

installation of which is regulated by this code, or to cause any such work to be performed, shall first make application to the *building official* and obtain the required *permit*.

❖ This section contains the administrative rules governing the issuance, suspension, revocation or modification of building permits. It also establishes how and by whom the application for a building permit is to be made, how it is to be processed, fees and what information it must contain or have attached to it.

In general, a permit is required for all activities that are regulated by the code and these activities cannot begin until the permit is issued, unless the activity is specifically exempted by Section R105.2. Only the owner or a person authorized by the owner can apply for the permit. Note that this section indicates a need for a permit for a change in occupancy, even if no work is contemplated. The purpose of the permit is to cause the work to be reviewed, approved and inspected to determine compliance with the code.

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

Building:

1. One-story detached *accessory structures*, provided that the floor area does not exceed 200 square feet (18.58 m²).
2. Fences not over 7 feet (2134 mm) high.
3. Retaining walls that are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge.
4. Water tanks supported directly upon *grade* if the capacity does not exceed 5,000 gallons (18 927 L) and the ratio of height to diameter or width does not exceed 2 to 1.
5. Sidewalks and driveways.
6. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
7. Prefabricated swimming pools that are less than 24 inches (610 mm) deep.
8. Swings and other playground equipment.
9. Window awnings supported by an exterior wall that do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support.
10. Decks not exceeding 200 square feet (18.58 m²) in area, that are not more than 30 inches (762 mm) above *grade* at any point, are not attached to a dwelling and do not serve the exit door required by Section R311.4.

Electrical:

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

Gas:

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

Mechanical:

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

Plumbing:

1. 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.
2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures, and the removal and rein-

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stallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.

- ❖ This section of the code lists the types of work in five categories—building, electrical, gas, mechanical and plumbing—that do not require permits. However, all work, even work that does not require a permit, must be done in a manner that will comply with the code requirements.

Communities that participate in the NFIP are required to issue permits even for some of the work listed under the building category if that work takes place in flood hazard areas, including work on accessory structures, retaining walls, water tanks, sidewalks and driveways if fill is involved, and small detached decks. This responsibility may be handled under a separate floodplain management regulation or IBC Appendix G. For guidance, the requirements for these activities, including floodway encroachment impacts, are described in IBC Appendix G.

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*.

- ❖ This section recognizes that in some cases, emergency replacement and repair work must be done as quickly as possible, so it is not practical to take the necessary time to apply for and obtain approval. A permit for the work must be obtained the next day that the building department is open for business. Any work performed before the permit is issued must be done in accordance with the code and corrected if not approved by the building official. For example, if a concealed trap failed on a Sunday, the plumber could replace the trap at that time, but he would have to apply for a permit on Monday and have the repair pass an inspection.

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.

- ❖ There is a variety of ordinary repair, replacement or connection work that is exempt from the permit application process. This section identifies a number of general situations in which a permit is not required. The provisions then state the types of repairs for which a permit is required. Repair work done without a permit

must still comply with the applicable provisions of the code.

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.

- ❖ Where the ownership and control of equipment is held by a public service agency, such as a county water district, permits are not required for any work that might be done on that equipment. The scope of this provision includes not only repair activities, but also any installation or alteration work. It is clear from this section that public service agencies are self-regulating when it comes to work involving equipment used for generation, transmission, distribution and metering. Any equipment or appliances installed or serviced by such agencies that are neither owned by them nor under their full control are not exempt from a permit.

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*.
- ❖ The code lists the minimum information required in an application for a permit. The owner or owner's agent is to fully describe the location of the site, the type and nature of the work to be done and all other pertinent information regarding the job. This provides the jurisdiction with a clear understanding of what will actually be done under the permit. The applicant must sign the application, and permit forms typically include a statement that if the applicant is not the owner, he or she has permission from the owner to make the application.

It is a common belief by some owners that all that is required of them is to complete an application form, and then the permit will be issued over the counter. Although issuance of over-the-counter permits may be practical when a water heater is to be installed or for other minor work, this is not the case for more complex