall make the requested inspections and shall either indicate the portion of the construction that is satisfactory as completed, or notify the permit holder or his or her agent wherein the same fails to comply with this code. Any portions that do not comply shall be corrected and such portion shall not be covered or concealed until authorized by the *code official*.

R104.2.1 Wall insulation inspection. The building official, upon notification, shall make a wall insulation inspection in addition to those inspections required in Section R109 of the *International Residential Code*. This inspection shall be made after all wall and cavity insulation is in place and prior to cover.

R104.3 Final inspection. The building shall have a final inspection and not be occupied until *approved*.

R104.4 Reinspection. A building shall be reinspected when determined necessary by the *code official*.

R104.5 Approved inspection agencies. The *code official* is authorized to accept reports of *approved* inspection agencies, provided such agencies satisfy the requirements as to qualifications and reliability.

R104.6 Inspection requests. It shall be the duty of the holder of the permit or their duly authorized agent to notify the *code*

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official when work is ready for inspection. It shall be the duty of the permit holder to provide access to and means for inspections of such work that are required by this code.

R104.7 Reinspection and testing. Where any work or installation does not pass an initial test or inspection, the necessary corrections shall be made so as to achieve compliance with this code. The work or installation shall then be resubmitted to the *code official* for inspection and testing.

~~((**R104.8 Approval.** After the prescribed tests and inspections indicate that the work complies in all respects with this code, a notice of approval shall be issued by the *code official*.)~~)

~~((**R104.8.1 Revocation.** The *code official* is authorized to, in writing, suspend or revoke a notice of approval issued under the provisions of this code wherever the certificate is issued in error, or on the basis of incorrect information supplied, or where it is determined that the building or structure, premise, or portion thereof is in violation of any ordinance or regulation or any of the provisions of this code.)~~)

SECTION R105 VALIDITY

R105.1 General. If a portion of this code is held to be illegal or void, such a decision shall not affect the validity of the remainder of this code.

SECTION R106 REFERENCED STANDARDS

R106.1 Referenced codes and standards. The codes and standards referenced in this code shall be those listed in Chapter 5, and such codes and standards shall be considered as part of the requirements of this code to the prescribed extent of each such reference and as further regulated in Sections R106.1.1 and R106.1.2.

R106.1.1 References to other codes. Whenever an International, National or Uniform Code is referenced in this code, it means the Seattle edition of that code, including local amendments. References to the “Residential Code”, “Fire Code”, “Electrical Code”, “Mechanical Code” and “Plumbing Code” mean the Seattle editions of those codes.

~~((**Conflicts.** Where conflicts occur between provisions of this code and referenced codes and standards, the provisions of this code shall apply.)~~)

R106.1.2 Provisions in referenced codes and standards. Where the extent of the reference to a referenced code or standard includes subject matter that is within the scope of this code, the provisions of this code, as applicable, shall take precedence over the provisions in the referenced code or standard.

R106.2 Conflicting requirements. Where the provisions of this code and the referenced standards conflict, the provisions of this code shall take precedence.

R106.3 Application of references. References to chapter or section numbers, or to provisions not specifically identified by number, shall be construed to refer to such chapter, section or provision of this code.

R106.4 Other laws. The provisions of this code shall not be deemed to nullify any provisions of local, state or federal law. ~~((In addition to the requirements of this code, all occupancies shall conform to the provisions included in the State Building Code (chapter 19.27 RCW). In case of conflicts among codes enumerated in RCW 19.27.031 (1) through (4) and this code, an earlier named code shall govern over those following.)~~) In the case of conflict between the duct sealing and insulation requirements of this code and the duct insulation requirements of Sections 603 and 604 of the *International Mechanical Code*, the duct insulation requirements of this code shall govern.

SECTION R107 FEES

R107.1 Fees. A fee for each permit and for other activities related to the enforcement of this code shall be paid as set forth in the Fee Subtitle, *Seattle Municipal Code Title 22, Subtitle IX.* ((A permit shall not be issued until the fees prescribed in Section R107.2 have been paid, nor shall an amendment to a permit be released until the additional fee, if any, has been paid.))

~~((**R107.2 Schedule of permit fees.** A fee for each permit shall be paid as required, in accordance with the schedule as established by the applicable governing authority.)~~)

~~((**R107.3 Work commencing before permit issuance.** Any person who commences any work before obtaining the necessary permits shall be subject to an additional fee established by the *code official*, which shall be in addition to the required permit fees.)~~)

~~((**R107.4 Related fees.** The payment of the fee for the construction, *alteration*, removal or demolition of work done in connection to or concurrently with the work or activity authorized by a permit shall not relieve the applicant or holder of the permit from the payment of other fees that are prescribed by law.)~~)

~~((**R107.5 Refunds.** The *code official* is authorized to establish a refund policy.)~~)

SECTION R108 ENFORCEMENT ((STOP WORK ORDER))

R108.1 Authority. The *code official* is authorized to enforce this code in accordance with the *International Residential Code, International Building Code, International Mechanical Code and Seattle Electrical Code.* ((Whenever the *code official* finds any work regulated by this code being performed in a manner either contrary to the provisions of this code or dangerous or unsafe, the *code official* is authorized to issue a stop work order.))

~~((**R108.2 Issuance.** The stop work order shall be in writing and shall be given to the owner of the property involved, or to~~)

the owner's agent, or to the person doing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order, and the conditions under which the cited work will be permitted to resume.)

~~((R108.3 Emergencies. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work.))~~

~~((R108.4 Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine as established by the applicable governing entity.))~~

SECTION R109 ((BOARD OF APPEALS)) ADMINISTRATIVE REVIEW

R109.1 Administrative review by the code official. Applicants may request administrative review by the code official of decisions or actions pertaining to the administration and enforcement of this code. Requests shall be addressed to the code official.

R109.2 Administrative review by the Construction Codes Advisory Board. Applicants may request review by the Construction Codes Advisory Board of decisions or actions pertaining to the application and interpretation of this code. The review will be performed by a panel of three or more members of the Construction Codes Advisory Board, chosen by the Board Chair. The Chair shall consider the subject of the review and members' expertise when selecting members to conduct a review. The decision of the review panel is advisory only; the final decision is made by the code official.

~~((General. In order to hear and decide appeals of orders, decisions or determinations made by the code official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The code official shall be an ex officio member of said board but shall have no vote on any matter before the board. The board of appeals shall be appointed by the governing body and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business, and shall render all decisions and findings in writing to the appellant with a duplicate copy to the code official.))~~

~~((R109.2 Limitations on authority. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed. The board shall have no authority to waive requirements of this code.))~~

~~((R109.3 Qualifications. The board of appeals shall consist of members who are qualified by experience and training and are not employees of the jurisdiction.))~~

SECTION R110 VIOLATIONS

R110.1 General. It shall be unlawful for any person, firm, or corporation to erect or construct any building, or remodel or rehabilitate any existing building or structure in the state, or allow the same to be done, contrary to or in violation of any of the provisions of this code. Violations shall be administered according to the procedures set forth in Section 103 of the International Building Code or Section R103 the International Residential Code, as applicable.

SECTION R111 LIABILITY

R111.1 General. Nothing contained in this code is intended to be nor shall be construed to create or form the basis for any liability on the part of any city or county 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 Planning and Development or the City of Seattle be held to have assumed any such liability by reason of the inspections authorized by this code or any permits or certificates issued under this code.

