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## PREFACE

### Introduction

Internationally, code officials recognize the need for a modern, up-to-date residential construction code addressing the design and construction of one- and two-family dwellings and townhouses. The *International Residential Code for One- and Two-Family Dwellings* is designed to meet these needs through model code regulations that safeguard the public health and safety and consider dwelling affordability in all communities, large and small.

This comprehensive, stand-alone residential construction code, which incorporates approved changes from the 1999 code development cycle, establishes minimum regulations for one- and two-family dwellings and townhouses using prescriptive provisions. Additionally, the *International Residential Code* is designed to be compatible with the BOCA National Codes published by Building Officials and Code Administrators International (BOCA), the Standard Codes published by the Southern Building Code Congress International (SBCCI), the Uniform Codes published by the International Conference of Building Officials (ICBO), and all the International Codes published by the International Code Council (ICC®).

The *International Residential Code* provides many benefits, among which is the model code development process that offers an international forum for construction professionals to discuss these prescriptive code requirements. This forum provides an excellent arena to debate proposed revisions. This model code also encourages international consistency in the application of provisions.

### Development

On April 22, 1996, the ICC Board of Directors established the ICC/NAHB Task Force, charged with the examination of performance options of the CABO *One and Two Family Dwelling Code*. The Board further stated that the “purpose is to identify the issues (including the process of code development after 1998) and develop an action plan to resolve the issues.”

Subsequently, the ICC/NAHB Task Force recommended to the ICC Board that the “ICC develop and maintain a stand-alone residential code that will cover the construction of detached one- and two-family dwellings and multiple single-family dwellings (i.e., townhouses) not more than three stories in height with separate means of egress. This code is to be called the *International Residential Code for One- and Two-Family Dwellings*.”

A code drafting committee was formed by the International Code Council. The intent of the code drafting committee was to develop a draft of a comprehensive residential code that is consistent with and inclusive of the scope and content of the existing model building codes and the *International One- and Two-Family Dwelling Code*.

The technical content of the 1998 *International One- and Two-Family Dwelling Code*, the other *International Codes* (including the *International Building Code/First Draft*) and the latest building codes promulgated by BOCA, ICBO and SBCCI was the nucleus for the development of this document. Other sources of relevant technical information were also considered. While there were a great many similarities among the codes, careful consideration was given to identified differences. The code drafting committee used certain principles as guidance in the resolution of technical differences. The principles were based on the intent to establish provisions consistent with the scope of a residential code that adequately protects public health, safety and welfare; provisions that do not unnecessarily increase construction costs; provisions that do not restrict the use of new materials, products or methods of construction; and provisions that do not give preferential treatment to particular types or classes of materials, products or methods of construction.

Fuel gas provisions have been included in this edition through an agreement with the American Gas Association. The maintenance process for the fuel gas provisions of the *International Residential Code* will be undertaken by the International Fuel Gas Code Development Committee.

Electrical provisions have been included in this edition through an agreement with the National Fire Protection Association (NFPA). The maintenance process for the electrical provisions of future *International Residential Code* editions will be undertaken by NFPA.

### Adoption

The *International Residential Code* is available for adoption and use by jurisdictions internationally. Its use within a governmental jurisdiction is intended to be accomplished through adoption by reference in accordance with proceedings establishing the jurisdiction’s laws. At the time of adoption, jurisdictions should insert the appropriate information in provisions requiring specific local information, such as the

## SAMPLE ORDINANCE FOR ADOPTION OF THE INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS

ORDINANCE NO. \_\_\_\_\_

An ordinance of the   **[JURISDICTION]**   adopting the 2000 edition of the *International Residential Code*, regulating and controlling the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of one- and two-family dwellings and townhouses in the   **[JURISDICTION]**  ; providing for the issuance of permits and collection of fees therefor when used with money; repealing Ordinance No. \_\_\_\_\_ of the   **[JURISDICTION]**   and all other ordinances and parts of the ordinances in conflict therewith.

The   **[GOVERNING BODY]**   of the   **[JURISDICTION]**   does ordain as follows:

**Section 1.** That certain documents, three (3) copies of which are on file in the office of the   **[JURISDICTION'S KEEPER OF RECORDS]**   and the   **[JURISDICTION]**  , being marked and designated as *International Residential Code*, including Appendix Chapters (fill in the applicable Appendix Chapters. [See *International Residential Code* Section R102.5, 2000 edition]), as published by the International Code Council and is hereby adopted as the code of the   **[JURISDICTION]**   for regulating the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of one- and two-family dwellings and townhouses not more than three stories in height in the   **[JURISDICTION]**   and providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, conditions and terms of such *International Residential Code*, 2000 edition, published by the International Code Council on file in the office of the   **[JURISDICTION]**   are hereby referred to, adopted and made a part hereof as if fully set out in this ordinance.

**Section 2.** The following sections are hereby revised:

Section R101.1 Insert:   **[NAME OF JURISDICTION]**  

Table R301.2(1) Insert:   **[APPROPRIATE DESIGN CRITERIA]**  

**Section 3.** That Ordinance No. \_\_\_\_\_ of   **[JURISDICTION]**   entitled (*fill in here the complete title of the present ordinance or ordinances in effect at the present time so that they will be repealed by definite mention*) and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

**Section 4.** That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The   **[GOVERNING BODY]**   hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

**Section 5.** That the   **[JURISDICTION'S KEEPER OF RECORDS]**   is hereby ordered and directed to cause this ordinance to be published. (*An additional provision may be required to direct the number of times the ordinance is to be published and to specify that it is to be in a newspaper in general circulation. Posting may also be required.*)

**Section 6.** That this ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect   **[TIME PERIOD]**   from and after the date of its final passage and adoption.

This is a preview of "ICC IRC-2000". [Click here to purchase the full version from the ANSI store.](#)

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## Part I — Administrative

### CHAPTER 1 ADMINISTRATION

#### SECTION R101 TITLE, SCOPE AND PURPOSE

**R101.1 Title.** These provisions shall be known as the *Residential Code for One- and Two-Family Dwellings* of [NAME OF JURISDICTION], and shall be cited as such and will be referred to herein as “this code.”

**R101.2 Scope.** The provisions of the *International Residential Code for One- and Two-Family Dwellings* shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, removal and demolition of detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories in height with a separate means of egress and their accessory structures.

**R101.3 Purpose.** The purpose of this code is to provide minimum requirements to safeguard life or limb, health and public welfare.

#### SECTION R102 APPLICABILITY

**R102.1 General.** 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 be applicable.

**R102.2 Other laws.** The provisions of this code shall not be deemed to nullify any provisions of local, state or federal law.

**R102.3 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.

**R102.4 Referenced codes and standards.** The codes and standards referenced in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and referenced codes and standards, the provisions of this code shall apply.

**Exception:** Where enforcement of a code provision would violate the conditions of the listing of the equipment or appliance, the conditions of the listing and manufacturer’s instructions shall apply.

**R102.5 Appendices.** Provisions in the appendices shall not apply unless specifically referenced in the adopting ordinance.

**R102.6 Partial invalidity.** In the event any part or provision of this code is held to be illegal or void, this shall not have the

effect of making void or illegal any of the other parts or provisions.

**R102.7 Existing structures.** The legal occupancy of any structure existing on the date of adoption of this code shall be permitted to continue without change, except as is specifically covered in this code, the *International Property Maintenance Code* or the *International Fire Code*, or as is deemed necessary by the building official for the general safety and welfare of the occupants and the public.

**R102.7.1 Additions, alterations or repairs.** Additions, alterations or repairs to any structure shall conform to that required for a new structure without requiring the existing structure to comply with all of the requirements of this code, unless otherwise stated. Additions, alterations or repairs shall not cause an existing structure to become unsafe or adversely affect the performance of the building.

#### SECTION R103 DEPARTMENT OF BUILDING SAFETY

**R103.1 Creation of enforcement agency.** The department of building safety is hereby created and the official in charge thereof shall be known as the building official.

**R103.2 Appointment.** The building official shall be appointed by the chief appointing authority of the jurisdiction.

**R103.3 Deputies.** In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the appointing authority, the building official shall have the authority to appoint a deputy building official, the related technical officers, inspectors, plan examiners and other employees. Such employees shall have powers as delegated by the building official.

#### SECTION R104 DUTIES AND POWERS OF THE BUILDING OFFICIAL

**R104.1 General.** The building official is hereby authorized and directed to enforce the provisions of this code. The building official shall have the authority to render interpretations of this code and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be in conformance with the intent and purpose of this code. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this code.

**R104.2 Applications and permits.** The building official shall receive applications, review construction documents and issue permits for the erection and alteration of buildings and

structures, inspect the premises for which such permits have been issued and enforce compliance with the provisions of this code.

**R104.3 Notices and orders.** The building official shall issue all necessary notices or orders to ensure compliance with this code.

**R104.4 Inspections.** The building official is authorized to make all of the required inspections, or the building official shall have the authority to accept reports of inspection by approved agencies or individuals. Reports of such inspections shall be in writing and be certified by a responsible officer of such approved agency or by the responsible individual. The building official is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise, subject to the approval of the appointing authority.

**R104.5 Identification.** The building official shall carry proper identification when inspecting structures or premises in the performance of duties under this code.

**R104.6 Right of entry.** Where it is necessary to make an inspection to enforce the provisions of this code, or where the building official has reasonable cause to believe that there exists in a structure or upon a premises a condition which is contrary to or in violation of this code which makes the structure or premises unsafe, dangerous or hazardous, the building official or designee is authorized to enter the structure or premises at reasonable times to inspect or to perform the duties imposed by this code, provided that if such structure or premises be occupied that credentials be presented to the occupant and entry requested. If such structure or premises be unoccupied, the building official shall first make a reasonable effort to locate the owner or other person having charge or control of the structure or premises and request entry. If entry is refused, the building official shall have recourse to the remedies provided by law to secure entry.

**R104.7 Department records.** The building official shall keep official records of applications received, permits and certificates issued, fees collected, reports of inspections, and notices and orders issued. Such records shall be retained in the official records for the period required for the retention of public records.

**R104.8 Liability.** The building official, member of the board of appeals or employee charged with the enforcement of this code, while acting for the jurisdiction in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered liable personally and is hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties. Any suit instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by legal representative of the jurisdiction until the final termination of the proceedings. The building official or any subordinate shall not be liable for cost in any action, suit or proceeding that is instituted in pursuance of the provisions of this code.

**R104.9 Approved materials and equipment.** Materials, equipment and devices approved by the building official shall be constructed and installed in accordance with such approval.

**R104.9.1 Used materials and equipment.** Used materials, equipment and devices shall not be reused unless approved by the building official.

**R104.10 Modifications.** Wherever there are practical difficulties involved in carrying out the provisions of this code, the building official shall have the authority to grant modifications for individual cases, provided the building official shall first find that special individual reason makes the strict letter of this code impractical and the modification is in compliance with the intent and purpose of this code and that such modification does not lessen health, life and fire safety requirements or structural. The details of action granting modifications shall be recorded and entered in the files of the department of building safety.

**R104.10.1 Areas prone to flooding.** The building official shall not grant modifications to any provision related to areas prone to flooding as established by Table R301.2(1) without the granting of a variance to such provisions by the board of appeals.

**R104.11 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. Compliance with the specific performance-based provisions of the International Code Council (ICC) codes in lieu of specific requirements of this code shall also be permitted as an alternate.

**R104.11.1 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 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 the 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, 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 not more than 30 inches (762 mm) above adjacent grade and not over any basement or story below.
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 accessory to a one- or two-family dwelling.
9. Window awnings supported by an exterior wall.

**Electrical:**

Repairs and maintenance: A permit shall not be required for 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.

**Mechanical:**

1. Portable heating appliance.
2. Portable ventilation appliances.
3. Portable cooling unit.
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 cooler.
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.

**Plumbing:**

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.

**R105.2.2 Repairs.** Application or notice to the building official is not required for ordinary repairs to structures, replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles. Such repairs shall not include the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or load bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the egress requirements; nor shall ordinary repairs include addition to, alteration of, replacement or relocation of any, water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electric wiring or mechanical or other work affecting public health or general safety.

**R105.2.3 Public service agencies.** A permit shall not be required for the installation, alteration or repair of generation, transmission, distribution, metering or other related equipment that is under the ownership and control of public service agencies by established right.

**R105.3 Application for permit.** To obtain a permit, the applicant shall first file an application therefor in writing on a form furnished by the department of building safety for that purpose. Such application shall:

1. Identify and describe the work to be covered by the permit for which application is made.
2. Describe the land on which the proposed work is to be done by legal description, street address or similar description that will readily identify and definitely locate the proposed building or work.
3. Indicate the use and occupancy for which the proposed work is intended.
4. Be accompanied by construction documents and other information as required in Section R106.1.
5. State the valuation of the proposed work.
6. Be signed by the applicant, or the applicant's authorized agent.
7. Give such other data and information as required by the building official.

**R105.3.1 Action on application.** The building official shall examine or cause to be examined applications for permits and amendments thereto within a reasonable time after filing. If the application or the construction documents do not conform to the requirements of pertinent laws, the building official shall reject such application in writing, stating the reasons therefor. If the building official is satisfied that the proposed work conforms to the requirements of this code and laws and ordinances applicable thereto, the building official shall issue a permit therefor as soon as practicable.

**R105.3.1.1 Substantially improved or substantially damaged existing buildings and structures.** For applications for reconstruction, rehabilitation, addition, or other improvement of existing buildings or structures located in an area prone to flooding as established by Table R301.2(1), the building official shall examine or cause to be examined the construction documents and shall prepare a finding with regard to the value of the proposed work. For buildings that have sustained damage of any origin, the value of the proposed work shall include the cost to repair the building or structure to its predamage condition. If the building official finds that the value of proposed work equals or exceeds 50 percent of the market value of the building or structure, the finding shall be provided to the board of appeals for a determination of substantial improvement or substantial damage. Applications determined by the board of appeals to constitute substantial improvement or substantial damage shall meet the requirements of Section R327.

**R105.3.2 Time limitation of application.** An application for a permit for any proposed work shall be deemed to have been abandoned 180 days after the date of filing, unless such application has been pursued in good faith or a permit has been issued; except that the building official is authorized to grant one or more extensions of time for additional periods not exceeding 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

**R105.4 Validity of permit.** The issuance or granting of a permit shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or of any other ordinance of the jurisdiction. Permits presuming to give authority to violate or cancel the provisions of this code or other ordinances of the jurisdiction shall not be valid. The issuance of a permit based on construction documents and other data shall not prevent the building official from requiring the correction of errors in the construction documents and other data. The building official is also authorized to prevent occupancy or use of a structure where in violation of this code or of any other ordinances of this jurisdiction.

**R105.5 Expiration.** Every permit issued shall become invalid unless the work authorized by such permit is commenced within 180 days after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

**R105.6 Suspension or revocation.** The building official is authorized to suspend or revoke a permit issued under the provisions of this code wherever the permit is issued in error or on the basis of incorrect, inaccurate or incomplete information, or in violation of any ordinance or regulation or any of the provisions of this code.

**R105.7 Placement of permit.** The building permit or copy thereof shall be kept on the site of the work until the completion of the project.

**R105.8 Responsibility.** It shall be the duty of every person who performs work for the installation or repair of building, structure, electrical, gas, mechanical or plumbing systems, for which this code is applicable, to comply with this code.

## SECTION R106 CONSTRUCTION DOCUMENTS

**R106.1 Submittal documents.** Construction documents, special inspection and structural observation programs, and other data shall 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 building official is authorized to require additional construction documents to be prepared by a registered design professional.

**Exception:** The building official is authorized to waive the submission of construction documents and other data not required to be prepared by a registered design professional if it is found that the nature of the work applied for is such that reviewing of construction documents is not necessary to obtain compliance with this code.

**R106.1.1 Information on construction documents.** Construction documents shall be drawn upon suitable material. Electronic media documents are permitted to be submitted when approved by the building official. Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and relevant laws, ordinances, rules and regulations, as determined by the building official.

**R106.1.2 Manufacturer's installation instructions.** Manufacturer's installation instructions, as required by this code, shall be available on the job site at the time of inspection.

**R106.1.3 Information for construction in areas prone to flooding.** For buildings and structures in flood hazard areas as established by Table R301.2(1), construction documents shall include:

1. Delineation of flood hazard areas, floodway boundaries, and flood zones, and the design flood elevation, as appropriate;
2. The elevation of the proposed lowest floor, including basement; in areas of shallow flooding (AO Zones), the height of the proposed lowest floor, including basement, above the highest adjacent grade; and
3. If design flood elevations are not included on the community's Flood Insurance Rate Map (FIRM), the building official and the applicant shall obtain and reasonably utilize any design flood elevation and floodway data available from other sources.

**R106.2 Site plan.** The construction documents submitted with the application for permit shall be accompanied by a site plan showing the size and location of new construction and existing structures on the site and distances from lot lines. In the case of

demolition, the site plan shall show construction to be demolished and the location and size of existing structures and construction that are to remain on the site or plot.

**R106.3 Examination of documents.** The building official shall examine or cause to be examined the accompanying construction documents and shall ascertain by such examinations whether the construction indicated and described is in accordance with the requirements of this code and other pertinent laws or ordinances.

**R106.3.1 Approval of construction documents.** When the building official issues a permit, the construction documents shall be approved in writing or by stamp. One set of construction documents so reviewed shall be retained by the building official. The other set shall be returned to the applicant, shall be kept at the site of work and shall be open to inspection by the building official or his or her authorized representative.

**R106.3.2 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.

**R106.3.3 Phased approval.** The building official is authorized to issue a permit for the construction of foundations or any other part of a building or structure before the construction documents for the whole building or structure have been submitted, provided that adequate information and detailed statements have been filed complying with pertinent requirements of this code. The holder of such permit for the foundation or other parts of a building or structure shall proceed at the holder's own risk with the building operation and without assurance that a permit for the entire structure will be granted.

**R106.4 Amended construction documents.** Work shall be installed in accordance with the reviewed construction documents, and any 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.

**R106.5 Retention of construction documents.** One set of approved construction documents shall be retained by the building 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 R107 TEMPORARY STRUCTURES AND USES

**R107.1 General.** The building official is authorized to issue a permit for temporary structures and temporary uses. Such permits shall be limited as to time of service, but shall not be permitted for more than 180 days. The building official is authorized to grant extensions for demonstrated cause.

**R107.2 Conformance.** Temporary structures and uses shall conform to the structural strength, fire safety, means of egress, light, ventilation and sanitary requirements of this code as necessary to ensure the public health, safety and general welfare.

**R107.3 Temporary power.** The building official is authorized to give permission to temporarily supply and use power in part of an electric installation before such installation has been fully completed and the final certificate of completion has been issued. The part covered by the temporary certificate shall comply with the requirements specified for temporary lighting, heat or power in the ICC *Electrical Code*.

**R107.4 Termination of approval.** The building official is authorized to terminate such permit for a temporary structure or use and to order the temporary structure or use to be discontinued.

## SECTION R108 FEES

**R108.1 Payment of fees.** A permit shall not be valid until the fees prescribed by law have been paid. Nor shall an amendment to a permit be released until the additional fee, if any, has been paid.

**R108.2 Schedule of permit fees.** On buildings, structures, electrical, gas, mechanical, and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the schedule as established by the applicable governing authority.

**R108.3 Building permit valuations.** Building permit valuation shall include total value of the work for which a permit is being issued, such as electrical, gas, mechanical, plumbing equipment and other permanent systems, including materials and labor.

**R108.4 Related fees.** The payment of the fee for the construction, alteration, removal or demolition for work done in connection with or concurrently with the work authorized by a building permit shall not relieve the applicant or holder of the permit from the payment of other fees that are prescribed by law.

**R108.5 Refunds.** The building official is authorized to establish a refund policy.

## SECTION R109 INSPECTIONS

**R109.1 Types of inspections.** For on-site construction, from time to time the building official, upon notification from the permit holder or his agent, shall make or cause to be made any necessary inspections and shall either approve that portion of the construction as completed or shall notify the permit holder or his or her agent wherein the same fails to comply with this code.

**R109.1.1 Foundation inspection.** Inspection of the foundation shall be made after poles or piers are set or trenches or basement areas are excavated and any required forms erected and any required reinforcing steel is in place and

prior to the placing of concrete. The foundation inspection shall include excavations for thickened slabs intended for the support of bearing walls, partitions, structural supports, or equipment and special requirements for wood foundations.

**R109.1.2 Plumbing, mechanical, gas and electrical systems inspection.** Rough inspection of plumbing, mechanical, gas and electrical systems shall be made prior to covering or concealment, before fixtures or appliances are set or installed, and prior to framing inspection.

**Exception:** Ground-source heat pump loop systems tested in accordance with Section M2105.1 shall be permitted to be backfilled prior to inspection.

**R109.1.3 Floodplain inspections.** For construction permitted in areas prone to flooding as established by Table R301.2(1), upon placement of the lowest floor, including basement, and prior to further vertical construction, the building official shall require submission of a certification, prepared by a registered professional engineer or land surveyor, of the elevation of the lowest floor, including basement, required in Section R327.

**R109.1.4 Frame and masonry inspection.** Inspection of framing and masonry construction shall be made after the roof, masonry, all framing, firestopping, draftstopping and bracing are in place and after the plumbing, mechanical and electrical rough inspections are approved.

**R109.1.5 Other inspections.** In addition to the called inspections above, the building department may make or require any other inspections to ascertain compliance with this code and other laws enforced by the building department.

**R109.1.5.1 Fire-resistance-rated construction inspection.** Where fire-resistance-rated construction is required between dwelling units or due to location on property, the building official shall require an inspection of such construction after all lathing and/or wallboard is in place, but before any plaster is applied, or before wallboard joints and fasteners are taped and finished.

**R109.1.6 Final inspection.** Final inspection shall be made after the permitted work is complete and prior to occupancy.

**R109.2 Inspection agencies.** The building official is authorized to accept reports of approved agencies, provided such agencies satisfy the requirements as to qualifications and reliability.

**R109.3 Inspection requests.** It shall be the duty of the person doing the work authorized by a permit to notify the building official that such work is ready for inspection. It shall be the duty of the person requesting any inspections required by this code to provide access to and means for inspection of such work

**R109.4 Approval required.** Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the building official. The building official upon notification shall make the requested inspections

and shall either indicate the portion of the construction that is satisfactory as completed, or shall notify the permit holder or an agent of the permit holder 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 building official.

## SECTION R110 CERTIFICATE OF OCCUPANCY

**R110.1 Use and occupancy.** No building or structure shall be used or occupied, and no change in the existing occupancy classification of a building or structure or portion thereof shall be made until the building official has issued a certificate of occupancy therefor as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Certificates presuming to give authority to violate or cancel the provisions of this code or other ordinances of the jurisdiction shall not be valid.

**R110.2 Change in use.** Changes in the character or use of an existing structure shall not be made except as specified in Sections 3405 and 3406 of the *International Building Code*.

**R110.3 Certificate issued.** After the building official inspects the building or structure and finds no violations of the provisions of this code or other laws that are enforced by the department of building safety, the building official shall issue a certificate of occupancy which shall contain the following:

1. The building permit number.
2. The address of the structure.
3. The name and address of the owner.
4. A description of that portion of the structure for which the certificate is issued.
5. A statement that the described portion of the structure has been inspected for compliance with the requirements of this code.
6. The name of the building official.
7. The edition of the code under which the permit was issued.
8. If an automatic sprinkler system is provided.
9. Any special stipulations and conditions of the building permit.

**R110.4 Temporary occupancy.** The building official is authorized to issue a temporary certificate of occupancy before the completion of the entire work covered by the permit, provided that such portion or portions shall be occupied safely. The building official shall set a time period during which the temporary certificate of occupancy is valid.

**R110.5 Revocation.** The building official shall, in writing, suspend or revoke a certificate of occupancy 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 or portion thereof is in violation of any ordinance or regulation or any of the provisions of this code.



## SECTION R111 SERVICE UTILITIES

**R111.1 Connection of service utilities.** No person shall make connections from a utility, source of energy, fuel or power to any building or system that is regulated by this code for which a permit is required, until approved by the building official.

**R111.2 Temporary connection.** The building official shall have the authority to authorize and approve the temporary connection of the building or system to the utility source of energy, fuel or power.

**R111.3 Authority to disconnect service utilities.** The building official shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code and the referenced codes and standards set forth in Section R102.4 in case of emergency where necessary to eliminate an immediate hazard to life or property or when such utility connection has been made without the approval required by Section R111.1 or R111.2. The building official shall notify the serving utility and whenever possible the owner and occupant of the building, structure or service system of the decision to disconnect prior to taking such action if not notified prior to disconnection. The owner or occupant of the building, structure or service system shall be notified in writing as soon as practical thereafter.

## SECTION R112 BOARD OF APPEALS

**R112.1 General.** In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The building 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 building official.

**R112.2 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.

**R112.2.1 Determination of substantial improvement in areas prone to flooding.** When the building official provides a finding required in Section R105.3.1.1, the board of appeals shall determine whether the value of the proposed work constitutes a substantial improvement. A substantial improvement means any repair, reconstruction, rehabilitation, addition, or improvement of a building or structure, the cost of which equals or exceeds 50 percent of the market value of the building or structure before the improvement or repair is started. If the building or structure has sustained substantial damage, all repairs are considered substantial

improvement regardless of the actual repair work performed. The term does not include:

1. Improvements of a building or structure required to correct existing health, sanitary or safety code violations identified by the building official and which are the minimum necessary to assure safe living conditions; or
2. Any alteration of an historic building or structure provided that the alteration will not preclude the continued designation as an historic building or structure.

**R112.2.2 Criteria for issuance of a variance for areas prone to flooding.** A variance shall only be issued upon:

1. A showing of good and sufficient cause that the unique characteristics of the size, configuration or topography of the site render the elevation standards in Section R327 inappropriate.
2. A determination that failure to grant the variance would result in exceptional hardship by rendering the lot undevelopable.
3. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, nor create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.
4. A determination that the variance is the minimum necessary to afford relief, considering the flood hazard.
5. Submission to the applicant of written notice specifying the difference between the design flood elevation and the elevation to which the building is to be built, stating that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced floor elevation, and stating that construction below the design flood elevation increases risks to life and property.

**R112.3 Qualifications.** The board of appeals shall consist of members who are qualified by experience and training to pass on matters pertaining to building construction and are not employees of the jurisdiction.

**R112.4 Administration.** The building official shall take immediate action in accordance with the decision of the board.

## SECTION R113 VIOLATIONS

**R113.1 Unlawful acts.** It shall be unlawful for any person, firm or corporation to erect, construct, alter, extend, repair, move, remove, demolish or occupy any building, structure or equipment regulated by this code, or cause same to be done, in conflict with or in violation of any of the provisions of this code.

**R113.2 Notice of violation.** The building official is authorized to serve a notice of violation or order on the person responsible for the erection, construction, alteration, extension, repair, moving, removal, demolition or occupancy of a building or structure in violation of the provisions of this code, or in violation of a detail statement or a plan approved thereunder, or in violation of a permit or certificate issued under the provisions of this code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

**R113.3 Prosecution of violation.** If the notice of violation is not complied with promptly, the building official is authorized to request the legal counsel of the jurisdiction to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the building or structure in violation of the provisions of this code or of the order or direction made pursuant thereto.

**R113.4 Violation penalties.** Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this code, shall be subject to penalties as prescribed by law.

## **SECTION R114 STOP WORK ORDER**

**R114.1 Notice to owner.** Upon notice from the building official that work on any building or structure is being prosecuted contrary to the provisions of this code or in an unsafe and dangerous manner, such work shall be immediately stopped. 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; and shall state the conditions under which work will be permitted to resume.

**R114.2 Unlawful continuance.** Any person who shall continue any work in or about the structure 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 subject to penalties as prescribed by law.

## Part II — Definitions

### CHAPTER 2 DEFINITIONS

#### SECTION R201 GENERAL

**R201.1 Scope.** Unless otherwise expressly stated, the following words and terms shall, for the purposes of this code, have the meanings indicated in this chapter.

**R201.2 Interchangeability.** Words used in the present tense include the future; words in the masculine gender include the feminine and neuter; the singular number includes the plural and the plural, the singular.

**R201.3 Terms defined in other codes.** Where terms are not defined in this code such terms shall have meanings ascribed to them as in other code publications of the International Code Council.

**R201.4 Terms not defined.** Where terms are not defined through the methods authorized by this section, such terms shall have ordinarily accepted meanings such as the context implies.

#### SECTION R202 DEFINITIONS

**ACCESSIBLE.** Signifies access that requires the removal of an access panel or similar removable obstruction.

**ACCESSIBLE, READILY.** Signifies access without the necessity for removing a panel or similar obstruction.

**ACCESSORY STRUCTURE.** In one- and two-family dwellings not more than three stories high with separate means of egress, a building, the use of which is incidental to that of the main building and which is located on the same lot.

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

**AIR ADMITTANCE VALVE.** A one-way valve designed to allow air into the plumbing drainage system when a negative pressure develops in the piping. This device shall close by gravity and seal the terminal under conditions of zero differential pressure (no flow conditions) and under positive internal pressure.

**AIR BREAK, DRAINAGE SYSTEM.** An arrangement in which a discharge pipe from a fixture, appliance or device drains indirectly into a receptor below the flood-level rim of the receptor.

**AIR CIRCULATION, FORCED.** A means of providing space conditioning utilizing movement of air through ducts or plenums by mechanical means.

**AIR-CONDITIONING SYSTEM.** A system that consists of heat exchangers, blowers, filters, supply, exhaust and return-air systems, and shall include any apparatus installed in connection therewith.

**AIR GAP, DRAINAGE SYSTEM.** The unobstructed vertical distance through free atmosphere between the outlet of a waste pipe and the flood-level rim of the fixture or receptor into which it is discharging.

**AIR GAP, WATER-DISTRIBUTION SYSTEM.** The unobstructed vertical distance through free atmosphere between the lowest opening from a water supply discharge to the flood-level rim of a plumbing fixture.

**ALTERATION.** Any construction or renovation to an existing structure other than repair or addition that requires a permit. Also, a change in a mechanical system that involves an extension, addition or change to the arrangement, type or purpose of the original installation that requires a permit.

**ANCHORS.** See "Supports."

**ANTISIPHON.** A term applied to valves or mechanical devices that eliminate siphonage.

**APPLIANCE.** A device or apparatus that is manufactured and designed to utilize energy and for which this code provides specific requirements.

**APPROVED.** Approved refers to approval by the building official as the result of investigation and tests conducted by him or her, or by reason of accepted principles or tests by nationally recognized organizations.

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

**ATTIC.** The unfinished space between the ceiling joists of the top story and the roof rafters.

**BACKFLOW, DRAINAGE.** A reversal of flow in the drainage system.

**BACKFLOW PREVENTER.** A device or means to prevent backflow.

**BACKFLOW PREVENTER, REDUCED-PRESSURE-ZONE TYPE.** A backflow-prevention device consisting of two independently acting check valves, internally force loaded to a normally closed position and separated by an intermediate chamber (or zone) in which there is an automatic relief means of venting to atmosphere internally loaded to a normally open position between two tightly closing shutoff valves and with means for testing for tightness of the checks and opening of relief means.