



2015 International Code  
**INTERPRETATIONS**

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**BUILDING**

# CHAPTER 1

## SCOPE AND ADMINISTRATION

### SECTION 101 GENERAL

[A] **101.2 Scope.** The provisions of this code shall apply to the construction, *alteration*, relocation, enlargement, replacement, *repair*, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures.

**Exception:** Detached one- and two-family *dwelling*s and multiple single-family *dwelling*s (*townhouses*) not more than three *stories above grade plane* in height with a separate *means of egress*, and their accessory structures not more than three *stories above grade plane* in height, shall comply with the *International Residential Code*.

**Q:** Do code provisions apply to fences?

**A:** Yes. Section 101.2 states that the code shall apply to all buildings and structures. Fences are considered structures, and therefore are included within the scope of the code. The primary safety issue is structural integrity. Fences must be constructed to resist the anticipated live loads and installed in a manner ensuring structural stability. Chapter 33 also contains requirements for fences related to site work, demolition and construction. It should be noted that Section 105.2, Item 2, does exempt fences not over 7 feet high from needing a permit. It does not, however, exempt such fences from complying with the provisions of the *International Building Code*® (IBC®).

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[A] **101.4 Referenced codes.** The other codes listed in Sections 101.4.1 through 101.4.7 and referenced elsewhere in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference.

[A] **101.4.1 Gas.** The provisions of the *International Fuel Gas Code* shall apply to the installation of gas piping from the point of delivery, gas appliances and related accessories as covered in this code. These requirements apply to gas piping systems extending from the point of delivery to the inlet connections of appliances and the installation and operation of residential and commercial gas appliances and related accessories.

[A] **101.4.2 Mechanical.** The provisions of the *International Mechanical Code* shall apply to the installation, *alterations*, *repairs* and replacement of mechanical systems, including equipment, appliances, fixtures, fittings and/or appurtenances, including ventilating, heating, cooling, air-condition-

ing and refrigeration systems, incinerators and other energy-related systems.

[A] **101.4.3 Plumbing.** The provisions of the *International Plumbing Code* shall apply to the installation, *alteration*, *repair* and replacement of plumbing systems, including equipment, appliances, fixtures, fittings and appurtenances, and where connected to a water or sewage system and all aspects of a medical gas system. The provisions of the *International Private Sewage Disposal Code* shall apply to private sewage disposal systems.

[A] **101.4.4 Property maintenance.** The provisions of the *International Property Maintenance Code* shall apply to existing structures and premises; equipment and facilities; light, ventilation, space heating, sanitation, life and fire safety hazards; responsibilities of *owners*, operators and occupants; and occupancy of existing premises and structures.

[A] **101.4.5 Fire prevention.** The provisions of the *International Fire Code* shall apply to matters affecting or relating to structures, processes and premises from the hazard of fire and explosion arising from the storage, handling or use of structures, materials or devices; from conditions hazardous to life, property or public welfare in the occupancy of structures or premises; and from the construction, extension, *repair*, *alteration* or removal of fire suppression, *automatic sprinkler systems* and alarm systems or fire hazards in the structure or on the premises from occupancy or operation.

[A] **101.4.6 Energy.** The provisions of the *International Energy Conservation Code* shall apply to all matters governing the design and construction of buildings for energy efficiency.

[A] **101.4.7 Existing buildings.** The provisions of the *International Existing Building Code* shall apply to matters governing the *repair*, *alteration*, change of occupancy, *addition* to and relocation of existing buildings.

**Q:** Are the specific International Codes® (I-Codes®) referenced in Section 101.4 deemed to be adopted and enforceable by virtue of adoption of the IBC?

**A:** Yes. When the IBC® is adopted, the specific I-Codes referenced in Sections 101.4.1 through 101.4.7 are deemed to be adopted and enforceable, but only to the extent that the given code is referenced in the IBC. Sections 101.4.1 through 101.4.7 list the applicable codes that contain specific sections referenced throughout the IBC. However, each I-Code must be adopted individually to be enforceable in its entirety.

**EXAMPLE 1:** Section [F] 904.2.2 in the IBC references the *International Fire Code*® (IFC®) or the *International Mechanical Code*® (IMC®) regarding commercial hoods

and duct systems. The specific sections of the IFC and the IMC that address commercial hoods and duct systems are deemed to be adopted and enforceable, but any other requirements in the IFC and IMC not specifically referenced in the IBC are not adopted and are not enforceable.

**EXAMPLE 2:** Section [F] 905.1 in the IBC references the IFC regarding fire protection for buildings used for high-piled combustible storage. The specific sections of the IFC that address fire protection for buildings used for high-piled combustible storage are deemed to be adopted and enforceable, but any other requirements in the IFC not specifically referenced in the IBC are not adopted and are not enforceable.

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## SECTION 104 DUTIES AND POWERS OF BUILDING OFFICIAL

**[A] 104.1 General.** The *building official* is hereby authorized and directed to enforce the provisions of this code. The *building official* shall have the authority to render interpretations of this code and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be in compliance with the intent and purpose of this code. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this code.

**Q:** Is the authority to grant modifications as provided for in Section 104.10 intended to apply only to existing buildings?

**A:** No. Section 104.10 is included as part of the overall approval authority granted to the code official by Section 104.1 for use in dealing with the application of the IBC. The scope of the IBC includes both new and existing buildings.

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**[A] 104.7 Department records.** The *building official* shall keep official records of applications received, *permits* and certificates issued, fees collected, reports of inspections, and notices and orders issued. Such records shall be retained in the official records for the period required for retention of public records.

**Q:** Do Sections 104.7 and 107.3.1 require construction documents to be kept on file with the code official even after construction has been completed?

**A:** No. Section 104.7 indicates only that the code official shall keep records of applications received, permits and certificates issued, fees collected, reports of inspections and notices and orders issued in the official records for as long as local or state laws require.

Although the code does not require construction documents to be retained, there may be state laws or other ordinances identifying information to be maintained in official records, which may include construction documents.

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**[A] 104.9 Approved materials and equipment.** Materials, equipment and devices *approved* by the *building official* shall be constructed and installed in accordance with such approval.

**Q:** In the absence of either specific code provisions dealing with the installation of a product or the mention of the intended applicability in the permit application information, are the manufacturer's instructions and recommendations to be followed?

**A:** Yes, if the manufacturer's instructions and recommendations form the basis or a part of the basis for the code official's approval. Section 104.9 requires all materials, equipment and devices approved for use by the code official to be constructed and installed in accordance with that approval. The manufacturer's instructions and recommendations are to be followed if the material was approved for use with such consideration.

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**[A] 104.10 Modifications.** Where there are practical difficulties involved in carrying out the provisions of this code, the *building official* shall have the authority to grant modifications for individual cases, upon application of the *owner* or the *owner's* authorized agent, provided that the *building official* shall first find that special individual reason makes the strict letter of this code impractical, the modification is in compliance with the intent and purpose of this code and that such modification does not lessen health, *accessibility*, life and fire safety or structural requirements. The details of action granting modifications shall be recorded and entered in the files of the department of building safety.

**Q:** Is the authority to grant modifications as provided for in Section 104.10 intended to apply only to existing buildings?

**A:** No. Section 104.10 is included as part of the overall approval authority granted to the code official by Section 104.1 for use in dealing with the application of the IBC. The scope of the IBC includes both new and existing buildings.

**Q:** Does the board of appeals, as described in Section 113.2 of the code, have the authority to exempt or waive specific code provisions?

**A:** No. To appeal a decision of the code official, including when he or she does not grant a modification in

accordance with Section 104.10, the owner of the building or structure, or any other person, may make an application to the board of appeals on the following basis:

1. The true intent of the code or the rules legally adopted thereunder have been incorrectly interpreted;
2. The code provisions do not fully apply; or
3. An equally good or better form of construction can be used.

It is not intended that the board of appeals set aside any code provisions without consideration of one of the above conditions.

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## SECTION 105 PERMITS

**[A] 105.1 Required.** Any *owner* or owner's authorized agent who intends to construct, enlarge, alter, *repair*, move, demolish or change the occupancy of a building or structure, or to erect, install, enlarge, alter, *repair*, remove, convert or replace any electrical, gas, mechanical or plumbing system, the 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*.

**Q:** When specific code requirements that would be applicable to the work to be performed do not exist, does the adoption of the IBC provide the local jurisdiction with a mandate to require a building permit as stated in Section 105.1?

**A:** Yes. Section 105.1 applies to the work listed, regardless of the presence or lack of specific code requirements that are applicable to the specific project. There are exceptions where a permit is not required, but none of those exceptions relate to lack of specific applicable provisions. For instance, the demolition of a building is within the scope of the building code and is work requiring a permit as stated in Section 105.1, regardless of the fact that the specific provisions of Section 3303 might not apply to the project under review. This demolition work is still work which comes under the laws or ordinances of the adopting authority that has jurisdiction. The work requires review to ensure public health and safety. Items not specifically listed in the code could, indeed, be of concern to the jurisdiction, including such things as the presence of hazardous materials, such as asbestos, or some other health hazard, the sewer system, and the manner in which demolition operations are designed to ensure the safety of the crew.

**Q:** Is it the intent of Section 105.1 to require a building permit for the installation of new siding on an existing building?

**A:** Yes. The code regulates weather protection for buildings in Chapter 14 by setting forth requirements for materials and installation methods of exterior weather-resistant elements. Therefore, a permit is required to provide the code official with the opportunity to evaluate the installation of new siding for conformance to the applicable code requirements.

**Q:** If the owner of a proposed building or structure does not apply for a building permit, is the owner's registered design professional or contractor required, under Section 105.1, to obtain the permit?

**A:** Yes. A registered design professional or contractor empowered by the owner or lessee to act as the owner's agent would become one of the parties responsible for the permit application. However, in accordance with Section 105.1, a registered design professional or contractor must be specifically authorized by the owner to act as the owner's agent for taking out permits. If the owner does not empower an agent to act in such capacity, the responsibility remains with the owner.

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**[A] 105.4 Validity of permit.** The issuance or granting of a *permit* shall not be construed to be a *permit* for, or an approval of, any violation of any of the provisions of this code or of any other ordinance of the jurisdiction. *Permits* presuming to give authority to violate or cancel the provisions of this code or other ordinances of the jurisdiction shall not be valid. The issuance of a *permit* based on *construction documents* and other data shall not prevent the *building official* from requiring the correction of errors in the *construction documents* and other data. The *building official* is authorized to prevent occupancy or use of a structure where in violation of this code or of any other ordinances of this jurisdiction.

**Q:** Can a code official require compliance with the code, even though the approved construction documents contain information that is in conflict with the code, and a building permit has been issued?

**A:** Yes. Section 105.4 states that the permit shall not be construed to be a permit for, or an approval of, violation of any of the provisions of this code. Section 105.6 states that "the building official is authorized to suspend or revoke a permit issued under the provisions of this code wherever the permit is issued in error or on the basis of incorrect, inaccurate or incomplete information, or in violation of any ordinance or regulation or any of the provisions of this code." This points to the necessity for a comprehensive plan examination from the building

department to minimize the difficulties this situation creates for both the building owner and code official.

**Q:** Does the code official have the authority to revisit a job after a final inspection has been made if a violation has been found and then take the necessary steps to have it corrected?

**A:** Yes. Section 105.4 indicates that a building permit is a license to build and shall not be construed as authority to violate, cancel or set aside any provisions of the code. It shall be unlawful to occupy a building contrary to or in violation of the code. Under no circumstances may the obligation to comply with the code be set aside.

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**[A] 105.5 Expiration.** Every *permit* issued shall become invalid unless the work on the site authorized by such *permit* is commenced within 180 days after its issuance, or if the work authorized on the site by such *permit* is suspended or abandoned for a period of 180 days after the time the work is commenced. The *building official* is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

**Q:** Is there a certain length of time that a building permit is valid after it has been issued?

**A:** As long as the authorized work is progressing, there was no intention for a limitation on the length of time that a permit is valid. Section 105.5 specifies that a permit becomes invalid if work is not commenced within 180 days after issuance or if the authorized work is suspended or abandoned for a period of 180 days after it begins.

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## SECTION 107 SUBMITTAL DOCUMENTS

**[A] 107.1 General.** Submittal documents consisting of *construction documents*, statement of *special inspections*, geotechnical report and other data shall be submitted in two or more sets with each *permit* application. 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 *building official* is authorized to require additional *construction documents* to be prepared by a *registered design professional*.

**Exception:** The *building official* is authorized to waive the submission of *construction documents* and other data not required to be prepared by a *registered design professional*

if it is found that the nature of the work applied for is such that review of *construction documents* is not necessary to obtain compliance with this code.

**Q:** Is it required under Sections 107.1 and 107.3.4 that plans for all building types, including single-family dwellings, bear the seal and signature of a registered design professional?

**A:** No. The necessity for a registered design professional's signature and seal on the plans would depend on whether special engineering details or computations were required. As stated in Section 107.1, it would also depend on registration and licensing laws of the state. Because many states employ different regulations, such as minimum building size, building use group, cost, etc., the professional registration laws must be reviewed to determine when a professional's seal and signature are required.

**Q:** Do the provisions of Section 107.1 require the design of a structural element, such as a floor or roof truss, to be performed only by a registered structural engineer?

**A:** No. Section 107.1 requires all engineering plans and computations to be signed by a registered design professional in accordance with the applicable state professional registration or licensing laws. The code does not specify the category of professional registration. The requirements of the state registration and licensing laws must be followed because they differ from state to state as to which category of registered design professional can perform various engineering functions. Some states do not have a registration category for structural engineers that is separate from other engineering disciplines.

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**[A] 107.3.1 Approval of construction documents.** When the *building official* issues a *permit*, the *construction documents* shall be *approved*, in writing or by stamp, as "Reviewed for Code Compliance." One set of *construction documents* so reviewed shall be retained by the *building official*. The other set shall be returned to the applicant, shall be kept at the site of work and shall be open to inspection by the *building official* or a duly authorized representative.

**Q:** Do Sections 104.7 and 107.3.1 require construction documents to be kept on file with the code official even after construction has been completed?

**A:** No. Section 104.7 indicates only that the code official shall keep records of applications received, permits and certificates issued, fees collected, reports of inspections

and notices and orders issued in the official records for as long as local or state laws require.

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**[A] 107.3.4 Design professional in responsible charge.** Where it is required that documents be prepared by a *registered design professional*, the *building official* shall be authorized to require the *owner* or the *owner's* authorized agent to engage and designate on the building *permit* application a *registered design professional* who shall act as the *registered design professional in responsible charge*. If the circumstances require, the *owner* or the *owner's* authorized agent shall designate a substitute *registered design professional in responsible charge* who shall perform the duties required of the original *registered design professional in responsible charge*. The *building official* shall be notified in writing by the *owner* or the *owner's* authorized agent if the *registered design professional in responsible charge* is changed or is unable to continue to perform the duties.

The *registered design professional in responsible charge* shall be responsible for reviewing and coordinating submittal documents prepared by others, including phased and deferred submittal items, for compatibility with the design of the building.

**Q:** Is it required under Sections 107.1 and 107.3.4 that plans for all building types, including single-family dwellings, bear the seal and signature of a registered design professional?

**A:** No. The necessity for a registered design professional's signature and seal on the plans would depend on whether special engineering details or computations were required. As stated in Section 107.1, it would also depend on registration and licensing laws of the state. Because many states employ different regulations, such as minimum building size, building use group, cost, etc., the professional registration laws must be reviewed to determine when a professional's seal and signature are required.

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**[A] 107.4 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*.

**Q:** Section 107.4 requires all work to conform to the approved construction documents, and any approved amendments, for which the permit was issued. Does this mean it is the code official's responsibility to ensure that all construction aspects conform to the approved plans, including those not related to health and safety and, therefore, not regulated by the code?

**A:** No. Section 105.3.1 stipulates, in part, that a permit is issued when the code official is satisfied that the proposed work conforms to code requirements. Many aspects of construction are not related to public health and safety and thus not regulated by the code, and are outside the domain of the code official. Section 101.3 further stipulates that the intent of the code is to establish the minimum requirements to safeguard the public health, safety and general welfare insofar as they are affected by building construction. Section 104.1 specifically states, "The building official is hereby authorized and directed to enforce the provisions of this code." Beyond the code requirements, the code official has no expressed responsibility.

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## SECTION 113 BOARD OF APPEALS

**[A] 113.2 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 not have authority to waive requirements of this code.

**Q:** Does the board of appeals, as described in Section 113.2 of the code, have the authority to exempt or waive specific code provisions?

**A:** No. To appeal a decision of the code official, including when he or she does not grant a modification in accordance with Section 104.10, the owner of the building or structure, or any other person, may make an application to the board of appeals on the following basis:

1. The true intent of the code or the rules legally adopted thereunder have been incorrectly interpreted;
2. The code provisions do not fully apply; or
3. An equally good or better form of construction can be used.

It is not intended that the board of appeals set aside any code provisions without consideration of one of the above conditions.