

CHAPTER 1

SCOPE AND ADMINISTRATION

Note: Chapter 1 is entirely Seattle amendments to the *International Existing Building Code* and is not underlined.

SECTION 101 SCOPE AND APPLICATION OF CODE

101.1 Title. This subtitle shall be known as the “International Existing Building Code.” All references to the *International Existing Building Code* contained in this code mean the *Seattle Existing Building Code*.

101.2 Scope. This code applies to the *repair, alteration, change of occupancy, addition* to, relocation and maintenance of *existing buildings*.

Exception: Buildings within the scope of the *International Residential Code* shall comply with the *International Residential Code*.

101.3 Purpose. The purpose of this code is to provide minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, quality of materials, occupancy, location and maintenance of certain *existing buildings* and structures within the City and certain equipment in those buildings, as specifically regulated herein. The purpose of this code is to provide for and promote the health, safety and welfare of the general public, and not to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefited by the terms of this code.

101.4 Compliance. Except as specifically provided in this code, *additions, alterations, repairs* and *changes of occupancy* to, and relocation of any *building* or structure shall comply with the requirements of the code for new construction. Except as specifically provided in this code, *additions, alterations, repairs* and *changes of occupancy* to, and relocation of any *building* or structure shall be such that the *existing building* or structure is no less complying with the provisions of the *International Building Code* than the *existing building* or structure was prior to the *alteration, addition, repair, change of occupancy* or relocation.

101.4.1 Unless approved by the *code official*, this code does not justify conditions in buildings or structures that do not comply with the codes in effect at the time the building or structure was built, including permitted *additions, alterations, repairs, changes of occupancy* and relocations.

101.4.2 Buildings not previously occupied. A building or portion of a building that has not been previously occupied or used for its intended purpose in accordance with the laws in existence at the time of its completion shall comply with the provisions of the *International Building Code* for new construction or with any current permit for such occupancy.

101.4.3 Buildings previously occupied. Buildings in existence at the time of the passage of this code that were legally constructed and occupied in accordance with the provisions of a prior code are permitted to have their existing occupancy continued, provided such occupancy is not unsafe.

101.4.3.1 Establishing occupancy for the record. An occupancy is permitted to be established for any date if:

1. The applicant can provide evidence satisfactory to the code official that the occupancy was in existence on that date, and
2. The building can be made to comply with the building code in effect on that date.

101.4.4 Compliance with retroactive ordinances. *Alterations* and *repairs* to *existing buildings* that are being made in response to a notice or order requiring compliance with the *Housing and Building Maintenance Code*, Subtitle II, Title 22 of the Seattle Municipal Code, the *Fire Code*, Subtitle VI, Title 22 of the Seattle Municipal Code, or other ordinances applicable to *existing buildings*, are permitted to be made in accordance with standards contained in those ordinances rather than the standards contained in this code.

101.5 Maintenance. Buildings and structures, and parts thereof, shall be maintained in a safe and sanitary condition. Devices and safeguards which are or were required by a code in effect when the building or structure was erected, altered or repaired shall be maintained in conformance with the code edition under which they were installed. The owner or the owner’s designated agent shall be responsible for the maintenance of buildings and structures. To determine compliance with this subsection, the code official shall have the authority to require a building or structure to be reinspected. The requirements of this Chapter shall not provide the basis for removal or abrogation of fire protection and safety systems and devices in *existing buildings* or structures.

Exception: The code official is authorized to modify the requirements of this subsection where all or a portion of a building is unoccupied, closed off and reasonably secure from unlawful entry.

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101.6 Internal Consistency. If in any specific case, different sections of this code specify different materials, methods of construction or other requirements, the most restrictive governs. If there is a conflict between a general requirement and a specific requirement, the specific requirement governs.

101.7 Referenced codes and standards. The codes and standards referenced in this code are considered part of the requirements of this code to the extent prescribed by each such reference. If differences occur between provisions of this code and referenced codes and standards, the provisions of this code apply.

101.8 References to other codes. 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 “Building Code,” “Residential Code,” “Fire Code,” “Mechanical Code” and “Plumbing Code” mean the Seattle editions of those codes.

101.9 Appendices. Provisions in the appendices of the *International Existing Building Code* do not apply, with the exception of Chapters A1 and A3 through A6 of Appendix A, which are herein adopted.

101.10 Metric units. Wherever in this code there is a conflict between metric units of measurement and U.S. customary units, the U.S. customary units govern.

101.11 Impracticality. In cases where total compliance with all the requirements of this code is impractical, the applicant may arrange a pre-design conference with the design team and the code official. The applicant shall identify design solutions and modifications that conform to Section 101.12 or 101.13. The code official may waive specific requirements in this code that the code official determines to be impractical.

101.12 Modifications. The code official may modify the requirements of this code for individual cases if 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; and (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. 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.

101.13 Alternate materials, methods of construction and design. This code does not prevent the use of any material, design or method of construction not specifically allowed or prohibited by this code, provided the alternate has been approved and its use authorized by the code official.

The code official may approve an alternate, 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 code alternates and any relevant information in the files of the code official or on the construction documents.

101.14 Unsafe conditions. The code official shall have the authority to require the elimination of conditions deemed *unsafe* in accordance with *International Building Code* Section 102.

SECTION 102 ADMINISTRATION

102.1 General. *Additions, alterations, repairs and changes of occupancy* to and relocations of buildings and structures are subject to Chapter 1 of the *Seattle Building Code*.