

CHAPTER 1 [CE]

SCOPE AND ADMINISTRATION

SECTION C101 SCOPE AND GENERAL REQUIREMENTS

C101.1 Title. This code, ~~consisting of Chapter 1 [CE] through Chapter 6 [CE] and Appendices A through D,~~ shall be known as the ~~((Washington State Energy Code,))~~ “Seattle Commercial Energy Code,” and shall be cited as such. It is referred to herein as “this code.”

C101.2 Scope. This code applies to *commercial buildings* and the buildings sites and associated systems and equipment. References in this code to Group R shall include 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. Building areas that contain Group R sleeping units, regardless of the number of stories in height, are required to comply with the commercial sections of the energy code.

Exception: The provisions of this code do not apply to *temporary growing structures* used solely for the commercial production of horticultural plants including ornamental plants, flowers, vegetables, and fruits. A temporary growing structure is not considered a building for the purposes of this code. However, the installation of other than listed, portable mechanical equipment or listed, portable lighting fixtures is not allowed.

C101.3 Intent. This code shall regulate the design and construction of buildings for the use and conservation of energy and the reduction of carbon emissions over the 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.

C101.4 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.

C101.4.1 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 ~~((WSEC))~~ the Seattle Energy Code—Commercial Provisions or ~~((WSEC))~~ the Seattle Energy Code—Residential Provisions.

C101.5 Compliance. *Residential buildings* shall meet the provisions of ~~((WSEC))~~ the Seattle Energy Code—Residential Provisions. *Commercial buildings* shall meet the provisions of ~~((WSEC))~~ the Seattle Energy Code—Commercial Provisions.

C101.5.1 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.

C101.6 Appendices. Appendices A, B, C and D are included in the adoption of this code. Provisions in appendices E and F shall not apply unless specifically adopted by the local jurisdiction.

SECTION C102 ALTERNATIVE MATERIALS, DESIGN AND METHODS OF CONSTRUCTION AND EQUIPMENT

C102.1 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*. An alternative material, design or method of construction shall be *approved* where the *code official* finds 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 in quality, strength, effectiveness, fire resistance, durability and safety. 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. Where the alternative material, design or method of construction is not approved, the *code official* shall respond in writing, stating the reasons why the alternative was not approved.

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 building official or on the approved permit plans.

C102.2 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;

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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 C103 ~~((CONSTRUCTION DOCUMENTS))~~ APPLICATIONS AND PERMITS

C103.1 General. A permit for work performed according to this code shall be obtained in accordance with Chapter 1 of the International Building Code, International Mechanical Code or Seattle Electrical Code.

C103.2 Construction documents. ~~Construction documents and other supporting data shall ((be submitted in one or more sets with each application for a permit))~~ comply with this section and the International Building Code, International Mechanical Code, International Existing Building Code and Seattle Electrical Code. ~~((The construction documents 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.~~

C103.2.1 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, as applicable:

1. Insulation materials and their *R*-values.
2. Fenestration *U*-factors and SHGCs.
3. Area-weighted *U*-factor and SHGC calculations.
4. Mechanical system design criteria.
5. Mechanical and service water heating system and equipment types, sizes and efficiencies.
6. Economizer description.
7. Equipment and systems controls.
8. Fan motor horsepower (hp) and controls.
9. Duct sealing, duct and pipe insulation and location.
10. Lighting fixture schedule with wattage and control narrative.
11. Location of daylight zones on floor plan.
12. Air barrier details including all air barrier boundaries and associated square foot calculations on all six sides of the air barrier as applicable.

~~((C103.2.1))~~ **C103.2.2 Building thermal envelope depiction.** The building's thermal envelope shall be represented on the construction documents.

~~((C103.3 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.~~

~~**C103.3.1 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.~~

C103.2.3 Document retention. 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.

~~((C103.3.2 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.

~~C103.3.3 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.)

~~((C103.4 Amended construction documents. 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.))~~

~~((C103.5 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.))~~

C103.6 Building documentation and close out submittal requirements. The construction documents shall specify that the documents described in this section be provided to the building owner or owner's authorized agent within a maximum of 90 days of the date of receipt of the certificate of occupancy.

C103.6.1 Record documents. Construction documents shall be updated by the installing contractor and architect or engineer of record to convey a record of the completed work. Such updates shall include building envelope, mechanical, plumbing, electrical and control drawings red-lined, or redrawn, ~~((if specified,))~~ that show all changes to size, type and locations of components, equipment and assemblies. Record documents shall include the location and model number of each piece of equipment as installed. The architect, engineer of record or installing contractor is required to provide consolidated record drawings in compliance with this section to the building owner or owner's authorized agent with the timeline specified in Section C103.6.

C103.6.2 Building operations and maintenance information. Required regular maintenance actions for equipment and systems shall be clearly stated on a readily visible label on the equipment. The label shall include the title or publication number for the operation and maintenance manual for that particular model and type of product and the manufacture date or installation date.

C103.6.2.1 Manuals. An operating and maintenance manual shall be provided for each component, device, piece of equipment, and system governed by this code. The manual shall include all of the following:

1. Submittal data indicating all selected options for each piece of equipment and control device.
2. Manufacturer's operation manuals and maintenance manuals for each device, piece of equipment, and system requiring maintenance, except equipment not furnished as part of the project. Required routine maintenance actions, cleaning and recommended relamping shall be clearly identified.
3. Name and address of at least one service agency.
4. Controls system inspection schedule, maintenance and calibration information, wiring diagrams, schematics, and control sequence descriptions. A schedule for inspecting and recalibrating all lighting controls. Desired or field-determined set points shall be PERMANENTLY recorded on control drawings at control devices or, for digital control systems, on the graphic where settings may be changed.
5. A narrative of how each system is intended to operate, including recommended set points. Sequence of operation alone is not acceptable for this requirement.

C103.6.3 Compliance documentation. All energy code compliance forms and calculations shall be delivered in one document to the building owner as part of the project record documents or manuals, or as a standalone document. This document shall include the specific energy code year utilized for compliance determination for each system, NFRC certificates for the installed windows, list of total area for each NFRC certificate, and the interior lighting power compliance path (building area, space-by-space) used to calculate the lighting power allowance.

For projects complying with Section C401.2 item 1, the documentation shall include:

1. The envelope insulation compliance path (prescriptive or component performance).
2. All required completed code compliance forms, and all required compliance calculations, ~~((including, but not limited to, those required by sections C402.1.5, C403.2.12.1, C405.4, and C405.5.))~~

For projects complying with Section C401.2, item 2, the documentation shall include:

1. A list of all proposed envelope component types, areas and *U*-values.
2. A list of all lighting area types with areas, lighting power allowance, and installed lighting power density.
3. A list of each HVAC system modeled with the assigned and proposed system type.
4. Electronic copies of the baseline and proposed model input and output file. The input files shall be in a format suitable for rerunning the model and shall not consist solely of formatted reports of the inputs.

C103.6.4 Systems operation training. Training of the maintenance staff for equipment included in the manuals required by Section C103.6.2 shall include at a minimum:

1. Review of manuals and permanent certificate.
2. Hands-on demonstration of all normal maintenance procedures, normal operating modes, and all emergency shutdown and start-up procedures.
3. Training completion report.

SECTION C104 INSPECTIONS

C104.1 General. Construction or work for which a permit is required shall be subject to inspection by the *code official*, his or her designated agent, or an approved agency in accordance with this section and the International Building Code, International Mechanical Code and Seattle Electrical Code, and such construction or work shall remain visible and able to be accessed 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 code or of other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the jurisdiction shall not be valid. 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.

C104.2 Required inspections. The *code official*, his or her designated agent, or an approved agency, upon notification, shall make the inspections set forth in Sections C104.2.1 through C104.2.6.

C104.2.1 Footing and foundation insulation. Inspections shall verify footing and/or foundation insulation *R*-value, location, thickness, depth of burial and protection of insulation as required by the code, *approved* plans and specifications.

C104.2.2 Thermal envelope. Inspections shall be made before application of interior finish and shall verify that envelope components with the correct type of insulation, the *R*-values, the correct location of insulation, the correct fenestration, the *U*-factor, SHGC, VT, and air leakage controls are properly installed as required by the code, *approved* plans and specifications, including envelope components in future tenant spaces of multi-tenant buildings.

C104.2.3 Plumbing system. Inspections shall verify the type of insulation, the *R*-values, the protection required, controls, and heat traps as required by the code, *approved* plans and specifications.

C104.2.4 Mechanical system. Inspections shall verify the installed HVAC equipment for the correct type and size, controls, duct and piping insulation *R*-values, duct system and damper air leakage, minimum fan efficiency, energy recovery and economizer as required by the code, *approved* plans and specifications.

C104.2.5 Electrical system. Inspections shall verify lighting system controls, components, meters; motors and installation of an electric meter for each dwelling unit as required by the code, *approved* plans and specifications.

C104.2.6 Final inspection. The final inspection shall include verification of the installation and proper operation of all required building controls, and documentation verifying activities associated with required building commissioning have been conducted in accordance with Section C408.

C104.3 Reinspection. A building shall be reinspected when determined necessary by the *code official*.

C104.4 Approved inspection agencies. The *code official* is authorized to accept reports of *approved* inspection agencies, provided such agencies satisfy the requirements as to qualifications and reliability relevant to the building components and systems they are inspecting.

C104.5 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.

C104.6 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.

~~((C104.7 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*.)~~

~~**C104.7.1 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 C105 VALIDITY

C105.1 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 C106 REFERENCED STANDARDS

C106.1 Referenced codes and standards. The codes and standards referenced in this code shall be those listed in Chapter ~~(5)~~ 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 C106.1.1 and C106.1.2.

~~((C106.1.1 Conflicts. Where differences occur between provisions of this code and referenced codes and standards, the provisions of this code shall apply.))~~

C106.1.1 References to other codes. Whenever an International, National or Uniform Code is referenced in this code, it means the Seattle edition of that code, which includes local amendments. References to the “Building Code,” “Residential Code,” “Fire Code,” “Electrical Code,” “Mechanical Code” and “Plumbing Code” mean the Seattle editions of those codes.

C106.1.2 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.

C106.2 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.

C106.3 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 the 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 ~~((, or where applicable, a local jurisdiction’s energy code))~~ shall govern.

SECTION C107 FEES

C107.1 Fees. ~~((A permit shall not be issued until the fees prescribed in Section C107.2 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.

~~((C107.2 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.))~~

C107.3 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.

C107.4 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.

C107.5 Refunds. The *code official* is authorized to establish a refund policy.))

SECTION C108 ((STOP WORK ORDER)) ENFORCEMENT

C108.1 Authority. ~~((Whenever the *code official* finds any work regulated by this code being performed in a manner either contrary to the provisions of this code or dangerous or unsafe, 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 Building Code, International Mechanical Code and Seattle Electrical Code.

~~((C108.2 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 to the person doing 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 will be permitted to resume.))~~

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~~C108.3 Emergencies.~~ Where an emergency exists, the *code official* shall not be required to give a written notice prior to stopping the work.

~~C108.4 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 liable to a fine as set by the applicable governing authority.))

SECTION C109 ((BOARD OF APPEALS)) ADMINISTRATIVE REVIEW

~~((C109.1 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 *code official* shall be an ex officio member of said board but shall have no vote on any matter before the board. The board of appeals shall be appointed by the governing body 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*.)

~~C109.2 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 equally good or better form of construction is proposed. The board shall have no authority to waive requirements of this code.

~~C109.3 Qualifications.~~ The board of appeals shall consist of members who are qualified by experience and training and are not employees of the jurisdiction.))

C109.1 Administrative review by the code official. Prior to issuance of the building permit, 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*.

C109.2 Administrative review by the Construction Codes Advisory Board. After administrative review and review by the *code official*, and prior to issuance of the building permit, 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*.

SECTION C110 VIOLATIONS

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.

SECTION C111 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 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.