

~~1848". The city is not responsible for determining whether the building enclosure design documents or the inspections performed are adequate or appropriate to satisfy the requirements of the act.~~

See MICC [19.08.060](#), Condominium conversions, for additional requirements.

[107.2.4.2 Exterior balconies and elevated walking surfaces. Where balconies or other elevated walking surfaces are exposed to water from direct or blowing rain, snow, or irrigation, and the structural framing is protected by an impervious moisture barrier, the construction documents shall include details for all elements of the impervious moisture barrier system. The construction documents shall include manufacturer's installation instructions.](#)

[107.2.9 Relocatable Buildings. Construction documents for relocatable buildings shall comply with Section 3112.](#)

107.3 Examination of documents. The building official shall examine or cause to be examined the accompanying submittal documents and shall ascertain by such examinations whether the construction indicated and described is in accordance with the requirements of the construction codes, the Construction Administrative Code, and other pertinent laws or ordinances.

107.3.1 Use of consultants. Whenever review of a building permit application requires retention by the jurisdiction for professional consulting services, the applicant shall reimburse to the jurisdiction the cost of such professional consulting services. This fee shall be in addition to the normal plan review and building permit fees. The jurisdiction may require the applicant to deposit an amount with the jurisdiction estimated in the discretion of the building official to be sufficient to cover anticipated costs to retaining professional consultant services and to ensure reimbursement for such costs.

107.3.2 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 [either as a paper or electronic set](#). ~~The other~~[Another](#) set shall be returned to the applicant, [either as a paper or electronic set, and](#) shall be kept at the site of work and shall be open to inspection by the building official or a duly authorized representative.

107.3.3 Phased approval. The building official is authorized to issue a permit for the construction of foundations or any other part of a building or structure before the construction documents for the whole building or structure have been submitted, provided that adequate information and detailed [statements have been filed complying with pertinent requirements of the construction codes and the Construction Administrative Code. The holder of such permit for the foundation or other parts of a building or structure shall proceed at the holder's own risk with the building operation and without assurance that a permit for the entire structure will be granted.](#) ~~state~~
~~ments have been filed complying with pertinent requirements of the construction codes and the Construction Administrative Code. The holder of such permit for the foundation or other parts of a building or structure shall proceed at the holder's own risk with the building operation and without assurance that a permit for the entire structure will be granted.~~

107.4 Design professional in responsible charge.

107.4.1 General. When it is required that documents be prepared by a qualified registered design professional, the building official shall be authorized to require the owner 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 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 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. Where structural observation is required by Section ~~4740~~-1704.6 of the IBC, the inspection program shall name the individual or firms who are to perform structural observations and describe the stages of construction at which structural observation is to occur (see also other duties specified in Chapter 17 of the IBC).

SECTION 110 INSPECTIONS

110.4.6 IMC/UPC/Gas/NEC rough-in inspection. Rough-in mechanical, gas piping, plumbing and electrical systems shall be inspected after the roof, framing, fire-blocking and bracing are in place and all components to be concealed are complete, and if required, under test prior to covering or concealment, before fixtures or appliances are set or installed, and prior to framing inspection. No connections to primary utilities shall be made until the rough-in work is inspected and approved. Joints and connections in the plumbing system shall be gastight and watertight for the pressures required by the test.

[Exception: Backfilling of ground-source heat pump loop systems tested in accordance with section M2105.28 prior to inspection shall be permitted.](#)

No test or inspection shall be required where a plumbing system, or part thereof, is set up for exhibition purposes and has no connection with a water or drainage system. The requirements of this section shall not be considered to prohibit the operation of any heating equipment or appliances installed to replace existing heating equipment or appliances serving an occupied portion of a structure provided that a request for inspection of such heating equipment or appliances has been filed with the department not more than 48 hours after such replacement work is completed, and before any portion of such equipment or appliances is concealed by any permanent portion of the structure.

110.4.7 Frame inspection. Framing inspections shall be made after the roof deck or sheathing, all framing, fire blocking, [draftstopping](#) and bracing are in place and pipes, chimneys and vents to be concealed are complete and the rough electrical, plumbing, fire-suppression piping, heating wires, pipes and ducts are approved and the building is substantially dry.

110.4.8 [Weather Resistance.](#)

[110.4.8.1](#) Exterior Finish and Insulation Systems (EFIS), Lath and gypsum board inspection. EFIS, Lath and gypsum board inspections shall be made after backing, lathing or gypsum board, interior and exterior, is in place, but before any plastering is applied or gypsum board joints and fasteners are taped and finished.

Exception: Interior gypsum board that is not part of a fire-resistance-rated assembly or a shear assembly does not require inspection.

[110.4.8.2 Weather-exposed balcony and walking surface waterproofing. Where balconies or other elevated walking surfaces are exposed to water from direct or blowing rain, snow or irrigation, and their structural framing is protected by an impervious moisture barrier, all elements of the impervious moisture barrier system shall not be concealed until inspected and approved.](#)

[Exception: Where special inspections are provided in accordance with Section 1705.1.1, Item 3.](#)

110.4.9 Fire-resistance-rated construction inspections. Where fire-resistance-rated construction is required, an inspection of such construction shall be made after lathing or gypsum board or gypsum panel products are in place, but before any plaster is applied, or before board or panel joints and fasteners are taped and finished. Protection of joints and penetrations in fire-resistance-rated assemblies, smoke barriers and smoke partitions shall not be concealed from view until inspected and approved.

110.4.10 Energy efficiency inspections [per the requirements of WSEC C104 and R104.](#)

110.4.10.1 Envelope. In addition to the inspections required in WAC ~~51-1151-11C~~ and [51-11R](#), the following inspections are also required:

1. Wall insulation. The wall insulation inspection is to be made after exterior wall weather protection and all wall insulation and air vapor retarder sheets or film materials are in place, but before any wall covering is placed.
2. Glazing. The glazing inspection is to be made after glazing materials are installed in the building.
3. Exterior roofing insulation. The exterior roofing insulation inspection is to be made after the installation of the roofing and roof insulation, but before concealment.
4. Slab/floor insulation. The slab/floor insulation inspection is to be made after the installation of the slab/floor insulation, but before concealment.

[Also, see section 110.4.15 for Building enclosure special inspection requirements of RCW 64.55.](#)

110.4.15 Building enclosure special inspection requirements of RCW [64.55](#) ~~(otherwise known as Engrossed House Bill (EHB) 1848)~~. ~~EHB 1848~~ [RCW 64.55](#) requires affected multiunit residential buildings to provide a building enclosure inspection performed by a third party, independent, and qualified inspector during the course of initial construction and during rehabilitative construction. The city does not verify the qualifications of the inspector or determine whether the building enclosure inspection is adequate or appropriate. However, the City is prohibited from issuing a certificate of occupancy for the building until the inspector prepares a report and submits to the building department a signed letter certifying that the building enclosure has been inspected during the course of construction or rehabilitative construction and that the construction is in substantial compliance with the building enclosure design documents.

See Section 107.2.4.1 Building enclosure design requirements of RCW [64.55](#) ~~(EHB-1848)~~ for additional requirements.

SECTION 111

CERTIFICATE OF OCCUPANCY

111.1 ~~Use and~~ [Change of](#) occupancy. ~~No~~ [A](#) building or structure shall [not](#) be used or occupied, and ~~no~~ [a](#) change ~~in the existing of~~ occupancy ~~classification~~ of a building or structure or portion thereof shall [not](#) be made, until the building official has issued a certificate of occupancy as provided herein. Issuance of a certificate of occupancy shall

not be construed as an approval of a violation of the provisions of the construction codes, the Construction Administrative Code, or of other ordinances of the jurisdiction.

Exceptions:

1. Work exempt from permits per section 105.2.
 2. For single family dwellings and their accessory structures, the City issued building permit inspection record may serve as the certificate of occupancy when the final inspection has been approved by the building official or the building official's designee.
- 111.2 Certificate issued. After the building official inspects the building or structure and finds no violations of the provisions of the construction codes, the Construction Administrative Code, or other laws or ordinances that are enforced by this jurisdiction, the building official shall issue a certificate of occupancy that contains the following:
1. The building permit number.
 2. The address of the structure.
 3. The name and address of the owner.
 4. A description of that portion of the structure for which the certificate is issued.
 5. A statement that the described portion of the structure has been inspected for compliance with the requirements of the construction codes and the Construction Administrative Code for the occupancy and division of occupancy and the use for which the proposed occupancy is classified.
 6. The name of the building official.
 7. The edition of the code under which the permit was issued.
 8. The use and occupancy.
 9. The type of construction.
 10. The design occupant load.
 11. If an automatic sprinkler system is provided, whether the sprinkler system is required.
 12. Any special stipulations and conditions of the building permit.

SECTION 114

VIOLATIONS

114.1 Unlawful acts. It shall be unlawful for any person, firm or corporation to erect, construct, alter, extend, repair, move, remove, demolish or occupy any building, structure or equipment regulated by the construction codes and the Construction Administrative Code, or cause same to be done, in conflict with or in violation of any of the provisions of the construction codes or the Construction Administrative Code.

114.2 Enforcement. Enforcement of the construction codes and the Construction Administrative Code shall be in conformance with the procedures set forth in Chapter [6.10](#) MICC; provided, that references to the development code shall be deemed to refer to the Construction Administrative Code and the Construction Codes.

114.3 Enforcement Authority.

1. ~~Development Services Group~~ [Community Planning and Development \(CPD\)](#). ~~The development services group of the city of Mercer Island~~ [CPD](#) shall be responsible for enforcement of the construction codes, under the administrative and operational control of the building official, who shall be designated by the code official (as defined by MICC [19.16.010](#)); provided, the fire code official or his or her designee shall be responsible for enforcement of the International Fire Code, IBC Chapter 9 – Fire Protection Systems and IRC Appendix [Q-V](#) related to residential fire sprinklers.
2. Building Official. The building official is responsible for administration and interpretation of the Construction Administrative Code and the construction codes;

provided, the fire code official or his or her designee shall be responsible for administration and interpretation of the fire code, IBC Chapter 9 – Fire Protection Systems and IRC Appendix ~~Q-V~~ related to residential fire sprinklers. Whenever the term or title “administrative authority,” “responsible official,” “building official,” “chief inspector,” “code enforcement officer” or other similar designation is used in this title or in any of the construction codes, it shall be construed to mean the building official designated by the code official; provided, with regard to the International Fire Code, it shall mean the fire code official or his or her designee.

SECTION 119

APPLICABILITY OF CODES

~~119.1 Applicability of codes. For mechanical, electrical or plumbing permit applications submitted after the ordinance codified in this title has taken effect, but related to the scope of work identified in a building permit application that was complete prior to the effective date of the ordinance codified in this chapter, all applicable construction codes adopted and in force at the time of filing of the complete building permit application will apply.~~

~~(Ord. 18C-06 § 1 (Att. A); Ord. 17C-15 § 1 (Att. A); Ord. 17C-12 § 4; Ord. 16C-04 § 11; Ord. 15C-14 § 2; Ord. 13C-06 § 10; Ord. 10C-03 § 11; Ord. 07C-04 § 12; Ord. 04C-12 § 4).~~

Amendments to Chapter 17 Construction Codes.

MICC 17.17 “INTERNATIONAL EXISTING BUILDING CODE” is hereby adopted as follows:

Chapter 17.17

INTERNATIONAL EXISTING BUILDING CODE

Sections:

17.17.010 Adoption.

17.17.010 Adoption.

The 2018 International Existing Building Code (IEBC) is included in the adoption of the International Building Code as provided by IBC Section 101.4.7 and amended in WAC 51-50-480000, including Appendix A, Guidelines for the Seismic Retrofit of Existing Buildings, excluding Chapter 1, Part 2 – Administration. The Construction Administrative Code, as set forth in Chapter 17.14 MICC, shall be used in place of IEBC Chapter 1, Part 2 – Administration. Provided that detached one-and two-family dwellings and multiple single-family dwellings (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 this code or the International Residential Code.

Amendments to Title 17 MICC, Construction Codes.

MICC 17.18 “INTERNATIONAL SWIMMING POOL AND SPA CODE” is hereby adopted as follows:

Chapter 17.18

INTERNATIONAL SWIMMING POOL AND SPA CODE

Sections:

17.18.010 Adoption.

17.18.010 Adoption.

The 2018 International Swimming Pool and Spa Code (ISPSC) is included in the adoption of the International Building Code as provided by IBC Section 3109.1 and amended in WAC 51-50-3109, and as provided by IRC Section R329 and amended in WAC 51-51-0329, excluding Chapter 1, Part 2 – Administration. The Construction Administrative Code, as set forth in Chapter 17.14 MICC, shall be used in place of ISPSC Chapter 1, Part 2 – Administration. The design and construction of swimming pools, spas and other aquatic recreation facilities shall comply with the ISPSC, where the facility is one of the following, except that public swimming pool barriers are regulated by WAC 246-260-031(4):

1. For the sole use of residents and invited guests at a single-family dwelling;
2. For the sole use of residents and invited guests of a duplex owned by the residents; or
3. Operated exclusively for physical therapy or rehabilitation and under the supervision of a licensed medical practitioner.

All other “water recreation facilities” as defined in RCW 70.90.110 are regulated under Chapters 246-260 and 246-262 WAC.