

# Seattle Permits

—part of a multi-departmental series on City services & permitting

## Requesting a Code Modification or Alternate

Updated May 2023

Code modifications and alternates are intended to provide flexibility for the fire code official to grant modifications for individual cases where the strict letter of the Seattle Fire Code [seattle.gov/fire/firecode](http://seattle.gov/fire/firecode) is impractical and the modification does not lessen health, life, and fire safety requirements. To obtain approval for a modification, the contractor, design professional, owner, or permit applicant may submit a Code Modification or Alternate Request Form and any supporting data or documentation to the Seattle Fire Marshal's Office.

### Fees

The Seattle Fire Department (SFD) is required to recover a portion of the costs of the services we provide. If you have applied for a City Building Permit, your SFD plan reviewer will include any time spent on reviewing this request in their plan review hourly billings that will appear in your invoice for your permit. If you are applying for an SFD Operational Permit, the costs are generally covered by your permit fee and you will be notified in advance of any additional costs. If your request is not related to a permit currently being reviewed by the City, you will be billed for the time we spend with a one hour minimum of \$214 per hour, as established in [Seattle Municipal Code 22.602.080](#).

### How Do I Apply?

1. Use our form called "[Code Modification or Alternate Request](#)" to make your request. You may also provide materials that help explain your request.
2. Your request will be reviewed by a Plan Reviewer or an Inspector, depending on the nature of the request. It will also be reviewed by an officer or supervisor, before being brought to the Fire Marshal for final decision.
3. You will receive a written response providing a

decision to approve or deny the request along with an invoice, if applicable. If the request is denied, we will explain why. If the request is approved, we will also include any further steps you must take.

### What Should I Include with My Request Form?

- Indicate the fire code section you are having trouble meeting. Explain the issue. You may wish to include supporting information to help us review and possibly approve your request. These could include current, previous, or future fire code and commentary excerpts, NFPA standards and interpretations, and technical articles.
- If you are pursuing a code modification request (see next page), please clearly state the modification you would like.
- If you are pursuing approval to meet the code requirement using alternative means or methods, please describe those.
- Explain how your proposed modification or alternative is as good or better than the health, life and fire safety requirements of the code. If you have discussed the proposal with City of Seattle staff, please specify who.
- Describe the practical difficulties or specific project hardships that make strict code compliance impractical. Provide diagrams, figures, sketches, reports, or other supporting material to describe the project specific conditions. Please note that a code violation or the expense of correcting one is not a practical difficulty (see [SFC 104.8](#)).
- Attach a copy of the site plan and/or floor plan, as applicable.
- If there is a registered design professional (architect, engineer, etc.) on the project, the request should include their seal and signature.

[www.seattle.gov/fire](http://www.seattle.gov/fire)

Fire Prevention Division  
220 3rd Avenue South

[Seattle.gov/fire/business-services/email-fire-prevention](http://Seattle.gov/fire/business-services/email-fire-prevention)



Fire Department

## How Does the Fire Marshal Decide?

Section 104.8 of the [Seattle Fire Code](#) (SFC) grants authority to the Fire Marshal to consider modifications to the adopted code under certain conditions. Before granting a request, the code states that the Fire Marshal “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.” The International Fire Code (IFC) commentary cautions that “this section is not intended to allow a code provision to be set aside or ignored; rather, it is intended to provide for the acceptance of equivalent protection [using alternate materials or methods].” The Fire Marshal cannot legally approve a clear code violation or deficiency.

## Code Modification or Alternative Means and Methods - Which Type of Request is Right for My Situation?

### *Code Modification (Ref. [SFC 104.8](#))*

A code modification is intended to provide flexibility to the fire code official where there are practical difficulties meeting specific code requirements, so long as the intent of the code is accomplished.

The requestor is expected to demonstrate:

1. There are practical difficulties involved in strictly conforming to the provisions of the code (cost is not a practical difficulty); and
2. The modification conforms with the intent and purpose of the code; and
3. Together with other safety features of the building, the modification will not lessen fire and life safety requirements.

If the code modification relates to a project on which a registered design professional is engaged, that person should submit the request under their seal and signature, including a statement in their professional opinion that the proposal is in conformance with the intent and purpose of the code and the modification will not lessen fire and life safety requirements.

### *Alternate Materials, Design, and Methods (Ref. [SFC 104.9](#))*

Use this approach if you would like to comply with existing

code standards using an alternate materials, systems, and methods which the code did not anticipate or prescribe. These requests must meet the performance standard in the code instead of a prescriptive standard.

The requester is expected to demonstrate the alternate does not conflict with the code and will provide an equivalent level of quality, strength, effectiveness, fire resistance, durability, and safety.

If the code modification relates to a project on which a registered design professional is engaged, that person should submit the request under their seal and signature, including a statement in their professional opinion that the alternate is equivalent to the code provisions.