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by

**International Conference of Building Officials**

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## *Preface*

The *Uniform Administrative Code*<sup>™</sup> was promulgated by representatives of the International Conference of Building Officials (ICBO), International Association of Electrical Inspectors (IAEI), Pacific Coast Electrical Association (PCEA), and National Electrical Manufacturers Association (NEMA) to provide the necessary requirements for a single administrative document to enable its use by code enforcement agencies in the adoption of the various Uniform Codes published by the International Conference of Building Officials, the *National Electrical Code*<sup>®</sup> published by the National Fire Protection Association, and other related technical codes which regulate construction.

This code has been designed to be as compatible as possible with state and local regulations and assumes that the administrative provisions of the technical codes will be deleted except for Title, Purpose and Scope.

Vertical lines in margins indicate a change in the requirements from the 1994 edition. An analysis of changes between editions is published by the Conference.

Deletion indicators (◆) are provided in the margin where a paragraph or item listing has been deleted if the deletion resulted in a change of requirements.

## CODES AND RELATED PUBLICATIONS

The International Conference of Building Officials (ICBO) publishes a family of codes, each correlated with the *Uniform Building Code*™ to provide jurisdictions with a complete set of building-related regulations for adoption. Some of these codes are published in affiliation with other organizations such as the International Fire Code Institute (IFCI) and the International Code Council (ICC). Reference materials and related codes also are available to improve knowledge of code enforcement and administration of building inspection programs. Publications and products are continually being added, so inquiries should be directed to Conference headquarters for a listing of available products. Many codes and references are also available on CD-ROM or floppy disk. These are denoted by (\*). The following publications and products are available from ICBO:

### CODES

**\*Uniform Building Code**, Volumes 1, 2 and 3. The most widely adopted model building code in the United States, the performance-based *Uniform Building Code* is a proven document, meeting the needs of government units charged with the enforcement of building regulations. Volume 1 contains administrative, fire- and life-safety and field inspection provisions; Volume 2 contains structural engineering design provisions; and Volume 3 contains material, testing and installation standards.

**\*Uniform Mechanical Code**™. Provides a complete set of requirements for the design, construction, installation and maintenance of heating, ventilating, cooling and refrigeration systems; incinerators and other heat-producing appliances.

**International Plumbing Code**™. Provides consistent and technically advanced requirements that can be used across the country to provide comprehensive regulations of modern plumbing systems. Setting minimum regulations for plumbing facilities in terms of performance objectives, the IPC provides for the acceptance of new and innovative products, materials and systems.

**International Private Sewage Disposal Code**™. Provides flexibility in the development of safety and sanitary individual sewage disposal systems and includes detailed provisions for all aspects of design, installation and inspection of private sewage disposal systems.

**International Mechanical Code**™. Establishes minimum regulations for mechanical systems using prescriptive and performance-related provisions. It is founded on broad-based principles that make possible the use of new materials and new mechanical designs.

**Uniform Zoning Code**™. This code is dedicated to intelligent community development and to the benefit of the public welfare by providing a means of promoting uniformity in zoning laws and enforcement.

**\*Uniform Fire Code**™, Volumes 1 and 2. The premier model fire code in the United States, the *Uniform Fire Code* sets forth provisions necessary for fire prevention and fire protection. Published by the International Fire Code Institute, the *Uniform Fire Code* is endorsed by the Western Fire Chiefs Association, the International Association of Fire Chiefs and ICBO. Volume 1 contains code provisions compatible with the *Uniform Building Code*, and Volume 2 contains standards referenced from the code provisions.

**\*Urban-Wildland Interface Code**™. Promulgated by IFCI, this code regulates both land use and the built environment in designated urban-wildland interface areas. This newly developed code is the only model code that bases construction requirements on the fire-hazard severity exposed to the structure. Developed under a grant from the Federal Emergency Management Agency, this code is the direct result of hazard mitigation meetings held after devastating wildfires.

**Uniform Housing Code**™. Provides complete requirements affecting conservation and rehabilitation of housing. Its regulations are compatible with the *Uniform Building Code*.

**Uniform Code for the Abatement of Dangerous Buildings**™. A code compatible with the *Uniform Building Code* and the *Uniform Housing Code* which provides equitable remedies consistent with other laws for the repair, vacation or demolition of dangerous buildings.

**Uniform Sign Code**™. Dedicated to the development of better sign regulation, its requirements pertain to all signs and sign construction attached to buildings.

**Uniform Administrative Code**™. This code covers administrative areas in connection with adoption of the *Uniform Building Code*,

*Uniform Mechanical Code* and related codes. It contains provisions which relate to site preparation, construction, alteration, moving, repair and use and occupancies of buildings or structures and building service equipment, including plumbing, electrical and mechanical regulations. The code is compatible with the administrative provisions of all codes published by the Conference.

**Uniform Building Security Code**™. This code establishes minimum standards to make dwelling units resistant to unlawful entry. It regulates swinging doors, sliding doors, windows and hardware in connection with dwelling units of apartment houses or one- and two-family dwellings. The code gives consideration to the concerns of police, fire and building officials in establishing requirements for resistance to burglary which are compatible with fire and life safety.

**Uniform Code for Building Conservation**™. A building conservation guideline presented in code format which will provide a community with the means to preserve its existing buildings while achieving appropriate levels of safety. It is formatted in the same manner as the *Uniform Building Code*, is compatible with other Uniform Codes, and may be adopted as a code or used as a guideline.

**Dwelling Construction under the Uniform Building Code**™. Designed primarily for use in home building and apprentice training, this book contains requirements applicable to the construction of one- and two-story dwellings based on the requirements of the *Uniform Building Code*. Available in English or Spanish.

**Dwelling Construction under the Uniform Mechanical Code**™. This publication is for the convenience of the homeowner or contractor interested in installing mechanical equipment in a one- or two-family dwelling in conformance with the *Uniform Mechanical Code*.

**Supplements to UBC and related codes**. Published in the years between editions, the Supplements contain all approved changes, plus an analysis of those changes.

**Uniform Building Code—1927 Edition**. A special 60th anniversary printing of the first published *Uniform Building Code*.

**One and Two Family Dwelling Code**. Promulgated by ICC, this code eliminates conflicts and duplications among the model codes to achieve national uniformity. Covers mechanical and plumbing requirements as well as construction and occupancy.

**Application and Commentary on the One and Two Family Dwelling Code**. An interpretative commentary on the *One and Two Family Dwelling Code* intended to enhance uniformity of interpretation and application of the code nationwide. Developed by the three model code organizations, this document includes numerous illustrations of code requirements and the rationale for individual provisions.

**Model Energy Code**. This code includes minimum requirements for effective use of energy in the design of new buildings and structures and additions to existing buildings. It is based on American Society of Heating, Refrigeration and Air-conditioning Engineers Standard 90A-1980 and was originally developed jointly by ICBO, BOCA, SBCCI and the National Conference of States on Building Codes and Standards under a contract funded by the United States Department of Energy. The code is now maintained by ICC and is adopted by reference in the *Uniform Building Code*.

**National Electrical Code**®. The electrical code used throughout the United States. Published by the National Fire Protection Association, it is an indispensable aid to every electrician, contractor, architect, builder, inspector and anyone who must specify or certify electrical installations.

## TECHNICAL REFERENCES AND EDUCATIONAL MATERIALS

**Analysis of Revisions to the Uniform Codes™.** An analysis of changes between the previous and new editions of the Uniform Codes is provided. Changes between code editions are noted either at the beginning of chapters or in the margins of the code text.

**\*Handbook to the Uniform Building Code.** The handbook is a completely detailed and illustrated commentary on the *Uniform Building Code*, tracing historical background and rationale of the codes through the current edition. Also included are numerous drawings and figures clarifying the application and intent of the code provisions. Also available in electronic format.

**\*Handbook to the Uniform Mechanical Code.** An indispensable tool for understanding the provisions of the current UMC, the handbook traces the historical background and rationale behind the UMC provisions, includes 160 figures which clarify the intent and application of the code, and provides a chapter-by-chapter analysis of the UMC.

**\*Uniform Building Code Application Manual.** This manual discusses sections of the *Uniform Building Code* with a question-and-answer format, providing a comprehensive analysis of the intent of the code sections. Most sections include illustrative examples. The manual is in loose-leaf format so that code applications published in *Building Standards* magazine may be inserted. Also available in electronic format.

**\*Uniform Mechanical Code Application Manual.** As a companion document to the *Uniform Mechanical Code*, this manual provides a comprehensive analysis of the intent of a number of code sections in an easy-to-use question-and-answer format. The manual is available in a loose-leaf format and includes illustrative examples for many code sections.

**\*Uniform Fire Code Applications Manual.** This newly developed manual provides questions and answers regarding UFC provisions. A comprehensive analysis of the intent of numerous code sections, the manual is in a loose-leaf format for easy insertion of code applications published in IFCI's *Fire Code Journal*.

**Quick-Reference Guide to the Occupancy Requirements of the 1997 UBC.** Code requirements are compiled in this publication by occupancy groups for quick access. These tabulations assemble requirements for each occupancy classification in the code. Provisions, such as fire-resistive ratings for occupancy separations in Table 3-B, exterior wall and opening protection requirements in Table 5-A-1, and fire-resistive ratings for types of construction in Table 6-A, are tabulated for quick reference and comparison.

**Plan Review Manual.** A practical text that will assist and guide both the field inspector and plan reviewer in applying the code requirements. This manual covers the nonstructural and basic structural aspects of plan review.

**Field Inspection Manual.** An important fundamental text for courses of study at the community college and trade or technical school level. It is an effective text for those studying building construction or architecture and includes sample forms and checklists for use in the field.

**Building Department Administration.** An excellent guide for improvement of skills in departmental management and in the enforcement and application of the Building Code and other regulations administered by a building inspection department. This textbook will also be a valuable aid to instructors, students and those in related professional fields.

**Building Department Guide to Disaster Mitigation.** This new, expanded guide is designed to assist building departments in developing or updating disaster mitigation plans. Subjects covered include guidelines for damage mitigation, disaster-response management, immediate response, mutual aid and inspections, working with the media, repair and recovery policies, and public information bulletins. This publication is a must for those involved in preparing for and responding to disaster.

**Building Official Management Manual.** This manual addresses the unique nature of code administration and the managerial duties of the building official. A supplementary insert addresses the budgetary

and financial aspects of a building department. It is also an ideal resource for those preparing for the management module of the CABO Building Official Certification Examination.

**Legal Aspects of Code Administration.** A manual developed by the three model code organizations to inform the building official on the legal aspects of the profession. The text is written in a logical sequence with explanation of legal terminology. It is designed to serve as a refresher for those preparing to take the legal module of the CABO Building Official Certification Examination.

**Illustrated Guide to Conventional Construction Provisions of the UBC.** This comprehensive guide and commentary provides detailed explanations of the conventional construction provisions in the UBC, including descriptive discussions and illustrated drawings to convey the prescriptive provisions related to wood-frame construction.

**Introduction to the Uniform Building Code.** A workbook that provides an overview of the basics of the UBC.

**Uniform Building Code Update Workbook.** This manual addresses many of the changes to the administrative, fire- and life-safety, and inspection provisions appearing in the UBC.

**UMC Workbook.** Designed for independent study or use with instructor-led programs based on the *Uniform Mechanical Code*, this comprehensive study guide consists of 16 learning sessions, with the first two sessions reviewing the purpose, scope, definitions and administrative provisions and the remaining 14 sessions progressively exploring the requirements for installing, inspecting and maintaining heating, ventilating, cooling and refrigeration systems.

**UBC Field Inspection Workbook.** A comprehensive workbook for studying the provisions of the UBC. Divided into 12 sessions, this workbook focuses on the UBC combustible construction requirements for the inspection of wood-framed construction.

**Concrete Manual.** A publication for individuals seeking an understanding of the fundamentals of concrete field technology and inspection practices. Of particular interest to concrete construction inspectors, it will also benefit employees of concrete producers, contractors, testing and inspection laboratories and material suppliers.

**Reinforced Concrete Masonry Construction Inspector's Handbook.** A comprehensive information source written especially for masonry inspection covering terminology, technology, materials, quality control, inspection and standards. Published jointly by ICBO and the Masonry Institute of America.

**You Can Build It!** Sponsored by ICBO in cooperation with CABO, this booklet contains information and advice to aid "do-it-yourselfers" with building projects. Provides guidance in necessary procedures such as permit requirements, codes, plans, cost estimation, etc.

**Guidelines for Manufactured Housing Installations.** A guideline in code form implementing the *Uniform Building Code* and its companion code documents to regulate the permanent installation of a manufactured home on a privately owned, nonrental site. A commentary is included to explain specific provisions, and codes applying to each component part are defined.

**Accessibility Reference Guide.** This guide is a valuable resource for architects, interior designers, plan reviewers and others who design and enforce accessibility provisions. Features include accessibility requirements, along with detailed commentary and graphics to clarify the provisions; cross-references to other applicable sections of the UBC and the Americans with Disabilities Act Accessibility Guidelines; a checklist of UBC provisions on access and usability requirements; and many other useful references.

**Educational and Technical Reference Materials.** The Conference has been a leader in the development of texts and course material to assist in the educational process. These materials include vital information necessary for the building official and subordinates in carrying out their responsibilities and have proven to be excellent references in connection with community college curricula and higher-level courses in the field of building construction technology and inspection and in the administration of building departments. Included are plan review checklists for structural, nonstructural, mechanical and fire-safety provisions and a full line of videotapes and automated products.

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## Chapter 1 TITLE, SCOPE AND GENERAL

### SECTION 101 — TITLE, PURPOSE AND SCOPE

**101.1 Title.** These regulations shall be known as the *Uniform Administrative Code*, may be cited as such and will be referred to herein as “this code.”

**101.2 Purpose.** The purpose of this code is to provide for the administration and enforcement of the technical codes adopted by this jurisdiction.

**101.3 Scope.** The provisions of this code shall serve as the administrative, organizational and enforcement rules and regulations for the technical codes which regulate site preparation and construction, alteration, moving, demolition, repair, use and occupancy of buildings, structures and building service equipment within this jurisdiction.

### SECTION 102 — APPLICATION TO EXISTING BUILDINGS AND BUILDING SERVICE EQUIPMENT

**102.1 General.** Buildings, structures and their building service equipment to which additions, alterations or repairs are made shall comply with all the requirements of the technical codes for new facilities, except as specifically provided in this section.

**102.2 Additions, Alterations or Repairs.** Additions, alterations or repairs may be made to a building or its building service equipment without requiring the existing building or its building service equipment to comply with all the requirements of the technical codes, provided the addition, alteration or repair conforms to that required for a new building or building service equipment.

Additions or alterations shall not be made to an existing building or building service equipment which will cause the existing building or building service equipment to be in violation of the provisions of the technical codes nor shall such additions or alterations cause the existing building or building service equipment to become unsafe. An unsafe condition shall be deemed to have been created if an addition or alteration will cause the existing building or building service equipment to become structurally unsafe or overloaded; will not provide adequate egress in compliance with the provisions of the Building Code or will obstruct existing exits; will create a fire hazard; will reduce required fire resistance; will cause building service equipment to become overloaded or exceed their rated capacities; will create a health hazard or will otherwise create conditions dangerous to human life. A building so altered, which involves a change in use or occupancy, shall not exceed the height, number of stories and area permitted by the Building Code for new buildings. A building plus new additions shall not exceed the height, number of stories and area specified by the Building Code for new buildings.

Additions or alterations shall not be made to an existing building or structure when the existing building or structure is not in full compliance with the provisions of the Building Code except when the addition or alteration will result in the existing building or structure being no more hazardous based on life safety, firesafety and sanitation, than before such additions or alterations are undertaken.

**EXCEPTION:** Alterations of existing structural elements, or additions of new structural elements, which are not required by Section 102.4 and which are initiated for the purpose of increasing the lateral-force-resisting strength or stiffness of an existing structure need not be designed for forces conforming to these regulations provided that an engineering analysis is submitted to show that:

1. The capacity of existing structural elements required to resist forces is not reduced, and
2. The lateral loading to required existing structural elements is not increased beyond their capacity, and
3. New structural elements are detailed and connected to the existing structural elements as required by these regulations, and
4. New or relocated nonstructural elements are detailed and connected to existing or new structural elements as required by these regulations, and
5. An unsafe condition as defined above is not created.

Alterations or repairs to an existing building or structure which are nonstructural and do not adversely affect a structural member or a part of the building or structure having required fire resistance may be made with the same materials of which the building or structure is constructed, subject to approval by the building official. Installation or replacement of glass shall be as required for new installations.

Minor additions, alterations and repairs to existing building service equipment installations may be made in accordance with the technical code in effect at the time the original installation was made, subject to approval of the building official, and provided such additions, alterations and repairs will not cause the existing building service equipment to become unsafe, insanitary or overloaded.

**102.3 Existing Installations.** Building service equipment lawfully in existence at the time of the adoption of the technical codes may have their use, maintenance or repair continued if the use, maintenance or repair is in accordance with the original design and a hazard to life, health or property has not been created by such building service equipment.

**102.4 Existing Occupancy.** Buildings in existence at the time of the adoption of the Building Code may have their existing use or occupancy continued if the use or occupancy was legal at the time of the adoption of the Building Code, and provided continued use is not dangerous to life, health and safety.

A change in the use or occupancy of any existing building or structure shall comply with the provisions of Section 309 of this code and Section 3405 of the Building Code.

**102.5 Maintenance.** Buildings, structures and building service equipment, existing and new, and parts thereof shall be maintained in a safe and sanitary condition. Devices or safeguards which are required by the technical codes shall be maintained in conformance with the technical code under which installed. The owner or the owner’s designated agent shall be responsible for the maintenance of buildings, structures and their building service equipment. To determine compliance with this section, the building official may cause a structure to be reinspected.

**102.6 Moved Buildings.** Buildings, structures and their building service equipment moved into or within this jurisdiction shall comply with the provisions of the technical codes for new buildings or structures and their building service equipment.

**102.7 Temporary Structures.** Temporary structures such as reviewing stands and other miscellaneous structures, 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. Buildings or structures erected under a special permit need not comply with the type of construction or fire-resistive time periods required by the Building Code. Temporary buildings or structures

shall be completely removed upon the expiration of the time limit stated in the permit.

**102.8 Historic Buildings.** Repairs, alterations and additions necessary for the preservation, restoration, rehabilitation or continued use of a building, structure, or its building service equipment may be made without conforming to the requirements of the technical codes when authorized by the building official, provided:

1. The building or structure has been designated by official action of the legally constituted authority of this jurisdiction as having special historical or architectural significance.
2. Unsafe conditions as described in this code are corrected.
3. The restored building or structure and its building service equipment will be no more hazardous based on life safety, fire-safety and sanitation than the existing building.

## SECTION 103 — DEFINITIONS

For the purpose of this code, certain terms, phrases, words and their derivatives shall be construed as specified in this section. Where terms are not defined, they shall have their ordinarily accepted meanings within the context with which they are used. *Webster's Third New International Dictionary of the English Language, Unabridged*, copyright 1986, shall be considered as providing ordinarily accepted meanings. Words used in the singular include the plural and the plural the singular. Words used in the masculine gender include the feminine and the feminine the masculine.

**ADDITION** is an extension or increase in floor area or height of a building or structure.

**ALTER** or **ALTERATION** is a change or modification in construction or building service equipment.

**APPROVED**, as to materials, types of construction, equipment and systems, refers to approval by the building official as the result of investigation and tests conducted by the building official, or by reason of accepted principles or tests by recognized authorities, technical or scientific organizations.

**APPROVED AGENCY** is an established and recognized agency regularly engaged in conducting tests or furnishing inspection services, when the agency has been approved by the building official.

**BUILDING** is a structure used or intended for supporting or sheltering a use or occupancy.

**BUILDING CODE** is the *Uniform Building Code* promulgated by the International Conference of Building Officials, as adopted by this jurisdiction.

**BUILDING, EXISTING** is a building erected prior to the adoption of this code, or one for which a legal building permit has been issued.

**BUILDING OFFICIAL** is the officer or other designated authority charged with the administration and enforcement of this code, or a regularly authorized deputy.

**BUILDING SERVICE EQUIPMENT** refers to the plumbing, mechanical, electrical and elevator equipment including piping, wiring, fixtures and other accessories which provide sanitation, lighting, heating, ventilation, cooling, refrigeration, fire-fighting and transportation facilities essential to the occupancy of the building or structure for its designated use.

**DANGEROUS BUILDINGS CODE** is the *Uniform Code for the Abatement of Dangerous Buildings* promulgated by the Inter-

national Conference of Building Officials, as adopted by this jurisdiction.

**ELECTRICAL CODE** is the *National Electrical Code* promulgated by the National Fire Protection Association, as adopted by this jurisdiction.

**ELEVATOR CODE** is the safety code for elevators, dumb-waiters, escalators and moving walks as adopted by this jurisdiction.

**JURISDICTION**, as used in this code, is a state or political subdivision which adopts this code for administrative regulations within its area of authority.

**LISTED** and **LISTING** are terms referring to equipment and materials included in a list published by an approved testing laboratory, inspection agency, or other organization concerned with product evaluation that maintains periodic inspection of current productions of listed equipment or materials. The published list shall state that the material or equipment complies with approved nationally recognized codes, standards or tests and has been tested or evaluated and found suitable for use in a specified manner.

**MECHANICAL CODE** is the *Uniform Mechanical Code* promulgated by the International Conference of Building Officials, as adopted by this jurisdiction.

**OCCUPANCY** is the purpose for which a building, or part thereof, is used or intended to be used.

**OWNER** is any person, agent, firm or corporation having a legal or equitable interest in the property.

**PERMIT** is an official document or certificate issued by the building official authorizing performance of a specified activity.

**PERSON** is a natural person, heirs, executors, administrators or assigns, and also includes a firm, partnership or corporation, its or their successors or assigns, or the agent of any of the aforesaid.

**PLUMBING CODE** is the Plumbing Code, as adopted by this jurisdiction.

**REPAIR** is the reconstruction or renewal of any part of an existing building, structure or building service equipment for the purpose of its maintenance.

**SHALL**, as used in this code, is mandatory.

**STRUCTURAL OBSERVATION** means the visual observation of the structural system, for general conformance to the approved plans and specifications, at significant construction stages and at completion of the structural system. Structural observation does not include or waive the responsibility for the inspections required by Sections 305 and 306.

**STRUCTURE** is that which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner.

**TECHNICAL CODES** refer to those codes adopted by this jurisdiction containing the provisions for design, construction, alteration, addition, repair, removal, demolition, use, location, occupancy and maintenance of buildings and structures and building service equipment as herein defined.

**UBC STANDARDS** are those standards published in Volume 3 of the *Uniform Building Code* promulgated by the International Conference of Building Officials, as adopted by this jurisdiction.

**VALUATION** or **VALUE**, as applied to a building and its building service equipment, shall be the estimated cost to replace the building and its building service equipment in kind, based on current replacement costs.

## **SECTION 104 — CONFLICTING PROVISIONS**

When conflicting provisions or requirements occur between this code, the technical codes and other codes or laws, the most restrictive shall govern.

When conflicts occur between the technical codes, those provisions providing the greater safety to life shall govern. In other conflicts where sanitation, life safety or firesafety are not involved, the most restrictive provisions shall govern.

Where in a specific case different sections of the technical codes specify different materials, methods of construction or other requirements, the most restrictive shall govern. When there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

When conflicts occur between specific provisions of this code and administrative provisions in a technical code which is then applicable within this jurisdiction, those provisions becoming the law most recently shall prevail.

## **SECTION 105 — ALTERNATE MATERIALS, METHODS OF DESIGN AND METHODS OF CONSTRUCTION**

The provisions of the technical codes are not intended to prevent the use of any material, method of design or method of construction not specifically prescribed by the technical codes, provided an 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 design is satisfactory and complies with the provisions of the technical codes and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in the technical codes in suitability, strength, effectiveness, fire resistance, durability, safety and sanitation.

The building official shall require that sufficient evidence or proof be submitted to substantiate claims that may be made regarding its use. The details of an action granting approval of an alternate shall be recorded and entered in the files of the code enforcement agency.

## **SECTION 106 — MODIFICATIONS**

Whenever there are practical difficulties involved in carrying out the provisions of the technical codes, the building official may grant modifications for individual cases. The building official shall first find that a special individual reason makes the strict letter of the technical code impractical and the modification is in conformity with the intent and purpose of the technical code, and that such modification does not lessen health, life safety and firesafety requirements or any degree of structural integrity. The details of actions granting modifications shall be recorded and entered in the files of the code enforcement agency.

## **SECTION 107 — TESTS**

Whenever there is insufficient evidence of compliance with the provisions of the technical codes or evidence that materials or construction do not conform to the requirements of the technical codes, the building official may require tests as evidence of compliance to be made at no expense to the jurisdiction.

Test methods shall be as specified by the technical codes or by other recognized test standards. In the absence of recognized and accepted test methods, the building official shall determine test procedures.

Tests shall be made by an approved agency. Reports of such tests shall be retained by the building official for the period required for the retention of public records.

## Chapter 2 ORGANIZATION AND ENFORCEMENT

### SECTION 201 — AUTHORITY

**201.1 Creation of Enforcement Agency.** There is hereby established in this jurisdiction a code enforcement agency which shall be under the administrative and operational control of the building official.

**201.2 General.** Whenever the term or title “administrative authority,” “responsible official,” “building official,” “chief inspector,” “code enforcement officer,” or other similar designation is used herein or in any of the technical codes, it shall be construed to mean the building official designated by the appointing authority of this jurisdiction.

### SECTION 202 — POWERS AND DUTIES OF BUILDING OFFICIAL

**202.1 General.** The building official is hereby authorized and directed to enforce all the provisions of this code and the referenced technical codes. For such purposes, the building official shall have the powers of a law enforcement officer.

The building official shall have the power to render interpretations of this code and the referenced technical codes, and to adopt and enforce rules and regulations supplemental to this code as may be deemed necessary to clarify the application of the provisions of this code. Such interpretations, rules and regulations shall be in conformity with the intent and purpose of this code.

**202.2 Deputies.** In accordance with prescribed procedures and with the approval of the appointing authority, the building official may appoint such number of technical officers and inspectors and other employees as shall be authorized from time to time. The building official may deputize such inspectors or employees as may be necessary to carry out the functions of the code enforcement agency.

**202.3 Right of Entry.** When necessary to make an inspection to enforce any of the provisions of this code and the technical codes, or when the building official has reasonable cause to believe that there exists in any building or upon a premises a condition which is contrary to or in violation of this code which makes the building or premises unsafe, dangerous or hazardous, the building official may enter the building or premises at all reasonable times to inspect or to perform the duties imposed by this code, provided that if such building or premises be occupied, that credentials be presented to the occupant and entry requested. If such building or premises be unoccupied, the building official shall first make a reasonable effort to locate the owner or other persons having charge or control of the building or premises and request entry. Should entry be refused, the building official shall have recourse to the remedies provided by law to secure entry.

**202.4 Stop Orders.** When work is being done contrary to the provisions of this code, the technical codes, or other pertinent laws or ordinances implemented through the enforcement of this code, the building official may order the work stopped by notice in writing served on persons engaged in the doing or causing such work to be done, and such persons shall forthwith stop the work until authorized by the building official to proceed with the work.

**202.5 Occupancy Violations.** When a building or structure or building service equipment therein regulated by this code and the technical codes is being used contrary to the provisions of such codes, the building official may order such use discontinued by

written notice served on any person causing such use to be continued. Such person shall discontinue the use within the time prescribed by the building official after receipt of such notice to make the structure, or portion thereof, comply with the requirements of such codes.

**202.6 Authority to Disconnect Utilities.** The building official or the building official’s authorized representative shall have the authority to disconnect a utility service or energy supplied to the building, structure or building service equipment therein regulated by this code or the technical codes in case of emergency where necessary to eliminate an immediate hazard to life or property. The building official shall whenever possible notify the serving utility, the owner and occupant of the building, structure or building service equipment of the decision to disconnect prior to taking such action, and shall notify such serving utility, owner and occupant of the building, structure or building service equipment, in writing, of such disconnection immediately thereafter.

**202.7 Authority to Condemn Building Service Equipment.** When the building official ascertains that building service equipment regulated in the technical codes has become hazardous to life, health or property, or has become insanitary, the building official shall order in writing that such equipment either be removed or restored to a safe or sanitary condition, as appropriate. The written notice itself shall fix a time limit for compliance with such order. Defective building service equipment shall not be maintained after receiving such notice.

When such equipment or installation is to be disconnected, a written notice of such disconnection and causes therefor shall be given within 24 hours to the serving utility, the owner and occupant of such building, structure or premises.

When any building service equipment is maintained in violation of the technical codes and in violation of a notice issued pursuant to the provisions of this section, the building official shall institute appropriate action to prevent, restrain, correct or abate the violation.

**202.8 Connection after Order to Disconnect.** Persons shall not make connections from an energy, fuel or power supply nor supply energy or fuel to building service equipment which has been disconnected or ordered to be disconnected by the building official or the use of which has been ordered to be discontinued by the building official until the building official authorizes the reconnection and use of such equipment.

**202.9 Liability.** The building official charged with the enforcement of this code and the technical codes, acting in good faith and without malice in the discharge of his duties, shall not thereby be rendered personally liable for damage that may accrue to persons or property as a result of an act or omission in the discharge of the assigned duties. A suit brought against the building official or employee because of such act or omission performed by the building official or employee in the enforcement of the provisions of such codes or other pertinent laws or ordinances implemented through the enforcement of this code or enforced by the code enforcement agency shall be defended by this jurisdiction until final termination of such proceedings, and any judgment resulting therefrom, shall be assumed by this jurisdiction.

This code shall not be construed to relieve from or lessen the responsibility of any person owning, operating or controlling a building, structure or building service equipment therein for damages to persons or property caused by defects, nor shall the code

enforcement agency or its parent jurisdiction be held as assuming such liability by reason of the inspections authorized by this code or permits or certificates issued under this code.

**202.10 Cooperation of Other Officials and Officers.** The building official may request, and shall receive, the assistance and cooperation of other officials of this jurisdiction so far as is required in the discharge of the duties required by this code or other pertinent laws or ordinances.

### **SECTION 203 — UNSAFE BUILDINGS, STRUCTURES OR BUILDING SERVICE EQUIPMENT**

Buildings or structures regulated by this code and the technical codes which are structurally inadequate or have inadequate egress, or which constitute a fire hazard, or are otherwise dangerous to human life are, for the purpose of this section, unsafe buildings.

Building service equipment regulated by such codes, which constitutes a fire, electrical or health hazard, or an insanitary condition, or is otherwise dangerous to human life is, for the purpose of this section, unsafe. Use of buildings, structures or building service equipment constituting a hazard to safety, health or public welfare by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster, damage or abandonment is, for the purpose of this section, an unsafe use.

Parapet walls, cornices, spires, towers, tanks, statuary and other appendages or structural members which are supported by, attached to, or a part of a building and which are in a deteriorated condition or otherwise unable to sustain the design loads which are specified in the Building Code are hereby designated as unsafe building appendages.

Unsafe buildings, structures or appendages and building service equipment are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, demolition or removal in

accordance with the procedures set forth in the Dangerous Buildings Code or such alternate procedure as may be adopted by this jurisdiction. As an alternative, the building official or other employee or official of this jurisdiction as designated by the governing body may institute other appropriate action to prevent, restrain, correct or abate the violation.

### **SECTION 204 — BOARD OF APPEALS**

**204.1 General.** In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretations of the technical code, there shall be and is hereby created a board of appeals consisting of members who are qualified by experience and training to pass upon matters pertaining to building construction and building service equipment and who are not employees of the jurisdiction. The building official shall be an ex officio member and shall act as secretary to said board but shall have no vote upon 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 building official.

**204.2 Limitations of Authority.** The board of appeals shall have no authority relative to interpretation of the administrative provisions of this code or the administrative provisions of the technical codes nor shall the board be empowered to waive requirements of either this code or the technical codes.

### **SECTION 205 — VIOLATIONS**

It shall be unlawful for a person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building, structure or building service equipment, or cause or permit the same to be done in violation of this code and the technical codes.