

for the period required for retention of public records.

23.05.090 Permits required.

A. Technical Codes Other Than the Electrical Code – Required.

Any person 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 chapter and the technical codes, or to cause any such work to be done, shall first make application to the building official and obtain the required permit.

B. Technical Codes Other than the Electrical Code – Work Exempt from Permit.

Certain work is exempt from the permit requirements of this chapter and the technical codes. Exemptions from permit requirements of this chapter and the technical codes shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this chapter, the technical codes or any other laws or ordinances of the city. An exemption from the permit requirements of one technical code does not exempt work from the permit requirements of other technical codes or other laws or ordinances of the city. Permits shall not be required for the following:

1. Emergency Repairs. Where equipment replacements and equipment repairs must be performed in an emergency situation posing a significant and immediate risk to life and safety, or a significant and immediate risk of loss to property, the permit application shall be submitted within the next working business day to the building official.
2. Repairs. Application or notice to the building official is not required for ordinary repairs to structures. 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 standpipe, 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.
3. The following work otherwise governed by Chapter [23.10](#) BCC:

- a. One-story detached structures accessory to 1-family or 2-family residential (houses and duplexes), used as tool and storage sheds, tree-supported play structures, playhouses and similar uses, provided the floor area does not exceed 200 square feet (11.15 m²).
- b. Fences not over eight feet (2,438 mm) high.
- c. Oil derricks.
- d. Retaining walls which are not over four feet (1,219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or III-A liquids.
- e. Water tanks supported directly on grade if the capacity does not exceed 5,000 gallons (18,925 L) and the ratio of height to diameter or width does not exceed two to one.
- f. Sidewalks, decks and driveways not more than 30 inches (762 mm) above grade (or grade plane, as applicable) and not over any basement or story below and which are not part of an accessible route or means of egress.
- g. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
- h. Temporary motion picture, television and theater stage sets and scenery.
- i. Prefabricated swimming pools accessory to structures regulated by the IRC or accessory to Group R-3 and Group U occupancies regulated by the IBC, which are less than 24 inches (610 mm) deep, do not exceed 5,000 gallons (18,925 L) and are installed entirely above ground.
- j. Shade cloth structures constructed for nursery or agricultural purposes and not including service systems.
- k. Swings, slides and other similar playground equipment.
- l. Window awnings supported by an exterior wall which do not project more than 54 inches (1,372 mm) from the exterior wall and do not require additional support of structures regulated by the IRC or of Group R-3

and Group U occupancies regulated by the IBC.

m. Movable cases, counters and partitions not over five feet, nine inches (1,753 mm) in height.

n. Work primarily within public right-of-way.

o. Towers and poles owned by public utilities, including associated public and private equipment attached to such towers and poles. Note: Communication towers owned by private companies, and any equipment associated with such towers are not exempt.

p. Replacement of nonstructural siding on IRC structures except for stucco, and brick or stone veneer greater than four feet above grade plane.

q. In-kind (same size) window replacement for structures where no alteration of structural members is required.

r. Single-story construction job shacks that are placed on a permitted job site during construction. Job shacks shall be removed upon final approval of construction, or may be required to be removed if the permit expires or is suspended or cancelled. A construction job shack is a portable structure for which the primary purpose is to house equipment and supplies, and which may serve as a temporary office during construction for the purposes of the construction activity.

s. Replacement of residential and commercial roofing.

t. Photovoltaic (PV) panels meeting all of the following criteria:

1. PV system is designed and proposed for a detached single family house.
2. PV system is designed for the rooftop of a house in compliance with applicable codes.
3. The mounting system is engineered and designed for PV.
4. The rooftop is made from lightweight material such as shingles.
5. PV system has an approved and issued electrical permit.
6. To address uplift, panels are mounted no higher than 18" above

the surface of the roofing to which they are affixed, and except for flat roofs, no portion of the system may exceed the highest point of the roof.

7. Total dead load of panels, supports, mountings, raceways and all other appurtenances weigh no more than:

Three and one-half (3.5) pounds per square foot (PSF); or

Four and one-half (4.5) pounds per square foot for frameless panels on a roof with a slope of at least three (3) vertical in twelve (12) horizontal; or

Five (5.0) pounds per square foot for frameless panels on a roof with a slope of at least five (5) vertical in twelve (12) horizontal.

8. Supports for solar panels are installed to spread the dead load across as many roof-framing members as needed to ensure that at no point are loads caused in excess of fifty (50) pounds.

9. Attachment to the roof is specified by the mounting system manufacturer.

10. A method and type of weatherproofing roof penetrations is provided

11. The house is code compliant with setbacks and height, or the code allows expansion of nonconformity for solar panels.

12. The PV panels are mounted no higher than the roof ridge or apex of roof (applies only to sloped roofs).

u. Flag and light poles located on private property less than or equal to 20 feet in height, but not exempting permit requirement for any electrical work.

4. The following work otherwise governed by Chapter [23.50](#) BCC:

a. Portable heating, cooking, or clothes-drying appliances.

b. Portable ventilation equipment.

c. Portable cooling unit.

d. Steam, hot or chilled water piping within any heating or cooling equipment regulated by this chapter and the technical codes.

e. Replacement of any minor part which does not alter its approval or make it unsafe.

3. Indicate the use and occupancy for which the proposed work is intended.
4. Be accompanied by construction documents and other information as required by the submittal requirements established by the city.
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.

F. Application for Permits Governed by Chapter 23.10 BCC – Other Filings Required.

1. At the time of filing a building permit application, the applicant shall submit all information required to be submitted, together with any application form and application fee therefor, for any of the following approvals which may be applicable to the proposed project:
 - a. Design review, Land Use Code, Part 20.30F;
 - b. Administrative conditional use permit, Land Use Code, Part 20.30E;
 - c. Conditional use permit, shorelines conditional use permit, planned unit development, Land Use Code, Parts 20.30B, 20.30C and 20.30D;
 - d. Variance or shorelines variance, Land Use Code, Parts 20.30G, 20.30H and shorelines substantial development permit, Land Use Code, Part 20.25E;
 - e. Clearing and grading permit, Chapter 23.76 BCC.
2. No building permit application will be accepted for filing by the building official for any proposed project for which any of the approvals referred to in subsection (A) of this section is required unless the building permit application is accompanied by all information required to be filed for such required approvals.
3. The filing of a complete building permit application for a proposed project, which is in compliance with applicable state law and the codes, ordinances and regulations of the city in effect at the time of such filing, shall establish a vested right, if a building permit is issued, to

proceed with construction of the proposed project in accordance with such then-existing codes, ordinances and regulations; provided, however, such proposed project may nonetheless be conditioned or denied by the city under the State Environmental Policy Act. For the purpose of this subsection, a "complete building permit application" means an application which contains all information required to be submitted by any applicable provisions of this chapter and the technical codes, including, but not limited to, all information required to be submitted by subsection (A) of this section. A shoring permit, to protect the public right-of-way or adjacent private property, shall not establish vesting of the proposed project.

a. When approved by the building official, a phasing plan may be submitted for review, and if approved, the phasing plan shall thereby establish a schedule for vesting of the proposed project subject to submittal of the first complete building permit application identified in the phasing plan, excluding a shoring permit. The phasing plan is subject to the following limitations. After the first building permit application, each subsequent permit identified in the phasing plan shall be submitted with a complete building permit application within 12 months of the submittal of the prior permit, and the last permit application for the proposed project shall be submitted with a complete building permit application within 36 months of the first permit application which established vesting for the proposed project. The first permit application must be issued and must not expire per BCC 23.05.090(H) to maintain project vesting, and the issued permit must not expire due to not starting work within 1 year or suspending work for more than 180 days per BCC 23.05.100(E). The vested status for the project is retained beyond the 3-year maximum life of the first permit if all inspections required for the work under that permit have been completed and approved. The vested status will not apply to any permit application submitted more than 36 months after the first permit application which established vesting.

4. No application for design review, administrative conditional use permit, planning commission design review, planned unit development, conditional use permit, variance, shorelines variance, shorelines substantial development permit

or a clearing and grading permit shall be accepted by the city for filing unless it is accompanied by a complete building permit application.

G. Applications for Permits Governed by Chapter 23.10 BCC – Optional Method of Obtaining Prior Approvals – Vested Rights.

1. Notwithstanding the provisions of subsection (F) of this section, an applicant may apply for a design review approval, an administrative conditional use permit, a planned unit development approval, a conditional use permit, a shorelines conditional use permit, a variance, a shorelines variance, a shorelines substantial development permit or a clearing and grading permit prior to filing an application for a building permit, upon the following terms and conditions:

a. The filing of an application for any of the approvals referred to in this chapter, prior to the filing of a valid and complete application for a building permit, shall not establish or create a vested right to proceed with construction of any proposed project in accordance with the codes, ordinances or regulations existing at the time of the filing of such application or at any time thereafter prior to the filing of a valid and complete building permit application.

b. An applicant who elects to take advantage of the provisions of this section shall be deemed to have specifically acknowledged, by submitting the application for the approvals referred to in subsection (G)(1) of this section, that the acceptance and processing of such application shall in no way establish or create a vested right to proceed with construction of any proposed project in accordance with the codes, ordinances or regulations existing at the time of filing of such application, or at any time thereafter prior to the filing of a valid and complete building permit application, except as provided in Land Use Code Section [20.40.500](#).

2. An applicant who elects to take advantage of the provisions of this section may at any time elect to file a complete building permit application, notwithstanding that the approval applied for under this section has not previously been obtained.

H. Time Limitation of Application.

1. Applications for which no permit is issued within one year following the date of application shall expire by limitation and plans and other data submitted for review may thereafter be returned to the applicant or destroyed in accordance with state law by the building official. The building official may, prior to expiration, extend the time for action by the applicant for a period not exceeding 180 days.

2. Applications may be canceled for inactivity if an applicant fails to respond to the department's written request for revisions, corrections, actions or additional information within 90 days of the date of request. The building official may extend the response period beyond 90 days if, within the original 90-day time period, the applicant provides and subsequently adheres to an approved schedule with specific target dates for submitting the full revisions, corrections or other information needed by the department.

3. In addition to the extension allowed in subsection (H)(1) of this section, the building official may extend the life of an application if any of the following conditions exist:

a. Compliance with the State Environmental Policy Act is in progress; or

b. Any other city review is in progress; provided the applicant has submitted a complete response to city requests or the building official determines that unique or unusual circumstances exist that warrant additional time for such response, and the building official determines that the review is proceeding in a timely manner toward final city decision; or

c. Litigation against the city or the applicant is in progress, the outcome of which may affect the validity or the provisions of any permit issued pursuant to such application.

In no event may the building official extend the application for a period of more than 180 days following the conclusion of the applicable condition described in subsection (H)(3)(a).

23.05.100 Permit issuance.

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 chapter, the technical codes and relevant laws, ordinances, rules and regulations, as determined by the building official.

C. Use of Consultants. Whenever review of an application requires retention by the city for professional consulting services for other than normal plan review, the applicant shall reimburse the city the cost of such professional consulting services. This fee shall be in addition to the normal plan review and permit fees. The city may require the applicant to deposit an amount with the city estimated in the discretion of the building official to be sufficient to cover anticipated costs to retaining professional consultant services and to ensure reimbursement for such costs.

D. Design Professional in Responsible Charge. When it is required that documents be prepared by a qualified registered design professional, the building official shall be authorized to require the owner to engage and designate on the building permit application a registered design professional who shall act as the registered design professional in responsible charge. If the circumstances require, the owner shall designate a substitute registered design professional in responsible charge who shall perform the duties required of the original registered design professional in responsible charge. The building official shall be notified in writing by the owner if the registered design professional in responsible charge is changed or is unable to continue to perform the duties. The registered design professional in responsible charge shall be responsible for reviewing and coordinating submittal documents prepared by others, including phased and deferred submittal items, for compatibility with the design of the building. Where structural observation is required by IBC Section 1704, the inspection program shall name the individual or firms who are to perform structural observation and describe the stages of construction at which structural observation is to occur (see also duties specified in IBC Section 1704).

E. Deferred Submittals. For the purposes of this section, deferred submittals are defined as those portions of the design that are not submitted at the time of the application and that are to be submitted to the building official within a specified period. Deferral of any submittal items shall have the prior approval of the building official. The registered design professional in responsible charge, or the applicant, if no design professional is required, shall list the deferred submittals on the construction documents for review by the building official. Where a design professional is required, documents for deferred submittal items shall be submitted to the registered design professional in responsible charge who shall review them and forward them to the building official with a notation indicating that the deferred submittal

documents have been reviewed and been found to be in general conformance to the design of the building. The deferred submittal items shall not be installed until the design and submittal documents have been approved by the building official. The building official is authorized to charge an additional plan review fee to evaluate the deferred submittal under.

F. Amended Construction Documents. Work shall be installed in accordance with the approved 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. The building official may authorize minor field changes subject to the approval of the field inspector.

23.05.110 Temporary structures and uses.

A. Temporary Permits – Technical Codes Other Than the Electrical Code. 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. Additional permits may be required under the technical codes or other city codes and regulations, including the Land Use Code. All temporary installations allowed under this section shall be made in accordance with the requirements of this chapter and the technical codes; provided, that the building official may permit deviations which will not permit hazards to life or property; and further provided, that whenever such hazards are deemed by the building official to exist, the building official may at once rescind or cancel the permit covering such installation and disconnect, or order the disconnection of, all energy to such equipment.

B. Temporary Permits – Electrical Code. If the building official finds that the safety of life and property will not be jeopardized, permits may be issued for temporary electrical installations for use during the construction of buildings or for carnivals, conventions, festivals, fairs, the holding of religious services, temporary lighting of streets, or other approved uses. Permission to use such temporary installation shall not be granted for a greater length of time than 90 days, except that a permit for a temporary installation to be used for constructing of a building may be issued for the period of construction. Should such temporary lighting be over the street area, the proper authorization for such use of the street must first be obtained. Additional permits may be required under the technical codes or other city codes and regulations, including the Land Use Code. All temporary electrical installations allowed under this section shall be made in accordance with the requirements of this chapter and the technical codes; provided, that the building official may permit deviations which will not permit hazards to life or

property; and further provided, that whenever such hazards are deemed by the building official to exist, the building official may at once rescind or cancel the permit covering such installation and disconnect, or order the disconnection of all energy to such equipment.

C. For temporary electrical installations, the city will consider a permit applicant to be the owner per RCW [19.28.261](#) under the following conditions. Any person, firm, partnership, corporation, or other entity registered as a general contractor under Chapter [18.27](#) RCW will be permitted to install a single electrical service per address for the purposes of temporary power during the construction phase of a project, when all of the following conditions are met:

1. The installation is limited to the mounting and bracing of a pre-assembled pole or pedestal mounted service, the installation of a ground rod or ground plate, and the connection of the grounding electrode conductor to the ground rod or plate;
2. The total service size does not exceed 200 amperes, 250 volts nominal;
3. The service supplies no feeders;
4. Branch circuits not exceeding 50 amperes each are permitted, provided such branch circuits supply only receptacles that are either part of the service equipment or are mounted on the same pole;
5. The general contractor owns the electrical equipment;
6. The general contractor has been hired by the property owner as the general contractor for the project; and
7. The general contractor must purchase an electrical work permit for the temporary service, request inspection, and obtain approval prior to energizing the service.

D. Conformance. Temporary structures and uses shall conform to the structural strength, fire safety, means of egress, accessibility, light, ventilation and sanitary requirements of this chapter and the technical codes as necessary to ensure the public health, safety and general welfare.

E. Termination of Approval. The building official is authorized to terminate any temporary permit issued under this section and to order the activity, use or structure authorized under the permit to be discontinued.

23.05.120 Fees.

(COB Chapter 1 Replacement, Pg. 16a)

The fee for each permit shall be as set forth in the fee ordinance, as now or hereafter amended.

23.05.130 Inspections.

A. General. Construction or work for which a permit is required shall be subject to inspection by the building official and such construction or work shall remain accessible and exposed for inspection purposes until approved. Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this chapter, the technical codes, or of other ordinances of the city. Inspections presuming to give authority to violate or cancel the provisions of this chapter, the technical codes, or of other ordinances of the city shall not be valid. It shall be the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purposes. Neither the building official nor the city shall be liable for expense entailed in the removal or replacement of any material required to allow inspection. When the installation of an electrical system is complete, an additional and final inspection shall be made. Electrical systems and equipment regulated by the National Electrical Code shall not be connected to the energy source until authorized by the building official.

B. Preliminary Inspections. Before issuing a permit, the building official is authorized to examine or cause to be examined buildings, structures and sites for which an application has been filed.

C. Required Inspections. The building official, upon notification, is authorized to make the following inspections:

1. **Footing and Foundation Inspection.** Footing and foundation inspections shall be made after excavations for footings are complete and any required reinforcing steel is in place. For concrete foundations, any required forms shall be in place prior to inspection. Materials for the foundation shall be on the job, except where concrete is ready-mixed in accordance with ASTM C 94, the concrete need not be on the job.
2. **Electrical Underground.** Underground inspection shall be made after trenches or ditches are excavated and bedded, piping and conductors are installed, and before backfill is installed. Where excavated soil contains rocks, broken concrete, frozen chunks and other rubble that would damage or break the raceway, cable or conductors, or where corrosive action will occur, protection shall be provided in the form of granular or selected material, approved running boards, sleeves or other means.

3. Concrete Slab and Under-Floor Inspection. Concrete slab and under-floor inspections shall be made after in-slab or under-floor reinforcing steel and building service equipment, conduit, slab insulation, piping accessories and other ancillary equipment items are in place, but before any concrete is placed or floor sheathing installed, including the subfloor.

4. Lowest Floor Elevation. In flood hazard areas, upon placement of the lowest floor, including the basement, and prior to further vertical construction, the elevation certification required in IBC Section 1612.5 or IRC Section R322 shall be submitted to the building official.

5. Exterior Wall Sheathing Inspection. Exterior wall sheathing shall be inspected after all wall framing is complete, strapping and nailing is properly installed but prior to being covered.

6. Roof Sheathing Inspection. Roof sheathing shall be inspected after all roof framing is complete. No roof coverings shall be installed until inspections are made and approved.

7. IMC/UPC/GAS/NEC Rough-in Inspection. Rough-in mechanical, gas piping, plumbing and electrical shall be inspected when the rough-in work is complete and, if required, under test. No connections to primary utilities shall be made until the rough-in work is inspected and approved. Electrical rough-in inspection shall be made after the roof, framing, fireblocking and bracing are in place and all wiring and other components to be concealed are complete, and prior to the installation of wall or ceiling membranes. All required equipment grounding conductors installed in concealed cable or flexible conduit systems must be completely installed and made up at the time of the rough-in cover inspection.

Exception: Ground-source heat pump loop systems tested in accordance with Section 1208.1.1 shall be permitted to be backfilled prior to inspection.

8. Frame Inspection. Framing inspections shall be made after the roof deck or sheathing, all framing, fire blocking and bracing are in place and pipes, chimneys and vents to be concealed are complete and the rough electrical, plumbing, heating wires, pipes and ducts are approved.

9. Lath Inspection and Gypsum Board Inspection. Lath and gypsum board inspections shall be made after lathing and gypsum board, interior and exterior, are in place, but before any plastering is applied or gypsum board joints and fasteners are taped and finished.

Exception: Gypsum board that is not part of a fire-resistance rated assembly or a shear assembly.

10. Fire-Resistant Penetration Inspections. Protection of joints and penetrations in fire-resistance-rated assemblies shall not be concealed from view until inspected and approved.

11. Energy Efficiency Inspection.

a. Envelope.

i. Wall Insulation Inspection. To be made after all wall insulation and air vapor retarder sheet or film materials are in place, but before any wall covering is placed.

ii. Glazing Inspection. To be made after glazing materials are installed in the building.

iii. Exterior Roofing Insulation. To be made after the installation of the roof insulation, but before concealment.

iv. Slab/Floor Insulation. To be made after the installation of the slab/floor insulation, but before concealment.

b. Mechanical.

i. Mechanical Equipment Efficiency and Economizer. To be made after all equipment and controls required by this chapter and the technical codes are installed and prior to the concealment of such equipment or controls.

ii. Mechanical Pipe and Duct Insulation. To be made after all pipe and duct insulation is in place, but before concealment.

c. Lighting and Motors.

- i. Lighting Equipment and Controls. To be made after the installation of all lighting equipment and controls required by this chapter and the technical codes, but before concealment of the lighting equipment.
- ii. Motor Inspections. To be made after installation of all equipment covered by the energy code, but before concealment.

12. Electrical. The building official may require special inspection of equipment or wiring methods under the following conditions:

- a. Where the installation requires special training, equipment, expertise, or knowledge;
- b. Where there is insufficient evidence of compliance with the provisions of this code;
- c. Where the material or method does not conform to the requirements of this code; or
- d. To substantiate claims for alternative materials or methods.

Where such special inspection is required, it shall be performed by an accredited electrical products testing laboratory approved by the state of Washington under WAC [296-46B-999](#) and acceptable to the building official. The special inspection person/agency shall be designated and approved prior to beginning the installation of wiring or equipment. A written report from the designated special inspection agency indicating that the installation conforms to the appropriate codes and standards shall be received by the building official prior to that installation being approved. All costs for such testing and reporting shall be the responsibility of the permit holder.

13. Final Inspection. The final inspection shall be made after all work required by the permit is completed.

D. Reinspection. The building official may require a structure or portions of work to be re-inspected. A reinspection fee may be assessed for each inspection or reinspection when such portion of work for which inspection is called is not complete, when corrections

called for are not made, when the approved plans and permit are not on site, or when the building is not accessible.

E. Other Inspections. In addition to the inspections specified above, the building official is authorized to make or require other inspections of any construction work to ascertain compliance with the provisions of this chapter, the technical codes and other laws that are enforced by the department of building safety.

F. Special Inspections. In addition to the inspections specified above, the building official is authorized to make or require special inspections for any type of work related to the technical codes by an approved agency at no cost to the city.

G. Final Inspection. The final inspection shall be made after all work required by the building permit is completed.

H. Inspection Agencies. The building official is authorized to accept reports of approved inspection agencies, provided such agencies satisfy the requirements as to qualifications and reliability.

I. Inspection Requests. It shall be the duty of the permit holder or their duly authorized agent to notify the building official when work is ready for inspection. It shall be the duty of the permit holder to provide access to and means for inspections of such work that are required by this chapter and the technical codes.

J. 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 notify the permit holder or his or her agent wherein the same fails to comply with this chapter and the technical codes. Any portions that do not comply shall be corrected and such portion shall not be covered or concealed until authorized by the building official.

23.05.140 Certificate of occupancy.

A. 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 chapter, the technical codes, or of other ordinances of the city. Certificates presuming to give authority to violate or cancel the provisions of this chapter, the technical

codes or other ordinances of the city shall not be valid.

B. Certificate Issued. After the building official inspects the building or structure and finds no violations of the provisions of this chapter, the technical codes, or other laws that are enforced by the city, and finds compliance with the terms of all applicable permits, the building official shall issue a certificate of occupancy that contains 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 chapter and the technical codes for the occupancy and division of occupancy and the use for which the proposed occupancy is classified.
6. The name of the building official.
7. The edition of the technical code under which the permit was issued.
8. The use and occupancy, in accordance with the provisions of Chapter 3 of the International Building Code.
9. The type of construction as defined in Chapter 6 of the International Building Code.
10. The design occupant load.
11. If an automatic sprinkler system is provided, whether the sprinkler system is required.
12. Any special stipulations and conditions of the permit.

C. Temporary or Phased Occupancy. The building official is authorized to issue a temporary or phased 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 is authorized to require, in addition to the completion of life safety building components, any or all accessibility components. The building official shall set a time period during which the temporary or phased certificate of occupancy is valid. The building official is authorized to require that a performance

bond or other assurance device be posted with the city which shall be refundable upon inspection, final approval and a request in writing for the refund. It shall be the duty of the applicant to request the refund.

D. Revocation. The building official is authorized to, in writing, suspend or revoke a certificate of occupancy issued under the provisions of this chapter 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 chapter or the technical codes.

23.05.150 Service utilities.

A. 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 chapter and the technical codes for which a permit is required, until approved by the building official.

B. Temporary Connection. The building official shall have the authority to authorize the temporary connection of the building or system to the utility source of energy, fuel or power.

C. Authority to Disconnect Service Utilities. The building official shall have the authority to authorize disconnection of utility service to the building, structure or building service equipment regulated by this chapter and the technical codes 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 required approval. The building official shall notify the serving utility, and wherever possible the owner and occupant of the building, structure or building service equipment of the decision to disconnect prior to taking such action. If not notified prior to disconnecting, the owner or occupant of the building, structure or building service equipment shall be notified in writing as soon as practical thereafter.

23.05.160 Hearing examiner.

Pursuant to Chapter [3.68](#) BCC the hearing examiner shall hear and decide appeals of interpretations of the technical codes made by the building official, as provided in Chapter [3.68](#) BCC; provided, however, that appeals of interpretations made by the building official in proceedings authorized under Chapter [1.18](#) BCC shall be heard simultaneously with the underlying action before the hearing examiner presiding over the proceeding.

23.05.170 Violations.

A. Unlawful Acts. It shall be unlawful for any person to erect, construct, alter, extend, repair, move, remove, demolish or occupy any building, structure or

equipment regulated by this chapter or the technical codes, or cause same to be done, in conflict with or in violation of any of the provisions of this chapter or the technical codes.

B. Civil Violation. Any violation of any of the provisions of this chapter or of the technical codes constitutes a civil violation as provided for in Chapter [1.18 BCC](#), for which a monetary penalty may be imposed as provided therein.

C. Criminal Penalty. In addition to or as an alternative to any other penalty provided in this chapter or by law, any person who violates any of the provisions of this chapter or the technical codes shall be guilty of a misdemeanor and upon conviction shall be punished as provided in the [Criminal Code, Title 10 of BCC](#).

D. Separate Offense. Each day or portion thereof upon which a violation occurs constitutes a separate offense for purposes of subsections (B) and (C) of this section.

E. Destruction of Notice. It shall be unlawful for any person to remove, mutilate, destroy or conceal any notice issued and posted by the building official pursuant to the provisions of this chapter or the technical codes.

23.05.180 Stop work order.

A. Authority. Whenever the building official finds any work being performed in a manner contrary to the provisions of this chapter, the technical codes, or other pertinent laws or ordinances implemented through the enforcement of this chapter or the technical codes, or in a manner that violates the terms and conditions of any permit issued by the city, the building official is authorized to issue a stop work order.

B. Issuance. The stop work order shall be in writing and shall be given to the owner of the property involved, or to the owner's agent, or to the person doing the work. If, with reasonable diligence the stop work order cannot be given to any such person, the stop work order may be posted on the site. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order, and the conditions under which the cited work will be permitted to resume.

C. Investigation Fee. The building official is authorized to assess a special investigation fee for the issuance of a stop work order.

D. 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.

(COB Chapter 1 Replacement, Pg. 20a)

23.05.190 Unsafe structures and equipment.

A. Buildings or structures regulated by this chapter 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.

B. Building service equipment regulated by such codes which constitutes a fire, electrical or health hazard, or an unsanitary condition, or which 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.

C. Parapet walls, cornices, spires, towers, tanks, statuary and other appendages or structural members which are supported by, attached to, or otherwise unable to sustain the design loads which are specified in the building code are designated as unsafe building appendages.

D. Unsafe buildings, structures or appendages and building service equipment are 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 alternative procedure as may be adopted by the city. As an alternative, the building official or other employee or official of the city as designated by the governing body may institute other appropriate action to prevent, restrain, correct or abate the violation.

E. Authority to Condemn Electrical Systems.

Wherever the building official determines that any electrical system, or portion thereof, regulated by this code has become hazardous to life, health or property, the building official shall order in writing that such electrical systems either be removed or restored to a safe condition. A time limit for compliance with such order shall be specified in the written notice. A person shall not use or maintain a defective electrical system or equipment after receiving such notice. Where such electrical system is to be disconnected, written notice as prescribed in this code shall be given. In cases of immediate danger to life or property, such disconnection shall be made immediately without such notice.

F. Connection after Order to Disconnect. A person shall not make utility service or energy source connections to systems regulated by this code which have been disconnected or ordered to be disconnected 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 systems.