

CHAPTER 1 [RE]

SCOPE AND ADMINISTRATION

SECTION R101 SCOPE AND GENERAL REQUIREMENTS

R101.1 Title. This code, ~~consisting of Chapter 1 [RE] through Chapter 5 [RE] and Appendices A through C,~~ shall be known as the ~~((Washington State Energy Code Residential,))~~ “Seattle Residential Energy Code,” and shall be cited as such. It is referred to herein as “this code.”

The 2021 edition of the Washington State Energy Code is hereby adopted. The Washington State Energy Code adopted under chapter 51-11R WAC shall become effective in all counties and cities of this state on March 15, 2024.

SDCI Informative Note: The Seattle Residential Energy Code consists of Chapter 1 [RE] through Chapter 6 [RE] and Appendices A through E.

R101.2 Scope. This code applies to *residential buildings* and the buildings sites and associated systems and equipment. This code shall be the maximum and minimum energy code for residential construction in each town, city and county. Residential *sleeping units*, Group I-1, Condition 2 assisted living facilities licensed by Washington state under chapter 388-78A WAC and Group I-1, Condition 2 residential treatment facilities licensed by Washington state under chapter 246-337 WAC shall utilize the commercial building sections of the energy code regardless of the number of stories of height above grade plane.

R101.3 Intent. This code shall regulate the design and construction of buildings for the effective use and conservation of energy over the useful life of each building. This code is intended to provide flexibility to permit the use of innovative approaches and techniques to achieve this objective. This code is not intended to abridge safety, health or environmental requirements contained in other applicable codes or ordinances.

R101.4 Applicability. 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 govern.

R101.4.1 Mixed residential and commercial buildings. Where a building includes both *residential* building and *commercial* building portions, each portion shall be separately considered and meet the applicable provisions of the ~~((WSEC)) Seattle Energy Code—Commercial Provisions~~ or ~~((WSEC)) Seattle Energy Code—Residential Provisions~~.

R101.5 Compliance. *Residential buildings* shall meet the provisions of ~~((WSEC)) Seattle Energy Code—Residential Provisions~~. *Commercial buildings* shall meet the provisions of ~~((WSEC)) Seattle Energy Code—Commercial Provisions~~.

R101.5.1 Compliance materials. The *code official* shall be permitted to approve specific computer software, worksheets, compliance manuals and other similar materials that meet the intent of this code.

R101.6 Landmark buildings. The building official may modify the specific requirements of this code for *landmarks* and require in lieu thereof alternate requirements that the *code official* determines will not have an adverse effect on the designated historic features of the building and will result in a reasonable degree of energy efficiency. A *landmark* is a building or structure that is subject to a requirement to obtain a certificate of approval from the City Landmarks Preservation Board before altering or making significant changes to specific features or characteristics, that has been nominated for designation or has been designated for preservation by the City Landmarks Preservation Board, that has been designated for preservation by the State of Washington, has been listed or determined eligible to be listed in the National Register of Historic Places, or is located in a landmark or special review district subject to a requirement to obtain a certificate of approval before making a change to the external appearance of the structure.

SECTION R102 ALTERNATIVE MATERIALS, DESIGN AND METHODS OF CONSTRUCTION AND EQUIPMENT

R102.1 General. The provisions of this code ~~((are not intended to))~~ do not prevent the installation of any material or to prohibit any design or method of construction ~~prohibited by this code~~ or not specifically ~~((prescribed))~~ allowed by this code, provided that any such alternative has been *approved*. The *code official* shall have the authority to approve an alternate material, design or method of construction upon the written application of the owner or the owner’s authorized agent. The *code official* shall first find 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, not less than the equivalent of that prescribed in this code for strength, effectiveness, fire resistance, durability, energy efficiency and safety. The *code official* shall respond in writing, stating the reasons why the alternative was *approved* or was not *approved*.

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The code official may approve an alternate material, method of construction, design or insulating system, provided the code official finds that the proposed alternate complies with the provisions of this code, and that the alternate, when considered together with other safety features of the building or other relevant circumstances, will provide at least an equivalent level of strength, effectiveness, fire resistance, durability, safety and sanitation.

The code official may require that sufficient evidence or proof be submitted to reasonably substantiate any claims regarding the use or suitability of the alternate. The code official may, but is not required to, record the approval of modifications and any relevant information in the files of the code official or on the approved permit plans.

R102.2 Modifications. The code official may modify the requirements of this code for individual cases provided the code official finds: (1) there are practical difficulties involved in carrying out the provisions of this code; (2) the modification is in conformity with the intent and purpose of this code; (3) the modification will provide a reasonable level of fire protection and structural integrity when considered together with other safety features of the building or other relevant circumstances; and (4) the modification maintains or improves the energy efficiency of the building. The code official may, but is not required to, record the approval of modifications and any relevant information in the files of the code official or on the approved permit plans.

SECTION R103 ~~((CONSTRUCTION DOCUMENTS))~~ APPLICATIONS AND PERMITS

R103.1 General. A permit for work performed according to this code shall be obtained in accordance with Chapter 1 of the International Residential Code, International Building Code, International Mechanical Code or Seattle Electrical Code.

R103.2 Construction documents. Construction documents, technical reports, and other supporting data shall ((be submitted in one or more sets, or in a digital format where allowed by the code official, with each application for a permit)) comply with this section and the International Residential Code, the International Building Code, the International Mechanical Code, the International Existing Buildings Code and the Seattle Electrical Code. ((The construction documents and technical reports 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 code official is authorized to require necessary construction documents to be prepared by a registered design professional.

Exception: The code official is authorized to waive the requirements for construction documents or other supporting data if the code official determines they are not necessary to confirm compliance with this code.))

R103.2.1 Information on construction documents. Construction documents shall be drawn to scale upon suitable material. Electronic media documents are permitted to be submitted when *approved* by the code official. Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed, and show in sufficient detail pertinent data and features of the building, systems and equipment as herein governed. Details shall include, but are not limited to, the following as applicable:

1. Energy compliance path per Section R401.2.
2. Insulation materials and their *R*-values.
3. Fenestration *U*-factors and SHGCs.
4. Area-weighted *U*-factor and SHGC calculations.
5. Mechanical system design criteria.
6. Mechanical and service water heating system and equipment types, sizes and efficiencies.
7. Equipment and systems controls
8. Duct sealing, duct and pipe insulation and location.
9. Air sealing details.

~~((R103.2.1))~~ R103.2.2 Building thermal envelope depiction. The building's thermal envelope shall be represented on the construction documents.

~~((R103.3 Examination of documents.~~ The code official shall examine or cause to be examined the accompanying construction documents and shall ascertain whether the construction indicated and described is in accordance with the requirements of this code and other pertinent laws or ordinances. The code official is authorized to utilize a registered design professional or other approved entity not affiliated with the building design or construction in conducting the review of the plans and specifications for compliance with the code.

R103.3.1 Approval of construction documents. When the code official issues a permit where construction documents are required, the construction documents shall be endorsed in writing and stamped "Reviewed for Code Compliance." Such approved construction documents shall not be changed, modified or altered without authorization from the code official. Work shall be done in accordance with the approved construction documents.

One set of construction documents so reviewed shall be retained by the *code official*. The other set shall be returned to the applicant, kept at the site of work and shall be open to inspection by the *code official* or a duly authorized representative.

~~**R103.3.2 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.~~

~~**R103.3.3 Phased approval.** The *code official* shall have the authority to issue a permit for the construction of part of an energy conservation system before the construction documents for the entire system have been submitted or *approved*, provided adequate information and detailed statements have been filed complying with all pertinent requirements of this code. The holders of such permit shall proceed at their own risk without assurance that the permit for the entire energy conservation system will be granted.~~

~~**R103.4 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.~~

~~**R103.5 Retention of construction documents.** One set of *approved* construction documents shall be retained by the *code 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 R104 FEES

~~**R104.1 Fees.** ((A permit shall not be issued until the fees prescribed in Section R104.2 have been paid, nor shall an amendment to a permit be released until the additional fee, if any, has been paid.)) A fee for each permit and for other activities related to the enforcement of this code shall be paid as set forth in the Fee Subtitle, Seattle Municipal Code Title 22, Subtitle IX.~~

~~**(R104.2 Schedule of permit fees.** A fee for each permit shall be paid as required, in accordance with the schedule as established by the applicable governing authority.~~

~~**R104.3 Work commencing before permit issuance.** Any person who commences any work before obtaining the necessary permits shall be subject to an additional fee established by the *code official*, which shall be in addition to the required permit fees.~~

~~**R104.4 Related fees.** The payment of the fee for the construction, *alteration*, removal or demolition of work done in connection to or concurrently with the work or activity authorized by a permit shall not relieve the applicant or holder of the permit from the payment of other fees that are prescribed by law.~~

~~**R104.5 Refunds.** The *code official* is authorized to establish a refund policy.))~~

SECTION R105 INSPECTIONS

~~**R105.1 General.** Construction or work for which a permit is required shall be subject to inspection by the *code official* ((or his or her designated agent, and such construction or work shall remain visible and able to be accessed for inspection purposes until *approved*)) in accordance with this section, the International Residential Code or International Building Code, and the Seattle Electrical Code. ((It shall be the duty of the permit applicant to cause the work to remain visible and able to be accessed for inspection purposes. Neither the *code official* nor the jurisdiction shall be liable for expense entailed in the removal or replacement of any material, product, system or building component required to allow inspection to validate compliance with this code.))~~

~~**R105.2 Required inspections.** The *code official* or his or her designated agent, upon notification, shall make the inspections set forth in Sections R105.2.1 through R105.2.5.~~

~~**R105.2.1 Footing and foundation inspection.** Inspections associated with footings and foundations shall verify compliance with the code as to R-value, location, thickness, depth of burial and protection of insulation as required by the code and approved plans and specifications.~~

~~**R105.2.2 Framing and rough-in inspection.** Inspections at framing and rough-in shall be made before application of interior finish and shall verify compliance with the code as to types of insulation and corresponding R-values and their correct location and proper installation; fenestration properties (U-factor and SHCG) and proper installation; and air leakage controls as required by the code and approved plans and specifications.~~

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R105.2.2.1 Wall insulation inspection. The *code official*, upon notification, shall make a wall insulation inspection in addition to those inspections required in Section R109 of the *International Residential Code*. This inspection shall be made after all wall and cavity insulation is in place and prior to cover.

R105.2.3 Plumbing rough-in inspection. Inspections at plumbing rough-in shall verify compliance as required by the code and approved plans and specifications as to types of insulation and corresponding R-values and protection, and required controls.

R105.2.4 Mechanical rough-in inspection. Inspections at mechanical rough-in shall verify compliance as required by the code and approved plans and specifications as to installed HVAC equipment type and size, required controls, system insulation and corresponding R-value, system air leakage control, programmable thermostats, dampers, whole-house ventilation and minimum fan efficiency.

Exception: Systems serving multiple dwelling units shall be inspected in accordance with Section C105.2.4.

R105.2.5 Final inspection. The building shall have a final inspection and not be occupied until *approved*.

R105.3 Reinspection. A building shall be reinspected when determined necessary by the *code official*.

~~((R105.4 Approved inspection agencies. The *code official* is authorized to accept reports of third-party inspection agencies not affiliated with the building design or construction, provided such agencies are *approved* as to qualifications and reliability relevant to the building components and systems they are inspecting.))~~

R105.5 Inspection requests. It shall be the duty of the holder of the permit or their duly authorized agent to notify the *code 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 code.

R105.6 Reinspection and testing. Where any work or installation does not pass an initial test or inspection, the necessary corrections shall be made so as to achieve compliance with this code. The work or installation shall then be resubmitted to the *code official* for inspection and testing.

SECTION R106 NOTICE OF APPROVAL

~~((R106.1 Approval. After the prescribed tests and inspections indicate that the work complies in all respects with this code, a notice of approval shall be issued by the *code official*.)~~

~~**R106.2 Revocation.** The *code official* is authorized to, in writing, suspend or revoke a notice of approval 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, premise, or portion thereof is in violation of any ordinance or regulation or any of the provisions of this code.))~~

SECTION R107 VALIDITY

R107.1 General. If a portion of this code is held to be illegal or void, such a decision shall not affect the validity of the remainder of this code.

SECTION R108 REFERENCED STANDARDS

R108.1 Referenced codes and standards. The codes and standards referenced in this code shall be those listed in Chapter 6, and such codes and standards shall be considered as part of the requirements of this code to the prescribed extent of each such reference and as further regulated in Sections R108.1.1 and R108.1.2.

R108.1.1 ((Conflicts)) References to other codes. ~~((Where differences occur between provisions of this code and referenced codes and standards, the provisions of this code shall apply.))~~ Whenever an International, National or Uniform Code is referenced in this code, it means the Seattle edition of that code, including local amendments. References to the “Residential Code,” “Fire Code,” “Electrical Code,” “Mechanical Code” and “Plumbing Code” mean the Seattle editions of those codes.

R108.1.2 Provisions in referenced codes and standards. Where the extent of the reference to a referenced code or standard includes subject matter that is within the scope of this code, the provisions of this code, as applicable, shall take precedence over the provisions in the referenced code or standard.

R108.2 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.

R108.3 Other laws. The provisions of this code shall not be deemed to nullify any provisions of local, state or federal law. ~~((In addition to the requirements of this code, all occupancies shall conform to the provisions included in the state building code (chapter 19.27 RCW). In case of conflicts among codes enumerated in RCW 19.27.031(1) through (4) and this code, an earlier named code shall govern over those following.))~~ In the case of conflict between the duct sealing and insulation requirements of this code and the duct insulation requirements of Sections 603 and 604 of the *International Mechanical Code*, the duct insulation requirements of this code shall govern.

SECTION R109 **((STOP WORK ORDER)) ENFORCEMENT**

R109.1 Authority. ~~((Whenever the *code official* finds any work regulated by this code being performed in a manner contrary to the provisions of this code or in a dangerous or unsafe manner, the *code official* is authorized to issue a stop work order.))~~ The *code official* is authorized to enforce this code in accordance with the International Residential Code, International Building Code, International Mechanical Code and Seattle Electrical Code.

~~**(R109.2 Issuance.** The stop work order shall be in writing and shall be given to the owner of the property involved, the owner's authorized agent, or the person performing the work. 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 is authorized to resume.~~

R109.3 Emergencies. Where an emergency exists, the *code official* shall not be required to give a written notice prior to stopping the work.

R109.4 Failure to comply. Any person who shall continue any work 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 fines established by the authority having jurisdiction.))

SECTION R110 **((MEANS OF APPEALS)) ADMINISTRATIVE REVIEW**

~~**(R110.1 General.** In order to hear and decide appeals of orders, decisions or determinations made by the *code official* relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The board of appeals shall be appointed by the applicable governing authority 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 *code official*.~~

~~**R110.2 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 equivalent or better form of construction is proposed. The board shall have no authority to waive requirements of this code or interpret the administration of this code.~~

~~**R110.3 Qualifications.** The board of appeals shall consist of members who are qualified by experience and training and are not employees of the jurisdiction.))~~

R110.1 Administrative review by the *code official*. Applicants may request administrative review by the *code official* of decisions or actions pertaining to the administration and enforcement of this code. Requests shall be addressed to the *code official*.

R110.2 Administrative review by the Construction Codes Advisory Board. Applicants may request review by the Construction Codes Advisory Board of decisions or actions pertaining to the application and interpretation of this code. The review will be performed by a panel of three or more members of the Construction Codes Advisory Board, chosen by the Board Chair. The Chair shall consider the subject of the review and members' expertise when selecting members to conduct a review. The decision of the review panel is advisory only; the final decision is made by the *code official*.

R110.3 Reserved.

R110.4 Administration. The code official shall take immediate action in accordance with the decision of the board.

SECTION R111 **VIOLETIONS**

It shall be unlawful for any person, firm, or corporation to erect or construct any building, or remodel or rehabilitate any existing building or structure in the state, or allow the same to be done, contrary to or in violation of any of the provisions of this code. Violations shall be administered according to the procedures set forth in Section 103 of the International Building Code or Section R103 of the International Residential Code, as applicable.

**SECTION R112
LIABILITY**

Nothing contained in this code is intended to be nor shall be construed to create or form the basis for any liability on the part of any city or county or its officers, employees or agents for any injury or damage resulting from the failure of a building to conform to the provisions of this code, or by reason or as a consequence of any inspection, notice, order, certificate, permission or approval authorized or issued or done in connection with the implementation or enforcement of this code, or by reason of any action or inaction on the part of the City related in any manner to the enforcement of this code by its officers, employees or agents.

This code shall not be construed to relieve or lessen the responsibility of any person owning, operating or controlling any building or structure for any damages to persons or property caused by defects, nor shall the Department of Construction and Inspections or The City of Seattle be held to have assumed any such liability by reason of the inspections authorized by this code or any permits or certificates issued under this code.