

**ORDINANCE NO. 6162**

**AN ORDINANCE TO AMEND FGC CHAPTER 10, ARTICLE II, BY  
ADOPTING THE 2020 CITY OF FAIRBANKS ADMINISTRATIVE CODE**

**WHEREAS**, the Building Code and Landscape Review and Appeals Commission reviewed the current City of Fairbanks Administrative Code, adopted in 2016, and recommends adoption of the attached 2020 version; and

**WHEREAS**, the City Council accepts the recommendations of the Building Code and Landscape Review and Appeals Commission.

**NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF FAIRBANKS, ALASKA, as follows:**

**Section 1.** FGC Section 10-31 is hereby repealed and re-enacted as follows:

**Sec. 10-31. Adoption.**

The 2020 City of Fairbanks Administrative Code is hereby adopted by the City of Fairbanks.

Copies of the 2020 City of Fairbanks Administrative Code shall be made available at the Building Department and published online at the City of Fairbanks website.


**Section 2.** That the effective date of this Ordinance will be the 17th day of April 2021.

  
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**Jim Matherly, Mayor**

AYES: Therrien, Rogers, Clark, Gibson, Kun, Marney  
NAYS: None  
ABSENT: None  
ADOPTED: April 12, 2021

ATTEST:

APPROVED AS TO FORM:

  
\_\_\_\_\_  
D. Danyielle Snider, MMC, City Clerk  
\_\_\_\_\_  
Paul Ewers, City Attorney

(Adopted by Ordinance No. 6162)

## 2020 CITY OF FAIRBANKS ADMINISTRATIVE CODE

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## **Chapter 1 TITLE, SCOPE, AND GENERAL**

### **SECTION 101 - TITLE, PURPOSE, AND SCOPE**

**101.1 Title.** These regulations shall be known as the City of Fairbanks Administrative Code, may be cited as such, and will be referred herein as the "code."

**101.2 Purpose.** The purpose of this code is to provide for the administration and enforcement of the technical codes adopted by this jurisdiction.

**101.3 Scope.** The provisions of this code shall serve as the administrative, organizational, and enforcement rules and regulations for the technical codes which regulate site preparation and construction, alteration, moving, demolition, repair, use, and occupancy of buildings, structures, and building service equipment within this jurisdiction.

**101.4 Other Laws.** The provisions of this code shall not be deemed to nullify any provisions of local, state, or federal law.

**101.5 Referenced Codes.** Throughout the International Codes there are references to other codes. In all places where the International Codes make a reference to the International Plumbing Code, it means the Uniform Plumbing Code as adopted by the City of Fairbanks. In all places where the International codes and other codes refer to the Electrical Code, it means the electrical code as adopted by the City of Fairbanks.

**101.6 Adopted Codes.** The following codes are adopted by the City of Fairbanks: 2018 International Building Code, 2018 International Residential Code, 2018 International Existing Building Code, 2018 International Fire Code, 2018 International Mechanical Code, 2018 International Fuel Gas Code, 2018 Uniform Plumbing Code, 2020 National Electrical Code, 2018 International Energy Conservation Code, 2009 Uniform Swimming Pool, Spa and Hot Tub Code, and City of Fairbanks Code for the Abatement of Dangerous Buildings.

### **SECTION 102 - APPLICATION TO EXISTING BUILDINGS AND BUILDING SERVICE EQUIPMENT**

**102.1 General.** Buildings, structures, and their building service equipment to which additions, alterations, or repairs are made shall comply with all the requirements of the technical codes for new facilities, except as specifically provided in this section and the adopted International Existing Building Code.

**102.2 Additions, Alterations, or Repairs.** Additions, alterations, or repairs may be made to a building or its building service equipment without requiring the existing building or its building service equipment to comply with all the requirements of the technical codes, provided the addition, alteration, or repair conforms to that required for a new building or building service equipment. Additions or alterations shall not be made to an existing building or building service equipment which will cause the existing building or building service equipment to be in violation of the provisions of the technical codes nor shall such additions or alterations cause the existing building or building service equipment to become unsafe. An unsafe condition shall be deemed to have been created if an addition or alteration will cause the existing building or building service equipment to become structurally unsafe or overloaded; will not provide adequate egress in compliance with the provisions of the Building Code or will obstruct existing exits; will create a fire hazard; will reduce required fire resistance; will cause building service equipment to become overloaded or exceed their rated capacities; will create a health hazard; or will otherwise create conditions dangerous to human life. A building so altered, which involves a change in use or

occupancy, shall not exceed the height, number of stories, and area permitted by the Building Code for new buildings. A building plus new additions shall not exceed the height, number of stories and area specified by the Building Code for new buildings. Additions or alterations shall not be made to an existing building or structure when the existing building or structure is not in full compliance with the provisions of the Building Code, except when the addition or alteration will result in the existing building or structure being no more hazardous based on life safety, fire safety, and sanitation, than before such additions or alterations are undertaken.

**EXCEPTION:** Alterations of existing structural elements, or additions of new structural elements, which are not required by Section 102.4 and which are initiated for the purpose of increasing the lateral-force-resisting strength or stiffness of an existing structure need not be designed for forces conforming to these regulations provided that an engineering analysis is submitted to show that:

1. The capacity of existing structural elements required to resist forces is not reduced;
2. The lateral loading to required existing structural elements is not increased beyond their capacity;
3. New structural elements are detailed and connected to the existing structural elements as required by these regulations;
4. New or relocated nonstructural elements are detailed and connected to existing or new structural elements as required by these regulations; and
5. An unsafe condition as defined above is not created.

Alterations or repairs to an existing building or structure which are nonstructural and do not adversely affect a structural member or a part of the building or structure having required fire resistance may be made with the same materials of which the building or structure is constructed, subject to approval by the building official. Installation or replacement of glass shall be as required for new installations.

Minor additions, alterations, and repairs to existing building service equipment installations may be made in accordance with the technical code in effect at the time the original installation was made, subject to approval of the building official, and provided such additions, alterations, and repairs will not cause the existing building service equipment to become unsafe, unsanitary, or overloaded.

**102.3 Existing Installations.** Building service equipment lawfully in existence at the time of the adoption of the technical codes may have their use, maintenance, or repair continued if the use, maintenance, or repair is in accordance with the original design and a hazard to life, health, or property has not been created by such building service equipment.

**102.4 Existing Occupancy.** Buildings in existence at the time of the adoption of the Building Code may have their existing use or occupancy continued if the use or occupancy was legal at the time of the adoption of the Building Code, and provided continued use is not dangerous to life, health, and safety. A change in the use or occupancy of any existing building or structure shall comply with the provisions of Section 308 of this code and the adopted Existing Building Code.

**102.5 Maintenance.** Buildings, structures, and building service equipment, existing and new, and parts thereof shall be maintained in a safe and sanitary condition. Devices or safeguards which are required by the technical codes shall be maintained in conformance with the technical code under which installed. The owner or the owner's designated agent shall be responsible for the maintenance of buildings, structures, and their building service equipment. To determine compliance with this section, the building official may cause a structure to be reinspected.

**102.6 Moved Buildings.** Buildings, structures, and their building service equipment moved into or within this jurisdiction shall comply with the provisions of the technical codes for new buildings or structures and their building service equipment. Such building shall have a code compliance inspection conducted by the City of Fairbanks for fire life safety evaluation prior to the move.

**102.7 Temporary Structures.** Temporary structures such as reviewing stands and other miscellaneous structures, sheds, canopies, or fences used for the protection of the public around and in conjunction with construction work may be erected by special permit from the building official for a limited period of time. Buildings or structures erected under a special permit need not comply with the type of construction or fire-resistive time periods required by the Building Code. Temporary buildings or structures shall be completely removed upon the expiration of the time limit stated in the permit.

**102.8 Historic Buildings.** Repairs, alterations, and additions necessary for the preservation, restoration, rehabilitation, or continued use of a building, structure, or its building service equipment may be made without conforming to the requirements of the technical codes when authorized by the building official, provided:

1. The building or structure has been designated by official action of the legally constituted authority of this jurisdiction as having special historical or architectural significance.
2. Unsafe conditions as described in this code are corrected.
3. The restored building or structure and its building service equipment will be no more hazardous based on life safety, fire safety and sanitation than the existing building.

## **SECTION 103 – DEFINITIONS**

For the purpose of this code, certain terms, phrases, words, and their derivatives shall be construed as specified in this section. Where terms are not defined, they shall have their ordinarily accepted meanings within the context with which they are used. Webster's Third New International Dictionary of the English Language, Unabridged, shall be considered as providing ordinarily accepted meanings. Words used in the singular include the plural and the plural the singular. Words used in the masculine gender include the feminine and the feminine the masculine.

**ADDITION** is an extension or increase in floor area or height of a building or structure.

**ALTER or ALTERATION** is a change or modification in construction or building service equipment.

**APPROVED**, as to materials, types of construction, equipment and systems, refers to approval by the building official as the result of investigation and tests conducted by the building official, or by reason of accepted principles or tests by recognized authorities, technical or scientific organizations.

**APPROVED AGENCY** is an established and recognized agency regularly engaged in conducting tests or furnishing inspection services, when the agency has been approved by the building official.

**BUILDING** is a structure used or intended for supporting or sheltering a use or occupancy.

**BUILDING CODE** is the building code as adopted by City of Fairbanks.



**BUILDING, EXISTING** is a building erected prior to the adoption of this code, or one for which a legal building permit has been issued.

**BUILDING OFFICIAL** is the officer or other designated authority charged with the administration and enforcement of this code, or a regularly authorized deputy.

**BUILDING SERVICE EQUIPMENT** refers to the plumbing, mechanical, electrical, and elevator equipment including piping, wiring, fixtures, and other accessories which provide sanitation, lighting, heating, ventilation, cooling, refrigeration, fire-fighting, and transportation facilities essential to the occupancy of the building or structure for its designated use.

**DANGEROUS BUILDINGS CODE** is the City of Fairbanks Code for the Abatement of Dangerous Buildings.

**ELECTRICAL CODE** is the National Electrical Code promulgated by the National Fire Protection Association, as adopted by this jurisdiction.

**ELEVATOR CODE** is the safety code for elevators, dumbwaiters, escalators, and moving walks as adopted by this jurisdiction.

**ENERGY CODE** is the International Energy Conservation Code as adopted by the City of Fairbanks.

**FIRE CODE** is the fire code adopted by the City of Fairbanks

**FIRE CODE OFFICIAL** is the officer or other designated authority charged with the administration and enforcement of the fire code or a regularly authorized deputy

**FUEL GAS CODE** is the fuel gas code as adopted by the City of Fairbanks.

**JURISDICTION**, as used in this code, is the City of Fairbanks.

**LISTED** and **LISTING** are terms referring to equipment and materials included in a list published by an approved testing laboratory, inspection agency, or other organization concerned with product evaluation that maintains periodic inspection of current productions of listed equipment or materials. The published list shall state that the material or equipment complies with approved nationally recognized codes, standards or tests and has been tested or evaluated and found suitable for use in a specified manner.

**MECHANICAL CODE** is the mechanical code as adopted by the City of Fairbanks.

**OCCUPANCY** is the purpose for which a building, or part thereof, is used or intended to be used.

**OWNER** is any person, agent, firm, or corporation having a legal or equitable interest in the property.

**PERMIT** is an official document or certificate issued by the building official authorizing performance of a specified activity.

**PERSON** is a natural person, heirs, executors, administrators, or assigns and also includes a firm, partnership, or corporation, its or their successors or assigns, or the agent of any of the aforesaid.

**PLUMBING CODE** is the Plumbing Code as adopted by the City of Fairbanks.

**REPAIR** is the reconstruction or renewal of any part of an existing building, structure, or building service equipment for the purpose of its maintenance.

**SHALL**, as used in this code, is mandatory.

**STRUCTURAL OBSERVATION** means the visual observation of the structural system, for general conformance to the approved plans and specifications, at significant construction stages and at completion of the structural system. Structural observation does not include or waive the responsibility for the inspections required by Sections 305 and 306.

**STRUCTURE** is that which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner.

**TECHNICAL CODES** refer to those codes adopted by this jurisdiction containing the provisions for design, construction, alteration, addition, repair, removal, demolition, use, location, occupancy, and maintenance of buildings and structures and building service equipment as herein defined.

**VALUATION or VALUE** is the actual construction cost to build a new building, addition, remodel, or alteration. The value to be used in computing the building permit and building plan review fees shall be the total value of all construction work for which the permit is issued, as well as all finish work, landscaping, painting, roofing, electrical, plumbing, heating, air-conditioning, elevators, fire-extinguishing systems, and other permanent equipment. Valuation shall be determined in accordance with the latest edition of the Building Safety Journal data chart as published by the International Code Council or based on the final contract amount, which ever is greater. When calculating the valuation utilizing the building valuation data chart, the regional modifier shall be 1.3. A copy of the bid award may be required by the building official or fire chief. In any case the final determination of value or valuation under any of the provisions of these codes shall be made by the building official.

#### **SECTION 104 - CONFLICTING PROVISIONS**

- 1) When conflicting provisions or requirements occur between this code, the technical codes, and other codes or laws, the most restrictive shall govern.
- 2) When conflicts occur between the technical codes, those provisions providing the greater safety to life shall govern. In other conflicts where sanitation, life safety, or fire safety are not involved, the most restrictive provisions shall govern.
- 3) Where in a specific case different sections of the technical codes specify different materials, methods of construction, or other requirements, the most restrictive shall govern.
- 4) When there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable. When conflicts occur between specific provisions of this code and administrative provisions in a technical code which is then applicable within this jurisdiction, those provisions becoming the law most recently shall prevail.

#### **SECTION 105 - ALTERNATE MATERIALS, METHODS OF DESIGN AND METHODS OF CONSTRUCTION**

The provisions of the technical codes are not intended to prevent the use of any material, method of design, or method of construction not specifically prescribed by the technical codes, provided an alternate has been approved and its use authorized by the building official. The building official may approve an alternate, provided the building official finds that the proposed design is satisfactory and complies with the provisions of the technical codes and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in the technical codes in suitability, strength, effectiveness, fire resistance, durability, safety, and sanitation. The building official shall require that sufficient evidence or proof be submitted to

substantiate claims that may be made regarding its use. The details of an action granting approval of an alternate shall be recorded and entered in the files of the code enforcement agency.

## **SECTION 106 - MODIFICATIONS**

Whenever there are practical difficulties involved in carrying out the provisions of the technical codes, the building official may grant modifications for individual cases. The building official shall first find that a special individual reason makes the strict letter of the technical code impractical and the modification is in conformity with the intent and purpose of the technical code, and that such modification does not lessen health, life safety, and fire safety requirements or any degree of structural integrity. The details of actions granting modifications shall be recorded and entered in the files of the Building Department.

## **SECTION 107 – TESTS**

Whenever there is insufficient evidence of compliance with the provisions of the technical codes or evidence that materials or construction do not conform to the requirements of the technical codes, the building official may require tests as evidence of compliance to be made at no expense to the jurisdiction. Test methods shall be as specified by the technical codes or by other recognized test standards. In the absence of recognized and accepted test methods, the building official shall determine test procedures. Tests shall be made by an approved agency. Reports of such tests shall be retained by the building official for the period required for the retention of public records.

## **Chapter 2 ORGANIZATION AND ENFORCEMENT**

### **SECTION 201 – AUTHORITY**

#### **201.1 [Reserved]**

**201.2 General.** Whenever the term or title "administrative authority," "responsible official," "building official," "chief inspector," "code enforcement officer," or other similar designation is used herein or in any of the technical codes, it shall be construed to mean the building official designated by the appointing authority of this jurisdiction.

**201.2.1 Fire Department.** Whenever the term or title "administrative authority", "responsible official", "fire inspector", "code enforcement officer" or similar designation is used herein, or in any technical codes, it shall be construed to mean fire code official designated by the appointing authority of this jurisdiction.

### **SECTION 202 - POWERS AND DUTIES OF BUILDING OFFICIAL AND FIRE OFFICIAL**

**202.1 General.** The building official is authorized and directed to enforce all the provisions of this code and the referenced technical codes. The building official shall have the power to render interpretations of this code and the referenced technical codes, and to adopt and enforce rules and regulations supplemental to this code as may be deemed necessary to clarify the application of the provisions of this code. Such interpretations, rules and regulations shall be in conformity with the intent and purpose of this code.

**202.1.1 Fire Department.** The fire code official or designated representatives is hereby authorized and directed to enforce all the provisions of the fire code and any referenced technical codes. The fire code official or his designated representative shall have the power to render interpretations of the fire code and the referenced technical codes, and to adopt and enforce rules and regulations supplemental to the fire code as may be deemed necessary to clarify the application of the provisions of this code. Such interpretations, rules and regulations shall be in conformity with the intent and purpose of the fire code. All buildings and structures subject to inspection in accordance with a duly adopted inspection program shall be subject to fees set forth in Table 3-F of this code.

**202.2 Deputies.** In accordance with prescribed procedures and with the approval of the appointing authority, the building official and the fire code official may appoint such number of technical officers and inspectors and other employees as shall be authorized from time to time. The building official and fire code official may deputize such inspectors or employees as may be necessary to carry out the function of the code enforcement agency and shall be empowered to do so.

**202.3 Right of Entry.** When necessary to make an inspection to enforce any of the provisions of this code and the technical codes, or when the Building Official and/or Fire Code Official has reasonable cause to believe that there exists in any building or upon a premises a condition which is contrary to or in violation of this code which makes the building or premises unsafe, dangerous, or hazardous, the building official may enter the building or premises at all reasonable times to inspect or to perform the duties imposed by this code, provided that if such building or premises be occupied, that credentials be presented to the occupant and entry requested. If such building or premises be unoccupied, the building official shall first make a reasonable effort to locate the owner or other persons having charge or control of the building or premises and request entry. Should entry be refused, the building official shall have recourse to the remedies provided by law to secure entry.

**202.4 Stop Work Orders.** When work has commenced without issuance of the required permit or when work is being done contrary to the provisions of this code, the technical code, or other pertinent laws or ordinances implemented through the enforcement of this code, the building official may order the work stopped by notice in writing served on persons engaged in the doing or causing such work to be done. Such persons shall forthwith stop the work until authorized by the building official to proceed with the work.

**202.4.1 Unlawful Continuance.** Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed by the building official to perform to remove a violation or unsafe condition, shall be subject to penalties prescribed in Section 205.4. Each day that work continues after service of a stop work order is a separate violation, subject to a separate penalty.

**202.5 Occupancy Violations.** When a building or structure or building service equipment therein regulated by this code and the technical codes is being used contrary to the provisions of such codes, the building official may order such use discontinued by written notice served on any person causing such use to be continued. Such person shall discontinue the use within the time prescribed by the building official after receipt of such notice to make the structure, or portion thereof, comply with the requirements of such codes.

**202.6 Authority to Disconnect Utilities.** The building official or fire chief or authorized representative shall have the authority to disconnect a utility service or energy supplied to the building, structure, or building service equipment therein regulated by this code or the technical codes in case of emergency where necessary to eliminate an immediate hazard to life or property. The building official shall whenever possible notify the serving utility, the owner, and occupant of the building, structure, or building service equipment of the decision to disconnect prior to taking such action, and shall notify such serving utility, owner, and occupant of the building, structure, or building service equipment, in writing, of such disconnection immediately thereafter.

**202.7 Authority to Condemn Building Service Equipment.** When the building official or fire chief ascertains that building service equipment regulated in the technical codes has become hazardous to life, health, or property, or has become unsanitary, the building official shall order in writing that such equipment either be removed or restored to a safe or sanitary condition, as appropriate. The written notice itself shall fix a time limit for compliance with such order. Defective building service equipment shall not be maintained after receiving such notice. When such equipment or installation is to be disconnected, a written notice of such disconnection and causes therefore shall be given within 24 hours to the serving utility, the owner, and occupant of such building, structure, or premises. When any building service equipment is maintained in violation of the technical codes and in violation of a notice issued pursuant to the provisions of this section, the building official shall institute appropriate action to prevent, restrain, correct, or abate the violation.

**202.8 Connection after Order to Disconnect.** Persons shall not make connections from an energy, fuel, or power supply nor supply energy or fuel to building service equipment which has been disconnected or ordered to be disconnected by the building official or the use of which has been ordered to be discontinued by the building official until the building official authorizes the reconnection and use of such equipment.

**202.9 Liability.** The building official charged with the enforcement of this code and the technical codes, acting in good faith and without malice in the discharge of his duties, shall not thereby be rendered personally liable for damage that may accrue to persons or property as a result of an act or omission in the discharge of the assigned duties. A suit brought against the building official or employee because of such act or omission performed by the building official or employee in the enforcement of the provisions of such codes or other pertinent laws or ordinances implemented through the enforcement of this code shall be defended by this jurisdiction until final termination of such proceedings, and any judgment resulting there from, shall be assumed by this jurisdiction.

This code shall not be construed to relieve from or lessen the responsibility of any person owning, operating, or controlling a building, structure, or building service equipment therein for damages to persons or property caused by defects, nor shall the building official or fire code official or the jurisdiction be held as assuming such liability by reason of the inspections authorized by this code or permits or certificates issued under this code.

**202.10 Cooperation of Other Officials and Officers.** The building official and fire code official may request, and shall receive, the assistance and cooperation of other officials of this jurisdiction so far as is required in the discharge of the duties required by this code or other pertinent laws or ordinances.

**202.11 Notices and Orders.** The building official shall issue all necessary notices and orders to ensure compliance with this code and the technical codes.

**202.12 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.

**202.13. Approved Materials and Equipment.** Materials, equipment, and devices approved by the building official shall be constructed and installed in accordance with such approval.

**202.14. Used Materials and Equipment.** The use of used materials which meet the requirements of this code and the technical codes for new materials is permitted. Used equipment and devices shall not be reused unless approved by the building official.

**202.15. Research Reports.** Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in this code or the technical codes shall consist of valid research reports from approved sources.

## **SECTION 203 - UNSAFE BUILDINGS, STRUCTURES OR BUILDING SERVICE EQUIPMENT**

Buildings or structures regulated by this code and the technical codes which are structurally inadequate or have inadequate egress, or which constitute a fire hazard, or are otherwise dangerous to human life are, for the purpose of this section, unsafe buildings. Unsafe structures shall be taken down and removed or made safe, as the building official deems necessary and as provided for in this section and in accordance with the City of Fairbanks Code for the Abatement of Dangerous Buildings. A vacant structure not secured against entry shall be deemed unsafe.

Building service equipment regulated by such codes, which constitutes a fire, electrical, or health hazard, or an in sanitary condition, or is otherwise dangerous to human life is, for the purpose of this section, unsafe. Use of buildings, structures or building service equipment constituting a hazard to safety, health, or public welfare by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster, damage, or abandonment is, for the purpose of this section, an unsafe use.

Parapet walls, cornices, spires, towers, tanks, statuary, and other appendages or structural members which are supported by, attached to, or a part of a building and which are in a deteriorated condition or otherwise unable to sustain the design loads which are specified in the Building Code are hereby designated as unsafe building appendages.

Unsafe buildings, structures, or appendages and building service equipment are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, demolition, or removal in accordance with the procedures set forth in the City of Fairbanks Code for the Abatement of Dangerous Buildings. As an alternative, the building official or other employee or official of this jurisdiction, as designated by the city council, may institute other appropriate action to prevent, restrain, correct, or abate the violation.

## **SECTION 204 – BUILDING CODE AND LANDSCAPE REVIEW AND APPEALS COMMISSION**

**204.1 General.** The Building Code and Landscape Review and Appeals Commission shall hear and decide appeals of orders, decisions, or determinations made by the building official relative to the application and interpretations of the technical codes.

**204.2 Limitations of Authority.** The Building Code and Landscape Review and Appeals Commission shall have no authority relative to interpretation of the administrative provisions of this code or the administrative provisions of the technical codes, nor shall the Commission be empowered to waive requirements of either this code or the technical codes.

## **SECTION 205 – VIOLATIONS**

**205.1 Unlawful Acts.** Any person, firm, or corporation who erects, constructs, enlarges, alters, repairs, moves, improves, removes, converts or demolishes, equips, uses, occupies, or maintains any building, structure, or building service equipment, or causes or permits the same to be done in violation of this code and the technical codes is guilty of a minor offense and subject to the penalties as provided in Section 205.4. Each day that any such violation continues is a separate violation, subject to a separate penalty.

**205.2 Notice of Violation.** The building official and fire code official are authorized to serve a notice of violation or order on the person responsible for the erection, construction, alteration, extension, repair, moving, removal, demolition, or occupancy of a building or structure in violation of the provisions of this code, or in violation of a permit or certificate issued under the provisions of this code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

**205.3 Prosecution of Violation.** If the notice of violation is not complied with promptly, the building official may request the legal counsel of the jurisdiction to institute the appropriate legal proceedings at law or equity to restrain, correct, or abate such violation, or to require the removal or termination of the unlawful occupancy of the building or structure in violation of the provisions of this code or the technical codes or of the order or direction made pursuant thereto.

**205.4 Violation Penalties.** Any violation of this code or the technical codes adopted by the City of Fairbanks is a minor offense punishable by a fine of \$500.00. Disposition of any such offense may be without court appearance, pursuant to AS 29.25.070 and the Alaska Minor Offense Rules, upon payment of the 500.00 fine and payment of the state surcharge required by AS 12.55.039 and AS 29.25.074.

## **Chapter 3 PERMITS, CONSTRUCTION DOCUMENTS AND INSPECTIONS**

### **SECTION 301 – PERMITS**

**301.1 Permits Required.** Except as specified in Section 301.2, any owner, contractor, or authorized agent intending to construct, enlarge, alter, repair, remove, 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 the technical codes, or to cause any such work to be done, shall first submit an application to the building official and obtain the required permit before construction commences.

**301.1.1 Emergency repairs.** Where equipment replacement, piping systems, or electrical systems must be performed in an emergency, the permit application shall be submitted to the building official within 72 hours of such emergency. All required inspections shall be conducted.

**301.2 Work Exempt from Permit.** A permit shall not be required for the types of work in each of the separate classes of permit as listed below. Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in violation of the provisions of the technical codes or any other laws or ordinances of this jurisdiction.

**301.2.1 Building permits.** A building permit shall not be required for the following:

1. One story detached structures used as garages, tool and storage sheds, playhouses, and similar uses, provided the floor area does not exceed 200 square feet. Separate permits are required for any electrical, plumbing, or mechanical work.

2. Fences.

3. Oil derricks.

4. Movable cases, counters, and partitions not over 5 feet 9 inches (1753 mm) high.

5. Retaining walls which are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding flammable liquids.

6. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons (18,925 L) and the ratio of height to diameter or width does not exceed 2:1.

7. Platforms, walks, and driveways not more than 30 inches (762 mm) above grade, not over any basement or story below, and not part of a required Accessible Route.

8. Painting, papering, and similar finish work.

9. Temporary motion picture, television, and theater stage sets and scenery.

10. Window awnings supported by an exterior wall of Group R3 and Group U Occupancies when projecting not more than 54 inches (1372 mm).

11. Prefabricated swimming pools accessory to a Group R3 Occupancy in which the pool walls are entirely above the adjacent grade and the capacity does not exceed 5,000 gallons (18,925 L).

Unless otherwise exempted by this code, separate plumbing, electrical, and mechanical permits will be required for the above exempted items.

12. Ordinary maintenance on a single family or duplex structure (R3 and U occupancy). Ordinary maintenance of a building or structure shall not include the cutting away or addition of any wall, partition or portion thereof, the removal of any structural beam or bearing support, or the removal of any required means of egress, or rearrangement of parts of a structure; nor shall ordinary maintenance include additions of replacement or relocation of any standpipe, water supply, sewer, drainage drain leader, gas, waste vent or similar piping electrical work wiring, mechanical or other work affecting public health or safety. All ordinary maintenance shall be made in accordance with the building code or other technical codes as adopted by the City of Fairbanks.

13. Storage racks not over six (6) feet in height.

14. Uncovered Decks which are constructed not more than 30 inches above grade at any point.

15. Replacement of exterior siding, doors, and windows; excluding required egress windows

**301.2.2 Plumbing permits.** A plumbing permit shall not be required for the following:

1. The stopping of leaks in drains, soil, waste, or vent pipe, provided, however, that should any concealed trap, drain pipe, soil, waste, or vent pipe become defective and it becomes necessary to remove and replace the same with new material, the same shall be considered as new work, and a permit shall be procured and inspection made as provided in this code.



2. The clearing of stoppages or the repairing of leaks in pipes, valves, or fixtures, nor for the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes, or fixtures.

**301.2.3 Electrical permits.** An electrical permit shall not be required for the following:

1. Portable motors or other portable appliances energized by means of a cord or cable having an attachment plug end to be connected to an approved receptacle when that cord or cable is permitted by the Electrical Code.

2. Repair or replacement of fixed motors, transformers, or fixed approved appliances of the same type and rating in the same location.

3. Temporary decorative lighting.

4. Repair or replacement of current-carrying parts of any switch, contactor, or control device.

5. Reinstallation of attachment plug receptacles, but not the outlets thereof.

6. Repair or replacement of any over current device of the required capacity in the same location.

7. Repair or replacement of electrodes or transformers of the same size and capacity for signs or gas tube systems.

8. Taping joints.

9. Removal of electrical wiring.

10. Temporary wiring for experimental purposes in suitable experimental laboratories.

11. The wiring for temporary theater, motion picture, or television stage sets.

12. Electrical wiring, devices, appliances, apparatus, or equipment operating at less than 25 volts and not capable of supplying more than 50 watts of energy.

13. Low-energy power, control, and signal circuits of Class II and Class III as defined in the Electrical Code.

14. A permit shall not be required for the installation, alteration, or repair of electrical wiring, apparatus or equipment or the generation, transmission, distribution, or metering of electrical energy or in the operation of signals or the transmission of intelligence by a public or private utility in the exercise of its function as a serving utility.

**301.2.4 Mechanical permits.** A mechanical permit shall not be required for the following:

1. A portable heating appliance.

2. Portable ventilating equipment.

3. A portable cooling unit.

4. A portable evaporative cooler.

5. A closed system of steam, hot or chilled water piping within heating or cooling equipment regulated by the Mechanical Code.

6. Replacement of any component part of assembly of an appliance which does not alter its original approval and complies with other applicable requirements of the technical codes.
7. Refrigerating equipment which is part of the equipment for which a permit has been issued pursuant to the requirements of the technical codes.
8. A self-contained refrigerating system as defined in the Mechanical Code, that contains 10 pounds or less of refrigerant, or that is actuated by a motor of 1 horsepower or less.

#### **301.2.5 Fire sprinkler and alarm permits.**

Fire sprinkler and alarm permits shall be coordinately directly with the fire code official. A fire sprinkler permit or alarm permit is required for the following:

1. Installation of a new sprinkler or fire alarm system.
2. Modification or alteration of an existing sprinkler system or fire alarm system.

Exceptions:

- a. Relocation or alteration of not more than 6 sprinkler heads
- b. Routine maintenance not requiring a change to the design system.
- c. Changing or replacing of components of an alarm system.

### **SECTION 302 - APPLICATION FOR PERMIT AND CONSTRUCTION DOCUMENTS**

**302.1 Application.** To obtain a permit, the applicant shall first file an application in writing on a form furnished by the building department for that purpose. Every such application shall:

1. Identify and describe the work to be covered by the permit for which application is made.
2. Describe the land on which the proposed work is to be done by legal description, street address or similar description that will readily identify and definitely locate the proposed building or work.
3. Indicate the use or occupancy for which the proposed work is intended.
4. Be accompanied by plans, diagrams, computations and specifications, and other data as required in Section 302.2.
5. State the valuation of any new building or structure or any addition, remodeling, or alteration to an existing building.
6. Be signed by the applicant, or the applicant's authorized agent.
7. Give such other data and information as may be required by the building official.

**302.2 Submittal Documents.** Plans, specifications, engineering calculations, diagrams, soil investigation reports, special inspection and structural observation programs, and other data shall constitute the submittal documents and shall be submitted in one or more sets with each application for a permit. When such plans are not prepared by an architect or engineer, the building official may require the applicant submitting such plans or other data to demonstrate that state law does not require that the plans be prepared by a licensed architect or engineer. The building official may require plans, computations, and specifications to be prepared and designed by an engineer or architect licensed by the state to practice as such even if not required by state law.

**EXCEPTION:** The building official may waive the submission of plans, calculations, construction inspection requirements, and other data if it is found that the nature of the work applied for is such that reviewing of plans is not necessary to obtain compliance with this code.

### **302.3 Required Information on Plans and Specifications.**

1. Plans and specifications shall be drawn to scale and fully dimensioned on substantial paper or cloth and shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and all relevant laws, ordinances, rules, and regulations.

2. Plans for buildings of other than Group R, Division 3 and Group U Occupancies shall indicate how required structural and fire-resistive integrity will be maintained where penetrations will be made for electrical, mechanical, plumbing and communication conduits, pipes, and similar systems. Fire stop construction details shall be submitted for review and approval before work commences.

3. The construction documents shall show in sufficient detail the location, construction, size, and character of all portions of the means of egress in compliance with the provisions of this code and the technical codes. In other than occupancies in Group R-3 as applicable in section 101.2 of the building code, the construction documents shall designate the number of occupants to be accommodated on every floor and in all rooms and spaces.

4. The construction documents shall provide design analysis including but not limited to: occupancy classifications, identification of accessory and incidental uses, construction type, actual floor area, allowable area calculations, occupant load, accessibility elements, fire resistive construction, and landscaping.

5. Construction documents for all buildings shall describe the exterior wall envelope in sufficient detail to determine compliance with this code and the technical codes as adopted by the City of Fairbanks. The construction documents shall provide details of the exterior wall envelope as required, including flashing, intersections with dissimilar materials, corners, end details, control joints, intersections at roof, eaves or parapets, means of drainage, weather-resistive membrane, and details around openings.

6. Residential construction documents shall identify all required thermal envelope insulation in accordance with the International Energy Conservation Code as adopted by the City of Fairbanks.

7. The construction documents submitted with the application for permit shall be accompanied by a site plan drawn to scale and fully dimensioned, the size and location of new construction and existing structures on the site, distances from lot lines, the established street grades, and the proposed finished grades, and shall be drawn in accordance with an accuracy boundary line survey. The building official is authorized to waive or modify the requirements for a site plan when the application for permit is limited to alteration or repair or when otherwise warranted.

### **302.4 Architect or Engineer of Record.**

**302.4.1 General.** When it is required that documents be prepared by an architect or engineer, the building official may require the owner to engage and designate on the building permit application an architect or engineer who will act as the architect or engineer of record. If the circumstances require, the owner may designate a substitute architect or engineer of record who will perform all the duties required of the original architect or engineer of record. The building official shall be notified in writing by the owner if the architect or engineer of record is changed or is unable to continue to perform the duties. The architect or engineer of record shall be responsible for

reviewing and coordinating all submittal documents prepared by others, including deferred submittal items, for compatibility with the design of the building.

**302.4.2 Deferred submittals.** For the purposes of this section, deferred submittals are defined as those portions of the design which are not submitted at the time of the application and which are to be submitted to the building official within a specified period. Deferral of any submittal items shall have prior approval of the building official. The architect or engineer of record shall list the deferred submittals on the plans and shall submit the deferred submittal documents for review by the building official. Submittal documents for deferred submittal items shall be submitted to the architect or engineer of record who shall review them and forward them to the building official with a notation indicating that the deferred submittal documents have been reviewed and that they have been found to be in general conformance with the design of the building. The deferred submittal items shall not be installed until their design and submittal documents have been approved by the building official.

**302.5 Inspection and Observation Program.** When special inspection is required by Section 1705 of the International Building Code, the architect or engineer of record shall prepare an inspection program which shall be submitted to the building official for approval prior to issuance of the building permit. The inspection program shall designate the portions of the work to have special inspection, the name or names of the individuals or firms who are to perform the special inspections and indicate the duties of the special inspectors. The special inspector shall be employed by the owner, the engineer or architect of record, or an agent of the owner, but not the contractor or any other person responsible for the work. When structural observation is required by Section 1704.6 of the International Building Code, the inspection program shall name the individuals or firms who are to perform structural observation and describe the stages of construction at which structural observation is to occur. The inspection program shall include samples of inspection reports and provide time limits for submission of reports.

**302.6 Examination of documents.** The building official shall examine or cause to be examined the submitted construction documents and shall ascertain by such examinations whether the construction indicated and described is in accordance with the requirements of this code and the technical codes and other pertinent laws or ordinances.

**302.7 Approval of construction documents.** When the building official issues a permit, the construction documents shall be approved by separate letter, plan review or the plans shall be stamped as, "Approved and Reviewed for Code Compliance". One set of construction documents so reviewed shall be retained by the building official. The other set shall be kept at the site of work and shall be open to inspection by the building official or a duly authorized representative. Work shall be installed in accordance with the approved construction documents. Changes to the approved set of construction documents that affect code compliance are prohibited unless amended documents are resubmitted by the appropriate design professional for review and approval before such modification is constructed in the field.

**302.8 Previous Approvals.** This code or the technical codes 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 or the technical codes and has not been abandoned.

**302.9 Phased plan approval.** The building official is authorized to issue a partial permit for the construction of foundations or any other part of a building or structure before complete construction documents for the whole building or structure have been submitted, provided that adequate information and detailed statements and documentation has been filed complying with the pertinent requirements of the technical codes for the specific phase of work requested by the applicant. The holder of such partial permit for the foundation or other parts of a building or structure shall proceed at the holder's own risk and without assurance that the balance of the

permit for the entire structure will be granted. In no case may the holder of the partial permit proceed beyond the specific scope of work identified on the application and permit. A fast track fee shall be assessed in accordance with this code for all phased plan approval and permit issuance.

## **SECTION 303 - PERMITS ISSUANCE**

**303.1 Issuance.** The application, plans, specifications, computations, and other data filed by an applicant for permit shall be reviewed by the building official. Such plans may be reviewed by other departments of this jurisdiction to verify compliance with any applicable laws under their jurisdiction. If the building official finds that the work described in an application for a permit and the plans, specifications, and other data filed therewith conform to the requirements of this code and the technical codes and other pertinent laws and ordinances, and that the fees specified in Section 304 have been paid, the building official shall issue a permit therefore to the applicant.

**303.2 Retention of Plans.** One set of approved plans, specifications, and computations shall be retained by the building official for a period of not less than 180 days from the date of completion of the work covered therein, and one set of approved plans and specifications shall be returned to the applicant and shall be kept on the site of the building or work at all times during which the work authorized thereby is in progress.

**303.3 Validity of Permit.** The issuance of a permit or approval of plans, specifications and computations shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or the technical codes, or of any other ordinance of the jurisdiction. Permits presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the jurisdiction shall not be valid. The issuance of a permit based on plans, specifications and other data shall not prevent the building official from thereafter requiring the correction of errors in said plans, specifications, and other data, or from preventing building operations being carried on thereunder when in violation of these codes or of any other ordinances of this jurisdiction.

**303.4 Expiration.** Every permit issued by the building official under the provisions of the technical codes shall expire by limitation and become null and void if the building or work authorized by such permit is not commenced within 180 days from the date of such permit, or if the building or work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of 180 days. Before such work can be recommenced, a new permit shall be first obtained to do so, and the fee therefore shall be one half the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work; and provided further that such suspension or abandonment has not exceeded one year. In order to renew action on a permit after expiration, the permittee shall pay a new full permit fee. A permittee holding an unexpired permit may apply for an extension of the time within which work may commence under that permit when the permittee is unable to commence work within the time required by this section for good and satisfactory reasons. The building official may extend the time for action by the permittee for a period not exceeding 180 days upon written request by the permittee showing that circumstances beyond the control of the permittee have prevented action from being taken. Permits shall not be extended more than once.

**303.5 Suspension or Revocation.** The building official may, in writing, suspend or revoke a permit issued under the provisions of this code and the technical codes when the permit is issued in error or on the basis of incorrect information supplied, or in violation of an ordinance or regulation or the provisions of these codes.

### **303.6 Electrical Permit Issuance.**

An electrical permit shall not be issued to any person, other than a licensed electrical administrator, licensed pursuant to AS 08, Chapter 40, Electrical Administrators, or a person performing electrical work that is exempt from the requirements of the Alaska Statutes pursuant to AS 08.40.190. Electrical permit fees shall be as set forth in Table 3-B.

### **303.7 Plumbing Permit Issuance.**

A plumbing permit shall not be issued to any person to do or cause to be done any work regulated by the plumbing code except to a person holding a valid unexpired and unrevoked master plumber's license as required by Section 14-292 of the Fairbanks General Code, except when and or otherwise hereinafter provided in this section. Any plumbing permit required by this code may be issued to any person to do work regulated by this code in a dwelling as defined by section 202 of the building code or portion thereof which contains not more than two dwelling units used exclusively for living purposes, and such person is the legal owner, and said owner or member of the owner's immediate family shall perform all labor in connection therewith, and said dwelling(s) is not intended for sale at the time of installation. Plumbing permit fees shall be as set forth in Table 3-D

### **303.8 Mechanical Permit Issuance.**

A Mechanical Permit shall not be issued to any person performing work requiring a permit, other than a licensed mechanical administrator, pursuant to AS 08, Chapter 40, Article 2 Mechanical Administrators, unless such person is performing mechanical work that is exempt from the requirements of the Alaska Statutes pursuant to AS 08.40.390 or the work is solely on non-fuel-fired ventilation and/or exhaust systems in a single family home or duplex. Mechanical permit fees shall be as set forth in Table 3-C

### **303.9 Electrical Sign Permit Issuance.**

An electrical sign permit shall be issued as required in this section. Sign permit fees shall be as set forth in Table 3-B.

- a) A separate sign permit is required for the installation of any electrically energized sign which is either attached to a structure or is free standing.
- b) The required sign permit may be secured by either, the general contractor, electrical contractor, or sign contractor licensed by the State of Alaska.
- c) The person or contractor that installs the sign is responsible for code compliance.
- d) A sign contractor may make the final electrical connection from the sign junction box to the sign provided such distance does not exceed six feet.
- e) The sign shall be inspected to ensure that the sign is listed and the internal wiring of the sign and final connection to the building or pole is in compliance with the National Electrical Code as adopted by the City of Fairbanks. It shall be the responsibility of the sign contractor to call 24 hours in advance for the required inspection and to provide the necessary equipment to facilitate the inspection. Inspection requests for Saturday and Sunday require 48-hour notice.
- f) If an existing sign is removed from the building and is re-worked or re-configured, either in the field or at the contractor's shop and then subsequently replaced; a sign permit will be required. The sign shall be listed, and the required inspection conducted.

h) If an existing sign face plate is changed or if routine maintenance is conducted on the sign without removal of the sign, a sign permit is not required, nor will the sign be retroactively required to be listed or inspected.

i) If any sign, existing or new, is found to be inherently unsafe and constitutes a danger to the user or public, the sign shall be removed from service.

### **303.10 Fuel Gas Permit Issuance.**

A mechanical permit for the installation of fuel gas piping and related equipment regulated by the International Fuel Gas Code as adopted by the City of Fairbanks shall not be issued to any person performing work requiring a permit, other than a licensed mechanical administrator, pursuant to AS 08, chapter 40, Article 2 Mechanical Administrators, unless such person is performing mechanical work that is exempt from the requirements of the Alaska Statutes pursuant to AS 08.40.390 or the work is solely on non- fuel fired ventilation and or exhaust systems in a single family residence or duplex dwelling. Fuel gas permits shall be as set forth in Table 3-E.

### **303.11 Fire Permit Issuance**

A fire permit for the installation of fire detection and fire suppression systems and related equipment regulated under the International Fire Code as adopted by the City of Fairbanks shall only be issued to a person and or company that possess a current permit issued by the State of Alaska Fire Marshal's Office.

## **SECTION 304 - FEES**

**304.1 General.** Fees shall be assessed in accordance with the provisions of this section or shall be as set forth in the City of Fairbanks Schedule of Fees and Charges for Services.

**304.2 Building Permit Fees.** Building permit fees shall be as set forth in Table 3-A. The permit fees for each of the technical codes as adopted by the City of Fairbanks are as set forth in Tables 3-B, 3-C, 3-D, 3-E and 3-F. Where a technical code has been adopted by the jurisdiction for which no fee schedule is shown in this code, the fee required shall be in accordance with the schedule established by the legislative body. The determination of value or valuation under any of the provisions of these codes shall be made by the building official. The value to be used in computing the building permit and building plan review fees shall be the total value of all construction work for which the permit is issued as well as all finish work, painting, roofing, electrical, plumbing, heating, air-conditioning, elevators, fire-extinguishing systems, and other permanent equipment. Valuation shall be determined in accordance with the latest edition of the Building Safety Journal data chart as published by the International Code Council or based on the final contract amount, which ever is greater. When calculating the valuation utilizing the building valuation data chart the regional modifier shall be 1.3. A copy of the bid award may be required by the building official or fire chief. In any case the final determination of value or valuation under any of the provisions of these codes shall be made by the building official.

**304.3 Fire Code Review and Inspection.** For new construction, including additions, remodel, and alterations, fees shall be as set forth in Table 3- F.

### **304.4 Plan Review Fees.**

When submittal documents are required by Section 302.2, a plan review fee shall be paid. The plan review fee shall be paid when the review has been completed. The plan review fee shall be paid in conjunction with the building permit fee. The plan review fee is not required to be paid at the time of plan or application submittal. The building plan review fee shall be 75 percent of the building permit fee as shown in Table 3-A. The plan review fee for projects where completed

plans are not received prior to commencement of construction will be charged a fast track rate equal to 100 percent of the building permit fee. The plan review fees for electrical, mechanical, and plumbing work shall be equal to 75 percent of the total permit fee as set forth in Tables 3-B, 3-C and 3-D 3-E. The plan review fees specified in this section are separate fees from the permit fees specified in Section 304.2 and are in addition to the permit fees. When submittal documents are incomplete or changed so as to require additional plan review or when the project involves deferred submittal items as defined in Section 302.4.2, an additional plan review fee shall be charged at the rate shown in Tables 3-A through 3-F.

#### **304.4.1 Plan Check Fee Identical Building Construction.**

The plan check fee for identical buildings with the same building construction shall be reduced by 75 percent when the following conditions are met;

- a. The structural framing and floor plan are identical
- b. Construction is simultaneous.

#### **304.4.2 Early Residential Plan Submittal.**

When complete plans, complying with the residential check list for construction of single-family dwellings through four plex structures are submitted between January 1 and May 1, the plan review fee shall be reduced by 50 percent.

**304.4.3 Expiration of Plan Review.** Applications for which no permit is issued within 180 days following the date of application shall expire by limitation, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the building official. The building official may extend the time for action by the applicant for a period not exceeding 180 days on written request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. An application shall not be extended more than once. An application shall not be extended if this code or any other pertinent laws or ordinances have been amended subsequent to the date of application. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee.

#### **304.5 Work without a Permit.**

**304.5.1 Investigation.** Whenever work for which a permit is required by this code has been commenced without first obtaining a permit, a special investigation may be made before a permit may be issued for such work.

**304.5.2 Penalty Fee.** A penalty fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The payment of such investigation fee shall not exempt an applicant from compliance with all other provisions of either this code or the technical codes nor from the penalty prescribed by law. The penalty fee for performing work without the required permit is \$750.

**304.6 Fee Refunds.** The building official may authorize refunding of a fee paid hereunder which was erroneously paid or collected. The building official may authorize refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code. The building official may authorize refunding of not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before examination time has been expended. The building official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than 180 days after the date of fee payment.



## **SECTION 305 - INSPECTIONS**

**305.1 General.** Construction or work for which a permit is required shall be subject to inspection by the building official and the construction or work shall remain accessible and exposed for inspection purposes until approved by the building official. 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 person or contractor performing the work to cause the work to remain accessible and exposed for inspection purposes. Neither the building official nor this jurisdiction shall be liable for expense entailed in the removal or replacement of any material required to allow inspection. A survey of the lot may be required by the building official to verify that the structure is located in accordance with the approved plans.

**305.2 Inspection Record Card.** Work requiring a permit shall not be commenced until the permit holder or the agent of the permit holder shall have posted or otherwise made available an inspection record card such as to allow the building official conveniently to make the required entries thereon regarding inspection of the work. This card shall be maintained available by the permit holder until final approval has been granted by the building official.

**305.3 Inspection Requests.** It shall be the duty of the person or contractor doing the work authorized by a permit to notify the building official that such work is ready for inspection. Twenty-four-hour notice is required for all inspections as set forth in this code. Access and means to inspect the work shall be provided by the contractor or person performing the work. Forty-eight-hour notice is required for all inspections requested to be conducted on a Saturday, Sunday, or holiday.

**305.4 Approval Required.** Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the building official. The building official, upon notification, shall make the requested inspections and shall either indicate that that portion of the construction is satisfactory as completed or shall notify the permit holder or an agent of the permit holder wherein the same fails to comply with this code. Any portions which do not comply shall be corrected and such portion shall not be covered or concealed until authorized by the building official. There shall be a final inspection and approval of all buildings and structures when completed and ready for occupancy and use. The building official shall have the authority to accept reports of inspections by approved agencies or individuals provided such agencies and individuals have been preapproved to provide such service. Reports of such inspections shall be in writing and be certified by a responsible officer of such agency or by the responsible individual. The building official is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise, subject to the approval of the appointing authority.

### **305.5 Required Building Inspections.**

**305.5.1 General.** Reinforcing steel or structural framework of a part of a building or structure shall not be covered or concealed without first obtaining the approval of the building official. Protection of joints and penetrations in fire-resistive assemblies shall not be concealed from view until inspected and approved. The building official, upon notification, shall make the following building inspections. In addition to these inspections, electrical, plumbing, and mechanical inspections shall be conducted as required by the technical codes.

1. Soil inspection. To be made at the bottom of excavation prior to the placement of backfill.
2. Foundation inspection. To be made after excavations for footings are complete and required reinforcing steel, including installation of the concrete encased electrode is in place. For concrete foundations, required forms shall be in place prior to inspection. All materials for the foundation

shall be on the job, except when concrete is ready-mixed in accordance with approved nationally recognized standards, the concrete need not be on the job. When the foundation is to be constructed of approved treated wood, additional inspections may be required by the building official. All weather wood foundations shall be installed in accordance with Standard foundation Detail SFD- 3 or as provided by a design prepared and stamped by an engineer licensed by the State of Alaska. The foundation wall shall be inspected and approved before backfill is placed.

3. Dampproofing. To be made prior to backfill of any daylight or full basement. Dampproofing materials shall be approved prior to application.

4. Concrete slab or under-floor inspection. To be made after in-slab or under-floor building service equipment, conduit, piping accessories, and other ancillary equipment items are in place but before any concrete is placed or floor sheathing installed, including the sub floor.

5. Frame inspection. To be made after the roof, framing, fire blocking and bracing are in place and all pipes, chimneys, and vents are complete and the rough electrical, plumbing, and heating wires, pipes, and ducts are approved.

6. Vapor barrier and insulation inspection. To be made prior to the placement of gypsum wall board or any finish and wall or ceiling material. Vapor barrier and insulation inspections are only required for residential construction.

7. Fire stop inspection. When required by code and approved construction documents, a fire stop inspection shall be conducted before the system is concealed.

8. Lath and/or wallboard inspection. To be made after lathing and wallboard, interior and exterior, is in place but before plaster is applied or before wallboard joints and fasteners are taped and finished.

9. Final inspection. To be made after finish grading, landscaping, and the building is completed and ready for occupancy.

### **305.6 Required Building Service Equipment Inspections.**

**305.6.1 General.** Building service equipment for which a permit is required by this code shall be inspected by the building official. Building service equipment intended to be concealed by a permanent portion of the building shall not be concealed until inspected and approved. When the installation of building service equipment is complete, an additional and final inspection shall be made. Building service equipment regulated by the technical codes shall not be connected to the water, fuel, or power supply, or sewer system until authorized by the building official.

**305.6.2 Operation of Building Service Equipment.** The requirements of this section shall not be considered to prohibit the operation of building service equipment installed to replace existing building service equipment serving an occupied portion of the building in the event a request for inspection of such building service equipment has been filed with the building official not more than 48 hours after the replacement work is completed, and before any portion of such building service equipment is concealed by permanent portions of the building.

**305.7 Other Inspections.** In addition to the called inspections specified above, the building official may make or require other inspections of construction work to ascertain compliance with the provisions of this code or technical codes and other laws which are enforced by the building official.

**305.8 Reinspections.** A reinspection fee may be assessed for each inspection or reinspection when such portion of work for which inspection is called is not complete or when corrections called for are not made. This section is not to be interpreted as requiring reinspection fees the first time a job is rejected for failure to comply with the requirements of the technical codes, but as controlling the practice of calling for inspections before the job is ready for such inspection or reinspection. Reinspection fees may be assessed when the inspection record card is not posted or otherwise available on the work site, the approved plans are not readily available to the inspector, for failure to provide access on the date for which inspection is requested, or for deviating from plans requiring the approval of the building official. To obtain a reinspection, the applicant shall request the required and pay the reinspection fee in accordance with Tables 3-A through 3-H or as set forth in the fee schedule adopted by this jurisdiction. In instances where reinspection fees have been assessed, additional inspection of the work will not be performed until the required fees have been paid.

## **SECTION - 306 PREFABRICATED CONSTRUCTION**

**306.1 General.** Prefabricated construction shall comply with chapter 17 of the building code. Prefabricated construction built outside the City of Fairbanks shall be inspected during construction by an approved third-party independent inspection agency. A certificate of approval shall be furnished with every prefabricated structure or assembly, except where the assembly is readily accessible to inspection at the site. The certificate of approval shall certify that the assembly in question has been inspected by an approved agency and meets all the requirements of the technical codes and local code amendments as adopted by the City of Fairbanks. When mechanical equipment is installed so that it cannot be inspected at the site, the certificate of approval shall certify that such equipment complies with the laws applying thereto.

**306.2 Approved Fabricators.** Special inspections required by this section and elsewhere in this code or the technical codes shall not be required where the work is done on the premises of a fabricator registered and approved by the building official to perform such work without special inspection. The certificate of registration shall be subject to revocation by the building official if it is found that work done pursuant to the approval is in violation of the technical codes. The approved fabricator shall submit a certificate of compliance to the building official and to the engineer or architect of record stating that the work was performed in accordance with the approved plans and specifications. The approved fabricator's qualifications shall be contingent on compliance with the following:

1. The fabricator has developed and submitted a detailed fabrication procedural manual reflecting key quality control procedures which will provide a basis for inspection control of workmanship and the fabricator plant.
2. Verification of the fabricator's quality control capabilities, plant, and personnel as outlined in the fabrication procedural manual shall be by an approved inspection or quality control agency.
3. Periodic plant inspections shall be conducted by an approved inspection or quality control agency to monitor the effectiveness of the quality control program.
4. It shall be the responsibility of the inspection or quality control agency to notify the approving authority in writing of any change to the procedural manual. Fabricator approval may be revoked for just cause. Reapproval of the fabricator shall be contingent on compliance with quality control procedures during the past year.

## **SECTION 307 - CONNECTION TO UTILITIES**

**307.1 Energy Connections.** Persons shall not make connections from a source of energy, fuel, or power to building service equipment which is regulated by the technical codes and for which a permit is required by this code, until approved by the building official.

**307.2 Temporary Connections.** The building official may authorize the temporary connection of the building service equipment to the source of energy, fuel, or power for the purpose of testing building service equipment, or for use under a temporary certificate of occupancy.

## **SECTION 308 - CERTIFICATE OF OCCUPANCY**

**308.1 Use or Occupancy.** Buildings or structures or portions thereof shall not be used or occupied nor shall a change in the existing use or occupancy classification be made until the building official has issued a certificate of occupancy. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Certificates presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the jurisdiction shall not be valid.

**308.2 Change in Use.** Changes in the character or use of a building shall not be made except as specified in the adopted Building Code and Existing Building Code.

**308.3 Certificate Issued.** After the building official inspects the building or structure and finds no violations of the provisions of this code or other laws which are enforced by the building official and all work has been completed, the building official shall issue a certificate of occupancy which shall contain the following:

1. The building permit number.
2. The address of the building.
3. The name and address of the owner.
4. A description of that portion of the building for which the certificate is issued.
5. A statement that the described portion of the building has been inspected for compliance with the requirements of this code for the group 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, in accordance with the provision of chapter 3 of the International Building Code.
9. The type of construction.
10. The design occupant load.
11. If an automatic sprinkler system is provided, whether the sprinkler system is required including the classification of such system.
12. Any special stipulations and conditions of the building permit.

**308.4 Temporary Certificate.** If the building official finds that substantial hazard will not result from occupancy of a building or portion thereof before the same is completed, a temporary certificate of occupancy for the use of a portion or portions of a building or structure may be issued prior to the completion of the entire building or portion thereof provided a bond is posted. The bond shall be a minimum of \$1000 or 1 percent of the total construction cost as stipulated on the permit application with a maximum amount capped at \$10,000. Upon completion of and inspection of all outstanding work, the bond shall be released. In the event work has not been completed, corrected, and inspected within one year from the issuance date of the temporary certificate of occupancy, the bond shall be forfeited.

**308.5 Posting.** The certificate of occupancy shall be posted in a conspicuous place on the premises and shall not be removed except by the building official.

**308.6 Revocation.** The building official may, in writing, suspend or revoke a certificate of occupancy issued under the provisions of this code when the certificate is issued in error, or on the basis of incorrect information, or when it is determined that the building or structure or portion thereof is in violation of an ordinance, regulation, or the provisions of this code. The temporary certificate of occupancy may be revoked if the conditions as stipulated in the certificate have not been met.

## **SECTION - 309 FINAL LETTER OF COMPLETION**

In lieu of a certificate of occupancy a final letter of completion may be issued for those projects which involve additions, remodel, or alterations of existing buildings for the scope of work for which a permit was issued.

## **SECTION - 310 NOTICE OF NON-COMPLIANCE**

The building official is authorized to file with the State of Alaska Recorder's Office a notice of noncompliance when the applicant, owner, or contractor has failed to comply with the minimum building code requirements as identified in a notice and order to correct. Before a notice of noncompliance is filed, the building official shall provide certified written notice to the applicant, owner, or contractor that such work must be completed or corrected.