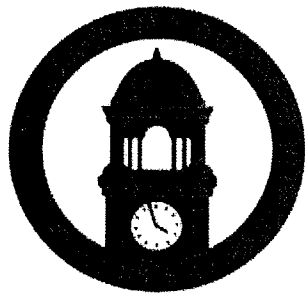


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07/20/10



# AGENDA ITEM SUMMARY

(Must be submitted NLT 3PM Wednesday for next week agenda)

**Department: DCD**

**WORK SESSION**  **Meeting Date:** July 19, 2010

**REGULAR AGENDA**  **Meeting Date:** July 20, 2010

**Required Originals Approved and Attached?**

Will be provided on:

## Item Summary:\*

- |  |   |   |
|--|---|---|
| <input checked="" type="checkbox"/> Call for Hearing | <input type="checkbox"/> Contract/Agreement/MOU** | Contract #  |
| <input type="checkbox"/> Resolution                  | <input type="checkbox"/> Proclamation             | <input type="checkbox"/> Budget Item                      |
| <input type="checkbox"/> Draft Ordinance             | <input type="checkbox"/> Final Ordinance          | <input checked="" type="checkbox"/> Other Amend CCC 21.01 |
- Documents exempt from public disclosure attached:

## Executive Summary:

The Department is recommending amendments to the Clallam County Building and Construction Code, CCC 27.12. Several drafts have been previously reviewed by the Board the most recently on July 12. At that meeting, questions were raised in terms of internal consistency in the document related to showing comparable amendments to the International Residential Code (IRC) as was proposed for the International Building Code (IBC). Both the IRC and IBC are part of the State Building Code.

The attached revised draft ordinance: 1) address both IBC and IRC amendments; 2) further clarifies and updates the intent of recommended updates to Sections 21.01.045 and Sections 120 (new section); (3) eliminates sections from the draft ordinance that were not being updated; and (4) updates findings and conclusions related to the above changes. A summary of changes follows:

- Sections 1 and 2 of the draft Ordinance contain the basic findings and conclusions to support updates to the County Building and Construction Code (Chapter 21.01 CCC). They were in the prior draft and have been updated. Several of the findings were applicable to the prior update to this Chapter regarding the Board of Appeals and were not needed for the current proposed updates.
- Sections CCC 21.01.(010, .015, .040, .050, .060, .070) are amended to update references to current building codes.
- Section CCC 21.01.045 (Exemptions). Amendments to this section are intended to show recommended updates to State Building Code exemptions for work exempt from permits. The current code shows exemptions with amendments to prior IBC. The recommended revisions clarify that the County adopts exemptions in both IBC/IRC Section 105.2 with several amendments. These amendments include the recommended language to amend and replace IBC Section 105.2, sub-sections (1) and (6) to add a new exemption to the list of exemptions under IBC/IRC Section 105.2. Please note that the added and stricken language in this section is to the current County code

\* Submit original and 5 copies

\*\* Submit 3 originals and 5 copies

language. Most of the exemptions stricken "still apply" because they are already contained in IBC/IRC Section 105.2 (see attachments). The substantive changes are as follows:

- DCD is recommending that the exempt building size limitation (restricted to certain uses) of IBC Section 105.2 (1) be amended from 120 square feet to 200 square feet. The 200 square feet is consistent with IRC Section 105.2, which is not being recommended for amendment. DCD also recommends adding language to IBC Section 105.2 (1) to limit the exemption to one-story, detached structures used as tool and storage sheds, playhouses and similar uses accessory to a single family dwelling. The County's current size limitation for these types of structures is 400 square foot. The PAB recommended retaining the 400 square foot exemption. DCD recommends the revision to reflect IBC/IRC exemptions. A more detailed overview of the 400-square foot issue is provided below.
  - DCD is recommended that IBC Section 105.2 (6) be amended to limit the exemption to single family occupancies, and construction regulated within the International Residential Code.
  - DCD recommends that "work exempt under IBC/IRC sections 105.2" be amended to include the "Minor construction and alteration activities" to single family dwellings and their accessory structures to an annual limit of \$1500.00. This additional exemption is already in the current County Building Code. The net effect of the changes are to clarify also applies to an addition to IRC Section 105.2 and limit to single family dwellings and their accessory structures.
4. Section CCC 21.01.110 (Expiration and renewal of permits) was amended to include: Section 105.5 of the IRC.
5. Sections CCC 21.01.115 (Refunds) and Section 21.01.120 (one-time final) are new sections created to facilitate administration. DCD further clarified the relationship to IRC and the intent of the "one-time" exemption. These two new sections are related to administrative policies that have been around for years. Legal council recommended that such policies should be in County Building Code.

The following summarizes the issue of the change from the 400 to 200 square foot exempt structure.

The 400 square foot exempt structure was created to provide for animal shelter and the storage of feed materials for livestock. The concept was that a farmer could provide a lean-to for his animals and not be required to obtain a building permit for the structure.

The exempt section of the code does not make reference to the "use" as a garage. The ICC publishes a document "Significant Changes to the Code." In that document the reference to a 200 square foot exempt structure clearly states in part, "was large enough to accommodate a garage or other use that would increase the hazard and justify closer scrutiny." That was the justification the 2006 edition of the code reduced the floor area to 120 square feet for consistency with the IBC.

The IRC increased the size to 200 square feet again in the 2009 edition of the code as proponents of the change stated that this was the common size of pre-manufactured sheds, and there was no technical justification for the reduced size. Storage issues in IRC regulated buildings pose hazard less than those on commercial properties, regulated by the IBC. The IBC exempt structures are limited to 120 square feet.

The residents of Clallam County are purchasing building kits from manufacturers and distributors in our community, assuming that if the product is sold here it should meet the code, not so. In one case

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\*\* Submit 3 originals and 5 copies

a dealer was selling one of these kits and the buyer had to return to the seller to obtain additional hardware to construct the building code compliant. The "use" of these structures as garages is outside the code, exempt structures are not to be garages. Garages are regulated in the body of the code. Residential garage use is classified hazardous and therefore require additional scrutiny in the design, and construction.

The calculated cost of a building permit for a 400 square foot storage shed is \$345.00. The permit cost for a garage would be approximately an additional \$60.00. Not much more than the cost of a good window. Any "change of use" or extension of the building will require a permit, and an engineer must certify the structure prior to that "change of use" or further construction. The cost for that review, I'm sure would exceed the original permit fee of \$350.00-\$400.00. The project would receive a plan review and inspections. The permit process assures building construction as well as placement within proper setbacks, something that is not addressed in the construction of an exempt structure, although required.

The following addresses the boards concerns regarding the permitting of decks.

The issue of deck construction was brought up at work-session and investigated by this office. Sequim will maintain that a permit is not required for decks less than 30" above grade. Port Angeles will not require permits for decks less than 30" above grade and less than 200 square feet.

The building code is particularly addressing the construction of decks because of the incidence of collapse and injury to persons. In the past there were no specific code sections that directly addressed deck construction. The exempt section limits the dimension and location with regard to the required egress and attachment to the primary structure. Attached decks are also regulated in the body of the code, Section R502.2.2. That section requires attached decks to be designed and constructed to meet both vertical and lateral loads. A new requirement in the code the height of a deck will be measured from the top of floor to grade within a 36 inch projection from the edge of the deck.

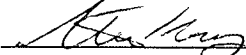
The building codes are developed by design professionals, engineers, contractors and code enforcement officials and go through an extensive approval process prior to publication for enforcement. Amending a code section because of jurisdiction peculiarities is accepted and common practice. The practice of amending a code for convenience or ease of design or construction is not in the interest of safety for our residents, the true basis of the code.

**Budgetary Impact:** (Is there a monetary impact? If so, are funds for this already allocated or is a budget change necessary? If this is a contract and a budget change is necessary, the budget change form must be submitted with the item at work session and for the regular agenda) **If a budget Action is required, has it been submitted and a copy attached?**

None

**Recommended Action:** (Does the Board need to act? If so, what is the department's recommendation?)

BOCC call for hearing, August 10, 2010. DCD recommends the changes as submitted.

**County Official Signature:**  \_\_\_\_\_

**Date Submitted:** 7/14/10

\* Submit original and 5 copies

\*\* Submit 3 originals and 5 copies

Agenda Item Summary.docx

Revised: 5-9-05

Questions? Call Trish Holden, Clerk of the Board, ext 2234

## **PUBLIC HEARING**

Proposed Clallam County Ordinance

*Amending Clallam County Code, Chapter 21.01 – Building and Construction Code*

**NOTICE IS HEREBY GIVEN** that the Clallam County Board of Commissioners will conduct a public hearing on Tuesday, August 10, 2010 at 10:30 a.m., or as soon thereafter as possible in the Commissioners' Meeting Room of the Clallam County Courthouse, 223 East 4<sup>th</sup> Street, Room 160, Port Angeles, Washington. The purpose of the public hearing is to consider an ordinance amending Chapter 21.01, the text of which is being published in summary and in compliance with RCW 65.16.160 and Clallam County Charter Section 3.10. *(NOTE: The full text will be mailed without charge upon request – see "Proponent" below for the address and/or telephone number.) All proposed ordinances are available on the County website [www.clallam.net](http://www.clallam.net).*

Comments for or against this proposed ordinance are encouraged. Interested persons must either submit their written comments before the hearing is commenced (see Proponent's address below) or present written and/or oral comments in person during the public hearing.

In compliance with the Americans with Disabilities Act (ADA), appropriate aids and/or reasonable accommodations will be made available upon request. Requests must be received at least seven (7) days prior to the hearing – see "Proponent" below. The facility is considered "barrier free" and accessible to those with physical disabilities.

**PROPONENT:** Clallam County Board of Commissioners  
223 East 4<sup>th</sup> Street, Suite 4  
Port Angeles, WA 98362-3015  
Telephone: 360.417.2233

**FORMAL IDENTIFICATION:** Ordinance amending CCC 21.01

**DESCRIPTIVE TITLE:** Building and Construction Code

### **SECTION-BY-SECTION SUMMARY OF PROPOSED CHANGES:**

21.01.010 Purpose, The purpose of this chapter is to adopt certain appendices of the State adopted 2009 I Codes. Section also identifies 2009 Uniform Plumbing Code and the 1997 Abatement of Dangerous Buildings code as being adopted.

21.01.015 Definitions, Washington State Ventilation and Air Quality Code is integrated in the building code and no longer a stand alone document.

21.01.045 Work exempt from permit, (1) One story detached accessory buildings, storage sheds, etc. Change from 400 to 200 square feet in accordance with the 2009 IRC. (6) Deck construction accessory to single family occupancy constructed in accordance with IRC section R105.2(10) and R502.2.2.

(3) Non-structural, minor construction and alteration activities to single family dwellings and their accessory structures, where the total annual cost does not exceed \$1500.00.

21.01.050 Uniform Plumbing Code, Appendix B is adopted by the State, therefore it is unnecessary to amend this section.

21.01.115 Refunds, New section, This section sets the existing refund policy to ordinance. It identifies inactivity time frame for permit application, issued permits cancellation, and refund amounts.

21.01.120 One-time final, New section, This section sets to ordinance existing policy establishing procedure and associated fees for the inspection.

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Trish Holden, CMC, Clerk of the Board

Publish: 7/25/2010

Bill: DCD

Ordinance \_\_\_\_\_

An ordinance amending Clallam County Code 21.01, Building and Construction Code to update references pertaining to the International Code Council standards

BE IT ORDAINED BY THE BOARD OF CLALLAM COUNTY COMMISSIONERS:

Section 1. The Board of Commissioners makes the following findings:

1. Clallam County has adopted the most current construction codes as the State Building Code pursuant to chapter 19.27 RCW.
2. Chapter 19.27 RCW mandates that the State Building Code be administered and enforced by counties and cities, and grants counties and cities limited authority to amend the code as it applies within their jurisdictions.
3. Clallam County believes it is necessary to take action to adopt updates consistent with recent amendments to the State Building Code and to clarify administrative procedures.
4. The Board of Commissioners held a public hearing on \_\_\_\_\_, 2010 to consider the entire record and hear public testimony on the adoption of this proposed changes under this Ordinance.

Section 2. The Board of Commissioners makes the following conclusions:

1. This ordinance is consistent with the most current edition of the State Building Code.
2. Adoption of the proposed appellate process amendments does not result in less restrictive performance standards or objectives than those in the State Building Code.
3. This ordinance is required to implement the State Building Code Act, not the Growth Management Act, and therefore does not adopt development regulations under Clallam County Code Titles 26 through 35. Pursuant to Clallam County Code 26.01, Planning Commission review is not required.
4. Environmental review under the State Environmental Policy Act is not required pursuant to WAC 197-11-800(20).
5. Clarification of administrative procedures under the codes adopted pursuant to Chapter 19.27 RCW and this ordinance is in the best interest of Clallam County and will promote the health, safety, and welfare of the occupants or users of buildings and structures and the general public.
6. Clallam County Code Chapter 21.01 is amended to read as follows:

**21.01.010 Purpose**

The purpose of this chapter is to adopt certain appendices of the ~~2006~~2009 International Building Code, ~~2006~~2009 International Fire Code, ~~2006~~2009 International Mechanical Code, and ~~2006~~2009 Uniform Plumbing Code, adopt the 1997 Abatement of Dangerous Buildings Code, and adopt certain bluff setback standards. This chapter provides for minimum construction standards to

safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location and maintenance of all buildings and structures within Clallam County and certain equipment specifically regulated herein.

#### **21.01.015 Definitions**

For the purpose of this chapter, certain terms or words herein shall be interpreted as specifically defined in this chapter. All other words in this chapter shall carry the meanings as specified in the International Building Code, Plumbing Code, Mechanical Code, Fire Code, or applicable regulation:

(1) "Building code" means the Clallam County building code, consisting of the following codes: the Washington State Building Code, which includes the codes amended and enumerated in RCW 19.27.031; the International Building Code; the International Residential Code; the International Mechanical Code; the International Fire Code; the Uniform Plumbing Code; the Washington State Energy Code; ~~the Washington State Ventilation and Indoor Air Quality Code~~; Chapter ~~43.63B~~43.22A RCW, Mobile and Manufactured Home Installation; and any other ordinance of Clallam County as enumerated in this chapter.

(2) "Board of Appeals" means the Clallam County Building Code Board of Appeals.

(3) "Building Official/Fire Marshal" means the officer or other designated authority charged with the administration and enforcement of the Clallam County building code, or a duly authorized representative.

(4) "Department" means the Clallam County Department of Community Development.

(5) "Director" means the Director of the Clallam County Department of Community Development.

#### **21.0 .040 International Building Code**

Appendix C, Agricultural Buildings, Appendix G, Flood-Resistant Construction, and Appendix I, Patio Covers, of the ~~2006~~2009 International Building Code (IBC) are hereby adopted by reference.

#### **21.01.045 Work Exempt From Permit**

Section 105.2, ~~Work exempt from permit, of under~~ the International Building Code (IBC) ~~and International Residential Code (IRC) as published by the International Code Council regarding exemptions from permit requirements shall be~~ is adopted and amended ~~to read~~ as follows:

1. ~~The work exempt from permit under IBC Section 105.2 (1) is amended to read:~~ One-story detached accessory buildings used as tool and storage sheds, playhouses, and similar uses ~~and classified as U Occupancies~~, provided that such buildings are for private use only and are accessory to single family dwellings and provided the floor area does not exceed ~~400~~200 square feet. Eaves may project not more than 24 inches beyond the wall line.

~~2. Fences not over 6 feet high.~~

~~3. Oil derricks.~~

~~4. Movable cases, counters, and partitions not over five feet nine inches high.~~

~~5. Retaining walls which are not over four feet in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II, or III-A liquids.~~

~~6. Water tanks supported directly upon grade if the capacity does not exceed five thousand gallons and the ratio of height to diameter or width does not exceed two to one.~~

~~7.2. The work exempt from permit under IBC Section 105.2 (6) is amended to read: Platforms, Sidewalks, and driveways not more than ~~thirty~~30 inches (762 mm) above adjacent grade, and not over any basement or story below and are not part of an accessible route, provided that such structures are for private use only and are accessory to a single-family occupancy, and constructed in accordance with IRC Sections R105.2 (10) and R502.2.2.~~

~~8. Painting, papering, tiling, carpeting, cabinets, countertops and similar finish work.~~

~~9. Temporary motion picture, television, and theater stage sets and scenery.~~

~~10. Window awnings supported by an exterior wall which does not project more than 54 inches from the exterior wall and do not require additional support of R-3, as applicable in Section 101.2, and U Occupancies.~~

~~11. Prefabricated swimming pools accessory to a R-3 Occupancy, as applicable in Section 101.2, which are less than 24 inches deep, do not exceed 5,000 gallons and are installed entirely above ground.~~

~~12. Swings and other playground equipment accessory to detached one- and two-family dwellings.~~

~~13.3. The work exempt under IBC/IRC Sections 105.2 is amended to include the following exemption: Minor construction and alteration activities to R-3 and U Occupancies single-family dwellings and their accessory structures where the total valuation, as determined by the Building Official or as documented by the applicant to the satisfaction of the building official, does not exceed \$1,500 in any 12-month period; P~~rovided that, the construction and/or alteration activity does not affect any structural components or reduce existing egress, light, air, and ventilation conditions. This exemption does not include electrical, plumbing, or mechanical activities. The permit exemption shall not otherwise exempt the construction or alteration from the substantive standards of the codes enumerated in Section 19.27.031 RCW, as amended and maintained by the state building code council under Section 19.27.070 RCW.

Unless otherwise exempted, separate plumbing, electrical, and mechanical permits will be required for work exempt under IBC/IRC Section 105.2 and as amended in this Section for the above exempted items.

Exemption from the permit requirements of ~~this code~~ the building code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of ~~this~~ the building code or any other laws or ordinances of Clallam County.

## **21.0 .050 Uniform Plumbing Code**

~~Appendix B, Explanatory Notes on Combination Waste and Vent Systems;~~ Appendix D, Sizing Stormwater Drainage Systems; and Appendix E, Manufactured/Mobile Home and Recreational

Vehicle Parks, of the ~~2006~~2009 Uniform Plumbing Code (UPC) as published by the International Association of Plumbing and Mechanical Officials are hereby adopted by reference.

**21.01.060 International Mechanical Code**

Appendix A, Combustion Air Openings and Chimney Connector Pass-Throughs, of the ~~2006~~2009 International Mechanical Code (IMC) as published by the International Code Council is hereby adopted by reference.

**21.01.070 International Fire Code**

Appendix E, Hazard Categories, and Appendix F, Hazard Ranking, of the ~~2006~~2009 International Fire Code (IFC) as published by the International Code Council (ICC) are hereby adopted by reference.

**21.01.110 Expiration and renewal of permits**

Section 105.5 of the IBC and IRC is hereby amended to read as follows:

(a) Building permits shall expire upon completion of the work authorized by the permit or after 2 years from the date of permit issuance, whichever shall occur first.

(b) Building permits may be renewed for one additional one year period at 50 percent of the original permit fee.

**21.0 .115 Refunds**

Pursuant to Section 109.6 of the IBC and Section R108.5 of the IRC the building official will authorize refunds as follows:

- (1) Permit/application inactivity after one year will result in forfeiture of all fees,
- (2) For project withdrawal within one year of date of submission with only data entry and a cursory review, the refund shall be 80 percent.
- (3) Plan review fees will be forfeited if a plan review was conducted.
- (4) If after a permit is issued and a request to withdraw from the project is received within one year of the date of issuance and no work has been started, the refund shall be 80 percent.
- (5) All other fees paid to other divisions will be refunded at their respective division discretion.
- (6) A submittal of the calculated fees shall be reviewed and approved by the Building Official prior to dispersal.

**21.01.120 One-Time Final inspection**

The building official may authorize a one-time final inspection for building permits that expire under Section 21.01.110 of this Chapter. One-time final inspections may be authorized only where all other inspections have been successfully completed up to the final stage of the inspection process. The fee for an approved, one-time-final inspection will be 10 percent of the building permit fee or a minimum of \$100.

Section 3. Severability. Should any section, clause or provision of this ordinance or any code adopted hereby be declared by a court to be invalid, the same shall not affect the validity of the remainder, either in whole or in part.

Section 4: Limitations. Except as otherwise proscribed above, the remainder of CCC 21.01 and the enabling ordinances thereto shall remain in full force and effect.



Section 5. Effective date. This Ordinance shall take effect in 10 days.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_ 2010

BOARD OF CLALLAM COUNTY COMMISSIONERS

\_\_\_\_\_  
Howard V. Doherty, Jr., Chair

ATTEST:

\_\_\_\_\_  
Stephen P. Tharinger

\_\_\_\_\_  
Trish Holden, CMC, Clerk of the Board

\_\_\_\_\_  
Michael C. Chapman

**104.11 Alternative materials, design and methods of construction and equipment.** The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided that any such alternative has been *approved*. An alternative material, design or method of construction shall be *approved* where the *building official* finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code in quality, strength, effectiveness, *fire resistance*, durability and safety.

**104.11.1 Research reports.** Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in this code, shall consist of valid research reports from *approved* sources.

**104.11.2 Tests.** Whenever there is insufficient evidence of compliance with the provisions of this code, or evidence that a material or method does not conform to the requirements of this code, or in order to substantiate claims for alternative materials or methods, the *building official* shall have the authority to require tests as evidence of compliance to be made at no expense to the jurisdiction. Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the *building official* shall approve the testing procedures. Tests shall be performed by an *approved agency*. Reports of such tests shall be retained by the *building official* for the period required for retention of public records.

## SECTION 105 PERMITS

**105.1 Required.** Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the *building official* and obtain the required *permit*.

**105.1.1 Annual permit.** In lieu of an individual *permit* for each *alteration* to an already *approved* electrical, gas, mechanical or plumbing installation, the *building official* is authorized to issue an annual *permit* upon application therefor to any person, firm or corporation regularly employing one or more qualified tradespersons in the building, structure or on the premises owned or operated by the applicant for the *permit*.

**105.1.2 Annual permit records.** The person to whom an annual *permit* is issued shall keep a detailed record of *alterations* made under such annual *permit*. The *building official* shall have access to such records at all times or such records shall be filed with the *building official* as designated.

**105.2 Work exempt from permit.** Exemptions from *permit* requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the

provisions of this code or any other laws or ordinances of this jurisdiction. *Permits* shall not be required for the following:

### Building:

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet (11 m<sup>2</sup>).
2. Fences not over 6 feet (1829 mm) high.
3. Oil derricks.
4. Retaining walls that are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or IIIA liquids.
5. Water tanks supported directly on grade if the capacity does not exceed 5,000 gallons (18 925 L) and the ratio of height to diameter or width does not exceed 2:1.
6. Sidewalks and driveways not more than 30 inches (762 mm) above adjacent grade, and not over any basement or *story* below and are not part of an *accessible route*.
7. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
8. Temporary motion picture, television and theater stage sets and scenery.
9. Prefabricated swimming pools accessory to a Group R-3 occupancy that are less than 24 inches (610 mm) deep, do not exceed 5,000 gallons (18 925 L) and are installed entirely above ground.
10. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.
11. Swings and other playground equipment accessory to detached one- and two-family *dwelling*s.
12. Window *awnings* supported by an *exterior wall* that do not project more than 54 inches (1372 mm) from the *exterior wall* and do not require additional support of Groups R-3 and U occupancies.
13. Nonfixed and movable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches (1753 mm) in height.

### Electrical:

**Repairs and maintenance:** Minor repair work, including the replacement of lamps or the connection of *approved* portable electrical equipment to *approved* permanently installed receptacles.

**Radio and television transmitting stations:** The provisions of this code shall not apply to electrical equipment used for radio and television transmissions, but do apply to equipment and wiring for a power supply and the installations of towers and antennas.

**Temporary testing systems:** A *permit* shall not be required for the installation of any temporary system

alternative materials or methods, the *building official* shall have the authority to require tests as evidence of compliance to be made at no expense to the *jurisdiction*. Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the *building official* shall approve the testing procedures. Tests shall be performed by an *approved agency*. Reports of such tests shall be retained by the *building official* for the period required for retention of public records.

## SECTION R105 PERMITS

**R105.1 Required.** Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the *building official* and obtain the required *permit*.

**R105.2 Work exempt from permit.** *Permits* shall not be required for the following. Exemption from *permit* requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this *jurisdiction*.

### Building:

1. One-story detached *accessory structures* used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 200 square feet (18.58 m<sup>2</sup>).
2. Fences not over 6 feet (1829 mm) high.
3. Retaining walls that are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge.
4. Water tanks supported directly upon *grade* if the capacity does not exceed 5,000 gallons (18 927 L) and the ratio of height to diameter or width does not exceed 2 to 1.
5. Sidewalks and driveways.
6. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
7. Prefabricated swimming pools that are less than 24 inches (610 mm) deep.
8. Swings and other playground equipment.
9. Window awnings supported by an exterior wall which do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support.
10. Decks not exceeding 200 square feet (18.58 m<sup>2</sup>) in area, that are not more than 30 inches (762 mm) above *grade* at any point, are not attached to a *dwelling* and do not serve the exit door required by Section R311.4.

### Electrical:

1. *Listed* cord-and-plug connected temporary decorative lighting.
2. Reinstallation of attachment plug receptacles but not the outlets therefor.
3. Replacement of branch circuit overcurrent devices of the required capacity in the same location.
4. Electrical wiring, devices, *appliances*, apparatus or *equipment* operating at less than 25 volts and not capable of supplying more than 50 watts of energy.
5. Minor repair work, including the replacement of lamps or the connection of *approved* portable electrical *equipment* to *approved* permanently installed receptacles.

### Gas:

1. Portable heating, cooking or clothes drying *appliances*.
2. Replacement of any minor part that does not alter approval of *equipment* or make such *equipment* unsafe.
3. Portable-fuel-cell *appliances* that are not connected to a fixed piping system and are not interconnected to a power grid.

### Mechanical:

1. Portable heating *appliances*.
2. Portable ventilation *appliances*.
3. Portable cooling units.
4. Steam, hot- or chilled-water piping within any heating or cooling *equipment* regulated by this code.
5. Replacement of any minor part that does not alter approval of *equipment* or make such *equipment* unsafe.
6. Portable evaporative coolers.
7. Self-contained refrigeration systems containing 10 pounds (4.54 kg) or less of refrigerant or that are actuated by motors of 1 horsepower (746 W) or less.
8. Portable-fuel-cell *appliances* that are not connected to a fixed piping system and are not interconnected to a power grid.

The stopping of leaks in drains, water, soil, waste or vent pipe; provided, however, that if any concealed trap, drainpipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work and a *permit* shall be obtained and inspection made as provided in this code.

The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures, and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.

**R105.2.1 Emergency repairs.** Where *equipment* replacements and repairs must be performed in an emergency situation, the *permit* application shall be submitted within the next working business day to the *building official*.