DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
CONSTRUCTION CODES COORDINATING BOARD

NOTICE OF FINAL RULEMAKING

District of Columbia Construction Codes Supplement of 2013

The Chairperson of the Construction Codes Coordinating Board (Chairperson), pursuant to the authority set forth in Section 10 of the Construction Codes Approval and Amendments Act of 1986 (Act), effective March 21, 1987 (D.C. Law 6-216; D.C. Official Code § 6-1409 (2012 Repl.)) and Mayor's Order 2009-22, dated February 25, 2009, as amended, hereby gives notice of the adoption of the following amendments to Title 12 (D.C. Construction Codes Supplement of 2008) of the District of Columbia Municipal Regulations (DCMR), as well as the renaming of Title 12.

This rulemaking adopts and amends the following codes published by the International Code Council (ICC), as amended by this rulemaking in a new District of Columbia Construction Codes Supplement of 2013, as the District of Columbia Construction Codes: the 2012 edition of the International Building Code; the 2012 edition of the International Residential Code; the 2012 edition of the International Fuel Gas Code; the 2012 edition of the International Mechanical Code; the 2012 edition of the International Plumbing Code; the 2012 edition of the International Property Maintenance Code; the 2012 edition of the International Fire Code; the 2012 edition of the International Energy Conservation Code; the 2012 edition of the International Existing Building Code; the 2012 edition of the International Green Construction Code; the 2012 edition of the International Swimming Pool and Spa Code; and the 2011 edition of the National Electrical Code (NFPA 70), published by the National Fire Protection Association.

With the exception of projects grandfathered pursuant to Section 123 of the District of Columbia Building Code Supplement, 12 DCMR A, this rulemaking repeals the D.C. Construction Codes Supplement of 2008, effective December 26, 2008 (published at 55 DCR 13094), which adopted and amended the following codes published by the ICC: the 2006 edition of the ICC International Building Code; the 2006 edition of the ICC International Residential Code; the 2006 edition of the ICC International Fuel Gas Code; the 2006 edition of the ICC International Mechanical Code; the 2006 edition of the ICC International Plumbing Code; the 2006 edition of the ICC International Property Maintenance Code; the 2006 edition of the ICC International Fire Code; the 2006 edition of the ICC International Energy Conservation Code; the 2006 edition of the ICC International Existing Building Code; and the 2005 edition of the National Electrical Code (NFPA 70) published by the National Fire Protection Association.

A Notice of Third Proposed Rulemaking was published on October 4, 2013 at 60 DCR 13763 and reflected changes made in response to comments submitted by the public. The Third Notice superseded a Notice of Proposed Rulemaking published on December 7, 2012 at 59 DCR 14179 and a Notice of Second Proposed Rulemaking published on May 31, 2013 at 60 DCR 7728.

The *District of Columbia Building Code* (2013), referred to as the "*Building Code*," consists of the 2012 edition of the *International Building Code* as amended by the *District of Columbia Building Code Supplement* (2013)(12 DCMR A). The *International Building Code* is copyrighted by the International Code Council and therefore is not republished here. However, a copy of the text may be obtained at: http://publicecodes.cyberregs.com/icod/ibc/2012/index.htm?bu=IC-P-2012-000001&bu2=IC-P-2012-000019.

Pursuant to Section 10(a) of the Act, a proposed resolution approving the third proposed amendments was submitted to the Council of the District of Columbia, on December 9, 2013 for a forty-five (45) day period of review. The 45-day period of review having expired on March 5, 2014 with no Council action to approve or disapprove the proposed resolution, the proposed amendments are deemed approved.

No substantive changes were made to the final rulemaking. These rules were adopted as final by the Chairperson on March 20, 2014 and will become effective upon publication in the *D.C. Register*.

Title 12 (D.C. Construction Codes Supplement of 2008) of the District of Columbia Municipal Regulations is amended as follows:

The title of Title 12 is renamed as the District of Columbia Construction Codes Supplement of 2013.

Subtitle 12-A (Building Code Supplement of 2008) is repealed in its entirety and replaced with a new Building Code Supplement of 2013.

Subtitle 12-B (Residential Code Supplement of 2008) is repealed in its entirety and replaced with a new Residential Code Supplement of 2013.

Subtitle 12-C (Electrical Code Supplement of 2008) is repealed in its entirety and replaced with a new Electrical Code Supplement of 2013.

Subtitle 12 D (Fuel Gas Code Supplement of 2008) is repealed in its entirety and replaced with a new Fuel Gas Code Supplement of 2013.

Subtitle 12-E (Mechanical Code Supplement of 2008) is repealed in its entirety and replaced with a new Mechanical Code Supplement of 2013.

Subtitle 12-F (Plumbing Code Supplement of 2008) is repealed in its entirety and replaced with a new Plumbing Code Supplement of 2013.

Subtitle 12-G (Property Maintenance Code Supplement of 2008) is repealed in its entirety and replaced with a new Property Maintenance Code Supplement of 2013.

Subtitle 12-H (Fire Code Supplement of 2008) is repealed in its entirety and replaced with a new Fire Code Supplement of 2013.

Subtitle 12-I (Energy Conservation Code Supplement of 2008) is repealed in its entirety and replaced with a new Energy Conservation Code Supplement of 2013.

The *District of Columbia Building Code* (2013), referred to as the "*Building Code*," consists of the 2012 edition of the *International Building Code* as amended by the *District of Columbia Building Code Supplement* (2013)(12 DCMR A). The *International Building Code* is copyrighted by the International Code Council and therefore is not republished here. However, a copy of the text may be obtained at: http://publicecodes.cyberregs.com/icod/ibc/2012/index.htm?bu=IC-P-2012-000001&bu2=IC-P-2012-000019.

Subtitle 12-J (Existing Building Supplement of 2008) is repealed in its entirety and replaced with a new Existing Building Code Supplement of 2013.

Subtitle 12-K (Fees) is redesignated as Subtitle M (Fees).

A new Subtitle 12-K (Green Construction Code Supplement of 2013) is added.

A new Subtitle 12-L (Swimming Pool and Spa Code Supplement of 2013) is added.

For purposes of clarity, the following table lists each chapter of the ICC and NFPA 70 codes amended by the District of Columbia Construction Codes Supplement of 2013:

SUBTITLE A – BUILDING CODE SUPPLEMENT

Chapter 1	Administration and Enforcement
Chapter 2	Definitions
Chapter 3	Use Group and Classification
Chapter 4	Special Detailed Requirements Based on Use and Occupancy
Chapter 5	General Building Heights and Areas
Chapter 7	Fire-Resistance-Related Construction
Chapter 9	Fire Protection Systems
Chapter 10	Means of Egress
Chapter 12	Interior Environment
Chapter 14	Exterior Walls
Chapter 15	Roof Assemblies and Rooftop Structures
Chapter 16	Structural Design
Chapter 18	Soils and Foundations
Chapter 26	Plastic
Chapter 30	Elevators and Conveying Systems
Chapter 31	Special Construction
Chapter 32	Encroachments into the Public Right-of-Way
Chapter 33	Safeguards During Construction
Chapter 34	Existing Structures
Chapter 35	Referenced Standards
Appendix E	Supplementary Accessibility Requirements
Appendix N	Signs

SUBTITLE B – RESIDENTIAL CODE SUPPLEMENT

Chapter 1	Scope and Administration
Chapter 2	Definitions
Chapter 3	Building Planning
Chapter 9	Roof Assemblies

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Chapter 11 Energy Efficiency
Chapter 12 Mechanical Administration
Chapter 15 Exhaust Systems
Chapter 16 Duct Systems
Chapter 24 Fuel Gas
Chapter 25 Plumbing Administration
Chapter 29 Water Supply and Distribution
Chapter 30 Sanitary Drainage
Chapter 44 Referenced Standards
Appendix E Manufactured Housing Used as Dwellings
Appendix H Patio Covers
Appendix J Existing Buildings and Structures
Appendix K Sound Transmission
Appendix M Home Day Care – R-3 Occupancies

SUBTITLE C – ELECTRICAL CODE SUPPLEMENT

Article 90 Introduction
Chapter 4 Equipment for General Use

SUBTITLE D – FUEL GAS CODE SUPPLEMENT

Chapter 1 Scope and Administration
Chapter 2 Definitions
Chapter 5 Chimneys and Vents
Chapter 8 Referenced Standards

SUBTITLE E – MECHANICAL CODE SUPPLEMENT

Chapter 1 Scope and Administration
Chapter 2 Definitions
Chapter 4 Ventilation
Chapter 5 Exhaust Systems
Chapter 6 Duct Systems
Chapter 8 Chimneys and Vents
Chapter 9 Specific Appliances, Fireplaces and Solid Fuel-Burning Equipment
Chapter 10 Boilers, Water Heaters and Pressure Vessels
Chapter 11 Refrigeration
Chapter 15 Referenced Standards

SUBTITLE F – PLUMBING CODE SUPPLEMENT

Chapter 1 Scope and Administration

The *District of Columbia Building Code* (2013), referred to as the "*Building Code*," consists of the 2012 edition of the *International Building Code* as amended by the *District of Columbia Building Code Supplement* (2013)(12 DCMR A). The *International Building Code* is copyrighted by the International Code Council and therefore is not republished here. However, a copy of the text may be obtained at: http://publicecodes.cyberregs.com/icod/ibc/2012/index.htm?bu=IC-P-2012-000001&bu2=IC-P-2012-000019.

Chapter 2 Definitions
Chapter 3 General Regulations
Chapter 4 Fixtures, Faucets and Fixture Fittings
Chapter 6 Water Supply and Distribution
Chapter 7 Sanitary Drainage
Chapter 8 Indirect/Special Waste
Chapter 11 Storm Drainage
Chapter 13 Nonliquid Saturated Treatment Systems
Chapter 14 Referenced Standards

SUBTITLE G – PROPERTY MAINTENANCE CODE SUPPLEMENT

Chapter 1 Administration and Enforcement
Chapter 2 Definitions
Chapter 3 Requirements
Chapter 4 Light, Ventilation and Occupancy Limitations
Chapter 5 Plumbing Facilities and Fixture Requirements
Chapter 6 Mechanical and Electrical Requirements
Chapter 7 Fire Safety Requirements
Chapter 8 Referenced Standards

SUBTITLE H – FIRE CODE SUPPLEMENT

Chapter 1 Administration and Enforcement
Chapter 2 Definitions
Chapter 3 General Requirements
Chapter 5 Fire Service Features
Chapter 6 Building Services and Systems
Chapter 9 Fire Protection Systems
Chapter 10 Means of Egress
Chapter 11 Construction Requirements for Existing Buildings
Chapter 56 Explosives and Fireworks
Chapter 61 Liquefied Petroleum Gases
Appendix B Fire-Flow Requirements for Buildings
Appendix C Fire Hydrant Locations and Distribution
Appendix D Fire Apparatus Access Roads
Appendix H Hazardous Materials Management Plan (HMMP) and Hazardous Materials Inventory Statement (HMIS) Instructions

SUBTITLE I – ENERGY CONSERVATION CODE SUPPLEMENT

Chapter 1[CE] Administration

The *District of Columbia Building Code* (2013), referred to as the "*Building Code*," consists of the 2012 edition of the *International Building Code* as amended by the *District of Columbia Building Code Supplement* (2013)(12 DCMR A). The *International Building Code* is copyrighted by the International Code Council and therefore is not republished here. However, a copy of the text may be obtained at: http://publicecodes.cyberregs.com/icod/ibc/2012/index.htm?bu=IC-P-2012-000001&bu2=IC-P-2012-000019.

Chapter 2[CE] Definitions
Chapter 4[CE] Commercial Energy Efficiency
Chapter 1[RE] Scope and Administration
Chapter 4[RE] Residential Energy Efficiency

SUBTITLE J – EXISTING BUILDING CODE SUPPLEMENT

Chapter 1 Scope and Administration
Chapter 2 Definitions
Chapter 4 Prescriptive Compliance Method
Chapter 6 Repairs
Chapter 7 Alterations-Level 1
Chapter 8 Alterations-Level 2
Chapter 9 Alterations-Level 3
Chapter 10 Change of Occupancy
Chapter 15 Construction Safeguards

SUBTITLE K – GREEN CONSTRUCTION CODE

Chapter 1 Scope and Administration
Chapter 2 Definitions
Chapter 3 Green Building Act and ASHRAE 189.1
Chapter 4 Site Development and Land Use
Chapter 5 Material Resource Conservation and Efficiency
Chapter 6 Energy Conservation, Efficiency, and CO_2^e
Chapter 7 Water Resource Conservation, Quality and Efficiency
Chapter 8 Indoor Environmental Quality and Comfort
Chapter 9 Commissioning
Chapter 10 Existing Buildings
Chapter 11 Existing Building Site Development
Chapter 12 Referenced Standards
Appendix A Project Electives

SUBTITLE L – SWIMMING POOL AND SPA CODE SUPPLEMENT

Chapter 1 Scope and Administration
Chapter 2 Definitions

The *District of Columbia Building Code* (2013), referred to as the "*Building Code*," consists of the 2012 edition of the *International Building Code* as amended by the *District of Columbia Building Code Supplement* (2013)(12 DCMR A). The *International Building Code* is copyrighted by the International Code Council and therefore is not republished here. However, a copy of the text may be obtained at: http://publicecodes.cyberregs.com/icod/ibc/2012/index.htm?bu=IC-P-2012-000001&bu2=IC-P-2012-000019.

DISTRICT OF COLUMBIA
CONSTRUCTION CODES SUPPLEMENT OF 2013
12 DCMR A BUILDING CODE SUPPLEMENT

The District of Columbia has adopted the 2012 edition of the *International Building Code* (IBC), as amended by this Supplement.

IBC CHAPTERS AMENDED BY THIS SUPPLEMENT:

CHAPTER 1	ADMINISTRATION AND ENFORCEMENT
CHAPTER 2	DEFINITIONS
CHAPTER 3	USE GROUP AND CLASSIFICATION
CHAPTER 4	SPECIAL DETAILED REQUIREMENTS BASED ON USE AND OCCUPANCY
CHAPTER 5	GENERAL BUILDING HEIGHTS AND AREAS
CHAPTER 7	FIRE-RESISTANCE-RELATED CONSTRUCTION
CHAPTER 9	FIRE PROTECTION SYSTEMS
CHAPTER 10	MEANS OF EGRESS
CHAPTER 11	ACCESSIBILITY
CHAPTER 12	INTERIOR ENVIRONMENT
CHAPTER 14	EXTERIOR WALLS
CHAPTER 15	ROOF ASSEMBLIES AND ROOFTOP STRUCTURES
CHAPTER 16	STRUCTURAL DESIGN
CHAPTER 18	SOILS AND FOUNDATIONS
CHAPTER 26	PLASTIC
CHAPTER 29	PLUMBING SYSTEMS
CHAPTER 30	ELEVATORS AND CONVEYING SYSTEMS
CHAPTER 31	SPECIAL CONSTRUCTION
CHAPTER 32	ENCROACHMENTS INTO THE PUBLIC RIGHT-OF-WAY
CHAPTER 33	SAFEGUARDS DURING CONSTRUCTION
CHAPTER 34	EXISTING STRUCTURES
CHAPTER 35	REFERENCED STANDARDS
APPENDIX E	SUPPLEMENTARY ACCESSIBILITY REQUIREMENTS
APPENDIX N	SIGNS

The *District of Columbia Building Code* (2013), referred to as the "*Building Code*," consists of the 2012 edition of the *International Building Code* as amended by the *District of Columbia Building Code Supplement* (2013)(12 DCMR A). The *International Building Code* is copyrighted by the International Code Council and therefore is not republished here. However, a copy of the text may be obtained at: http://publicecodes.cyberregs.com/icod/ibc/2012/index.htm?bu=IC-P-2012-000001&bu2=IC-P-2012-000019.

CHAPTER 1 ADMINISTRATION AND ENFORCEMENT

101 General
102 Applicability
103 Department Of Consumer and Regulatory Affairs
104 Duties and Powers of Building Official
105 Permits
106 Submittal Documents
107 Temporary Structures and Uses
108 Fees
109 Inspections
110 Certificate of Occupancy
111 Service Utilities
112 Appeals
113 Violations and Infractions
114 Stop Work Order
115 Unsafe Structures and Equipment
116 Emergency Measures
117 Posting Structures
118 Addresses of Premises
119 [Reserved]
120 [Reserved]
121 [Reserved]
122 Amendments and Copies
123 Transitory Provisions

Strike Chapter 1 of the International Building Code in its entirety and insert the following in its place to read as follows:

101 GENERAL

101.1 The Construction Codes. The *District of Columbia Construction Codes* (2013), hereinafter referred to as the "*Construction Codes*," shall consist of the *Building Code*, *Residential Code*, *Electrical Code*, *Fuel Gas Code*, *Mechanical Code*, *Plumbing Code*, *Property Maintenance Code*, *Fire Code*, *Energy Conservation Code*, *Existing Building Code*, *Green Construction Code* and *Swimming Pool and Spa Code* as defined in Sections 101.2 through 101.4.10 of Title 12-A of the District of Columbia Municipal Regulations (DCMR), and shall include, as to any specific application, any modifications thereto authorized and duly granted by the *code official*. The *District of Columbia Construction Codes Supplement of 2013* (the "*Construction Codes Supplement*") shall consist of the additions, insertions, deletions and changes to the 2012 editions of the *International Codes* published by the International Code Council ("ICC") identified in Sections 101.2, 101.3 and 101.4, and the *National Electrical Code*

The *District of Columbia Building Code* (2013), referred to as the "*Building Code*," consists of the 2012 edition of the *International Building Code* as amended by the *District of Columbia Building Code Supplement* (2013)(12 DCMR A). The *International Building Code* is copyrighted by the International Code Council and therefore is not republished here. However, a copy of the text may be obtained at: http://publicecodes.cyberregs.com/icod/ibc/2012/index.htm?bu=IC-P-2012-000001&bu2=IC-P-2012-000019.

(2011) published by the National Fire Protection Association ("NFPA") (collectively, the "*International Codes*"). The *International Codes* are adopted pursuant to the provisions of the Construction Codes Approval and Amendments Act of 1986, effective March 21, 1987 (D.C. Law 6-216; D.C. Official Code § 6-1401 *et seq.* (2012 Repl.)) (the "Construction Codes Act").

101.1.1 The Construction Codes Scope and Intent. 12 DCMR A, Chapter 1 shall serve as the administrative and enforcement provisions for the *Building Code*, *Residential Code*, *Electrical Code*, *Fuel Gas Code*, *Mechanical Code*, *Plumbing Code*, *Energy Conservation Code*, *Existing Building Code*, *Green Construction Code* and *Swimming Pool and Spa Code*, except as otherwise provided herein. Administrative and enforcement provisions for the *Property Maintenance Code* and the *Fire Code* are set forth in 12 DCMR G, Chapter 1, and 12 DCMR H, Chapter 1, respectively.

101.1.2 Definitions. Italicized words and terms shall have the meanings set forth in the *International Codes* or the *Construction Codes Supplement*.

101.2 D.C. Building Code. The *D.C. Building Code* (2013), hereinafter referred to as the "*Building Code*", shall consist of the 2012 edition of the *International Building Code* ("*International Building Code"*), as amended by the *Construction Codes Supplement* (12-A DCMR, Building Code Supplement).

101.2.1 Appendices. Provisions in the appendices of the *International Building Code* shall not apply unless specifically adopted in the *Construction Codes Supplement*.

101.2.2 Administration and Enforcement. Chapter 1 of the *International Building Code* is deleted in its entirety. In its place, the provisions of 12 DCMR A, Chapter 1, shall apply to the *Building Code* and are incorporated by this reference.

101.2.3 Scope. The provisions of the *Building Code* shall apply to the construction, *alteration*, addition, repair, removal, *demolition*, use, location, movement, enlargement, occupancy and maintenance of all *premises*, including any *buildings* or other *structures*, and appurtenances attached to *buildings* or other *structures* in the District of Columbia, and shall apply to existing or proposed *buildings* and other *structures*, except as such matters are otherwise provided for in other ordinances or statutes or in the rules and regulations authorized for promulgation under the provisions of the *Building Code*. These regulations establish minimum standards: for maintenance of all *structures*; for basic equipment and facilities for light, ventilation, space heating and sanitation; for safety from fire; for space and location; for safe and sanitary maintenance of all *structures* now in existence; for minimum requirements for all *existing buildings* and other *structures* for means of egress, fire protection systems and other equipment and devices necessary for life safety from fire; for rehabilitation and reuse of existing *structures*; and for construction, *alterations* and repairs.

The *District of Columbia Building Code* (2013), referred to as the "*Building Code*," consists of the 2012 edition of the *International Building Code* as amended by the *District of Columbia Building Code Supplement* (2013)(12 DCMR A). The *International Building Code* is copyrighted by the International Code Council and therefore is not republished here. However, a copy of the text may be obtained at: http://publicecodes.cyberregs.com/icod/ibc/2012/index.htm?bu=IC-P-2012-000001&bu2=IC-P-2012-000019.

Exceptions:

1. Detached one- and two-family dwellings and townhouses not more than three stories above *grade plane* in height with a separate means of egress and their accessory *structures* shall be permitted to comply with the *Residential Code* defined in Section 101.3.

2. *Existing buildings* undergoing repair, *alteration*, additions or change of occupancy shall comply with the *Existing Building Code* defined in Section 101.4.8 or the current *Construction Codes.*

101.2.4 Intent. The purpose of the *Building Code* is to establish minimum requirements to safeguard the public health, safety, and general welfare through structural strength, *means of egress* facilities, stability, sanitation, adequate light and ventilation, energy conservation, accessibility, sustainability, and safety to life and property from fire and other hazards attributed to the built environment, and to provide safety to fire fighters and emergency responders during emergency operations.

101.3 D.C. Residential Code. The *D.C. Residential Code* (2013), hereinafter referred to as the "*Residential Code*," shall consist of the 2012 edition of the *International Residential Code* ("*International Residential Code"*), as amended by the *Construction Codes Supplement* (12 DCMR B, Residential Code Supplement).

101.3.1 Appendices. Provisions in the appendices of the *International Residential Code* shall not apply unless specifically adopted in the *Construction Codes Supplement*.

101.3.2 Administration and Enforcement. Chapter 1 of the *International Residential Code* is deleted in its entirety. In its place, the provisions of 12 DCMR A, Chapter 1, shall apply to the *Residential Code* and are incorporated by this reference.

101.3.3 Scope. The provisions of the *Residential Code* shall apply to the construction, *alteration*, movement, enlargement, replacement, repair, equipment, use and occupancy, location, removal and *demolition* of detached one- and two-family dwellings and townhouses not more than three stories above *grade plane* in height with a separate means of egress and their *accessory structures*.

Exceptions:

1. Live/work units complying with the requirements of Section 419 of the *Building Code* shall be permitted to be built as one- and two-family *dwellings* or townhouses. Fire suppression required by Section 419.5 of the *Building Code* when constructed under the *Residential Code* shall conform to Section 2904 of the *Residential Code*.

The *District of Columbia Building Code* (2013), referred to as the "*Building Code*," consists of the 2012 edition of the *International Building Code* as amended by the *District of Columbia Building Code Supplement* (2013)(12 DCMR A). The *International Building Code* is copyrighted by the International Code Council and therefore is not republished here. However, a copy of the text may be obtained at: http://publicecodes.cyberregs.com/icod/ibc/2012/index.htm?bu=IC-P-2012-000001&bu2=IC-P-2012-000019.

2. *Owner*-occupied lodging houses with five or fewer guestrooms shall be permitted to be constructed in accordance with the *Residential Code* when equipped with a fire sprinkler system in accordance with Section 2904 of the *Residential Code*.

101.3.4 Intent. The purpose of the *Residential Code* is to establish minimum requirements to safeguard the public health, safety, and general welfare through affordability, structural strength, *means of egress* facilities, stability, sanitation, adequate light and ventilation, energy conservation, and safety to life and property from fire and other hazards attributed to the built environment, and to provide safety to fire fighters and emergency responders during emergency operations.

101.4 Referenced Codes. The codes defined in Sections 101.4.1 through 101.4.10 and referenced elsewhere in the *Building Code* shall be considered part of the requirements of the *Construction Codes* to the prescribed extent of each such reference.

101.4.1 D.C. Electrical Code. The *D.C. Electrical Code* (2013), hereinafter referred to as the "*Electrical Code*," shall consist of the 2011 edition of the *National Electrical Code (''National Electrical Code'')* published by the National Fire Protection Association ("NFPA") as amended by the *Construction Codes Supplement* (12 DCMR C, Electrical Code Supplement).

101.4.1.1 Annexes. Provisions in the annexes to the *National Electrical Code* are provided for informational purposes only, in accordance with Article 90, Section 90.5 of the *National Electrical Code*, unless otherwise specified in the *Construction Codes Supplement*.

101.4.1.2 Administration and Enforcement. The provisions of 12 DCMR A, Chapter 1, shall apply to the *Electrical Code* and are incorporated by this reference.

101.4.1.2.1 Deletions. Sections 90.1 (A), 90.1 (C), 90.2, 90.4 and 90.6 of the *National Electrical Code* are deleted in their entirety.

101.4.1.3 Scope. The provisions of the *Electrical Code* shall apply to the design, installation, maintenance, alteration, conversion, changing, repairing, removal, and inspection of electrical conductors, equipment, and raceways; signaling and communications conductors, equipment, and raceways; and optical fiber cables and raceways for the following:

1. Public and private *premises*, including, but not limited to, *buildings*, other *structures*, mobile homes, recreational vehicles, and floating *buildings*.

The *District of Columbia Building Code* (2013), referred to as the "*Building Code*," consists of the 2012 edition of the *International Building Code* as amended by the *District of Columbia Building Code Supplement* (2013)(12 DCMR A). The *International Building Code* is copyrighted by the International Code Council and therefore is not republished here. However, a copy of the text may be obtained at: http://publicecodes.cyberregs.com/icod/ibc/2012/index.htm?bu=IC-P-2012-000001&bu2=IC-P-2012-000019.

2. Yards, lots, parking lots, carnivals, circuses, fairs and similar events, and industrial substations.

3. Installation of conductors and equipment that connect to the supply of electricity.

4. Installations used by the electric utility, such as office *buildings*, warehouses, garages, machine shops, and recreational *buildings*, that are not an integral part of a generating plant, substation, or control center.

Exceptions:

1. Installations in ships, watercraft other than floating *buildings*, railway rolling stock, aircraft, or automotive vehicles other than mobile homes and recreational vehicles.

2. Installations underground in mines and self-propelled mobile surface mining machinery and its attendant electrical trailing cable.

3. Installation of railways for generation, transformation, transmission, or distribution of power used exclusively for operation of rolling stock or installations used exclusively for signaling and communications purposes.

4. Installations of communications equipment under the exclusive control of communications utilities located outdoors or in *building* spaces used exclusively for such installations.

5. Installations under the exclusive control of an electrical utility where such installations.

   5.1 Consist of service drops or service laterals, and associated metering, or

   5.2 Are on property owned or leased by the electric utility for the purpose of communications, metering, generation, control, transformation, transmission, or distribution of electric energy, or

   5.3 Are located in legally established easements or rights-of-way, or

The *District of Columbia Building Code* (2013), referred to as the "*Building Code*," consists of the 2012 edition of the *International Building Code* as amended by the *District of Columbia Building Code Supplement* (2013)(12 DCMR A). The *International Building Code* is copyrighted by the International Code Council and therefore is not republished here. However, a copy of the text may be obtained at: http://publicecodes.cyberregs.com/icod/ibc/2012/index.htm?bu=IC-P-2012-000001&bu2=IC-P-2012-000019.

5.4 Are located by other written agreements either designated by or recognized by public service commissions, utility commissions, or other regulatory agencies having jurisdiction for such installations. These written agreements shall be limited to installations for the purpose of communications, metering, generation, control, transformation, transmission, or distribution of electrical energy where legally established easements or rights-of-way cannot be obtained. These installations shall be limited to federal lands, Native American reservations through the U.S. Department of the Interior, Bureau of Indian Affairs, military bases, lands controlled by port authorities and state agencies and departments, and lands owned by railroads.

6. Installations that are part of detached one- and two-family dwellings and townhouses not more than three stories above grade plane in height with separate means of egress and their accessory *structures* that comply with the *Residential Code*.

101.4.1.4 Intent. The purpose of the *Electrical Code* is to establish minimum requirements to safeguard *persons* and property from hazards arising from the use of electricity, and is not intended as a design specification or as an instruction manual for untrained *persons*.

101.4.2 D.C. Fuel Gas Code. The *D.C. Fuel Gas Code* (2013), hereinafter referred to as the "*Fuel Gas Code*," shall consist of the 2012 edition of the *International Fuel Gas Code* ("*International Fuel Gas Code"*), as amended by the *Construction Codes Supplement* (12 DCMR D, Fuel Gas Code Supplement).

101.4.2.1 Appendices. Provisions in the appendices of the *International Fuel Gas Code* shall not apply unless specifically adopted in the *Construction Codes Supplement*.

101.4.2.2 Administration and Enforcement. Chapter 1 of the *International Fuel Gas Code* is deleted in its entirety. In its place, the provisions of 12 DCMR A, Chapter 1, shall apply to the *Fuel Gas Code* and are incorporated by this reference.

101.4.2.3 Scope. The provisions of the *Fuel Gas Code* shall apply to the installation of fuel gas piping systems, fuel gas utilization equipment, gaseous hydrogen systems, and related accessories, as follows:

1. Gaseous hydrogen systems shall be regulated by Chapter 7.

The *District of Columbia Building Code* (2013), referred to as the "*Building Code*," consists of the 2012 edition of the *International Building Code* as amended by the *District of Columbia Building Code Supplement* (2013)(12 DCMR A). The *International Building Code* is copyrighted by the International Code Council and therefore is not republished here. However, a copy of the text may be obtained at: http://publicecodes.cyberregs.com/icod/ibc/2012/index.htm?bu=IC-P-2012-000001&bu2=IC-P-2012-000019.

2. The regulations shall cover piping systems for natural gas with an operating pressure of 125 pounds per square inch gauge (psig) (862 kPa gauge) or less, and for LP-gas with an operating pressure of 20 psig (140 kPa gauge) or less, except as provided in Section 402.6.1. Coverage shall extend from the point of delivery to the outlet of the equipment shutoff valves. Piping system requirements shall include design, materials, components, fabrication, assembly, installation, testing, inspection, operation, and maintenance.

3. Requirements for gas utilization equipment and related accessories shall include installation, combustion and dilution air, and venting and connection to piping systems.

4. The requirements for the design, installation, maintenance, alteration, and inspection of mechanical appliances operating with fuels other than fuel gas shall be regulated by the *Mechanical Code*.

Exception to 101.4.2.3: Detached one- and two-family dwellings and townhouses not more than three stories above grade plane in height with separate means of egress and their accessory *structures* that comply with the *Residential Code*.

101.4.2.3.1 Exempted Installations and Equipment. The *Fuel Gas Code* shall not apply to the following:

1. Portable LP-Gas equipment of all types that is not connected to a fixed fuel system.

2. Installation of farm equipment such as brooders, dehydrators, dryers and irrigation equipment.

3. Raw material (feedstock) applications except for piping to special atmosphere generators.

4. Oxygen-fuel gas cutting and welding systems.

5. Industrial gas applications using gases such as acetylene and acetylenic compounds, hydrogen, ammonia, carbon monoxide, oxygen and nitrogen.

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6. Petroleum refineries, pipeline compressor or pumping stations, loading terminals, compounding plants, refinery tank farms and natural gas processing plants.

7. Integrated chemical plants or portions of such plants where flammable or combustible liquids or gases are produced by chemical reactions or used in chemical reactions.

8. LP-Gas installations at utility gas plants.

9. Liquefied natural gas (LNG) installations.

10. Fuel gas piping in power and atomic energy plants.

11. Proprietary items of equipment, apparatus, or instruments such as gas generating sets, compressors and calorimeters.

12. LP-Gas equipment for vaporization, gas mixing and gas manufacturing.

13. Temporary LP-Gas piping for *buildings* under construction or renovation that is not to become part of the permanent piping system.

14. Installation of LP-Gas systems for railroad switch heating.

15. Installation of LP-Gas and compressed natural gas (CNG) systems on vehicles.

16. Except as provided in Section 401.1.1 of the *Fuel Gas Code*, gas piping, meters, gas pressure regulators, and other appurtenances used by the serving gas supplier in the distribution of gas, other than undiluted LP-Gas.

17. *Building* design and construction, except as specified herein.

18. Piping systems for mixtures of gas and air within the flammable range with an operating pressure greater than 10 psig (69 kPa gauge).

19. Portable fuel cell appliances that are neither connected to a fixed piping system nor interconnected to a power grid.

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101.4.2.4 Intent. The purpose of the *Fuel Gas Code* is to provide minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, installation, quality of materials, location, operation and maintenance or use of fuel gas systems.

101.4.3 D.C. Mechanical Code. The *D.C. Mechanical Code* (2013), hereinafter referred to as the "*Mechanical Code*," shall consist of the 2012 edition of the *International Mechanical Code* ("*International Mechanical Code"*), as amended by the *Construction Codes Supplement* (12 DCMR E, Mechanical Code Supplement).

101.4.3.1 Appendices. Provisions in the appendices of the *International Mechanical Code* shall not apply unless specifically adopted in the *Construction Codes Supplement*.

101.4.3.2 Administration and Enforcement. Chapter 1 of the *International Mechanical Code* is deleted in its entirety. In its place, the provisions of 12 DCMR A, Chapter 1, shall apply to the *Mechanical Code* and are incorporated by this reference.

101.4.3.3 Scope. The provisions of the *Mechanical Code* shall regulate the design, installation, maintenance, alteration, and inspection of mechanical systems that are permanently installed and utilized to provide control of environmental conditions and related processes within *buildings*. The *Mechanical Code* shall also regulate those mechanical systems, systems components, equipment and appliances specifically addressed therein. The installation of fuel gas distribution piping and equipment, fuel gas-fired appliances and fuel gas-fired appliance venting systems shall be regulated by the *Fuel Gas Code*.

Exception: Detached one- and two-family dwellings and townhouses not more than three stories above grade plane in height with separate means of egress and their accessory *structures* that comply with the *Residential Code*.

101.4.3.4 Intent. The purpose of the *Mechanical Code* is to provide minimum standards to safeguard life or limb, health, property, and public welfare by regulating and controlling the design, construction, installation, quality of materials, location, operation and maintenance or use of mechanical systems.

101.4.4 D.C. Plumbing Code. The *D.C. Plumbing Code* (2013), hereinafter referred to as the "*Plumbing Code*," shall consist of the 2012 edition of the *International Plumbing Code* ("*International Plumbing Code"*), as amended by the *Construction Codes Supplement* (12 DCMR F, Plumbing Code Supplement).

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101.4.4.1 Appendices. Provisions in the appendices of the *International Plumbing Code* shall not apply unless specifically adopted in the *Construction Codes Supplement*.

101.4.4.2 Administration and Enforcement. Chapter 1 of the *International Plumbing Code* is deleted in its entirety. In its place, the provisions of 12 DCMR A, Chapter 1, shall apply to the *Plumbing Code* and are incorporated by this reference.

101.4.4.3 Scope. The provisions of the *Plumbing Code* shall apply to the erection, installation, alteration, repairs, relocation, replacement, addition to, use or maintenance of plumbing systems within this jurisdiction. The *Plumbing Code* shall also regulate non-flammable medical gas, inhalation anesthetic, vacuum piping, non-medical oxygen systems and sanitary and condensate vacuum collection systems. The design and installation of fuel gas distribution piping and equipment, fuel gas fired water heaters, and water heater venting systems shall be regulated by the *Fuel Gas Code*. The design and installation of chilled water piping in connection with refrigeration process and comfort cooling, and hot water piping in connection with *building* heating, shall conform to the requirements of the *Mechanical Code*. The design and installation of piping for fire sprinklers and standpipes shall conform to the requirements of the *Building Code*. Water and drainage connections to such installations shall be made in accordance with the requirements of the *Plumbing Code*.

Exception: Detached one- and two-family dwellings and townhouses not more than three stories above grade plane in height with separate means of egress and their accessory *structures* that comply with the *Residential Code*.

101.4.4.4 Intent. The purpose of the *Plumbing Code* is to provide minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, installation, quality of materials, location, operation and maintenance or use of plumbing fixtures and systems.

101.4.5 D.C. Property Maintenance Code. The *D.C. Property Maintenance Code* (2013), hereinafter referred to as the "*Property Maintenance Code*," shall consist of the 2012 edition of the *International Property Maintenance Code* ("*International Property Maintenance Code"*) as amended by the *Construction Codes Supplement* (12 DCMR G, Property Maintenance Code Supplement).

101.4.5.1 Appendices. Provisions in the appendices of the *International Property Maintenance Code* shall not apply unless specifically adopted in the *Construction Codes Supplement*.

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101.4.5.2 Administration and Enforcement. Chapter 1 of the *International Property Maintenance Code* is deleted in its entirety. Administration and enforcement provisions for the *Property Maintenance Code* are set forth in 12 DCMR G, Chapter 1.

101.4.5.3 Scope. The provisions of the *Property Maintenance Code* shall apply to all existing residential and nonresidential structures and all existing *premises*, and shall constitute minimum requirements and standards for: *premises*, structures, equipment, and facilities for light, *ventilation*, space, heating, sanitation, protection from the elements, life safety, safety from fire and other hazards, and for safe and sanitary maintenance; the responsibility of *owners*, *operators* and *occupants*; the *occupancy* of existing structures and *premises*; and for administration, enforcement and penalties.

101.4.5.4 Intent. The purpose of the *Property Maintenance Code* is to ensure public health, safety and welfare in so far as they are affected by the continued *occupancy* and maintenance of structures and *premises*. Existing structures and *premises* that do not comply with these provisions shall be altered or repaired to provide a minimum level of health and safety as required therein.

101.4.6 D.C. Fire Code. The *D.C. Fire Code* (2013), hereinafter referred to as the "*Fire Code*," shall consist of the 2012 edition of the *International Fire Code* ("*International Fire Code"*), as amended by the *Construction Codes Supplement* (12 DCMR H, Fire Code Supplement).

101.4.6.1 Appendices. Provisions in the appendices of the *International Fire Code* shall not apply unless specifically adopted in the *Construction Codes Supplement*.

101.4.6.2 Administration and Enforcement. Chapter 1 of the *International Fire Code* is deleted in its entirety. Administration and enforcement provisions for the *Fire Code* are set forth in 12 DCMR H, Chapter 1, provided, however, that the provisions of 12 DCMR A, Chapter 1, shall apply to the enforcement by the Director of the Department of Consumer and Regulatory Affairs, as set forth in Section 103.2 below, of all *Fire Code* provisions pertaining to approval, installation, design, modification, maintenance, testing, and inspection of all new and existing fire protection systems.

101.4.6.3 Scope. The provisions of the *Fire Code* shall establish regulations affecting or relating to *structures*, processes, *premises* and safeguards regarding: the hazard of fire and explosion arising from the storage, handling or use of *structures*, materials or devices; conditions hazardous to life, property or public

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welfare in the occupancy of *structures* or *premises*; fire hazards in the *structure* or on the *premises* from occupancy or operation; and conditions affecting the safety of fire fighters and emergency responders during emergency operations

101.4.6.4 Intent. The purpose of the *Fire Code* is to establish the minimum requirements consistent with nationally recognized good practice for providing a reasonable level of life, safety, and property protection from the hazards of fire, explosion, or dangerous conditions in new and *existing buildings*, other *structures* and *premises*, and to provide safety to fire fighters and emergency responders during emergency operations.

101.4.7 D.C. Energy Conservation Code. The *D.C. Energy Conservation Code* (2013), hereinafter referred to as the "*Energy Conservation Code*," shall consist of the 2012 edition of the *International Energy Conservation Code* ("*International Energy Conservation Code"*), as amended by the *Construction Codes Supplement* (12 DCMR I, Energy Conservation Code Supplement).

101.4.7.1 Appendices. (The *International Energy Conservation Code* has no appendices.)

101.4.7.2 Administration and Enforcement. Chapter 1 [CE] and Chapter 1 [RE] of the *International Energy Conservation Code* are deleted in their entirety. In their place, the provisions of 12 DCMR A, Chapter 1, shall apply to the *Energy Conservation Code* and are incorporated by this reference.

101.4.7.3 Scope. The provisions of the *Energy Conservation Code* shall apply to residential and commercial *buildings*, the *buildings*' sites, and associated systems and equipment.

101.4.7.4 Intent. The *Energy Conservation Code* shall regulate the design and construction of *buildings* for the effective use and conservation of energy over the useful life of each *building*. The *Energy Conservation Code* is intended to provide flexibility to permit the use of innovative approaches and techniques to achieve this objective. The *Energy Conservation Code* is not intended to abridge safety, health or environmental requirements contained in other applicable codes or ordinances.

101.4.7.5 Applicability.

101.4.7.5.1 Existing Buildings. Except as specified in 12 DCMR A, Chapter 1, the *Energy Conservation Code* shall not be used to require the removal, *alteration* or abandonment of, nor prevent the continued use and maintenance of, an *existing building* or *building* system lawfully in

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existence at the time of adoption of *the Energy Conservation Code*.

101.4.7.5.2 Historic Buildings. Any *building* or other *structure* that is listed (either as an individual listing or as a contributing resource to a listed historic district) in the D.C. or National Register of Historic Places shall be exempt from the *Energy Conservation Code*, provided that the D.C. Historic Preservation Officer or the Keeper of the National Register of Historic Places certifies that compliance with the *Energy Conservation Code* will cause the loss of irretrievable historic components that may lead to the de-listing of the *building* or other *structure*.

101.4.7.5.3 Additions, Alterations, Renovations or Repairs. Additions, alterations, renovations or repairs to an *existing building*, *building* system or portion thereof shall conform to the provisions of the *Energy Conservation Code* as they relate to new construction without requiring the unaltered portion(s) of the *existing building* or *building* system to comply with this code. Additions, alterations, renovations or repairs shall not create an unsafe or hazardous condition or overload *existing building* systems. An addition shall be deemed to comply with the *Energy Conservation Code* if the addition alone complies, or if the *existing building* and addition comply with the *Energy Conservation Code* as a single *building*.

Exceptions: The following need not comply with the *Energy Conservation Code* provided the energy use of the *building* is not increased:

1. Storm windows installed over existing fenestration.

2. Glass-only replacements in an existing sash and frame.

3. Existing ceiling, wall or floor cavities exposed during construction provided that these cavities are filled with insulation.

4. Construction where the existing roof, wall or floor cavity is not exposed.

5. Reroofing for roofs where neither the sheathing nor the insulation is exposed. Roofs without insulation in the cavity and where the sheathing or insulation is exposed during reroofing shall be insulated either above or below the sheathing.

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6. Replacement of existing doors that separate *conditioned space* from the exterior shall not require the installation of a vestibule or revolving door, provided, however, that an existing vestibule that separates a *conditioned space* from the exterior shall not be removed.

7. *Alterations* that replace less than 50 percent of the luminaires in a space, provided that such *alterations* do not increase the installed interior lighting power.

8. *Alterations* that replace only the bulb and ballast within the existing luminaires in a space, provided that the *alterations* do not increase the installed interior lighting power.

9. Alteration or replacement of exterior lighting systems provided that such alteration or replacement does not increase the installed exterior lighting power.

101.4.7.5.4 Change in Occupancy or Use. Spaces undergoing a change in occupancy that would result in an increase in demand for either fossil fuel or electrical energy shall comply with the *Energy Conservation Code*. Where the use in a space changes from one use in Table C405.5.2(1) or (2) to another use in Table C405.5.2(1) or (2), the installed lighting wattage shall comply with Section C405.5.

101.4.7.5.5 Change in Space Conditioning. Any nonconditioned space that is altered to become *conditioned space* shall be required to be brought into full compliance with the *Energy Conservation Code.*

101.4.7.5.6 Mixed Occupancy. Where a *building* includes both *commercial* and *residential* occupancies, each occupancy shall be separately considered and meet the applicable provisions of the *Energy Conservation Code* – Commercial Provisions or the *Energy Conservation Code* – Residential Provisions.

101.4.7.6 Compliance. *Residential buildings* shall meet the provisions of the *Energy Conservation Code* – Residential Provisions. *Commercial buildings* shall meet the provisions of the *Energy Conservation Code* – Commercial Provisions.

101.4.7.6.1 Compliance Materials. The *code official* shall be permitted to approve specific computer software, worksheets, compliance manuals and other similar materials that meet the intent of the *Energy Conservation*

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Code.

101.4.7.6.2 Low Energy Buildings. The following *buildings*, or portions thereof, separated from the remainder of the *building* by *building thermal envelope* assemblies complying with the *Energy Conservation Code* shall be exempt from the *building thermal envelope* provisions of the *Energy Conservation Code*:

1. *Buildings*, or portions thereof, with a peak design rate of energy usage less than 3.4 Btu/h • ft^2 (10.7 W/m^2) or 1.0 watt/ft^2 (10.7 W/m^2) of floor area for space conditioning purposes.

2. *Buildings*, or portions thereof, that do not contain *conditioned space.*

101.4.7.7 Alternate Materials – Method of Construction, Design or Insulating Systems. The *Energy Conservation Code* is not intended to prevent the use of any material, method of construction, design or insulating system not specifically prescribed herein; provided, that such construction, design or insulating system has been *approved* by the *code official* as meeting the intent of the *Energy Conservation Code*.

101.4.8 D.C. Existing Building Code. The *D.C. Existing Building Code* (2013), hereinafter referred to as the "*Existing Building Code*," shall consist of the 2012 edition of the *International Existing Building Code* ("*International Existing Building Code"*), as amended by the *Construction Codes Supplement* (12 DCMR J, Existing Building Code Supplement).

101.4.8.1 Appendices. Provisions in the appendices of the *International Existing Building Code* shall not apply unless specifically adopted in the *Construction Codes Supplement*.

101.4.8.2 Administration and Enforcement. Chapter 1 of the *International Existing Building Code* is deleted in its entirety. In its place, the provisions of 12 DCMR A, Chapter 1, shall apply to the *Existing Building Code* and are incorporated by this reference.

101.4.8.3 Scope. The provisions of the *Existing Building Code* shall apply to the repair, alteration, change of occupancy, addition, or relocation of *existing buildings*.

101.4.8.4 Intent. The purpose of the *Existing Building Code* is to provide the

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code official with flexibility to permit the use of alternative approaches to achieve compliance with minimum requirements to safeguard the public health, safety, and welfare, insofar as they are affected by the repair, alteration, change of occupancy, addition or relocation of *existing buildings*.

101.4.9 D.C. Green Construction Code. The *D.C. Green Construction Code* (2013), hereinafter referred to as the "*Green Construction Code*," shall consist of the 2012 edition of the *International Green Construction Code* ("*International Green Construction Code"*), as amended by the *Construction Codes Supplement* (12 DCMR K, Green Construction Code Supplement).

101.4.9.1 Appendices. Provisions in the appendices of the *International Green Construction Code* shall not apply unless specifically adopted in the *Construction Codes Supplement*.

101.4.9.2 Administration and Enforcement. Chapter 1 of the *International Green Construction Code* is deleted in its entirety. In its place, the provisions of 12 DCMR A, Chapter 1, shall apply to the *Green Construction Code* and are incorporated by this reference.

101.4.9.3 Scope. The provisions of the *Green Construction Code* shall apply to the construction, addition, *alteration*, relocation, *razing*, and *demolition* of every *building* or *structure* and appurtenances connected or attached to such *buildings* or *structures* and to the site on which the *building* is located except as otherwise provided in this Section 101.4.9.3 or in the *Green Construction Code.*

Exceptions:

1. The *Green Construction Code* shall not apply to the following:

   a. *Demolition* or *razing* of a *building* or *structure* of less than 10,000 square feet (929m^2);

   b. New construction and associated building site development, including construction of an *addition* to an *existing building*, of less than 10,000 square feet (929 m^2);

   c. *Alteration* of an *existing building* where the aggregate area of construction or renovation is less than 10,000 square feet; or

   d. Relocation of *structures* of less than10,000 square feet (929 m^2).

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2. The *Green Construction Code* shall not apply to the following residential construction:

   a. Detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories in height above *grade plane* with a separate means of egress, their accessory *structures*, and the site or lot upon which these *buildings* are located.

   b. Group R-3 residential *buildings*, their accessory *structures*, and the site or lot upon which these *buildings* are located.

   c. Group R-2 and R-4 residential *buildings* three stories or less in height above *grade plane*, their accessory *structures*, and the site or lot upon which these *buildings* are located.

3. The *Green Construction Code* shall not apply to equipment or systems that are used primarily for industrial or manufacturing.

4. The *Green Construction Code* shall not apply to temporary *structures approved* under Section 3103 of the *Building Code*.

5. Appendix A to the *Green Construction Code* shall not apply to *alterations* except for *Level 3 alterations*.

6. Commissioning in accordance with Section 611 and Chapter 9 of the *Green Construction Code* shall not apply to *alterations* except for *Level 3 alterations* and *alterations* of 50,000 square feet or greater.

101.4.9.3.1 Applicability to Alteration. Determination of whether the area threshold would be triggered by an *alteration* of an *existing building* shall be based upon the aggregate area affected by the *alteration;* the work area where the *alteration* is to take place shall be identified in the permit application. An *alteration* includes, but is not limited to, fit out of space in an *existing building* not previously built out and fit out of space following *demolition* of previously built out space in an *existing building.* Areas of an *existing building* beyond the work area of an *alteration* shall not be included to determine if the *Green Construction Code* would be applicable to the *alteration*. Notwithstanding a determination that the size of the work area of an *alteration* would subject the *alteration* to the provisions of the *Green*

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Construction Code, compliance with the *Green Construction Code* shall not be required for *building* areas, components and systems that are located outside of the affected work area of the *alteration*.

101.4.9.3.2 Applicability to Additions. Only the aggregate area of a proposed *addition* to an *existing building* shall be used to determine if the provisions of the *Green Construction Code* would be applicable to the work to be undertaken to construct the *addition.* The portion(s) of an *existing building* that would not be altered by the construction of the *addition* shall not be used to determine if the threshold for application of the *Green Construction Code* would be met. If the provisions of the *Green Construction Code* would be applicable to the construction of an *addition*, then only the work to be undertaken in the addition shall be subject to the provisions of the *Green Construction* Code; the portion(s) of an *existing building*, *building* components or *building* systems located outside of the *addition* are not required to be brought into compliance with the provisions of the *Green Construction Code* .

101.4.9.3.3 Existing Buildings. The *Green Construction Code* shall not be deemed to require the removal, *alteration* or abandonment of, nor prevent the continued use and maintenance of, an *existing building*, *building* system or *building* component lawfully in existence at the time of adoption of the *Green Construction Code*, unless within the work area of an *alteration* as defined in Section 101.4.9.3.1.

101.4.9.4. Alternative Compliance Paths. In lieu of the requirements of the *Green Construction Code*, projects that (a) are covered by the Green Building Act of 2006, effective March 8, 2007 (D.C. Law 16-234; D.C. Official Code § 6-1451.05 (2013 Supp.)), as amended (*Green Building Act*) and comply with the requirements set forth in Section 101.4.9.4.1; or (b) are not covered by the *Green Building Act* and comply with one of the four alternative compliance paths set forth in Section 101.4.9.4.2, shall be deemed to comply with the *Green Construction Code*.

101.4.9.4.1 Projects Subject to the Green Building Act. Where a project is subject to the *Green Building Act*, and the project complies with the provisions of the *Green Building Act* and the regulations promulgated thereunder set forth in Section 302 of the *Green Construction Code*, the project shall be deemed to comply with the *Green Construction Code.*

101.4.9.4.2 Projects Not Subject to the Green Building Act. Where a project is not subject to the *Green Building Act*, but complies with the requirements of Sections 101.4.9.4.2.1, 101.4.9.4.2.2, 101.4.9.4.2.3, or

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101.4.9.4.2.4 the project shall be deemed to comply with the *Green Construction Code.*

101.4.9.4.2.1 Compliance Utilizing ASHRAE 189.1. Projects designed, constructed and verified to be in compliance with the applicable requirements of ANSI/ASHRAE/USGBC/IES Standard 189.1, Standard for the Design of High Performance Green Buildings Except Low-Rise Residential Buildings ("ASHRAE 189.1"), as adopted and amended by Section 303 of the *Green Construction Code*, shall be deemed to comply with the *Green Construction Code*.

101.4.9.4.2.2 Compliance Utilizing LEED. Projects designed, constructed and certified to be in compliance with one or more of the U.S. Green Building Council (USGBC) Leadership in Energy and Environmental Design (LEED) standards listed in Chapter 35 at the Certified Level or higher shall be deemed to comply with the *Green Construction Code*. The *owner* shall have a 12-month period from the date of issuance for the project of the certificate of occupancy, or the first certificate of occupancy for occupiable space in a *story above grade plane* where a project has multiple certificates of occupancy, to submit evidence of LEED certification to the *code official.* The *code official*, for good cause and upon written request, is authorized to extend the period to submit evidence of certification.

101.4.9.4.2.3 Compliance Utilizing Green Communities. Affordable housing in Group R-2 occupancies designed, constructed and certified to be in compliance with the Enterprise Community Partners standard listed in Chapter 35 shall be deemed to comply with the *Green Construction Code*. The *owner* shall have a 12-month period from the date of issuance for the Group R-2 occupancy of the certificate of occupancy, or the first certificate of occupancy for occupiable space in a *story above grade plane* where a project has multiple certificates of occupancy, to submit certification of compliance with the applicable Enterprise Community Partners standard to the *code official.* The *code official*, for good cause and upon written request, is authorized to extend the period to submit evidence of certification. Affordable housing for the purpose of this section shall consist of projects eligible for certification by Enterprise Community Partners or as otherwise defined by the *code official*.

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101.4.9.4.2.4 Compliance Utilizing National Green Building Standard (ICC 700). Group R-2 occupancies designed, constructed and certified to be in compliance with (a) the National Green Building Standard, ICC 700, listed in Chapter 35, at the bronze level or higher; and (b) the EPA's Energy Star New Homes Program or Multifamily High Rise Program, as applicable, listed in Chapter 35 shall be deemed to comply with the *Green Construction Code.* The *owner* shall have a 12-month period from the date of issuance for the Group R-2 occupancy of the certificate of occupancy, or the first certificate of occupancy for occupiable space in a *story above grade plane* where a project has multiple certificates of occupancy, to submit evidence of certification to the *code official.* The *code official*, for good cause and upon written request, is authorized to extend the period to submit evidence of certification.

101.4.9.5 Intent. The *Green Construction Code* is intended to safeguard the environment, public health, safety and general welfare through the establishment of requirements to reduce the negative impacts and increase the positive impacts of the built environment on the natural environment and *building* occupants. This code is not intended to abridge or supersede safety, health or environmental requirements under other applicable codes or ordinances.

101.4.10 D.C. Swimming Pool and Spa Code. The *D.C. Swimming Pool and Spa Code* (2013), hereinafter referred to as the "*Swimming Pool and Spa Code*," shall consist of the 2012 edition of the *International Swimming Pool and Spa Code* ("*International Swimming Pool and Spa Code"*), as amended by the *Construction Codes Supplement* (12 DCMR L, Swimming Pool and Spa Code Supplement).

101.4.10.1 Appendices. Provisions in the appendices of the *International Swimming Pool and Spa Code* shall not apply unless specifically adopted in the *Construction Codes Supplement*.

101.4.10.2 Administration and Enforcement. Chapter 1 of the *International Swimming Pool and Spa Code* is deleted in its entirety. In its place, the provisions of 12 DCMR A, Chapter 1, shall apply to the *Swimming Pool and Spa Code* and are incorporated by this reference.

101.4.10.3 Scope. The provisions of the *Swimming Pool and Spa Code* shall apply to the construction, alteration, movement, renovation, replacement, repair and maintenance of *aquatic vessels.*

101.4.10.4 Intent. The purpose of the *Swimming Pool and Spa Code* is to

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provide minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, installation, quality of materials, location and maintenance or use of *aquatic vessels*.

101.4.10.5 Applicability. Any *aquatic vessel* and related mechanical, electrical and plumbing systems lawfully in existence at the time of the adoption of the *Swimming Pool and Spa Code* shall be permitted to have their use and maintenance continued if the use, maintenance or repair is in accordance with the original design and no hazard to life, health or property is created.

101.4.10.5.1 Moved *Aquatic Vessels*. Unless covered by Section 101.4.10.5, systems that are a part of *aquatic vessels* or systems moved into or within the District of Columbia shall comply with the provisions of the *Swimming Pool and Spa Code* for new installations.

101.4.10.6 Other Requirements. *Owners* and operators of swimming pools and spas shall also comply with other agency requirements including the Department of Health (DOH) regulations set forth in 25-C DCMR, Chapter 64, and District Department of the Environment (DDOE) regulations set forth in 21 DCMR, Chapter 5.

101.5 Jurisdiction. The *Construction Codes* shall apply to *premises*, including any *buildings* or other *structures*, within the limits of the District of Columbia, including *premises*, *buildings* and other *structures* owned, occupied or controlled by the government of the District of Columbia or any of its independent agencies.

101.5.1 Exemption from Jurisdiction. The *Construction Codes* shall not apply to public *premises*, including any *buildings* or other *structures*, owned by the United States government, including appurtenant *structures* and portions of *premises*, *buildings*, or other *structures*, which are under the exclusive control of an officer of the United States government in his or her official capacity.

Exception: Where a permit is required for major substantial improvement activities (as defined in 21 DCMR Chapter 5) or land-disturbing activities involving the implementation of stormwater management, erosion and sediment control, or floodplain management measures, and to the extent required by 21 DCMR Chapter 5; 20 DCMR Chapter 31; or the Soil Erosion and Sedimentation Control Amendment Act of 1994, effective August 26, 1994 (D.C. Law 10-166; D.C. Official Code § 6-1403 (2012 Repl.)).

101.5.1.1 Exclusive Control. If a lessor is responsible for maintenance and repairs to property leased to the United States government, the property shall not be deemed to be under the exclusive control of an officer of the United States

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government. If the underlying real property is owned by the United States government, but leased to private parties for development pursuant to a long-term ground lease or comparable property interest, the property shall not be deemed to be under the exclusive control of an officer of the United States government for purposes of this exemption.

101.5.2 Foreign Missions. The *Construction Codes* shall apply to those *buildings* occupied by or for any foreign government as an embassy or chancery to the extent provided for in Section 206 of the Foreign Missions Act, approved August 24, 1982 (96 Stat. 286; D.C. Official Code § 6-1306(g) (2012 Repl.)), that is, foreign missions shall substantially comply with the *Construction Codes* as required by the U.S. Secretary of State in a manner determined by the Secretary not to be inconsistent with the international obligations of the United States. Notwithstanding the foregoing, a permit shall be required for all land-disturbing activities or major substantial improvement activities as defined by 21 DCMR Chapter 5.

101.5.3 President or Vice President's Residence. No permit required under the *Construction Codes* shall be issued if it is determined by the *code official*, defined in Section 103.1 of the *Building Code*, that:

1. The permit affects an area in close proximity to the official residence of the President or Vice President of the United States; and

2. The United States Secret Service has established that the issuance of the permit would adversely impact the safety and security of the President or the Vice President of the United States.

101.5.4 Structures Located in or Adjacent to Rivers or Bodies of Water. The *Construction Codes* shall apply to *structures*, including, but not limited to, piers, wharves, jetties, slips, boat storage facilities, marinas, and pilings, located in or adjacent to any river or body of water within the limits of the District of Columbia. Notwithstanding the foregoing, work affecting navigable waters may also require a permit from the U.S. Army Corps of Engineers pursuant to the Rivers and Harbors Appropriation Act of 1899, effective March 3, 1899 (30 Stat. 1151; 33 U.S.C. § 401 (2007)).

102 APPLICABILITY

102.1 General. The provisions of these regulations shall cover all matters affecting or relating to *buildings*, other *structures*, and systems as set forth in Section 101. A *building* or other *structure* shall not be constructed, maintained, extended, repaired, removed or altered in violation of these provisions.

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Exception: The raising, lowering, or moving of a *building* or other *structure* as a unit, necessitated by a change in legal grade or widening of a street, shall be permitted provided that the *building* or other *structure* is not otherwise altered, that its use or occupancy is not changed, and that the *building* or other *structure* complies with the code provisions originally applicable to the *building* or other structure.

102.1.1 Code Precedence. Unless otherwise provided herein, or in the Construction Codes Act, the *Construction Codes Supplement* shall take precedence over the *International Codes*, including standards and amendments.

No provision of the *Construction Codes* shall be deemed to modify or amend any provision of the *Zoning Regulations* of the District of Columbia (11 DCMR), as amended, or any relief granted or order issued pursuant thereto (collectively, the "*Zoning Regulations*"), nor shall any provision of those *Zoning Regulations* be deemed to modify or amend any provision of the *Construction Codes*. Where a provision of the *Construction Codes* is deemed to be in conflict with any provision of the *Zoning Regulations*, then a waiver of the applicable provision of the *Construction Codes* must be sought from the *code official* or there must be relief granted pursuant to the applicable provisions of the *Zoning Regulations*.

102.1.2 Conflicts. Where, in any specific case, different sections of the *Construction Codes* specify different materials, methods of construction or other requirements, the most restrictive shall govern. When there is a conflict between a general requirement and a specific requirement within the *Construction Codes*, the specific requirement shall be applicable.

102.2 Performance of Work in Public Space. Work performed in a public space, not specifically addressed in the *Construction Codes*, shall conform to the pertinent standards of the District of Columbia Department of Transportation (DDOT) and of the District of Columbia Water and Sewer Authority (DC Water).

102.3 Application of References. Unless otherwise specifically provided in the *Construction Codes*, all references to article or section numbers, or to provisions not specifically identified by number, shall be construed to refer to such article, section or provision of the *Construction Codes*.

102.4 Referenced Standards. The standards referenced in the *Construction Codes* and listed in Chapter 35 of the *International Building Code*, in Chapter 44 of the *International Residential Code*, in Annex A of the *National Electrical Code*, in Chapter 8 of the *International Fuel Gas Code*, in Chapter 15 of the *International Mechanical Code*, in Chapter 13 of the *International Plumbing Code*, in Chapter 8 of the *International Property Maintenance Code*, in Chapter 80 of the *International Fire Code*, in Chapters 5[RE] and 5[CE] of the *International Energy Conservation Code*, in Chapter 16 of the *International Existing Building Code*, in Chapter 12 of

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the *International Green Construction Code*, and in Chapter 11 of the *International Swimming Pool and Spa Code* shall be considered a part of the requirements of the *Construction Codes* to the prescribed extent of each such reference.

102.4.1 Conflicts. If conflict arises between the provisions of the Construction Codes Act and the *Construction Codes Supplement*, the *International Codes*, or their referenced standards, the provisions of the Construction Codes Act shall take precedence. If conflict arises between the *Construction Codes Supplement*, the *International Codes*, and their referenced standards:

1. The provisions of the *Construction Codes Supplement* shall take precedence over the *International Codes* and their referenced standards.

2. The provisions of the *International Codes*, other than their referenced standards, shall take precedence over their referenced standards.

102.5 Severability. If any part or provision of the *Construction Codes* is held illegal or void, this shall not make void or illegal any other parts or provisions of the *Construction Codes*, which shall be determined to be legal. It shall be presumed that the *Construction Codes* would have been enacted and adopted without such illegal or void parts or provisions.

102.5.1 Severance of Invalid Provisions. Any illegal or void part of the *Construction Codes* shall be severed from the remainder of the *Construction Codes* by the court holding such part illegal or void, and the remainder of the *Construction Codes* shall remain effective.

102.5.2 Decisions Involving Existing Structures. The invalidity of any provision in any section of the *Construction Codes* as applied to *existing buildings* and other *structures* shall not be held to affect the validity of such section in its application to *buildings* and other *structures* erected after the effective date of the *Construction Codes*.

102.6 Continuation of Legal Use and Occupancy. The legal use and occupancy of any *structure* existing on the effective date of the *Construction Codes*, or for which a permit has already been *approved*, shall be permitted to continue without change.

Exceptions:

1. Provisions of the *Building Code*, the *Property Maintenance Code*, or the *Fire Code* that are specifically required to be applied retroactively.

2. Provisions of the *Construction Codes* deemed necessary by the *code official*, as defined in Section 103.1 of the *Building Code*, for the general safety, health and welfare of the occupants and the public.

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102.7 Continuation of Unlawful Use. The continuation of occupancy or use of a *building* or other *structure*, or of a part thereof, contrary to the provisions of the *Construction Codes* or to the provisions of the *Zoning Regulations*, shall be deemed a violation or infraction under Section 113 of the *Building Code*. The *code official*, as defined in Section 103.1 of the *Building Code*, is authorized to issue a notice of violation and order requiring discontinuance of the use or occupancy pursuant to Section 113 of the *Building Code*, and the *owner* or other violator shall be subject to the penalties or fines prescribed in Section 113 of the *Building Code*.

103 DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS

103.1 Code Official. The Director of the Department of Consumer and Regulatory Affairs ("Director") shall be, and shall hereinafter be referred to as, the *code official* for the enforcement of the provisions of the *Construction Codes*, except those provisions of the *Fire Code* that shall be enforced by the Fire Chief as provided in Section 103.2. Where in the *Construction Codes* the term "building official" is used, it shall mean the "*code official*."

> **103.1.1 Delegation of Authority.** The *code official* shall have the authority to delegate his or her duties and powers under the *Construction Codes*, but he or she shall remain responsible for the proper performance of those duties and powers.
>
> **103.1.2 Department.** Where used herein the word "*Department*" shall refer to the Department of Consumer and Regulatory Affairs, except that references to "*Department*" in the *Fire Code* shall refer to the D.C. Fire and Emergency Medical Services Department ("Fire Department").

103.2 Code Official for the Fire Code. The Chief of the Fire Department ("Fire Chief") shall be the *code official* for the enforcement of the *Fire Code*, except that the Director of the Department of Consumer and Regulatory Affairs shall be the *code official* for enforcement of all provisions of the *Fire Code* pertaining to approval, installation, design, modification, maintenance, testing, and inspection of all new and existing fire protection systems.

103.3 Organization. The *code official* shall appoint such number of officers, technical assistants, inspectors and other employees as shall be necessary for the administration of the *Construction Codes*.

> **103.3.1 Deputy.** The *code official* is authorized to designate an employee or employees as deputy who shall exercise powers of the *code official* during the temporary absence or disability of the *code official*, as delegated.

103.4 Conflicts of Interest. No official or employee of the *Department* shall directly or indirectly engage in any private business transaction or activity, which tends in any way to interfere with the performance of his or her duties, including:

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1. **Furnishing of Services.** Being engaged in, or directly or indirectly connected with, the furnishing of labor, materials or appliances for the construction, alteration or maintenance of a *building* under the jurisdiction of the *Construction Codes*, or the preparation of plans or specifications of a *building* under the jurisdiction of the *Construction Codes*, unless the official or employee is the principal *owner* of the *building*.

2. **Conflict with Official Duties.** Engaging in any work which conflicts with official duties or with the interests of the *Department*.

3. **Private Work.** Directly or indirectly engaging with or accepting remuneration from any private person, firm, or corporation for the performance of any work as a designer, architect, engineer, consultant, or inspector, which work is to be submitted to, passed upon, reviewed, or inspected by any officer of the District of Columbia charged with the administration of any portion of the *Construction Codes*.

103.5 Public Access to Records. In accordance with procedures established by the *code official*, official records of the *Department* shall be available for public inspection at all appropriate times pursuant to the Freedom of Information Act, effective March 25, 1977 (D.C. Law 1-96; D.C. Official Code § 2-531 *et seq*. (2012 Repl.)). Pursuant to D.C. Official Code § 2-532 (2012 Repl.), the *Department* may collect a fee in accordance with 1 DCMR § 408 for researching and copying any requested documents, except that Advisory Neighborhood Commissioners shall not be required to pay this fee.

104 DUTIES AND POWERS OF THE CODE OFFICIAL

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

104.1.1 Administrative Bulletins. The *code official* shall have the authority to promulgate from time to time *administrative bulletins* that shall be effective upon publication in the D.C. Register. *Administrative bulletins* shall be titled, numbered, and dated. *Administrative bulletins* shall be publically available at the *Department's* permit center and shall be posted on the *Department's* website. The *code official* shall maintain on the *Department's* website the same *administrative bulletins* as available at the *Department's* permit center.

104.2 Applications and Permits. The *code official* shall receive applications, review submittal

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documents, and issue permits and certificates authorized by the *Construction Codes*; and enforce compliance with the provisions of the *Construction Codes*.

104.3 Notices and Orders. The *code official* shall issue all necessary notices or orders to ensure compliance with the *Construction Codes*, and shall institute administrative and legal actions to correct violations or infractions, including actions pursuant to An Act To provide for the abatement of nuisances in the District of Columbia by the Commissioners of said District, and for other purposes, approved April 14, 1906 (34 Stat. 114; D.C. Official Code § 42-3131.01 *et seq*. (2012 Repl.)), and the Due Process Demolition Act of 2002, effective April 19, 2002 (D.C. Law 14-114; D.C. Official Code § 42-3171.01 *et seq*. (2012 Repl.)).

104.4 Inspections. The *code official* is authorized to inspect the *premises* for which a permit or certificate has been issued, and shall make all of the required inspections. The *code official* shall have authority to accept reports of inspection by *approved* agencies. The *code official* is authorized to engage such expert opinion as is deemed necessary to report upon unusual technical issues that arise.

104.5 Identification. The *code official*, and authorized representatives of the *code official*, shall carry proper credentials when inspecting *premises*, including any *buildings* or other *structures*, in the performance of their duties under the *Construction Codes*.

104.6 Right of Entry. The *code official*, in the performance of his or her duties, shall have the right to enter any unoccupied *building*; any *building* under construction, alteration, or repair; any *building* being razed or moved; any *premises*, including any *building* or other *structure* which he or she has reason to believe to be unsafe or a menace to life or limb; or any *building*, the use of which may require the issuance of a license or a certificate of occupancy. With respect to the inspection of any occupied habitable portion of any *building*, consent to such inspection shall first be obtained from any person of suitable age and discretion therein, except that if an acute emergency occurs and immediate steps must be taken to protect the public, such consent need not be obtained. When attempting to gain entrance for inspection, the *code official*, and authorized representatives of the *code official*, shall show official credentials issued by the *Department*. If entry is refused, the *code official* is authorized to apply to the Superior Court for an administrative search warrant, pursuant to D.C. Official Code §§ 42-3131.02 and 42-3509.08 and Sup. Ct. Civ. R. 204.

104.7 Department Records. The *code 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 of the *Department* for the period required for retention of public records.

104.8 Relief from Personal Liability. Unless otherwise provided by Federal or District of Columbia law, the *code official* and any officials or employees of the *Department* charged with enforcement of the *Construction Codes* acting in their official capacity shall not be liable

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personally, and are relieved from all personal liability for any damage that may accrue to *persons* or property as a result of any act required or permitted in the discharge of their official duties.

104.8.1 Defense of Suits. Any suit instituted against the *code official* or any official or employee of the *Department* because of an act performed in the discharge of official duties and under the provisions of the *Construction Codes*, or by reason of any act or omission while performing official duties in connection with the *Construction Codes*, shall be defended by the Office of the Attorney General for the District of Columbia until the final termination of legal proceedings.

104.8.2 Liability for Costs. The *code official* and any official or employee of the *Department* shall not be personally liable for costs in any action, suit or proceeding that is instituted in pursuance of the provisions of the *Construction Codes*.

104.8.3 Liability for Acts or Omissions. Any official or employee of the *Department*, acting in good faith and without malice, shall be free from liability for acts performed under the provisions of the *Construction Codes*, or by reason of any act or omission while performing official duties in connection with the *Construction Codes*.

104.9 Approved Materials, Equipment and Devices. All materials, equipment and devices *approved* for use by the *code official* shall be constructed and installed in accordance with such approval.

104.9.1 Used Materials, Equipment and Devices. The use of used materials which meet the requirements of the *Construction Codes* for new materials is permitted. Used equipment and devices shall not be reused unless *approved* by the *code official*.

104.9.2 Unlabeled Products. Where materials, assemblies or products are required by the *Construction Codes* to be labeled, those materials, assemblies or products which are not labeled, listed or classified by an *approved* testing agency and which are proposed to be installed in the District of Columbia, shall be tested and labeled by an *approved* testing laboratory or shall be *approved* in accordance with Sections 1701 and 1703 of the *Building Code* at the expense of the applicant, before a permit can be granted for this installation.

104.9.3 Assembled Components. Any mechanical or electrical appliance which is not labeled, listed or classified by an *approved* testing agency, which is an assembly of individually labeled or listed subassemblies or components and which is proposed to be installed in the District of Columbia, shall be tested and *approved* in accordance with Section 104.9.2 of the *Building Code*, before a permit can be granted for its installation.

104.9.4 Modular Structures. Before erecting or installing in the District of Columbia any factory assembled *structure*, manufactured at a remote site and transported in one or

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more sections, a complete set of drawings shall be submitted for review prior to the issuance of a building permit. These drawings shall include a certificate of approval by a factory inspection agency that has been *approved* by the *code official*. The drawings shall be submitted to the *code official* for plan review and permitting and shall include a set of the manufacturer's installation specifications and designate the applicable portions of construction that are required to have field inspection by the *code official*, including all utility connections, the marriage line connections and the foundation plate nailing patterns. These drawings shall be stamped by a structural engineer or architect licensed in the District of Columbia, and include the site constructed or assembled foundation system details and specifications. Separate permits issued by the *Department* for plumbing, mechanical, and electrical connections shall be required. Inspections of all work conducted on site shall be in accordance with Section 109. Prior to placement of the factory assembled *structure* on a footing and foundation, all required footing and foundation inspections shall require approval by the *code official*, including the footing drains and any required waterproofing.

104.10 Modifications. Wherever there are practical difficulties involved in carrying out the provisions of the *Construction Codes*, the *code official* shall have the authority to grant modifications for individual cases upon application of the *owner* or *owner's* representative; provided, that the *code official* shall first find that special individual reasons make the strict letter of the *Construction Codes* impractical, that the modification is in compliance with the intent and purpose of the *Construction Codes*, and that such modification does not lessen health, accessibility, life and fire safety, or structural requirements. The details of the action granting modification shall be recorded and entered in the appropriate files of the *Department*. The *code official* may seek the opinion of the Office of the Attorney General for the District of Columbia when deemed necessary for the requested modification.

104.10.1 Flood hazard areas. The *code official* shall not grant modifications to any provision required in *flood hazard areas* as established by Section 1612.3 unless a determination has been made that:

1. A showing of good and sufficient cause that the unique characteristics of the size, configuration or topography of the site render the elevation standards of Section 1612 inappropriate.

2. A determination that failure to grant the variance would result in exceptional hardship by rendering the lot undevelopable.

3. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, cause fraud on or victimization of the public, or conflict with existing laws or ordinances.

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4. A determination that the variance is the minimum necessary to afford relief, considering the flood hazard.

5. Submission to the applicant of written notice specifying the difference between the *design flood elevation* and the elevation to which the building is to be built, stating that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced floor elevation, and stating that construction below the *design flood elevation* increases risks to life and property.

104.10.2 Procedure for Modifications. The application for modification shall be submitted on a form provided by the *Department* and sealed by the registered design professional if applicable. The final decision of the *code official* shall be in writing and shall be officially recorded with the application for permit in the permanent records of the *Department*.

104.10.3 Improper Procedure. Any verbal waiver or verbal permission to deviate from or violate any provision of the *Construction Codes* is null and void.

104.11 Alternative Materials, Equipment, Methods of Construction and Design. The provisions of the *Construction Codes* are not intended to prevent the use of any material, equipment or method of construction not specifically prescribed by the *Construction Codes*, provided any such alternative has been *approved* by the *Department*. Alternative materials, equipment or methods of construction shall be *approved* when the *code official* finds that the proposed design is satisfactory and complies with the intent of the provisions of the *Construction Codes*, and that the material, equipment or method offered is, for the purpose intended, at least the equivalent of that prescribed in the *Construction Codes* in quality, strength, effectiveness, fire-resistance, durability and safety. Approvals shall conform to Sections 1701 and 1703 of the *Building Code*.

104.11.1 Research Reports. Supporting data, where necessary to assist in the approval of materials, equipment or methods of construction not specifically provided for in the *Construction Codes* shall consist of valid research reports from sources *approved* by the *code official.*

104.11.2 Tests. Whenever there is insufficient evidence of compliance with the provisions of the *Construction Codes,* or evidence that a material, equipment or method of construction does not conform to the requirements of the *Construction Codes*, or in order to substantiate claims for alternative materials or methods, the *code official* shall have the authority to require tests as evidence of compliance to be made at no expense to the government of the District of Columbia. Test methods shall be specified in the *Construction Codes* or by other recognized and accepted test standards in the industry. In the absence of recognized and accepted test methods, the *code official* is authorized to approve appropriate testing procedures. Tests shall be performed by an agency *approved*

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by the *code official*. Reports of such tests shall be retained by the *code official* for the period required for retention of public records.

104.12 Reasonable Accommodation Under the Fair Housing Act. Requests for reasonable accommodation under the Fair Housing Act, 42 U.S.C. § 3604(f)(3)(B), as amended, shall be made according to the procedures set forth in 14 DCMR § 111.

105 PERMITS

105.1 Required Permits. Depending on the scope of work, an *owner* or authorized agent who intends to undertake any of the activities set forth in items 1 through 4 below, or to cause any such work to be done, shall first make application to the *code official* and obtain the required permit(s) relevant to the intended work:

1. Construct, enlarge, alter, repair, move, demolish, or change the occupancy of a *building* or other *structure*; or

2. Erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical, or plumbing system, the installation of which is regulated by the *Construction Codes*, or to cause any such work to be done; or

3. Install tower cranes or other similar hoisting devices on public space or private property; or

4. Undertake any other activity regulated by the *Construction Codes*.

105.1.1 Classification of Permits. For the purposes of the *Construction Codes*, permits issued by the *Department* shall be classified as follows:

1. Building permits.

2. Raze permits.

3. Trade permits:

   3.1. Electrical;

   3.2. Gas;

   3.3. Mechanical;

   3.4. Plumbing;

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3.5. Elevators and conveying systems;

3.6. Boilers.

4. Sign permits (subject to Sections 105.1.11 and 3107).

5. Foundation and earthwork permits.

6. Miscellaneous permits.

6.1. Projection permits;

6.2. Crane and derrick permits;

6.3. After-hours permits;

6.4. Other activities as may be determined by the *code official*, and set forth by the *Department* in *administrative bulletins*.

105.1.2 Permitted Construction Hours. Authorized construction hours permitted in the District of Columbia, for work conducted under a permit, are from 7 a.m. to 7 p.m. Mondays through Saturdays, excluding legal holidays.

105.1.3 After Hours Permit. Any request to work pursuant to a permit beyond permitted construction hours shall be made by application to the *code official* and shall be subject to noise regulations set forth in 20 DCMR. No after-hours permit shall be issued for work in an area zoned "residential" under the *Zoning Regulations* then in effect, or in an area within 500 feet (152 400 mm) of such residential zone, or within 500 feet (152 400 mm) of a *building* with sleeping quarters, unless the *code official* determines that not issuing such permit would pose a threat to public safety, health and welfare.

105.1.4 Establishment of Special Flood Hazard Areas. The District of Columbia has established a *Special Flood Hazard Area*, as delineated on the Federal Emergency Management Agency's Flood Insurance Rate Map and adopted by the District at 20 DCMR § 3101.2. For purposes only of this subsection and 20 DCMR Chapter 31, "development," as defined in 20 DCMR § 3199.1, shall mean any man-made change to improved or unimproved real estate, including but not limited to *buildings* or other *structures*, streets and other paving, utilities, filing, grading, excavation, mining, dredging, drilling operations, storage of equipment or materials, and the subdivision of land.

105.1.5 Annual Permit. In lieu of an individual permit for each alteration to an already

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approved electrical, gas, mechanical or plumbing installation, the *code official* is authorized, upon application therefore, to issue an annual permit allowing alterations to such installations to any person, firm or corporation regularly employing one or more qualified tradespersons in the *building*, other *structure* or on the *premises* owned or operated by the applicant for the permit.

105.1.5.1 Annual Permit Records. The person or entity to whom an annual permit is issued shall keep a detailed record of alterations made under such annual permit. The *code official* shall have access to such records at all times or such records shall be filed with the *code official* as designated.

105.1.6 Licensing Requirements. Electrical, mechanical, plumbing, and fuel work requiring a permit shall be performed, as applicable, by a licensed electrician, plumber, gas-fitter, and/or refrigeration and air-conditioning mechanic licensed pursuant to D.C. Official Code § 47-2853.01 *et seq*. (2012 Repl.).

105.1.7 Raze Permits. Before a raze permit is issued, the *owner* of the *building* or other *structure* to be razed, or the *owner's* agent, shall post and maintain a notice furnished by the *code official* on the façade fronting on the public street of the *building* or other *structure* as designated by the *code official*, so as to be visible from the public way. The raze permit shall not be issued by the *code official* until at least 30 days after the date the notice is posted on the *building* or other *structure*. This notification requirement shall not apply to any emergency raze ordered by the *code official*. Violations of this subsection shall be deemed a Class 3 infraction pursuant to 16 DCMR § 3200.

105.1.7.1 Other Requirements. Prior to issuing a raze permit, the *code official* is authorized to require the *applicant* to submit clearances and/or information, including, but not limited to, asbestos removal, utility disconnects, grading plans, and historic preservation, and to provide notification to adjoining property *owners* where party walls are involved.

105.1.7.2 Fee. The applicant for a raze permit shall pay a fee for the furnishing of the notice required under Section 105.1.7 in accordance with the applicable fee schedule published in the *D.C. Register*, as amended from time to time.

105.1.8 Emergency Work. When necessary to make emergency repairs or replacements to *buildings*, other *structures* or systems, an application for a permit to cover all emergency work shall be submitted no later than the first business day following the performance of such emergency work.

105.1.9 Posting of Permit. The permit, or a copy thereof, shall be kept on the work site and conspicuously displayed at a location visible from the street until the completion of the project.

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105.1.10 Grounds for Permit Denial. The *code official* is authorized to deny permits pursuant to D.C. Official Code § 6-1408.01 (2012 Repl.).

105.1.11 Signs. To the extent that the *code official* is designated as the permitting and enforcement official for signs, pursuant to any District of Columbia laws and regulations, including, but not limited to, the Sign Regulation Emergency Amendment Act of 2012, enacted July 11, 2012 (D.C. Act 19-387; 59 DCR 8491), any substantially similar successor legislation; Section 1 of An Act to regulate the erection, hanging, placing, painting, display, and maintenance of outdoor signs and other forms of exterior advertising within the District of Columbia, approved March 3, 1931 (46 Stat. 1486; D.C. Official Code § 1-303.21 (2012 Repl.), and Mayor's Order 2011-181, dated October 31, 2011 ("Sign Legislation"), the duties and powers of the *code official* shall be governed by (a) Chapter 1, 12 DCMR A and (b) Chapter 1, 12 DCMR G, including, but, not limited to, the *code official's* authority to receive applications, to review submittal documents and issue permits, to institute administrative and legal actions to correct violations or infractions, and to inspect *premises.*

105.1.11.1 Applicable Requirements. Signs shall be designed, constructed and maintained in accordance with the requirements of Title 12 of the DCMR, including, but not limited to, Appendix N to the *Building Code Supplement* which is hereby expressly adopted and incorporated by reference, and the *Property Maintenance Code*, until such time as the District of Columbia adopts superseding regulations pursuant to the Sign Legislation.

105.1.12 Stormwater Management and Erosion and Sediment Control. A permit shall not be issued for a major substantial improvement activity (as defined by 21 DCMR Chapter 5) or a land-disturbing activity regulated by 21 DCMR Chapter 5, until the submitted plans reflect the pertinent features approved by the official charged with the administration and enforcement of 21 DCMR Chapter 5, and the requirements of D.C. Law 5-188, Water Pollution Control Act of 1984, as amended.

105.2 Work Exempted from Permit. This Section 105.2 sets forth exemptions from permit requirements, subject to historic and *Special Flood Hazard Area* restrictions set forth in Sections 105.2.5 and 105.2.6 respectively. Exemptions from permit requirements of the *Construction Codes* shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of the *Construction Codes* or of any other laws, regulations or ordinances of the District of Columbia.

Building:

1. Brick pointing.

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2. Caulking, patching and plaster repair of non-rated assemblies.

3. Installation of window screens and storm windows.

4. Repair in kind of existing fences.

5. Painting other than fire-retardant paint.

6. Papering, tiling, carpeting, floor covering, cabinets, countertops and similar finish work.

7. Replacement *in kind* of one of the items listed hereafter. For the purpose of this section, "replacement in kind", means replacement with a feature of like material that replicates the existing feature in proportion, appearance, texture, design, detail and dimensions.

   7.1. Roofing and coping.

   7.2. Siding.

   7.3. Gutters and downspouts and fascia.

   7.4. Private sidewalks and driveways.

   7.5. Patios

   7.6. Non-rated suspended ceiling tile.

   7.7. Not more than 160 square feet (14.9 m^2) of gypsum board excluding installation of fire-rated gypsum wall board or shaft liner.

8. A single garden storage shed that does not exceed 50 square feet (4.65 m^2) in area, is less than ten feet (3048 mm) in overall height, is an accessory *structure* to a *building* of Use Group R-3 or to a *building* under the jurisdiction of the *Residential Code*, and is erected on a lot with no other exempted storage shed.

9. Prefabricated pools, accessory to a Use Group R-3 occupancy, or accessory to *buildings* under the jurisdiction of the *Residential Code*, which are less than 24 inches (610 mm) deep, do not exceed 1000 gallons (3785.41L), are installed entirely above ground and are not designed or manufactured to be connected to a circulation system.

10. Retaining walls that are not over four feet (1219 mm) in height, measured from

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the bottom of the footing to the top of the wall, for one and two family dwellings only where the area of land disturbance is less than 50 square feet (4.65 m^2).

11. Shade cloth *structures* constructed for nursery or agricultural purposes, not including service systems.

12. Swings and other playground equipment accessory to one- and two-family dwellings.

13. Movable fixtures, cases, racks, counters and partitions not over five feet nine inches (1753 mm) in height.

Electrical:

1. Repair portable electrical equipment.

2. Repair lighting fixtures.

3. Repair or replace ballasts, sockets, receptacles, or snap switches.

4. Minor repair work, including the replacement of lamps or the connection of *approved* portable electrical equipment to *approved* permanently installed receptacles, and other minor repairs at existing outlets.

5. Electrical equipment used for radio and television transmissions; however, a permit is required for equipment and wiring for a power supply and the installations of towers and antennas.

6. Listed cord-and-plug connected temporary decorative lighting.

7. Reinstallation of plug receptacles but not the outlets thereof.

8. Replacement of branch circuit overcurrent devices of the required capacity in the same location.

9. Installation of any temporary system required for the testing or servicing of electrical equipment or apparatus.

Gas:

1. Portable heating, cooking or clothes drying appliances.

2. Replacement of any minor part that does not alter approval of equipment or make

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such equipment unsafe.

3. Portable-fuel-cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.

Mechanical:

1. Portable heating appliances.

2. Portable ventilation appliances.

3. Portable cooling units.

4. Steam, hot or chilled water piping within any heating or cooling equipment or appliances regulated by the *Construction Codes.*

5. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.

6. Portable evaporative coolers.

7. Self-contained refrigerating systems containing 10 pounds (5 kg) or less of refrigerant or that are actuated by motors of 1 horsepower (746 W) or less.

8. Portable-fuel-cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.

Plumbing:

1. The stopping of leaks in drains, water, soil, waste or vent pipe, provided, however, that if any concealed trap, drainage, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work and a permit shall be obtained and inspection made as provided in the *Construction Codes*.

2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures, and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes, or fixtures.

3. Repair or replacement of water meters performed by DC Water.

105.2.1 [Reserved].

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105.2.2 Ordinary Repairs. Permits are not required for ordinary repairs to *buildings*, other *structures* or equipment. Ordinary repairs shall not include:

1. The cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or load bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a *structure* affecting the egress requirements; or

2. Addition to, alteration of, replacement or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electric wiring or mechanical or other work affecting public health or general safety.

105.2.3 Public Service Agencies. A permit shall not be required under the *Construction Codes* for the installation, alteration or repair of equipment and facilities used for generation, transmission, distribution, metering or treatment that is under the ownership or control of public service agencies subject to the jurisdiction of the Public Services Commission or DC Water.

Exception: A permit shall be required for all projects involving land-disturbing activities or major substantial improvement activities as defined in 21 DCMR Chapter 5, and for all work described in Section 105.2.5.

105.2.4 [Reserved].

105.2.5 Permit Exemptions Not Applicable in Historic Districts or to Historically Designated Structures. When the proposed scope of work would qualify to be exempted from permit pursuant to Section 105.2 of this chapter, and the work is to occur on the land of or the exterior of *buildings* or other *structures* located in historic districts, or of historically designated *buildings* or other *structures*, an application for a building permit pursuant to Section 105.1 shall be required for the following work described in Section 105.2 **Building**: 1. Brick pointing; 4. Repair or replacement of fences, except as deemed an ordinary repair; 5. Painting of unpainted exterior masonry at a landmark property; 7. Replacement in kind, except of interior ceiling tile and gypsum board; 8. Garden storage shed; 9. Prefabricated pools; and 10. Retaining walls.

105.2.6 Permit Exemptions Not Applicable in Special Flood Hazard Areas. When the proposed scope of work would qualify to be exempted from permit requirements pursuant to Section 105.2 of this chapter, and the work is to occur on land designated as a *Special Flood Hazard Area* on the Federal Emergency Management Agency's Flood Insurance Rate Map for the District (20 DCMR § 3101.2), a building permit shall be required.

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105.3 Application for Permit. To obtain a permit, the *owner* or the authorized agent (herein referred to as the applicant) shall submit to the *code official* an application for permit. Where a permit is required, it shall be obtained by applicant prior to the commencement of any work, except as provided in Section 105.1.8. For trade permits, the applicant shall be the contractor responsible for the work to be done.

An application shall be submitted in the form prescribed and provided by the *code official*. Unless otherwise specified by the *code official*, the application shall:

1. Be accompanied by any filing fee deposit required pursuant to Section 108.2.1.1 and any other fees required by the *code official* to be paid at the time of filing. All other fees shall be paid prior to issuance of the permit pursuant to Section 108.

2. Clearly identify and describe the work to be covered by the permit for which application is made.

3. Describe the land on which the proposed work is to be done by legal description, street address, lot and square or similar description that will readily identify and definitively locate the proposed *building* or work.

4. Provide sufficient information clearly distinguishing existing versus proposed use.

5. Indicate the use and occupancy for which the proposed work is intended.

6. Be accompanied by a fully completed intake form and supporting submittal documents as required by Section 106.

7. Include an accurate breakdown of construction valuation in accordance with Section 108.3.

8. Include a valid electronic mail address for communications relating to the application and for electronic service of notices and orders related to the permit.

9. Include the applicant's certification that the information provided in the application is true and correct to the best of the applicant's knowledge, and acknowledging the applicability of criminal penalties for false statements as provided in Section 404 of the District of Columbia Theft and White Collar Crimes Act of 1982, effective December 1, 1982 (D.C. Law 4-164; D C. Official Code § 22-2405 (2013 Supp.)).

10. Include the "Standards of External Effects" application required by the District of Columbia Zoning Regulations (11 DCMR, Chapter 8) if the property is located in a CM or M zone district.

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11. Provide name and contact information, including a valid electronic mailing address, for the general contractor or construction manager, if known, when the application is filed. If the information is not known at the time of filing, the information shall be provided to the *code official* as soon as the general constructor or construction manager is selected, but no later than the scheduling of the first inspection.

12. Be signed by the applicant, or the applicant's authorized agent. The application form shall contain the statement "Making of a false statement in this form is punishable by criminal penalties pursuant to D.C. Official Code § 22-2405" in the applicant's signature box.

13. Provide such other data and information as required by the *code official*.

14. For applications to authorize electrical, mechanical, plumbing or fuel gas work, include the name, signature and license number of the *person* performing the work as required by Section 105.1.6.

105.3.1 Action on Application. The *code official* shall examine or cause to be examined all applications for permit and amendments to applications within a reasonable time after filing. The *code official* may reject an application at the time of filing if the application and required supporting documents are not substantially complete. If deficiencies in the application, plans or other supporting documents are discovered during processing, the *code official* is authorized, in his or her discretion, to give the applicant an opportunity to correct the deficiencies prior to taking action to approve or reject the application. If the application or the plans do not conform to the requirements of all pertinent laws, the *code official* is authorized to reject such application. The *code official* shall state the reasons for the rejection in writing, citing specific sections of the *Construction Codes*, and stating the applicant's right of appeal under Section 112. If the *code official* is satisfied that the proposed work conforms to the requirements of the *Construction Codes* and all applicable laws, rules, and regulations, the *code official* shall issue a permit as soon as practicable.

105.3.1.1 Third-Party Plan Review. An applicant shall have the option of providing for a third-party plan review agency to perform a code compliance review of a project, at the applicant's expense, pursuant and subject to the provisions of: this Section 105.3.1; the Homestart Regulatory Improvement Amendment Act, effective June 25, 2002 (D.C. Law 14-162; D.C. Official Code § 6-1405.03 (2012 Repl.)); and the Third-Party Plan Review Program Procedure Manual, adopted by the *Department* on January 2, 2011 (the "Third-Party Plan Review Manual"), as amended.

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105.3.1.2 Third-Party Plan Review Procedures. An applicant may seek an expedited submittal documents review by providing the *code official* with a certified report(s) of the findings of the third-party plan review agency, in a format acceptable to the *code official*. The *code official* shall accept such reports from *approved* third-party plan review agency or agencies, as provided for in the Third-Party Plan Review Manual.

If the *code official* is satisfied that the report and the proposed submittal documents or certified components of submittal documents conform to the requirements of the *Construction Codes*, the *Department* shall complete its review within 15 business days of application submission. The *code official*'s final approval of the submittal documents and issuance of related permits will be provided upon receipt of approvals from other reviewing agencies.

105.3.2 Payment of Delinquent Fines and Penalties. The *code official* may refuse to issue a permit if the *owner*, applicant, or responsible officer has outstanding fines or penalties imposed under the *Construction Codes*, or if the *code official* determines that the *owner*, applicant, or responsible officer is in violation of any provision of the *Construction Codes*.

105.3.3 By Whom Application is Made. Application for a permit shall be made by the *owner* or lessee of the *premises*, including any *building* or other *structure*, or by the authorized agent of either. The licensed engineer, architect or interior designer employed in connection with the proposed work shall be allowed to submit an application for a building permit on behalf of the *owner* or lessee if an authorized agent.

105.3.3.1 Transfer of Permit Application. If the *owner* or lessee of the *premises*, including any *building* or other *structure*, should change, an unexpired permit application may be transferred to a new *owner* or lessee upon approval by the *code official* of an application by the new *owner* or lessee, in a form specified by the *code official*.

105.3.3.2 Penalties for False Statements. False statements in an application may subject the permit to revocation pursuant to Section 105.6. Applicants are also subject to the penalties of Section 404 of the District of Columbia Theft and White Collar Crimes Act of 1982, effective December 1, 1982 (D.C. Law 4-164; D.C. Official Code § 22-2405 (2013 Supp.)) for false statements.

105.3.4 Approval of Partial Plans. The *code official* is authorized to issue a partial permit for earth retention or the construction of foundations before the entire plans and specifications for the whole *building* or other *structure* have been submitted, provided adequate information and detailed statements have been filed complying with all pertinent requirements of the *Construction Codes*. Issuance of a partial permit by the

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code official does not constitute assurance that a permit for the entire structure will be granted. The holder of such partial permit for earth retention or foundations will proceed with the construction at the holder's own risk and without assurance that a permit for the entire *structure* will be granted.

105.3.5 Approval of Submittal Documents. When the *code official* issues a permit, the submittal documents shall be *approved*, in writing or by stamp, as "Approved." Unless submitted electronically, one set of *approved* submittal documents so reviewed shall be retained by the *code official* and the other sets shall be returned to the applicant; at least one *approved* set shall be kept at the work site and shall be open to inspection by the *code official*.

105.3.6 Signature on Permit. The *code official*'s signature shall be attached to every permit; or the *code official* may authorize a subordinate to affix a facsimile of the *code official*'s signature to permits. The *code official*'s signature shall not be construed as indicating that the construction complies with any other requirement of District law or regulation other than the *Construction Codes* and the *Zoning Regulations*. The permit does not grant a waiver of the maximum height allowed under An Act to regulate the height of buildings in the District of Columbia, approved June 1, 1910 (36 Stat. 452; D.C. Official Code §§ 6-601.01 to 6-601.09 (2012 Repl.)), unless expressly indicated on the permit.

105.3.7 Time Limitation of Application. An application for a permit for any proposed work shall be deemed to have been abandoned 180 days after the date of filing, unless such application has been pursued in good faith or a permit has been issued. The *code official* is authorized to grant a maximum of two extensions of time for agency consideration of a permit application, not exceeding 180 days each, provided that the extension is requested in writing and justifiable cause demonstrated. Refunds of the unused portion of the application file deposit shall be made pursuant to Section 108.6.

105.3.8 Amendments to Permit. The holder of a valid active building permit shall be authorized to amend it or to amend the plans, application or other records pertaining to the permit by filing, at any time before completion of the work for which the original permit was issued, an application for revision of a building permit, accompanied by a copy of the originally *approved* submittal documents and, unless submitted electronically, by two sets of the revised plans. Once such amendments are *approved* and the revised permit is issued, it shall be deemed part of the original permit and shall be kept therewith in the official records of the *Department*. A revision permit shall become invalid upon expiration of the original building permit it amends. The extension provisions of Section 105.5.1 shall apply to the original building permit and shall only affect the respective revision permits to the extent that the original building permit is extended.

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105.3.9 Electronic Mail Address Update. While applications are pending for processing and after issuance of a permit, applicants and permit holders are required to update the electronic mailing address provided in the underlying permit application as specified in Section 105.3, items 8 and 11.

105.3.10 Design Professional in Responsible Charge. All design for new construction work, alteration, repair, expansion, addition or modification work involving the practice of professional architecture or engineering, as defined by applicable District of Columbia laws, shall be prepared by registered architects or professional engineers licensed to practice in the District of Columbia. All plans, computations, and specifications required for a building permit application for such work shall be prepared by or under the direct supervision of a registered architect or professional engineer and shall bear the architect's or engineer's signature and seal in accordance with the laws of the District of Columbia. Plans for non-structural alterations and repairs of a *building*, including the layout of interior spaces, which do not adversely affect any structural member or any part of the *structure* having a required fire resistance rating, or the public safety, health or welfare, and which do not involve the practice of engineering as defined by applicable District of Columbia laws, shall be deemed to comply with this section when such plans are prepared, signed and sealed by an interior designer licensed and registered in the District of Columbia in accordance with applicable District of Columbia laws.

105.3.10.1 Exemptions. The professional services of a registered architect, professional engineer or an interior designer are not required for the following:

1. Work done under any of the exemptions from registration provided for in the laws of the District of Columbia governing the professional registration of architects, engineers and interior designers.

2. Nonstructural alteration of any *building* of R-3 occupancies or of any *building* under the jurisdiction of the *Residential Code*.

3. Preparation of drawings or details for cabinetry, architectural millwork, furniture, or similar interior furnishings, for any work to provide for their installation or for any work exempt from building permit by Section 105.2.

4. Preparation of drawings or details for the installation of water and sewer *building* connections to a single family residential *structure*. The *code official* is authorized to accept drawings and details prepared by a licensed plumber.

105.3.10.2 Substitute Design Professional. If the circumstances require, the

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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.

105.3.11 Green Building Incentives. In order to foster green building development and encourage the District's sustainability goals, including resource conservation and increased energy and water efficiency, the *code official* is authorized to develop incentives for projects which meet voluntary green building standards as set forth in the *Department's Administrative Bulletins.* Such incentives may include, but are not limited to, expedited permit processing.

105.4 Compliance with Code. The permit shall be an authorization to proceed with the work for which the permit was issued and shall not be construed as authority to violate, cancel or set aside any of the provisions of the *Construction Codes*, except as specifically stipulated by modification granted in accordance with Sections 104.10 and 104.10.1.

105.5 Expiration of Permit. Any permit issued shall become null and void if the authorized work is not begun and inspected pursuant to Section 109 within one year after the permit is issued, or if the authorized work is suspended, abandoned or not inspected pursuant to Section 109 for a period of one year. In determining whether work has been suspended or abandoned under this Section 105.5, including exceptions thereto, the *code official* shall have the right to request documentation from the permit holder and to inspect the *premises*, including any *building* or other *structure*, for which the permit has been granted.

Exceptions:

1. Any permit issued for construction regulated by the *Residential Code* shall become invalid if the authorized work is not begun within 180 days after the permit is issued, or if the authorized work is suspended or abandoned for a period of 180 days after the date work is begun as evidenced by lack of continuous work.

2. Any permit issued for work that is to occur on land designated as a *Special Flood Hazard Area* on the Federal Emergency Management Agency's Flood Insurance Rate Map shall become invalid if the authorized work is not begun within 180 days after the permit is issued, or if the authorized work is suspended or abandoned for a period of 180 days after the date work is begun as evidenced by a lack of continuous work.

3. Any permit issued for work on *premises*, including any *buildings* or other *structures*, that have been deemed to be unsafe or unfit for human occupancy (in accordance with Section 115), or abandoned or deteriorated property (in accordance with D.C. Official Code § 42-3171.01 *et seq*.(2012 Repl.)), shall become invalid if the authorized work is not begun within 30 days after the permit

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is issued and completed within six months after the date work is begun, unless the permit is extended in accordance with Section 105.5.1.

4. The *code official* has the authority to reinstate, in writing, an expired permit upon a showing of applicable extenuating circumstances.

105.5.1 Extension of Permit. A permit may be extended upon written request, prior to expiration and upon a showing of good cause. The *code official* is authorized to grant extensions of time not to exceed 180 days per extension. Not more than four extensions of time will be granted to any permit. The *code official* may issue an extension for a period of 365 days upon demonstration of need at the time of extension application, but, in no event, shall the aggregate extensions of time exceed two years.

Exceptions:

1. For any permit issued for work on *premises*, including any *buildings* or other *structures*, that have been deemed to be unsafe or unfit for human occupancy (in accordance with Section 115), or abandoned or deteriorated property (in accordance with D.C. Official Code § 42-3171.01 *et seq*. (2012 Repl.)), work must commence within 30 days after the initial permit is issued, and be completed within 180 days after the date work is begun, unless an extension of time is granted by the *code official*. If the work has not been completed within the 180 day period or any extension period granted by the *code official*, the *Department* is authorized to complete the work in accordance with D.C. Official Code § 42-3131.01 *et seq.* (2012 Repl.) and to seek any other remedies or penalties authorized by law, including monetary fines, criminal prosecution, or court orders directing correction or abatement of the violation.

2. The *code official* shall have the discretion to inspect the *premises*, including any *building* or other *structure*, for which a permit extension has been requested prior to granting an extension.

105.5.2 [Reserved].

105.5.3 Transferability of Permits. Where a permit holder transfers a *premises*, including any *building* or other *structure*, for which an unexpired permit has been issued, except where restricted by Section 113.9, the permit may be transferred to the new *owner*, upon application by the new *owner* in a form specified by the *code official*. Permits for installations related to electrical, gas, mechanical, plumbing, elevator and fire protection systems are not transferable.

105.6 Revocation of Permits. The *code official* is authorized to revoke a permit or approval

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issued under the *Construction Codes* or the District of Columbia Zoning Regulations (11 DCMR) (the *Zoning Regulations*), for any of the following conditions:

1. Where there is a false statement or misrepresentation of fact, or other significant inaccuracy, in the application or on the plans on which a permit or approval was based, that substantively affected the approval, including, but not limited to, inaccuracies with respect to pre-existing conditions;

2. When the construction does not comply with the *Construction Codes* (or any modification duly granted thereunder by the *code official*), the *Zoning Regulations* (or any relief granted therefrom by the Board of Zoning Adjustment or the Zoning Commission), the permit, the revised permit, one or more conditions of any Board of Zoning Adjustment or Zoning Commission Order that authorized the construction, or the *approved* plans and other information filed to obtain the permit, and when the permit holder fails to correct the non-conforming situation within the time period specified in a notice or order issued under Section 113;

3. When the permit holder has been cited under 12 DCMR A § 115 for one or more violations of the *Construction Codes* which, by the determination of the *code official*, threaten the health and safety of the public in the District of Columbia, and when the permit holder fails to restore safety or otherwise remedy the situation under the terms and conditions of the *code official's* order and within the time period specified;

4. When the construction has been posted with two or more stop work orders, under 12 DCMR A § 114, and the permit holder fails to comply with conditions stated in the orders prior to resuming construction, in two or more instances, so as to establish a pattern indicative of the permit holder's unwillingness to fully comply with the *Construction Codes;*

5. When permits are issued to a contractor whose license has expired, or is suspended or revoked by the Board having jurisdiction;

6. When the *code official* determines that the permit has been issued in error or on the basis of incorrect information supplied; or

7. When the use is located in a CM or M zone district and the use violates the "Standards of External Effects" described in the *Zoning Regulations*.

105.6.1 Effective Date of Revocations. Revocations based on items 1, 2, 4, 5, 6 or 7 of Section 105.6 are proposed actions and shall become final upon occurrence of one of the following conditions:

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1. If the permit holder fails to request a hearing from: (a) the Office of Administrative Hearings within 15 business days of receipt after service pursuant to Section 105.6.3 of the notice of revocation with respect to violations of the *Construction Codes*; or (b) the Board of Zoning Adjustment within 60 days of receipt after service pursuant to Section 105.6.3 of the notice of revocation with respect to violations of the *Zoning Regulations*; or

2. If the Office of Administrative Hearings or Board of Zoning Adjustment finds that grounds exist to revoke the permit following a hearing requested by the permit holder pursuant to Section 105.6.4.

105.6.1.1 Summary Revocations; Cancellations.

1. Revocations based on item 3 of Section 105.6 shall be summary revocations and shall take effect on the date ordered by the *code official*.

2. The *code official* shall have the right to declare a permit null and void, if the agency determines that the permit was erroneously issued as the result of administrative or clerical error and notifies the permit holder of the error within five business days of permit issuance. Upon such notification, the permit holder shall promptly surrender the permit for cancellation, however, the failure to surrender the permit voluntarily for cancellation shall not affect its invalidity and the permit shall be cancelled upon notification to the permit holder in accordance with Section 105.6.3.

105.6.1.2 Board of Zoning Adjustment Order. When a written order of the Board of Zoning Adjustment concludes that a permit was issued in error, the permit shall be revoked, effective 10 days after the Board of Zoning Adjustment Order is served upon the permit holder. The revocation may be appealed to the District of Columbia Court of Appeals pursuant to Section 11 of An Act To prescribe administrative procedures for the District of Columbia Government, approved October 21, 1968 (82 Stat. 1209; D.C. Official Code § 2-510 (2012 Repl.)).

105.6.2 Notice of Revocation. Except as provided in Section 105.6.1.1, the permit holder shall be provided, pursuant to Section 105.6.3, written notice of the *code official*'s order to revoke the permit. This notice shall include the following:

1. A copy of the written order;

2. A statement of the grounds for the action taken, citing the provisions of

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the D.C. Official Code, the *Construction Codes* or the *Zoning Regulations* which have been violated; and

3. A statement advising the permit holder of the right to appeal the revocation in accordance with Section 105.6.4.

105.6.3 Service of Notice to Revoke a Permit. The *code official* shall effect service of a notice to revoke a permit by one of the following methods:

1. Personal service on the permit holder or the permit holder's agent;

2. Delivering the notice to the last known home or business address of the permit holder as identified by the permit application, the tax records, or business license records, and leaving it with a person over the age of 16 years old residing or employed therein;

3. Mailing the notice, via first class mail postage prepaid, at least 10 days prior to the date of the proposed action, to the last known home or business address of the permit holder or the permit holder's agent as identified by the permit application, the tax records, or business license records; or

4. If the notice is returned as undeliverable by the Post Office authorities, or if no address is known or can be ascertained by reasonable diligence, by posting a copy of the notice in a conspicuous place in or about the *structure* affected by such notice.

105.6.3.1 Respondent's Agent. For the purposes of this section, respondent's agent shall mean a general agent, employee, registered agent or attorney of the respondent.

105.6.3.2 Subsequent Notifications. Once the initial notice has been served:

1. The respondent shall notify the *Department* of all changes of address or of a preferred address to receive all future notices regarding the revocation. This notification by the respondent shall be in writing; and

2. All other notices, orders, or any other information regarding the revocation may be sent by the *Department* via first class mail, postage prepaid.

105.6.4 Appeal from Action. The permit holder may request a hearing by the Office of Administrative Hearings or the Board of Zoning Adjustment as provided below.

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105.6.4.1 Office of Administrative Hearings. The permit holder may appeal a notice of revocation to the Office of Administrative Hearings (OAH) no later than 10 business days after service of written notice of the revocation upon the permit holder, pursuant to Chapter 18A of Title 2 of the D.C. Official Code (D.C. Official Code § 2-1801.01 *et seq.* (2012 Repl.)) and any regulations promulgated thereunder. The appeal shall specify that the *Construction Codes* or the rules legally adopted thereunder have been incorrectly interpreted or applied by the *code official*, that the provisions of the *Construction Codes* do not fully apply, or that an equally good or better form of construction can be used. OAH shall have no authority to waive requirements of the *Construction Codes*.

105.6.4.2 Board of Zoning Adjustment. To the extent that a revocation is based in whole or in part upon a violation of the *Zoning Regulations*, any appeal of the zoning-based ground shall be heard by the Board of Zoning Adjustment in accordance with Section 8 of An Act Providing for the zoning of the District of Columbia and the regulation of the location, height, bulk and uses of buildings and other structures and the uses of land in the District of Columbia, and for other purposes, approved June 20, 1938, as amended, (52 Stat. 799; D.C. Official Code § 6-641.07 (2012 Repl.)) and Chapter 32 of the *Zoning Regulations* (11 DCMR). The appeal shall be filed no later than 60 days after service of written notice of the revocation upon the permit holder, pursuant to D.C. Official Code § 6-641.09 (2012 Repl.), and the *Zoning Regulations*. The permit holder shall specify the provisions of the *Zoning Regulations* on which the appeal is based.

105.6.4.3 Expedited Hearings. When a summary revocation is ordered under item 3 of Section 105.6 of this chapter, the permit holder may request an expedited hearing from OAH within 72 hours (excluding Saturdays, Sundays, and legal holidays) of service of notice pursuant to Section 105.6.3, to review the reasonableness of the revocation order. At this hearing, the *code official* shall have the burden of establishing a prima facie case of immediate or serious and continuing endangerment. The OAH may not stay the *code official's* decision to revoke a permit under item 3 of Section 105.6 pending the final resolution of the hearing.

105.7 Posting of Fines. Where civil infraction citations have been issued to an applicant for a building permit for illegal construction under Section 113.7, all applicable fine amounts must be posted with the Treasurer of the District of Columbia by the applicant, prior to the issuance of any permit. Upon adjudication of said civil infraction citations, any fines or penalties not assessed to the applicant will be refunded.

106 SUBMITTAL DOCUMENTS

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106.1 General. Submittal documents shall consist of *construction documents* (as specified in this Section 106 or as may be required by the *code official*), a statement of *special inspections*, a geotechnical report and other data. The *construction documents* shall be prepared by a *registered design professional* where required by the *Construction Codes*. Where special conditions exist, the *code official* is authorized to require additional *construction documents* to be prepared by a registered design professional.

Where one or more submittal documents are required based on the permit(s) applied for, submittal documents shall be submitted with the permit application and shall include four sets, or an electronic submission, of drawings and one set of all other supporting documents unless otherwise specified below. Notwithstanding the foregoing, all submittal documents, the permit application and all other supporting documents shall be submitted electronically, based on the following schedule:

1. January 1, 2014: Projects of 100,000 square feet or more.

2. April 1, 2014: Projects of 75,000 square feet or more.

3. July, 1, 2014: Projects of 50,000 square feet or more.

4. October 1, 2014: All projects with the exception of projects exempted from seal requirements by Section 105.3.10.1.

The *code official* is authorized to modify the requirements for submittal documents when the application for permit is for *alteration* or repair or when otherwise warranted.

Exception: The *code official* is authorized to accept and process permit applications without submissions of *construction documents* and other supporting data not required to be prepared by a registered design professional, where the *code official* finds that the nature of the work applied for is such that review of *construction documents* is not necessary to obtain compliance with the *Construction Codes*.

106.1.1 Architectural and Engineering Details. The *code official* shall require adequate details of structural, accessibility, fire protection, electrical, fuel gas, mechanical, plumbing, energy conservation, and green building provisions to be filed, including computations, stress diagrams, sound transmission details and other technical data essential to assess compliance with the *Construction Codes*, as further specified in this Section 106. All engineering plans and computations shall bear the signature of the District-licensed professional engineer responsible for the design as required by Section 106.3.4.

106.1.1.1 Shop Drawings. Before construction or installation of the elements and systems listed below, the *code official* is authorized to require submission of

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shop drawings bearing the review stamp of the engineer of record, and bearing the seal and signature of the *registered design professional* who designed the system. When required, four sets of shop drawings shall be submitted, or an electronic submission; provided, shop drawings shall be submitted electronically where the project is subject to the mandatory electronic submission requirements in Section 106.1.

1. Structural steel and steel trusses, with connection details.

2. Open web steel joists.

3. Precast and prestressed concrete.

4. Post tensioning.

5. Space frames.

6. Strong backs.

7. Curtain wall.

8. Structural wood trusses, beams, girders, and columns.

9. Concrete mixes.

10. Structural, electrical, and mechanical loads related to new construction installations of elevators, escalators and other conveying systems including, but not limited to, accessibility lifts.

11. Pre-engineered elements.

12. Suspended plaster ceiling systems.

13. Underpinning.

14. Sheeting and shoring.

15. Formwork.

16. Automatic fire suppression systems.

17. Fire alarm systems.

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18. Smoke control systems

19. Commercial kitchen hood suppression systems.

20. Flammable and combustible liquid storage tanks.

21. All installations, modernizations or alterations of elevators and conveying systems.

Exception for Items 16, 17, and 19: When *approved* by the *code official*, *s*hop drawings are not required to bear the seal and signature of *the registered design professional* who designed the system when the following conditions are met:

1. Automatic fire suppression systems shop drawings are permitted to bear the stamp and signature of a National Institute for Certification in Engineering Technology (NICET) Level III Technician certified in Automatic Sprinkler System Layout or Special Hazards Suppression Systems.

2. Fire alarm shop drawings are permitted to bear the stamp and signature of a NICET Level III Technician certified in Fire Alarm Systems.

106.1.2 Means of Egress. The *construction documents* shall show in sufficient detail the location, construction, size and character of all portions of the *means of egress*, including the path of the *exit discharge* to the *public way*, in compliance with the provisions of the *Construction Codes*. In occupancies other than Group R-2, R-3 and I-1 occupancies, the *construction documents* shall designate the number of occupants to be accommodated on every floor and in all rooms and occupiable spaces.

106.1.3 Exterior Envelope. The *construction documents* for all *buildings* shall describe the exterior wall envelope, roof envelope and *building* thermal envelope in sufficient detail to determine compliance with the *Construction Codes*. The *construction documents* shall provide details of the exterior wall and roof envelope as required, including materials, flashing, intersections with dissimilar materials, corners, end details, control joints, intersections at roof, eaves or parapets, means of drainage, water-resistive membrane, details around openings, fire-resistive construction and fire-resistive protection of wall openings, wall cavities and intersections with floor assemblies, as applicable.

106.1.4 Structural Documents. Before a permit is issued and before work can begin, structural documents shall be submitted in accordance with Section 1603 of the *Building*

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Code, showing the complete design, with sizes, sections, and relative locations of various structural members, floor elevations, column, or bearing wall centers, and beam or joint sizes and spacings. Documents shall be drawn to scale large enough to convey the information adequately. The *code official* shall have the right to require that the structural computations for the *structure* be submitted for review.

106.1.4.1 Certification of Structural Design. When the structural plans have been prepared by a professional engineer registered in the District of Columbia, practicing in the field of structural engineering, the applicant shall have the option to submit with such plans a certificate, duly executed by such structural engineer on a form provided by the *code official*, that the structural portion of the plans complies with the structural requirements of the *Construction Codes*. The *code official* is authorized to accept the structural portions of the plans thus certified, at the *code official's* discretion. Each sheet of each set of plans certified under this section shall bear the seal and signature of the certifying engineer, under the following statement: "Structural plans certified as provided in Section 106.1.4.1 of the *D.C. Construction Codes*."

106.1.4.2 Non-Structural Review. The provisions of Section 106.1.4.1 shall not relieve the *code official* from determining that the design, erection or alteration of such *building* or other *structure* complies with other applicable requirements of the *Construction Codes* and other regulations.

106.1.5 Fire Protection Documents The applicant shall provide plans and schedules of sufficient detail showing the applicable features and characteristics of all fire protection systems components for any system required by the *Construction Codes* or otherwise proposed to be installed. The *construction documents* shall show the location and type of all fire alarm devices, fire alarm control equipment and panels, fire alarm primary and backup power sources. Construction plans containing fire protection systems data shall be drawn to a scale of not less than 1/8 inch to the foot (10 mm/m). The *construction documents* shall include sufficient information and detail to adequately describe the elements of any smoke control systems including equipment location and engineering needs as required by the *Construction Codes*. The *construction documents* shall show the standpipes and automatic sprinkler system infrastructure, including the location, size and type of risers, valves, flow and pressure sensors, Siamese connections, fire pump, jockey pump, pump controllers, pump test pipes and other appurtenances of the system, as applicable. The type of sprinkler system and areas and openings requiring special coverage shall be so noted on the *construction documents*. The *construction documents* shall show details of other fire suppression systems, including gaseous and kitchen hood systems. The *construction documents* shall show capacities and loads of the means of egress, maximum travel distances at every floor, remoteness between exits, fire resistance rating of structural members, floors and walls enclosing means of egress, rating of fire doors and fire dampers, fire stop penetration details at rated wall and floor assemblies,

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location and type of exit signs and emergency lighting. *Construction documents* for work in part of an *existing building* shall include a scoping document listing all floors of the *building* and the extent to which each floor is protected with an automatic fire suppression system.

106.1.6 Elevator and Other Conveying Systems Documents. The applicant shall provide plans and schedules of sufficient detail showing the applicable features and characteristics of all conveying systems components for any system required by the *Construction Codes* or otherwise proposed to be installed. These plans and schedules shall be drawn to a scale of not less than 1/8 inch to the foot (10 mm/m). The *construction documents* shall clearly show:

1. The location, overall dimensions and type of all vertical transportation systems;

2. The location and type of elevator lobby smoke detectors, other smoke detectors for elevator recall, as well as other fire alarm and fire suppression devices proposed to be installed in elevator machine rooms, elevator pits and top of elevator hoistways and shall include a sequence of elevator operation in emergency mode when such fire detection equipment is activated;

3. The primary and backup power sources for the elevator equipment and shall define the primary and secondary levels of elevator recall;

4. Clearances at top and bottom of hoistway and at elevator equipment spaces, minimum interior dimensions of cabs, provisions for access to elevator pits, provisions for drainage of elevator pits, provisions for illumination and electric power in elevator machine rooms, elevator hoistways, elevator pits and elevator equipment spaces shall be shown on the *construction documents*, as applicable; and

5. The location of provisions for emergency disconnect of elevator power in elevator pits, elevator machine rooms and elevator equipment spaces, and shall show the location of sprinkler valves and sprinkler flow sensors for systems serving elevator machine rooms and hoistways, as required.

106.1.7 Electrical Documents. The applicant shall provide plans and schedules of sufficient detail and clarity showing the location and capacity of all lighting facilities, electrically operated equipment and electrical circuits required for all service equipment of the *building* or other *structure*. These plans and schedules shall be drawn to a scale of not less than 1/8 inch to the foot (10mm/m). All electrically controlled devices, including signal, communicating and lighting systems and associated wiring, wherever required

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under the provisions of the *Construction Codes*, shall be shown on the electrical plans for the following purposes:

1. Places of public assembly and education and control of emergency lighting systems in accordance with Section 1006 and hazardous uses requirements in Chapter 4 of the *Building Code*.

2. Stairway and exit illumination in accordance with Section 1205 and Section 1006 of the *Building Code*, "Exit" sign lighting circuits in accordance with Section 1011 of the *Building Code*, and elevator car illumination in accordance with Chapter 30 of the *Building Code*.

3. Electrical equipment and control of heating, refrigerating and ventilating machinery and devices in accordance with the *Mechanical Code*.

4. Fire protective signaling systems, automatic fire detection systems, fire department communications and supervisory services in accordance with Sections 901.6 through 901.6.3 of the *Building Code* and Section 907 of the *Building Code*.

5. Wiring of signs in accordance with 13 DCMR, and telecommunication and broadcast towers in accordance with Section 3108 of the *Building Code*.

6. Power control electric operation and circuit wiring of elevators, escalators and other conveying systems in accordance with Chapter 30 of the *Building Code*.

7. Illumination of spaces intended for human occupancy in accordance with Section 1205 of the *Building Code*.

8. Backup emergency and standby power systems.

9. Lighting intensity levels along all required paths of egress.

10. All fire stop penetration details at rated wall and floor assemblies.

106.1.7.1 Exemptions. Electrical plans shall not be required for the following:

1. Any work exempted from the building permit requirement in accordance with Section 105.2.

2. Repair or replacement in kind of electrical equipment.

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3. Work involving only *structures* without equipment regulated by the *Electrical Code*, such as open sheds for storage purposes, detached private garages and other similar spaces not required by the *Construction Codes* to be provided with electric current.

4. Temporary sanitary installations required for construction operations.

106.1.8 Fuel Gas Documents. The applicant shall provide *construction documents*, engineering calculations, diagrams and other data, which shall be of sufficient clarity to indicate the location, nature and extent of the fuel gas work proposed and show in detail that the work conforms to the provisions of the *Construction Codes*. These documents shall be drawn to a scale of not less than 1/8 inch to the foot (10 mm/m). *Construction documents* shall indicate where penetrations will be made for installations and shall indicate fire stop penetration details at rated wall and floor assemblies.

106.1.9 Mechanical Documents. The applicant shall provide diagrammatic mechanical equipment or system and mechanical plans, which shall show the location and arrangement of the mechanical equipment, fuel systems, ductwork and appurtenances, including safety and pressure-controlling devices. The plans shall be drawn to a scale of not less than 1/8 inch to the foot (10 mm/m). The plans shall show in sufficient detail the relevant features and clearances of the appliances and systems, including: fire stop penetration details at rated wall and floor assemblies, and size and type of apparatus; construction of flue, stack or chimney; stack connections; type of fuel; method of operation; and the method of compliance with all the applicable regulations for the class and type of equipment installed.

106.1.9.1 Exemptions. Mechanical plans shall not be required for the following:

1. Any work exempted from building permit requirement in accordance with Section 105.2.

2. Repair or replacement in kind of mechanical equipment.

3. Work involving only *structures* without equipment regulated by the *Mechanical Code*, such as open sheds for storage purposes, detached private garages and other similar spaces not required by the *Construction Codes* to be heated.

106.1.10 Plumbing Documents. The applicant shall provide plans of each floor and of a typical floor showing the complete plumbing system layout, all plumbing fixtures, total Drainage Fixture Unit (DFU) values, the water supply piping layout, together with building sections showing vertical and diagrammatic elevations of the soil, waste, vent

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and water supply lines with traps and valves, and the location and size of the public sewer or other disposal system. These plans shall be drawn to a scale of not less than 1/8 inch to the foot (10 mm/m). The plumbing plans shall show in sufficient detail: the layout and spacing of fixtures; the size, material and location of the *building* and storm sewers and drains; and the soil, waste, vent and water supply piping and the method or equipment proposed to prevent cross contamination, backflow and fire stop penetration details at rated wall and floor assemblies.

106.1.10.1 Public Sewer. Plans for new plumbing or alterations to existing plumbing systems shall be accompanied by a diagram showing the relative elevation of the lowest fixture and the top of the public sewer referred to in the established datum of DC Water. The plans shall show the size, number and location of all new sewer connections. A water and sewer Certificate of Approval issued by DC Water shall be provided with the plumbing plans for every project where DC Water is requested to furnish new water or sewer service connections.

106.1.10.2 Public Water Main. Where the installation of a water distribution system or the replacement or alteration of an existing water supply system is contemplated, the plumbing plans shall show the location and size of all water lines and branches involved all fixtures or other devices to be supplied, and the minimum water pressure in the main in front of the *building* or other *structure*. A water and sewer Certificate of Approval, issued by DC Water, shall be provided with the plumbing plans for every project where DC Water is requested to furnish new water or sewer service connections.

106.1.10.3 Exemptions. Plumbing plans shall not be required for the following:

1. Any work exempted from building permit requirement in accordance with Section 105.2.

2. Repair or replacement in kind of plumbing fixtures.

3. Work involving only *structures* without plumbing fixtures, such as open sheds for storage purposes, detached private garages and temporary installations for exhibition purposes where not designed for sanitary use and not directly connected to a sewage system.

4. Temporary sanitary installations required for construction operations where not designed to be directly connected to the public sewer system.

106.1.11 Energy Conservation Documents. The applicant shall provide plans and schedules of sufficient clarity to indicate the location, nature and extent of the work proposed and show in sufficient detail pertinent data and features of the *building* and the

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equipment and systems as herein governed, including, but not limited to:

1. Design criteria, exterior envelope component materials, insulation materials and their R-values;

2. Fenestration U-factors and SHGCs;

3. Area-weighted U-factor and SHGC calculations; mechanical system design criteria;

4. Mechanical and service water heating system and equipment types, sizes and efficiencies;

5. Economizer description; equipment and system controls;

6. Fan motor horsepower (hp) and controls;

7. Duct sealing, duct and pipe insulation and location;

8. Lighting fixture schedule with wattage and control narrative;

9. Air sealing details; and

10. Other pertinent data to indicate compliance with the requirements of the *Energy Conservation Code* and relevant laws, ordinances, rules and regulations, as determined by the *code official*.

These plans and schedules shall be drawn to a scale of not less than 1/8 inch to the foot (10 mm/m) upon suitable material. The submittal documents and designs submitted under the provisions of Chapter 4 of the *Energy Conservation Code* shall be prepared by a registered design professional.

Exception: For residential *buildings* having a conditioned floor area of 5000 square feet (465 m^2) or less, designs submitted under the provisions of Chapter 4 of the *Energy Conservation Code* shall be prepared by anyone having qualifications acceptable to the *code official*.

106.1.11.1 Deemed to Comply. Use of the appropriate REScheck and COMcheck tools, which are available online from the U.S. Department of Energy, are an acceptable method to comply with the residential and/or commercial requirements of the *Energy Conservation Code*.

106.1.12 Zoning Compliance Review Data. The applicant shall provide to the Zoning

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Division of the *Department* plans showing orientation of the property as to North, drawn to a scale indicated numerically as well as depicted graphically, and the following:

1. The shape, dimensions and topography of the lot to be built upon, in sufficient detail to allow determination of heights above existing and proposed finished grade of all proposed *structures*, so as to allow determination of compliance with pertinent height limitations of the *Zoning Regulations***.**

2. The width of all public streets and public rights-of-way contiguous to the lot, with elevations at measuring points along them sufficient to determine compliance with the An Act to regulate the height of buildings in the District of Columbia, approved June 1, 1910, as amended, (36 Stat. 452; D.C. Official Code § 6-601.05 (2012 Repl.)).

3. The shape and location in plan of all existing and proposed *structures*, fully dimensioned, including orientation and distances to lot lines so as to define without ambiguity the dimensions and location of said *structures*.

4. The elevations of all existing and proposed *structures* fully dimensioned so as to define without ambiguity the dimensions of said *structures*.

5. The parking and loading plans and the basis for computation of the facilities shown on those plans.

6. A Zoning Data Summary of the project including, as applicable, at least the following data: lot width, area of the lot, percentage of lot occupancy, height of the *structure* and the location and elevation of the height measurement reference points, gross floor area for each floor level, area of basement, area of cellar, proposed Floor Area Ratio, areas dedicated to each use, width of any proposed side yard, rear yard or court, number of standard and compact parking spaces and dimensions of loading berths and delivery loading spaces.

7. Other information necessary to determine compliance with the *Zoning Regulations*.

106.1.12.1 Zoning Data on Building Plat. For the purpose of zoning compliance review, the following data shall be provided on the building plat required by Section 106.1.12, as applicable, in addition to the information required by Section 106.1.12.1:

1. The number, size, shape and location of all open parking spaces,

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open loading berths, and approaches to all parking and loading facilities.

2. Other information necessary to determine compliance with the *Zoning Regulations*.

106.1.13 Official Building Plat. The applicant shall provide an official building plat issued by the D.C. Office of the Surveyor, in duplicate or by electronic submission, with applications for permit involving any of the following:

1. Erection of a new *building* or other *structure*.

2. Addition to an *existing building*.

3. Permanent construction higher than 48 inches (1219 mm) above grade, outside the footprint of *existing buildings*.

4. Construction or alteration of projections into public space.

5. Erection of retaining walls higher than 48 inches (1219 mm).

6. Establishment of a new parking lot, regardless of the amount of work involved.

106.1.13.1 Plat Information. The applicant shall show upon the building plat, completely dimensioned and drawn in ink to the same scale as the plat, the outline of all *buildings*, additions, or other *structures* existing and to be constructed. The accuracy of the representation of the location of the *structures* on the plat shall be self-certified by the *owner* or authorized agent for the *owner* of the lot of record or parcel of land, who shall sign a certificate in a form prescribed by the *code official*, printed on the building plat.

106.1.14 Location of Water and Sewer Mains. When relevant to the scope of work, the permit applicant shall secure from DC Water the location and other necessary details regarding water and sewer mains to serve the *premises* to be permitted and shall submit this information with the permit application to the *code official*.

106.1.15 Green Building Documents. The applicant shall provide plans and supporting documents in sufficient detail and clarity to show compliance with the relevant green building construction practices as required by the *Green Construction Code* or an alternative compliance path selected pursuant to Section 101.4.9.4, and with any green building submittal requirements specified by the *code official* as set forth in the Department's *Administrative Bulletins*.

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106.2 Site Plan. The applicant shall provide a site plan, whenever the application for permit involves any of the following:

1. Erection of a new *building* or other *structure*.

2. Addition to an *existing building*.

3. Permanent construction outside the footprint of *existing buildings*.

4. Construction or alteration of projections into public space.

5. Erection of retaining walls.

6. A major substantial improvement activity (as defined by 21 DCMR Chapter 5) or a land-disturbing activity regulated by 21 DCMR Chapter 5.

7. *Demolition* or razing of existing *structures* or *buildings*.

8. Installation or replacement of underground utility service connections.

9. Installation or replacement of site drainage systems.

10. Path of the *exit discharge* to the *public way*.

11. Construction in whole or in part in a *Special Flood Hazard Area* as established in Section 1612.3 of the *Building Code*.

The *code official* shall be authorized to establish minimum requirements for submittal of site plans and maximum overall size of plans acceptable for review. These limits shall also apply to zoning compliance review plans submitted pursuant to Section 106.1.12.

106.2.1 Site Plan Information. The applicant shall show upon the site plan, completely dimensioned and drawn to a scale indicated numerically and graphically, the site, its orientation to North and, as applicable: location of all existing and new construction on the site; distances from property lines; established street grades, proposed finished grades, features required to comply with 21 DCMR Chapter 5; location of utility service lines and connections thereto (with dimensions and all appurtenant features of such connections); and flood hazard areas, floodways and *design flood* elevations. For raze or *demolition*, the site plan shall identify the *structures* or portions thereof to be demolished and the location and size of all existing *structures* and construction that are to remain on the site.

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106.2.1.1 Design Flood Elevations. Where *design flood* elevations are not specified, they shall be established in accordance with Section 1612.3.1 of the *Building Code*.

106.3 Examination of Documents. The *code official* shall examine or cause to be examined the submittal documents accompanying building permit applications, pursuant to Section 105.3.1.

106.3.1 Review by Other Agencies. Permit applicants shall be responsible for obtaining approvals from other reviewing agencies, including, but not limited to, the Historic Preservation Office and the District Department of the Environment. If deficiencies in the plans or other supporting documents are discovered during these reviews, the other reviewing agencies may give the applicant an opportunity to correct the deficiencies. Any restrictions or conditions imposed by other reviewing agencies may be annotated on the plans and shall be incorporated into and deemed a condition of the permit.

106.3.2 Special Inspections. Where special inspections are required by Chapter 17 of the *Building Code*, the *owner* shall name the individual or firms who are to perform such special inspections. The stages of construction at which special inspections are to occur shall be established by the Special Inspections Program Procedural Manual ("Special Inspections Program Procedural Manual") published by the *Department* (July 2012 edition, as may be amended from time to time by the *Department*). Special inspections shall be made in accordance with Section 109.3.13 and Chapter 17 of the *Building Code*.

106.3.2.1 Building Permit Requirement. The special inspection requirement of Section 106.3.1 shall be determined prior to the issuance of the building permit and shall be a requisite for the permit issuance as described in Section 1704.1. A statement of special inspections, completed by the registered design professional in charge, shall accompany each application where special inspections are required.

106.4 Amended Submittal Documents. All work shall conform to the *approved* application and plans for which the permit has been issued and any *approved* amendments to them. Any changes made during construction which deviate substantively from the *approved* plans shall be resubmitted for approval, in accordance with Section 105.3.3.

106.5 Department Records. The *code official* shall keep official records of applications received, permits and certificates issued, fees collected, reports of inspections, and notices and orders issued. Such records, including one set of *approved* submittal documents, shall be retained in the official records so long as the *building* or other *structure* to which they relate remains in existence, unless otherwise provided for by statute, rule or regulation.

106.6 Form of Covenants and Agreements. All covenants and agreements required by the *Construction Codes* or drafted in connection therewith shall require approval as to form and legal

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sufficiency by the Office of the Attorney General for the District of Columbia (OAG). A copy of such covenant or agreement as approved by OAG shall be filed and recorded in the Office of the Recorder of Deeds by and at the expense of the *owner* before issuance of any related permits or certificates of occupancy, and one copy of the covenant or agreement, duly noted, shall be filed with the *code official*. The *owner* will cause any lien or interest, recorded prior to the covenant, to be subordinated to the covenant.

106.6.1 Vault Agreement. Before issuance of a permit for the use or construction of a vault in public space, the *owner* of the abutting private property shall execute an agreement, in the form prescribed by the District, acknowledging for the *owner* and *owner's* heirs and assigns that: (1) no right, title, or interest of the public is thereby acquired, waived, or abridged; (2) the Mayor may inspect such vault during regular business hours; (3) the Mayor may introduce, or authorize the introduction, into or through such vault, with right of entry for inspection, maintenance, and repair, any water pipe, gas pipe, sewer, conduit, other pipe, or other public utility underground construction which the Mayor deems necessary in the public interest to place in or by the District, at the expense of such *owner*, to conform with any change made in the street, roadway, or sidewalk width or grade; (4) rental for such vault will be paid to the District as required by the District of Columbia Public Space Rental Act, approved October 17, 1968 (82 Stat. 1156; D.C. Official Code § 10-1101.01 *et seq.* (2012 Repl.)); and (5) the *owner* will release and relinquish the vault space, and remove, free of expense to the District of Columbia, all structural parts of the vault when so ordered by the *code official*.

106.6.2 Covenants for Openings on Property Lines. A covenant running with the land, in a form prescribed by the District of Columbia, shall be required before issuance of a final certificate of occupancy for the *building* where openings in exterior walls closer than 5 feet (1524 mm) from interior lot lines are allowed pursuant to Sections 705.8.7 through 705.8.7.7. The covenant shall ensure that compliance with the minimum requirements of those sections will be maintained for as long as the *building* shall exist, and shall ensure that responsibility for the maintenance of those conditions will be conveyed to any future *owner* of the *building*.

106.6.3 Covenants for Private Fire Hydrants. No permit or related plan that authorized installation of a private fire hydrant shall be *approved* without an agreement in the form prescribed by the District of Columbia and recorded in the land records of the District of Columbia, establishing the entity or person, and successors thereof, responsible for maintenance, repair and replacement of the private fire hydrant in perpetuity.

106.6.4 Covenants for Modifications of Projection Requirements. No permit or related plan shall be *approved* for a modification of projection requirements pursuant to Section 3202.4 without an agreement in the form prescribed by the District of Columbia and recorded in the land records of the District of Columbia establishing, by covenant

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running with the land for such period as the projection shall exist, such limitations and conditions as shall be imposed by the *code official*, which shall include but not be limited to agreement to save harmless the District of Columbia, its officers and agents, from liability by virtue of the grant of authority to construct said projection, and agreement to landscape or otherwise treat, to the satisfaction of the *code official*, and thereafter to maintain the area upon which the covenanter has forborne to build.

106.6.5 Covenants for Green Building Act Binding Pledge. Where the applicant has elected to submit a binding pledge as provided in Section 302.6.2.4 of the *Green Construction Code* as security for compliance with the provisions of Section 302.3.2 or Section 302.3.3 of the *Green Construction Code*, the applicant shall present to the *code official* a certified copy of the binding pledge, in a form approved by the Office of the Attorney General, evidencing due recordation of the binding pledge among the land records of the Office of the Recorder of Deeds of the District of Columbia at no cost to the District of Columbia. The certified copy of the binding pledge shall be presented prior to the issuance of the first certificate of occupancy in a *story above grade plane* in the *project*. The *owner* will cause any lien or interest, recorded prior to the recording of the binding pledge, to be subordinated to the binding pledge.

106.6.6 Covenants for Water or Sewer Utility Service. A covenant shall be required before a permit shall be issued to install water or sewer utility services to a lot from an adjacent lot, or to extend such services to a lot or *premises* from a *building*, as *approved* pursuant to Section 301.3.1 of the *Plumbing Code*.

106.6.7 Master Service or Master Meter Covenants for Master Service or Master Metering. No covenant in connection with Articles 230.2 and 230.3 of the *Electrical Code* shall be *approved* in order to provide master service to more than one *building* on a single lot, or to *buildings* on different lots in the same square, unless in accordance with Section 106.6. Such covenant shall be required prior to issuance of a permit.

106.6.8 Covenants for Stormwater Management. A covenant running with the land and each applicable easement shall be required before a permit is issued for a major land-disturbing activity or a major substantial improvement activity (as defined by 21 DCMR Chapter 5) regulated by 21 DCMR Chapter 5.

107 TEMPORARY STRUCTURES AND USES

107.1 General. The *code official* is authorized to issue a permit for temporary *structures* and temporary uses. Such permits shall be limited as to time of service, but shall not be permitted for more than 180 days. The *code official* is authorized to grant extensions for demonstrated cause.

107.2 Conformance. Temporary *structures* and uses shall conform to the structural strength,

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fire safety, *means of egress*, accessibility, light, ventilation and sanitary requirements of the *Construction Codes* as necessary to ensure public health, safety and general welfare.

107.3 Temporary Power. The *code official* is authorized to give permission to temporarily supply and use power in part of an electric installation before such installation has been fully completed and the final certificate of completion has been issued. The part covered by the temporary certificate shall comply with the requirements specified for temporary lighting, heat or power in the *Electrical Code*.

107.4 Termination of Approval. The *code official* is hereby authorized to terminate such permit for a temporary *structure* or use and to order the temporary *structure* or use to be razed, removed or discontinued, as applicable.

108 FEES

108.1 Payment of Fees. A permit shall not be issued until all fees have been paid to the *Department* or other authorized agency, nor shall an amendment to a permit requiring an additional fee be issued until the additional fee shall have been paid.

> **108.1.2 Accounting.** The *code official* shall keep an accurate account of all fees collected, and such collected fees shall be deposited with the D.C. Treasurer, or otherwise deposited of as required by law.

108.2 Schedule of Permit Fees. The building permit fees for plans examination, permit processing, inspections and related services shall be as prescribed in Section 108.2.1 and the *code official* is authorized to establish by *approved* rules a schedule of unit rates for *buildings* and other *structures* and for the installation of their appurtenant systems, fixtures, appliances and equipment.

> **108.2.1 Fee Schedule.** A fee for each plan examination, permit and inspections shall be paid in accordance with the applicable fee schedule published in the *D.C. Register*, as amended from time to time.
>
> > **108.2.1.1 Application Filing Deposit for New Construction and Alterations.** All applications filed for new construction or alterations must be accompanied by a portion of the permit fee in the amount of 50 percent of the assessed permit fee based on the estimated cost of construction; provided, that the required deposit shall not exceed twenty thousand dollars ($20,000).

108.3 Building Permit Valuations. The applicant for a building permit shall provide an estimated permit value at time of application. Building permit valuations shall be based upon total value of materials and labor for which the building permit is being issued, including electrical, gas, mechanical, plumbing equipment and permanent systems. The total value shall

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not include architectural, engineering, and other associated professional costs. If, in the opinion of the *code official*, the valuation is underestimated on the application, the permit shall be withheld, unless the applicant can show detailed estimates to meet the approval of the *code official*. Final building permit valuation shall be set by the *code official*. Proof of valuation can be made in any of the following forms:

1. A fully executed construction contract.

2. A formal contractor's estimate.

3. When a deferred method of determining construction cost is submitted, the *code official* is authorized to request from the applicant a certified contractor's certificate of payment showing the actual cost of construction and the *code official* is authorized to adjust the building permit fee to reflect the actual cost of construction prior to issuing a certificate of occupancy.

4. A construction estimate for repairs and alterations in Group R-3 and *structures* under the jurisdiction of the *Residential Code*.

108.4 Work Commencing Before Permit Issuance. Any *person* who commences any work on a *building*, other *structure*, gas, electrical, mechanical or plumbing system before obtaining the necessary permits shall be subject to an additional fee established in the official fee schedule that shall be in addition to the required permit fees and any fines that may have been levied.

108.5 Related Fees. The payment of the building permit fee, as prescribed in Section 108.2, shall not relieve the applicant or holder of the permit from the payment of other fees that are prescribed by law, including, but not limited to fees for: water taps or sewer connections; temporary use of public space; trade permits; special inspections; special permits issued in connection with or concurrently with a building permit, such as sign, projection, awning, *demolition*, razing, or excavation permits; plan revisions and amendment of permits; certificates of use and occupancy; or any other privileges, services or requirements, allowed or prescribed by the *Construction Codes* or other regulations, both within and without the jurisdiction of the *Department*.

108.6 Refunds. In the case of a revocation of a permit or of abandonment or discontinuance of a *building* project, upon written request made by the permit holder before the permit expires, the portion of the work actually completed shall be computed and any excess fee for the incomplete work shall be returned to the permit holder as soon as practicable after written request is made. All plan examination and permit processing fees, all fees for inspections actually performed, and all penalties that have been imposed on the permit holder under the requirements of the *Construction Codes* shall be withheld first. Refunds may not be granted for permits issued after six months.

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108.6.1 Revocation Due to Administrative Error. If the permit is declared null and void due to an administrative or clerical error pursuant to 105.6.1.1 item 2, the filing fee shall be refunded unless the applicant elects to continue processing of the original application or the administrative or clerical error resulted from a false statement or misrepresentation of fact by the applicant or other applicant misconduct.

108.7 Waiver of Fees. No person or entity shall be entitled to a waiver of fees, except as set forth in the License Fees and Charges Act of 1976, effective September 14, 1976 (D.C. Law 1-82; D.C. Official Code § 47-2712 (2012 Repl.)).

109 INSPECTIONS

109.1 General. Construction or work for which a permit is required shall be subject to inspection by the *code official* and such construction or work shall remain accessible and exposed for inspection purposes until *approved*. It shall be the duty of the permit holder to cause the work to remain accessible and exposed for inspection purposes. Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of the *Construction Codes* or of other laws or regulations of the District of Columbia. Regardless of whether the *code official* inspects the construction or work, it is the responsibility of the permit holder and the individual or entity doing the work to comply with all applicable provisions of the *Construction Codes*. The permit holder shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

109.1.1 Preliminary Inspection. Before issuing a permit, the *code official* shall, if deemed necessary, examine or cause to be examined all *premises*, *buildings*, and other *structures* for which a permit application has been filed.

109.2 Required Inspections and Testing. The permit holder shall be responsible for notifying the *code official* when the stages of construction are reached that require any inspection under Section 109 and for other critical items as directed by the *code official*. The *code official* upon notification shall make the inspections specified in this Section 109 and such other inspections as necessary, and shall either approve that portion of the construction or shall notify the permit holder of any violations that shall be corrected. The *code official* shall not be responsible for conducting inspections unless appropriately notified. It shall be the duty of the *person* requesting any inspections required by the *Construction Codes* to provide access to and means for inspection of such work.

109.2.1 Inspection Record Card. Work requiring a permit shall not be commenced until the permit holder or an agent of the permit holder has posted or otherwise made available the inspection record card issued by the *code official*. The inspection record card shall be maintained available by the permit holder on the job site until final approval has been granted by the *code official*.

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109.3 Types of Inspections. After issuing a building permit, the *code official* or *approved* agency shall conduct the types of inspections specified in Section 109 from time to time during and upon completion of the work for which a permit has been issued. A record of all such inspections and of all noted violations of the *Construction Codes* shall be maintained by the *code official*.

109.3.1 Building Inspections.

109.3.1.1 Footing Inspection. Footing inspection is required prior to concrete placement, after trenches are excavated, forms are erected and reinforcement is installed. The inspection shall include confirming that the soil classification, soil compaction and soil bearing capacity specified in the approved plans are consistent with the field conditions and available soils testing data. The appropriate erosion and sediment control measures must be in place and functional.

109.3.1.2 As-Built Foundation Survey (Wall Check). Wall check survey is required before wall reaches a height of 1 foot (305 mm) above footer, or, in the case of other vertical construction, when a template or form is located and noted. The D.C. Office of the Surveyor is authorized to require up to three wall checks depending on the design of the *structure*: below grade at footer, near grade, and final grade. Surveys, wall examinations and reports, and field notes shall comply with 10 DCMR B §§ 2802, 2810-2812. Wall check surveys shall be performed by a D.C. Registered Land Surveyor. Wall reports, including drawings and field notes, shall be filed with the D.C. Office of the Surveyor. Surveying practices should comply with standards set forth in the current "Manual Of Practices For Real Property Surveying In The District Of Columbia." Authorization to continue construction of any *building* or other *structure* beyond construction of the foundation shall not be issued until a wall report has been prepared and submitted to the *Department*. The wall report shall confirm that the location and elevation of the *building* or other *structure* conform to the *approved* plans and the provisions of the *Construction Codes* and other applicable District of Columbia regulations.

109.3.1.3 Foundation Inspection. Foundation inspection is required prior to backfill for inspection of footings, sheeting and shoring, waterproofing, insulation, and location of walls and columns with respect to footings, crawl space or basement foundation walls, piles and piers.

109.3.1.4 Concrete Slab or Under-floor Inspection. Concrete slab and under-floor inspections are required after in-slab or under-floor reinforcing steel is in place to verify reinforcement size, spacing, concrete cover, splicing, vapor barrier, mesh and insulation. For slab-on-grade foundations, any required forms shall be

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in place prior to inspection.

109.3.1.5 Floodplain Certificate. For any project located in a *Special Flood Hazard Area*, inspection is required upon placement of the lowest floor, including basement, and prior to further vertical construction. The *code official* shall require submission of a certification of the elevation of the lowest floor, including basement, prepared by a registered professional engineer or land surveyor, as required in Section 1612.5 of the *Building Code*.

109.3.1.6 Pre-Cladding Inspection. Inspection is required after the roof, wall bracing, windows, doors, flashings and moisture barrier are installed and prior to placement of exterior cladding.

109.3.1.7 Framing Inspection. Inspection is required after wiring, piping, chimneys, duct and vents to be concealed are in place, accessibility provisions are in the rough stage, and all electrical, plumbing and mechanical rough inspections are *approved*.

109.3.1.8 Energy Efficiency and Insulation Inspections. Inspection of *building* thermal envelope requirements shall be performed before covering them with any other materials. Inspections to determine compliance with the *Energy Conservation Cod*e and the *Green Construction Code* shall be conducted by each trade inspector.

109.3.1.9 Gypsum Board Inspection. An inspection is required of gypsum board, both interior and exterior, that is part of a fire or smoke-rated assembly, a shear assembly, a *shaft* or a sound transmission construction after the gypsum board is in place, but before the outer layer of gypsum board joints and fasteners are taped and finished.

109.3.1.10 Accessibility Inspection. An inspection is required of all accessibility features prior to the final inspection.

109.3.1.11 Final Inspection. A final inspection is required after all mechanical, electrical, plumbing, fuel gas, elevator and conveying systems, *Energy Conservation Code*, and *Green Construction Code* final inspections and special inspections, if applicable, are recorded, and the *structure*, *building* or portion thereof is completed in compliance with the *Construction Codes*.

109.3.2 Electrical Inspections.

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109.3.2.1 Underground and Slab Inspection. Inspection is required after trenches or ditches are excavated, forms are erected, conduit or cable are installed, and before any backfill or concrete is put in place.

109.3.2.2 Service Inspection. Inspection of each new and upgraded electrical service is required before the service entrance equipment is authorized to be energized.

109.3.2.3 Rough-in Inspection. Inspection is required after the roof, framing, fire blocking, bracing, and wiring are in place, and prior to the installation of insulation and wall and ceiling membranes.

109.3.2.4 Fire Alarm Systems Rough. Inspection of fixed portions of fire detection and alarm systems, whether to be concealed or not, is required before installation of any concealing materials, for inspection of method of installation, clearances and supports.

109.3.2.5 Fire Alarm Systems Final Inspection. Final inspection is required of permitted work in fire detection and alarm systems, for proper initiation, notification, annunciation and operation. This inspection shall include an acceptance test of the system in accordance with the relevant standard.

109.3.2.6 Final Electrical Inspection. A final electrical inspection is required after the *building* or other *structure* is complete, all required electrical outlets, switches and fixtures are in place and properly connected and protected, and the *structure*, *building* or portion thereof is ready for occupancy.

109.3.3 Plumbing Inspections.

109.3.3.1 Underground and Slab Inspection. Inspection is required after trenches or ditches are excavated, forms are erected, and piping is installed, and before any backfill or concrete is put in place. Piping to be covered shall be tested for leaks under appropriate hydrostatic pressure. The appropriate erosion and sediment control measures must be in place and functional.

109.3.3.2 Rough-in Inspection. Inspection is required prior to the installation of wall and ceiling membranes, after the roof, framing, fire blocking and bracing are in place, and all water, soil, waste and vent piping is complete. Piping to be covered shall be tested for leaks under appropriate hydrostatic pressure.

109.3.3.3 Fire Service Flush Inspection. Fire service flush inspection is required prior to connection of the service to any portion of the fire pump or sprinkler system, for removal of all debris in the fire service water.

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109.3.3.4 Fire Suppression Systems Hydro Inspection. Before installation of any concealing materials, an inspection is required of fixed portions of fire suppression systems piping, whether to be concealed or not, for method of installation, clearances and supports and to test for leaks under appropriate gas, air or hydrostatic pressure.

109.3.3.5 Fire Pump Inspection. Before final inspection of a water fire suppression system, where a new or replacement fire pump assembly is installed, a fire pump inspection is required, for proper installation, initiation, pressure, flow and operation. This inspection shall include an acceptance test of the pump in accordance with the relevant standard.

109.3.3.6 Fire Suppression Systems Final Inspection. Final inspection is required of permitted work in fire suppression systems for proper installation, coverage and operation. This inspection shall include testing of system discharge control devices, as appropriate under the relevant standards.

109.3.3.7 Final Plumbing Inspection. Final plumbing inspection is required after the permitted work is complete, all plumbing fixtures and appliances are in place and properly connected, and the *structure*, *building* or portion thereof is ready for occupancy.

109.3.4 Mechanical Inspections.

109.3.4.1 Underground and Slab Inspection. Inspection is required after trenches or ditches are excavated, forms are erected, underground duct and fuel piping is installed, and before any backfill and concrete is put in place.

109.3.4.2 Rough-in Inspection. Inspection is required prior to the installation of wall and ceiling membranes, and after the roof, framing, fire blocking and bracing are in place and all duct and fuel piping to be concealed are complete.

109.3.4.3 Kitchen Hood and Duct Fire Suppression Systems Final Inspection. Final inspection is required of permitted work in fire suppression systems, for proper installation, coverage and operation. This inspection shall include testing of system discharge control devices, as appropriate under the relevant standards.

109.3.4.4 Final Mechanical Inspection. A final mechanical inspection is required after the permitted work is complete, the mechanical system and appliances are in place and properly connected and the *structure*, *building* or portion thereof is ready for occupancy.

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109.3.5 Fuel Gas Inspections.

109.3.5.1 Rough-in Inspection. Inspection is required after all piping authorized by the permit has been installed and before any such piping has been covered and concealed or any fixtures or appliances have been connected. This inspection shall include a gas pressure test.

109.3.5.2 Final Fuel Gas Inspection. A final inspection is required after the permitted fuel gas work is complete and the fuel gas appliances are in place and properly connected and vented

109.3.6 Elevator and Conveying Systems Inspections. Prior to operation of an elevator or conveying system that has been installed or altered pursuant to a permit, a final inspection and issuance of a certificate of inspection shall be required in accordance with Section 3010.3.

109.3.7 Energy / Green Inspections. Inspections are required at appropriate times during the construction and upon completion of each project as necessary to determine compliance with the *Energy Conservation Code*, the *Green Construction Code* or an alternate compliance path selected pursuant to Section 101.4.9.

109.3.8 Other Inspections. In addition to the inspections specified above, the *code official* is authorized to make, or to require the *owner* of a *building* or other *structure* to have an independent inspection agency perform, other inspections of any construction work. These inspections shall ascertain compliance with the provisions of the *Construction Codes,* the *Zoning Regulations* and other laws or regulations that are enforced by the *Department*.

109.3.9 [Reserved].

109.3.10 [Reserved].

109.3.11 [Reserved].

109.3.12 [Reserved].

109.3.13 Special Inspections. Special inspections shall be made in accordance with Chapter 17 of the *Building Code*, and the Special Inspections Program Procedural Manual.

109.3.13.1 Authority to Require Special Inspections. The *code official* is authorized to require the *owner* to employ special inspectors having adequate qualifications for inspection or supervision of the types of construction indicated

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in Sections 109.3.13.1.1 through 109.3.13.1.9.

109.3.13.1.1 Reinforced Concrete. Inspection and tests for reinforced concrete when the working stresses are based on a stipulated strength of the concrete.

109.3.13.1.2 Reinforced Masonry. Reinforced masonry construction.

109.3.13.1.3 [Reserved].

109.3.13.1.4 Welding. Structural welding.

109.3.13.1.5 Precast Concrete. Fabrication and installation of precast concrete panels and structural elements and their connections.

109.3.13.1.6 Structural Steel. Structural steel construction.

109.3.13.1.7 Engineered Fill. Method of fill, fill materials and compaction tests.

109.3.13.1.8 Smoke Control Systems. The *code official* shall require the *owner* to have the smoke control system inspected and tested as outlined in Section 909.3 of the *Building Code*.

109.3.13.1.9 Other Construction. Other construction or work requiring special knowledge and experience, involving unusual hazards, or requiring periodic or continuous inspection; including spray-applied fire proofing, fire resistant penetrations and joints, and Exterior Insulation Finishing Systems (EIFS).

109.3.13.2 [Reserved].

109.3.13.3 Fees and Costs. All fees and costs related to the performance of special inspection services shall be borne by the *owner*.

109.3.13.4 Qualifications of Special Inspectors. The *code official* shall determine the qualifications of special inspectors, in accordance with Chapter 17 of the *Building Code* and the Special Inspections Program Procedural Manual.

109.3.14 Final Inspection. Upon completion of work for which a permit was issued, a final inspection approval is required to verify that all required inspections have been performed and *approved*. No portion of a *building* or other *structure* shall be used or occupied until its final inspection has been obtained and, if required, a certificate of

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occupancy is issued pursuant to Section 110. All violations or infractions of the *approved* plans and permit shall be noted and the holder of the permit shall be notified of the discrepancies pursuant to procedures set forth in Section 110.2.2.

109.3.15 Certificate of Occupancy Issuance. After the *code official* inspects the *building* or other *structure* pursuant to Section 109.3.14 and finds no violations of the provisions of the *Construction Codes* or the *Zoning Regulations*, the *code official* upon due application shall issue a certificate of occupancy pursuant to Section 110 of the *Building Code*.

Exceptions:

1. One-family *dwelling*.

2. *Community-Based Residential Facility* with six or fewer residents.

109.4 Third-Party Inspections of Permitted Work.

109.4.1 Third-Party Inspection. When *approved* by the *Department*, a permit holder, at the permit holder's expense, shall have the option of having a third-party inspection of work subject to a permit issued by the *Department* conducted by one or more third-party inspection agencies. The third-party inspection agency must be one that has been certified by the *Department* as a qualified third-party inspection agency pursuant and subject to the provisions of D.C. Official Code § 6-1405 (2012 Repl.), this Section 109.4, and the Third-Party Inspection Procedures Manual (the provisions of which are incorporated herein by reference). Where the *Department* approves the use of a third party inspection agency, the third-party inspection agency(s) shall provide and perform inspection services of the work for which a permit has been issued by the *Department* in accordance with D.C. Official Code § 6-1405, this Section 109.4, and the provisions of the Third-Party Inspection Procedures Manual.

Exception: Special inspections shall be governed by Section 109.3.13 and Chapter 17 of the *Building Code*, and the Special Inspections Program Procedural Manual.

109.4.2 Third Party Inspection Procedures. Where inspections are to be conducted by one or more *approved* third-party inspection agencies of work subject to permit issued by the *Department*, the third-party inspection agency(s) must make a determination that the work performed or construction undertaken was completed in accordance with the permit(s) as issued by the *Department*, including associated *construction documents*, and in accordance with the requirements of the *Construction Codes*. Where the third-party inspection agency makes that determination, it shall submit its inspection report in accordance with the provisions of the *Department's* Third-Party Inspection Manual to the

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code official, and request verification by the *code official* of final inspection. The *code official* shall review and verify the report within ten business days after acceptance. The *code official* shall accept all reports submitted by a third-party inspection agency related to work for which a permit has been issued as prima facie evidence that the work inspected meets or exceeds all requirements of the permit, and the *construction documents* upon which the permit was issued, and the *Construction Codes*. If the *code official* is satisfied as to the findings of the report regarding work, the *code official* shall issue to the permit holder, if requested, a conditional certificate of occupancy or certificate of occupancy, as applicable.

109.5 Approval Required. Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the *code official*. The *code official* shall respond to inspection requests without unreasonable delay. The *code official* shall approve the work or shall either indicate the portion of the construction that is satisfactory as completed, or shall notify the permit holder or an agent of the permit holder wherein the same fails to comply with the *Construction Codes*. Any portions that do not comply shall be corrected and such portions shall not be covered or concealed until authorized by the *code official*.

109.6 Right of Entry. The *code official*, in the performance of his or her duties, shall have the right to enter any unoccupied *building*; any *building* under construction, alteration, or repair; any *building* being razed or moved; any *premises*, including any *building* or other *structure*, which he or she has reason to believe to be unsafe or a menace to life or limb; or any *building*, the use of which may require the issuance of a license or a certificate of occupancy. With respect to the inspection of any occupied habitable portion of any *building*, consent to such inspection shall first be obtained from any person of suitable age and discretion therein, except that if an acute emergency occurs and immediate steps must be taken to protect the public, such consent need not be obtained. When attempting to gain entry for inspection, the *code official* shall show an official identification issued by the *Department*.

109.6.1 Refusal of entry. Any *person* who prevents or refuses to allow the *code official* to enter a *building* for inspection in the performance of his duties, is in violation of these regulations and the *code official* shall have the authority to issue a notice of violation, order or notice of infractions pursuant to Section 113.

109.6.2 Administrative Search Warrant and Injunctive Relief. If the *code official* is denied entry for an inspection in the performance of his or her duties, the *code official* is authorized to apply to the D.C. Superior Court for an administrative search warrant and/or injunctive relief.

109.7 Coordination of Inspections. Whenever in the enforcement of the *Construction Codes* or another code or ordinance, the responsibility of more than one official of the District of Columbia is involved, it shall be the duty of the officials involved to coordinate their inspections and administrative orders as fully as practicable so that the *owners* and occupants of the *structure*

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shall not be subjected to visits by numerous inspectors nor multiple or conflicting orders.

109.8 Inspection of Existing Buildings. Where *existing buildings* are allegedly occupied without the proper occupancy permit or contain an occupancy alleged to be illegal or unsafe, the *code official* is authorized to make inspections of the *existing buildings* before the issuance of occupancy permits.

109.9 Other Inspections. The *code official* is authorized to make inspections upon referral of a notice of violation received from inspection agencies other than the *Department* alleging a violation of the *Construction Codes*; and upon receipt of a complaint by a District resident, Council member, District government employee, or other government agency alleging a violation of the *Construction Codes.*

109.10 Plant Inspection. When required by the provisions of the *Building Code*, materials or assemblies shall be inspected at the point of manufacture or fabrication in accordance with Section 1703.7 of the *Building Code* and the Special Inspections Program Procedural Manual.

110 CERTIFICATE OF OCCUPANCY

110.1 General Requirement for Certificate of Occupancy. Except as provided in Section 3203 of the *Zoning Regulations*, no *person* shall use any *structure*, land, or part thereof for any purpose, and no change in use or load shall be made, until a Certificate of Occupancy has been issued stating that the use complies with the applicable *Zoning Regulations* and the *Construction Codes*, including related building, electrical, plumbing, mechanical and fire protection requirements. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of the applicable *Construction Codes*, *Zoning Regulations* or other laws or regulations of the District. The person or entity to which a certificate of occupancy is issued is referred to herein as the "certificate holder." When a change in ownership occurs, a new certificate of occupancy shall be applied for in the name of the new *owner*.

110.1.1 New Buildings. A *building* or other *structure* hereafter erected shall not be used or occupied in whole or in part until the certificate of occupancy has been issued by the *code official*, in accordance with the applicable *Construction Codes* and the *Zoning Regulations* following a final inspection pursuant to Section 109.3.14 of the *Building Code*.

Exceptions:

1. One-family *dwellings*;

2. *Community-Based Residential Facility* with six or fewer residents; or

3. A conditional certificate of occupancy has been issued pursuant to Section

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110.4.

110.1.2 Change in Ownership. For changes in ownership of *structures*, land, or parts thereof with an existing valid Certificate of Occupancy, a new Certificate of Occupancy shall be issued in the name of the new *owner* without re-inspection, provided there is no proposed change in use, floor layout or occupancy load.

110.1.2.1 Compliance. To monitor compliance with Section 110.1.2, the *Department* may review change of ownership applications and conduct inspections to determine if there has been a change in use, occupancy load, or floor layout, and certificates of occupancy that have been determined to have been erroneously issued on the basis of a change in ownership shall be revoked.

110.1.3 Change in Use, Load or Floor Layout. For changes in use, occupancy load or tenant floor layout, a new Certificate of Occupancy shall be required. In the foregoing circumstances, a construction permit application must be filed pursuant to Section 105.1.1(1) and *approved* by the *Department*, in order to confirm that the new use, load or tenant floor layout complies with the *Construction Codes* and *Zoning Regulations*. An application for certificate of occupancy will not be accepted for filing until a permit application has been granted, or a determination has been made that a permit application is not required under the circumstances.

110.1.4 Use Designation. A certificate of occupancy shall only be issued for stated uses, including accessory uses, which have been identified in the *Zoning Regulations*. In the case of §§ 701.5, 721.4, 741.4 and 751.4 of the *Zoning Regulations*, which permit other retail and service uses similar to those uses expressly permitted in the applicable Commercial Districts, the certificate of occupancy shall first state the expressly permitted use and then indicate the similar use that is being authorized.

110.1.5 Special Restrictions for Projects Subject to Green Construction Code Alternate Compliance Paths.

110.1.5.1 Projects Subject to the Green Building Act. Prior to issuance of a certificate of occupancy for projects subject to the Green Building Act and Section 302 of the *Green Construction Code*, and where provided for therein, the *owner* shall submit the financial security required by Section 302 of the *Green Construction Code*.

110.1.5.2 Projects Not Subject to the Green Building Act. For projects electing an alternate compliance pathway pursuant to Sections 101.4.9.4.2.2, 101.4.9.4.2.3, or 101.4.9.4.2.4, prior to issuance of a certificate of occupancy, or prior to issuance of the first certificate of occupancy for occupiable space in a *story above grade plane* where a project has multiple certificates of occupancy, the *code*

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official is authorized to request additional documentation as deemed necessary to confirm that the project is on track to be certified as compliant with the elected pathway.

110.1.6 Certificate Issued. After the *code official* inspects the *building* or other *structure* and finds no violations of the provisions of the *Construction Codes*, the *Zoning Regulations* or other laws that are enforced by the *Department*, the *code official* shall issue a certificate of occupancy containing the following:

1. The building permit number (if applicable);
2. The address of the *structure*;
3. The name and address of the property or business *owner*, as applicable;
4. A description of that portion of the *structure* for which the certificate is issued;
5. The name of the *code official*;
6. The use and occupancy, in accordance with the provisions of Chapter 3 of the *Building Code*;
7. The use and occupancy in accordance with the *Zoning Regulations*;
8. The design occupant load;
9. Any special stipulations and conditions of the building permit; and
10. Date of issuance.

110.1.7 Exemption from Certificate. A Certificate of Occupancy shall not be required for any use exempted by 11 DCMR § 3203.

110.1.8 Posting of Certificate. All Certificates of Occupancy shall be conspicuously posted in or upon the *premises* to which they apply so that they are readily visible to anyone entering the *premises*, except sanctuary and nave areas of *places of religious worship* in Group A-3.

110.2 Application for Certificate. Application for a Certificate of Occupancy shall be made in accordance with Sections 110.2 through 110.2.3.4.

110.2.1 Application Procedure. All applications for Certificate of Occupancy shall be

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filed with the *Department* on the prescribed forms provided by the *code official*. The applicant shall pay the prescribed filing fee at the time of the application. If a property is located in a CM or M zone district, the "Standards of External Effects" application required by the *Zoning Regulations* shall also be submitted. Where field inspections are deemed necessary, the inspection process shall be in accordance with Sections 110.2.2.

110.2.1.1 Building Permits. Applications for a certificate of occupancy, other than for a change of ownership with no proposed change in use, occupancy load or floor layout, will not be accepted unless a building permit application has previously been filed and granted, or the *Department* has determined that a permit application is not required.

110.2.1.2 Compliance with Conditions. If an application pertains to a *structure* or use authorized by an order of the Zoning Commission or Board of Zoning Adjustment and the permission granted in that order was made subject to conditions, the application shall include a copy of the order and a statement demonstrating compliance with all conditions that were to be satisfied prior to the issuance of a certificate of occupancy.

110.2.2 Inspections. Following the filing of a certificate of occupancy application, except for a change in ownership pursuant to Section 110.1.2, inspections shall be conducted to confirm compliance with the applicable *Construction Codes* and the *Zoning Regulations*. Notice of all existing violations of the applicable *Construction Codes* and *Zoning Regulations* shall be provided to the applicant within ten *business days* after the date of the inspection.

110.2.2.1 Service of Notice. The notice of existing violations shall be personally delivered to the applicant or sent by first class mail, postage prepaid. Where the notice is mailed, a certificate of mailing completed by the *person* responsible for mailing shall constitute proof of service.

110.2.2.2 Reinspection. If a notice of existing violations is issued, a reinspection shall be made within ten business days after the date of notification by the applicant that all required corrections have been made.

110.2.2.3 Expiration of Application. Except as provided in Sections 110.2.3 through 110.2.3.4, the failure to comply with all applicable District of Columbia laws and regulations pertaining to the issuance of a Certificate of Occupancy, within the prescribed timeframe in a notice of existing violations, shall cause the application to be canceled without further notice to the applicant, and the applicant shall be required to file a new Certificate of Occupancy application and pay the required fees.

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110.2.2.4 Access to the Premises. Refusal to permit entry for inspection of the *premises* shall result in the cancellation of the Certificate of Occupancy application without further notice to the applicant.

110.2.3 Extensions. The *code official* is authorized to grant an extension to comply with the notice of existing violations for any of the following reasons:

1. The District Government has performed all the required services but due to extenuating circumstances the applicant is unable, through no fault of his or her own, to bring the property into compliance; or

2. Other special or unusual circumstances as determined by the *code official*.

110.2.3.1 Filing for Extension. All requests for extensions shall be made in writing and addressed to the *code official*. All requests for extensions shall be filed at least 15 business days prior to the expiration of the prescribed time period. The request shall specify the following:

1. The basis for the request including the details of all efforts on the part of the applicant to bring the property for which an extension is requested into compliance;

2. The facts which support the request in sufficient detail to enable the *code official* to make an informed judgment; and

3. Any other information as the *code official* may deem necessary.

110.2.3.2 Disposition of Request for Extension. The extension requested shall either be granted or denied by the *code official* as soon as practicable after receipt of all required information. The decision to grant or deny the extension shall be delivered to the applicant in writing by first class mail or personal service, and the provisions of Section 110.2.2.1 shall apply to the pertinent extension request records.

110.2.3.3 Period of Extension. A decision to grant an extension shall set forth the extended period of time by which compliance shall be achieved.

110.2.3.4 Extensions for Reinspection. If a reinspection is required, the reinspection shall be made within 10 business days after the date of notification by the applicant that all required corrections have been made.

110.3 Occupancy Dependent on Construction. Sections 110.3.1 through 110.3.5 regulate the issuance of a certificate of occupancy for the use of a *structure*, or part thereof, if the

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establishment of the use is dependent upon the erection, construction, conversion, or alteration of the *structure*, or part thereof.

110.3.1 Proposed use. The intended use shall be designated as a proposed use at the time of application for the building permit on which the use depends.

110.3.2 Provisional Occupancy. At the time of approval of the building permit application by the Zoning Administrator, the proposed use shall become the provisional occupancy *approved* by the *code official*.

110.3.3 Expiration of Provisional Approval. A building permit shall be obtained within six months of approval of the provisional occupancy, otherwise the zoning approval granted pursuant to Section 110.3.2 shall expire.

110.3.4 Final Occupancy Approval. The use designated as the *approved* provisional occupancy shall become final upon issuance of a Certificate of Occupancy pursuant to the provisions of Section 110.

110.3.5 Construction Completion Required. If the erection or alteration of a *structure*, or part thereof, is contemplated, a certificate of occupancy for that *structure*, or part thereof, shall not be issued until the erection or alteration is completed to the point that the *structure*, or part thereof, is deemed by the *code official* to be available for occupancy and in compliance with the requirements of the applicable laws and regulations.

110.4 Conditional Occupancy. The *code official* is authorized to issue a conditional certificate of occupancy for which a permit for work has been issued, in the following circumstances:

110.4.1 Completion of a Portion of the Work. The *code official* is authorized to issue a conditional certificate of occupancy to permit the conditional use and conditional occupancy of a *building*, other *structure*, or a portion thereof, in advance of the completion of all work covered by the permit, and prior to the issuance of a certificate of occupancy under Section 110.1 above, if the *building*, other *structure*, or a portion thereof may be safely occupied notwithstanding incomplete work covered by the permit. The *code official* is authorized to specify when the conditional certificate of occupancy issued under this section will expire.

110.4.2 Completion of Core and Shell. The *code official* is authorized to issue a conditional certificate of occupancy for a *building* or other *structure* after determining that the core and shell of the *building* or other *structure* are substantially and materially complete, in accordance with the *Construction Codes*. The issuance of a conditional certificate of occupancy under this section shall not grant, allow, or permit use or occupancy, for any reason or purpose, of any other portion of the *building* or other *structure* for which a certificate of occupancy is required under Section 110.1.

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110.4.3 Other Circumstances. The *code official* is authorized to issue a conditional certificate of occupancy in other circumstances, prior to the issuance of the final certificate of occupancy, if the *building*, other *structure*, or a portion thereof may be safely occupied, where the *code official* determines that the public interest warrants such conditional occupancy. The *code official* is authorized to specify when the conditional certificate of occupancy issued under this section will expire.

110.5 Revocation of a Certificate of Occupancy. The *code official* is authorized to revoke a certificate of occupancy pursuant to any of the Sections 110.5.1 through 110.5.5.

110.5.1 Different Occupancy. Any certificate of occupancy previously issued or issued pursuant to Section 110 shall be revoked by the *code official*, after notice to the certificate holder, if the actual occupancy does not conform with that which was permitted.

110.5.2 Misleading Declaration by Applicant. Any certificate of occupancy previously issued or issued pursuant to Section 110 shall be revoked by the *code official*, after notice to the certificate holder, if the *code official* determines that it was obtained based on an application that contained any material misrepresentation.

110.5.3 Certificate Issued in Error. Any certificate of occupancy previously issued or issued pursuant to Section 110 shall be revoked by the *code official*, after notice to the certificate holder, if the *code official* determines that it was issued in error.

110.5.3.1 Cancellation. The *code official* shall have the right to declare a certificate of occupancy null and void on the grounds of administrative or clerical error, and to cancel the certificate of occupancy, if such error is discovered within five business days after the date of issuance of the certificate of occupancy and notice is provided to the certificate holder within the five day period. Upon notification of cancellation, the holder shall promptly surrender the certificate of occupancy for cancellation, provided, however, that the failure to voluntarily surrender the certificate shall not affect its invalidity and the cancellation shall be effective upon notification.

110.5.3.2 Board of Zoning Adjustment. When a written order of the Board of Zoning Adjustment concludes that a certificate of occupancy was issued in error, the certificate of occupancy shall be revoked effective ten days after the Board of Zoning Adjustment Order becomes final pursuant to the provisions of the *Zoning Regulations*. Appeal of revocations under this provision shall be governed by Section 110.6.1.

110.5.4 Incomplete Alteration, Repair or Addition. Any certificate of occupancy previously issued or issued pursuant to Section 110 shall be revoked by the *code official*,

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after notice to the certificate holder, if all of the following conditions are verified:

1. The *building* or space under such certificate of occupancy is undergoing *alteration* or repair, or an addition thereto is being constructed, under a duly issued building permit, and the original use is being continued during the construction period; and

2. The *code official* deems that construction is not progressing at a reasonable pace and the unfinished portion of the project, as shown on the *approved* permit drawings, or the missing systems or portions thereof, are such that the *code official* deems that the safety, health or welfare of the public or of the occupants is seriously threatened thereby.

110.5.5 Additional Grounds for Revocation.

110.5.5.1 Completion of Construction Work. Any certificate of occupancy previously issued or issued pursuant to Section 110 shall be revoked by the *code official*, after notice, if, upon completion of work pursuant to a duly issued building permit, the *owner* or occupant does not apply for a new certificate of occupancy within 30 days after completion of the work and a new certificate of occupancy is required. A new certificate of occupancy is required when there is a change in use, occupancy or load.

110.5.5.2 Violation of Zoning Order Conditions. Any certificate of occupancy previously issued or issued pursuant to Section 110 shall be revoked by the *code official*, after notice, if the use is being operated in violation of one or more conditions of any Board of Zoning Adjustment or Zoning Commission order that authorized the establishment of the use or the construction, renovation, or *alteration* of the building in which the use is located. Such violations include, but are not limited to, the failure to establish or maintain any public benefit in accordance with a condition set forth in any Zoning Commission order granting a planned unit development on the property in which the use is located.

110.5.6 Service of Notice to Revoke a Certificate of Occupancy. The *code official* shall effect service of a notice to revoke a certificate of occupancy by one of the following methods:

1. Personal service on the certificate holder or the certificate holder's agent;

2. By electronic mail to the last-known electronic mail address of the certificate holder or the certificate holder's agent, provided that a copy of the notice or order is posted in a conspicuous place in or about the *structure* affected by such notice;

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3. Delivering the notice to the last known home or business address of the certificate holder as identified by the certificate application, the tax records, or business license records, and leaving it with a person over the age of 16 years old residing or employed therein;

4. Mailing the notice, via first class mail postage prepaid, at least 10 days prior to the date of the proposed action, to the last known home or business address of the certificate holder or the certificate holder's agent as identified by the certificate application, the tax records, or business license records; or

5. If the notice is returned as undeliverable by the Post Office authorities, or if no address is known or can be ascertained by reasonable diligence, by posting a copy of the notice in a conspicuous place in or about the *structure* affected by such notice.

Exception: A Board of Zoning Adjustment Order finding that a certificate of occupancy has been issued in error constitutes the Notice of Revocation required under this section.

110.5.7. Content of Notice. Except as provided in Section 110.5.3.2, the Notice of Revocation shall contain the effective date of revocation.

110.5.8 Effective Date of Revocation. Revocations based on Sections 110.5.1, 110.5.2, 110.5.4, or 110.5.5 are proposed actions and shall become final upon occurrence of one of the following conditions:

1. If the certificate holder fails to request a hearing from (a) the Office of Administrative Hearings within 10 business days of receipt of the notice of revocation with respect to violations of the *Construction Codes* or (b) the Board of Zoning Adjustment within 60 days of receipt of the notice of revocation with respect to violations of the *Zoning Regulations*; or

2. If the Office of Administrative Hearings or Board of Zoning Adjustment finds that grounds exist to revoke the permit as the result of a hearing requested by the certificate holder pursuant to Section 110.6.

110.5.8.1 Summary Revocations; Cancellations. Revocations based on Section 110.5.3.1 shall be summary revocations and shall take effect on the date ordered by the *code official*.

110.6 Appeal from Action. Any *person* aggrieved by the action of the *code official* granting, withholding, or revoking a Certificate of Occupancy, based in whole or in part upon the *Zoning*

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Regulations, may appeal the action to the Board of Zoning Adjustment, pursuant to D.C. Official Code § 6-641.07 (2012 Repl.) and the *Zoning Regulations*, no later than 60 days after service of written notice of the action upon the applicant or permit holder. All other appeals shall be filed before the Office of Administrative Hearings within the time period required.

110.6.1 Limitation on Appeal. No appeal may be taken to the Board of Zoning Adjustment when a ground for the revocation is a Board of Zoning Adjustment Order finding that the certificate of occupancy was issued in error. The revocation in such cases may be appealed to the District of Columbia Court of Appeals pursuant to D.C. Official Code § 2-510.

110.6.2 Stay pending appeal. The filing of an appeal of the revocation shall not operate to stay the revocation.

110.7 Certificate of Occupancy Fees. A fee for the processing and issuance of a certificate of occupancy shall be paid to the D.C. Treasurer in accordance with the applicable fee schedule.

110.7.1 Fee Schedule. The Director is authorized to establish, from time to time, by *approved* rules, a schedule of unit rates and other fees for certificates of occupancy, partial certificates of occupancy and other related miscellaneous services.

110.7.2 Filing Fee. The fee for filing an application for certificate of occupancy shall be in accordance with the current user fee schedule.

110.8 Records. The Director or his or her designee shall be the custodian of Certificate of Occupancy records. The records shall include, but not limited to, the following:

1. Pending Certificate of Occupancy applications;

2. Extensions granted pursuant to Sections 110.2.3 through 110.2.3.4; and

3. All *approved* applications for Certificates of Occupancy, issued Certificates of Occupancy and copies of all cancellation notices and related correspondence.

111 SERVICE UTILITIES

111.1 Connection of Service Utilities. No *person* shall make connections from a utility source of energy, fuel, power, water or sewerage to any *building*, other *structure* or system that is regulated by the *Construction Codes* for which a permit is required, until the permit is issued by the *code official*.

111.2 Temporary Connection. The *code official* shall have the authority to authorize the temporary connection of a *building*, other *structure* or system to the utility source of energy, fuel

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or power.

111.3 Authority to Disconnect Service Utilities. The *code official* shall have the authority to order the disconnection of utility service to any *building*, other *structure* or system regulated by the *Construction Codes*, in case of emergency where necessary to eliminate an immediate hazard to life or property. The *code official* shall notify the serving utility, and where possible the *owner* and occupant of the *building*, other *structure* or service system, of the decision to disconnect prior to taking such action. If not notified prior to disconnecting, the *owner* or occupant of the *building*, other *structure* or service system shall be notified in writing, as soon as practical thereafter.

112 REVIEW AND APPEALS

112.1 Review by the Code Official or Zoning Administrator. The *owner* of a *building* or other *structure*, an applicant for a permit or certificate of occupancy, or a permit holder or certificate holder who is adversely affected or aggrieved by an interpretation, decision, denial or other action or decision, relating to application processing or inspections, by a person in the *Department* other than the *code official* or the Zoning Administrator (a "Staff Action") may seek review by the *code official* or the Zoning Administrator, as applicable. Review under this section must be initiated by the claimant no later than 15 days after being advised of, or learning of, the Staff Action. Notwithstanding the foregoing, review of stop work orders shall be governed by Section 114.11.

112.1.1 Review Process. To seek review, a claimant shall use a review form provided by the *code official* or the Zoning Administrator, as applicable, on which the claimant shall state the grounds for any requested review, which shall be based on a claim that the *Construction Codes* or the *Zoning Regulations*, or the rules legally adopted under either, as applicable, have been incorrectly interpreted or applied, that the provisions of the *Construction Codes* or *Zoning Regulations*, as applicable, do not fully apply, or, in the case of any action under the *Construction Codes*, that an equally good or better form of construction can be used.

112.1.1.1 Code Official. With regard to matters arising under the *Construction Code*, the *code official* shall affirm, modify, or reverse the Staff Action within 15 business days of receipt of a review form. If the *code official* denies review, or does not act upon the review within the 15 business day period, the Staff Action shall be deemed affirmed and the claimant may appeal to the Office of Administrative Hearings in accordance with Section 112.2.1 below. The decision of the *code official* shall be the final decision of the *Department*.

112.1.1.2 Zoning Administrator. With regard to matters arising under the *Zoning Regulations*, the Zoning Administrator shall affirm, modify, or reverse the Staff Action within 15 business days of receipt of a review form. If the Zoning

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Administrator denies review, or does not act upon the review within the 15 business day period, the Staff Action shall be deemed affirmed and the claimant may appeal the decision to the Board of Zoning Adjustment in accordance with Section 112.2.2 below. Notwithstanding the foregoing, a person's election to seek Zoning Administrator review pursuant to this Section 112 shall not stay the time period in which to appeal the Staff Action decision to the Board of Zoning Adjustment as that time period is set forth at 11 DCMR Section 3112.2.

112.2 Appeal of Decisions of the Code Official and the Zoning Administrator.

112.2.1 Appeal of Decisions of the Code Official. The *owner* of a *building* or other *structure* or any *person* adversely affected or aggrieved by a final decision or order of the *code official* based in whole or in part upon the *Construction Codes*, may appeal to the Office of Administrative Hearings (OAH). The OAH appeal shall be filed within 10 business days after the date the *person* appealing the decision of the *code official* had notice or knowledge of the decision, or should have had notice or knowledge of the decision, whichever is earlier. The appeal shall specify that the *Construction Codes* or the rules legally adopted thereunder have been incorrectly interpreted or applied by the *code official*, that the requirements of the *Construction Codes* do not fully apply, or that an equally good or better form of construction can be used. The OAH shall have no authority to waive requirements of the *Construction Codes*.

Exceptions:

1. OAH review of a notice or order to close or vacate residential *premises* issued pursuant to Section 115 shall be based solely on the issue of whether the *premises* are unsafe or unfit for occupancy requiring a building closure under the provisions of Section 115;

2. OAH review of a notice or order to close or vacate residential *premises* issued pursuant to Section 116 shall be based solely on the issue of whether the *code official's* building closure decision comported with the provisions of Section 116.1.

Notwithstanding the foregoing, OAH review of a notice or order to close or vacate residential *premises* issued pursuant to Section 115 shall be based solely on the issue of whether the *premises* are unsafe or unfit for occupancy requiring a building closure under the provisions of Section 115 and OAH review of a notice or order to close or vacate residential *premises* issued pursuant to Section 116 shall be based solely on the issue of whether the *code official's* building closure decision was arbitrary and capricious,

112.2.2 Appeal of Decisions of the Zoning Administrator. The *owner* of a *building* or

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other *structure* or any *person* adversely affected or aggrieved by a final decision or order of the Zoning Administrator may appeal to the Board of Zoning Adjustment of the District of Columbia pursuant to D.C. Official Code § 6-641.07.

112.2.3 Expedited OAH Hearing for Section 115 Closure Orders. Where a notice or order to close or vacate residential *premises* is issued pursuant to Section 115, a *tenant* or occupant of the *premises* affected by the closure has a right to request an expedited hearing by OAH prior to the closure subject to the following requirements:

1. The tenant or occupant shall file the request for an expedited hearing with OAH no later than the date specified in the closure order for *tenants* or occupants to vacate the *structure* or unit;

2. OAH review shall be based solely on the issue of whether the *premises* are unsafe or unfit for occupancy requiring a *building* closure under the provisions of Section 115 of the *Building Code*;

3. Enforcement of the closure notice or order shall be stayed until OAH issues a written decision; and

4. OAH shall hold a hearing within 72 hours of receipt of a timely request, and shall issue a decision within 72 hours after the hearing. For purposes of computing the 72-hour period, weekends and legal holidays shall be excluded.

Nothing herein shall be construed to authorize an expedited hearing for any orders or notices issued, or actions taken, pursuant to Section 116.

112.3 Stop Work Orders. Appeals of stop work orders are governed by Section 114.11.

112.4 Revocations. Appeals of permit revocations and revocations of certificates of occupancy shall be governed by Sections 105.6 and 110.5, respectively.

112.5 Enforcement of Decision. The *code official* or the Zoning Administrator, as applicable, shall take immediate action in accordance with the decision of the Office of Administrative Hearings or the Board of Zoning Adjustment, as applicable, in any appeal.

112.6 Stay of Enforcement. Appeals of notices or orders shall stay the enforcement of the notice or order until the appeal is heard by OAH.

Exceptions:

1. Closure or imminent danger notices or orders issued pursuant to Section 116, and

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related orders to vacate *premises*,

2. Closure notices or orders issued pursuant to Section 115, and related orders to vacate *premises*, except where the *tenant* or occupant has requested an expedited OAH hearing in accordance with Section 112.2.3.

3. Stop work orders.

112.7 Section 116 Closure or Imminently Dangerous Orders and Notices. Appeal of a closure notice or order issued pursuant to Section 115, or a request for an expedited hearing pursuant to Section 112.2.3, shall not preclude the *code official* from issuing a notice or order pursuant to Section 116 for the same *premises*, including any *building* or other *structure*, while such appeal or hearing is pending.

113 VIOLATIONS AND INFRACTIONS

113.1 Unlawful Acts. It shall be unlawful for any person, firm, or corporation to erect, construct, alter, extend, repair, raze, demolish, use, or occupy any *building* or other *structure* or equipment regulated by the *Construction Codes* or *Zoning Regulations*, or cause same to be done, in conflict with or in violation of any of the provisions of the *Construction Codes* or *Zoning Regulations*.

113.2 Notice of Violation, Infraction, or Order. The *code official* is authorized to serve a notice of violation, notice of infraction, or order on the *owner*, operator, occupant or other person responsible, for the erection, construction, alteration, extension, repair, razing, *demolition*, use, or occupancy of a *building* or other *structure* in violation of the provisions of the *Construction Codes* or *Zoning Regulations*, or in violation of a plan *approved* thereunder, or in violation of a permit or certificate issued under the provisions of the *Construction Codes* or *Zoning Regulations*. A notice of violation or order shall direct the discontinuance of the illegal action or condition and/or the abatement of the violation. Notices or orders shall be in accordance with all of the following:

1. Be in writing.

2. Include a description of the real estate sufficient for identification.

3. Include a statement of the violation or violations, the code section(s) violated, and why the notice or order is being issued.

4. Include, if the notice or order affords an opportunity to abate a violation, a reasonable period of time to make the repairs and improvements required to bring the *building*, or other *structure* into compliance with the provisions of this code.

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5. Include, if applicable, a specific time by which unsafe or imminently dangerous *premises* shall be closed, barricaded and/or vacated, or equipment placed out of service.

6. Inform the property *owner* of the right to appeal pursuant to Section 112.

7. Include a statement of the District of Columbia's right to abate the violation without the *owner*'s consent if the *owner* fails to comply with the notice or order or to file a timely appeal, to assess the costs of such abatement against the *owner* and to place a tax lien on the property in accordance with Section 113.5 for the costs of such abatement.

113.2.1 Service of Notice of Violation or Order. A notice of violation or any other authorized notice or order, other than a notice of infraction, shall be served on the *owner*, operator, occupant or other person responsible for the condition or violation (the "respondent") by any one of the following methods:

1. Personal service on the respondent or the respondent's agent;

2. By electronic mail to the last-known electronic mail address of the person or business to be notified, provided that a copy of the notice or order is posted in a conspicuous place in or about the *structure* affected by such notice;

3. Delivering the notice or order to the last known home or business address as identified by the tax records, the business license address, or the corporate registration address of the respondent or the respondent's agent and leaving it with a person over the age of 16 years old residing or employed therein;

4. Mailing the notice or order, via first class mail postage prepaid, at least 10 days prior to the date of the proposed action, to the last known home or business address, as identified by the tax records address, the business license address or the corporate registration address, of the respondent or respondent's agent; or

5. If the notice or order is returned as undeliverable by the Post Office authorities, or if no address is known or can be ascertained by reasonable diligence, by posting a copy of the notice or order in a conspicuous place in or about the *structure* affected by such notice.

113.2.1.1 Respondent's Agent. For the purposes of this section, respondent's agent shall mean a general agent, employee, registered agent or attorney of the respondent.

113.2.1.2 Stop Work Orders. Service of stop work orders shall be made as set

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forth in Section 114.

113.2.1.3 Special Provisions for Residential Premises. Where a notice or order is issued to the *owner* of a residential *premises* with respect to a *dwelling unit* occupied by a *tenant*, the *code official* shall provide such *tenant* with a copy of the notice or order. This requirement will be satisfied by mailing a copy to the *tenant* by first-class mail, leaving a copy at the *tenant*'s residence or any other reasonable method in the *code official*'s discretion.

113.2.1.3.1 Notification for multiple *tenants*. In any instance where a notice or order affects more than one *tenant* of a residential building or *dwelling*, including notices or orders involving common space, the *code official* shall post a copy of any notice or order issued to the *owner* pursuant to Section 113.2 for a reasonable time in one or more locations within the building or buildings in which the violation exists. The locations for posting the notification shall be reasonably selected to give notice to all *tenants* affected. Any *tenant* directly affected by the violation(s) shall, upon request to the *code official*, be sent a copy of the posted notification.

113.2.1.3.1.1 Building Closures. Where the *code official* (a) issues an order or notice to close and barricade a residential *structure* or *dwelling unit*, pursuant to Section 115, or (b) posts a closure or imminently dangerous order or notice pursuant to Section 116, in addition to posting the notice or order as provided in Section 113.2.1.3.1, the *code official* shall provide a copy of the notice or order to each *tenant* affected by the notice or order by leaving a copy at each *dwelling unit* or any other reasonable method in the *code official*'s discretion.

113.2.1.3.2 Exclusivity of tenant notice provisions. The *code official* shall not be subject to any other *tenant* notification provisions, except as expressly set forth in this Section 113.2.

113.2.1.4 Notices of Infraction. Notices of infraction shall be issued in accordance with the procedures and fine amounts set forth in Section 201 of the *Civil Infractions Act* and Title 16 of the DCMR.

113.2.2 Requirement to Abate Illegal Activity or Nuisance. A notice of violation or order shall direct the discontinuance of the illegal action or condition and/or abatement of the violation.

113.2.3 Failure to Provide a Notice of Violation. Issuance of a notice of violation

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pursuant to this section, prior to taking other enforcement action, is at the discretion of the *code official*. Failure to give a notice of violation shall not be a bar or a prerequisite to any criminal prosecution, civil action, corrective action or civil infraction proceeding based upon a violation of the *Construction Codes*.

113.2.4 Notice of Infraction. A notice of infraction shall be issued in accordance with Section 201 of the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985, effective October 5, 1985 (D.C. Law 6-42; D.C. Official Code § 2-1802.01 (2012 Repl.)) ("Civil Infractions Act") and shall impose a fine for the alleged violation.

113.2.5 Additional Requirements for Closure of Residential Premises. Where the *code official* (a) issues an order or notice to close and barricade a residential *structure* or *dwelling unit*, pursuant to Section 115, or (b) posts a closure or imminently dangerous order or notice pursuant to Section 116, the following additional provisions shall apply.

1. The notice or order shall specify a date by which *tenants* or occupants of the *structure* or unit are required to vacate the *structure* or unit.

2. The notice or order shall include a statement informing *tenants* or occupants of the *structure* or unit of the right to appeal pursuant to Section 112.2, including, where applicable, the right to an expedited hearing pursuant to Section 112.2.3.

3. A copy of the notice or order shall be provided to *tenants* in accordance with Section 113.2.1.3.

4. The notice or order shall provide contact information for the Office of the Tenant Advocate.

113.3 Prosecution or Adjudication of Violation. If a notice of violation or order is not complied with promptly, the *code official* may request the Office of the Attorney General for the District of Columbia to institute the appropriate proceedings at law or in equity to prosecute, restrain, correct, or abate such violation, or to require the removal or termination of the unlawful use of the *building* or other *structure* in violation of the provisions of the *Construction Codes* or the *Zoning Regulations* or of the order or direction made under the *Construction Codes* or the *Zoning Regulations*.

113.4 Criminal Prosecution. Pursuant to D.C. Official Code § 6-1406 (2012 Repl.), any *person* who violates a provision of the *Construction Codes* or fails to comply with any of the requirements thereof or who erects, constructs, razes, demolishes, alters, or repairs a *building* or other *structure* in violation of an order of the *code official* issued under the authority of the *Construction Codes*, or in violation of a permit or certificate including the *approved* plans issued under the provisions of the *Construction Codes*, shall, upon conviction, be guilty of a

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misdemeanor, punishable by a fine of not more than two thousand dollars ($2,000), or by imprisonment not exceeding 90 days, or both, for each offense. Each day a violation continues shall be deemed a separate offense.

113.5 Abatement of Violation. The imposition of penalties prescribed in this section shall not preclude the Office of the Attorney General for the District of Columbia from instituting appropriate action to prevent unlawful construction or to restrain, correct, or abate a violation, or to prevent illegal occupancy of a *premises*, including any *building* or other *structure*, or to stop an illegal act, conduct, business, or use of a *premises*, including any *building* or other *structure*. Nor shall the imposition of penalties prevent the *Department* from undertaking abatement or corrective actions under other statutes and regulations, including but not limited to D.C. Official Code § 42-3131.01 *et seq.* (2012 Repl.). The costs of any corrective action, and all expenses thereto, shall be assessed as a tax against the property on which the violating condition existed, and such tax shall be carried on the regular tax rolls of the District, and collected in the same manner as general taxes in the District are collected.

113.6 Civil Infractions. Pursuant to D.C. Official Code § 6-1406 (2012 Repl.), civil fines, penalties, and fees may be imposed as additional sanctions to criminal prosecution or other civil action, for any infraction of the provisions of the *Construction Codes* or *Zoning Regulations*, or any orders, rules, or regulations issued under the authority of the *Construction Codes* pursuant to the Civil Infractions Act. Adjudication of any infraction of the *Construction Codes* or *Zoning Regulations* shall be pursuant to the Civil Infractions Act, D.C. Official Code § 2-1801.01 *et seq.* (2012 Repl.)).

113.7 Illegal Construction. Without limiting any of the penalties or remedies for violations of the *Construction Codes*, or the *Department's* enforcement authority set forth in this Section 113 or elsewhere, if a *building* or other *structure* or part thereof is being erected, constructed reconstructed converted or altered, or has been erected, constructed, reconstructed, converted, or altered in violation of the *Construction Codes* or the *Zoning Regulations*, said actions shall constitute illegal construction, and the *code official* is authorized to order ongoing work to stop and that the condition be corrected within a specified time frame deemed reasonable by the *code official*. Service of the order shall be made in accordance with Section 113.2.1.

> **113.7.1 Civil Fines.** Notwithstanding the issuance of a stop work order or an order to correct, relating to the illegal construction, the *code official* is authorized to issue civil fines pursuant to Section 113.6 of the *Building Code*, and each day thereafter a violation goes unabated shall be considered a separate offense. Upon adjudication of the civil fines provided for in this section, the *code official* is authorized to assess any unpaid fines as a tax against the property on which the violation occurred, and to carry such tax on the regular tax rolls of the District and collect such tax in the same manner as general taxes.
>
> **113.7.2 Fire Safety Hazard; Public Hazard.** Should the *code official* deem the condition to be a fire safety hazard or otherwise constitute a hazard to the public, the *code*

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official is authorized pursuant to D.C. Official Code § 42-3131.01(c) (2012 Repl.) to cause such condition to be corrected, to assess the cost of correcting such condition and all expenses incident thereto, including fees or charges authorized or imposed in the *Building Code*, as a tax against the property on which such condition existed or from which such condition arose, as the case may be, and to carry such tax on the regular tax rolls of the District and collect such tax in the same manner as general taxes.

113.8 Injunction to Restrain Use of a Building in Violation of Construction Codes. The Mayor may file a petition with the Superior Court of the District of Columbia for an injunction to restrain the use or occupancy of any *building*, other *structure*, or part thereof, in violation of any of the provisions of the *Construction Codes* or the *Zoning Regulations*.

113.9 Transfer of ownership. It shall be unlawful for the *owner* of any *building* or other *structure* upon whom a notice of violation or order has been served to sell, transfer, mortgage, lease or otherwise dispose of such *building* or other *structure* to another person or entity until the provisions of the notice or order have been complied with, or until such *owner* shall first furnish the grantee, transferee, mortgagee or lessee a true copy of any notice or order issued by the *code official* and shall furnish to the *code official* a signed and notarized statement from the grantee, transferee, mortgagee or lessee, acknowledging the receipt of such notice or order and fully accepting responsibility without condition for making the corrections or repairs required by such notice or order.

114 STOP WORK ORDER

114.1 Authority. Whenever the *code official* finds that any work on any *premises*, including any *building* or other *structure* is being performed contrary to the provisions of the *Construction Codes*, or the *Zoning Regulations* or in an unsafe or dangerous manner, the *code official* is authorized to issue a stop work order.

114.1.1 Issuance. The stop work order shall be in writing, in a form prescribed by the *code official*, and shall be given to the *owner* of the property involved, or to the *owner's* agent, or to the *person* doing the work. If the stop work order cannot be delivered personally, notice shall be effected by posting the stop work order as provided in Sections 114.1.4 and 114.2 below. Upon service of a stop work order pursuant to Section 114.1.4, the cited work shall immediately cease until the situation is corrected.

114.1.2 Form of Stop Work Order. The stop work order shall be in writing, in a form prescribed by the *code official*. The stop work order shall state the reason for the order, and the conditions under which the cited work will be permitted to resume. The stop work order shall state the address of the property and the specific section or sections of the *Construction Codes* and/or the *Zoning Regulations* violated. The stop work order shall also contain a description of the right to appeal the order, and a contact name and telephone number to obtain an appeal form. No stop work order shall be issued nor

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considered valid unless it contains all the above information, and the signature of the issuing official.

114.1.3 [Reserved].

114.1.4 Service of a Stop Work Order. The *code official* shall effect service of a stop work order by one of the following methods:

1. Personal service on the *owner* of the property involved, to the *owner's* agent or to the *person* doing the work; or

2. Posting a copy of the notice in a conspicuous place in or about the structure affected by such notice, as provided in Section 114.2 below.

114.2 Location of Posted Stop Work Order. The *code official* shall post the stop work order in a conspicuous location, visible to the public and other government officials, in or about the *premises*, including any *building* or other *structure*, affected by the stop work order.

114.3 Removal or Obstruction of a Posted Stop Work Order. Unauthorized removal or obstruction of a posted stop work order is a violation of the *Construction Codes*, and is subject to the penalties provided in D.C. Official Code § 6-1406 (2012 Repl.) and the injunctive relief set out in D.C. Official Code § 6-1407 (2012 Repl.).

114.4 Access Required to Post a Stop Work Order. Where the *code official* requires access into a structure to post a stop work order, the *owner* of the *structure*, or his or her agent, must provide the required access within 24 hours after receiving written notice from the *code official* pursuant to Section 114.1.

114.5 Public Notice of Stop Work Order. The *code official* is authorized to make public, by publishing in a newspaper of general distribution, in the *District of Columbia Register*, or at the DCRA website, a list of the addresses where stop work orders have been posted. The *code official* shall, upon request, provide copies of written stop work order notices, issued pursuant to Section 114.1 of this chapter, to the Metropolitan Police Department Commander of the District where the address of the stop work order is located.

114.6 Scope of Stop Work Order for Illegal Construction. A stop work order issued for illegal construction under Section 113.7 of this chapter, shall mean, unless otherwise specified, the cessation of any and all work at the *premises* or portion thereof, regardless of whether the work is subject to building permit requirements.

114.6.1 Stop Work Order for All Activity at a Construction Site. When the *code official* issues a stop work order for illegal construction under Section 113.7 of this chapter, it shall be a violation of the stop work order for the *owner* or agent to enter the

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site, unless otherwise specified. The *code official* may provide for temporary access to allow the *owner*, or his or her agent, to ensure the ongoing security and/or safety of the property. An *owner* or agent of property under the restrictions of a stop work order must first receive approval from the *code official* to enter the property for any reason except as specified in the order.

114.7 Owner and/or Designated Agent Responsible for Ensuring Compliance with Stop Work Order. The *owner* of the property, or his or her agent, serving as the contractor of record, shall be deemed to have violated the stop work order where his or her subordinate employees, workers, and sub-contractors do not comply with the requirements of the stop work order.

114.8 Criminal Prosecution for Violation of Stop Work Order. Upon finding that the requirements of a stop work order have been violated, including the removal of a stop work order, the *code official* may request the Office of the Attorney General for the District of Columbia to institute appropriate proceedings which may include the arrest and prosecution of the *owner* or agent.

114.9 Failure to Comply with Stop Work Orders. Any *person* who continues to work in or about a *structure* after having been served with a stop work order is in violation of the provisions of the *Construction Codes*. Failure to comply with a stop work order shall constitute grounds for suspension, restriction or revocation of any license issued by the Department to the non-compliant general contractor, construction manager, or home improvement contractor. Failure to comply with a stop work order by an, electrician, plumber, gas-fitter, steam engineer, or refrigeration and air conditioning mechanic shall be grounds for referral to the Board of Industrial Trades for license suspension or revocation.

114.10 Unlawful Continuance. Any *person* who shall continue any work in or about a *premises*, including any *building* or other *structure* after a stop work order has been posted, except such work as that *person* is directed to perform to remove a violation or unsafe condition, shall be subject to the penalties set forth in D.C. Official Code § 6-1406 (2012 Repl.) and the injunctive relief set out in D.C. Official Code § 6-1407 (2012 Repl.).

114.11 Appeal of Stop Work Order. The property *owner*, his or her agent, or the person responsible for the work cited in a stop work order, may initiate an appeal within the *Department* from a stop work order. Claimants shall appeal using a form provided by the *code official*, on which they shall state the grounds for the appeal, which shall be based on a claim that the *Construction Codes* or the *Zoning Regulations*, or the rules legally adopted thereunder, have been incorrectly interpreted or applied, the provisions of the *Construction Codes* or *Zoning Regulations* do not fully apply, or that an equally good or better form of construction can be used. The appeal shall be filed within 15 days after the date on which the stop work order is posted.

114.11.1 Action on Appeal. Within 10 business days after the date of receipt of the

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appeals form, the *code official* shall affirm, modify, or reverse the previous action or decision. The decision of the *code official* shall be the final decision of the *Department*. If the *code official* denies the appeal, or does not act upon the appeal within the 10-business day period, the decision will be deemed affirmed and the claimant may appeal the matter directly to the Office of Administrative Hearings, except to the extent that a violation of the *Zoning Regulations* is alleged, in which case the claimant shall appeal the action to the Board of Zoning Adjustment pursuant to D.C. Official Code § 6-641.07 (2012 Repl.).

114.11.2 Stay of Action. The filing of an appeal does not stay the effect of a stop work order.

115 UNSAFE STRUCTURES AND EQUIPMENT

115.1 Conditions. All *buildings* or other *structures* or existing equipment that are or hereafter become abandoned, deteriorated, unsafe, unsanitary, or deficient because of inadequate means of egress facilities, inadequate light and ventilation, or which constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or that involve illegal or improper use, or occupancy or inadequate maintenance, shall be deemed an unsafe condition. Unsafe *structures* shall be taken down and removed or made safe and secure, as the *code official* deems necessary pursuant to this section or pursuant to other laws, including, but not limited to, D.C. Official Code §§ 42-3131.01 *et seq*. (2012 Repl.) or 42-3171.01 *et seq*. (2012 Repl.) and D.C. Official Code § 6-801 *et seq.* (2012 Repl.). A vacant *building*, unguarded or open at door or window, shall be deemed a fire hazard and unsafe within the meaning of the *Construction Codes*.

115.1.1 Prohibited Entry. When a vacant *building* or other *structure* is deemed to be unsafe, pursuant to Section 115.1, the *code official* shall cause to be posted at each entrance to such *building* or other *structure* a notice that the *structure* is unsafe and that its use or occupancy has been prohibited. It shall be unlawful for any *person* to enter such *building* or other *structure* except for the purpose of making the required repairs or demolishing it.

115.2 Examination and Record of Damaged Structure. The *code official* shall examine every *premises*, including any *building* or other *structure*, reported as dangerous, unsafe structurally, or constituting a fire hazard, and shall maintain a record of unsafe *premises*, including any *buildings* or other *structures*, stating the use of the *structure*, and the nature and estimated amount of damages, if any, caused by collapse or failure.

115.3 Notice of Unsafe Structure or Equipment. If any unsafe condition is found, the *code official* shall serve a written notice that describes the condition, identifies the *structure* or equipment deemed unsafe, and specifies the required repairs or improvements to be made to abate the unsafe condition or requires the unsafe *structure* to be taken down and removed within a stipulated time.

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115.4 Method of Service. The *code official* shall effect service of a notice under this section by one of the following methods:

1. Personal service on the *owner*, the *owner's* agent or the person in control of the *structure*;

2. By electronic mail to the last-known electronic mail address of the person or business to be notified, provided that a copy of the notice or order is posted in a conspicuous place in or about the *structure* affected by such notice;

3. Delivering the notice to the last known home or business address as identified by the tax records, the business license address, or the corporate registration address of the person or business to be notified and leaving it with a person over the age of 16 years old residing or employed therein;

4. Mailing the notice or order, via first class mail postage prepaid to the last known home or business address, as identified by the tax records address, the business license address or the corporate registration address, of the person or business to be notified; or

5. If the notice is returned as undeliverable by the Post Office authorities, or if no address is known or can be ascertained by reasonable diligence, by posting a copy of the notice or order in a conspicuous place in or about the *structure* affected by such notice.

115.5 Disregard of Unsafe Notice. The notice of unsafe *structure* shall require the *person* served with the notice to comply with the requirements of the order to abate the unsafe condition within a specified time. Upon the refusal or neglect of the *person* served with an unsafe notice to comply with the requirements of the order to abate the unsafe condition, the *code official* may notify the Office of the Attorney General for the District of Columbia of all the facts and may request initiation of appropriate legal action to compel compliance with the order or pursue any other remedies authorized by law or regulation.

115.5.1 Costs of abatement. Where the *owner*, *operator* or *occupant* of a *premises*, including any *buildings*, other *structures*, or equipment, deemed unsafe by the *code official* fails to abate such unsafe condition following notice as prescribed in Section 113, the *code official* may cause such condition to be corrected and assess the costs of any corrective action, and all expenses incident thereto, as a tax against the property in accordance with Section 113.5. Nothing herein shall be deemed to preclude or negate any other penalties or remedies set forth in Section 113, or to preclude conversion of a special assessment lien to an administrative judgment, enforceable in the same manner as any other civil judgment under District of Columbia law, as authorized by D.C. Official Code § 42-3131.01.

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115.6 Other Laws. The provisions of this Section 115 shall not be deemed to nullify any other provisions of local law governing removal, *demolition* or repair of unsafe *structures*, including, but not limited to, the provisions of D.C. Official Code § 6-801 *et seq.* (2012 Repl.), D.C. Official Code §§ 42-3131.01 *et seq*. (2012 Repl.) or 42-3171.01 *et seq*. (2012 Repl.), and 14 DCMR § 115.

115.6.7 Special Provisions Applicable to Residential Premises.

115.6.7.1 Copies of Notices and Orders. The *code official* shall provide *tenants* of residential premises with copies of notices and orders issued pursuant to Section 115 in accordance with Section 113.2.1.3. The *code official* shall not be subject to any other *tenant* notification provisions, except as expressly set forth in Section 113.2.1.3.

115.6.7.2 Building Closures. The *code official* is authorized to order *tenants* or occupants of *residential premises* to vacate the *premises* within a time sufficient to allow the *owner* to comply with an order to close and barricade the *premises*, provided that *tenants* shall be given at least five calendar days to vacate the *premises*. If any *tenant* or occupant fails to vacate the *premises* within the time period set forth in the notice or order, subject to the appeal provisions of Section 112.2.3, the *code official* is authorized to order the removal of the *tenants* or occupants.

115.6.7.3 Other Rental Housing Provisions. The removal of *tenants* from unsafe *residential premises*, or the service of an order to vacate, pursuant to this Section 115 shall not be considered an eviction or notice to vacate under D.C. Official Code § 42-3505.01. Notwithstanding the foregoing, nothing herein shall be construed to nullify or abrogate any other rights to which a *tenant* is entitled under District laws or regulations, including relocation assistance, the right to reoccupy the rental unit following rehabilitation, or the right to pursue rights and remedies under D.C. Official Code, Title 42, Chapter 34.

116 EMERGENCY MEASURES

116.1 Imminent Danger. The *code official* is hereby authorized and empowered to order and require the occupants to vacate the *premises* forthwith when, in the opinion of the *code official*: there is imminent danger of failure or collapse of a *building* or other *structure* which endangers life; or when the health or safety of occupants of the *premises* or those in the proximity of the *premises* is immediately endangered by an unsanitary condition or the operation of defective or dangerous equipment; or when any *structure* or part of a *structure* has fallen and life is endangered by the occupation of the *structure*; or when there is actual or potential danger to the *building* occupants or those in the proximity of any *structure* because of explosives, explosive fumes or vapors, or the presence of toxic fumes, gases or materials. The *code official* shall cause

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to be posted at each entrance to such *structure* a notice reading as follows: "This Structure Is Unsafe and Its Occupancy Has Been Prohibited by the [*code official*]." It shall be unlawful for any *person* to enter such *structure* except for the purpose of securing the *structure*, making the required repairs, removing the hazardous condition or of demolishing the same.

116.2 Temporary Safeguards. Whenever, in the opinion of the *code official*, there is imminent danger due to an unsafe condition, the *code official* shall order the necessary work to be done, including the boarding up of openings, to render such *structure* temporarily safe whether or not the legal procedure herein described has been instituted; and shall further cause such other action to be taken as the *code official* deems necessary to meet such emergency.

116.3 Closing Streets. When necessary for the public safety, the *code official* is authorized to temporarily close sidewalks, streets, *buildings*, other *structures*, and places adjacent to such unsafe *structure*, and prohibit them from being used.

116.4 Emergency Repairs. For the purposes of this section, the *code official* shall employ the necessary labor and materials to perform the required work as expeditiously as possible.

116.5 Costs of Emergency Repairs. Where the *code official* causes emergency work to be done pursuant to Section 116.2 or Section 116.4, the costs incurred in the performance of emergency work, and expenses incident thereto, shall be paid from appropriations of the District of Columbia on certification of the *code official* and shall be assessed as a tax against the property on which the emergency work or repairs were performed, carried as a tax on the regular tax rolls, and collected in the same manner as real estate taxes are collected. Nothing herein shall be deemed to preclude conversion of a special assessment lien to an administrative judgment, enforceable in the same manner as any other civil judgment under District of Columbia law, as authorized by D.C. Official Code § 42-3131.01.

> **116.5.1 Additional costs of emergency repairs.** Costs of emergency repairs shall also be deemed to include, but are not limited to, costs associated with cleaning the premises to comply with the *Construction Codes*, utility removal or disconnection costs, court costs, fines, and penalties. If the *code official* determines that no other shelter is available to *tenants* or occupants removed from residential *premises* pursuant to Section 116, the *code official* has discretion to assess all expenses incident to *tenant* relocation as a cost of emergency repairs, including, but not limited to, temporary housing, security deposits and the first month's rent if required.

116.6 Special Provisions Applicable to Residential Premises.

> **116.6.1 Copies of Notices and Orders.** The *code official* shall provide *tenants* of residential *premises* with copies of notices and orders issued pursuant to Section 116 in accordance with Section 113.2.1.3. The *code official* shall not be subject to any other *tenant* notification provisions, except as expressly set forth in Section 113.2.1.3.

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116.6.2 Building Closures. Where the *code official* posts a closure or imminently dangerous notice or order pursuant to Section 116, the *code official* is authorized to order all *tenants* or occupants to vacate the imminently dangerous *structure* or *dwelling unit*. The notice or order shall include the time by which the *premises* must be vacated, provided that tenants and occupants shall be given at least 24 hours to vacate, unless the *code official* determines that *tenants* and occupants must leave the *premises* immediately for their personal safety. If any *tenant* or occupant fails to vacate the *structure* or unit within the time specified in the notice or order, the *code official* is authorized to order removal of the *tenant* or occupant from the *structure* or unit.

116.6.1 Other Rental Housing Provisions. The removal of tenants from imminently dangerous *premises*, or the service of an order to vacate, pursuant to this Section 116 shall not be considered an eviction or notice to vacate under D.C. Official Code § 42-3505.01. Notwithstanding the foregoing, nothing herein shall be construed to nullify or abrogate any other rights to which a *tenant* is entitled under District laws or regulations, including relocation assistance, the right to reoccupy the rental unit following rehabilitation, or the right to pursue rights and remedies under D.C. Official Code, Title 42, Chapter 34.

116.7 Appeals. Imminent danger notices and orders, and other orders and notices issued pursuant to Section 116, are appealable to OAH pursuant to Section 112.2.1, but any appeal shall not stay the enforcement of the notice or order. Any person ordered to take emergency measures or actions shall comply with such order forthwith. The expedited hearing procedures set forth in Section 112.2.3 shall not apply to orders and notices issued pursuant to Section 116.

117 POSTING STRUCTURES

117.1 Occupant Load. Occupant load signs shall be posted in accordance with Section 1004.3. Rooms or spaces which have multiple use capability shall be posted for the occupant loads of all such uses.

117.1.1 Occupant Load Calculations. The occupant load calculations shall be determined in accordance with Section 1004.

117.2 Live Loads Posted. Where the live loads for which each floor or portion thereof of a commercial or industrial *building* is or has been designed to exceed 50 psf (2.40 kN/m^2), such design live loads shall be conspicuously posted by the *owner* in that part of each *story* in which they apply, using durable signs of an approved, legible, permanent design. It shall be unlawful to remove or deface such notices.

117.3 Installation of Signs. Before approval of a final inspection pursuant to Section 109.3.14, all signs required by Section 117 shall have been installed.

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117.4 Periodic Inspection. The *code official* is authorized to periodically inspect all *existing buildings* and other *structures* for compliance with the law in respect to posting, or the *code official* is authorized to accept the report of such inspection from an *approved* licensed professional engineer or architect. Such inspection and report shall specify any violation of the requirements of the *Construction Codes* in respect to the posting of floor load, occupant load, and use group of the *building*.

Exception: *Existing buildings* and other *structures* in Group R-3, *buildings* under the jurisdiction of the *Residential Code*, and dwelling units in Group R-2 *buildings*.

118 ADDRESSES OF PREMISES

118.1 Purpose. The purpose of the provisions of this Section 118 shall be: (a) to establish a formal, legally based District of Columbia-wide system of assigning addresses to *premises* in order to facilitate their identification; (b) to facilitate protection of the public health and safety by enabling a quicker response time by police, fire, ambulance, and other emergency services; (c) to provide for the efficient delivery of public services, including building inspections, health inspections, property mapping, and property tax administration; and (d) to establish the minimum requirements for providing *street numbers* on *premises*.

118.2 Administration. The *code official* shall administer the provisions of this Section 118, including, but not limited to: (a) assigning addresses and approving the naming of new private streets within the District of Columbia; and (b) designating the *street number* of all *premises*, new and existing. *Street numbers* are required on all lots and *buildings*, new and existing, and the *code official* shall have authority to approve all *street number* assignments on any *premises*. The *code official* is also authorized to order changes in the numbering of any *premises* previously numbered if it is determined that the *street number* being used may endanger the public health and safety. A *building* or other *structure* fronting more than one street or avenue shall be assigned a *street number* based on the location of the face of the *building* or other *structure* containing the *main entrance*.

118.3 Responsibility. When a *street number* is assigned to a *premises*, the *owner* of a *premises* shall provide and maintain the *street number* in compliance with these requirements. A *premises* that is required to have a *street number* and does not comply with the requirements of this section shall not be occupied.

118.4 Definitions. The following words and terms are defined in Chapter 2.

ADDRESS RANGE.
ALLEY.
BLOCK FACE.
LOT.
MAIN ENTRANCE.

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PRIMARY ADDRESS.
PRIVATE THOROUGHFARE.
PUBLIC THOROUGHFARE.
RECORD LOT.
SECONDARY ADDRESS.
STANDARDIZED ADDRESS.
STREET.
STREET NAME.
STREET NUMBER.
STREET NUMBER SUFFIX.
STREET QUADRANT.
STREET SEGMENT.
STREET TYPE.
TAX LOT.
UNIT NUMBER.
UNIT TYPE.
ZIP CODE.
ZIP PLUS FOUR.

118.5 Addressing Rules General

118.5.1 The District of Columbia has an existing street addressing and street naming scheme that is historic in nature. To the greatest extent possible, this Section 118 seeks to maintain that scheme while eliminating conditions created over time that are detrimental to the public safety and welfare of the citizens of the District of Columbia.

118.5.2 The existing pattern of alphabetically named and numbered streets found in the central jurisdictions of the District of Columbia shall be maintained.

118.5.3 When facing a quadrant dividing line (North Capitol Street, East Capitol Street, South Capitol Street or the Mall), the even number addresses are on the right side of the street and the odd numbers are on the left side of the street. Diagonal streets have even and odd sides that match the parity of the grid direction they most closely resemble; those at 30° angles are generally addressed as east-west, those at 60° are considered north-south. The 45° angle streets are variable, and should be maintained in their current form.

118.5.4 Address ranges are determined based on a progression from the point of origin, which is the United States Capitol, and the four quadrant dividing lines listed in Section 118.5.3. Each standard block was initially given an address range of one hundred (100), progressing outward from the Capitol. Streets that commence away from the quadrant dividing lines are examined and the ranges determined based upon the surrounding streets.

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118.5.5 Address ranges shall not overlap or create any opportunities for the assignment of duplicate addresses on a given street within a single quadrant. Similarly, there should be limited or no gaps in the address ranges if the street to which the ranges are applied is continuous.

118.5.6 Breaks in address ranges may occur where a street with a given name is broken into distinct segments by a park, water body, or other impediment. In these cases, the integrity of the address grid shall be maintained, and a gap in the range created, to signify the break in the street's continuity.

118.6 Street Number Assignment

118.6.1 Every lot that is legally capable of supporting a *building* or other *structure* shall have an address regardless of whether the lot is occupied or vacant.

118.6.2 When a record lot is vacant, but within an existing tax lot that contains a *building* or other *structure*, the vacant record lot shall be assigned the same *street number* as the tax lot.

118.6.3 Every *building* or other *structure* with an entrance from a public or private street, or from a named alley shall have an assigned *street number*.

118.6.4 Every lot and every *building* shall have either a *street number* or a unit-number depending upon whether or not it has a separate entrance fronting onto a public or private street.

118.6.5 No addresses shall be assigned to any driveway. The address for a *building* or other *structure* with a driveway shall reflect the name and the numbering sequence of the street to which the driveway is connected.

118.6.6 No *street number* shall be assigned to a *premises* that has as its only access an unnamed street or alley. If an address is required for a *premises*, the street or alley shall first be named according to the process described in Section 118.11 below.

118.6.7 Assigned *street number*s shall be determined based upon the block face's address range, the location of the main entrance and the existing *street number*s that are assigned within that block face.

118.6.8 *Street number*s shall be logically and spatially consistent, increasing in numeric order from the low number end of the block face to the high end of the block face.

118.6.9 *Street number*s shall be assigned in accordance with the parity (odd/even) designation for the block face. Even numbers shall not be used in the odd-sequenced side

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of a street, nor shall odd numbers be used on the even side of a street.

118.6.10 If a street segment exists where both odd and even numbers exist on both sides of the street, or where only one side contains addresses, and both odd and even numbers have been used, the *code official* shall issue a *street number* that is logically consistent with the numbers on adjoining *premises*.

118.6.11 No *street number* shall be assigned that duplicates the number for any existing *premises* on the same named street.

118.6.12 No new *street number* shall be assigned that contains a letter designation (*e.g.*, 112A Vermont Avenue).

118.6.13 The *code official* is authorized to maintain an existing fraction if there is no available *street number* in the address sequence for the block in which the address is located. The fraction shall be stored in the STREET NUMBER SUFFIX field.

118.6.14 Existing letter designations shall be maintained in the STREET NUMBER SUFFIX field or UNIT NUMBER field rather than as part of the *street number* field.

118.6.15 No *street number* shall be assigned to a proposed *building* or other *structure* on multiple lots or for a location where the subdivision process is incomplete.

118.6.16 The *code official* shall hear and consider requests for changes in *street numbers* for existing addresses.

> **118.6.16.1** The *code official* is authorized to change *street numbers* where there are duplicates, or where the *street number* is out of sequence, or on the opposite side of the street in terms of parity (odd number found on the even numbered side, or vice-versa).
>
> **118.6.16.2** The *code official* is authorized to change *street numbers* where existing numbers contain a fraction or a letter suffix, and there is sufficient space in the existing number range for the block-face to support renumbering to remove the fraction and/or letter suffix.

118.6.17 The *code official* shall not change an existing address to one that is not consistent with the addressing *structures*, parity and sequences that already exist.

118.6.18 The *code official* is authorized to assign secondary addresses as the *code official* deems appropriate subject to the provisions of Section 118.5 and this Section 118.6.

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118.7 Street Number Display. Each *premises* to which a *street number* has been assigned shall have the number displayed in conformance with the requirements provided in this Section 118.7.

118.7.1 Main Entrance Location.

118.7.1.1 The assigned *street number* shall be located directly over or near the *main entrance* in a position easily observed and readable from the opposite side of a *public thoroughfare*.

118.7.1.2 Multi-tenant *buildings* having separate exterior entrances with separate *street numbers* shall post the assigned *street numbers* near each entrance in accordance with this section.

118.7.1.3 In addition to posting the *street number* of the *building* or other *structure* in a position easily observed and readable from the opposite side of the *public thoroughfare* serving that entrance, the *owner* of a *building* or other *structure* located on a lot where the *main entrance* is not located at and fronting on a *public thoroughfare*, shall post the *street number* directly above or near the *main entrance*.

118.7.2 Rear Entrance Location. If the rear of a *premises*, to which a *street number* has been assigned, faces a *public thoroughfare*, the *owner* shall also place the *street number* of the *main entrance* in a position easily observed and readable from the *public thoroughfare* serving the rear of that *premises*.

118.7.3 Construction Sites Location. *Street numbers* shall be posted at construction sites in a position easily observed and readable from any *public thoroughfare* serving the construction site.

118.7.4 Size of Numbers. The minimum size of a *street number* shall be 3 inches (76 mm) high and one-half inch (13 mm) wide and shall be in Arabic figures on a contrasting background.

118.7.5 Private Thoroughfares. The *street number* of a *premises* located on a *private thoroughfare* need not be readable from a *public thoroughfare* if, under the circumstances, this requirement would be impracticable and the *approved street numbers* are placed in a position to be plainly legible and visible from the *private thoroughfare* fronting the *premises*.

118.8 Street Number Suffixes

118.8.1 New *street number suffixes* shall not be assigned.

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118.8.2 *Street number suffixes* assigned and used prior to December 26, 2008, shall be phased out by the *code official* where possible, substituting a standard format *street number* with or without a unit number.

118.8.3 Where an existing *street number suffix* cannot be changed, it shall be placed in the STREET NUMBER SUFFIX field.

118.9 Street Names General

118.9.1 No *street* shall be given a name that duplicates or nearly duplicates the name of a then-existing or previously existing street within the same quadrant of the District of Columbia.

118.9.2 No *street* shall be given a name that, when spoken, sounds like the name of a then existing or previously existing street within the jurisdiction of the District of Columbia.

118.9.3 *Street* naming should follow the guidelines of the District of Columbia Addressing Standards.

118.9.4 *Street names* may be changed according to the separate procedures for public and private street naming. Historical and commonly used names for *streets* shall be maintained where possible, and linked to newer names where necessary.

118.10 Street Names of Public Thoroughfares. The *code official* shall forward a recommendation on the names of *public thoroughfares* to the Council of the District of Columbia for its action. *Public thoroughfares* shall be assigned names by the Council of the District of Columbia pursuant to Section 401 of the Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code § 9-204.01 (2012 Repl.)).

118.11 Street Names of Private Thoroughfares

118.11.1 A property *owner*, developer, surveyor, or plat proprietor shall make application to the *code official* for approval of a proposed *street name* of a new *private thoroughfare.*

118.11.2 Upon receipt of the *street name* application, the *code official* shall review the proposed name with the addressing staff of the other agencies with street jurisdiction, and any other appropriate governmental agency.

118.11.3 The *code official* is authorized to recommend to the applicant a list of the existing *approved street names* within the District of Columbia for the convenience of the applicant.

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118.11.4 The *code official* shall approve the naming of newly established *private thoroughfares* within the District of Columbia, including *private thoroughfares* in proposed plats of condominium developments.

118.11.5 The *code official* shall notify the applicant within 30 days of the acceptance or rejection of the proposed *street name* along with the reasons for the decision, if applicable.

118.11.6 The *code official* shall be the final arbiter of the *street name* for *private thoroughfares*.

118.11.7 Unnamed *private thoroughfares* shall be named when two or more addresses exist or are established on such *thoroughfares*. If the existing addresses are numbered off of the adjoining *public thoroughfare*, they shall be changed to appropriate addresses using the *street name* of the *private thoroughfare*.

118.11.8 The *owners* shall be consulted before a name for the *private thoroughfare* is selected and *approved*. The selection of a name for a private *thoroughfare* shall be coordinated with the District of Columbia Office of Planning, DDOT and any other appropriate governmental agency.

118.12 Administration of Assigned Addresses

118.12.1 The *code official* shall maintain a master file of assigned addresses and maintain a master address mapping database.

118.12.2 The *code official* shall be responsible for determining whether an address is required for any *premises* or other condition.

118.12.3 The *code official* is authorized to grant a waiver of the provisions of Section 118, based upon the evidence presented, if the *code official* finds that the waiver:

1. Benefits the public health, safety and welfare;

2. Does not create conflicts or duplicate addresses; and

3. Is in the best interest of the District of Columbia.

118.12.4 The *code official* shall be responsible for assigning a new address under the following conditions:

1. A new record lot is created through the subdivision process of the

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Subdivision Regulations of the District of Columbia, or a tax lot is created through the process of the Office of Tax and Revenue, and in either case the lot is vacant;

2. A new *building* or other *structure* is constructed on a vacant lot;

3. The *owner* of a *building* or other *structure* with multiple entrances to the exterior submits an application that meets the requirements for *secondary addresses*.

4. A new *building* or other *structure* is constructed on a lot already containing one or more *buildings* or other *structures* that have addresses;

5. A new structure is constructed on a lot, street or other parcel within the District of Columbia; or

6. An *existing building* or other *structure* is renovated to relocate the main entrance to a different street frontage.

118.12.5 The *code official*, the District Department of Transportation and the E-911 Coordinator shall confer on recommended street names for all streets to ensure that no duplication occurs and that no streets with names that sound alike, or could create confusion for the delivery of emergency and non-emergency services, are created.

118.12.6 The *code official* shall recommend changes in *street names* where, in the *code official*'s opinion, a valid reason exists for the change of *street name*. Such reasons include, but are not limited to:

1. Duplicate *street names*;

2. Confusion of *street names* that sound alike;

3. *Street names* that are extremely difficult to spell or pronounce;

4. Streets that have more than one commonly used name; and

5. *Street names* shall not be changed to reflect changes in property ownership or for personal reasons of the adjoining *owners*.

118.12.7 When a *street name* change or designation is proposed, the *code official* shall provide notice to the property *owners* abutting the street segment(s) to be named or changed. If the change is designed to remedy existing duplicate names or confusing names, the property *owners* may be consulted on suggested names for the street.

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118.12.8 Before changing a *street name*, the *code official* shall consider the official street name as recorded on plats and deeds of adjacent property, and the most accurate historical name of the street in question.

118.12.9 The existing legal documents shall be of primary consideration in determining the single *street name* when two or more names are commonly used. Streets or alleys shall be changed or named pursuant to D.C. Official Code § 9-204.01.

118.13 Final Inspection. Before approval of a final inspection pursuant to Section 109.3.14 for a *building* or other *structure*, all addressing requirements, including the installation of *street number*s, shall be satisfied in accordance with the requirements of Section 118.

118.14 Street Sign Specifications

118.14.1 All street signs shall meet the requirements of Section 118.7.4 above and the requirements of the District Department of Transportation.

118.14.2 DDOT shall provide standard street signs showing the name of the street, the street type and street quadrant and the starting number for the address range(s) associated with the thoroughfare segment for each *public thoroughfare* at each intersection.

118.14.3 The *owner* of a *private thoroughfare* shall provide standard street signs showing the name of the street, the street type, and street quadrant and the starting number for the range(s) associated with the street segment for each *private thoroughfare*, based on the *approved street name* issued by the *code official*.

118.14.4 Street name signs designating *private thoroughfares* shall include the word "Private" or "PVT" on them to distinguish them from *public thoroughfares*.

118.15 Compliance and Enforcement. The provisions of Section 118 shall be enforced by the *code official*, pursuant to the enforcement mechanisms set forth in Section 113.

119 [RESERVED]

120 [RESERVED]

121 [RESERVED]

122 AMENDMENTS AND COPIES

122.1 Amendments; Supplements; Editions. All future amendments, supplements, and editions of the *Construction Codes* shall be adopted only upon authority of the government of the

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District of Columbia. The Mayor is authorized to issue proposed rules to amend the *Construction Codes* and to adopt new editions of and supplements to the *International Codes* in whole or in part, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq*. (2012 Repl.)) and pursuant to the Construction Codes Act, D.C. Official Code § 6-1401 *et seq.* (2012 Repl.). The Mayor's authority thereunder has been delegated to the Construction Codes Coordinating Board ("CCCB") pursuant to Mayor's Order 2009-22, dated February 25, 2009, as amended. The proposed rules shall be submitted to the Council for a 45-day period of review, excluding Saturdays, Sundays, legal holidays, and days of Council recess. If the Council does not approve or disapprove the proposed rules, in whole or in part, by resolution within this 45-day review period, the proposed rules shall be deemed approved. The rules shall not take effect until approved or deemed approved by the Council.

122.2 Amendment Procedure. Within a reasonable period of time after publication of any subsequent edition of the *International Codes*, the CCCB shall:

1. Review, revise and maintain the *Construction Codes* to reflect the current state of the art in the construction industry;

2. Review and evaluate all proposed changes and amendments to the *Construction Codes*;

3. Submit for adoption, as proposed rulemaking through the Director, all revisions to the *Construction Codes* that are approved by the CCCB; and

4. Publish, as final rulemaking through the Director, all revisions to the *Construction Codes* once they are approved or deemed approved by the Council as provided in the Construction Codes Act and 12 DCMR A § 122.1.

122.2.1 Initiation and Review of Changes. Changes in the *Construction Codes* may be proposed and initiated by and through the CCCB. The notice, review, evaluation, and rulemaking procedures of Section 122.2 shall be applied to any proposed changes in the *Construction Codes*, from whatever source.

122.3 Official Copy. The official copy of the *Construction Codes* is posted electronically on the website of the Secretary of the District of Columbia, Office of Documents and Administrative Issuances.

123 TRANSITORY PROVISIONS

123.1 Applicable Codes. The laws and regulations in force on the date that a new edition of the C*onstruction Codes* are adopted pursuant to Section 122, shall remain in effect for the purposes specified in Sections 123.1.1 through 123.1.4.

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123.1.1 Existing Valid Permit. Work authorized by a permit issued before the effective date of the new edition of the *Construction Codes* shall be allowed to be carried to completion, subject to the conditions of Sections 105.5 and 105.6.

123.1.2 Existing Filed Application. Applications for permits for which the application filing deposit has been paid before the effective date of the new edition of the *Construction Codes*, pursuant to Section 108.2.1.1, shall be allowed to be processed to issuance of the permit, and any work authorized thereby shall be allowed to be carried to completion, under the edition of the *Construction Codes* in effect on the date said applications were filed, subject to the following conditions:

1. Each such application shall have been filed accompanied by plans and other information conforming to Sections 106.1 and 106.1.1, sufficiently complete to allow processing of the permit without substantial change or deviation;

2. Each such permit shall be paid in full and taken out by the applicant within one year after the effective date of the new edition of the *Construction Codes*;

3. All work authorized by such permit shall be carried to completion under the terms of the permit; and

4. Permits granted under Section 123.1.2 shall not be extended if permitted to expire, pursuant to Section 105.5, or if revoked pursuant to Sections 105.6 and 105.6.1.

123.1.3 Existing Design Contracts. *Buildings* and other *structures* under contract for design on the effective date of the new edition of the *Construction Codes*, for which no permit applications have been filed, shall be allowed to be filed, processed to issuance of permit, and any work authorized thereby shall be allowed to be carried to completion, under the previous edition of the *Construction Codes*, subject to the following conditions:

1. The applicant shall file the permit application, accompanied by plans and other information conforming to Sections 106.1 and 106.1.1 of the new edition of the *Construction Codes*, sufficiently complete to allow processing of the permit without substantial change or deviation, within one year after the effective date of the new edition of the *Construction Codes*;

2. The applicant shall submit a copy of the design contract, with a notarized affidavit stating that the submitted copy is a true and accurate copy of the contract for the design of the *building* or other *structure*, that the contract

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was in effect on or before the effective date of the *Construction Codes*, and that the design submitted with the permit application was made under such contract;

3. The permit shall be obtained and the permit fee paid in full by the applicant within one year after the filing date;

4. All work authorized by such permit shall be carried to completion under the terms of the permit; and

5. Permits granted under Section 123.1.3 shall not be extended if permitted to expire pursuant to Section 105.5, or if revoked pursuant to Sections 105.6 and 105.6.1.

123.1.4 Tenant Layout Permits. The work necessary to finish the interior layout of every tenant space of a *building* permitted under previous editions of the *Construction Codes* for first occupancy of each such tenant space, shall be considered part of the completion of said *building*, and the permits for such tenant work shall be allowed to be processed under the same edition of the *Construction Codes* as the base building permit, regardless of when the tenant layout project began.

123.2 Violations or Infractions. The laws and regulations in force on the date that a new edition of the *Construction Codes* is adopted pursuant to Section 122 shall apply with respect to violations or infractions committed prior to said date, whether the prosecutions or adjudications of those violations of infractions are begun before or after said date.

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CHAPTER 2 DEFINITIONS

202 Definitions

202 DEFINITIONS

Strike the definitions of ADDITION, BUILDING OFFICIAL and EXISTING STRUCTURE (for Chapter 34) *in Section 202 of the International Building Code in their entirety and insert new definitions in Section 202 of the Building Code in their place to read as follows:*

ADDITION. An extension or increase in the building area, aggregate floor area, number of stories, or height of a building or structure.

BUILDING OFFICIAL. The *code official*.

EXISTING BUILDING. Any building or structure that was erected and occupied or issued a certificate of occupancy at least one year before a construction permit application for that building or *structure* was made to the *Department*.

Insert the following new definitions in Section 202 of the Building Code to read as follows:

ADDRESS RANGE (for Section 118). The high and low values for the *street numbers* found on a block face. The address range is expressed as a low number and a high number representing the lowest and highest *street numbers* found or possible on a given *block face*.

BLOCK FACE (for Section 118). The right-of-way line along a public street or the property line at the edge of a private street segment. Each *street segment* shall have two *block faces*.

ADMINISTRATIVE BULLETINS. Notices issued by the *Department* that represent official *Department* policies to assist applicants, staff and the public in following operational, technical and legal procedures.

ALLEY. Each public thoroughfare or private thoroughfare which is not a street.

ALLEY LINE EXTENDED (for Chapter 32). A line through the corner of a *lot*, at the intersection of an alley with the *street*, and perpendicular to the *street*.

ASSISTIVE LISTENING SYSTEM. An amplification system utilizing transmitters, receivers, and coupling devices to bypass the acoustical space between a sound source and a listener by means of induction loop, radio frequency, infrared, or direct-wired equipment.

BUILDING RESTRICTION LINE. A line that defines a required set-back on a lot, a certain

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distance from the *public right-of-way*, that is recorded on the records of the Surveyor of the District of Columbia. Any area between a *lot line* adjoining a *street* and the *building restriction line* is private property set aside and treated as *public space.*

BUILDING RESTRICTION AREA. The portion of a *lot* between a *building restriction line* and a *lot line* adjoining a *street.*

BUSINESS DAY. A day other than Saturday, Sunday, or a legal holiday in the District of Columbia. If *business day* is not specified, a day shall mean a calendar day.

CODE OFFICIAL. The Director of the District of Columbia Department of Consumer and Regulatory Affairs, or a duly authorized representative, for administration and enforcement of the *Construction Codes*, including *Fire Code* provisions pertaining to approval, installation, design, modification, maintenance, testing, and inspection of all new and existing fire protection systems. References in the *Fire Code* to the *code official* shall refer to the Fire Chief of the District of Columbia Fire Department, or a duly authorized representative, except where the *Fire Code* provision pertains to approval, installation, design, modification, maintenance, testing, and inspection of all new and existing fire protection systems.

COMMUNITY-BASED RESIDENTIAL FACILITY (CBRF). A residential facility for persons who have a common need for treatment, rehabilitation, assistance, or supervision in their daily living. This definition includes, but is not limited to, facilities covered by the Health-Care and Community Residence Facility, Hospice and Home Care Licensure Act of 1983, effective February 24, 1984 (D.C. Law 5-48; D.C. Official Code §§ 44-501 to 44-509 (2012 Repl. and 2013 Supp.) (formerly codified at D.C. Official Code §§ 32-1301 to 32-1309 (1998 Repl. & 1999 Supp.))), and facilities formerly known as convalescent or nursing homes, residential halfway houses or social service centers, philanthropic or eleemosynary institutions, and personal care homes. A community-based residential facility may include separate living quarters for resident supervisors and their families.

DEMOLITION. *Interior demolition* and *partial demolition*.

DEMOLITION, INTERIOR. Work that involves the removal of interior non-bearing walls, elements or systems, or interior finishes.

DEMOLITION, PARTIAL. Work of a greater scope than *demolition interior* that includes the removal of structural elements (interior or exterior), exterior walls, roofs, or other exterior elements but is not a *raze*.

DEPARTMENT. The District of Columbia Department of Consumer and Regulatory Affairs, except that references to *Department* in the *Fire Code* shall refer to the District of Columbia Fire and Emergency Medical Services Department.

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DISTRICTS, COMMERCIAL. C-prefixed zoning districts (or the successor thereto) as defined by the *Zoning Regulations.*

DISTRICTS, INDUSTRIAL. CM-prefixed and M-prefixed zoning districts (or the successors thereto) as defined by the *Zoning Regulations*.

DISTRICTS, MIXED-USE. CR-prefixed zoning districts (or the successor thereto) as defined by the *Zoning Regulations*.

DISTRICTS, RESIDENCE. R-prefixed zoning districts (or the successor thereto) as defined by the *Zoning Regulations*.

DISTRICTS, SPECIAL PURPOSE. SP-prefixed zoning districts (or the successor thereto) as defined by the *Zoning Regulations*.

DISTRICTS, WATERFRONT. W-prefixed zoning districts (or the successor thereto) as defined by the *Zoning Regulations*.

LOT (for Section 118). A parcel of land that shall be classified as a *record lot* or a *tax lot*.

LOT LINE EXTENDED (for Chapter 32). The extension of a *lot line* through a corner of the *lot* that adjoins the *street*, perpendicular to the street.

MAIN ENTRANCE (for Section 118). The principal point of entry into a building or other structure from a public street, private street or officially named alley.

PARTY LINE. A *lot line* shared by adjoining *lots*.

PARTY LINE EXTENDED (for Chapter 32). The extension of a *party line* that adjoins the *street*, and perpendicular to the *street*.

PREMISES. A lot, plot or parcel of land, including any *structures* thereon, or a part of a lot, plot, parcel of land or *structure*.

PRIMARY ADDRESS (for Section 118). The address of the main entrance of a *premises*.

PRIVATE THOROUGHFARE (for Section 118). Streets, alleys and other thoroughfares where the underlying land is owned by private citizens or entities, or is part of existing tax or record lots adjoining a *public thoroughfare*.

PUBLIC THOROUGHFARE (for Section 118). Streets, alleys and other thoroughfares that are under the jurisdiction of the District of Columbia, any other public government, including the Federal Government or its branches, or by any adjoining state government.

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PUBLIC PARKING. The area of a *street* devoted to open space, greenery, or parks which lies between the *lot line* and the edge of the actual or planned sidewalk which is nearer to the *lot line*, as such *lot line* and sidewalk are shown on the records of the District of Columbia.

PUBLIC RIGHT-OF-WAY. The surface, the air space above the surface, and the area below the surface of any *public space.*

PUBLIC SPACE. All the publicly owned property between *lot lines*, including *streets*, *alleys*, parks, and reservations. Any *building restriction area*, where the same exists on a *lot*, shall be treated as *public space.*

RAZE. The complete removal of any existing structure, with or without the removal of party walls and below grade portions of a structure.

RECORD LOT (for Section 118). A lot of record established pursuant to the Subdivision Regulations of the District of Columbia.

SECONDARY ADDRESS (for Section 118). An address created when a *building* has an entrance from the exterior, other than the *main entrance*, that directly serves a tenant different than that served by the main entrance.

STANDARDIZED ADDRESS (for Section 118). A *street number*, *street number suffix*, *street name*, *street type*, *unit type*, *unit number*, *street quadrant*, city name, state name, *zip code* and *zip plus four* designations.

STREET (for Section 118). A public or private thoroughfare, other than an *alley*, capable of permitting the passage of cars and other vehicles and pedestrians.

STREET (for Chapter 32). A public thoroughfare, other than an *alley*, as shown on the records of the District of Columbia, including any associated roadway, curb, sidewalk, tree space and *public parking*.

STREET NAME (for Section 118). The full proper name of a *street*, stored as an alphanumeric character string, the *street type* and the *street quadrant*.

STREET NUMBER (for Section 118). A number used to provide specific identification for a *premises* on a public or private thoroughfare in the District of Columbia, which may be a *primary address* or a *secondary address*. It shall be stored as a numeric value.

STREET NUMBER SUFFIX (for Section 118). A fraction that is attached to a *street number* in an existing address.

STREET QUADRANT (for Section 118). Two alphabetical characters that identify the

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geographic sector of the District of Columbia in which the address is located. All addresses in Washington, D.C., with the exception of the United States Capitol which is the central point of the addressing grid, shall have a *street quadrant* designation. The *street quadrants* are NE (Northeast), NW (Northwest), SE (Southeast) and SW (Southwest), and each quadrant shall be so abbreviated and capitalized. No *street quadrant* shall consist of a single cardinal direction (*e.g*., North).

STREET SEGMENT (for Section 118). The portion of a public or private *street* between its intersections with two other public or private *streets.*

STREET TYPE (for Section 118). The name of the type of *street*, such as avenue, street, road, circle, etc. It shall be stored in fully spelled out form as an alphabetical string. *Street types* are listed in the U.S. Postal Service Standards and in the National Emergency Number Association Standards (NENA). The *code official* is authorized to use *street types* not listed in either standard.

TAX LOT (for Section 118). An assessment and taxation lot established and recognized by the Office of Tax and Revenue of the District of Columbia excluding condominium lots and air-rights lots.

UNIT NUMBER (for Section 118). The designation of an individual unit, such as "A," "Rear," or "102". It shall be stored as an alphanumeric string.

UNIT TYPE (for Section 118). The type of occupancy, such as an apartment, suite, or office space. It shall be stored as an alphabetic string.

VAULT (for Chapter 32). A structure that encloses space beneath the surface of the *public space*, which is covered over.

ZIP CODE (for Section 118). The five numeral code assigned by the U.S. Postal Service to the area in which the address is located.

ZIP PLUS FOUR (for Section 118). The four numeral code assigned by the U.S. Postal Service to the block face or building or building sector in which the address is located.

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308 Institutional Group I
310 Residential Group R

308 INSTITUTIONAL GROUP I

Strike Sections 308.3.1 and 308.3.2 of the International Building Code and insert new Sections 308.3.1 and 308.3.2 in the Building Code to read as follows.

308.3.1 Six or fewer persons receiving care. A facility such as the above with six or fewer persons receiving such care shall be classified as Group R-3 or shall comply with the *Residential Code* provided an *automatic sprinkler system* is installed in accordance with Section 903.3.1.3 or with Section P2904 of the *Residential Code*.

308.3.2 Seven to sixteen persons receiving care. A facility such as above, housing not fewer than seven and not more than 16 persons receiving such care, shall be classified as Group R-4.

Strike Section 308.4 of the International Building Code and insert new Section 308.4 in the Building Code to read as follows.

308.4 Institutional Group I-2. This occupancy shall include buildings and structures used for *medical care* on a 24-hour basis for more than six persons who are *incapable of self-preservation*. This group shall include, but not be limited to, the following:

1. *Foster care facilities*;

2. *Detoxification facilities*;

3. *Hospitals*;

4. *Nursing homes*; and

5. *Psychiatric hospitals*.

308.4.1 Six or fewer persons receiving care. A facility such as the above with six or fewer persons receiving such care shall be classified as Group R-3 or shall comply with the *Residential Code*; provided, that an *automatic sprinkler system* is installed in accordance with Section 903.3.1.3 or with Section P2904 of the *Residential Code*.

310 RESIDENTIAL GROUP R

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Strike Sections 310.5, 310.5.1 and 310.6 of the International Building Code and insert new Sections 310.5, 310.5.1 and 310.6 in the Building Code to read as follows.

310.5 Residential Group R-3. Residential occupancies where the occupants are primarily permanent in nature and not classified as Group R-1, R-2, R-4 or I, including:

1. Buildings that do not contain more than two *dwelling units*;

2. *Boarding houses* (nontransient) with 16 or fewer occupants;

3. *Boarding houses* (*transient*) with 10 or fewer occupants;

4. Care facilities that provide accommodations for six or fewer persons receiving care;

5. *Congregate living facilities* (nontransient) with 16 or fewer occupants;

6. *Congregate living facilities* (*transient*) with 10 or fewer occupants.

310.5.1 Care facilities within a dwelling. Care facilities for six or fewer persons receiving care that are within a single-family *dwelling* are permitted to comply with the *Residential Code*, provided that an *automatic sprinkler system* is installed in accordance with Section 903.3.1.3 or with Section P2904 of the *Residential Code.*

310.6 Residential Group R-4. This occupancy shall include buildings, structures or portions thereof for more than six but not more than 16 persons, excluding staff, who reside on a 24-hour basis in a supervised residential environment, receive *custodial care* and are capable of self-preservation. This group shall include, but not be limited to, the following:

1. Alcohol and drug centers;

2. Assisted living facilities;

3. Congregate care facilities;

4. Convalescent facilities;

5. *Group homes*;

6. Halfway houses;

7. Residential board and *custodial care* facilities; and

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8. Social rehabilitation facilities.

Group R-4 occupancies shall meet the requirements for construction as defined for Group R-3, except as otherwise provided for in this code.

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403 HIGH-RISE BUILDINGS

Strike Section 403.3.2, Water supply to required fire pumps, of the International Building Code in its entirety without substitution.

Strike Section 403.5.1, Remoteness of interior exit stairways, of the International Building Code in its entirety without substitution.

Strike Section 403.6.1, Fire service access elevator, of the International Building Code in its entirety without substitution.

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CHAPTER 5 GENERAL BUILDING HEIGHTS AND AREAS

501 General
503 General Building Height and Area Limitations

501 GENERAL

Strike Section 501.2, Address identification, of the International Building Code in its entirety without substitution.

503 GENERAL BUILDING HEIGHT AND AREA LIMITATIONS

Strike Section 503.1.1 of the International Building Code in its entirety and insert new Section 503.1.1 in the Building Code in its place to read as follows:

> **503.1.1 Special industrial occupancies.** Buildings and structures designed to house low-hazard industrial processes that require large areas and unusual heights to accommodate craneways or special machinery and equipment, including among others, rolling mills; structural metal fabrication shops and foundries; or collection and treatment of sewage and stormwater, or the production and distribution of electric, gas, water or steam power, shall be exempt from the height and area limitations of Table 503. Ordinary repairs of such buildings or structures shall include specifically engineered structural and mechanical components designed for removal and replacement in kind.

Strike Groups B, M, S-1 and S-2 in Table 503 of the International Building Code, in their entirety and insert new Groups B, M, S-1 and S-2 in their place in Table 503 of the Building Code to read as follows:

TABLE 503 ALLOWABLE BUILDING HEIGHTS AND AREAS[a, b]

Building height limitations shown in feet above grade plane. Story limitations shown as stories above grade plane. Building area limitations shown in square feet, as determined by the definition of "Area, building," per story

GROUP		TYPE OF CONSTRUCTION								
		TYPE I		TYPE II		TYPE III		TYPE IV	TYPE V	
		A	B	A	B	A	B	HT	A	B
	HEIGHT (feet)	UL	160	65	55	65	55	65	50	40
	STORIES(S)									

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	AREA (A)									
B	S A	UL UL	11 UL	5 37,500	~~4~~ 23,000	5 28,500	~~4~~ 19,000	5 36,000	3 18,000	2 9,000

GROUP		**TYPE OF CONSTRUCTION**								
		TYPE I		**TYPE II**		**TYPE III**		**TYPE IV**	**TYPE V**	
		A	**B**	**A**	**B**	**A**	**B**	**HT**	**A**	**B**
	HEIGHT (feet)	**UL**	**160**	**65**	**55**	**65**	**55**	**65**	**50**	**40**
	STORIES(S) AREA (A)									
M	S A	UL UL	11 UL	4 21,500	4 12,500	4 18,500	~~4~~ 12,500	4 20,500	3 14,000	1 9,000
S-1	S A	UL UL	11 48,000	4 26,000	3 17,500	3 26,000	3 17,500	4 25,500	3 14,000	1 9,000
S-2	S A	UL UL	11 79,000	5 39,000	~~4~~ 26,000	4 39,000	4 26,000	5 38,500	4 21,000	2 13,500

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CHAPTER 7 FIRE-RESISTANCE-RATED CONSTRUCTION

705 Exterior Walls
711 Horizontal Assemblies
713 Shaft Enclosures
717 Ducts and Air Transfer Openings

705 EXTERIOR WALLS

Insert new Section 705.8.7 in the Building Code to read as follows:

705.8.7 Openings on or near adjacent construction or property lines. Exterior walls of buildings that contain occupancies other than Group H, and that are equipped throughout with sprinklers in accordance with Section 903, shall be permitted to have openings, subject to the restrictions of Sections 705.8.7.1 through 705.8.7.7, if those walls have a fire separation distance of 10 feet (3048 mm) or less. Nothing in this code shall be construed to allow mechanical openings in exterior walls that would not otherwise be allowed by this code or by the *Mechanical Code*. Openings allowed pursuant to this section shall not be counted towards natural light, natural ventilation, or smoke control requirements.

705.8.7.1 Abutting buildings. When approved, a limited number of door openings between two abutted buildings, protected in accordance with Section 705.8 shall be permitted.

705.8.7.2 Horizontal exposure. Those stories that directly face another building or structure located either on the same lot or on an adjacent lot, having a distance between buildings of 3 feet (914 mm) or less, shall have no openings on the portion of the exterior wall that faces, horizontally, the building or structure.

705.8.7.3 Vertical exposure. The portions of exterior walls with a distance between buildings of 3 feet (914 mm) or less, that are less than 12 feet (348 mm) vertically above the roof of an adjoining building or adjacent structure when such roof has any portion within a horizontal distance of 10 feet (3048 mm) of the exterior walls shall have no openings. The portions of exterior walls that are greater than 3 feet (914 mm) from the opposing exterior wall, and above the roof of an adjoining building or structure shall comply with Section 705.8.6, except that the provisions shall apply to a building on an adjacent lot.

Exceptions:

1. If a registered architect or engineer has certified that the adjacent

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roof assembly provides a fire rating no less than that required for the exterior wall of the proposed building or a 1-hour rating, whichever is greater, and that the roof is not used for storage, the 12 foot vertical separation required above may be reduced to 3 feet (914 mm). Where there are skylights or other openings in the adjacent roof that are less than 10 feet (3048 mm) from the exterior wall of the opposing building, the percentage of openings allowed in Section 705.8 shall be as follows:

A: 0 to 3 feet separation between buildings: 0 percent.

B: 3 to 5 feet separation between buildings: 15 percent.

C: 5 to 10 feet separation between buildings: 25 percent.

2. If a registered professional engineer has submitted a written report of inspection certifying that the adjacent building is protected throughout with a fire sprinkler system conforming with Section 903, the 12 foot (3658 mm) vertical separation required above may be reduced to 3 feet (914 mm).

705.8.7.4 Allowable openings. In portions of the exterior wall, other than those specified in Sections 705.8.7.1 through 705.8.7.3, openings up to the maximum of 45 percent, story by story, for each wall face shall be allowed. When such openings are less than 40 feet (12192 mm) above the roof of an adjoining building or adjacent structure when such roof has any portion within a horizontal separation distance of 15 feet (4572 mm) of the wall in which the openings are located, the openings shall be protected in accordance with Section 705.8.2 or with tempered, wired, or laminated glass, installed in compliance with Section 716.6. Mechanical and door openings shall be protected in compliance with Section 716.5.

7705.8.7.5 Owner's responsibility. The owner of the building where openings are allowed pursuant to Sections 705.8.7.1 through 705.8.7.4 is responsible for making any changes in the exterior wall or its appurtenant protective systems, to maintain the building compliance with this code, whenever changes occur in the exterior envelope of any building within a distance of 10 feet (3048 mm) or less of that wall, when those changes might affect compliance with this code. The responsibility of the owner shall include but not be limited to, the following: blocking of openings; upgrading of opening protectives; removal or extension of parts of the required sprinkler system protecting the openings; or any other provisions deemed necessary by the *code official* to restore the level of safety provided by this code at the time the openings were permitted.

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705.8.7.6 Required covenants. Prior to issuance of building permit, a covenant in accordance with the requirements of Section 106 shall be required where openings in exterior walls closer than 10 feet (3048 mm) from interior lot lines are allowed pursuant to Sections 705.8.7.1 through 705.8.7.4, to ensure that compliance with the minimum requirements of those sections will be maintained for as long as the building shall exist, and to ensure that responsibility for the maintenance of those conditions will be conveyed to any future owner of the building.

705.8.7.7 Abatement of unsafe conditions. If the owner of a building or structure where any openings in exterior walls were allowed pursuant to Sections 705.8.7.1 through 705.8.7.4 fails to maintain in working order the protective systems required, or fails to proceed to make any changes required by the *code official* under the authority of Section 705.8.7.5, the *code official* is authorized to cause the necessary work to be done, in the interest of safety and welfare of the public, in accordance with D.C. Official Code §§ 6-801, *et seq*. (2012 Repl.) and other applicable laws and regulations. The cost of work shall become a lien against the property of the offending owner, to be recovered by the District of Columbia through appropriate action.

711 HORIZONTAL ASSEMBLIES

Strike Section 711.9 of the International Building Code in its entirety and insert new Section 711.9 to the Building Code in its place to read as follows.

711.9 Smoke barrier. Where *horizontal assemblies* are required to resist the movement of smoke by Sections 407.5, 408.6, and 1007.6 of this code in accordance with the definition of *smoke barrier*, penetrations and joints in such *horizontal assemblies* shall be protected as required for smoke barriers in accordance with Sections 714.5 and 715.6. Regardless of the number of *stories* connected by elevator shaft enclosures, doors located in elevator shaft enclosures that penetrate the *horizontal assembly* shall be protected by enclosed elevator lobbies complying with Section 713.14.1. Openings through *horizontal assemblies* shall be protected by shaft enclosures complying with Section 713. *Horizontal assemblies* shall not have unprotected vertical openings.

713 SHAFT ENCLOSURES

Strike Section 713.14.1 of the International Building Code in its entirety and insert new Section 713.14.1 to the Building Code in its place to read as follows:

713.14.1 Elevator lobby. An enclosed elevator lobby shall be provided at each floor where an elevator shaft enclosure connects more than three *stories*. The lobby enclosure

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shall separate the elevator shaft enclosure doors from each floor by *fire partitions*. In addition to the requirements in Section 708 for *fire partitions*, doors protecting openings in the elevator lobby enclosure walls shall also comply with Section 716.5.3 as required for *corridor* walls, and penetrations of the elevator lobby enclosure by ducts and air transfer openings shall be protected as required for *corridors* in accordance with Section 717.5.4.1. Elevator lobbies shall have at least one *means of egress* complying with Chapter 10 and other provisions within this code.

Exceptions:

1. Enclosed elevator lobbies are not required at the street floor, provided the entire street floor is equipped with an *automatic sprinkler system* in accordance with Section 903.3.1.1.

2. Elevators not required to be located in a shaft in accordance with Section 712.1 are not required to have enclosed elevator lobbies.

3. Enclosed elevator lobbies are not required where additional doors are provided at the hoistway opening in accordance with Section 3002.6. Such doors shall comply with the smoke and draft control door assembly requirements in Section 716.5.3.1 when tested in accordance with UL 1784 without an artificial bottom seal.

4. Enclosed elevator lobbies are not required where the building is protected by an *automatic sprinkler system* installed in accordance with Section 903.3.1.1 or 903.3.1.2. This exception shall not apply to the following:

    4.1. Group I-2 occupancies; and

    4.2. Group I-3 occupancies.

5. Smoke partitions shall be permitted in lieu of *fire partitions* to separate the elevator lobby at each floor where the building is equipped throughout with an *automatic sprinkler system* installed in accordance with Section 903.3.1.1 or 903.3.1.2. In addition to the requirements in Section 710 for smoke partitions, doors protecting openings in the smoke partitions shall also comply with Sections 710.5.2.2, 710.5.2.3, and 716.5.9 and duct penetrations of the smoke partitions shall be protected as required for *corridors* in accordance with Section 717.5.4.1.

6. Enclosed elevator lobbies are not required where the elevator hoistway is pressurized in accordance with Section 909.21.

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7. Enclosed elevator lobbies are not required where the elevator serves only *open parking garages* in accordance with Section 406.5.

717 DUCTS AND AIR TRANSFER OPENINGS

Strike Section 717.5.3 of the International Building Code in its entirety and insert new Section 717.5.3 in its place in the Building Code to read as follows:

717.5.3 Shaft enclosures. Shaft enclosures that are permitted to be penetrated by ducts and air transfer openings shall be protected with listed fire and smoke dampers installed in accordance with their listing.

Exceptions:

1. Fire and *smoke dampers* are not required at penetrations of exhaust shafts where-steel exhaust subducts extend at least 22 inches (559 mm) vertically in exhaust shafts, provided there is a continuous airflow upward to the outside and the fan is provided with backup standby power.

2. *Fire dampers* are not required where penetrations are tested in accordance with ASTM E 119 or UL 263 as part of the fire-resistance-rated assembly.

3. Fire and *smoke dampers* are not required where ducts are used as part of an *approved* smoke control system in accordance with Section 909.

4. Fire and *smoke dampers* are not required where the penetrations are in dedicated parking garage exhaust or supply shafts that are separated from other building shafts by not less than 2-hour fire-resistance-rated construction.

5. *Smoke dampers* are not required at penetrations of shafts where the building is equipped throughout with an *automatic sprinkler system* in accordance with Section 903.3.1.1.

6. *Fire dampers* and *combination fire/smoke dampers* are not required in kitchen and clothes dryer exhaust systems when installed in accordance with the *Mechanical Code*.

Strike Section 717.5.4.1 of the International Building Code in its entirety and insert new Section 717.5.4.1 in the Building Code in its place to read as follows:

717.5.4.1 Corridors. A *listed smoke damper* designed to resist the passage of smoke shall be provided at each point a duct or air transfer opening penetrates a

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corridor enclosure required to have smoke and draft control doors in accordance with Section 716.5.3.

Exceptions:

1. *Smoke dampers* are not required where the building is equipped with an *approved* smoke control system in accordance with Section 909, and *smoke dampers* are not necessary for the operation and control of the system.

2. *Smoke dampers* are not required in *corridor* penetrations where the duct is constructed of steel not less than 0.019 inch (0.48 mm) in thickness and there are no openings serving the corridor.

3. *Smoke dampers* are not required in ducted *corridor* penetrations where:

    a. The building is equipped throughout with an *automatic sprinkler system* in accordance with Section 903.3.1.1 or 903.3.1.2;

    b. The duct is constructed of steel not less than 0.019 inch (0.48 mm) in thickness;

    c. The ducted system supplies outdoor air only to the corridor and to air handling units that serve spaces adjoining the corridor through ducted connections: and

    d. The outdoor air supply fan is designed to provide a continuous airflow.

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CHAPTER 9 FIRE PROTECTION SYSTEMS

903 Automatic Sprinkler Systems
905 Standpipe Systems
906 Portable Fire Extinguishers
907 Fire Alarm and Detection Systems
908 Emergency Alarm Systems
909 Smoke Control Systems
911 Fire Command Center
913 Fire Pumps
916 Fire Apparatus Access Roads
917 Key Boxes

903 AUTOMATIC SPRINKLER SYSTEMS

Strike Section 903.2.8.2 of the International Building Code and insert new Section 903.2.8.2 in the Building Code to read as follows.

903.2.8.2 Care facilities. An *automatic sprinkler system* installed in accordance with Section 903.3.1.3 shall be permitted in care facilities with five or fewer individuals in a single-family *dwelling*.

905 STANDPIPE SYSTEMS

Strike Section 905.2 of the International Building Code in its entirety and insert new Section 905.2 in the Building Code in its place to read as follows:

905.2 Installation standard. Standpipe systems shall be installed in accordance with this section and NFPA 14.

Exceptions:

1. The residual pressure of 100 psi for 2½-inch hose connection and 65 psi for 1½-inch hose connection is not required to be greater than 65 psi in buildings equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 where the highest floor level is not more than 150 feet above the lowest level of fire department vehicle access.

2. No fire pump shall be required provided that the standpipes are capable of a minimum 250 gallons per minute (gpm) at 65 psi to the topmost floor in buildings equipped throughout with an *automatic sprinkler system*, or a minimum of 500 gpm at 65 psi to the topmost floor in all other *buildings*, from the lowest level of

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fire department vehicle access.

Strike Section 905.3.1 of the International Building Code in its entirety and insert new Section 905.3.1 in the Building Code in its place to read as follows:

905.3.1 Building height. Class III standpipe systems shall be installed throughout buildings where the floor level of the highest *story* is located more than 30 feet (9144 mm) above the lowest level of fire department vehicle access, or where the floor level of the lowest story is located more than 30 feet (9144 mm) below the highest level of fire department vehicle access. In determining the lowest level of fire department vehicle access for purposes of this section, recessed loading docks for four vehicles or less shall be excluded. Conditions where topography makes access from the fire department vehicle to the building impractical or impossible shall be excluded from the determination of the lowest level or highest level of fire department vehicle access.

Exceptions:

1. Class I standpipes are allowed in buildings equipped throughout with an *automatic sprinkler system* in accordance with Sections 903.1.1 or 903.3.1.2.

2. Class I manual standpipes are allowed in *open parking garages* where the highest floor is located not more than 150 feet (54720 mm) above the lowest level of fire department vehicle access.

3. Class I manual dry standpipes are allowed in *open parking garages* that are subject to freezing temperatures, provided that the hose connections are located as required for Class II standpipes in accordance with Section 905.5.

4. Class I standpipes are allowed in *basements* equipped throughout with an *automatic sprinkler system*.

5. Hose stations for use by the building occupants shall not be required, subject to the approval of the authority having jurisdiction, provided that each hose connection is 2 1/2 inches (63.5 mm) and is equipped with a 2 1/2 inch x 1 1/2 inch (63.5 mm x 38.2 mm) reducer and a cap attached with a chain.

906 PORTABLE FIRE EXTINGUISHERS

Strike Section 906.1 of the International Building Code in its entirety (without striking Table 906.1) and insert new Section 906.1 in the Building Code in its place to read as follows:

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906.1 Where required. Portable fire extinguishers shall be installed in the following locations.

1. In Group A, B, E, F, H, I, M, R-1, R-2, R-4 and S occupancies.

   Exceptions:

   1. In Group R-2 occupancies, portable fire extinguishers shall be required only in locations specified in Items 2 through 6 where each *dwelling unit* is provided with a portable fire extinguisher having a minimum rating of 1-A:10-B:C.

   2. In Group E occupancies equipped throughout with quick-response sprinklers, portable fire extinguishers shall be required only in locations specified in Items 2 through 6.

2. Within 30 feet (9144 mm) of commercial cooking equipment.

3. In areas where flammable or combustible liquids are stored, used or dispensed.

4. On each floor of structures under construction, except Group R-3 occupancies, in accordance with Section 3315.1 of the *Fire Code*.

5. Where required by the *Fire Code* sections indicated in Table 906.1.

6. Special-hazard areas, including but not limited to laboratories, computer rooms and generator rooms, where required by the fire code official.

(No change to Table 906.1 .)

907 FIRE ALARM AND DETECTION SYSTEMS

Strike Section 907.3.3 of the International Building Code in its entirety and insert new Section 907.3.3 to the Building Code in its place to read as follows:

907.3.3 Elevator emergency operation. Automatic fire detectors and all fire alarm system components installed for elevator emergency operation shall be installed in accordance with the provisions of ASME A17.1 and NFPA 72. Smoke detectors shall not be installed in unsprinklered elevator hoistways unless they are installed to activate the elevator hoistway smoke relief equipment.

Strike Section 907.6.3.1 of the International Building Code in its entirety and insert new Sections 907.6.3.1 through 907.6.3.1.1.2.1 to the Building Code to read as follows:

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907.6.3.1 Zoning indicator panel. A zoning indicator panel and the associated controls shall be provided in an *approved* location that is readily discernible and readily accessible to the responding fire department. The visual zone indication shall lock in until the system is reset and shall not be canceled by the operation of an audible alarm-silencing switch. Zoning indicator panels shall include remote annunciator panels and zoning displays that are integral to the fire alarm control equipment.

907.6.3.1.1 Remote annunciator panels. Where remote annunciator panels are required, they shall be provided at the main entrance, at each designated fire department entrance, and where specified by Section 907.6.3.1.1.2. Remote annunciator panels shall be provided as follows:

907.6.3.1.1.1 Directory-style display. A directory-style annunciator shall be provided in buildings with more than one story above or below grade and in buildings with more than one zone per floor. The directory-style annunciator shall consist of either an alpha-numeric LCD display or an *approved* directory-style panel with individual lamps. As a minimum, the annunciator shall indicate related floor, zone and status conditions using readily identifiable designations in plain English text.

Exception: Where a graphic display with individual lamps is provided in accordance with Section 907.6.3.1.1.2.1.

907.6.3.1.1.2 Graphic display. A graphic annunciator display shall be provided at the main entrance, and in the fire command center or at the fire alarm control panel locations where there is no fire command center, for buildings of the following types:

1. *High-rise* buildings.

2. Covered mall buildings.

3. Nursing homes and hospitals.

4. Buildings of any occupancy where three or more exits are provided per floor level above or below the level of exit discharge.

5. Buildings comprised of more than one street address with separate entrances.

6. Buildings with Group A occupancies of greater than 1000 persons.

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907.6.3.1.1.2.1 Graphic display features. Graphic annunciator displays shall consist of an integrated graphic annunciator panel, or, where *approved* in buildings not more than four stories above or two stories below the fire department entrance, a directory-style annunciator panel with a permanently mounted graphic diagram. Graphic annunciator displays shall be fabricated of a durable material and shall incorporate the following features:

1. A graphic diagram that identifies:

    1.1 Building address.

    1.2 North arrow.

    1.3 Building floor plan outline of each general type, where the orientation of each diagram is consistent with the annunciator location.

    1.4 Fire alarm zoning.

    1.5 Location of exit stairways and labeled with designations that are consistent with Section 1022.9 and labeled to indicate stairways that provide roof access.

    1.6 Location of elevator banks.

    1.7 Location of elevator machine room

    1.8 Location of the annunciator with "YOU ARE HERE" marker.

    1.9 Location of fire command center or fire alarm control equipment.

    1.10 Location of fire department connections.

2. Individual lamps that identify each associated device, floor, zone, and system status condition. Lamp colors shall be coordinated with the associated system conditions as follows: red for alarm; yellow or amber for supervisory; and yellow or amber for system trouble. Green lamps shall be permitted to indicate annunciator power supervision. A

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push-button style switch shall be provided for lamp test operation.

3. Audible alert sounder that locally annunciates alarm, trouble, and supervisory conditions, with alert silencing-switch that is accessible to authorized personnel only.

Exception: An audible sounder is not required for an annunciator panel where the required audible annunciation is provided by fire alarm control equipment that is located adjacent to the annunciator.

908 EMERGENCY ALARM SYSTEMS

Strike Sections 908.1 and 908.2 of the International Building Code in their entirety and insert new Sections 908.1 and 908.2 to the Building Code in their place to read as follows:

908.1 General. The systems required by this section shall be designed and installed in accordance with the provisions of both this code and the *Fire Code*. Before proceeding with design, construction, installation, or use of systems required by Sections 908.2 through 908.6, the *owner* shall request and participate in a coordination meeting with DCRA and the Fire Department to determine the applicable code requirements. The meeting shall be attended by all concerned parties, including, but not limited to, the *owner*, contractor, architect and design professionals.

908.2 Group H Occupancies; Group H-5 Occupancy. Emergency alarms for the detection and notification of an emergency condition in Group H occupancies shall be provided in accordance with Section 414.7. Emergency alarms for notification of an emergency condition in an HPM facility shall be provided as required in Section 415.10.3.5. A continuous gas-detection system shall be provided for HPM gases in accordance with Section 415.10.7.

909 SMOKE CONTROL SYSTEMS

Strike Section 909.16 of the International Building Code and accompanying Exception; do not strike Subsections 909.16.1 through 909.16.3 of the International Building Code. Insert new Section 909.16 in the Building Code to read as follows:

909.16 Fire-fighter's smoke control panel. A fire-fighter's smoke control panel for fire department emergency response purposes only shall be provided and shall include manual control or override of automatic control for mechanical smoke systems. The panel shall be located in a fire command center complying with Section 911 in *high-rise buildings* or buildings with smoke-protected assembly seating. In all other buildings, the fire-fighter's smoke control panel shall be installed in an *approved* location adjacent to the fire alarm control panel. The fire-

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fighter's smoke control panel shall comply with Sections 909.16.1 through 909.16.3.

Exception: Where buildings are equipped with stair pressurization systems and/or elevator hoistway venting systems or elevator hoistway pressurization systems and no mechanical smoke control systems per Section 909, the required manual controls may be integral to the fire alarm control panel or located at another *approved* location and are not required to comply with the provisions of Section 909.16.

911 FIRE COMMAND CENTER

Strike Section 911.1 of the International Building Code in its entirety and insert new section 911.1 in the Building Code in its place to read as follows:

911.1 General. Where required by other sections of this code and in all buildings classified as *high-rise buildings* by this code, a *fire command center* for fire department operations shall be provided and shall comply with Sections 911.1.1 through 911.1.5.

911.1.1 Location and access. The *fire command center* shall be directly accessible from the exterior on the address side of the building; or, where approved by the *code official* in consultation with the Fire Chief, in an interior location which has direct access from the entrance lobby on the address side of the building.

911.1.1.1 Identification. The entrance door to the *fire command center* shall be illuminated and clearly marked "Fire Command Center" with letters a minimum of 3 inches (76 mm) in height on a contrasting background. In instances where the *fire command center* is not located near the building's main entrance, a sign indicating the location of the fire control room shall be conspicuously posted near the building's main entrance.

911.1.1.2 Prohibited use. Electrical, mechanical or plumbing equipment other than those associated with the *fire command center*, shall not be located within the *fire command center*. The *fire command center* shall not be used for other than its intended use unless approved by the Fire Chief.

911.1.1.3 Locking arrangements. The *fire command center* shall be secured from unauthorized entry and shall be accessible to the Department at all times.

911.1.1.4 Access. Where access to the *fire command center* from the building's exterior is restricted because of secured openings, a key box in accordance with Section 506 of the *Fire Code* shall be installed at the building's main entrance or other approved location for Department access. The key box shall be of an *approved* type and shall contain keys to gain necessary access to the building and *fire command center* as required by the *code official* in consultation with the Fire

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Chief.

911.1.2 Separation. The *fire command center* shall be separated from the remainder of the building by not less than a 1-hour *fire barrier* constructed in accordance with Section 707 or *horizontal assembly* constructed in accordance with Section 711, or both.

911.1.3 Size. The *fire command center* shall be of sufficient size to accommodate all equipment and features required by this section but not less than 96 square feet (8.9 m^2). A minimum clear aisle width of 48 inches (1220 mm) shall be provided in front of all equipment panels.

911.1.4 Layout approval. A layout of the *fire command center* and all features required by this section to be contained therein shall be submitted for approval prior to installation.

911.1.5 Required features. The *fire command center* shall comply with NFPA 72 and shall contain the following features:

1. The emergency voice/alarm communication system control unit.

2. The fire department communications system.

3. Fire detection and alarm system annunciator.

4. Annunciator unit visually indicating the location of the elevators and whether they are operational.

5. The fire-fighter's control panel required by Section 909.16 for smoke control systems installed in the building.

6. Controls for unlocking *stairway* doors simultaneously.

7. Sprinkler valve and water-flow detector display panels.

8. Emergency and standby power status indicators.

9. A telephone for fire department use with controlled access to the public telephone system.

10. Fire pump status indicators.

11. Schematic building plans indicating the typical floor plan and detailing the building core, *means of egress*, *fire protection systems*, fire-fighting

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equipment and fire department access, and other building features affecting emergency response. The schematic plans shall be readily accessible, diagrammatic in nature, and fabricated of durable material or provided with a protective cover and bound in one set.

12. A copy of the facility's Fire Safety Plans and Fire Evacuation Plans that are prepared and maintained in accordance with the *Fire Code.*

13. Generator supervision devices, manual start and transfer features.

14. Public address system, where specifically required by other sections of this code.

15. Elevator fire recall switch in accordance with ASME A17.1.

16. Elevator emergency or standby power selector switch(es), where emergency or standby power is provided.

17. An *approved* Building Information Card that contains, but is not limited to, the following information:

    17.1. General building information that includes: property name, address, the number of floors in the building (above and below grade), use and occupancy classification (for mixed uses, identify the different types of occupancies on each floor), estimated building population (*i.e*., day, night, weekend);

    17.2. Building emergency contact information that includes: a list of the building's emergency contacts (*e.g*., building manager, building engineer, etc.) and their respective work phone number, cell phone number, and email address;

    17.3. Building construction information that includes: the type of building construction (*e.g*., floors, walls, columns, and roof assembly);

    17.4. *Exit stair* information that includes: number of *exit stairs* in the building, each *exit stair* designation and floors served, location where each *exit stair* discharges, *exit stairs* that are pressurized, *exit stairs* provided with emergency lighting, each *exit stair* that allows reentry, *exit stairs* providing roof access; elevator information that includes: number of elevator banks, elevator bank designation, elevator car numbers and respective floors that they

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serve, location of elevator machine rooms, location of sky lobby, location of freight elevator banks;

17.5. Building services and system information that includes: location of mechanical rooms, location of building management system, location and capacity of all fuel oil tanks, location of emergency generator, location of natural gas service;

17.6. *Fire protection system* information that includes: locations of standpipes, location of fire pump room, location of fire department connections, floors protected by *automatic* sprinklers, location of different types of sprinkler systems installed (*e.g.*, dry, wet, pre-action, etc.); and

17.7 Hazardous material information that includes: location of hazardous material, quantity of hazardous material.

913 FIRE PUMPS

Strike Section 913.4 of the International Building Code in its entirety and insert new Section 913.4 to the Building Code in its place to read as follows:

913.4 Valve supervision. Where provided, the fire pump suction, discharge and bypass valves, and isolation valves on the backflow prevention device or assembly shall be supervised open by one of the following methods:

1. Central-station, proprietary or remote-station signaling service.

2. Local signaling service that will cause the sounding of an audible signal at a constantly attended location.

Maintain Section 913.4.1 of the International Building Code in its entirety.

Insert new Section 916 in the Building Code to read as follows:

916 FIRE APPARATUS ACCESS ROADS

916.1 General. Fire apparatus access roads shall be provided and maintained in accordance with Section 503 of the *Fire Code*.

Insert new Section 917 in the Building Code to read as follows:

917 KEY BOXES

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917.1 General. Key boxes shall be provided and maintained in accordance with Section 506 of the *Fire Code*.

917.2 Where required. Key boxes are required where access to or within a structure or an area is restricted.

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CHAPTER 10 MEANS OF EGRESS

1003 General Means of Egress
1005 Means of Egress Sizing
1015 Exit and Exit Access Doorways
1022 Interior Exit Stairways and Ramps
1024 Luminous Egress Path Markings

1003 GENERAL MEANS OF EGRESS

Strike Section 1003.2 of the International Building Code in its entirety and insert new Section 1003.2 in the Building Code in its place to read as follows:

1003.2 Ceiling height. The *means of egress* shall have a ceiling height of not less than 7 feet (2134 mm).

Exceptions:

1. Sloped ceilings in accordance with Section 1208.2.

2. Ceilings of *dwelling unit*s and *sleeping units* within residential occupancies in accordance with Section 1208.2.

3. Allowable projections in accordance with Section 1003.3.

4. *Stair* headroom in accordance with Section 1009.5.

5. Door height in accordance with Section 1008.1.1.

6. *Ramp* headroom in accordance with Section 1010.6.2.

1005 MEANS OF EGRESS SIZING

1005.3.1 Stairways.

Strike the Exception to Section 1005.3.1 of the International Building Code in its entirety and insert a new Exception to Section 1005.3.1 of the Building Code in its place to read as follows:

Exception: For other than Group H and I-2 occupancies, the capacity, in inches (mm), of *means of egress stairways* shall be calculated by multiplying the *occupant load* served by such *stairway* by a *means of egress* capacity factor of 0.2 inch (5.1

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mm) per occupant in buildings equipped throughout with an *automatic sprinkler system* installed in accordance with Section 903.3.1.1 or 903.3.1.2.

1005.3.2 Other egress components.

Strike the Exception to Section 1005.3.2 of the International Building Code and insert a new Exception to Section 1005.3.2 of the Building Code in its place to read as follows:

Exception: For other than Group H and I-2 occupancies, the capacity, in inches (mm), of *means of egress* components other than *stairways* shall be calculated by multiplying the *occupant load* served by such component by a *means of egress* capacity factor of 0.15 inch (3.8 mm) per occupant in buildings equipped throughout with an *automatic sprinkler system* installed in accordance with Section 903.3.1.1 or 903.3.1.2.

1008 DOORS, GATES AND TURNSTILES

Insert new Section 1008.1.9.5.2 in the Building Code to read as follows:

1008.1.9.5.2 Public toilet facility door locking. Where a *toilet room* is provided for the use of multiple occupants, the egress door for the room shall not be lockable from the inside of the room. This section does not apply to family or assisted-use *toilet rooms*.

1015 EXIT AND EXIT ACCESS DOORWAYS

Strike Section 1015.2.1 of the International Building Code in its entirety and insert new Section 1015.2.1 in the Building Code in its place to read as follows:

1015.2.1 Two exits or exit access doorways.
Where two *exits* or *exit access doorways* are required from any portion of the *exit access*, the *exit* doors or *exit access doorways* shall be placed a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the building or area to be served measured in a straight line between *exit* doors or *exit access doorways*. Interlocking or *scissor stairs* shall be counted as one *exit stairway*.

Exceptions:

1. Where *exit* enclosures are provided as a portion of the required *exit* and are interconnected by a 1-hour fire-resistance-rated corridor conforming to the requirements of Section 1016, the required *exit* separation shall be measured along the shortest direct line of travel within the corridor.

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2. Where a building is equipped throughout with an *automatic sprinkler system* in accordance with Section 903.3.1.1 or 903.3.1.2, the separation distance of the *exit* doors or *exit access doorways* shall not be less than one-fourth of the length of the maximum overall diagonal dimension of the area served.

1022 INTERIOR STAIRWAYS AND RAMPS

Strike Section 1022.9 of the International Building Code in its entirety and insert new Section 1022.9 to the Building Code in its place to read as follows:

1022.9 Stairway signage. Signs shall be provided for all *interior exit stairways* and *ramps* connecting more than three stories, and for all *interior exit stairways* and *ramps* in buildings with three or more *interior exit stairways* or *ramps*.

1022.9.1 Signs outside stairway. A sign complying with ICC A117.1 shall be provided at each entrance to the *exit stairway* and *ramp*, identifying the *stair* or *ramp* with the same designations used for the *stairway* identification signs in Section 1022.9.2.1. The sign also shall state "EXIT" in raised characters and Braille in accordance with Section 1011.4 of the *Building Code*.

1022.9.2 Signs inside stairway. *Stairway* identification signs, floor-level signs, and *exit discharge* signs shall comply with the following requirements:

1022.9.2.1 Stairway identification signs. A *stairway* identification sign shall be provided at each floor landing in the *interior exit stairway* and *ramp* designating the floor level, the terminus of the top and bottom of the *interior exit stairway* and *ramp* and the identification of the *stair* or *ramp*. The signage shall also identify the story of, and the direction to, the *exit discharge* and the availability of roof access from the *interior exit stairway* and *ramp*. The sign shall be located entirely between 5 feet (1524 mm) and 8 feet (2438 mm) above the floor landing in a position that is readily visible when the doors are in the open and closed positions and located so that occupants egressing from floors that are more remote from the exit discharge will face the sign frontally at some point in their path of egress.

Exception: *Stairway* identification signs are not required to identify the *story of*, and direction to the *exit discharge* in *interior exit stairways* and *ramps* that connect less than three stories.

1022.9.2.1.1 Signage requirements. *Stairway* identification signs shall comply with all of the following requirements:

1. The signs shall be a minimum size of 18 inches (457 mm)

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by 12 inches (305 mm).

2. The word "STAIR" and the *stair* designation or "RAMP" and the *ramp* designation shall consist of numerals and/or capital letters designating the identification of the *interior exit stairway* and *ramp. The characters* shall be a minimum of 1 $^{1}/_{2}$ inches (38 mm) in height but not greater than one-third the height of the floor level identification characters.

3. The numerals or capital letters designating the floor level shall be a minimum of 5 inches (127 mm) in height and located in the center of the sign.

4. All other lettering and numbers shall be a minimum of 1 inch (25 mm) in height but not greater than the *stair* or *ramp* identification characters.

5. The directional arrow shall be a minimum of 4 inches (102 mm) in length.

6. If the *interior exit stairway* or *ramp* provides access to the roof, the words "FIRE DEPT. ROOF ACCESS" shall be displayed immediately after the *stair* or *ramp* identification.

7. The signs shall identify floor levels, *stairs* and *ramps* by one or more characters, using a designation that is consistent with the floor level, *stair* and *ramp* designations used throughout the building.

8. Characters and their background shall have a non-glare finish. Characters shall contrast with their background, with either light characters on a dark background or dark characters on a light background.

9. The sign shall be of an approved design, and shall be durable and of a material that complies with other sections of the *Construction Codes*. Unless painted on the wall, the sign shall be securely fastened to the structure.

1022.9.2.2 Floor-level signs. In addition to the *stairway* identification sign, a floor-level sign in raised characters and Braille complying with ICC A117.1 shall be located at each floor-level landing adjacent to the door leading from the *interior exit stairway* and *ramp* into the *corridor* to identify the floor level.

1022.9.2.3 Exit discharge signs. A sign stating "EXIT" in raised characters and Braille shall be located adjacent to the door to the *exit discharge* in accordance with Section 1011.4 of the *Building Code*.

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1024 LUMINOUS EGRESS PATH MARKINGS

Strike Section 1024 of the International Building Code in its entirety without replacement.

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CHAPTER 11 ACCESSIBILITY

1101 General
1107 Dwelling Units and Sleeping Units
1108 Special Occupancies
Appendix E Supplementary Accessibility Requirements

1101 GENERAL

Strike Section 1101.1 of the International Building Code in its entirety and insert new Section 1101.1 in the Building Code in its place to read as follows:

1101.1 Scope. The provisions of Chapter 11 of the *Building Code* and Appendix E (except Section E110 Airports) of the *International Building Code,* as amended, shall control the design and construction of facilities for accessibility to persons with physical disabilities. Appendix E of the *International Building Code,* as amended, is adopted as Appendix E of the *Building Code*.

1107 DWELLING UNITS AND SLEEPING UNITS

Strike Section 1107.5.5.1 of the International Building Code in its entirety and insert new Section 1107.5.5.1 in the Building Code in its place to read as follows:

> **1107.5.5.1 Group I-3 sleeping units.** In Group I-3 occupancies, at least 5 percent of the *dwelling units* and *sleeping units*, but not less than one unit, shall be *accessible units*.

Strike Section 1107.6.1 of the International Building Code in its entirety except for Table 1107.6.1.1 and insert new Section 1107.6.1 to the Building Code in its place to read as follows:

> **1107.6.1 Group R-1.** *Accessible units* and *Type B units* shall be provided in Group R-1 occupancies in accordance with Sections 1107.6.1.1 and 1107.6.1.2
>
> > **1107.6.1.1. Accessible units.** *Accessible dwelling units* and *sleeping units* shall be provided in accordance with Table 1107.6.1.1. In order to determine the total number of *accessible units*, all *dwelling units* and *sleeping units* on a site shall be considered. *Accessible units* shall be dispersed among the various classes of units. At least one *accessible unit* shall also provide communication features complying with Appendix E, Section E104.3. Not more than 10 percent of *accessible units* shall be used to satisfy the minimum number of units required to provide communication features complying with Appendix E, Section E104.3. Roll-in showers provided in *accessible units* shall include a permanently mounted folding shower seat.

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1107.6.1.1.1 Accessible unit facilities. All interior and exterior spaces provided as part of or serving an *accessible dwelling unit* or *sleeping unit* shall be *accessible* and be located on an *accessible route.*

Exceptions:

1. Where multiple bathrooms are provided within an a*ccessible unit*, at least one full bathroom shall be *accessible.*

2. Where multiple-family or assisted bathrooms serve an a*ccessible unit*, at least 50 percent, but not less than one bathroom for each use at each cluster shall be *accessible.*

3. Five percent of all beds, but not fewer than one bed, shall be *accessible.*

1107.6.1.1.2 Communication features. Accessible communication features shall be provided in accordance with Appendix E, Section E104.3, provided, however, that at least one *accessible unit*, but no more than 10 percent of the *accessible units*, shall be required to provide accessible communication features.

Strike Section 1107.6.2.1.1 of the International Building Code in its entirety and insert new Section 1107.6.2.1.1 in the Building Code in its place to read as follows:

1107.6.2.1.1 Type A units. In Group R-2 occupancies containing more than ten *dwelling units* or *sleeping units*, at least 15 percent of the units shall be *Type A units*, and at least 1 percent of the *Type A units*, but not less than one of the *Type A units*, shall be served by a roll-in shower that includes a permanently mounted folding shower seat. All Group R-2 units on a site shall be considered to determine the total number of units and the required number of *Type A units*. *Type A units* shall be dispersed among the various classes of units.

Exceptions:

1. The number of *Type A units* is permitted to be reduced in accordance with Section 1107.7.

2. *Existing structures* on a *site* shall not contribute to the total number of units on a *site*.

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3. *Type A units* may contain the following adaptable features:

3.1 Kitchen and laundry appliances that do not have *accessible* controls;

3.2 Refrigerator/freezers that do not have the required *accessible* freezer space; and

3.3 Kitchen sink cabinets and countertops that are not *accessible*, but that can be removed without cutting the countertop or damaging adjacent cabinets, walls, doors and structural elements, provided floor finishes extend under such cabinetry and the walls behind and surrounding cabinetry are finished.

1108 SPECIAL OCCUPANCIES

Insert new Section 1108.5 to the Building Code to read as follows:

1108.5 Detention and correctional facilities. Detention and correctional facilities shall comply with Sections 1108.5.1 through 1108.5.5.2.

1108.5.1 General. Buildings, facilities, or portions thereof, in which people are detained for penal or correctional purposes, or in which the liberty of the inmates is restricted for security reasons, shall comply with Section 1108.5.

1108.5.2 General holding cells and general housing cells. General holding cells and general housing cells shall be provided in accordance with this section.

Exception: Alterations to cells shall not be required to comply except to the extent determined by the Attorney General of the District of Columbia.

1108.5.2.1 Cells. *Accessible cells* shall be provided in accordance with Section 1107.5.5.1.

1108.5.2.2 Beds. In cells having more than 25 beds, 5 percent of the beds shall have clear floor space complying with ICC A117.1 Section 806.2.

1108.5.2.3 Communication features. At least 2 percent, but no fewer than one, of the total number of general holding cells and general housing cells equipped with audible emergency alarm systems and permanently installed telephones within the cell, shall comply with ICC A117.1 Section 806.3.

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1108.5.2.4 Overlap. Cells complying with ICC A117.1 Section 806.2 shall not be used to satisfy the minimum number of cells required to comply with ICC A117.1 Section 806.3.

1108.5.3 Special holding cells and special housing cells or rooms. *Accessible* special holding cells or special housing cells or rooms shall be provided in accordance with Section 1107.5.5.2.

1108.5.4 Medical care facilities. *Accessible* patient sleeping units or cells in medical care facilities shall be provided in accordance with Section 1107.5.5.3.

1108.5.5 Visiting areas. Visiting areas shall comply with Section 1108.5.5.

1108.5.5.1 Cubicles and counters. At least 5 percent of cubicles, but no fewer than one cubicle shall be *accessible* on both the visitor and detainee sides. Where counters are provided, at least one counter shall be *accessible* on both the visitor and detainee or inmate sides.

Exception: This requirement shall not apply to the inmate or detainee side of cubicles or counters at non-contact visiting areas not serving holding or housing cells to comply with Section 1108.5.

1108.5.5.2 Partitions. Where solid partitions or security glazing separates visitors from detainees, at least one of each type of cubicle or counter partition shall be *accessible.*

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CHAPTER 12 INTERIOR ENVIRONMENT

1203 Ventilation
1205 Lighting
1207 Sound Transmission

1203 VENTILATION

Strike Section 1203.1 of the International Building Code in its entirety and insert new Section 1203.1 in the Building Code in its place to read as follows:

1203.1 General. Buildings shall be provided with natural ventilation in accordance with Section 1203.4, or mechanical ventilation in accordance with the *Mechanical Code*. Each new *dwelling unit* shall be ventilated by mechanical means in accordance with Section 403 of the *Mechanical Code* and shall have at least one opening to the outdoors for natural ventilation of not less than 4 percent of the floor area of the habitable spaces of the *dwelling unit*.

1205 LIGHTING

Strike Section 1205.1 of the International Building Code in its entirety and insert new Section 1205.1 in its place in the Building Code to read as follows:

1205.1 General. Every space intended for human occupancy shall be provided with natural light by means of exterior glazed openings in accordance with Section 1205.2 or shall be provided with artificial light in accordance with Section 1205.3.

> **Exception:** Artificial light shall not be used to meet the lighting requirements for bedrooms, living rooms and *sleeping units*.

Strike Section 1205.2 of the International Building Code in its entirety and insert new Section 1205.2 in its place in the Building Code to read as follows:

> **1205.2 Natural light.** The minimum net glazed area shall be not less than 8 percent of the floor area of the room or rooms served. At least 50 percent of required glazing shall be clear glass; it is permissible for the remainder of the required glazing to be obscure glass, glass block or other *approved* translucent material.
>
> > **1205.2.1 Adjoining spaces.** For the purpose of natural lighting, any room is permitted to be considered as a portion of an adjoining room where one-half of the area of the common wall provides an opening of not less than one-tenth of the floor area of the interior room or 25 square feet (2.32 m^2), whichever is greater.

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1. It is permissible for glazing to fill a portion or all of the required opening between adjoining spaces.

2. It is permissible to install doors in openings between adjoining spaces. However, opaque portions of doors shall not contribute to meeting the minimum opening requirement of not less than one-tenth of the floor area of the interior room or 25 square feet (2.32 m^2), whichever is greater.

Exception: Openings required for natural light shall be permitted to open into a sunroom with *thermal isolation* or a patio cover where the common wall provides a glazed area of not less than one-tenth of the floor area of the interior room or 20 square feet (1.86 m^2), whichever is greater.

1205.2.2 Exterior openings. Exterior openings required by Section 1205.2 for natural light shall open directly onto a *public way*, *yard* or *court*, as set forth in Section 1206.

Exceptions:

1. Required exterior openings are permitted to open into a roofed porch where the porch:

   1.1. Abuts a *public way*, *yard* or *court*;

   1.2. Has a ceiling height of not less than 7 feet (2134 mm); and

   1.3. Has a longer side at least 65 percent open and unobstructed.

2. Skylights are not required to open directly onto a *public way*, *yard* or *court*.

1207 SOUND TRANSMISSION

Strike Sections 1207.1 and 1207.2 of the International Building Code in their entirety and insert new Sections 1207.1 and 1207.2 in the Building Code in their place to read as follows:

1207.1 Scope. This section shall apply to common interior walls, partitions and floor/ceiling assemblies between adjacent *dwelling units* or between *dwelling units* and adjacent public areas such as halls, *corridors*, *stairs*, service areas, or Group A-2 occupancies.

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1207.2 Interior sound. Walls, partitions and floor/ceiling assemblies separating *dwelling units* from each other or from public or service areas shall have a sound transmission class (STC) of not less than 50 (45 if field tested) for air-borne noise when tested in accordance with ASTM E 90. Walls, partitions and floor/ceiling assemblies separating Group A-2 occupancies from *dwelling* units shall have a sound transmission class (STC) of not less than 55 and shall be field tested to achieve a rating of not less than 50 for air-borne noise. Penetrations or openings in construction assemblies for piping; electrical devices; recessed cabinets; bathtubs; soffits; or heating, ventilating or exhaust ducts shall be sealed, lined, insulated or otherwise treated to maintain the required ratings. This requirement shall not apply to *dwelling unit* entrance doors; however, such doors shall be tight fitting to the frame and sill.

Exception: Group A-2 occupancies that do not utilize amplified music as part of their use shall be exempt from these provisions.

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CHAPTER 14 EXTERIOR WALLS

1403 Performance Requirements

1403 PERFORMANCE REQUIREMENTS

Strike Section 1403.5 Vertical and lateral flame propagation, of the International Building Code in its entirety without substitution.

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CHAPTER 15 ROOF ASSEMBLIES AND ROOFTOP STRUCTURES

1504 Performance Requirements
1507 Requirements for Roof Coverings
1509 Rooftop Structures
1512 Roof Solar Reflectance and Thermal Emittance

1504 PERFORMANCE REQUIREMENTS

Strike Section 1504.4 of the International Building Code in its entirety and insert new Section 1504.4 to the Building Code in its place to read as follows:

1504.4 Ballasted low-slope roof systems. Ballasted low-slope (roof slope < 2:12) single-ply roof system coverings installed in accordance with Sections 1507.12 and 1507.13, and protected membrane ballasted low-slope (roof slope < 2:12) hot-applied rubberized-asphalt roofing systems installed in accordance with Section 1507.18, shall be designed in accordance with Section 1504.8 and ANSI/SPRI RP-4.

1507 REQUIREMENTS FOR ROOF COVERINGS

Insert new Section 1507.18 to the Building Code to read as follows:

1507.18 Hot-applied rubberized-asphalt roofing. The installation of hot-applied rubberized-asphalt roofing shall comply with the provisions of this section.

1507.18.1 Slope. Hot-applied rubberized-asphalt roof membranes shall not be required to have a minimum design slope (0-percent slope).

1507.18.2 Material standards. Hot-applied rubberized-asphalt roofing shall be one-part hot-applied rubberized asphalt and comply with CAN/CGSB-37.50-M89.

1507.18.3 Protected membrane ballasted low-slope roofs. Protected membrane ballasted roof assemblies with a low-slope (roof slope < 2:12) shall be installed in accordance with this section and Section 1504.4. Stone used as ballast shall comply with ASTM D448.

1509 ROOFTOP STRUCTURES

Strike Section 1509.6.1 of the International Building Code in its entirety and insert new Section 1509.6.1 in the Building Code in its place to read as follows:

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1509.6.1 Height limitations. Mechanical equipment screens shall not exceed 18 feet 6 inches (5638 mm) in height above the roof deck, as measured to the highest point on the mechanical equipment screen.

> **Exception:** Where located on buildings of Type IA construction, the height of mechanical equipment screens shall not be limited.

Insert new Section 1512 to the Building Code to read as follows:

1512 ROOF SOLAR REFLECTANCE AND THERMAL EMITTANCE

1512.1 Roof solar reflectance and thermal emittance. Low-sloped roofs shall comply with the roof solar reflectance and thermal emittance requirements set forth in Subsection C402.2.1.1 of the *Energy Conservation Code*, as applicable.

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CHAPTER 16 STRUCTURAL DESIGN

1603 Construction Documents
1607 Live Loads
1608 Snow Loads

1603 CONSTRUCTION DOCUMENTS

Insert new Section 1603.4 in the Building Code to read as follows:

1603.4 Restrictions on loading. It shall be unlawful to place, or cause or permit to be placed, on any floor or roof of a building, structure or portion thereof, a load greater than is permitted by this code.

1607 LIVE LOADS

Strike Item 14 in Table 1607.1 of the International Building Code in its entirety and insert new Item 14 in Table 1607.1 in the Building Code in its place to read as follows:

TABLE 1607.1
MINIMUM UNIFORMLY DISTRIBUTED LIVE LOADS, L_o, AND MINIMUM CONCENTRATED LIVE LOADS[g]

OCCUPANCY OR USE	UNIFORM (psf)	CONCENTRATED (lbs.)
14. Garages (Passenger vehicles only)	50[m]	Note a
Top deck of exposed garage	50, plus snow loading in accordance with Section 1608	
Trucks and buses	See Section 1607.7	See Section 1607.7

[a] Floors in garages or portions of buildings used for the storage of motor vehicles shall be designed for the uniformly distributed live loads of Table 1607.1 or the following concentrated loads: (1) for garages restricted to passenger vehicles accommodating not more than nine passengers, 3,000 pounds acting on an area of 4.5 inches by 4.5 inches; (2) for mechanical parking structures without slab or deck that are used for storing passenger vehicles only, 2,250 pounds per wheel.

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[m] Live load reduction is not permitted unless specific exceptions of Section 1607.10 apply.

Strike Section 1607.3 of the International Building Code in its entirety and insert new Section 1607.3 to the Building Code in its place to read as follows:

1607.3 Uniform live loads. The live loads used in the design of buildings and other structures shall be the maximum loads expected by the intended use or occupancy, but shall in no case be less than the minimum uniformly distributed live loads required by Table 1607.1.

> **Exception:** Buildings erected before July 1, 1925: In the alteration of buildings erected before July 1, 1925, the code official is authorized to allow a maximum reduction of 30 percent of the specified minimum live loads in Table 1607.1, with a minimum live load for other than residential buildings of 40 psf (1.92 kN/m^2), provided that official live load placards are posted showing this reduced live load.

Insert new Section 1607.15 to the Building Code to read as follows:

1607.15 Powered maintenance platforms. The structural supports for powered maintenance platforms shall be designed in accordance with the requirements in 29 CFR 1910 Subpart F Standard 1910.66 ("Powered Platforms for Building Maintenance") of Occupational Safety and Health Administration Standards.

1608 SNOW LOADS

Insert new Section 1608.1.1 to the Building Code to read as follows:

> **1608.1.1 Snow load for the District of Columbia.** The basic snow load for the District of Columbia, as shown in Figure 1608.2 shall be a minimum of 25 psf (1.20 kN/m^2) plus drifting or 30 psf (1.44 kN/m^2) equivalent uniform load, whichever is greater.

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1809 SHALLOW FOUNDATIONS

Strike Section 1809.5 of the International Building Code in its entirety and insert new Section 1809.5 to the Building Code in its place to read as follows:

1809.5 Frost Protection. Except where otherwise protected from frost, foundations and other permanent supports of buildings and structures shall be protected from frost by one or more of the following methods:

1. Extending below 30 inches (762 mm), the frost line of the locality;

2. Constructing in accordance with ASCE 32; or

3. Erecting on solid rock.

   Exception: Free-standing buildings meeting all of the following conditions shall not be required to be protected:

   1. Assigned to Risk Category I, in accordance with Section 1604.5;

   2. Area of 600 square feet (56 m^2) or less for light-frame construction or 400 square feet (37 m^2) or less for other than light-frame construction; and

   3. Eave height of 10 feet (3048 mm) or less.

Shallow foundations shall not bear on frozen soil unless such frozen condition is of a permanent character.

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CHAPTER 26 PLASTIC

2603 Foam Plastic Insulation

2603 FOAM PLASTIC INSULATION

Strike Section 2603.5.5 of the International Building Code in its entirety and insert new Section 2603.5.5 in the Building Code in its place to read as follows:

2603.5.5 Vertical and lateral fire propagation. Exterior wall assemblies containing foam plastic insulation shall provide protection against vertical and lateral flame propagation in accordance with Sections 2603.5.5.1, 2603.5.5.2, or 2603.5.5.3.

Exceptions:

1. One-story buildings.

2. Buildings equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 or 903.3.1.2.

2603.5.5.1 Testing to NFPA 285. Exterior wall assemblies shall be tested in accordance with NFPA 285 and comply with the acceptance criteria of NFPA 285.

2603.5.5.2 Non Combustible Covering. Walls assemblies where the foam plastic insulation is covered on each face by a minimum of 1 inch (25mm) thickness of masonry or concrete and meeting one of the following:

1. There is no air space between the insulation and the concrete or masonry.

2. The insulation has a flame spread index of not more than 25 as determined in accordance with ASTM E 84 or UL 723 and the maximum air space between the insulation and the concrete or masonry is not more than 1-inch (25mm).

2603.5.5.3 Fireblocking. Concealed spaces within exterior wall assemblies shall be fireblocked in such a manner so as to cut off the concealed openings (both vertical and horizontal), and form an effective barrier between floors.

2603.5.5.3.1 Location of fireblocking. Fireblocking shall be installed within concealed spaces of exterior wall assemblies at every floor level or

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at maximum vertical intervals not exceeding 20 feet. Fireblocking shall be installed at horizontal intervals not exceeding 10 feet in exterior walls of combustible construction and 65 feet in exterior walls of noncombustible construction. Fireblocking required in this section shall extend through any concealed air space and through any foam plastic material in noncombustible construction.

2603.5.5.3.2 Materials. Materials used for fireblocking in exterior wall assemblies shall comply with one or more of the following:

1. Materials demonstrated to remain in place and that prevent the passage of flame and hot gases sufficient to ignite cotton waste where subjected to ASTM E 119 or UL 263 time-temperature conditions under a minimum positive pressure differential of 0.01 inch (2.49 Pa) of water at the location of the penetration for a time period of 15 minutes.

2. Gypsum board having a minimum thickness of 1/2 inch (12.7 mm) provided all joints have continuous support.

3. Sheet steel not less than 26 ga (0.38 mm) thickness provided all joints have continuous support.

4. Cement-based millboard having a minimum thickness of ¼ -inch (6.4 mm).

5. Batts or blankets of mineral wool, mineral fiber or other approved materials installed in such a manner to securely remain in place.

6. Cellulose insulation installed as tested for the specific application.

7. In buildings of noncombustible construction, fire-retardant wood in accordance with Section 603.1.

8. In buildings of combustible construction, materials listed in Section 718.2.1.

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CHAPTER 29 PLUMBING SYSTEMS

2902 Minimum Plumbing Facilities

2902 MINIMUM PLUMBING FACILITIES

Strike Section 2902.4 of the International Building Code in its entirety and insert new Section 2902.4 to the Building Code in its place to read as follows:

2902.4 Signage. Multi-occupancy public toilet facilities shall be designated by a legible sign for each sex. Single-occupancy public facilities shall be designated with gender-neutral signage. Signs shall be readily visible and located near the entrance to each toilet facility. Signs for *accessible* toilet facilities shall comply with Section 1110.

Insert new Section 2902.5.1 in the Building Code to read as follows:

> **2902.5.1 Drinking fountain substitution.** Drinking fountains shall not be required in restaurants that provide drinking water in a container free of charge. In establishments of occupancies B or M, with an area of 1,500 square feet (139.4 m^2) or less, a water cooler or a bottled water dispenser may be substituted for the required drinking fountain. In other occupancies, including B or M occupancies with an area of more than 1,500 square feet (139.4 m^2), water coolers or bottled water dispensers shall be permitted to be substituted for not more than 50 percent of the required number of drinking fountains.

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CHAPTER 30 ELEVATORS AND CONVEYING SYSTEMS

3001 General
3003 Emergency Operations
3007 Fire Service Access Elevators
3008 Occupant Evacuation Elevators
3009 Amendments to ASME Standard A17.1
3010 Certificate of Inspection
3011 Required Elevator Signage

3001 GENERAL

Strike Sections 3001.1 and 3001.2 of the International Building Code in their entirety and add new Sections 3001.1 and 3001.2 to the Building Code in their place to read as follows:

3001.1 Scope. This chapter governs the design, construction, installation, *alteration*, repair and maintenance of elevators and conveying systems, including, but not limited to, escalators, platform and stairway chair lifts, dumbwaiters, and moving walks, and their components.

3001.2 Referenced standards. Except as otherwise provided for in this code, the design, construction, installation, *alteration*, repair and maintenance of elevators and conveying systems and their components shall conform to ASME A17.1/CSA B44, ASME A18.1, ICC A117.1, ASME A90.1, ASME B20.1, ALI ALCTV, and ASCE 24 for construction in *flood hazard areas* established in Section 1612.3. *Alteration* and repair of existing elevators and conveying systems shall comply with the *Existing Building Code*. Maintenance of existing elevators and conveying systems shall also comply with the requirements of the *Property Maintenance Code*.

3007 FIRE SERVICE ACCESS ELEVATOR

Strike Section 3007.9 of the International Building Code in its entirety and insert new Section 3007.9 to the Building Code in its place to read as follows:

3007.9 Electrical power. The following features serving each fire service access elevator shall be supplied by both normal power and Type 60/Class 2/Level 1 standby power:

1. Elevator equipment.

2. Elevator hoistway lighting.

3. Elevator machine room ventilation and cooling equipment.

4. Elevator controller cooling equipment.

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5. Lighting of elevator machinery spaces, machine rooms, control spaces, and control rooms.

3007.9.1 Protection of wiring or cables. Wires or cables that are located outside of the elevator hoistway and machine room and that provide normal or standby power, control signals, communication with the car, lighting, heating, air conditioning, *ventilation* and fire-detecting systems to fire service access elevators shall be protected by construction having a *fire-resistance rating* of not less than 2 hours, or shall be circuit integrity cable having a *fire-resistance* rating of not less than 2 hours.

Exception: Wiring and cables to control signals are not required to be protected provided that wiring and cables do not serve Phase II emergency in-car operations.

3008 OCCUPANT EVACUATION ELEVATORS

Strike Section 3008.9 of the International Building Code in its entirety and insert new Section 3008.9 to the Building Code in its place to read as follows:

3008.9 Electrical power. The following features serving each occupant evacuation elevator shall be supplied by both normal power and Type 60/Class 2/Level 1 standby power:

1. Elevator equipment.

2. Elevator machine room ventilation and cooling equipment.

3. Elevator controller cooling equipment.

4. Lighting of elevator machinery spaces, machine rooms, control spaces, and control rooms.

3008.9.1 Protection of wiring or cables. Wires or cables that are located outside of the elevator hoistway and machine room and that provide normal and standby power, control signals, communication with the car, lighting, heating, air conditioning, *ventilation* and fire-detecting systems to occupant evacuation elevators shall be protected by construction having a *fire-resistance rating* of not less than 2 hours or shall be circuit integrity cable having a *fire-resistance rating* of not less than 2 hours.

Exception: Wiring and cables to control signals are not required to be protected provided that wiring and cables do not serve Phase II emergency in-car operations.

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3009 AMENDMENTS TO STANDARD ASME A17.1

3009.1 ASME A17.1, Section 1.2.1.

Strike Section 1.2.1 of ASME A17.1 and insert new Section 1.2.1 to ASME A17.1 in its place to read as follows:

1.2.1 Purpose. The purpose of ASME A17.1/CSA B44, Safety Code for Elevators and Escalators, is to provide for the safety of life and limb, and to promote the public welfare. Compliance with this Safety Code shall be achieved by:

(a) Conformance with the requirements in ASME A17.1/CSA B44; or

(b) Using an alternative method approved in conformance with the requirements of Section 104.11, Alternative Materials, Equipment, Methods of Construction and Design, 12 DCMR A, for systems, subsystems, components, or functions that do not conform with certain requirements in ASME A17.1/CSA B44.

3009.2 ASME A17.1, Section 2.2.

Strike Section 2.2.4.2.2 of ASME A17.1 and insert new Section 2.2.4.2.2 in its place to read as follows:

2.2.4.2.2 The ladder rungs, cleats, or steps shall be a minimum of 400 mm (16 in.) wide. When obstructions are encountered, the width shall be permitted to be decreased to less than 400 mm (16 in.). The reduced width shall be as wide as the available space permits, but not less than 304.8 mm (12 in.).

Insert new Section 2.2.2.7 to ASME A17.1, Section 2.2, to read as follows

2.2.2.7 Where a cord and plug connection type of sump pump is located in elevator pits, a non GFCI dedicated single receptacle compliant with NEMA 4 requirement for "Wet Duty" usage shall be provided.

3009.3 ASME A17.1, Section 2.27.

Strike Section 2.27.1.1 of ASME A17.1 and insert new Section 2.27.1.1.1 in its place to read as follows:

2.27.1.1.1 A two-way communications means between the car and a location staffed by authorized personnel shall be provided and an audible signaling device shall be provided. It shall be operable from the

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emergency stop switch, where required by Section 2.26.2.5, and from a switch identified as "ALARM," which shall be provided in or adjacent to each car operating panel. The "ALARM" switch or visual identification shall illuminate when the "ALARM" switch is actuated. One audible signaling device shall be permitted to be used for a group of elevators. The audible signaling device shall:

(a) Have a rated sound pressure rating of not less than 80 dBA and no more than 90 dBA at 3 m (10 ft);

(b) Respond without delay after the switch has been activated;

(c) Be located inside the building and audible inside the car and outside the hoistway; and

(d) For elevators with a travel greater than 30 m (100 ft), be duplicated as follows:

(1) One device shall be mounted on the car; and

(2) A second device shall be placed at the designated level.

Strike Section 2.27.1.1.5 of ASME A17.1 and insert new Section 2.27.1.1.5 in its place to read as follows:

2.27.1.1.5 If the two-way emergency communications or if the audible signaling device means are normally connected to the building power supply, they shall automatically transfer to a source of standby or emergency power as required by the applicable building code, or where applicable, Standard for Health Care Facilities (ANSI/NFPA-99, after the normal power supply fails. The power source shall be capable of providing power for illumination of the visual indication [see 2.27.1.1.3(c)] within the car, and the means of emergency communications for at least 4 hours; and the audible signaling device (see 2.27.1.2) for at least 1 hour.

3009.4 ASME A17.1, Section 3.26.

Strike Section 3.26.10 of ASME A17.1 and insert new Section 3.26.10 in ASME A17.1 in its place to read as follows:

3.26.10 Auxiliary Power Lowering Operation. In the absence of an emergency power supply, an auxiliary power supply shall be provided solely for the purpose of lowering

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the car in the case of main power failure. The auxiliary lowering operation shall conform to 3.26.10.1 through 3.26.10.3.

3.26.10.1 Auxiliary lowering shall be permitted to be initiated, provided that all operating and control devices, including door open and close buttons function as with normal power supply, except that the following devices shall be permitted to be bypassed or made inoperative:

(a) Landing and car floor registration devices (or call buttons);

(b) Devices enabling operation by designated attendant (hospital service, attendant operation);

(c) Devices initiating emergency recall operation to the recall level, unless otherwise specified in Section 3.27; and

(d) "FIRE OPERATION" switch, unless otherwise specified in Section 3.27.

3.26.10.2 When the auxiliary lowering operation has been initiated, the car shall descend directly to the lowest landing, except that the operating system shall be permitted to allow one or more intermediate stops, and then, after a predetermined interval, the car shall proceed to the lowest landing, provided the auxiliary power supply is of sufficient capacity to open and close doors at each intermediate stop.

3.26.10.3 If the car and landing doors are power operated, and if the auxiliary power supply is of adequate capacity, the doors shall open when the car stops at the lowest landing and shall close after a predetermined interval.

NOTE (3.26.10): For the main disconnect switch auxiliary contact, see ANSI/NFPA70 and CSA-C22.1 requirements, where applicable (see Part 9).

3009.5 ASME A17.1, Section 8.6.

Strike Section 8.6.1.2.1(d) of ASME A17.1 and insert new Section 8.6.1.2.1(d) to ASME A17.1 in its place to read as follows:

8.6.1.2.1(d) The Maintenance Control Program shall be accessible to the elevator personnel and shall document compliance with 8.6. The Maintenance Control Program (MCP) shall be located on site, either in printed or digital media form. Access to the MCP shall be provided on site for review/viewing and reference for inspectors and elevator personnel to properly perform their respective duties during inspection and testing of the equipment. A MCP shall be provided for each different type of

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equipment installed.

Strike Section 8.6.4.19.7 of ASME A17.1 and insert new Section 8.6.4.19.7 to ASME A17.1 in its place to read as follows:

8.6.4.19.7 Standby or Emergency Power Operation. Operation of elevators equipped with standby or emergency power shall be tested to determine conformance with the applicable requirements (Item 1.17.2.1). Automatic sequence of operation, if provided, shall be tested. Tests shall be performed with no load in the car.

Strike Section 8.6.5.14.3(f) of ASME A17.1 and insert new Section 8.6.5.14.3(f) to ASME A17.1 in its place to read as follows:

8.6.5.14.3(f) Additional Tests. The following tests shall also be performed:

(f) Standby Power Operation 8.6.5.14.3(f) (Item 1.17). Automatic sequence of operation, if provided, shall be tested.

NOTE: Absorption of regenerated power (Section 2.26.10) does not apply to hydraulic elevators.

Insert new Section 3010 in the Building Code to read as follows:

3010 CERTIFICATE OF INSPECTION

3010.1 General. No elevator or conveying system, including, but not limited to, escalators, dumbwaiters, wheelchair lifts, cartveyors, manlifts and moving walks, shall be operated without a valid certificate of inspection issued by the *code official*.

Exceptions:

1. Where the *code official* authorizes limited approval of use in accordance with the provisions of Section 3010.2.

2. Elevators and conveying systems covered by the *Residential Code* where the equipment is serving one *dwelling unit*.

3. In Groups R-2 and R-3 occupancies where the equipment is serving one *dwelling unit*.

3010.2 Limited approval of use. The *code official* is authorized to grant limited approval of use

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for any equipment covered by this chapter.

3010.2.1 Work performed under permit. A permit issued to install, relocate, *alter* or repair any equipment covered by this chapter, shall serve as limited approval of use of the equipment by the permit holder during the period of such installation, relocation, *alteration* or repair.

3010.2.2 Construction use. Limited approval of use of an elevator may be granted by the *code official* during authorized construction or demolition to provide transportation for construction personnel, tools, and materials, provided that full compliance with ASME A17.1-5.10 has been confirmed by the testing, inspection and certification of the elevator by the *code official* or by an *approved* third party inspector. Public use of an elevator with limited approval of use under this Section 3010.2.2 is prohibited. Equipment other than elevators shall be tested and protective measures shall be provided as deemed necessary by the *code official* to ensure safe operation for the limited service specified.

3010.2.2.1 Time limitation. For elevators approved for "Construction Use" under ASME A17.1-5.10, the limited approval of use shall be valid for a maximum period of 90 days. The *code official* is authorized to renew the limited approval of use, after performance of the required inspections and/or tests required by ASME A17.1-8.11.5.13, for additional periods of time not exceeding 90 days each.

3010.3 Final inspection. Upon installation, relocation or *alteration* of an elevator or conveying system for which a permit is required, a final inspection of the equipment is required to verify that all required inspections have been performed and approved. The permit holder shall apply for and obtain a valid certificate of inspection from the Department within 30 working days after completion of the final inspection.

3010.4 Content of certificate of inspection; posting. The certificate of inspection shall contain the following information:

1. The address of the structure.

2. The name and address of the owner.

3. A description of the vertical transportation equipment (*e.g.*, escalator, elevator, dumbwaiter, wheelchair lift, moving walk or conveyor).

4. The rated load and speed.

5. A statement that the described equipment has been inspected for compliance with the requirements of the *Construction Codes*.

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6. The name of the *code official*.

7. Any special stipulations and conditions of the permit under which the equipment was installed, relocated or altered.

3010.4.1 Posting of certificate. A copy of the most current certificate of inspection shall be conspicuously displayed at all times within the elevator car or attached to the conveying system unless exempted pursuant to Section 3010.6. If the building operator maintains an office in the same building, the certificate of inspection may be made available for public inspection in the office instead of being on display within the elevator.

3010.5 Maintenance, testing, inspections. Periodic tests and inspections shall be made by the *code official*, or by an *approved* third party agency, and shall be made at the expense and responsibility of the *owner*. Except as otherwise provided for in this code, the maintenance, inspection and testing of all elevators and conveying systems and their components, including the frequency of inspections and testing, shall conform to:

3010.5.1 Elevators, escalators and other conveyances listed in ASME A17.1, Appendix N. Inspection and tests shall be performed at not less than the periodic intervals listed in ASME A17.1, Appendix N, except where otherwise specified by the *code official*.

Exception: Units in residential use serving one family *dwelling unit.*

3010.5.2 Platform lifts and stairway chair lifts. Inspections and testing of platform lifts and stairway chair lifts shall be performed for all units as stated in ASME A18.1-Section 10.

Exception: Units in residential use serving one family *dwelling unit*.

3010.5.3 Manlifts. Inspections and testing of manlifts shall be performed for all units as stated in ASME A90.1, Safety Standard for Manlifts.

3010.5.4 Conveyors and related equipment. Inspections and testing of conveyors and related equipment shall be performed as stated in ASME B20.1, Safety Standard for Conveyors and Related Equipment.

3010.5.4.1 Cartveyors. Cartveyors shall be maintained as per original equipment manufacturer's recommendations. Inspection and testing shall be at the same frequency as escalators in ASME A17.1, Appendix N.

3010.6 Reports and certificates. Where inspections and tests are not made by the *code official*,

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the *approved* agency shall submit a report of the inspections and tests to the *code official* on *approved* forms not more than 30 days after completion of the inspection and tests. Upon receipt of satisfactory inspection and test reports, the *code official* shall authorize the issuance of a certificate of inspection, or a renewal certificate as provided in Section 3010.9, for each unit of equipment.

Exceptions: The submission of test reports to the *code official* and the issuance of certificates and display of certificates is not required:

1. In Groups R-2 and R-3 occupancies where the equipment is serving one *dwelling unit*.

2. In buildings under the jurisdiction of the *Residential Code* where the equipment is serving one *dwelling unit*.

3010.7 Out of service; temporarily dormant. A permit from the *Department* shall be required: (a) to take an elevator or conveying system out of service pursuant to ASME A17.1, Section 8.11.1.4; or (b) to place an elevator or conveying system in temporarily dormant status as set forth in Section 3010.7.1.

3010.7.1 Temporarily dormant. An elevator or conveying system shall be temporarily dormant where removed from its normal class of service for an extended period of time (not to exceed five years) by an owner's decision and not due to maintenance or repair. During this period of time, the equipment shall be secured for the benefit of public safety in accordance with the following requirements:

1. The power supply shall be disconnected by removing fuses and placing a padlock on the mainline disconnect switch in the "OFF" position. The padlock shall not be removed without permission from the *code official*.

2. The unit shall be parked and the hoistway/runway doors securely bolted from opening in any plane. The means of securing the doors shall be exclusive of the interlocks.

3. A wire seal shall be installed on the mainline disconnect switch by an elevator inspector accredited by a national certifying agency and *approved* by the *code official*. The wire seal shall not be removed without permission from the *code official*.

4. The equipment shall not be used again until it has been put in safe running order and passed an acceptance test, congruent with the installation date or the Code Data Tag posted on the equipment, as provided in ASME 17.1, Section 8.10 and the *owner* has obtained a valid certificate of inspection

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from the *code official*.

5. Annual inspections shall continue for the duration of the period that the elevator is temporarily dormant, and the inspector shall file an annual report with the *code official*, to confirm that the requirements set forth in this section are met.

3010.8 Equipment in operation. In buildings equipped with passenger elevators, at least one elevator shall be maintained in operation at all times when the building is occupied.

Exception: Buildings equipped with only one elevator or conveying system shall be permitted to have the elevator or conveying system temporarily out of service for testing, maintenance and/or repair.

3010.9 Renewal of certificates. The certificate of inspection, for each elevator and conveying system, must be renewed every 24 months, or at an alternate interval specified by the *code official*, as long as the unit is in service. Renewal of the certificate of inspection will be granted upon satisfactory demonstration to the *code official* that the unit of equipment has met all of the inspections and testing required by the *Construction Codes* and referenced standards.

3010.10 Unsafe equipment. When, in the opinion of the *code official*, an elevator or conveying system or its components are unsafe or unlawful, the *code official* is authorized and empowered to place the unit out of service, and to prohibit the operation of the equipment until the unsafe or unlawful condition is corrected. The *code official* shall post on the unsafe equipment a placard or notice bearing the words "Unsafe to Use" and may also attach a lead seal to prevent the equipment from being operated.

3010.10.1 Notification of unsafe or unlawful condition. When an *approved* Third Party Inspection Agency inspector observes or identifies unsafe or unlawful condition(s) causing an elevator to be removed from service, the inspector shall immediately notify the *code official*. The inspector is authorized to place on the unit adjudged to be unsafe or unlawful an "Unsafe to Use" placard. The *code official* must be notified immediately of the Third Party Inspector's action, pursuant to the notification procedures established by the c*ode official*.

3010.10.2. Placard removal. The *code official* shall remove the "Unsafe to Use" notice whenever the defect or defects upon which the closure action was based have been eliminated. Any person who defaces or removes an "Unsafe to Use" notice or lead seal without the approval of the *code official*, or operates the placarded equipment, shall be subject to the penalties provided by this code.

An *approved* Third Party Inspector is permitted to remove an "Unsafe to Use Notice" issued by that inspector, after abatement of the unsafe or unlawful condition and

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appropriate reinspection of the conveyance.

Exception: Placarded equipment may be operated solely as necessary to effectuate repairs.

3010.10.3 Abatement methods. The *owner* of the equipment deemed unsafe by the *code official* shall abate or cause to be abated or corrected such unsafe conditions either by repair, rehabilitation, replacement or other *approved* corrective action.

Insert new Section 3011 in the Building Code to read as follows:

3011 Required Elevator Signage. A permanent sign of durable material, with lettering no smaller than one quarter inch (6 mm) high shall be placed in all elevators cars, with the following wording:

ALL ACCIDENTS ON OR DAMAGE TO ELEVATORS ARE TO BE REPORTED TO THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS 202 442-4400; OR AFTER WORKING HOURS BY CALLING 311.

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CHAPTER 31 SPECIAL CONSTRUCTION

3101 General
3103 Temporary Structures
3105 Awnings and Canopies
3106 Marquees
3107 Signs
3109 Swimming Pool Enclosures and Safety Devices
3112 Fences

3101 GENERAL

Insert new Section 3101.2 in the Building Code to read as follows:

3101.2 Other requirements. Special construction encroaching into the *public right-of-way* or *public space* shall conform to the pertinent standards set forth in Chapter 32, and other applicable requirements, including the D.C. Department of Transportation (DDOT) regulations set forth in 24 DCMR, and D.C. Official Code, Title 10, Subtitle III.

3103 TEMPORARY STRUCTURES

Strike Section 3103.1.1 of the International Building Code in its entirety and insert new Section 3101.1.1 to the Building Code in its place to read as follows:

> **3103.1.1 Permit required.** Temporary structures that cover an area greater than 100 square feet (9.29 m^2), including connecting areas or spaces with a common *means of egress* or entrance, shall not be erected, operated or maintained for any purpose without obtaining a permit from the *code official.*

3105 AWNINGS AND CANOPIES

Strike Section 3105 of the International Building Code in its entirety and insert new Section 3105 to the Building Code in its place to read as follows:

3105.1. General. *Awnings* or *canopies* shall comply with the requirements of this Section 3105, other applicable sections of the *Construction Codes*, the *Zoning Regulations* and other applicable requirements. Awnings or canopies projecting over or into *public space* shall comply with Section 3202.12.

> **3105.1.1 Permit.** A permit shall be obtained from the *code official* for the erection, or replacement of any fixed *awning* or *canopy*, or any *retractable awning.*

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Exceptions: A permit shall not be required to erect or replace fixed or *retractable awnings* projecting 40 inches (1016 mm) or less that are located outside the jurisdiction of the U.S. Commission of Fine Arts or the Historic Preservation Review Board, and are not subject to Section 3202.12, where the *awnings* meet one or more of the following criteria:

1. *Awnings* installed on detached one- and two-family *dwellings* and townhouses not more than three stories above grade in height with a separate means of egress; or

2. *Retractable awnings* installed above the first story.

3105.2 Design and construction. *Awnings* and *canopies* shall be designed and constructed to withstand wind or other lateral loads and live loads as required by Chapter 16 with due allowance for shape, open construction and similar features that relieve the pressures or loads. Structural members shall be protected to prevent deterioration. *Awnings* shall have frames of noncombustible material with an approved covering that meets the fire propagation performance criteria of NFPA 701 or has a flame spread index not greater than 25 when tested in accordance with ASTM E84 or UL723.

3105.3 Fixed or permanent awnings. The minimum clearance from the sidewalk or any other space used by the public to the lowest part of any fixed or permanent *awning* shall be 8 feet (2438 mm). Fixed or permanent *awnings* installed above the first story shall not project more than 5 feet (1524 mm) from the face of the building.

Exception: Above doors on detached one and two family dwellings and townhouses not more than three stories above grade in height with a separate *means of egress*, the minimum clearance from the sidewalk or any other space used by the public to the lowest part of the *awning* shall be 80 inches (2032 mm).

3105.4 Retractable awnings. The minimum clearance from the sidewalk or any other space used by the public to the lowest part of any *retractable awning* shall be 8 feet (2438 mm). *Retractable awnings* shall be securely fastened to the building and, in the fully extended position, no part of the *awning* shall be closer than 12 inches (305 mm) to the vertical plane of the curb line. *Retractable awnings* shall be equipped with a mechanism or device for raising and holding the *awning* in a retracted or closed position against the face of the building.

Exception: Above doors on detached one and two family dwellings and townhouses not more than three stories above grade in height with a separate *means of egress*, the minimum clearance from the sidewalk or any other space used by the public to the lowest part of the *awning* shall be 80 inches (2032 mm).

3105.5 Canopies. *Canopies* shall be attached to the building at the inner end and supported at

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the outer end by not more than two stanchions with braces anchored in an approved manner and shall not extend closer than 2 feet (610 mm) from the curb line. The minimum clearance from the sidewalk or any other space used by the public to the lowest part of any canopy shall be 8 feet (2438 mm). The width of canopies shall not exceed 8 feet (2438 mm).

3105.6 Lettering on awnings or canopies. Lettering on awnings or canopies shall comply with the sign regulations set forth in Title 13 of the DCMR.

3106 MARQUEES

Strike Section 3106.1 of the International Building Code in its entirety and insert new Section 3106.1 in the Building Code in its place to read as follows:

3106.1 General. Marquees shall comply with Sections 3106.3 through 3106.5 and other applicable sections of this code.

Strike Section 3106.2 of the International Building Code in its entirety without substitution.

3107 SIGNS

Strike Section 3107.1 of the International Building Code in its entirety and insert new Section 3107.1 to the Building Code to read as follows:

3107.1 General. Signs shall be designed, constructed and maintained in accordance with the requirements of Title 12 of the DCMR, including, but not limited to, Appendix N to the *Building Code Supplement* which is hereby expressly adopted and incorporated by reference, and the *Property Maintenance Code*, until such time as the District of Columbia adopts superseding regulations pursuant to the Sign Legislation.

3109 SWIMMING POOL ENCLOSURES AND SAFETY DEVICES

Strike Section 3109, Swimming Pool Enclosures and Safety Devices, in the International Building Code in its entirety and insert new Section 3109.1 in the Building Code to read as follows:

3109.1 General. Swimming pool enclosures and safety devices shall comply with the requirements set forth in the *Swimming Pool and Spa Code*.

Insert new Section 3112 to the Building Code to read as follows:

3112 FENCES

3112.1 General. Fences shall comply with the requirements of this section, other applicable

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sections of the *Construction Codes* and other municipal regulations. All barbed wire and similar fences shall comply with the requirements of Section~~s~~ 3112.4.

Exception: Fences or portions of fences located on privately-owned land beyond a *building restriction line* shall comply with the requirements for fences in *public space* set forth in 24 DCMR § 103.

3112.1.1 Fence walls. Fence walls shall conform to the requirements for fences.

3112.1.2 Screens or trellises. Screens or trellises shall conform to the requirements for fences.

3112.1.3 Height measurement. The measurement of the height of a fence shall be made from the top of the fence to grade, on the side of the fence where grade level is higher.

3112.1.4 Permit applications. Application for permits to erect or increase the height of a fence, or change the grade adjacent to a fence, shall be accompanied by an official building plat upon which the proposed fence location is indicated. Review and approval by the Zoning Administrator shall be required before a permit shall be issued.

Exception: Review or approval by the Zoning Administrator shall not be required where (a) an existing lawful fence is replaced; (b) the extent, location, and the height of the fence is unchanged; and (c) the adjacent grade is unchanged.

3112.2 Party line fences. Only those portions of the length of a fence, including footings, which are partly on each side of a *party line* shall be considered as *party line* fences. Permit applications for *party line* fences shall be signed by the owners of the adjoining properties on which the fence is to be located.

3112.2.1 Fence materials. A *party line* fence shall be a wood, woven wire, or iron fence of open pattern, unless otherwise agreed upon by the adjoining owners.

3112.2.2 Height agreements. Where owners propose to erect a *party line* fence over 7 feet (2134 mm) in height in *Residence* or *Waterfront Districts*, or over10 feet (3048 mm) in *Mixed Use, Special Purpose, Commercial*, or *Industrial Districts*, a written agreement as to the height of the *party line fence* shall be executed by the *owners* of the properties on which the fence is to be located and such agreement shall be filed with the *code official* before issuance of a permit.

3112.3 Other fences. Fences other than *party line* fences shall comply with Sections 3112.3.1 through 3112.3.5.

3112.3.1 Fences abutting streets. Fences abutting a street shall not exceed 7 feet (2134

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mm) in height in *Residence* or *Waterfront Districts,* nor 10 feet (3048 mm) in height in *Mixed Use, Special Purpose, Commercial,* or *Industrial Districts*.

3112.3.1.1 Special provisions applicable to historic districts and landmarks. Within a historic district or at a designated historic landmark, fences or walls between the front façade of a structure and the front lot line shall not exceed 3 feet 6 inches (1067 mm) in height. Fences between the front façade of a structure and the front lot line shall be at least 50 percent open. (The ratio shall be computed in elevation by dividing the fence elements themselves by the open space between the fence elements.) The *code official* is authorized to allow fences or walls covered by this subsection to exceed 3 feet 6 inches (1067 mm) in height upon recommendation of the Historic Preservation Office.

3112.3.2 Fences abutting alleys. Fences abutting alleys shall not exceed 7 feet (2134 mm) in height in *Residence* or *Waterfront Districts,* nor 10 feet (3048 mm) in *Mixed Use, Special Purpose, Commercial,* or *Industrial Districts*.

Exception: The *code official* is authorized to approve a greater height where the alley is 15 feet (4572 mm) wide or more.

3112.3.3 Fences near party lines. Fences located 10 feet (3048 mm) or less from a *party line* shall not exceed 7 feet (2134 mm) in height in *Residence* or *Waterfront Districts,* nor 10 feet (3048 mm) in *Special Purpose, Mixed Use, Commercial,* or *Industrial Districts*. Fences shall not obstruct light or ventilation for any required window.

Exception: Where the written consent of the adjoining owners is filed with the *code official*, the *code official* is authorized to approve a greater height, not to exceed 10 feet (3048 mm).

3112.3.4 Fences located in lot interior. Fences more than 10 feet (3048 mm) from (a) a lot *line,* including a *party line;* (b) an *alley*; or (c) if applicable, a *building restriction line* shall not be subject to height limitations except as necessary to avoid (i) encroachment on a required yard or court, or (ii) obstruction of the light or ventilation for any required window.

3112.3.5 Gate height. Gates shall not exceed the height of the fence.

3112.4 Barbed wire fences. Fences, barriers or obstructions, composed in whole, or in any part, of *barbed wire* (collectively referred to as "*barbed wire fences*") are prohibited in the District of Columbia, except as expressly permitted by this Section 3112.4. The term *barbed wire* shall include (a) barbed, razor or electrified wire; (b) sharp or jagged glass; (c) metal such as, but not limited to, razor-spikes; or (d) similar materials.

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3112.4.1 Barbed wire fences on private property. *Barbed wire fences* on private property that meet the following conditions are permitted:

1. The *barbed wire fence* is not located in a *Residence District* or along the zoning boundary lines of any *Residence District*, except where the *code official* determines that the condition or the nature of the improvements located upon the *premises* pose a significant, demonstrable hazard to members of the public*;*

2. The *barbed wire fence* is not located on the *lot line*, or *building restriction line* if one exists, and does not project beyond the *lot line* or *building restriction line;*

3. The minimum height of the lowest strand of *barbed wire* is 6 feet (1829 mm) above adjacent ground; and

4. The *barbed wire fence* complies with any other applicable requirements, including, but not limited to, Sections 802.17, 804.14 and 825.13 of the *Zoning Regulations.*

3112.4.2 Barbed wire fences in public space. No *barbed wire fence* shall be erected, constructed, or maintained, along the *lot line* or *building restriction line*, if one exists, or in or upon any *street*, or other *public space*, including but not limited to any sidewalk, *public parking* or *building restriction area*, in the District of Columbia.

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CHAPTER 32 ENCROACHMENTS INTO THE PUBLIC RIGHT-OF-WAY

3201 General
3202 Encroachments

3201 GENERAL

Insert new Section 3201.1.1 in the Building Code to read as follows:

3201.1.1 Other requirements. Encroachments of structures into the *public right-of-way*, including structures or enclosures of space beneath the surface of the *public space* and certain uses of airspace above *public space*, shall also comply with other applicable requirements, including DDOT regulations set forth in 24 DCMR; D.C. Official Code, Title 10, Subtitle III, Chapter 11.

3202 ENCROACHMENTS

Strike Sections 3202.1 through 3202.4 of the International Building Code in their entirety and add new Sections 3202.1 through 3202.13.2.5 in the Building Code in their place to read as follows:

3202.1 Character of encroachments. Encroachments into the *public right-of-way* or into *public space* (hereinafter referred to in this section as "projections") are a privilege. They cannot be claimed as a right, and require a permit issued by the *code* official. The provisions of Section 3202 establish limitations on the projections that the *code official* is authorized to approve. The *code official* is authorized to further restrict or refuse proposed projections if the *code official* considers such action best for the public interest.

3202.2 Removal of projections. Approval of projections shall be issued with the understanding and agreement by the *applicant* that any and all such projections shall be promptly removed upon notice from the *code official*.

3202.3 [Reserved].

3202.4 Modification of projection requirements. The *code official* is authorized to grant modifications of requirements on projections when the modification is deemed in the general public interest, as defined in Section 3202.4.1 or, in the case of foregone construction, as set forth in Section 3202.4.2.

3202.4.1 Modifications in the general public interest. Modifications in the general public interest are those requested to embellish the building, provided that:

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1. The primary object of the modification is not the occupation of additional public space;

2. The primary object of the modification is not changing of interior arrangements;

3. In the opinion of the *code official* such modification will not interfere with adjacent buildings; and

4. In the opinion of the *code official* such modification will not interfere with the general public interest.

3202.4.2 Foregone construction. Foregone construction is deemed to occur when, in conformity with a plan previously approved by the National Capital Planning Commission for improvement of any *street* or thoroughfare, the *owner* will permanently forego construction on, or the use of a portion of his, her or its *lot*. In such cases, the *code official* is authorized to grant a projection modification to authorize projections which shall equitably compensate such *owner*, if (a) the *code official* determines the public interest will thereby be better served; and (b) the projection modification complies with the limitations and conditions set forth in Sections 3202.4.2.1 through 3202.4.2.5.

3202.4.2.1 Width. The width of projections allowed under Section 3202.4.2 shall be limited as follows:

1. The proposed projection shall be authorized to be constructed to *the lot line extended*, on the side of any adjoining structure that contains projections, facing the same *public right-of-way*, that project into *public space* at least as much as the proposed projection.

2. The proposed projection shall not extend to within 10 feet (3048 mm) of the *lot line extended*, on the side of any adjoining structure that does not project or that only contains projections, facing the same *public right-of-way*, that project into *public space* less than the proposed projection.

   Exception. A portion of the proposed projection shall be allowed to encroach into this 10 foot restriction zone if the angle formed by the *lot line* and the face of that portion of the projection does not exceed 45 degrees.

3. Projections at the corner of two *streets* shall be allowed to continue around the corner if similar projections are approved for both

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streets.

3202.4.2.2 Height. The height above grade of projections approved under Section 3202.4.2 shall be limited to the height of the building. A clearance of not less than 20 feet (6096 mm) above the sidewalk or parking grade shall be maintained under any portion of such projections or supports thereof. Balconies or other projections which in the judgment of the *code official* will embellish the area, when *approved*, shall be allowed to be constructed with lower clearances above grade; provided, such clearances shall be at least 8 feet (2438 mm) above walkways and at least 15 feet (4572 mm) above driveways.

3202.4.2.3 Projecting distance. The footprint of projections approved under Section 3202.4.2 shall be entirely located between the *lot line* and the outer edge of the curb, and the outer face of all projections shall be at least 4 feet (1219 mm) from the outer edge of the curb. In addition, the projecting distance of the projection shall be limited as specified in Table 3202.4.2.

TABLE 3202.4.2
MAXIMUM PROJECTIONS
UNDER FOREGONE CONSTRUCTION MODIFICATIONS

TYPE OF STREET	WIDTH OF STREET (feet)[a]	MAXIMUM PROJECTING DISTANCE (feet)[a]
Streets without *public parking*	40 to 45 feet	4
Streets without *public parking*	More than 45 feet; up to, and including, 70 feet	6
Streets without *public parking*	More than 70 feet; up to, and including, 80 feet	8
Streets without *public parking*	More than 80 feet	14
Streets with	Any width	14

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public parking		

Note a. 1 foot = 304.8 mm

3202.4.2.4 Required covenant. The *owner* who applies for a projection modification under Section 3202.4.2 shall submit a certified copy of a written covenant, complying with Section 106.6.4, filed and recorded in the Office of the Recorder of Deeds.

3202.4.2.5 Referral to Public Space Committee. The *code official* shall refer to the Public Space Committee, for consideration and recommendation, all applications for projection modifications proposed under Section 3202.4.2.

3202.5 Projections on streets to be widened. Except as otherwise permitted by this chapter, no projections shall be allowed on the parts of *streets* to be widened in conformity with adopted and recorded highway extension plans, including a *building restriction area* where the same exists on a lot, until such parts of *streets* are so widened.

3202.5.1 Existing buildings. Where existing *streets* are widened, or new *streets* are laid out and opened, in conformity with the adopted and recorded highway extension plans, in subdivisions existing at the time of record of such plans, and such widening or opening shall leave buildings or parts of buildings on such *streets*, such buildings or parts of buildings will be allowed to remain as projections beyond the new *lot line* or *building restriction line* if one exists. Such grandfathered projections of such existing buildings shall be limited in projection distance to that allowed for porches by Section 3202.11.2.3, but no limitations shall be placed upon the kind of projection unless the facade is structurally altered. Such buildings are permitted to be moved under permit to another location on the same *lot*, upon compliance with applicable regulations.

3202.5.1.1 Structurally altered facades of existing buildings. In case the facade of an existing building covered by Section 3202.5.1 is structurally altered, the projections resulting from such alterations shall conform in all respects to the requirements of these regulations for new projections.

3202.6 Streets on which projections are prohibited. Projections shall not be permitted on the following street segments:~~.~~

1. North side of Good Hope Road, S.E. between Martin Luther King, Jr. Avenue, S.E. and 18th Street, S.E.;

2. Florida Avenue, N.W., from 7th Street, N.W. to 9th Street, N.W.;

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3. Maine Avenue, S.W., from 7th Street, S.W. to 14th Street, S.W.;

4. M Street, N.W., from 29th Street, N.W. to 36th Street, ~~S~~N.W.;

5. K Street, N.W., from Rock Creek westward to Wisconsin Avenue, N.W.;

6. Water Street, N.W., from Wisconsin Avenue, N.W. westward to the termination of said street;

7. Wisconsin Avenue, N.W., from the angle south of N Street, N.W. to the north roadway of Q Street, N.W.;

8. Twelfth Street, N.W., from Monroe Street, N.W. to the angle north of Otis Street, N.W.;

9. Martin Luther King, Jr. Avenue, S.E. from Good Hope Road, S.E. to the northern boundary of the grounds of St. Elizabeths Hospital.

Exception: Projecting cornices, bases, sills, belt courses, pilasters and *water tables* are not restricted by this section.

3202.7 General restrictions. All projections shall comply with the provisions of Sections 3202.7.1 through 3202.7.6.

3202.7.1 Limitations based on street width. Except as otherwise permitted by this chapter, projections shall not be allowed on any *street* less than 60 feet (18288 mm) in width.

Exception: Projecting cornices, bases, *water tables*, pilasters or uncovered steps.

3202.7.1.1 Minimum clearance to curb line. A minimum clear space from the outer edge of the curb to the outer face of all projections and steps shall be preserved, as follows:

1. Six feet (1829 mm) on *streets* 40 feet (12192 mm), but less than 50 feet (15250 mm) wide;

2. Eight feet (2438 mm) on *streets* 50 feet (15240 mm), but less than 60 feet (18288 mm) wide;

3. Ten feet (3048 mm) on *streets* 60 feet (18288 mm) to and including 80 feet (24384 mm) wide;

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4. Twelve feet (3658 mm) on *streets* more than 80 feet (24384 mm) to and including 90 feet (27432 mm) wide; and

5. Fifteen feet (4572 mm) on *streets* more than 90 feet (27432 mm) wide.

3202.7.2 Clearance to lot lines extended. A clear space of at least 8 inches (203 mm) shall be preserved between *party lines extended* or *alley lines extended* and the outer walls or sides of projections.

Exception: Cornices, belt courses, pilasters, bases, *water tables*, and walls of *areaways*, are permitted to extend to but not over *party lines extended* or *alley lines extended*. Such projections shall be constructed so that the removal of one structure or its projections will not affect or damage the adjoining structure or projections and will not interfere with the construction or reconstruction of projections or buildings on the adjoining property.

3202.7.3 Chimneys. Chimneys shall not project beyond the *lot line* or *building restriction line*, if one exists.

3202.7.4 Plumbing fixtures. Plumbing fixtures shall not be located in projections.

Exception: *Areaway* drains and roof drains.

3202.7.5 Overhead projections. The footprint of any projecting sign, fixture, marquee, or other overhead projection of a building shall not extend over *public space* or into the *public right of way* beyond a line 18 inches (457 mm) behind the curb line.

Exception: Market sheds, as provided for in Sections 3202.12.4 through 3202.12.4.3.

3202.7.6 Construction of projections. Projections shall be constructed of any materials permitted by this code for the type of construction of the building.

Exceptions:

1. Roofing, skylights and roof domes in projecting structures are permitted to be of the same materials allowed for similar non-projecting structures.

2. Where noncombustible materials are specifically required elsewhere in this chapter for specific projections.

3. Where combustible materials are specifically allowed elsewhere in these regulations for specific projections.

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3202.8 Projections requiring special approval. Projections regulated under Sections 3202.8.1 and 3202.8.2 shall require approval by the District Department of Transportation (DDOT).

3202.8.1 Pedestrian walkways and tunnels. Pedestrian walkways and tunnels shall meet the requirements of Section 3104. In addition, the vertical clearance above the *public right-of-way* or the surface of *public space* to the lowest part of an elevated pedestrian walkway shall be no less than 15 feet (4572 mm).

3202.8.2 Porte-cocheres. Porte-cocheres shall be permitted one story in height. All driveways and approaches that serve a porte-cochere and cross sidewalks or parking lots shall be paved and otherwise improved to the satisfaction of DDOT.

3202.9 Subsurface projections. *Areaway* and vault projections shall comply with the requirements of Sections 3202.9.1, 3202.9.2 and 3202.9.3, respectively.

3202.9.1 Areaways. *Areaway* projections shall comply with the requirements of Sections 3202.9.1.1 through 3202.9.1.5.

3202.9.1.1 Width. The width of an *areaway*, measured from outside to outside of the *areaway*'s enclosing walls, shall not be limited if located between *party lines extended*.

3202.9.1.2 Enclosure height. The height of *areaway* enclosures shall be limited to the highest point of the surface of the adjoining pavement or grade.

Exception: Copings not over 8 inches (203 mm) high, and railings or guardrails.

3202.9.1.3 Projection. The extent of *areaway* projection shall be measured from the *lot line* or *building restriction line*, if one exists, to the inside face of the *areaway* wall. Projection beyond the *lot line* or *building restriction line*, if one exists, shall be limited as follows:

1. Four feet (1219 mm) on *streets* in *Commercial* and *Industrial Districts*.

2. Four feet (1219 mm) on *streets* without *public parking* in *Residence, Waterfront, Mixed Use* and *Special Purpose*, more than 60 feet (18288 mm) wide.

3. Six feet (1829 mm) on *streets* with *public parking* in *Residence, Special Purpose, Mixed Use and Waterfront Districts*, 60 to 70 feet (18288 mm to 21336 mm) wide.

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4. Six and a half feet (1981 mm) on *streets* with *public parking* in *Residence, Special Purpose, Mixed Use* and *Waterfront Districts*, more than 70 feet (21336 mm) wide.

5. Seven feet (2134 mm) on *streets* with *public parking* in *Residence, Special Purpose, Mixed Use* and *Waterfront Districts* where *public parking* is 20 feet (6096 mm) or more in width.

3202.9.1.4 Other requirements. *Areaways* shall be protected by substantial metal guardrails not less than 42 inches (1067 mm) nor more than 48 inches (1219 mm) high. Proper protection by metal railings that meet the guardrail requirements of Section 1013 of the *Building Code* shall be provided where steps or platforms are built over *areaways*, subject to the requirements of 24 DCMR § 103. Basement or cellar steps in *areaways* shall be protected in the same way and shall have gates at top of the steps unless otherwise protected.

3202.9.1.5 Alley location prohibited. *Areaways* shall not be located in an alley.

3202.9.2 Vaults. *Vaults* shall comply with the requirements of Sections 3202.9.2.1 through 3202.9.2.5.

3202.9.2.1 Permits. Applications for *vault* permits shall be submitted to the *code official*, accompanied by the following documentation:

1. Plans showing the location and dimensions of the *vault*, *vault* openings, the *vault* depth below the surface of the pavement or grade, and the proposed method of construction.

2. A certified copy of a written vault agreement in compliance with D.C. Official Code **§** 10-1103.01 and Section 106.6.1 filed and recorded in the Office of the Recorder of Deeds.

3202.9.2.2 Size and openings. *Vault* design shall comply with the following:

1. Approval of the size and extent of *vaults*, and of the number and size of *vault* openings, shall be a matter of special determination in each case by the *code official*.

2. *Vaults* extending under *alleys* shall have no openings in the *alley* pavement, and shall not extend within 2.5 feet (762 mm) of the center of the *alley*.

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3202.9.2.3 Use of vault space. The use of the *vault* space shall be subject to the following conditions:

1. The *code official* is authorized to approve transformer *vaults* exclusively to house utility equipment. Storage in such *vaults* shall be prohibited.

2. *Vaults* in *Commercial, Industrial, Mixed Use, Waterfront* or *Special Purpose Districts* shall not be used for the following purposes: public entrances to basements; means of egress corridors; housing of boilers; housing of plumbing fixtures; housing of storage tanks for propane or other flammable gas; or the housing of mechanical appliances or any equipment not removable within 24 hours.

3. *Vaults* shall be allowed to be used for the following purposes: access to open areaway stairs; storage of readily movable personal property and equipment; sales or office space; housing of fuel oil storage tanks; parking of motor vehicles; installation of ducts, pipes or wiring; location of ducted air shafts; housing of fans; and housing of similar items which can be removed or relocated if vault space is removed.

4. Fuel oil filling pipes, in *vaults* in *Commercial, Industrial, Mixed Use, Waterfront* or *Special Purpose Districts*, shall be extended to within 18 inches (457 mm) of the curb line when physically possible. Such pipes shall terminate in filling boxes of approved design. A separate permit shall be required for such filling pipes and filling boxes.

5. If openings in the roofs of *vaults* are used for sidewalk elevators or for runways, they shall be located as near to the curb as possible and shall be equipped with heavy metal safety doors and frames.

6. The *code official* is authorized to approve other uses not forbidden by law, code, or regulation.

3202.9.2.4 Vault cover. Coverings over *vaults* shall comply with the following:

1. The paving over *vaults* shall be laid according to specifications of DDOT for surface paving and shall conform to established grades. All such coverings shall be so constructed as to be flush with pavement, and have a roughened surface to provide security to

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persons passing over them.

2. When paving over *vaults* is installed pursuant to a public space permit or order issued by DDOT, the paving shall be laid at the expense and risk of the *person* doing the work.

3. The roof of a *vault* located between the curb and the *lot line*, or in a *building restriction area*, shall at no place be less than 4 inches (102 mm) below the approved sidewalk grade at that point.

4. *Vaults* shall be roofed over within a reasonable time or within the time fixed by the public space permit.

5. Whenever the grade over the *vault* is changed, the *vault* covering shall be changed and re-paved at the expense of the *person* doing the work, except where the grade change impacts the top of the *vault*, in which case the *owner* of the abutting property shall pay for that portion of the work required to conform the *vault* to the new grade.

3202.9.2.5 Interference with utilities. Construction of *vaults* shall be subject to the following conditions:

1. *Vaults* shall be constructed so as not to interfere with sewers, water mains, gas mains, electric or telephone conduits, signal conduits, manholes, lamp posts, trees, or any other public or public utility works or improvements.

2. If construction or alteration of a *vault* requires the removal or relocation of utilities, and if by agreement a public utility or District utility arranges to alter its facilities, the *owner* of the abutting *lot* shall notify the appropriate utility company or utility office concerned when a permit has been issued and construction or alteration work is ready to commence.

3202.10 Balconies, windows, towers and structural trim. Balconies, windows, towers and structural trim shall conform to the provisions of Sections 3202.10.1 through 3202.10.9.

3202.10.1 Prohibition on alley location. Balconies, bay oriel or show windows, or towers shall not project into or over an *alley*.

3202.10.2 Balconies. Balconies shall comply with the width and projection requirements of Sections 3202.10.2.1 and 3202.10.2.2.

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3202.10.2.1 Width. Balconies shall maintain an 8-inch separation from *party lines extended*. Aggregate balcony width is otherwise unlimited. Where balconies are structurally connected to bay windows, the width of the balconies shall be included in the width of the bay windows and the combined width shall comply with the requirements for bay windows. A balcony at the corner of two *streets* is permitted to be continued around the corner. The portion of such a continued balcony that is located beyond *party lines extended* shall not be counted in the width of projections on either front.

3202.10.2.2 Projection. Balcony projections shall be limited as follows:

1. Three feet (914 mm) beyond the *lot line* or *building restriction line*, if one exists, on *streets* more than 60 feet (18288 mm) and less than 70 feet (21336 mm) wide.

2. Four feet (1219 mm) beyond the *lot line* or *building restriction line*, if one exists, on *streets* 70 feet (21336 mm) or more in width.

3202.10.3 Bay windows. Bay window projections shall comply with the requirements of Sections 3202.10.3.1 through 3202.10.3.4.

3202.10.3.1 Width. The width of bay windows at each *lot line* or *building restriction line,* if one exists, shall be limited as follows:

1. A bay window projection shall not be allowed on buildings less than 16 feet (4877 mm) wide at the *lot line* or *building restriction line,* if one exists;

2. A single projection of 9 feet (2743 mm) in width shall be allowed for all buildings having a width of 16 feet (4877 mm) or more at the *lot line* or *building restriction line,* if one exists;

3. The allowable width of a single projection shall increase 6 inches (152 mm) for every foot (305 mm) of increase in the width of the building between 16 feet (4877 mm) and 24 feet (7315 mm) wide at the *lot line* or *building restriction line,* if one exists;

4. For buildings over 24 feet (7315 mm) in width the allowable width of a single projection shall increase 2 inches (51 mm) for every foot (305 mm) of increase in width of the building over 24 feet (7315 mm).

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5. Multiple projections (two or more separate projections) shall not be allowed on buildings less than 24 feet (7315 mm) wide at the *lot line* or *building restriction line*, if one exists;

6. On buildings 24 feet (7315 mm) wide a double projection shall be allowed, the total width of both projections not to exceed 13 feet (3962 mm).

7. The allowable aggregate width of double or multiple projections on buildings exceeding 24 feet (7315 mm) in width at the *lot line* or *building restriction line*, if one exists shall be increased 6 inches (152 mm) for each foot (305 mm) of increased building width over 24 feet (7315 mm).

8. The width of bay window projections shall be measured at a distance of 1 foot (305 mm) from the *lot line* or *building restriction line*, if one exists.

9. Bay window projections of buildings on interior lots shall not extend beyond *party lines extended*.

10. A bay window at the corner of two streets is permitted to be continued around the corner. The portion of such a continued bay window that is located beyond *party lines extended* shall not be counted in the width of projections on either front.

3202.10.3.2 Height. The height of bay windows shall not be limited.

3202.10.3.3 Projection. The projection of bay windows shall be limited as follows:

1. Three feet (914 mm) on *streets* 60 feet (18288 mm) to 70 feet (21 336 mm) wide.

2. Four feet (1219 mm) on *streets* more than 70 feet (21336 mm) wide.

3202.10.3.4 Other restrictions. Stairways shall not be permitted in bay window projections. Doors in bay windows that do not swing beyond the projection shall be permitted.

3202.10.4 Oriel and show windows. Oriel and show windows shall comply with the requirements of Sections 3202.10.4.1 and 3202.10.4.2, respectively.

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3202.10.4.1 Oriel windows. Oriel windows shall conform to all the requirements governing bay windows.

3202.10.4.2 Show windows. Show windows shall conform to the width, projection and restrictions requirements of Sections 3202.10.3.1, 3202.10.3.3 and 3202.10.3.4 governing bay windows.

3202.10.5 Towers. Tower projections shall conform to all the requirements governing bay windows.

3202.10.6 Colonnades. Colonnades shall comply with the width, height and projection requirements of Sections 3202.10.6.1 through 3202.10.6.3.

3202.10.6.1 Width. Colonnades are subject to the minimum clearance of 8 inches (203 mm) from *party lines extended* and *alley lines extended*, required under Section 3202.7.2.

3202.10.6.2 Height. The height of colonnades is limited to two stories above grade.

3202.10.6.3 Projection. Colonnade projection is limited to 6 feet (1829 mm) where *public parking* exists and the depth of *public parking* is 17 feet (5182 mm) or more wide. Projecting colonnades shall not be permitted on streets where *public parking* exists and the depth of *public parking* is less than 17 feet (5182 mm) wide.

3202.10.7 Pilasters. Pilasters not more than 5 feet (1524 mm) wide are permitted to project 4 inches (102 mm) beyond the *lot line* or *building restriction line*, if one exists. Pilaster bases are permitted to project 8 inches (203 mm) beyond the *lot line* or *building restriction line*, if one exists.

3202.10.8 Bases, water tables and sills. Projecting bases and *water tables* shall not be more than 4 feet (1219 mm) above grade at the building wall nor above window sill level of the main story. Their length is not limited. The projection beyond the *lot line* or a *building restriction line*, if one exists, of bases, *water tables*, and window and other sills, is limited to 8 inches (203 mm).

3202.10.9 Belt courses, cornices and roof overhangs. The length and height of belt courses, cornices, and roof overhangs are not limited. The projection beyond the *lot line* or *building restriction line*, if one exists, is limited to 8 inches (203 mm) for belt courses and 60 inches (1524 mm) for cornices and roof overhangs.

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3202.11 Porches, steps, ramps and doors. Projecting porches, steps, ramps and doors shall conform to the provisions of Sections 3202.11.1 through 3202.11.5.

3202.11.1 Restrictions by zoning districts. Porch and step projections shall be allowed only in *Residence, Waterfront, Mixed Use*-and *Special Purpose Districts.*

3202.11.2 Porches. Porches shall have open balustrades or guardrails and shall be open to the roof. The floor of the porch shall be not more than 5 feet (1524 mm) above the terrace, *public parking*, adjacent grade or pavement.

3202.11.2.1 Width. Where there are no bay windows, oriel window or tower projections, one-story high porches shall not be limited in width. Where there are bay windows, oriel window or tower projections in the same story, the aggregate width of porch and bay window, oriel window, or tower projections shall not exceed the limits specified for multiple bay window projections in Section 3202.10.3.1. The width of porches of more than one story in height shall conform to the provisions for bay windows in Section 3202.10.3.1.

3202.11.2.2 Height. Porches of wood frame construction shall be limited to one story. Porches of more than one story in height shall be of noncombustible construction throughout.

3202.11.2.3 Projection. Projection of one-story high porches shall be limited as follows:

1. Three feet (914 mm) on *streets* without *public parking*, 60 feet (18 288 mm) to 70 feet (21 336 mm) wide.

2. Four feet (1219 mm) on *streets* without *public parking*, more than 70 feet (21 336 mm) wide.

3. Five feet (1524 mm) on *streets w*ith *public parking*. Porches more than one story in height shall conform to the provisions for bay windows in Section 3202.10.3.3 as to the extent of projection beyond the *building line*.

3202.11.2.4 Rear porches. Porches on rear of *dwellings* shall not project over the *lot line* or a *building restriction line*, if one exists.

3202.11.3 Steps and ramps. Projecting steps and ramps are not limited in width but shall comply with the following height and projection requirements.

3202.11.3.1 Height. Step and ramp projections shall not extend above the level

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of the main floor.

3202.11.3.2 Projection. Step and ramp projections shall be limited as follows:

1. Three feet (914 mm) on *streets* without *public parking*, 40 feet (12192 mm) or more in width, but less than 45 feet (13 716 mm) wide.

2. Four feet (12 192 mm) on *streets* without *public parking*, 45 feet (13716 mm) or more in width, but less than 70 feet (21 336 mm) wide.

3. Five feet (1524 mm) on *streets* without *public parking*, 70 feet (21336 mm) or more in width, but less than 80 feet (24 384 mm) wide.

4. Six feet (1829 mm) on *streets* without *public parking*, 80 feet (24384 mm) or more in width.

5. Ten feet (3048 mm) on *streets* with *public parking*, 80 feet (24384 mm) or more in width.

3202.11.4 Projecting doors and windows. Projecting doors and windows shall conform to the provisions of Sections 3202.11.4.1 through 3202.11.4.2.

3202.11.4.1 Permanent doors or windows. Permanent doors or windows shall not open outward into *public space* where the base of the door or window opening is less than 12 feet (3658 mm) above the sidewalk grade.

Exception: Where the line of travel is protected by an adjoining porch, terrace, bay window, *areaway*, or similar construction, projecting not less than the outward swing of the door, permanent doors or windows are permitted to open outward.

3202.11.4.2 Restrictions by zoning district. Permanent doors and windows in *Residence*, *Mixed Use*, *Waterfront* or *Special Purpose Districts* shall be allowed to open on *public parking*, provided they do not encroach on any sidewalk or driveway.

3202.12 Awnings, canopies, marquees, market sheds, platforms, and scales. Awnings, canopies, marquees, market sheds, platforms, and scales shall conform to the provisions of this section and other applicable sections of the *Construction Codes*.

3202.12.1 Awnings. Awnings shall conform to the provisions of this section, Section 3105 and other applicable sections of the *Construction Codes*.

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3202.12.1.1 Projecting awnings beyond the lot. Folding, hinged or fixed type awnings attached only to the structure are permitted to be erected over windows, show windows and doors, and shall comply with the provisions of Sections 3202.12.1.1 through 3202.12.1.6.

Exception: The openings of projecting porches in *Residence Districts* are permitted to be covered with an awning.

3202.12.1.2 Clearance. Projecting awnings shall have a minimum clear height of 8 feet (2438 mm) above the sidewalk or the surface of any other adjacent *public space*.

3202.12.1.3 Width. The width of projecting awnings shall be limited to the width of the window, show window; door or opening and a reasonable distance each side thereof.

3202.12.1.4 Projection. Projecting awnings shall not extend over 5 feet (1524 mm) beyond the vertical plane of the point of attachment into a *public right-of-way*.

3202.12.2 Canopies. Canopies shall conform to the provisions of this section, Section 3105 and other applicable sections of the *Construction Codes*. Canopies are permitted to be erected over doors, windows, show windows or other display openings and loading platforms, subject to the limitations of Sections 3202.12.2.1 through 3202.12.2.5.

3202.12.2.1 Restrictions based on zoning districts. Canopies projecting over or into a *public space* or *public right-of-way* are permitted to be erected in *Commercial* and *Industrial Districts.* Canopies approved pursuant to Sections 3202.12.2.5 shall not be restricted based on zoning district.

3202.12.2.2 Width. Canopies are permitted to extend laterally on a building so as to cover the display window or space and a reasonable distance on each side thereof.

3202.12.2.3 Clearance. Projecting canopies shall have a minimum clear height of 8 feet (2438 mm) above the sidewalk or the surface of any other *public space.*

3202.12.2.4 Projection. Canopy projections shall not exceed 5 feet (1524 mm) into *public space* unless the plans are submitted to and approved by the *code official*.

3202.12.2.5 Canopies over public parking and sidewalks. The *code official* is authorized to approve permits for canopies with fixed iron posts and frames to be

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erected beyond the *lot line* or *building restriction line*, if one exists, to the inner line of the sidewalk where such canopies will be used in conjunction with any of the following:

1. A Group A occupancy having an *occupant load* greater than 100 persons.

2. A Group R occupancy having more than 50 *dwelling units*.

3. A Group M or B occupancy with a frontage of 100 feet (30 480 mm) or more on the *street* on which the canopy is proposed.

4. A Group M or B occupancy that contains more than 15,000 square feet (1395 m^2) in area per floor.

3202.12.2.5.1. Special merit cases. In specific cases where the *code official* determines that such an installation would be of merit without being detrimental to the public, the *code official* is authorized to grant approval of canopies over sidewalks that extend as close as 18 inches (457 mm) from the curb, when the *code official* determines that (a) pedestrian traffic flow will not be impeded; (b) the presence of such an awning will not detract from the appearance of the neighborhood; and (c) such an awning will be of convenience to the patrons of the establishment served by the awning, especially in the loading and unloading of vehicular traffic in inclement weather.

3202.12.2.5.2 Canopy width. The width of canopies over *public parking* or sidewalks shall be limited to the width of the door or opening and a reasonable distance each side thereof. Canopies shall be of *approved* fire-retardant material, preserving a minimum clearance of 8 inches (203 mm) from the *party lines extended*. Permit applications for these canopies shall be accompanied by drawings showing the spacing of all posts and method of anchoring. The frames shall be structurally stable and posts shall be so located as not to impede the principal flow of pedestrian traffic. Posts shall be rigidly secured at the base in sockets or by other approved means.

3202.12.2.5.3 Temporary canopies. Permits for sockets in the sidewalk for temporary covered ways across sidewalks or *public parking*, as provided in Section 105 of DCMR Title 24 (Public Space and Safety), Chapter 1 (Occupations and Use of Public Space) shall be issued upon approval of DDOT. Permits for sockets confer no authority to erect temporary covered ways across sidewalks or any other space used by the public. Where sockets have been regularly installed, the Metropolitan

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Police Department will thereafter issue temporary permits authorizing the use of the temporary covered way in inclement weather.

3202.12.3 Marquees. Marquees shall conform to the provisions of this section, Section 3106 and other applicable sections of the *Construction Codes*. Marquees shall meet the width, clearance, and projection requirements of Sections 3202.12.3.1 through 3202.12.3.3.

3202.12.3.1 Width. Projecting marquees supported directly from the building, shall not be permitted to extend laterally on a building more than a sufficient length to cover the entrance and a reasonable distance on each side thereof.

3202.12.3. 2 Clearance. The minimum clearance from the sidewalk or any other space used by the public to the lowest part of any marquee shall be 8 feet (2438 mm).

3202.12.3.3 Projections. Marquee projections shall not exceed 5 feet (1524 mm) into *public space* unless otherwise approved by the *code official.*

3202.12.4 Market sheds. A market shed shall be permitted only on a site occupied by a market or produce house, when such site has been specifically designated as a market area.

3202.12.4.1 Design. The design of market sheds shall be approved by the *code official*, a permit shall be required, and all market sheds shall comply with the following provisions:

1. The shed roof is permitted over *public parking* and public sidewalk of a building or buildings used for market purposes, extending from the *lot line* or *building restriction line*, if one exists, to the curb.

2. The line of supports for the shed roof shall be at the inner edge of the sidewalk, the overhang being supported as a cantilever, unless the location of supports is otherwise approved by DDOT. The shed is permitted to be supported by hanging from the wall of the building when approved by the *code official*.

3. Gutters shall be provided throughout the length of all shed roofs, with downspouts equivalent to a 2 1/2-inch pipe per 200 square feet of surface drains, the pitch of the roof to be at least 1/2 inch per foot.

4. Shed roofs shall be furnished with electric lights that provide levels of illumination in compliance with Section 1205.3.

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5. Shed roofs shall comply with all structural requirements of Chapter 16 and other applicable Sections of the *Construction Codes*.

3202.12.4.2 Use of space. No *public space* beneath a shed constructed pursuant to Sections 3202.12.4 shall be used for the display, sale or storage of produce or containers. This restriction shall not apply to the temporary storage of materials incident to loading and unloading.

Exception: An area specifically designated as a market area for the retail or wholesale sale of produce on the premises is permitted to be used for the display, sale or storage of produce or containers.

3202.12.4.3 Special conditions. The foregoing rules shall be observed by the *code official* as a guide in issuing permits for market sheds except where the conditions are so obviously at variance with these general rules as to require special consideration. Cases requiring special consideration shall be reviewed as modifications pursuant to Section 104.10.

3202.12.5 Loading platforms. The *code official* is authorized to approve loading platforms projecting more than 5 feet (1524 mm) beyond the *lot line* or *building restriction line*, if one exists, in *Commercial* and *Industrial Districts*. Canopies over such platforms shall be permitted. Special approval by the *code official* shall be required for such platforms and canopies.

3202.12.6 Platform scales. Platform scales projecting on *public space* are permitted in *Commercial* and *Industrial Districts*. Plans for such platform scales shall be submitted to and approved by DDOT.

3202.13 Enclosed sidewalk cafés. Enclosed sidewalk cafés including enclosed cafes located wholly or partially beyond the *lot line* or within a *building restriction area*, if one exists, shall comply with Sections 3202.13.1 through 3202.13.2 and all other applicable sections of the *Construction Codes*.

3202.13.1 Permits. Permits for enclosed sidewalk cafés shall be issued by the *code official* and shall comply with all applicable laws and regulations. Each application shall be accompanied by drawings of the structure, prepared and signed by a structural engineer registered in the District of Columbia. Other enforceable laws and regulations governing sidewalk cafés include: the Enclosed Sidewalk Café Act of 1982, effective September 17, 1982, (D.C. Law 4-148; D.C. Official Code § 10-1102.02 (2012 Repl.)); DCMR Title 24, Chapter 2 (Rental of Public Space) and Chapter 3 (Administrative Procedures for Sidewalk Cafés); Mayor's Order No. 77-150, dated August 31, 1977; and regulations of the Department of Public Works, 30 DCR 4346, August 26, 1983, now

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delegated to DDOT.

3202.13.2 Design. Enclosed sidewalk cafés shall comply with Sections 3202.13.2.1 through 3202.13.2.5.

3202.13.2.1 Walls and roofs. Enclosed sidewalk cafés shall have walls and roofs constructed of noncombustible materials.

3202.13.2.2 Flooring. Flooring shall comply with Section 804.

3202.13.2.3 Enclosure materials. Any enclosure materials, and the contents enclosed therein, must be capable of being removed within 24 hours.

3202.13.2.4 Structural requirements. Enclosed sidewalk cafés shall be constructed in accordance with Chapter 16, Chapter 24 and other applicable sections of the *Building Code*.

3202.13.2.5 Means of egress. When the combined occupant loads of the sidewalk café and the adjacent restaurant exceed 75 persons, two *means of egress* shall be provided from the sidewalk café, one of which shall open directly to the sidewalk, public alley, or public space abutting the café. The second *means of egress* is allowed through the abutting restaurant. If two *means of egress* are required for the adjacent restaurant, two *means of egress* shall be required for the sidewalk café. If one of the *means of egress* of the café serves the interior of the restaurant, the width of the respective egress aisle across the café shall meet the requirement for a corridor serving the combined occupant load of the sidewalk café and the restaurant.

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CHAPTER 33 SAFEGUARDS DURING CONSTRUCTION

3303 Demolition
3307 Protection of Adjoining Property

3303 DEMOLITION

Strike Section 3303.1 of the International Building Code and insert new Section 3303.1 to the Building Code to read as follows:

3303.1 Construction Documents. Prior to the commencement of any *demolition* or *raze* work, a permit shall be obtained as required by Section 105 of the *Building Code. Demolition* under the *Construction Codes* includes (a) *interior demolition*; and (b) *partial demolition. Construction documents* and a schedule for demolition or raze shall be submitted where required by the *code official.* Where a permit is required, no work shall be done until such permit is obtained.

3303.1.1 Required safeguards. Props, posts, braces, stages, platforms and scaffolding necessary to provide sufficient strength and rigidity to the portions of the structure being demolished or *razed* shall be provided.

3303.1.2 Special approval. No structure, or portion thereof, being demolished or *razed* shall be pulled or blasted, unless specific approval is given by the *code official.*

Strike Section 3303.4 of the International Building Code in its entirety and insert new Section 3303.4 in the Building Code in its place to read as follows:

3303.4 Site treatment. Where a structure or a portion of the structure has been *demolished* or *razed*, site treatment shall comply with the provisions of the *Construction Codes* and other applicable District of Columbia laws and regulations.

3303.4.1 Vacant lot. After *razing* of a structure, the vacant lot shall be filled to the existing grade and maintained in accordance with the *Property Maintenance Code*, the vacant property maintenance standard set forth in D.C. Official Code § 42-3131.12 (2012 Supp.), and any other applicable laws and regulations.

3304.4.2 Grade level of walls. All walls of a building or other structure being *razed*, including foundation and interior basement walls (but not including party walls on lot lines), and all exterior walls being demolished in a *partial demolition*, shall be reduced to a level below that of final grade.

Exception: Where inconsistent with party wall or historic preservation requirements.

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3303.4.3 Vaults. All *vaults* (including the walls of *vaults*) projecting into *public space* which are to be abandoned as a part of the *demolition* or *razing* project, shall be removed in their entirety and the depression filled in accordance with the requirements of DDOT.

3303.4.4 Driveways. After *razing* of a structure, all driveways in *public space* shall be removed in their entirety and new curbs and pavement constructed in accordance with DDOT specifications. The cost of the removal of the driveways and replacement of the curbs and pavement shall be the responsibility of the person executing the *raze*.

3303.4.5 Fill. After *razing* of a structure, excavations, holes, and depressions shall be filled and leveled to a final grade which will provide good drainage.

3303.4.6 Fill materials. No materials other than Class 1, Class 2 or Class 3 fill material shall be used in filling depressions and grading the site. All depressions shall be filled; all excess earth, all building materials, and all debris shall be removed from the site; and the premises shall be left in a safe, clean and sanitary condition. All work shall be done in accordance with the Standards and Specifications of DDOE and, where applicable, DDOT.

3303.4.7 Timing. Deferral, for a period of not more than six months, of the provisions for site treatment after removal or *razing* of an existing *structure*, shall be permitted if a new *structure* is to be constructed thereon and the new construction is started at the site within six months of completion of the removal or *raze.* If site treatment is deferred, the site shall be completely fenced and maintained so as to exclude the public from access to the site during the period between (i) the removal or *raze* and (ii) the new construction.

Insert new Section 3303.8 in the Building Code to read as follows:

3303.8 Lead Safe Work Practices. Demolition and razing shall comply with the applicable requirements set forth in regulations governing lead-based paint promulgated, or as may be promulgated, by the District's Department of the Environment (DDOE) or the federal Environmental Protection Agency, and in conformance with all pertinent lead abatement requirements in D.C. Official Code § 8-231.01 *et seq.* (2012 Repl. and 2013 Supp.), including all pertinent implementing regulations.

3307 PROTECTION OF ADJOINING PROPERTY

Strike Section 3307 of the International Building Code in its entirety and insert new Section 3307 in its place in the Building Code to read as follows:

3307.1 Protection required. Adjoining public and private property shall be protected from damage during construction, *alteration*, repair, *demolition* or *raze* of a *premises* at the expense of

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the person causing the work. Protection must be provided for lots, and for all elements of a building or other structure, including, but not limited to, footings, foundations, party walls, chimneys, skylights, and roofs. Provisions shall be made to control water runoff and erosion during construction or *demolition* or *raze* activities.

3307.2 Notification. Without limiting the protection requirement specified in Section 3307.1, where an *owner (*or the *owner*'s authorized agent) seeks to undertake work on its *premises* that involves (a) the need to install structural support of an adjoining building or structure, including underpinning or (b) the need to support an adjacent *premises* (not including a *public way)*, where excavation is to take place on the *owner's premises*, the *owner* seeking to undertake the work shall provide written notice to the *owners* of adjoining *premises* in accordance with this Section 3307.2.1 advising each *owner* of an adjacent *premises* of the proposed work and the need for specific measures to be undertaken to protect the adjoining *premises*, and, if applicable, requesting access to the adjoining *premises* to install structural support or to provide support for the excavation on the requesting *owner's premises.*

3307.2.1 Form of notification. The *owner* undertaking the work shall notify the *owner* of the adjoining *premises* by personal delivery, courier or express mail service, with a copy to the *code official* not less than 30 days prior to permit issuance. This notification shall include a copy of all *construction documents* which relate to the structural support of the adjoining building or other structure or to the structural support of the excavation, including any updates or amendments to the work plan that have been submitted with the permit application(s). The home or business address of the *owner* of the adjoining *premises* shall be determined by the District's real property tax records.

3307.2.2 Objections by owner of adjoining premises. The *owner* of adjoining *premises* shall have 30 days from the date that a notification complying with Section 3307.2.1 is delivered to object in writing to the *owner* seeking to undertake the work on the grounds that the proposed work plan will not protect the adjoining *premises.* The objection shall include technical support for the objecting *owner's* conclusions that the proposed work plan will not protect the adjoining *premises.* A copy of the objection of the *owner* of the adjoining *premises*, with supporting technical documentation, shall be provided to the *code official* by the *owner* seeking to undertake the work. The *code official* is authorized, but not required, to grant a reasonable extension of time to the *owner* receiving a notification under Section 3307.2, if necessary to complete the evaluation of the proposed work plan.

3307.2.2.1 Access to premises. Within the same 30-day period, the *owner* of adjoining *premises* shall indicate whether or not access to the adjoining *premises* is authorized, if such access is requested, and the conditions, if any, of such access.

3307.2.2.2 Resolution of objections. In situations where the *owner* of an

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adjoining *premises* objects pursuant to Section 3307.2.2, prior to permit issuance, the *owner* seeking to undertake the work shall elect:

1. To modify the proposed work plan to incorporate any specific protective measures requested by the *owner* of the adjoining *premises* and amend the permit application(s) as necessary to update the work plan*;* or

2. To request a determination by the *code official* whether the specific measures requested by the *owner* of the adjoining *premises* are reasonably practicable and supported by technical documentation.

   If option two is elected, following the *code official*'s determination, the *owner* seeking to undertake the work shall modify the proposed work plan, and amend the affected permit application(s) as necessary (a) to incorporate any specific measures deemed necessary by the *code official* to protect the adjoining *premises*; or (b) to forego any proposed work that involves the need for structural support of the adjoining *building* or *structure* or support of the adjacent *premises.*

3307.2.3 Access to adjoining property. If the protective work required pursuant to Section 3307.1 requires access to an adjoining property, the person causing the work shall obtain written permission from the *owner* of the adjoining *premises* to gain such access in accordance with this section, pursuant to the notification procedures set forth in this Section 3307.2.

3307.2.3.1 Failure to grant access. If the *owner* of the adjoining *premises* fails to grant written permission (conditional or unconditional) for entry after appropriate notice in compliance with Subsection 3307.2, then any protective work requiring access to the adjoining *premises* shall be the responsibility of the *owner* of the adjoining *premises*, and shall execute such measures to make safe the *premises* without delay so as not to impede or materially delay the original construction, subject to the provisions of Sections 3307.2.3.3 and 3307.2.3.4. The *owner* of the adjoining *premises.*

3307.2.3.2. Failure to respond. If the *owner* of the adjoining *premises* does not respond within the 30 day period set forth in Section 3307.2.2, then the *owner* of the adjoining *premises* shall be deemed to have elected to make safe his, her or its *premises*, and shall execute such measures to make safe the *premises* without delay so as not to impede or materially delay the original construction, subject to the provisions of Sections

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3307.2.3.3 and 3307.2.3.4.

3307.2.3.3 Limited access authorized. Where the *owner* of the adjoining *premises* fails to grant access or to respond, as provided in Sections 3307.2.3.1 and 3307.2.3.2, said *owner* shall be deemed to have authorized limited access to his, her or its *premises* in the following circumstances.

1. Where a wall or foundation located on a *party line* or on the *premises* requires underpinning as a result of the proposed work;

2. Where the underpinning can be provided by the *owner* undertaking the work from said *owner's premises*, even if the footing extends onto the adjoining *owner*'s property; and

3. Where extension of the footing is required to stabilize and support the adjoining *owner*'s building, and to avoid unreasonable delay in excavation and development of the permitted project.

3307.2.3.4. Access to construction site. Where the owner of adjoining *premises* is responsible for protective work, as a result of a failure to grant access or to respond, under Sections 3307.2.3.1 or 3307.2.3.2, and the protective work requires access to the site of the construction, excavation, alteration, repair, demolition or *raze* on the adjoining *premises* (the "Construction Site"), the *owner* of the adjoining *premises* shall obtain written permission to enter the Construction Site and to undertake such work as may be required to protect the adjoining *owner's* property subject to reasonable conditions that may be imposed by the *owner* of the adjoining Construction Site.

3307.3 Underpinning party walls. Notwithstanding other provisions of this Section 3307, proper underpinning of existing adjoining or party walls which require underpinning shall be provided in accordance with applicable sections of this code.

3307.3.1 Party walls. In case of party walls erected in the original city of Washington (Squares 1–1170), or party walls erected with written consent of the adjoining owners, or both, the person causing the work that will impact the use or stability or structural support of the party wall shall notify the adjoining property *owner*, with a copy to the *code official*, not less than 30 days prior to the proposed starting date. This notification shall include a copy of all documents filed for necessary permits, including any updates or amendments to the proposed work plan that relate to the use or structural support of the party wall. The person causing such work need not obtain the written permission from

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the adjacent property owner to provide underpinning for the adjoining structure.

3307.4 Party wall maintenance. Where construction work occurs that could affect the structural integrity of a party wall, the *person* causing the work shall preserve the party wall from injury and ensure the structural stability of the party wall at said *person*'s own expense. The party wall shall be maintained weatherproof and structurally stable.

3307.4.1 Temporary protection. If the party wall is to remain exposed for 60 days or less, the exposed portions of the wall shall be protected from weather damage by tarpaulins, waterproof paper, or other temporary means approved for use by the *code official*. Such temporary protection shall be maintained in a weatherproof condition.

3307.4.2 Intermediate protection. If the party wall is to remain exposed for more than 60 days, but less than 18 months, the exposed wall shall be restored and weatherproofed in accordance with the requirements for the particular type of construction involved. All plaster and other material not commonly used for exterior construction shall be removed; all holes shall be properly filled; and masonry party walls shall be repointed.

3307.4.3 Permanent protection. If the party wall is to remain exposed for 18 months or longer, the party walls shall be permanently restored and weatherproofed in accordance with the requirements for the particular type of construction involved. Party walls shall be faced with material commonly used for exterior finish, or restored as closely as practicable with the facing material and construction of the other exterior walls of the building left standing, and shall be painted or otherwise finished in a manner similar to other parts of the building.

3307.4.4 Party wall beam holes. Where a structure involving a party wall is being demolished, the *owner* of the demolished or *razed* structure shall, at his or her own expense, bend over all wall anchors at the beam ends of the standing wall and shall brick up all open beam holes and otherwise maintain the safety and usefulness of the wall.

3307.5 Unsafe party walls. If any party wall or portion thereof which is left standing and exposed after a building is demolished or razed is deemed unsafe or dangerous by the *code official*, then the owner of the building that is being demolished or razed shall either remove and reconstruct, or anchor, brace, or buttress all of those portions of the party wall deemed unsafe or dangerous, and shall do all other work necessary to enclose properly the building or structure left standing.

3307.6 Chimneys, soil stacks, vent stacks, and windows. Wherever a new building or structure is erected to greater or lesser heights than an adjoining building, the construction and extension of new or existing chimneys, soil stacks, vent stacks, and the location of window openings shall comply with applicable sections of this code.

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3307.7 Adjoining roofs and flashing. Without excluding other repairs or protective measures that may be required pursuant to Section 3307, the *owner* undertaking the work shall repair and restore all flashing on any adjoining building or structure which has been broken or damaged during any construction, *demolition* or raze operations, and the *owner* of the adjoining *premises* shall be deemed to have authorized temporary access to his, her or its property to effectuate repairs to the extent that repairs are required under this section. The *owner* effecting the repairs shall also install such new flashing as may be required to protect any joints exposed by such *owner*'s operations. Where a new building is being constructed, or a *demolition* or *raze* of an existing building is being conducted, at a greater height, the roof, roof outlets and roof structures of adjoining buildings or other structures shall be protected against damage with adequate safeguards by the person doing the work.

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Strike Chapter 34 of the International Building Code in its entirety and insert new Section 3401 in the Building Code in its place to read as follows:

CHAPTER 34 EXISTING STRUCTURES

3401 General

3401 GENERAL

Alteration, *repair*, *addition* and change of occupancy of *existing buildings* and structures shall be governed by the *Existing Building Code*.

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CHAPTER 35 REFERENCED STANDARDS

Strike Standard Reference Numbers ASME/A17.1 2007/CSA B44-07, A18.1—2008, A90.1—09, and B20.1—2009 under subheading ASME in Chapter 35 Referenced Standards of the International Building Code in their entirety and insert new Standard Reference Numbers ASME/A17.1 2010/CSA B44-10, A18.1—2008, A90.1—09, and B20.1—2009 under subheading ASME in Chapter 35 Referenced Standards of the Building Code in their place to read as follows:

ASME	American Society of Mechanical Engineers Three Park Avenue New York, NY 10016-5990	
Standard Reference Number	Title	Referenced in code section number
ASME/A17.1 2010/CSA B44-10	Safety Code for Elevators and Escalators	907.3.3, 911.1.5, 1007.4, 1607.9.1, 3001.2, 3001.4, 3002.5, 3003.2, 3007.1, 3007.2, 3008.2, 3008.2.1, 3008.7.6, 3008.8.1, 3009.1,3010.2.2.1, 3010.5.4.1
A18.1—2008	Safety Standard for Platform Lifts and Stairway Chairlifts	1109.8 , 2702.2.6 ,3001.2, 3010.5.2
A90.1—2009	Safety Standard for Belt Manlifts	3001.2, 3010.5.3
B20.1—2009	Safety Standard for Conveyors and Related Equipment	3001.2, 3005.3, 3010.5.4,

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Strike Standard Reference Number ASTM/E 84-09 in Chapter 35 Referenced Standards of the International Building Code and insert new Standard Reference Number ASTM/E 84-09 in Chapter 35 Referenced Standards of the Building Code in its place to read as follows:

ASTM	ASTM International 100 Barr Harbor Drive West Conshohocken, PA 19428-2959	
Standard Reference Number	Title	Referenced in code section number
E 84—09	Test Methods for Surface Burning Characteristics of Building Materials	202, 402.6.4.4, 406.7.2, 703.5.2, 720.1, 720.4, 803.1.1, 803.1.4, 803.9, 803.13, 806.5, 1404.12.1, 1407.9, 1407.10.1, 1409.9, 1409.10.1, 1509.6.2, 1509.6.3, 2303.2, 2603.3, 2603.4.1.13, 2606.3.5.4, 2603.7, 2604.2.4, 2606.4, 2613.3, 3105.3

Insert new Standard Reference Number ICC A 117.1-2009 under subheading ICC in Chapter 35 Referenced Standards of the Building Code to read as follows:

ICC	International Code Council Inc 500 New Jersey Avenue, NW 6th Floor Washington, DC 20001	
Standard Reference Number	Title	Referenced in code section number
ICC A 117.1-2009	Accessible and Usable Buildings and Facilities	3001.2

Strike Standard Reference Numbers NFPA/285-11 and NFPA/701-10 in Chapter 35 Referenced Standards of the International Building Code and insert new Standard Reference Numbers NFPA/285-11 and NFPA/701-10 in Chapter 35 Referenced Standards of the Building Code in their place to read as follows:

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NFPA	National Fire Protection Association 1 Batterymarch Park Quincy, MA 02169-7471	
Standard Reference Number	Title	Referenced in code section number
285—11	Standard Method of Test for the Evaluation of Flammability Characteristics of Exterior Nonload-bearing Wall Assemblies Containing Combustible Components	718.2.6, 1407.10.4, 1409.10.4, 1509.6.2, 2603.5.5
701—10	Standard Methods of Fire Tests for Flame-propagation of Textiles and Films	410.3.6, 424.2, 801.4, 806.1, 806.1.2, 806.2, 3102.3, 3102.3.1, 3102.6.1.1, 3105.3, D102.2.8, H106.1.

Strike Standard Reference Number UL/723-2008 in Chapter 35 Referenced Standards of the International Building Code and insert new Standard Reference Number UL/723-2008 in Chapter 35 Referenced Standards of the Building Code in its place to read as follows:

UL	Underwriters Laboratories, Inc. 333 Pfingsten Road Northbrook, IL 60062-2096	
Standard Reference Number	Title	Referenced in code section number
723—2008	Standard for Test for Surface Burning Characteristics of Building Materials	202, 402.6.4.4, 406.7.2, 703.5.2, 720.1, 720.4, 803.1.1, 803.1.4, 803.9, 803.13, 806.5, 1404.12.1, 1407.9, 1407.10.1, 1409.9, 1409.10.1, 1509.6.2, 1509.6.3, 2303.2, 2603.3, 2603.4.1.13, 2606.3.5.4, 2603.7, 2604.2.4, 2606.4, 2613.3, 3105.3

Under subheading DOL in Chapter 35 of the Building Code, insert a new standard reference to read as follows:

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DOL	U.S. Department of Labor c/o Superintendent of Documents U.S. Government Printing Office Washington, D.C. 20402-9325	
Standard Reference Number	Title	Referenced in code section number
29 CFR 1910 Subpart F Standard 1910.66	Powered Platforms for Building Maintenance	1607

Insert new subheading Enterprise Community Partners in Chapter 35 of the Building Code and insert, under that subheading, a new standard reference to read as follows:

Enterprise Community Partners

Enterprise Community Partners, Inc.
70 Corporate Center
11000 Broken Land Parkway
Suite 700

Standard Reference Number	Title	Referenced in code section number
Enterprise Green Communities Criteria 2011	Enterprise Green Communities Criteria	101.4.9.4.2.3

Insert new subheading EPA in Chapter 35 of the Building Code and insert, under that subheading, new standard references to read as follows:

EPA

Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Standard Reference Number	Title	Referenced in code section number
Energy Star New Homes Program Version 3	New Homes Program	101.4.9.4.2.4
Energy Star Multifamily High	Multifamily High Rise	101.4.9.4.2.4

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Rise Program	Program	

Under subheading ICC in Chapter 35 of the Building Code, insert a new standard reference to read as follows:

ICC	International Code Council Inc 500 New Jersey Avenue, NW 6th Floor Washington, DC 20001	
Standard Reference Number	Title	Referenced in code section number
ICC-700-2012	National Green Building Standard	101.4.9.4.2.4

Insert new subheading USGBC in Chapter 35 of the Building Code and insert, under that subheading, new standard references to read as follows:

USGBC	U.S. Green Building Council 2101 L Street, NW, Suite 500 Washington, DC 20037~~6~~

Standard Reference Number	Title	Referenced in code section number
LEED-NC 2009	New Construction & Major Renovations	101.4.9.4.2.2
LEED-CI 2009	Commercial Interiors	
LEED-CS 2009	Core & Shell	
LEED 2009	Healthcare	
LEED 2009	Homes	
LEED 2009	Homes Multi-Family Midrise	
LEED 2009	Retail: Commercial Interiors	

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LEED 2009	Retail: New Construction & Major Renovations	
LEED 2009	Schools	
LEED-EB 2009	Existing Buildings: Operations & Maintenance	

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APPENDIX E SUPPLEMENTARY ACCESSIBILITY REQUIREMENTS

Appendix E of the International Building Code is adopted as Appendix E of the Building Code with the following amendments.

SECTION
E102 Definitions
E104 Special Occupancies

E102 DEFINITIONS

Insert a new definition in Section E102.1, Appendix E, of the Building Code, to read as follows.

TTY. An abbreviation for teletypewriter. Machinery that employs interactive text-based communication through the transmission of coded signals across the telephone network. TTYs may include, for example, devices known as TDDs (telecommunication display devices or telecommunication devices for deaf persons), or computers with special modems. TTYs are also called text telephones.

E104 SPECIAL OCCUPANCIES

Strike Section E104.1, Appendix E of the International Building Code in its entirety and insert new Section E104.1 in Appendix E of the Building Code in its place to read as follows:

E104.1 General. Transient lodging facilities shall be provided with *accessible* features in accordance with Sections E104.2, E104.3 and E104.5. Group I-3 occupancies shall be provided with *accessible* features in accordance with Sections E104.3 and E104.4.

Insert new Section E104.5, in Appendix E of the Building Code to read as follows:

E104.5 Vanity countertop space. In transient lodging facilities, if vanity countertop space is provided in toilet or bathing rooms serving *sleeping units* that are not required to be *accessible*, then *accessible* vanity countertop space, comparable in terms of size and proximity to the lavatory, shall also be provided in *toilet rooms* or *bathrooms* serving *accessible units*.

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APPENDIX N SIGNS

Insert new Appendix N in the Building Code to read as follows:

SECTION
N101 General

N101 GENERAL

N101.1 General. This section shall govern the erection, hanging, placing, painting, display, and maintenance of outdoor display signs and other forms of exterior advertising. Except as otherwise specifically provided, signs bearing non-commercial statements of fact, belief, or personal or political opinion posted on private property are not subject to the provisions of this section.

N101.2 Definitions. The following words and terms shall, for the purposes of this section and as used elsewhere in this code, have the meanings shown herein.

BILLBOARD. This term includes billboards and poster panels.

N101.3 Permits. No sign subject to the provisions of Section 101 that exceeds 1 square foot (0.093 m^2) in area, unless exempted by Section 101.3.5, shall be erected, made a part of a building, painted, repainted, placed, replaced, hung, re-hung, altered, repaired structurally, changed in color, made to flash, or maintained, without a permit issued in accordance with this section by the code official.

> **101.3.1 Application for permit.** Application for sign permit shall be made upon a form provided by the code official. Application for a permit to install a sign shall be accompanied by drawings in triplicate, drawn to scale showing details of construction dimensions, lettering, and method of attachment of the sign.
>
> **101.3.2 Dimensions of the premises.** The application shall contain a statement of width of premises or width and height of the building, or any other dimensions deemed necessary by the code official to determine the allowable area of the sign.
>
> **101.3.3 Materials specifications.** The applicant shall furnish specifications or other information covering type and thickness of materials for the sign and its support.
>
> **N101.3.4 Permits for electrical signs.** Any sign on or in which lighting of any type is to be used, or which will be illuminated by artificial means, or which will contain other electrical features, shall be designed in accordance with Chapter 27 of this code and

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require the issuance of a separate electrical installation permit.

N101.3.5 Exemptions from permit. The types of signs and advertising specified in Sections N101.3.5.1 through N101.3.5.7 do not require permits unless located within areas requiring review by the Commission of Fine Arts.

N101.3.5.1 Theater bills and changeable copy signs. The changing of bills of acts and features of theaters on established frames at such theaters, and the changing of the copy of any authorized changeable copy sign, the wording of which does not conflict with the provisions of this section.

N101.3.5.2 Billboard advertising. Changing of matter advertised on authorized billboards and poster panels included in the official list of billboards.

N101.3.5.3 Signs within a building. Any sign located within a building, not attached directly or painted on a window, and not located within 18 inches (457 mm) of a window or entrance.

N101.3.5.4 Signs on windows. Signs upon a show window, or upon any other window abutting on, or overlooking a street or public way, within the Commercial and Industrial Districts as fixed by the *Zoning Regulations*, which signs advertise only the name of the occupant of the building, office, or store, the business conducted or products sold therein, when the aggregate area of those signs does not exceed 20 percent of the area of the window upon which they are displayed.

N101.3.5.5 Small unilluminated signs. Unilluminated signs located outside of and unattached to buildings in areas zoned Commercial or Industrial, otherwise complying with Section N101.6, when such signs do not exceed three (3) per record lot, when each such sign does not exceed 3 feet (914 mm) in its maximum dimension and 4 square feet (0.371 m^2) in area, and when each of such signs is located more than 20 feet (6096 mm) back of the building line or of the building restriction line. Such signs shall be allowed in addition to those for which a permit is required under this section.

N101.3.5.6 Real estate signs. Real estate signs not exceeding 6 square feet (0.557 m^2) in area.

N101.3.5.7 Vacated property. One sign not to exceed 6 square feet (0.557 m^2) in area, giving the name, business, and new address of the former occupant, is permitted to be displayed for not more than 60 days.

N101.3a Notwithstanding the limitations and exemptions stated in Section N101.1 and N101.3.5, a permit is required for the erection, painting, repainting, placement, replacement, hanging,

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rehanging, alteration, repair, or change of a sign larger than one (1) square foot in size on the outside of a building on historic property or located within the first eighteen (18) inches inside a glazed opening of a building on historic property.

N101.3a.1 Permits shall be issued or denied for signs on historic property bearing non-commercial statements of fact, belief, or personal or political opinion that would otherwise be excluded from regulation under this section pursuant to Section N101.1, and for signs on historic property that would otherwise be exempt from the permit requirement pursuant to Section 3103.5, based solely on their compliance with the requirements of 10A DCMR, Chapter 25.

N101.3b Notwithstanding the limitations stated in Section N101.1 a permit is required for the erection, painting, repainting, placement, replacement, hanging, rehanging, alteration, repair, or change of a sign bearing a non-commercial statement of fact, belief, or personal or political opinion that would otherwise be excluded from regulation under this section pursuant to Section N101.1, if the sign is subject to review by the Commission of Fine Arts under Section N101.4. Permits shall be issued or denied for these signs based solely on their compliance with Section N101.4 and applicable Commission of Fine Arts requirements.

N101.4 Commission of Fine Arts submission. The provisions of Sections N101.4.1 through N101.4.2.9 shall govern applications for review of signs to be made to the Commission of Fine Arts.

N101.4.1 Shipstead-Luce Act area submissions. All applications to erect signs on buildings or land within the area controlled by An Act to regulate, the height, exterior design, and construction of private and semipublic buildings in certain areas of the National Capital ("Shipstead-Luce Act"), approved May 16, 1930 (46 Stat. 366; D.C. Official Code § 6-611.01 *et seq.* (2012 Repl.)), shall be submitted to the Commission of Fine Arts for review before a permit is issued. In addition to compliance with all other applicable provisions of this section, signs within the meaning of the Shipstead-Luce Act shall comply with the requirements of Sections N101.4.1.1 through N101.4.1.9.

N101.4.1.1 Billboards, roof signs, projecting and revolving signs. Billboards as described in Section N101.7.6, roof signs as described in Section N101.7.2, projecting signs as described in Section N101.7.1, and revolving signs as described in Section N101.7.11, shall not be permitted.

N101.4.1.2 Permissible signs. Single-faced signs, only, shall be permitted upon the exterior walls of buildings, and all signs shall be stationary. The maximum sign projection allowed shall not exceed 12 inches (305 mm) beyond the building or building restriction lines.

N101.4.1.3 Illuminated signs. Illuminated signs shall consist of freestanding,

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back-lighted, opaque letters, illuminated by steady light. Exposed sources of sign illumination shall be prohibited.

N101.4.1.4 Sign dimensions. The aggregate area of all signs advertising any one business on a building or premises shall be limited to 25 sq. feet (2.322 m²) per street frontage.

N101.4.1.5 Sign copy. Copy on signs shall be limited to the address or name of the establishment, or both, and the type of business conducted, as indicated by the Certificate of Occupancy issued for the premises involved.

N101.4.1.6 Number of colors on sign. No more than two colors, nor more than one color in addition to black or white, shall be used for any sign, including the illumination of such sign.

N101.4.1.7 Signs on awnings. Signs on awnings shall be limited to the valance and shall otherwise comply with other applicable requirements of this section.

N101.4.1.8 Show window lettering. Lettering of signs limited to a show window, or any other window, abutting on or overlooking a street or public way, shall cover an aggregate area of not more than 25 square feet (2.322 m²), per business, nor more than 20 percent of the area of the window, whichever is less.

N101.4.1.9 Nonconforming signs. Despite the limitations imposed by the requirements above, when the Commission of Fine Arts finds that the sign or the conditions surrounding it justify granting a variance from or exception to any of the requirements of Sections N101.4.1.1 through N101.4.1.8 and the Commission finds that granting such a variance or exception will not impair the intent and purpose of this section or of the Shipstead-Luce Act, the code official is authorized to approve an application to erect a sign not conforming to the said requirements.

N101.4.2 Old Georgetown Act area submissions. All applications to erect signs on buildings or land within the area controlled by An Act to regulate the height, exterior design, and construction of private and semipublic buildings in the Georgetown area of the National Capital ("Old Georgetown Act"), approved September 22, 1950 (64 Stat. 903; D.C. Official Code § 6-1201 *et seq.* (2012 Repl.)), shall be submitted to the Commission of Fine Arts for review before a permit is issued. In addition to compliance with all other applicable provisions of this section, signs within the meaning of the Old Georgetown Act shall comply with the requirements of Sections N101.4.2.1 through N101.4.2.9.

N101.4.2.1 Billboards, roof signs, projecting and revolving signs. Billboards

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as described in Section N101.7.6, roof signs as described in Section N101.7.2, and revolving signs as described in Section N101.7.11, shall not be permitted. Projecting signs as described in Section N101.7.1, shall be allowed upon favorable recommendation by the Commission of Fine Arts, which shall include the maximum allowable projection of the sign.

N101.4.2.2 General restriction. All signs shall be stationary.

N101.4.2.3 Illuminated signs. Illuminated signs shall consist of freestanding, back-lighted, opaque letters, illuminated by steady light. Exposed sources of sign illumination shall be prohibited.

N101.4.2.4 Sign dimensions. The aggregate area of all signs advertising any one business on a building or premises shall be limited to 25 square feet (2.322 m^2) per street frontage.

N101.4.2.5 Sign copy. Copy on signs shall be limited to the address or name of the establishment, or both, and the type of business conducted, as indicated by the Certificate of Occupancy issued for the premises involved.

N101.4.2.6 Number of colors on sign. No more than two colors, nor more than one color in addition to black or white, shall be used for any sign, including the illumination of such sign.

N101.4.2.7 Signs on awnings. Signs on awnings shall be limited to the valance and shall otherwise comply with other applicable requirements of this section.

N101.4.2.8 Show window lettering. Lettering of signs limited to a show window, or any other window, abutting on or overlooking a street or public way, shall cover an aggregate area or not more than 25 square feet (2.322 m^2), per business, nor more than 20 percent of the area of the window, whichever is less.

N101.4.2.9 Nonconforming signs. Despite the limitations imposed by the requirements above, when the Commission of Fine Arts finds that the sign or the conditions surrounding it justify granting a variance from or exception to any of the requirements of Sections N101.4.2.1 through N101.4.2.8 and the Commission finds that granting such a variance or exception will not impair the intent and purpose of this section or of the Old Georgetown Act, the code official is authorized to approve an application to erect a sign not conforming to the said requirements.

N101.5 Marking of signs. Every sign for which a permit is required shall be marked with letters not less than 1 inch (25.4 mm) in height, giving the permit number and date of permit issuance.

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N101.5a Signs on Historic Property. Signs on historic property shall comply with the requirements of 10A DCMR Chapter 25.

N101.6 Character of Advertising. No sign subject to the provisions of Section N101 shall be erected, hung, rehung, placed, replaced, painted, repainted, repaired, or maintained upon any structure or upon any wall or roof, or upon any premises, unless such sign advertises a bona fide business conducted on the premises, and for which business a Certificate of Occupancy has been issued. The change of sign copy on any sign other than an authorized "Changeable Copy Sign" shall require issuance of a new sign permit.

Exceptions:

1. Signs covered by Sections N101.3.5.1 through N101.3.5.3, N101.3.5.5 through N101.3.5.8, billboards as described in Sections N101.7.6 through N101.7.6.7.15, and temporary signs as described in Section N101.8.

2. When buildings are under construction or alteration for a specific use, the code official is authorized to issue a permit for the construction or erection of a sign complying with these regulations, if such building or alteration has progressed to the satisfaction of the code official for its projected use, and application for Certificate of Occupancy has been filed.

N101.6.1 Area use restriction. Not more than 50 percent of the area of any sign shall be used to advertise products or commodities actually sold on the premises.

Exception: Devices indicating only time, temperature, or both, shall not be required to comply with this restriction.

N101.6.2 Removal of signs. Any sign subject to the provisions of Section N101 that was erected, hung, re-hung, placed, replaced, painted, repainted, or maintained and which no longer advertises a bona fide business conducted upon the premises as specified in Section N101.6, is not permitted pursuant to N101.6a, or is not an authorized billboard or poster panel, shall be taken down, removed, or obliterated within five (5) days upon notification by the code official or such longer time as may be designated by the code official, and failure to so comply on the part of the owner, occupant, agent, or person having beneficial use of any building or premises upon which such sign may be found, shall subject the owner to the fines provided for in Section 4 of An Act To regulate the erection, hanging, placing, painting, display and maintenance of outdoor signs and other forms of exterior advertising within the District of Columbia, approved March 3, 1931 (46 Stat. 1486; D.C. Official Code § 1-303.23 (2012 Repl.)), or to civil fines, penalties, and fees pursuant to Titles I-III of the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985, effective October 5, 1985 (D.C. Law 6-42; D.C. Official

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Code § 2-1801.01 *et seq*. (2012 Repl.)).

N101.6.3 Street clocks. No lettering or advertising matter shall be placed on any street clock or part thereof, except that the name of the manufacturer of the clock is permitted to be displayed on the dial in small letters not to exceed one-twentieth of the height of the dial.

N101.6.4 Signs on vacant property. Display of any sign, poster, or other advertising medium on or in any part of a vacant building, store, or premises, visible from the street or public way, other than real estate signs, complying with Section N101.16 and authorized billboards or poster panels, is prohibited.

> **Exception:** One sign not more than 6 square feet (0.557 m²) in area giving the name, business, and new address of the former occupant is permitted to be displayed for not more than 60 days on the vacated premises.

N101.6.5 Directional signs. Directional signs shall not be allowed except as permitted under Section N101.7.6 for billboards or poster panels, under Section N101.6.4 on vacated property, and their temporary display for the purpose of indicating the availability of real estate for sale or lease and the holding of an open house at a particular property.

> **Exception:** Signs not more than 6 square feet (.557 m²) in area indicating the location of parking facilities for patrons shall be allowed under permit.

N101.6.6 Special permits. The code official is authorized to issue a permit to erect and maintain a sign not conforming with this section if the code official finds that such sign or conditions surrounding such sign are unusual in character, of a type infrequently encountered, and that approval of the permit will provide an equitable application of this section basically in keeping with its purpose and intent. The code official in each such special permit is authorized to impose such terms and conditions as he or she may deem necessary. Any sign erected under a special permit shall be removed at or prior to the time specified in the permit for the removal of such sign. If no time is specified, then such sign shall be removed not later than ten (10) days after notice from the code official to do so.

> **N101.6.6.1 Temporary decorations for buildings.** The code official is authorized to approve permits for temporary decorations on the fronts of buildings or on legal projections from buildings in the spirit of a holiday period, inauguration, or similar occasion. Temporary decorations are permitted to include greetings, symbols, pictures, and other markings appropriate to the occasion. Any structures, framework, and fastenings shall be subject to the usual requirements. Authority is not granted in this section to approve applications for decorations on,

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over, along, or across any street or highway, except as provided for in Section N101.6.6.2. Permits for temporary decorations shall be issued for periods not exceeding 40 days.

N101.6.6.2 Temporary decorations for streets. Temporary street decorations shall not be installed on, over, along or across any street or highway until a special permit has been issued by the Director of the Department of Transportation. Street decorations are a privilege, not a right, and the Director of the Department of Transportation is authorized to deny the corresponding permit or impose such conditions as may be deemed necessary, in the interest of public safety or welfare. Street decorations shall comply with the following conditions:

1. Street decorations shall not contain any advertising or any form of explicit or implicit reference to commercial businesses or products.

2. Street decorations shall be substantially related to an event or seasonal festivity of a civic or religious nature, not occurring more frequently than once a year.

3. Street decorations shall be stationary and shall be substantially supported structurally.

4. Street decorations containing electrical wiring or systems shall comply with Chapter 27.

N101.6a Substitution of Content. Any non-commercial message may be substituted for the content of any commercial sign allowed under this section.

N101.7 Types of signs. The provisions of this section shall apply to types of signs and requirements for all signs subject to the provisions of Section N101.

N101.7.1 Projecting signs. Signs projecting from or beyond a building line or building restriction line shall be allowed in Commercial and Industrial Districts, as defined in the *Zoning Regulations*, when supported on iron or steel brackets and stayed securely, or affixed in an approved equivalent manner, subject to the limitations imposed by Sections N101.7.1.1 through N101.7.1.3.

N101.7.1.1 Sign projection restrictions. No sign shall project more than 42 inches (1067 mm) beyond the building line or building restriction line, on the street frontage of a building. Hooded lights are permitted to be placed on projecting signs solely to illuminate such signs, but the hoods of such lights shall not project more than an additional 6 inches (152 mm). No part of projecting signs shall have less than 8 feet (2438 mm) clearance above the surface of a

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sidewalk or any other space used by the public, nor less than 15 feet (4572 mm) clearance above the surface of any driveway in public space. No portion of a sign shall extend over public space closer than 18 inches (457 mm) from the curb lane. No sign, including illumination, shall project more than 6 inches (152 mm) beyond the building line, in alleys.

N101.7.1.2 Double-faced projecting signs. Double-faced projecting signs on the front of buildings shall not extend above the roof or parapet a distance of more than one-third of the height of the sign nor more than 4 feet (1219 mm). Such signs are permitted to return over the roof or parapet not over 18 inches (457 mm) back of the face of the wall.

N101.7.1.3 Rigid attachment of signs. No sign projecting over public space shall be so erected or hung as to swing, sway, or revolve in any manner, except banners or flags. The supports for banners and flags shall also be installed so as to be rigid.

N101.7.2 Roof signs. Roof signs shall not be erected above the height limit established by the *Zoning Regulations*. The base of a roof sign shall not be less than 6 inches (152 mm) nor more than 18 inches (457 mm) above the roof parapet wall on which it is erected or affixed. The height of a roof sign shall not exceed half of the width of its base. In no case shall such sign exceed the maximum area fixed by Section N101.10.

N101.7.2.1 Attachments. All roof signs shall be securely braced and fastened with lag screw expansion bolts, anchor plates, or by another approved structurally sound method, to prevent accidents in high winds. Roof signs shall not be erected or hung so as to swing, sway, or revolve in any manner. Complete structural plans indicating roof construction, method of attachment, and sign framing shall be provided with all applications for roof sign permits.

N101.7.2.2 Height limit. Lettering, advertising, or display of any character, other than religious symbols, is prohibited above the limit of height established by the *Zoning Regulations*, on spires, towers, domes, minarets, pinnacles, penthouses, ventilation shafts, chimneys, smokestacks, water storage tanks, cooling towers, or on any other support media extending above said height limit.

N101.7.3 Signs supported by projecting construction. Signs are permitted to be supported by canopies, marquees, porticos, and roofs of show windows constructed so as to safely support the weight of the sign or signs, in addition to the required snow and wind loads. Such signs shall not extend more than 42 inches (1067 mm) beyond the building line, except as provided for in Section N101.7.1.

N101.7.4 Signs on awnings or similar projections. One horizontal line of letters, each

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letter not to exceed 12 inches (305 mm) in height, is permitted to be placed or painted on the vertical faces of valances, or on top of or hung from a canopy, marquee, portico, or awning. Where the line of letters is placed on top or hung from a marquee, canopy, portico, or awning, it shall be constructed in the so-called "skeleton" design, composed of separate letters without background or border. The line of letters shall designate only the street number of the premises and the name of the occupant or building or trade name. Such signs shall also be permitted in Residential Districts and Special Purpose Districts for apartment houses and hotels only. Signs on awnings, marquees, and canopies located on historic property shall comply with the requirements of 10A DCMR, Chapter 25.

N101.7.5 Banner signs and flags. No banner, sign or flag used for advertising purposes shall be erected, hung, attached, or affixed to any pole, staff, or other appurtenance, unless a permit for it has been issued, nor shall such banner, sign, or flag extend over public space more than 42 inches (1067 mm), or be hung or maintained less than 14 feet above a public parking, sidewalk or roadway.

N101.7.5.1 Barber poles. Barber poles on public space attached to a building shall not project more than 42 inches (1067 mm) from the building line and provide not less than 8 feet (2438 mm) clearance above the sidewalk or existing ground level.

N101.7.6 Billboards. The provisions of this section shall govern billboards in the District of Columbia.

N101.7.6.1 Authorized list. Only those billboards which were in existence as of January 1, 1972, that are contained in the "Authorized List of Billboards, Three-sheet Poster Boards, and Wall Signs," dated November 30, 1931, as amended through December 31, 1971, are authorized to remain in place, subject to the conditions in Sections N101.7.6.1 through N101.7.6.7.15.

N101.7.6.2 Existing authorized billboards. Any existing billboard contained in the authorized list referred in Section N101.7.6.1 shall be permitted to be maintained, repaired, altered, or rebuilt under authority of permits issued by the code official. No change in size or location is authorized and the maintenance and repair requirements of Section N101.7.6.5 shall be met.

N101.7.6.3 Unauthorized billboards. Billboards which were not included in the authorized list referred in Section N101.7.6.1 are without authority, unless erected in accordance with Sections N101.7.6.6 through N101.7.6.7. All unauthorized billboards shall be removed by the owner. No such billboard shall be replaced in any form or in any location, unless a new permit is issued in accordance with Sections N101.7.6.6 through N101.7.6.7.

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N101.7.6.4 Razed billboards. Any billboard which is included in the authorized list referred in Section N101.7.6.1 and which is razed, demolished, or obliterated, shall be stricken from the authorized list. No such billboard shall be replaced in any form or in any location, unless a new permit is issued in accordance with Sections N101.7.6.6 through N101.7.6.7.

N101.7.6.5 Maintenance and repair. Whenever the code official finds that any billboard on the authorized list referred to in Section N101.7.6.1, or erected under a permit issued in accordance with Sections N101.7.6.6 through N101.7.6.7, is not maintained in good repair and has not deteriorated more than 50 percent of its replacement value, the code official shall notify the owner thereof and order him to repair the billboard within a specified time but not less than 10 calendar days. If the code official finds that the billboard has deteriorated more than 50 percent of its replacement value, or is not repaired within the time specified in the repair notice, the code official shall notify the owner of the billboard and the owner of the real property on which said billboard is located to remove the billboard from the property within a specified time. All billboards ordered to be removed shall be stricken from the authorized list when the time limit set in the removal notice ends. Failure to comply shall subject said owners, upon conviction or adjudication, to the fines provided for in Section 4 of An Act to regulate the erection, hanging, placing, painting, display and maintenance of outdoor signs and other forms of exterior advertising within the District of Columbia, approved March 3, 1931 (46 Stat. 1486; D.C. Official Code § 1-303.23), or to civil fines, penalties, and fees pursuant to Titles I-III of the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985, effective October 5, 1985 (D.C. Law 6-42; D.C. Official Code § 2-1801.01 *et seq.*).

N101.7.6.6 Permit required. No billboards shall be erected, placed, maintained or relocated within the District of Columbia unless an application for permit is approved by the code official.

1. **Permit applications.** Permit applications shall be made upon forms provided by the code official. Permit applications shall be accompanied by four (4) sets of drawings showing details of construction, foundations, lighting, location of the billboard in relation to property lines, and relation to any other billboards located within 500 feet (152 400 mm) of the billboard for which the application is submitted. A separate electrical permit is required for billboards containing any electrical features.

2. **Permit fee.** The permit application must be accompanied by a fee pursuant to Section 108.

3. **Zoning compliance.** Billboard permit applications shall comply with the

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Zoning Regulations. However, where a billboard is to be located in an area, which, in the judgment of the Zoning Administrator is not permitted, the Zoning Administrator shall notify the applicant in writing that the application for permit is denied for failure to conform to the *Zoning Regulations*, indicating the applicable provisions of the *Zoning Regulations*. The Zoning Administrator's decision may be appealed to the Board of Zoning Adjustment as prescribed by its rules.

4. **Shipstead-Luce Act and Old Georgetown Act areas.** Where a billboard is to be located in an area covered either by the Shipstead-Luce Act or the Old Georgetown Act, the application and supporting material shall be transmitted to the Commission of Fine Arts for review under Sections 6-611.01 and 6-1202 of the D.C. Official Code (2012 Repl.).

5. **Permit denial.** If the code official denies a billboard permit, the basis for the denial shall be stated in writing, including references to the statutory or regulatory provisions that would be violated if the permit were granted. The code official shall notify the applicant in writing with the reasons for denial of the permit.

N101.7.6.7 Design standards. Billboard permit applications shall comply with items 1 through 15 below, before a permit shall be issued:

1. The billboard shall not contain any moving parts, except where such moving parts are used to convey public service information such as time, temperature, date, weather, or similar information.

2. The billboard shall not contain flashing, intermittent, moving, or neon lights; the billboard shall not be lighted so as to permit beams of light to be directed at any portion of a public right-of-way, which beams of light are of such intensity or brilliance as to cause glare or impair the vision of any driver, or otherwise interfere with the driver's operation of a motor vehicle; the billboard shall not obstruct or undermine the traffic information systems of signs and lights.

3. The billboard shall not be located on lots of less than 50 feet (15240 mm) of street frontage, nor shall billboard length be more than half the street frontage of the lot where it is proposed to be erected.

4. The billboard shall not be located within 200 feet (60960 mm) of an existing billboard.

5. When located along an Interstate Highway or a controlled Access Primary

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Roadway within the Federal Aid Primary Urban Extension System as designated by the D.C. Department of Transportation, the billboard shall not be located less than 500 feet (152400 mm) from an existing billboard.

6. The billboard shall not be located on lots within 200 feet (60960 mm) of any Residential District, as defined by the *Zoning Regulations*.

7 The billboard shall not be located within 200 feet (60960 mm) of any park or building owned or under the control of the government of the District of Columbia or of the Federal Government.

8. The billboard shall not be located within 300 feet (91440 mm) of any Historic Landmark or in or within 300 feet (91440 mm) of any Historic District as listed in the District of Columbia Inventory of Historic Sites.

9. The billboard shall not be visible from the nearest right-of-way line of any Interstate Highway or Federal Aid Primary Urban Extension System route, as designated by the D.C. Department of Transportation, or on any surface or elevated right-of-way of the Washington Metropolitan Area Transit Authority system, except as authorized under item 10 of this section.

10. Where permitted by the *Zoning Regulations*, billboards shall be permitted that do not comply with item 9 of this section, provided such billboards are located more than 200 feet (60960 mm) from any of the right-of-ways mentioned therein.

11. The billboards shall be set back from each property line of the lot where it is proposed to be erected, a distance of at least one (1) foot (305 mm) for each foot (305 mm) of overall billboard height.

12. The billboard shall not have a net advertising area in excess of 300 square feet (27.9 m^2) for each sign face. For the purpose of this section, net area shall be considered exclusive of any border, trim, ornamental base, apron supports or other structural members.

13. The billboard shall be designed and installed so as to maintain a minimum clearance of 8 feet (2438 mm) from the ground, as measured from the adjacent grade.

14. The billboard shall not exceed 25 feet (7620 mm) in overall height as measured from grade at the center line of the billboard to the level of the highest point of the billboard.

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15. The billboard shall conform to Section N101.11.

N101.7.7 Signs on side walls. Where no sign or signs exist on the side wall of any building or structure, no permit shall be issued for the erection, hanging or painting of a sign or signs on such side wall, except as provided in Sections N101.7.7.1 and N101.7.7.2.

N101.7.7.1 Corner buildings and alleys entrances. The code official shall be authorized to issue permits to erect, hang, or paint a sign or signs on those side walls of a corner building which abut a public street, or on those side walls of buildings which have a public entrance opening for business purposes upon an alley, when such signs comply with the provisions of this section.

N101.7.7.2 Walls facing parking lots. A building with adjoining parking lots used in connection with such building shall be permitted to have side wall signs facing over such parking lots toward a street or alley fronting on such lots.

N101.7.8 Signs on public space. No structure or standard used as a sign, bulletin, or advertisement of any sort shall be built, placed, erected, hung, maintained, or left in or upon any street, avenue, alley, highway, footway, sidewalk, parking or other public space in the District of Columbia, unless specifically approved by the code official, including the use of directional signs as described in Section N101.6.5, in accordance with provisions of this section.

N101.7.9 Transported signs or banners. No advertising sign or banner shall be carried or transported on or over any public space. The provisions of this section shall not apply to signs displayed on vehicles and advertising the bona-fide business of the owner. This section shall not be construed to apply to banners or signs carried by members of any labor organization or similar body, whether employers or employees, publicizing the existence of or facts about any labor dispute or to any other sign bearing non-commercial statements of fact, belief, or personal or political opinion.

N101.7.10 Commercial advertising on WMATA vehicles. Despite the provisions of Section N101.7.9, or any other law, the sale and use of commercial revenue advertising space on the rear and side exteriors, or entire exterior surfaces of Metrobus public transit vehicles under the control and operation of the Washington Metropolitan Area Transit Authority (WMATA) shall be permitted for such vehicles operating on public space within the District of Columbia, subject to the conditions of Sections N101.7.10.1 through N101.7.10.2.

N101.7.10.1 Observance of the law. No advertisement shall be accepted by WMATA which violates this code or any other District of Columbia or federal law.

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N101.7.10.2 Public service announcements. The rear and side exterior advertising space on at least 10 percent of the total number of Metrobus vehicles available for public transit operations shall be reserved for free public service announcements and advertisements regarding community, art, cultural, educational, and similar events.

N101.7.11 Revolving signs. Revolving signs shall be permitted in Commercial and Industrial Districts as defined in the *Zoning Regulations*, when located entirely upon the land of the owner and not projecting beyond the building line, subject to the conditions of Sections N101.7.11.1 through N101.7.11.7. As used in this section, "revolving sign" includes a sign that displays 3-D, moving, animated, or periodically-changing images or text.

N101.7.11.1 Location restriction. Revolving signs shall not be permitted on the roofs of buildings or structures.

N101.7.11.2 Application requirement. Complete details of erection and operation of revolving signs shall be submitted with the sign permit application.

N101.7.11.3 Color and electrical features. The color and electrical features of revolving signs shall be approved by the Department of Transportation before issuance of a revolving sign permit.

N101.7.11.4 Revolving speed. Revolving signs shall not revolve faster than 5 revolutions per minute.

N101.7.11.5 Dimensions. The area of revolving signs shall not exceed 40 square feet (3.72 m^2) per face, and the maximum dimension shall not exceed 3 feet (914 mm).

N101.7.11.6 Clearance and height. Revolving signs shall have not less than 8 feet (2438 mm) clearance above the adjacent ground level, and the total height of the sign above grade shall not exceed 20 feet (6096 mm).

N101.7.11.7 Illumination. Exposed lights or tubing shall be prohibited on revolving signs, and illumination shall be from indirect or internal sources.

N101.7.11.8 Vehicular Traffic Safety. No revolving sign may be installed or maintained if the Department of Transportation has determined that the sign location, size, or height above grade is objectionable with regard to vehicular traffic safety.

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N101.7.12 Commercial Advertising on Taxicabs. Despite the provisions of Section N101.7.9, or any other law, the sale and use of commercial revenue advertising space on the exterior rooftops of taxicabs shall be permitted, subject to the conditions of Sections N101.7.12.1 through N101.7.12.4.

N101.7.12.1 Advertising dimensions. Exterior rooftop advertising on taxicabs shall not exceed a size eighteen (18) inches in width, seventeen (17) inches in height or fifty-six (56) inches in length.

N101.7.12.2 Illuminated signs. Exterior rooftop advertising signs on taxicabs may be equipped with fluorescent illumination However, flashing, intermittent, moving, or neon lights or parts are prohibited.

N101.7.12.3 Signs violating law. No advertisement shall be permitted that violates any District or federal law, including, but not limited to, Sections 28-3901 through 28-3908 of the D.C. Code.

N101.7.12.4 Public service announcements. Those taxicabs carrying exterior rooftop advertising pursuant to this section shall devote ten percent (10%) of their yearly rooftop advertising to free public service announcements and advertisements regarding health, safety community, art, cultural, educational, or similar subjects or events.

N101.8 Temporary signs during construction. The code official is authorized to issue permits for the erection, painting, or affixing of signs on premises where building operations are being conducted, giving the name and address of the engineers, architects, contractors, financing institutions, and identifying the project or purpose of the building. Such signs shall comply with all requirements of this section, and any sign so erected, painted, or affixed shall be removed upon completion of the building operations, or at any time before completion of building operations, when ordered by the code official in the interest of public safety, health and welfare.

N101.8.1 Signs in public space. Permits shall be issued for temporary construction signs, as described in Section N101.8 to be erected on temporary barricades, covered walkways, construction offices or public space between the building line and such structures, subject to the conditions of Section N101.8.

N101.8.2 Dimensions. The total area of signs erected on public space pursuant to Sections N101.8 through N101.8.2 shall be limited to 2 square feet (0.186 m²) for each foot of street frontage of the lot, with a maximum sign area of 40 square feet (3.72 m²) for residentially zoned property, and 200 square feet (18.58 m²) for commercially zoned property. An additional 5 square feet (0.465 m²) of sign area shall be permitted on barricades to identify each adjoining premises or business.

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N101.9 Residential or Special Purpose District limitations. This section shall govern signs subject to the provisions of Section N101 posted in residential or special purpose districts.

N101.9.1 General Residential District limitation. No sign or signs shall be permitted in any Residential District, as fixed by the *Zoning Regulations* unless a permit is issued by the code official in accordance with the provisions of this section. The exemptions from the permit requirement stated in Section N101.3.5 shall not apply to signs in Residential Districts. Signs posted in Residential Districts that bear non-commercial statements of fact, belief, or personal or political opinion are not subject to the provisions of this section and shall not require a permit unless the sign is posted on historic property or is subject to review by the Commission of Fine Arts and a permit is required pursuant to Section N101.3a or N101.3b.

Exemption. A permit shall not be required for a nameplate not exceeding 1 square foot (0.093 m²) in area, to advertise a home occupation, and bearing only the name and occupation of the occupant of the building.

N101.9.2 Zoning restrictions. Nothing within this section shall be construed to grant any greater area nor any greater illumination than limited by specific order of the Board of Zoning Adjustment or Zoning Commission. If such a specific order prohibits any signs or illumination, such specific order shall take precedence over the provisions of this section.

N101.9.3 Location restrictions. Residential district signs subject to the provisions of Section N101 shall be located entirely on private property and shall be located on the portions of the building or premises occupied by the use for which the signs are authorized.

N101.9.4 Illumination. Residential District signs shall be allowed to be illuminated by steady white lighting only. No fluctuating, pulsating, or moving lights or lighting designed to change appearance in any manner shall be permitted in any Residential District. Where illumination of signs located in any Residential District is by gas tubes, these tubes shall not be visible but shall be allowed to be so arranged as to provide indirect light.

N101.9.5 Authorized signs. The code official is authorized to issue a permit for signs complying with any of Sections N101.9.5.1 through N101.9.5.7.

N101.9.5.1 Temporary automobile parking lots. On temporary automobile parking lots approved by the code official for such use, the total area of signs shall not exceed 20 square feet (1.86 m²) facing each street upon which the lot has a vehicular entrance, in addition to separate signs authorized under Section N101.9.5.7.

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N101.9.5.2 Nonconforming uses. Signs advertising a nonconforming use as defined in the *Zoning Regulations*, shall be limited to a total area not to exceed, for each use, the limits permitted by Section N101.10 or 40 square feet (3.72 m²), whichever is less. Separate signs authorized under Section N101.9.5.7 shall be counted towards the limits of this section.

N101.9.5.3 Church bulletins. Church bulletins shall not exceed 20 square feet (1.86 m²) in area for each church. When approved by the code official, church bulletins shall be allowed to be placed on public parking upon recommendation of the Public Space Committee.

N101.9.5.4 Non-profit organization. Signs for each school, college, hotel, philanthropic institution, non-profit organization, hospital, residential care facility or church, shall be limited to a total area not to exceed 40 square feet (3.73 m²).

1. **Non-profit organization nameplates.** When approved by the code official, a nameplate or nameplates, each such plate not more than 6 square feet (0.56 m²) in area, shall be allowed to be placed on the public parking at entrance driveways, upon recommendation of the Public Space Committee. The area of such nameplates shall not be counted towards the limits on total sign area specified in Section N101.9.5.4.

2. **Sign supports.** Signs pursuant to Section N101.9.5.4 shall be allowed to be supported on posts or pilasters where permits have been secured for posts or pilasters, but shall not be so placed as to extend over any walkway or roadway unless there is at least 8 feet (2438 mm) clearance above such walkway or 15 feet (4572 mm) clearance above such roadway.

N101.9.5.5 Apartment house signs. For apartment houses, signs shall be limited to the name and house number of the building. Such signs shall only be permitted when facing the street or streets upon which entrances to the building are located. Such signs shall not exceed for each building frontage, the limits set forth in Table N101.9.5.5. Signs placed on a marquee, canopy, or awning, as permitted under Section N101.7.4, shall not be counted towards the area limitation given in Table N101.9.5.5. For purposes of this section, a group building erected under a covenant shall be considered as a single building.

TABLE N101.9.5.5
APARTMENT HOUSE SIGNS

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STREET FRONTAGE (feet)[a]	MAXIMUM ALLOWABLE SIZE OF SIGN ON STREET FRONTAGE (square feet)[b]
Up to 45	4
45 to 50	5
50 to 55	6
55 to 60	7
60 to 65	8
65 to 70	9
70 to 75	10
75 to 80	11
80 to 85	12
85 to 90	13
90 to 95	14
95 to 100	15
100 to 105	16
105 to 110	17
110 to 115	18
115 to 120	19
120 and above	20

Note a. 1 foot = 304.8 mm
Note b. 1 square foot = 0.093 square meters

N101.9.5.6 Office buildings, commercial or industrial uses. For buildings or premises approved by the Board of Zoning Adjustment or Zoning Commission for office buildings and commercial or industrial uses, the total area of signs, for each such building or premises, shall not exceed the limit prescribed in Section N101.10, or 40 square feet, (3.73 m²), or such other limitation as may have been imposed by the Board of Zoning Adjustment or Zoning Commission, whichever is less. Such signs shall be attached flat against the wall of the building, unless they conform to Section N101.9.5.6.1.

N101.9.5.6.1 Signs beyond the wall. Signs pursuant to Section N101.9.5.6 shall be permitted on canopies, marquees, porticos, and awnings located entirely on private property, where placed or painted in the manner and with the limitations described in Section N101.7.4. Signs so placed shall be counted towards the maximum allowable area of signs.

N101.9.5.7 Parking rate signs. Where Section 612 of DCMR 24, "Public Space and Safety" requires that a schedule of auto parking charge rates be posted, a separate sign setting forth such schedule, not more than 20 square feet (1.86 m²)

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in area, shall be allowed in addition to the areas otherwise permitted in Sections N101.9.5.1 and N101.9.5.2.

N101.9.6 Signs in Special Purpose Districts. For buildings or premises located in a Special Purpose District, as defined in the *Zoning Regulations*, the total area of signs subject to the provisions of Section N101 shall not exceed the limits set forth in Table N101.9.6, nor those imposed by any specific order of the Board of Zoning Adjustment or Zoning Commission.

TABLE N101.9.6
SIGNS IN SPECIAL PURPOSE DISTRICTS

STREET FRONTAGE (feet)[a]	**MAXIMUM ALLOWABLE SIZE OF SIGN ON STREET FRONTAGE (square feet)[b]**
Up to 40	40 ft²
40 to 100	1 ft² per foot of frontage
Over 100	100 ft² plus 0.5 ft² per foot of frontage over 100

Note a. 1 foot = 304.8 mm
Note b. 1 square foot = 0.093 square meters

N101.10 Maximum size of signs. In any district other than Residential or Special Purpose Districts, the total area of sign or signs subject to the provisions of Section N101 and attached to, displayed from, or erected upon any building, lot, or parcel of land, shall not exceed the limits prescribed in Sections N101.10.1 through N101.10.7.

N101.10.1 One story buildings. Two square feet (0.19 m²) for each foot of width of front of building occupied by the business or profession to be advertised, such signs or signs to be placed on the front under consideration within the limits of the portion of the front in which the business advertised is located. Roof signs shall not exceed 100 square feet (9.29 m²) facing any one street frontage.

N101.10.2 First floor stores or businesses in multi-story buildings. The provisions of Section N101.10.1 shall apply, except that such signs shall be kept within a height of 20 feet (6096 mm) above the sidewalk.

N101.10.3 Upper stories of multi-story buildings. The total area of all signs above the 20-foot height specified in Section N101.10.2 shall not exceed the limits set forth in Table N101.10.3, for each street frontage.

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TABLE N101.10.3
SIGNS ABOVE THE FIRST STORY

AREA OF WALL ABOVE 20 FEET ABOVE THE SIDWALK, ON STREET FRONTAGE (square feet)[a]	MAXIMUM ALLOWABLE AREA OF SIGNS ABOVE 20 FEET ABOVE SIDEWALK ON STREET FRONTAGE
Up to 1600	40 ft²
1600 to 4000	1/40 of area of wall above 20 ft height
Over 4000	100 ft² roof signs, or 1/40 of area of wall above 20 ft height for signs below roof

Note a. 1 square foot = 0.093 square meters

N101.10.4 Single occupancy buildings. Where an entire building over one story in height is occupied by one business, store or occupant, the total area of all signs on each street frontage shall not exceed the limits set forth in Table N101.10.4.

TABLE N101.10.4
SIGNS ON SINGLE-OCCUPANT MULTI-STORY BUILDINGS

AREA OF WALL ON STREET FRONTAGE (square feet)[a]	MAXIMUM ALLOWABLE AREA OF SIGNS ON STREET FRONTAGE
Up to 4000	100 ft²
Over 4000	1/40 of area of wall, of which not more than 100 ft² above the roof

Note a. 1 square foot = 0.093 square meters

N101.10.5 Unimproved lots or lots with a small office. Where a business is conducted on an unimproved lot or a lot with a small office, 2 square feet (0.19 m²) of sign area for each foot of street frontage shall be allowed, but not more than 150 square feet (13.95 m²) per frontage under consideration. The area of the signs of such buildings shall not exceed that permitted under Section N101.10.1.

N101.10.6 Parking rate signs. Where Section 612 of DCMR 24, "Public Space and Safety" requires that a schedule of auto parking charge rated be posted, a sign setting

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forth such schedule, not more than 20 square feet (1.86 m²) in area shall be allowed in addition to the areas otherwise permitted in Sections N101.10.1 through N101.10.5.

N101.10.7 Exemptions. Signs exempted from permit pursuant to Sections N101.3.5 through N101.3.5.8 and signs not subject to the provisions of Section N101 shall not be counted towards the total sign area permitted under Sections N101.10.1 through N101.10.5.

N101.11 Structural and materials requirements. All signs subject to the provisions of Section N101 and their supports, including signs exempted from permit, shall comply with all structural and materials requirements of this section and other applicable sections of this code.

N101.11.1 Wind load. Signs shall be designed and constructed to withstand wind pressure as provided for in Chapter 16.

N101.11.2 Seismic load. Signs designed to withstand wind pressures shall be considered capable of withstanding earthquake loads, except as provided for in Chapter 16.

N101.11.3 Working stresses. The allowable working stresses shall conform with the requirements of Chapter 16. The working stresses of wire rope and its fastenings shall not exceed 25 percent of the ultimate strength of the rope or fasteners.

Exceptions:

1. The allowable working stresses for steel and wood shall be in accordance with the provisions of Chapter 22 and Chapter 23.

2. The working strength of chains, cables, guys or steel rods shall not exceed one-fifth of the ultimate strength of such chains, cables, guys or steel.

N101.11.4 Attachment. Signs attached to all structures shall be safely and securely fastened by means of metal anchors, bolts or approved expansion screws of sufficient size and anchorage to safely support the loads applied. Structure to which signs are attached shall be designed to support the loads applied. Signs shall not be attached to or supported by unbraced parapet walls.

N101.11.5 Lateral bracing assumptions. For design of lateral bracing in the direction of the length of the sign, the wind shall be assumed at an angle of 45 degrees with the front or back of the sign, and the bracing designed for the force on the projected area perpendicular to the wind.

N101.11.6 Ground supports. Ground supports for signs shall comply with Sections N101.11.6.1 through N101.11.6.2.

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N101.11.6.1 Wood materials. Where wood is embedded in the soil, the wood shall be pressure treated with an approved preservative.

N101.11.6.2 Metal materials. Metal materials shall be protected from corrosion.

N101.11.7 Combustible materials. Plastic materials shall burn at a rate no faster than 2.5 inches per minute (64 mm/min) when tested in accordance with ASTM D 635.

N101.11.8 Incombustible materials. Signs as specified in Sections N101.11.8.1 through N101.11.8.5 shall be of incombustible material except that sign cappings, decorations, lettering, and moldings may be of combustible materials.

N101.11.8.1 Wall signs. Wall signs exceeding 40 square feet (3.72 m^2) in area, flat against, or supported not more than 15 inches (381 mm) away from the wall.

N101.11.8.2 Projecting signs. Projecting signs exceeding 2.5 square feet (0.23 m^2) in area.

N101.11.8.3 Ground-supported signs. Ground-supported signs over 15 feet (4572 mm) in height or located 6 feet (1828 mm) or less from any building.

N101.11.8.4 Roof signs. Roof signs, irrespective of height or area.

N101.11.8.5 Electrical signs. Signs using electricity.

N101.11.9 Use of glass. Glass in signs shall be double-strength plain glass, plate glass, or wired glass. Glass shall be designed per Table N101.11.9, except that no panel of more than 10 square feet (0.93 m^2) of glass other than wired glass shall be used in signs projecting over public space.

TABLE N101.11.9
SIZE, THICKNESS AND TYPE OF GLASS PANELS IN SIGNS

MAXIMUM SIZE OF EXPOSED PANEL (square feet)		**MINIMUM THICKNESS OF GLASS**	**TYPE OF GLASS**
Any dimension (inches)	Area (square inches)	(inches)	
30	500	1/8	Plain, plate or wired
45	700	3/16	Plain, plate or wired
144	3,600	1/4	Plain, plate or wired

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>144	>3,600	1/4	Wired glass

For SI: 1 inch = 25.4 mm, 1 square inch = 645 mm2

N101.12 Alteration or relocation of signs. No sign erected before the adoption of these regulations shall be altered structurally or relocated, unless it is brought into compliance with the requirements of all applicable regulations for new signs.

N101.13 Dangerous signs. When any sign, including signs bearing non-commercial statements of fact, belief, or personal or political opinion posted on private property, now or hereafter erected, hung, attached, or maintained becomes structurally unsafe or otherwise dangerous to the safety of any building or premises, or to the public, the code official shall order the same to be taken down, removed, or made safe, and such order shall be complied with by the owner, occupant, agent, or person having the beneficial use of any building or premises upon which said dangerous sign may be erected, hung, attached, or maintained. Any such person failing to comply with the orders issued pursuant to this section shall, upon conviction or adjudication, be subject to the fines provided for in the Act of March 3, 1931, 46 Stat. 1486, as amended, D.C. Official Code Section 1-303.23 (2012 Repl.), or to civil fines, penalties, and fees pursuant to Titles I-III of the Department of Consumer and Regulatory Affairs, Civil Infractions Act of 1985, D.C. Law 6-42, Section 457.

N101.14 Obstructive signs. No sign, including signs bearing non-commercial statements of fact, belief, or personal or political opinion posted on private property, shall be so erected, hung, or attached as to obstruct any window, door, fire escape, balcony, platform, stairway, ladder, stack, vent pipe, or egress from any building.

N101.14.1 Removal of obstructive signs. Signs in violation of Section N101.14 shall be removed or relocated to conform with this code.

N101.15 Display of license or permit. The provisions of this section shall govern licenses, permits and penalties for sign work.

N101.15.1 Display of license. Any person, persons, firm, or corporation engaged in the business of painting, repainting, placing, replacing, hanging, erecting, or maintaining signs within the meaning of this section shall have at his, her, their, or its principal place of business within the District of Columbia the license issued by the Department, available for inspection by the code official or by any member of the Metropolitan Police Department, at all appropriate times.

N101.15.2 Display of permit. A permit for the erection, repair, painting, repainting, or as otherwise provided in this section, of a sign shall be kept on the premises where such sign is being erected repaired, painted, repainted, or as otherwise provided in this section, and shall be displayed by the permittee when ordered to do so by the code official or by any member of the Metropolitan Police Department, at all appropriate times.

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N101.15.3 Penalties. Any person failing to comply with these regulations shall, upon conviction or adjudication, be subject to the fines provided for in the Act of March 3, 1931, 46 Stat. 1486, as amended, D.C. Official Code Section 1-303.23 (2012 Repl.), or to civil fines, penalties, and fees pursuant to Titles I-III of the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985, D.C. Law 6-42, Section 457.

N101.16 Real estate signs. The provisions of this section shall govern real estate signs.

N101.16.1 Public space restrictions. No sign or advertisement relating to the sale, rent, or lease of land or premises shall be located on the sidewalk or parking of any street, avenue, or road in the District of Columbia.

N101.16.2 Number, location and size of sign. One (1) painted or printed sign or advertisement for the sale, rent, or lease of land or premises shall be allowed with the written consent of the owner or the owner's agent to be placed, by any one of not more than three (3) real estate agents, on any lot, piece, or parcel of land abutting on a street, avenue, or road in the District of Columbia, or attached to the exterior of any building fronting on them, provided permits are secured for such sign in accordance with Section N101.16.4. The area of any such sign shall not exceed 40 square feet (3.716 m²) if located within a Residential district, or 60 square feet 5.58 m²) if located within an unsubdivided outlying section of the District of Columbia. This section shall not apply to the temporary placement of directional signs relating to the sale or lease of real estate which indicate the holding of an open house, or a sign attached to the one painted or printed sign allowed by Section N101.3.5.6 which indicates that the premises have been sold, leased, or placed under contract.

N101.16.3 Additional restrictions. Real estate signs shall be located on the premises advertised. Directional signs shall not be permitted.

N101.16.4 Permit for real estate signs. Under the provisions of the Act of March 4, 1913, 37 Stat. 974, a permit shall be issued to erect, hang, place, paint, or display any sign advertising the sale, rent or lease of real estate, or which in any manner pertains to land or buildings, unless exempted by Section N101.3.5.6. No permit shall be required for the temporary placement of directional signs which indicate the holding of an open house at a particular property.

N101.16.5 Penalties. The code official is authorized to require the removal of any sign or advertisement in violation of this section and to institute proceedings against persons violating this section, and upon, conviction or adjudication, such persons shall be subject to the fines provided for in D.C. Official Code § 1-303.23 (2012 Repl.), or to civil fines, penalties, and fees pursuant to Titles I-III of the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985, D.C. Official Code §§ 2-1801 *et seq*. (2012 Repl.).

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N101.17 Rules for Special Signs. The code official is authorized to issue a permit for a "Special Sign," as defined in Section N101.17.1. Special Signs shall be subject to the rules of this section and not to the rules in this chapter pertaining to billboards, poster panels, wall signs, and other specific types of signs. The rules of this section shall apply only to Special Signs.

N101.17.1 Definitions. As used in this section, the following definitions apply:

Special Sign: A sign which meets the standards listed in Section N101.17.5, that is erected, hung, placed, posted, painted, displayed or maintained on an outdoor or exterior wall or surface of a building pursuant to a Special Sign Permit issued by the Director of the Department. A Special Sign shall only include signs that are erected, hung, placed, painted, displayed or maintained on an outdoor or exterior wall or surface that is not self-standing, except as provided in this section. A Special Sign shall be one of the thirty-two special signs approved by the Director pursuant to the Rules for Special Signs adopted September 22, 2000 (47 DCR 7695 – 7700).

Exception: The twelve (12) self-standing special signs approvals, existing as of January 1, 2004, shall be allowed to remain and/or be transferred within the area specified in Section N101.17.7(b); provided that transfers of existing self-standing signs to a new self-standing location are subject to the following additional conditions: (i) that transferred self-standing signs are permitted only as temporary signs for a two (2) year time period beginning on the latter of the dates of issuance of the transfer permit or the date of issuance of the associated building permit for the special sign structure; and (ii) that the location to which the self-standing sign is transferred is a future construction site to be developed in the foreseeable future, as demonstrated by development plans, marketing materials, or ongoing administrative processes to develop the site. Sign support structures that are either attached to an adjacent building wall or within twelve (12) inches of an adjacent building wall (to ensure that the wall is not damaged) are not considered "self-standing" for the purposes of the special sign regulations.

Call to Action: An explicit, specific or blatant message to consumers from the sponsor that asks consumers to take action by purchasing, using, utilizing or considering the use of a sponsor's product and/or service, including without limitation providing price or value information *(e.g.*, "affordable" or "5% interest rate available") and inducements to act *(e.g.*, "one month's free service when you buy").

Logo: The symbol, emblem, typeface, or other visual device used by the sponsor to identify itself and to distinguish itself from others in the marketplace.

Permit Holder: The individual or entity who or which holds a Special Sign Permit validly issued and in good standing in accordance with the requirements of this section

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and with all other applicable terms and conditions of Chapter 31, and who or which makes such Special Sign available for sponsorship or community service as provided herein.

Sponsor: The entity that contracts with the Permit Holder for the use of a Special Sign to display the Sponsor's artwork that meets the visual and text standards of Section 3115.4.2.5.

N101.17.2 Special Sign Permit. No Special Sign may be erected, hung, placed, posted, painted, displayed, or maintained in the District of Columbia without the owner of such Special Sign first obtaining a Special Sign Permit from the Department in accordance with Section N101.17.3 and approval of the artwork in accordance with Section N101.17.5. A Special Sign Permit authorizes the sign's location and particular artwork.

N101.17.3 Special Sign Permit Application. An application for a Special Sign Permit shall be submitted by the owner to the Director of the Department, or his designee, on a form provided by the Department, and shall include the following:

1. Identification of: (1) the applicant; (2) the proposed location of the Special Sign, by the street address of the building or premises and the face direction of the wall or surface (*e.g.*, "northern-facing"); (3) the proposed linear dimensions of the Special Sign; and (4) a list of all existing Special Signs, identified by the address of the premises, located within a radius of one thousand feet (1000 ft) of the center of the proposed Special Sign;

2. An affidavit signed by the applicant or his duly authorized representative, certifying that the applicant is in compliance with the Clean Hands Before Receiving a License or Permit Act of 1996 ("Clean Hands Act"), effective May 11, 1996, D.C. Law 11-118 (D.C. Official Code § 47-2861 *et seq.* (2012 Repl. and 2013 Supp.).

3. A permit fee in the amount of one dollar ($1.00) per square foot of the Special Sign. The permit fee may be paid by check made payable to the order of the "D.C. Treasurer." The permit fee may be refunded to the applicant if the permit is not issued, in accordance with the provisions of Chapter 1 for the refund of unused permit fees.

   N101.17.3.1 Applicant Qualifications. The applicant who or which submits an application for a Special Permit shall be licensed to do business in the District of Columbia as a business engaged in outdoor advertising, shall be a business in good standing at the time the application is submitted and for the duration of the permit, as evidenced in the Department's records. The applicant shall not owe more than one hundred dollars ($100) in taxes or delinquent fines to the District

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of Columbia at the time the application is submitted, as evidenced in the records of the District of Columbia Office of Tax and Revenue, and shall be in compliance with the Clean Hands Act.

N101.17.4 Review, Approval and Denial of Permit Applications. The Director of the Department, or his or her designee, shall review and approve or deny a Special Sign Permit application within twenty (20) days of its submission. Special Sign Permits shall be issued in the name of the applicant and shall pertain solely to the Special Sign location identified on the permit, subject to the transferability provisions of Section N101.17.7.

N101.17.4.1 Denial of Application. If the Director denies a Special Sign Permit, the denial shall be in writing to the applicant and shall state the statutory or regulatory basis for the denial. The applicant shall have ten (10) business days from receipt of the denial to correct any defect in the application.

N101.17.5 Approval of Special Sign Artwork. Prior to the erection, hanging, placement, posting, painting, or displaying of any Special Sign artwork, the applicant shall obtain approval of such Special Sign artwork from the Department. The applicant shall submit the Special Sign artwork for approval with the original permit application or obtain approval for the Special Sign artwork subsequent to the issuance of the Special Sign Permit. Special Sign artwork shall be submitted to the Director of the Department or his or her designee, who shall review and act on the Special Sign artwork submission within ten (10) days of the submission. No Special Sign artwork shall be accepted by the Department which violates the D.C. Official Code or any other District of Columbia law or municipal regulation, or federal law. No Special Sign artwork shall be approved by the Department unless:

1. Identification of the Sponsor of the Special Sign, when provided, is limited to the bottom center, bottom right or bottom left corner of the Special Sign artwork, and shall be limited to the words "Sponsored by [Name and/or Logo of Sponsor]". This Sponsor identification shall be no higher than one-tenth (1/10) of the maximum vertical dimension of the face of the sign, and no wider than one-third (1/3) of the maximum horizontal width of the face of the sign.

2. The copy of the Special Sign shall be predominantly pictorial and non-verbal, with textual matter on no more than 25% of the display area of the sign. The space occupied by any sponsor identification shall not be counted against the 25% limitation. Any textual matter or words contained in the pictures of products on the signs, such as the labeling on soft drink cans, etc., shall be considered pictorial and shall not count in the calculation of the percentage of textual matter.

3. Any words included in the body of the Special Sign artwork shall not directly or indirectly identify the Sponsor or any of the Sponsor's recognizable campaign

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slogans, or serve as a direct "Call to Action" on behalf of the Sponsor.

4. The Department of Transportation determines that the sign location, size, and height above grade is not objectionable with regard to vehicular traffic safety.

5. The Department determines that the sign location is compatible with any existing park or building under the control of either the District of Columbia or the Federal government, pursuant to applicable laws and regulations.

6. The distance between horizontal projection of the center of the new proposed sign and the horizontal projection of the center of any other existing Special Sign within a one thousand feet (1000 ft) radius is at least five (5) times the sum of the diagonals of the two signs. This provision shall not affect existing Special Signs but shall apply to all new Special Signs and to the proposed relocation of any existing Special Sign.

7. Subject to the limitations placed on the permitted transfer of self-standing signs in Section N101.17.1, the height of special signs installed as self-standing signs shall not exceed thirty (30) feet and shall provide eight (8) feet of clearance from the ground, as measured from the adjacent grade.

N101.17.5.1 Submission of Color Copies. Color copies of the proposed Special Sign artwork shall be submitted to the Department for approval, in duplicate. The color copies shall be legible. Once Special Sign artwork is approved, the two (2) copies shall be stamped "approved" by the Department; one copy shall be placed in the applicant's permit file with the Department and be made available for inspection by the Department, for as long as the sign shall remain on display, and one copy shall be returned to the applicant reflecting the approval of the Department.

N101.17.6 Changing Special Sign Copy. A Special Sign permit holder may change the Special Sign artwork at the permit location by submitting the new artwork for approval in accordance with the provisions of Section N101.17.5. A "change copy" fee in the amount of five hundred dollars ($500) must be paid before each new Special Sign artwork can be approved and changed. The $500 change copy fee in this section is refundable if the request to change the Special Sign artwork by the permit holder is not approved by the Director. Changing the copy of a permitted Special Sign shall not entail an increase of any of the linear dimensions of the sign.

N101.17.7 Transferability of Special Sign Locations. A Special Sign Permit shall be transferable to a new location only under the following conditions:

1. Except for transfers from locations presently lying outside the area defined in

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Paragraph (b) of this section, the transfer is for cause, which only means that: (1) the lease for the location of the Special Sign is cancelled, terminated, or otherwise invalid; (2) the Special Sign is partially or totally obstructed; or (3) the location of the Special Sign is or would be no longer feasible because of construction or development.

2. The new location is within the Central Business District (C-4), as defined by Title 11 of the District of Columbia Municipal Regulations; the commercial or industrial portions of the New York Avenue corridor, areas zoned industrial (M, C-M), as defined in Chapter 8 of Title 11 of the District of Columbia Municipal Regulations (11 DCMR § 800 *et seq.*); facilities within the jurisdiction of the District of Columbia Sports Commission as of November 1, 2001; or the following areas within the Central Employment Area which are bounded as follows:

   1. Beginning at the corner of F Street, N.W. and 17th Street, N.W., west along F Street, N.W. to 20th Street, N.W., north along 20th Street, N.W. to Pennsylvania Avenue, N.W., west along Pennsylvania Avenue, N.W. to 21st Street, N.W., north along 21st Street, N.W. to M Street, N.W., east along M Street, N.W. to 20th Street, N.W., north along 20th Street, N.W. to N Street, N.W., east along N Street, N.W. to 19th Street, N.W., south along 19th Street, N.W. to G Street, N.W., east along G Street, N.W. to 17th Street, N.W., south along 17th Street, N.W. to F Street, N.W.;

   2. Beginning at the corner of Rhode Island Avenue, N.W. and M Street, N.W., northeast along Rhode Island Avenue, N.W. to Massachusetts Avenue, N.W., east along Massachusetts Avenue, N.W. to 15th Street, N.W., south along 15th Street, N.W. to M Street, N.W., west along M Street, N.W. to 16th Street, N.W., south along the east side of 16th Street, N.W. to Eye Street, N.W., north along the west side of 16th Street, N.W. to M Street, N.W., west along M Street, N.W. to Rhode Island Avenue, N.W.;

   3. Beginning at the intersection of Massachusetts Avenue, N.W. and 14th Street, N.W., east along Massachusetts Avenue, N.W. to 9th Street, N.W., north along 9th Street, N.W. to N Street, N.W., east along N Street, N.W. to 7th Street, N.W., south along 7th Street, N.W. to K Street, N.W., east along K Street, N.W. to 3rd Street, N.W., south along 3rd Street, N.W. to Massachusetts Avenue, N.W., west along Massachusetts Avenue, N.W. to Eye Street, N.W., west along Eye Street, N.W. to 9th Street, N.W., south along 9th Street, N.W. to H Street, N.W., west along H Street, N.W. to 11th Street, N.W., north along H Street, N.W. to Eye Street, N.W., west along Eye Street, N.W. to 12th Street, N.W., north along 12th Street, N.W.

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to L Street, N.W., west along L Street, N.W. to 14th Street, N.W., north along 14th Street, N.W. to Massachusetts Avenue, N.W.;

4. Beginning at the intersection of Massachusetts Avenue, N.W. and H Street, N.W., east along H Street, N.W. to the closed alley (formerly Smith Court) in the mid-block between 1st Street, N.W. and North Capitol Street, south along that closed alley line to G Street, N.W., east along G Street, N.W., to North Capitol Street, south along North Capitol Street, N.W. to Massachusetts Avenue, N.W., northwest on Massachusetts Avenue, N.W. to H Street, N.W.;

5. Beginning at the intersection of Florida Avenue, N.E. and North Capitol Street, southeast along Florida Avenue, N.E. to 4th Street, N.E., south along 4th Street, N.E. to M Street, N.E., west along M Street, N.E. to 3rd Street, N.E., south along 3rd Street, N.E. to K Street, N.E., west along K Street, N.E. to 1st Street, N.E., south along 1st Street, N.E. to G Place, N.E., west along G Place, N.E. to North Capitol Street, north along North Capitol Street to Florida Avenue, N.E.;

6. Beginning at the corner of M Street, S.E. and South Capitol Street, east along M Street, S.E., to 1st Street, S.E., south along 1st Street, S.E., to Potomac Avenue, S.E., west along Potomac Avenue, S.E., to South Capitol Street, north along South Capitol Street to M Street, S.E.; and

7. Beginning at the intersection of Maryland Avenue, S.W. and Maine Avenue, S.W., east along Maryland Avenue, S.W. to 9th Street, S.W., south along 9th Street, S.W. to Interstate 395, west along Interstate 395 to Maine Avenue, S.W.

3. The Special Sign in its new location is approved by the Department in accordance with all other applicable provisions of Section N101.17.

4. The permit holder pays a "change location" fee in the amount of $500. The $500 change location fee shall be refundable if the transfer of the Special Sign permit to a new location is not approved. If the relocation of the Special Sign is made at the request of the Department, a change location fee shall not be required.

5. If the Special Sign is painted or drawn onto an existing structure, the method of removal shall be that the existing structure where the Special Sign has been placed shall be made neutral prior to the relocation.

6. If a current Special Sign permit for a location that is not in the zone of transferability, as defined in Paragraph (b) of this section, is transferred to another

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location under this section, the Department shall ensure that the current Special Sign has been removed prior to the relocation and no subsequent Special Sign shall be permitted to be erected in the former location or area outside the zone of transferability.

7. No Special Sign shall be installed so as to extend above the lowest portion of the roofline of an existing building's dimensions.

N101.17.8 Installation of Special Signs. The installation of a Special Sign shall be done in a workmanlike manner and in accordance with the standards of the industry. Special Signs shall be subject to the structural provisions of Section N101.11. Special signs shall not be installed upon building walls so as to cover any existing windows. A Special Sign shall only be installed upon a building and no part of either it or its supporting structure may protrude above the wall upon which it is installed. The topmost point of a Special Sign or of its supporting structure shall not be higher than the allowable height for a new building at the premises, under the *Zoning Regulations*.

N101.17.9 Illumination of Special Signs. Special Signs within five hundred feet (500 ft) of a residential zone, as established in the *Zoning Regulations*, shall not be illuminated. Other Special Signs may be indirectly illuminated by projecting artificial light on the surface of the sign, but shall not be internally illuminated nor be constructed of or incorporate neon, or any other type of gas or vapor lights. Special Signs shall not contain movable parts, or highly reflective or fluorescent materials, nor shall they contain 3-D, moving, animated, or periodically-changing images or text.

N101.17.10 Limitations on Special Sign Permits. The Department shall not issue any new permit, whether as an initial permit, for changes to artwork pursuant to Section N101.17.5, or for transfer to a new location pursuant to Section N101.17.7, for any Special Sign to be displayed upon buildings or land located in any of the following areas:

1. In or within one hundred feet (100 ft) of a Residential District, as defined in the *Zoning Regulations*, or within one hundred feet (100 ft) of a school or church with a valid certificate of occupancy for such use, or within one hundred feet (100 ft) of a federal or District of Columbia park or monument.

2. Between one hundred and two hundred feet (100 ft - 200 ft) of a Residential District, as defined in the *Zoning Regulations*, unless the sign faces away from the residential district and is placed at an angle of forty-five degrees (45°) or less with the closest residential zoning district boundary line.

3. In or within sixty feet (60 ft) of any Historic District or Historic Landmark or site listed on the most current edition of the "District of Columbia Inventory of Historic Sites" as amended from time to time, unless the Special Sign is located

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outside a Residential District, on a side-wall or back-wall of the building or site and historic preservation approval is granted if necessary. Special signs in any Historic District or on a Historic Landmark or site shall be removed within six months of its erection, hanging, placement or display.

4. In or within one hundred feet (100 ft) of premises within the area controlled by the Shipstead-Luce Act (D.C. Official Code § 6-1201.01 (2012 Repl.).

5. In or within one hundred feet (100 ft) of premises within the area controlled by the Old Georgetown Act (D.C. Official Code § 6-1201 *et seq.* (2012 Repl.).

6. In a waterfront district (W) and pursuant to specific prohibitions as may be contained in the *Zoning Regulations*, as amended from time to time.

N101.17.11 Enforcement of Regulations and Removal of Special Signs. Any unauthorized Special Sign (including a Special Sign without a permit, or a permitted Special Sign with unauthorized artwork) shall be taken down, removed, or obliterated within ten (10) days after receipt of written notification of violation from the Department. The code official is authorized to bring enforcement actions on behalf of the Department, which may include the authorization to use the police or other governmental authority to order removal of, or to remove, the unauthorized Special Sign and the imposition of civil fines of no more than three dollars ($3) per square foot of sign, per day that the unauthorized Special Sign fails to be taken down, removed or obliterated. Both the owner of the premises upon which the Special Sign is displayed and the permit holder are responsible for taking down, removing or obliterating the sign upon notification by the Department to do so, and both may be held responsible for any penalties or fines imposed for the violation. Additional enforcement measures may be taken pursuant to, and consistent with, the provisions of Section 113, "Violations and Infractions."

N101.17.12 Moratorium on Issuance of Special Signs. Other than for changes in artwork pursuant to Section N101.17.5, or for transfers of location pursuant to Section N101.17.7, no new Special Sign Permits shall be issued after November 9, 2000.

N101.18 Rules for Gallery Place Project Graphics. The code official is authorized to issue a permit for Gallery Place Project Graphics, as defined in Section N101.18.1. Gallery Place Project Graphics shall be subject to the rules of this section and not to the rules in this chapter pertaining to billboards, poster panels, wall signs, Special Signs, and other specific types of signs, except those specific types of signs indicated below. Gallery Place Project Graphics shall not be subject to Section N101.10 or other similar provisions of this chapter that limit the maximum size or height of signs, other than the limitations stated or incorporated into this section. All other provisions of this chapter shall apply, including, but not limited to, Sections N101.3.4 (permits for electrical signs), N101.7.1 (projecting signs), N101.7.2 (roof signs), N101.7.3 (signs supported by projecting construction), N101.7.4 (signs on awnings or similar projections),

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N101.7.8 (signs on public space), N101.11 (structural and materials requirements), N101.13 (dangerous signs), and N101.14 (obstructive signs).

N101.18.1 Definitions. As used in this section, the following definitions apply:

GALLERY PLACE PROJECT: (a) The project described in D.C. Official Code § 47-2005(30)(B), except that the lots comprising the project have been combined and are now known as Lot 50 in Square 454; (b) the private alley located between the project and the property known as the Verizon Center, Square 455, Lot 47, and (c) the northern facade of the Verizon Center.

GALLERY PLACE PROJECT GRAPHICS: The outdoor graphics and visuals for the Gallery Place Project and the private alley located between the Gallery Place Project and the property known as the Verizon Center, including, but not limited to, banners, digital screens, digital video monitors, theater marquees, fixed and animated signs for commercial establishments located within the project, projectors for projecting static and moving images onto the Gallery Place Project, interactive kiosks, and images projected onto the facade of the Gallery Place Project.

N101.18.2 Additional Requirements and Restrictions. In addition to all other applicable provisions of this chapter not exempted by this Section N101.18, Gallery Place Project Graphics and those graphics and visuals located in the public space immediately adjacent to the Gallery Place Project shall be designed, located, erected, hung, placed, posted, painted, displayed, and maintained in compliance with the specifications, drawings, limitations, and requirements set forth in Illustrations 1 through 6 ("Illustrations"), which are incorporated by reference into this section and are available in the office of the code official.

N101.18.2.1 Flexibility on Character of Advertisement. Notwithstanding Section N101.6, Gallery Place Project Graphics located in those areas identified in the Illustrations as the "Corner Heroic Sign Area" or the "Additional Signage Area" may advertise businesses not located on the premises, including the goods and services sold at such business, provided that the businesses so advertised are located within the Gallery Place Project.

N101.18.2.2 Displays of Video, Flashing, or Animation. Only that portion of a graphic or visual which is permitted by Section N101.6.1 to advertise products or commodities may display video, flashing, or animation.

N101.18.2.3 Intensity or brilliance of signs. No Gallery Place Project Graphic shall have such intensity or brilliance as to cause glare or impair the vision of any driver, otherwise interfere with the driver's operation of a motor vehicle, or

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adversely impact an owner's enjoyment of residential property located within the Gallery Place Project.

N101.18.2.4 Projection at certain locations. Notwithstanding Section N101.7.1.1, the following specific rules apply to projecting Gallery Place Project Graphics:

N101.18.2.4.1 No Gallery Place Project Graphic located in any area shown as crosshatched in the Illustrations shall project more than 8 inches (203.2 mm) beyond the facade of the structure.

N101.18.2.4.2 Gallery Place Project Graphics located in the "Storefront Signage Areas" depicted on the Illustrations may project no more than 48 inches (1219.20 mm) beyond the building line or building restriction line, on the street frontage of a building.

N101.18.2.5 Revolving Signs. Notwithstanding Section N101.7.11, revolving signs shall be permitted in the private alley located between the project and the property known as the Verizon Center, Square 455, Lot 47, subject to the conditions of Sections N101.7.11.1 through N101.7.11.7.

N101.18.2a Gallery Place Project Graphics Displays in Private Alley. A single, stationary Gallery Place Project Graphic may be erected and maintained in the private alley located between the Gallery Place Project and the property known as the Verizon Center; provided that it complies with the following specific requirements, in addition to the provisions in Sections 3107.18.2 (Additional Requirements and Restrictions) and 3107.18.2.3 (Intensity or Brilliance of Signs):

N101.18.2a.1 The Gallery Place Project Graphic in the private alley shall consist of one (1) stationary stanchion to support two (2) digital displays, each measuring no more than two hundred and eighty-five square feet (285 sq. ft.) and neither of which shall have any audio or sound, other than *de minimis* sounds caused by general operation. The lowest portion of the digital displays shall have at least nine feet and seven inches (9 ft. 7 in.) of clearance from the sidewalk, and the highest point of the digital displays shall not exceed a height of twenty-nine feet and ten inches (29 ft. 10 in.) as measured from the sidewalk. The width of the digital displays shall not exceed fourteen feet (14 ft.). No portion of the Gallery Place Project Graphic may project more than forty-two inches (42 in.) beyond the building restriction line. The maximum distance between the faces of the portions of the two (2) digital displays that are located in public space shall not exceed forty-two inches (42 in.). There shall be ten feet (10 ft.) of clearance in every direction around the stanchion in order to allow for unobstructed pedestrian movement. The sign and stanchion of the Gallery Place Project Graphic shall be

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innovative and sculptural with regard to its overall shape and structural design.

N101.18.2a.2 In addition to other reviews authorized by this section, after installation of the displays, the brilliance, illumination, and use of full-motion video, if any, shall be subject to review by the District Department of Transportation to determine whether the Gallery Place Project Graphic in the private alley creates a risk for vehicular traffic safety.

N101.18.2a.3 Any commercial advertising messages on the Gallery Place Project Graphic digital displays in the private alley shall be for businesses, goods, or services located within the Gallery Place Project.

N101.18.2a.4 Each Gallery Place Project Graphic digital display in the private alley shall operate only between the hours of 6:00 a.m. and midnight or no more than thirty (30) minutes after the end of an event at the Verizon Center, whichever is later, and shall show a minimum of six (6) minutes per hour of public service content.

N101.18.2a.5 The permitee shall act promptly to make any necessary changes to the displays to ensure compliance with federal law or the Federal-District Agreement to control outdoor advertising on federal-aid routes, in the event there is a representation by the federal government that the Gallery Place Project Graphics digital displays are not in compliance with such law or agreement.

N101.18.2a.6 The Gallery Place Project Graphic in the private alley shall be subject to the permit requirements of Sections 3107.18.4 through 3107.18.8; provided, that the permit fee for the Gallery Place Project Graphic digital displays shall be three dollars ($3) per square foot of each of the digital displays; provided further, that the reviews for the initial permit by the District Department of Transportation and the Office of Planning under Section 3107.18.5 (Permit Application Referrals) shall be conducted within fourteen (14) days of the referral date; and provided further, that the initial permit shall be valid for three (3) years and shall be renewable annually thereafter. Each application for renewal shall be submitted on or before the anniversary of the permit's original issuance and shall be subject to review for compliance with Sections 3107.18.4 (Gallery Place Project Graphics Permit Application), 3107.18.5 (Permit Applications Referrals), 3107.18.6 (Effect of Adverse Report), 3107.18.7 (Review, Approval, and Denial of Permit Applications), and other applicable laws or regulations.

N101.18.3 Gallery Place Project Graphics Permit. No Gallery Place Project Graphics may be erected, hung, placed, posted, painted, displayed, or maintained without the owner of such Gallery Place Project Graphic first obtaining a Gallery Place Project Graphics Permit from the Department in accordance with Section N101.18.4. A Gallery

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Place Project Graphics Permit authorizes the location, size, and design of the graphic or visual.

N101.18.4 Gallery Place Project Graphics Permit Application. An application for a Gallery Place Project Graphics Permit shall be submitted by the owner to the Director of the Department, or his or her designee, on a form provided by the Department, and shall include the following:

1. Identification of:

   (a) The applicant;

   (b) The proposed location of the Gallery Place Project Graphics by the street address of the building or premises and the face direction of the wall or surface (*e.g.*, northern-facing);

   (c) The proposed linear dimensions of the Gallery Place Project Graphics; and

   (d) Such other information as the Director may require.

2. An affidavit signed by the applicant or his or her duly authorized representative, certifying that the applicant is in compliance with Subchapter II of Chapter 28 of Title 47 of the District of Columbia Official Code.

3. A permit fee in the amount of one dollar ($1.00) per square foot of the Gallery Place Project Graphics. The permit fee may be paid by check made payable to the order of the "D.C. Treasurer." The permit fee may be refunded to the applicant if the permit is not issued, in accordance with the provisions of Chapter 1 for the refund of unused permit fees.

N101.18.5 Permit Applications Referrals. The Director of the Department, or his or her designee, shall refer all permit applications to the District Department of Transportation and the Office of Planning. The agencies shall have sixty (60) days from the referral date to submit a written report to the Director of the Department, except that the Director may allow for an extension of this period of up to thirty (30) days for good cause.

N101.18.6 Effect of Adverse Report. No permit shall be granted if, within the time period provided in Section N101.18.5:

1. The Director of the Department of Transportation reports in writing that the location, size, or height above grade of the visual or graphic is objectionable with regard to vehicular traffic safety; or

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2. The Director of the Office of Planning reports in writing that the proposed graphic or visual:

   (a) Does not comply with the specifications, drawings, limitations and requirements of the Illustrations; or

   (b) Would adversely impact the character and integrity of the Gallery Place Project.

N101.18.7 Review, Approval, and Denial of Permit Applications. The Director of the Department, or his or her designee, shall review and approve or deny a Gallery Place Project Graphics Permit application within twenty (20) days of after the expiration of the time period provided in Section N101.18.5. Gallery Place Project Graphics Permits shall be issued in the name of the applicant and shall pertain solely to the Gallery Place Project Graphics location identified on the permit.

N101.18.7.1 Denial of Application. If the Director denies a Gallery Place Project Graphics Permit, the denial shall be in writing to the applicant and shall state the statutory or regulatory basis for the denial. The applicant shall have ten (10) business days from receipt of the denial to correct any defect in the application.

N101.18.8 Applicability of Other Laws and Regulations Unaffected. Other than the exempted provisions of this chapter, the Gallery Place Project shall continue to be subject to all applicable rules and regulations, including, but not limited to, Chapter 24 of Title 10 (Chinatown Design Review Procedures).

N101.18.9 Enforcement of Regulations and Removal of Gallery Place Project Graphics. Any unauthorized Gallery Place Project Graphic (including Gallery Place Project Graphics without a permit) shall be taken down or removed within ten (10) days after receipt of written notification of violation from the Department. Following the expiration of this time period, the code official is authorized, through personnel of the Department or the Metropolitan Police Department, to remove or take down the unauthorized Gallery Place Project Graphic and to impose civil fines of no more than three dollars ($3) per square foot of sign, per day that the unauthorized Gallery Place Project Graphic fails to be taken down or removed. Both the owner of the premises upon which the Gallery Place Project Graphic is displayed and the permit holder are responsible for taking down or removing the graphic or visual upon notification by the Department to do so, and both may be held responsible for any penalties or fines imposed for the violation. Additional enforcement measures may be taken pursuant to, and consistent with, the provisions of Section 113, "Violations and Infractions."

N101.18.10 Maintenance and repair. Whenever the code official finds that any Gallery

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Place Project Graphic is not maintained in good repair and has not deteriorated more than 50 percent of its replacement value, the code official shall notify the owner thereof and order him to repair the Gallery Place Project Graphic within a specified time, but not less than 10 calendar days. If the code official finds that the Gallery Place Project Graphic has deteriorated more than 50 percent of its replacement value, or is not repaired within the time specified in the repair notice, the code official shall notify the owner of the Gallery Place Project Graphic and the owner of the real property on which said Gallery Place Project Graphic is located to remove the Gallery Place Project Graphic from the property within a specified time. Failure to comply shall subject said owners, upon conviction or adjudication, to the fines provided for in Section 4 of An Act to regulate the erection, hanging, placing, painting, display, and maintenance of outdoor signs and other forms of exterior advertising within the District of Columbia, approved March 31, 1931 (46 Stat. 1486; D.C. Official Code § 1-303.23 (2012 Repl.)), or to civil fines, penalties, and fees pursuant to Titles I through III of the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985, effective October 5, 1985 (D.C. Law 6-42; D.C. Official Code § 2-1801.01 *et seq*. (2012 Repl.)). The code official may extend the time periods stated in this section upon the owner's written showing of good cause.

N101.18.11 Rulemaking Authority. Notwithstanding Section 10 of the Construction Codes Approval and Amendments Act of 1986, effective March 21, 1987 (D.C. Law 6-216; D.C. Official Code § 6-1409 (2012 Repl.)), the Director may amend the provisions of this section and the specifications, drawings, limitations, and requirements of the Illustrations by rulemaking pursuant to Section 6 of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1206; D.C. Official Code § 2-505 (2012 Repl.)), without submission of the proposed rules to the Council for its prior review and approval.

N101.19 Rules for Verizon Center Graphics. The *code official* is authorized to issue a permit for each of up to nine (9) "Verizon Center Graphics" as defined in Section N101.19.1. The Verizon Center Graphics shall be subject to the provisions of Sections N101.19 to N101.19.16 and the following provisions, as applicable: Sections N101.3.4 (Permits for electrical signs), N101.7.1 (Projecting signs), N101.7.2 (Roof signs), N101.7.3 (Signs supported by projecting construction), N101.7.4 (Signs on awnings or similar projections), N101.7.8.1 (Signs on public space), N101.11 (Structural and materials requirements), N101.13 (Dangerous signs), and N101.14 (Obstructive signs) except as applied to windows. The Verizon Center Graphics shall not be subject to any other provision of this chapter or any provision of Titles 10 or 12 pertaining to the permitting, approval, erection, placing, painting, display, or maintenance of billboards, poster panels, wall signs, special signs, and any other types of outdoor signs, including, without limitation, Section N101.10 (Maximum size of street signs) or any other provision of this chapter that limits the maximum size or height of signs, other than the limitations stated or incorporated into this section. Nothing in this section shall prevent the operation of Sections N101.3.5 (Exemptions from permit) or N101.6.6.1 (Temporary decorations for buildings) with respect to the Verizon Center.

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N101.19.1 Definitions. As used in Sections N101.19 to N101.19.16, the following definitions apply:

"Department" means the Department of Consumer and Regulatory Affairs.

"Director" means the Director of the Department or his or her designee.

"Verizon Center" means the property and structure currently known as the Verizon Center, located at Square 455, Lot 47, including, without limitation, the Gallery Place Metro entrance on the corner of 7th and F Streets, N.W.

"Verizon Center Graphics" means outdoor signs, visuals, digital displays, and static canvas displays placed on the Verizon Center, which were not existing on the Verizon Center as of June 11, 2012, consisting of:

1. Two (2) separate digital displays on the western side of Verizon Center, each measuring no more than 1,200 square feet, which would replace two (2) static canvas displays on the western side of Verizon Center as they existed on June 11, 2012;

2. One (1) digital display that forms a right angle around the southwest corner of the Verizon Center with each display panel of the digital display forming a right angle measuring no more than twenty-four (24) feet in height and forty-three (43) feet in width with the top of each panel of the digital display starting at the top of the glass windows on the Verizon Center as they existed on June 11, 2012;

3. Two (2) separate digital displays, each measuring no more than three (3) feet in height and eighteen (18) feet in width, mounted on the exterior of the top of the western and southern entrances to the Gallery Place Metro stat on at the corner of 7 and F Streets, N.W.;

4. Up to two (2) digital displays or static canvas displays in the interior space above and around the escalators in the Metro station identified in Paragraph 3 of this section.

5. One (1) static canvas display that forms a right angle around the southeast corner of the Verizon Center with each panel forming a right angle measuring no more than twenty-four (24) feet in height and forty-three (43) feet in width with the top of each such panel starting at the top of the glass windows on the Verizon Center as they existed on June 11, 2012; and

6. Up to two (2) separate static canvas displays on the eastern side of the Verizon

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Center, each measuring no more than 1,200 square feet.

N101.19.2 Intensity or Brilliance of Graphics. None of the Verizon Center Graphics shall have such intensity or brilliance as to create an unreasonable risk for vehicular traffic safety as determined by the Director of the District Department of Transportation pursuant to Section N101.19.8.

N101.19.3 No Sound. None of the Verizon Center Graphics shall have an audio or sound other than any de minimis sounds caused by general operation.

N101.19.4 Digital Displays. No digital display shall be placed on the exterior of the Verizon Center that is parallel to any residential building existing as of June 11, 2012.

N101.19.5 Verizon Center Graphics Permit. No Verizon Center Graphics may be erected, installed, hung, placed, posted, painted, displayed, or maintained without the owner of Verizon Center or the owner's designee first obtaining a Verizon Center Graphics permit from the Department in accordance with this chapter. A Verizon Center Graphics Permit authorizes the location, size, and structural design of the Verizon Center Graphics and shall be valid for three (3) years with no limitation on the number of renewals of the permit. Each renewal of the Verizon Center Graphics permit shall require a review under Section N101.19.10 if substantive changes to the permit application merit such review and payment under Section N101.19.6.

N101.19.6 Verizon Center Graphics Permit Application. An application for a Verizon Center Graphics Permit shall be submitted by the owner, or the owner's designee, of the Verizon Center to the Director and shall include the following:

1. Identification of:

    (a) The applicant with contact information including the applicant's telephone number, e-mail address, and mailing address;

    (b) The proposed type and location of the Verizon Center Graphics and the face direction of the wall or surface;

    (c) The proposed linear dimensions of the Verizon Center Graphics and its projection from the Verizon Center facade;

    (d) The proposed structural design of the Verizon Center Graphics;

    (e) The proposed intensity or brilliance of the Verizon Center Graphics;

    (f) The potentially affected Advisory Neighborhood Commissions; and

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(g) Any use on the digital displays constituting Verizon Center Graphics that the applicant may provide for public service announcements and advertisements regarding community, art, cultural, educational and similar events, including public services notices that the District of Columbia government may want to post.

2. An affidavit signed by the applicant, or his or her duly authorized representative, certifying that the applicant is in compliance with Subchapter II of Chapter 28 of Title 47 of the District of Columbia Official Code, and has consulted with or attempted in good faith to consult with the potentially affected Advisory Neighborhood Commissions about the permit application.

3. A permit fee in the amount of three dollars ($3.00) per square foot of the Verizon Center Graphics; provided, that this permit fee may be amended by rulemaking or act consistent with permit fees for similar signs. The permit fee may be paid by check made payable to the order of the "D.C. Treasurer."

4. Five (5) copies of the application and all illustrations; and

5. Any other information required by the Director to assist in reviewing the permit application.

N101.19.7 Permit Application Referrals. The Director shall refer all Verizon Center Graphics permit applications to the District Department of Transportation and the Office of Planning within ten (10) days of receipt of the permit application by the Department. The District Department of Transportation and the Office of Planning shall have seventy (70) days from the date the Department receives the permit application to submit a written report to the Director, except that the Director may allow for an extension of this period of up to thirty (30) days for good cause.

N101.19.8 Effect of Adverse Report. No Verizon Center Graphics permit shall be approved by the Department if:

1. The Director of the Department of Transportation reports in writing with a detailed statement of reasons that the location, size, height above grade, brilliance, or illumination of the Verizon Center Graphics would create an unreasonable risk for vehicular traffic safety;

2. The proposed Verizon Center Graphics would violate applicable federal or District of Columbia laws or regulations; or

3. The Director of the Office of Planning reports in writing with a detailed statement

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of reasons that the proposed Verizon Center Graphics would adversely impact the character and integrity of the Verizon Center as a sports and entertainment arena or the character and integrity of the surrounding neighborhood as a whole for residential, business, and recreation uses.

N101.19.9 Advisory Neighborhood Commission Notification. The Director shall notify in writing potentially affected Advisory Neighborhood Commissions of the submission of an application for Verizon Center Graphics within ten (10) days of receipt of such application and invite the submission of any written comments within forty-five (45) days of the date of such notice.

N101.19.10 Review, Approval, or Denial of Verizon Center Graphics Permit Applications. The Director shall review and either approve or deny a Verizon Center Graphics permit application within twenty-one (21) days after the expiration of the time period provided in Section N101.19.7. The approval or denial of the permit application shall be based on the following:

1. Whether the permit application meets the requirements set forth in this chapter; and

2. Whether an adverse report has been issued by either the District Department of Transportation or the Office of Planning pursuant to Section N101.19.8.

A Verizon Center Graphics permit shall be issued in the name of the applicant and shall pertain solely to the specific Verizon Center Graphic and specific location identified in the permit.

N101.19.11 Denial of Application. If the Director denies a Verizon Center Graphics permit application, the denial shall be issued in writing to the applicant and shall explain in detail the basis for the denial. The applicant shall have thirty (30) days from receipt of the denial to:

1. Correct any defect in the application identified by the Director and submit a corrected Verizon Center Graphics application to the Department; or

2. Seek review of the permit denial at the Office of Administrative Hearings.

If the applicant timely submits a corrected Verizon Center Graphics application to the Department, the Director, within five (5) days of receipt of the permit application, shall refer the permit application to the District Department of Transportation and the Office of Planning and each agency shall provide a report required under Section N101.19.7 within fourteen (14) days. The Director shall review and either approve or deny the corrected permit application within thirty (30) days of receipt of the corrected permit application.

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If the Director denies the corrected permit application, the applicant shall have thirty (30) days from receipt of the denial to file a notice with the Office of Administrative Hearings for adjudication.

N101.19.12 Static Canvas Display Changes. As part of a Verizon Center Graphics permit application, the owner of the Verizon Center or the owner's designee may apply to the Director for a change in the number, location, and size of the static canvas displays as defined in the definition of Verizon Center Graphics in Section 3107.19.1, but shall not do so for digital displays. The Director shall grant such application if:

1. The total number of permits for Verizon Center Graphics does not exceed nine (9);

2. The display size of any one (1) static canvas display does not exceed 1,200 square feet;

3. The Verizon Center Graphics are deemed to be in compliance with applicable federal or District of Columbia laws or regulations; and

4. All other requirements applicable to the Verizon Center Graphics set forth in this Appendix N are met.

N101.19.13 Enforcement of Regulations and Removal of Verizon Center Graphics. Any unauthorized Verizon Center Graphics, including Verizon Center Graphics without a permit or Verizon Center Graphics that are not in full compliance with provisions of the District of Columbia Official Code, District of Columbia Municipal Regulations, or federal law, including D.C. Official Code § 1-303.21 *et seq*. and this chapter, that become effective within one (1) year of the issuance of the permit authorizing the Verizon Center Graphics permitted under this chapter, shall be taken down or removed within fourteen (14) days after receipt of written notification of violation from the Mayor directing that the Verizon Center Graphics be removed or taken down. Further, the Mayor shall impose civil fines of no more than $5 per square foot of sign, per day, if the unauthorized Verizon Center Graphics are not taken down or removed after the specified 14-day period. The permit holder, at its sole cost and expense, shall be responsible for taking down or removing unauthorized Verizon Center Graphics upon notification by the Mayor to do so and shall be solely and exclusively responsible for any expense incurred by the District of Columbia if the Mayor removes the unauthorized Verizon Center Graphics as described herein. The permit holder shall also be held solely and exclusively responsible for any penalties or fines imposed by this violation. Any changes made to sign and advertising requirements under District of Columbia law after the issuance of a Verizon Center Graphics permit shall not apply to the Verizon Center Graphics for the life of the permit or three (3) years from the issuance of the permit, whichever is shorter.

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N101.19.14 Maintenance and Repair. Whenever the code official finds that any of the Verizon Center Graphics are not maintained in good repair and have not deteriorated more than fifty percent (50%) of their replacement value, the code official shall notify the Verizon Center owner and permit holder and order the repair of the Verizon Center Graphics within a specified time, but not less than ten (10) days. If the code official finds that any of the Verizon Center Graphics are not maintained in good repair and have deteriorated more than fifty percent (50%) of their replacement value, or are not repaired within the time specified in the repair notice, the code official shall order the Verizon Center owner and permit holder to remove such Verizon Center Graphics within a specified period of time, but not less than five (5) days. Failure to comply with such order shall subject the Verizon Center owner and the permit holder, upon adjudication, to civil fines, penalties, and fees pursuant to Titles I through III of the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985, effective October 5, 1985 (D.C. Law 6-42; D.C. Official Code § 2-1801.01 *et seq*. (2012 Repl.)). The code official may extend the time periods stated in this section upon written showing of good cause by the Verizon Center owner and permit holder.

N101.19.15 Existing Verizon Center Signs. Any outdoor graphics, signs, visuals, digital displays, and static canvas displays existing on the Verizon Center as of June 11, 2012 shall be deemed to be approved under District of Columbia law and a permit shall be issued by the Department for each sign after the applicable permit fee is paid by the owner of the Verizon Center.

N101.19.16 Rulemaking Authority. Notwithstanding Section 10 of the Construction Codes Approval and Amendments Act of 1986, effective March 21, 1987 (D.C. Law 6-216; D.C. Official Code § 6-1409 (2012 Repl.)), the Director of the Department may amend the provisions of Sections N101.19 through N101.19.16 by rulemaking pursuant to Section 6 of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1206; D.C. Official Code § 2-505 (2012 Repl.)), upon review and active approval by the Council.

The *District of Columbia Building Code* (2013), referred to as the "*Building Code*," consists of the 2012 edition of the *International Building Code* as amended by the *District of Columbia Building Code Supplement* (2013)(12 DCMR A). The *International Building Code* is copyrighted by the International Code Council and therefore is not republished here. However, a copy of the text may be obtained at: http://publicecodes.cyberregs.com/icod/ibc/2012/index.htm?bu=IC-P-2012-000001&bu2=IC-P-2012-000019.

DISTRICT OF COLUMBIA
CONSTRUCTION CODES SUPPLEMENT OF 2013
12 DCMR B RESIDENTIAL CODE SUPPLEMENT

The District of Columbia has adopted the 2012 edition of the *International Residential Code* (IRC), as amended by this Supplement.

IRC CHAPTERS AMENDED BY THIS SUPPLEMENT:

CHAPTER 1	SCOPE AND ADMINISTRATION
CHAPTER 2	DEFINITIONS
CHAPTER 3	BUILDING PLANNING
CHAPTER 9	ROOF ASSEMBLIES
CHAPTER 11	ENERGY EFFICIENCY
CHAPTER 12	MECHANICAL ADMINISTRATION
CHAPTER 15	EXHAUST SYSTEMS
CHAPTER 16	DUCT SYSTEMS
CHAPTER 24	FUEL GAS
CHAPTER 25	PLUMBING ADMINISTRATION
CHAPTER 29	WATER SUPPLY AND DISTRIBUTION
CHAPTER 30	SANITARY DRAINAGE
CHAPTER 44	REFERENCED STANDARDS
APPENDIX E	MANUFACTURED HOUSING USED AS DWELLINGS
APPENDIX H	PATIO COVERS
APPENDIX J	EXISTING BUILDINGS AND STRUCTURES
APPENDIX K	SOUND TRANSMISSION
APPENDIX M	HOME DAY CARE – R-3 OCCUPANCIES

The *District of Columbia Residential Code* (2013), referred to as the "*Residential Code*," consists of the 2012 edition of the *International Residential Code for One- and Two-Family Dwellings*, published by the International Code Council (ICC), as amended by the *District of Columbia Residential Code Supplement* (2013) (12 DCMR B). The *International Residential Code* is copyrighted by the ICC and therefore is not republished here. However, a copy of the text may be obtained at: http://publicecodes.cyberregs.com/icod/irc/2012/index.htm?bu=IC-P-2012-000002&bu2=IC-P-2012-000019.

Strike Chapter 1 of the International Residential Code in its entirety and insert new Chapter 1 in the Residential Code in its place to read as follows:

CHAPTER 1 SCOPE AND ADMINISTRATION

R101 General

R101 GENERAL

R101.1 General. Administration and enforcement of the *Residential Code* shall be governed by Chapter 1 of the *Building Code*, 12 DCMR A.

The *District of Columbia Residential Code* (2013), referred to as the "*Residential Code*," consists of the 2012 edition of the *International Residential Code for One- and Two-Family Dwellings*, published by the International Code Council (ICC), as amended by the *District of Columbia Residential Code Supplement* (2013) (12 DCMR B). The *International Residential Code* is copyrighted by the ICC and therefore is not republished here. However, a copy of the text may be obtained at: http://publicecodes.cyberregs.com/icod/irc/2012/index.htm?bu=IC-P-2012-000002&bu2=IC-P-2012-000019.

CHAPTER 2 DEFINITIONS

R202 Definitions

R202 DEFINITIONS

Strike the definition of Third Party Certified in Section R202 of the International Residential Code in its entirety and insert a new definition of Third Party Certified in the Residential Code in its place to read as follows:

THIRD PARTY CERTIFIED. Product or material for which a certification was obtained by the manufacturer indicating that the function and performance characteristics of such product or material have been determined by testing and ongoing surveillance by an approved third-party certification agency. Assertion of certification is in the form of identification in accordance with the requirements of the third-party certification agency.

Strike the definition of Third Party Tested in Section R202 of the International Residential Code in its entirety and insert a new definition of Third Party Tested in the Residential Code in its place to read as follows:

THIRD PARTY TESTED. Product, material or system that has undergone successfully a procedure by which an approved testing laboratory provides documentation that such product, material or system conforms to specified requirements.

The *District of Columbia Residential Code* (2013), referred to as the "*Residential Code*," consists of the 2012 edition of the *International Residential Code for One- and Two-Family Dwellings*, published by the International Code Council (ICC), as amended by the *District of Columbia Residential Code Supplement* (2013) (12 DCMR B). The *International Residential Code* is copyrighted by the ICC and therefore is not republished here. However, a copy of the text may be obtained at: http://publicecodes.cyberregs.com/icod/irc/2012/index.htm?bu=IC-P-2012-000002&bu2=IC-P-2012-000019.

CHAPTER 3 BUILDING PLANNING

R301 Design Criteria
R303 Light, Ventilation and Heating
R319 Site Address

R301 DESIGN CRITERIA

Strike Table R301.2(1), Climatic and Geographic Design Criteria, in the International Residential Code in its entirety and insert new Table R301.2(1) in the Residential Code in its place to read as follows:

TABLE R301.2(1)
CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA

GROUND SNOW LOAD	WIND DESIGN		SEISMIC DESIGN CATEGORY[f]	SUBJECT TO DAMAGE FROM			WINTER DESIGN TEMP[e]	ICE BARRIER UNDERLAY-MENT REQUIRED[h]	FLOOD HAZARDS[g]	AIR FREEZING INDEX[i]	
	Speed[d] (mph)	Topographic effects[k]		Weathering[a]	Frost line depth[b]	Termite[c]					MEAN ANNUAL TEMP[j]
25	90	Na	A	M	30	M-H	17	N	(a) November 15, 1985. (b) November 15, 1985; September 27, 2010. (c) All current FIRMs dated 09/27/2010; Panel numbers 110001IND0A, 1100010002C, 1100010003C, 1100010004C, 1100010006C, 1100010008C, 1100010011C, 1100010012C, 1100010014C, 1100010016C, 1100010018C, 1100010019C, 1100010036C, 1100010037C, 1100010038C,	500	55

The *District of Columbia Residential Code* (2013), referred to as the "*Residential Code*," consists of the 2012 edition of the *International Residential Code for One- and Two-Family Dwellings*, published by the International Code Council (ICC), as amended by the *District of Columbia Residential Code Supplement* (2013) (12 DCMR B). The *International Residential Code* is copyrighted by the ICC and therefore is not republished here. However, a copy of the text may be obtained at: http://publicecodes.cyberregs.com/icod/irc/2012/index.htm?bu=IC-P-2012-000002&bu2=IC-P-2012-000019.

									1100010039C, 1100010041C, 1100010043C, 1100010056C, 1100010057C, 1100010058C, 1100010059C, 1100010066C, 1100010067C, 1100010076C, 1100010077C and 1100010078C.		

For SI: 1 pound per square foot = 0.0479 kPa, 1 mile per hour = 0.447 m/s.

a. Weathering may require a higher strength concrete or grade of masonry than necessary to satisfy the structural requirements of this code. The weathering column shall be filled in with the weathering index (i.e., "negligible," "moderate" or "severe") for concrete as determined from the Weathering Probability Map [Figure R301.2(3)]. The grade of masonry units shall be determined from ASTM C 34, C 55, C 62, C 73, C 90, C 129, C 145, C 216 or C 652.

b. The frost line depth may require deeper footings than indicated in Figure R403.1(1). The jurisdiction shall fill in the frost line depth column with the minimum depth of footing below finish grade.

c. The jurisdiction shall fill in this part of the table to indicate the need for protection depending on whether there has been a history of local subterranean termite damage.

d. The jurisdiction shall fill in this part of the table with the wind speed from the basic wind speed map [Figure R301.2(4)A]. Wind exposure category shall be determined on a site-specific basis in accordance with Section R301.2.1.4.

e. The outdoor design dry-bulb temperature shall be selected from the columns of $97^1/_2$-percent values for winter from Appendix D of the *International Plumbing Code*. Deviations from the Appendix D temperatures shall be permitted to reflect local climates or local weather experience as determined by the building official.

f. The jurisdiction shall fill in this part of the table with the seismic design category determined from Section R301.2.2.1.

g. The jurisdiction shall fill in this part of the table with (a) the date of the jurisdiction's entry into the National Flood Insurance Program (date of adoption of the first code or ordinance for management of flood hazard areas), (b) the date(s) of the Flood Insurance Study and (c) the panel numbers and dates of all currently effective FIRMs and FBFMs or other flood hazard map adopted by the authority having jurisdiction, as amended.

h. In accordance with Sections R905.2.7.1, R905.4.3.1, R905.5.3.1, R905.6.3.1, R905.7.3.1 and R905.8.3.1, where there has been a history of local damage from the effects of ice damming, the jurisdiction shall fill in this part of the table with "YES." Otherwise, the jurisdiction shall fill in this part of the table with "NO."

The *District of Columbia Residential Code* (2013), referred to as the "*Residential Code*," consists of the 2012 edition of the *International Residential Code for One- and Two-Family Dwellings*, published by the International Code Council (ICC), as amended by the *District of Columbia Residential Code Supplement* (2013) (12 DCMR B). The *International Residential Code* is copyrighted by the ICC and therefore is not republished here. However, a copy of the text may be obtained at: http://publicecodes.cyberregs.com/icod/irc/2012/index.htm?bu=IC-P-2012-000002&bu2=IC-P-2012-000019.

i. The jurisdiction shall fill in this part of the table with the 100-year return period air freezing index (BF-days) from Figure R403.3(2) or from the 100-year (99 percent) value on the National Climatic Data Center data table "Air Freezing Index-USA Method (Base 32 °F)" at www.ncdc.noaa.gov/fpsf.html.

j. The jurisdiction shall fill in this part of the table with the mean annual temperature from the National Climatic Data Center data table "Air Freezing Index-USA Method (Base 32 °F)" at www.ncdc.noaa.gov/fpsf.html.

k. In accordance with Section R301.2.1.5, where there is local historical data documenting structural damage to buildings due to topographic wind speed-up effects, the jurisdiction shall fill in this part of the table with "YES." Otherwise, the jurisdiction shall indicate "NO" in this part of the table.

R303 LIGHT, VENTILATION AND HEATING

Strike Section R303.1 of the International Residential Code in its entirety and insert new Section R303.1 in the Residential Code in its place to read as follows:

R303.1 Habitable rooms. All habitable rooms shall have an aggregate glazing area of not less than 8 percent of the floor area of such rooms. Natural *ventilation* shall be through windows, doors, louvers or other *approved* openings to the outdoor air. Such openings shall be provided with *ready access* or shall otherwise be readily controllable by the building occupants. The minimum openable area to the outdoors shall be 4 percent of the floor area being ventilated.

Exceptions:

1. The glazed areas need not be openable where the opening is not required by Section R310 and a whole-house mechanical *ventilation* system is installed in accordance with Section M1507, subject to Section R303.4.

2. Except for living rooms and bedrooms, the glazed areas need not be installed in rooms where Exception 1 above is satisfied and artificial light is provided capable of producing an average illumination of 6 footcandles (65 lux) over the area of the room at a height of 30 inches (762 mm) above the floor level. For purposes of Section R303, bedroom shall mean a room or space located on any level of a building and designed or intended as a space in which people sleep.

3. Use of sunroom and patio covers, as defined in Section R202, shall be permitted for natural *ventilation* if more than 40 percent of the exterior sunroom walls are open, or are enclosed only by insect screening.

Strike Section R303.4 of the International Residential Code in its entirety and insert new Section R303.4 in the Residential Code in its place to read as follows:

The *District of Columbia Residential Code* (2013), referred to as the "*Residential Code*," consists of the 2012 edition of the *International Residential Code for One- and Two-Family Dwellings*, published by the International Code Council (ICC), as amended by the *District of Columbia Residential Code Supplement* (2013) (12 DCMR B). The *International Residential Code* is copyrighted by the ICC and therefore is not republished here. However, a copy of the text may be obtained at: http://publicecodes.cyberregs.com/icod/irc/2012/index.htm?bu=IC-P-2012-000002&bu2=IC-P-2012-000019.

R303.4 Mechanical ventilation. Each new *dwelling unit* shall be provided with whole-house mechanical ventilation in accordance with Section M1507.3, and shall have at least one opening to the outdoors for natural ventilation of not less than 4 percent of the floor area of the habitable spaces in the *dwelling unit*.

Strike Section R319, Site Address, in the International Residential Code in its entirety and insert new Section R319 in the Residential Code to read as follows:

R319 SITE ADDRESS

R319.1 Address Numbers. *Premises* shall comply with the provisions set forth in Section 118, 12 DCMR A, governing street numbering and addresses.

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CHAPTER 9 ROOF ASSEMBLIES

R908 Cool Roof Requirements

Insert new Section R908 in the Residential Code to read as follows:

R908 COOL ROOF REQUIREMENTS

R908.1 General. Roof coverings for roof slopes less than or equal to two units vertical in 12 units horizontal (17 percent slope or less) for buildings and covered parking shall conform to this section. A minimum of 75 percent of the entire roof surface not used for roof penetrations, renewable energy power systems (e.g., photovoltaics or solar thermal collectors), harvesting systems for rainwater to be used on-site, or green roofing systems shall be covered with products that comply with one or more of the following:

1. Have a minimum three-year-aged Solar Reflective Index (SRI) of 64.

2. Comply with the criteria for roof products as defined in "ENERGY STAR® Program Requirements, Product Specification for Roof Products, Eligibility Criteria."

Exceptions:

1. Building projects where an annual energy analysis simulation demonstrates that the total annual building energy consumption with the proposed roof is 2 percent less than it would be with a roof having a three-year-aged SRI of 64.

2. Roofs used to shade or cover parking and roofs over semi-heated spaces or used as outdoor recreation space by the occupants of the building shall be permitted to be either landscaped or have a minimum initial SRI of 29. A default SRI value of 35 for new concrete without added color pigment is allowed to be used in lieu of measurements.

3. Terraces on setbacks comprising less than 25 percent of the area of the largest floor plate in the building.

4. Green roofs shall be permitted to comprise part or all of the 75 percent required area coverage.

R908.2 Solar Reflective Index. Initial and aged values of the SRI shall be calculated in accordance with ASTM E1980 for medium-speed wind conditions, using a convection coefficient of [2.1 BTU/(h · ft^2 · °F)] or the metric equivalent [12 W/(m^2 · K)]. The SRI shall be

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based upon solar reflectance as measured in accordance with ASTM E1918 or ASTM C1549, and the thermal emittance as measured in accordance with ASTM E408 or ASTM C1371. For roofing products, the values for solar reflectance and thermal emittance shall be determined by a laboratory accredited by a nationally recognized accreditation organization, such as the Cool Roof Rating Council CRRC-1 Product Rating Program, and shall be labeled and certified by the manufacturer.

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Strike Chapter 11, Energy Efficiency, of the International Residential Code in its entirety and insert new Chapter 11 in the Residential Code in its place to read as follows:

CHAPTER 11 ENERGY EFFICIENCY

1101 General

1101 GENERAL

1101.1 General. Building projects shall comply with the *Energy Conservation Code.*

The *District of Columbia Residential Code* (2013), referred to as the "*Residential Code*," consists of the 2012 edition of the *International Residential Code for One- and Two-Family Dwellings*, published by the International Code Council (ICC), as amended by the *District of Columbia Residential Code Supplement* (2013) (12 DCMR B). The *International Residential Code* is copyrighted by the ICC and therefore is not republished here. However, a copy of the text may be obtained at: http://publicecodes.cyberregs.com/icod/irc/2012/index.htm?bu=IC-P-2012-000002&bu2=IC-P-2012-000019.

Strike Chapter 12 of the International Residential Code in its entirety and insert new Chapter 12 in the Residential Code in its place to read as follows:

CHAPTER 12 MECHANICAL ADMINISTRATION

M1201 General

M1201 GENERAL

M1201.1 General. Administration and enforcement of Part V – Mechanical of the *Residential Code* shall be governed by Chapter 1 of the *Building Code*, 12 DCMR A.

The *District of Columbia Residential Code* (2013), referred to as the "*Residential Code*," consists of the 2012 edition of the *International Residential Code for One- and Two-Family Dwellings*, published by the International Code Council (ICC), as amended by the *District of Columbia Residential Code Supplement* (2013) (12 DCMR B). The *International Residential Code* is copyrighted by the ICC and therefore is not republished here. However, a copy of the text may be obtained at: http://publicecodes.cyberregs.com/icod/irc/2012/index.htm?bu=IC-P-2012-000002&bu2=IC-P-2012-000019.

CHAPTER 15 EXHAUST SYSTEMS

M1502 Clothes Dryer Exhaust

M1502 CLOTHES DRYER EXHAUST

Strike Section M1502.4.2 of the International Residential Code in its entirety and insert new Section M1502.4.2 in the Residential Code in its place to read as follows:

> **M1502.4.2 Duct installation.** Exhaust ducts shall be supported at intervals not to exceed 4 feet (1219 mm) and shall be secured in place. The insert end of the duct shall extend into the adjoining duct or fitting in the direction of airflow. Exhaust duct joints shall be sealed in accordance with Section M1601.4.1 and shall be mechanically fastened. Ducts shall not be joined with screws or similar fasteners that protrude more than 1/8 inch (3.2 mm) into the inside of the duct.

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CHAPTER 16 DUCT SYSTEMS

M1601 Duct Construction

M1601 DUCT CONSTRUCTION

Strike Section M1601.1.1 of the International Residential Code in its entirety and insert new Section M1601.1.1 in the Residential Code in its place to read as follows:

M1601.1.1 Above-ground duct systems. Above-ground *duct systems* shall conform to the following:

1. *Equipment* connected to *duct systems* shall be designed to limit discharge air temperature to a maximum of 250ºF (121ºC).

2. Factory-made air ducts shall be constructed of Class 0 or Class 1 materials as designated in Table M1601.1.1(1).

3. Fibrous duct construction shall conform to the SMACNA *Fibrous Glass Duct Construction Standards* or NAIMA *Fibrous Glass Duct Construction Standards*.

4. Minimum thickness of metal duct material shall be as listed in table M1601.1.1(2). Galvanized steel shall conform to ASTM A653. Metallic ducts shall be fabricated in accordance with SMACNA HVAC Duct Construction Standards – Metal and Flexible.

5. Use of gypsum products to construct return air ducts or plenums is permitted, provided that the air temperature does not exceed 125ºF (52ºC) and exposed surfaces are not exposed to condensation.

6. *Duct systems* shall be constructed of materials having a flame spread index not greater than 200.

7. Stud wall cavities and the spaces between solid floor joists to be used as air plenums shall comply with the following conditions:

    7.1. These cavities or spaces shall not be used as a plenum for supply air.

    7.2. These cavities or spaces shall not be part of a required fire-resistance-rated assembly.

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7.3. Stud wall cavities shall not convey air from more than one floor level.

7.4. Stud wall cavities and joist-stud plenums shall be isolated from adjacent concealed spaces by tight-fitting fireblocking in accordance with Section R602.8.

7.5. Stud wall cavities in the outside walls of building envelope assemblies shall not be utilized as air plenums.

Strike Section M1601.4.1 of the International Residential Code in its entirety and insert new Section M1601.4.1 in the Residential Code in its place to read as follows:

M1601.4.1 Joints, seams and connections. All longitudinal joints, seams and connections in metallic and nonmetallic ducts shall be constructed as specified in SMACNA *HVAC Duct Construction Standards – Metal and Flexible* and NAIMA *Fibrous Glass Duct Construction Standards*. All joints, longitudinal and transverse seams, and connections in ductwork shall be securely fastened and sealed with welds, gaskets, mastics (adhesives), mastic-plus-embedded-fabric systems, liquid sealants or tapes.

Closure systems used to seal flexible air ducts and flexible air connectors shall comply with UL 181B and shall be marked "181 B-FX" for pressure-sensitive tape or "181 B-M" for mastic. Duct connections to flanges of air distribution system equipment shall be sealed and mechanically fastened. Mechanical fasteners for use with flexible non-metallic air ducts shall comply with UL 181B and shall be marked "181 B-C." Crimp joints for round metallic ducts shall have a contact lap of not less than 1 inch (25.4 mm) and shall be mechanically fastened by means of not less than three sheet-metal screws or rivets equally spaced around the joint.

Closure systems used to seal metal ductwork shall be installed in accordance with the manufacturer's instructions. Round metallic ducts shall be mechanically fastened by means of at least three sheet-metal screws or rivets spaced equally around the joint. Unlisted duct tape shall not be permitted as a sealant on any duct.

Exceptions:

1. Spray polyurethane foam shall be permitted to be applied without additional joint seals.

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2. Where a duct connection is made that is partially inaccessible, three screws or rivets shall be equally spaced on the exposed portion of the joint so as to prevent a hinge effect.

3. Continuously welded and locking-type longitudinal joints and seams in ducts operating at static pressures less than 2 inches of water column (500 Pa) pressure classification shall not require additional closure systems.

The *District of Columbia Residential Code* (2013), referred to as the "*Residential Code*," consists of the 2012 edition of the *International Residential Code for One- and Two-Family Dwellings*, published by the International Code Council (ICC), as amended by the *District of Columbia Residential Code Supplement* (2013) (12 DCMR B). The *International Residential Code* is copyrighted by the ICC and therefore is not republished here. However, a copy of the text may be obtained at: http://publicecodes.cyberregs.com/icod/irc/2012/index.htm?bu=IC-P-2012-000002&bu2=IC-P-2012-000019.

CHAPTER 24 FUEL GAS

G2401 General

G2401 GENERAL

Strike Section G2401.1 of the International Residential Code in its entirety and insert new Section G2401.1 in the Residential Code in its place to read as follows:

G2401.1 General. Administration and enforcement of Part VI – Fuel Gas of the *Residential Code* shall be governed by Chapter 1 of the *Building Code*, 12 DCMR A.

The *District of Columbia Residential Code* (2013), referred to as the "*Residential Code*," consists of the 2012 edition of the *International Residential Code for One- and Two-Family Dwellings*, published by the International Code Council (ICC), as amended by the *District of Columbia Residential Code Supplement* (2013) (12 DCMR B). The *International Residential Code* is copyrighted by the ICC and therefore is not republished here. However, a copy of the text may be obtained at: http://publicecodes.cyberregs.com/icod/irc/2012/index.htm?bu=IC-P-2012-000002&bu2=IC-P-2012-000019.

Strike Chapter 25 of the International Residential Code in its entirety and insert new Chapter 25 to the Residential Code in its place to read as follows:

CHAPTER 25 PLUMBING ADMINISTRATION

P2501 General

P2501 GENERAL

P2501.1 General. Administration and enforcement of Part VII – Plumbing of the *Residential Code* shall be governed by Chapter 1 of the *Building Code*, 12 DCMR A.

The *District of Columbia Residential Code* (2013), referred to as the "*Residential Code*," consists of the 2012 edition of the *International Residential Code for One- and Two-Family Dwellings*, published by the International Code Council (ICC), as amended by the *District of Columbia Residential Code Supplement* (2013) (12 DCMR B). The *International Residential Code* is copyrighted by the ICC and therefore is not republished here. However, a copy of the text may be obtained at: http://publicecodes.cyberregs.com/icod/irc/2012/index.htm?bu=IC-P-2012-000002&bu2=IC-P-2012-000019.

CHAPTER 29 WATER SUPPLY AND DISTRIBUTION

P2902 Protection of Potable Water Supply
P2903 Water-Supply System
P2908 Drinking Water Treatment Units

P2902 PROTECTION OF POTABLE WATER SUPPLY

Strike Section P2902.5.4 of the International Residential Code in its entirety and insert new Section P2902.5.4 in the Residential Code in its place to read as follows:

P2902.5.4 Connections to automatic fire sprinkler systems. The potable water supply to automatic fire sprinkler systems shall be protected against backflow by one of the following methods:

1. If the sprinkler system contains no chemical additives, by a double check backflow prevention assembly conforming to ASSE 1015, or by~~,~~ a double check detector fire protection backflow prevention assembly conforming to ASSE 1048.

2. If the sprinkler system contains chemical additives, by~~,~~ a reduced pressure principle fire protection backflow preventer conforming to ASSE 1013, or by a reduced pressure detector fire protection backflow prevention assembly conforming to ASSE 1047.

   Exception: Where systems are installed as a portion of the water distribution system in accordance with the requirements of this code and are not provided with a fire department connection, backflow protection for the water supply system shall not be required.

Strike Section P2902.5.4.1 of the International Residential Code in its entirety and insert new Section P2902.5.4.1 in the Residential Code in its place to read as follows:

P2902.5.4.1 Additives or nonpotable source. Where systems under continuous pressure contain chemical additives or antifreeze, or where systems are connected to a nonpotable secondary water supply, the potable water supply shall be protected against backflow by a reduced pressure principle backflow prevention assembly or a reduced pressure principle fire protection backflow prevention assembly. Where chemical additives or antifreeze are added to only a portion of an automatic fire sprinkler system, the reduced pressure principle backflow prevention assembly or the reduced pressure principle fire protection backflow prevention assembly may be located so as to isolate that portion of

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the system. Where systems are not under continuous pressure, the potable water supply shall be protected against backflow by an air gap or an atmospheric vacuum breaker conforming to ASSE 1001 or CSA B64.1.1.

P2903 WATER-SUPPLY SYSTEM

Strike Table P2903.2 of the International Residential Code in its entirety and insert new Table P2903.2 in the Residential Code in its place to read as follows:

TABLE P2903.2
MAXIMUM FLOW RATES AND CONSUMPTION FOR PLUMBING FIXTURES AND FIXTURE FITTINGS[b]

PLUMBING FIXTURE OR FIXTURE FITTING	MAXIMUM FLOW RATE OR QUANTITY
Lavatory faucet and bar sink faucet	1.5 gpm at 60 psi and WaterSense labeled
Shower head[a]	2.0 gpm at 80 psi and WaterSense labeled
Sink faucet, kitchen	2.2 gpm at 60 psi
Water closet, tank type[c]	1.28 gallons per flushing cycle and WaterSense labeled
Water closet, flushometer type	1.28 gallons per flushing cycle

For SI: 1 gallon per minute = 3.785 L/m,
1 pound per square inch = 6.895 kPa

a. A handheld shower spray is also a shower head.

b. Consumption tolerances shall be determined from referenced standards.

c. Dual Flush Toilets - The effective flush volume shall not exceed 1.28 gallons (4.8 liters). The effective flush volume is defined as the composite, average flush volume of two reduced flushes and one full flush. Flush volumes will be tested in accordance with ASME A112.19.2 and ASME A112.19.14.

P2908 DRINKING WATER TREATMENT UNITS

Strike Section P2908.1 of the International Residential Code in its entirety and insert new Section P2908.1 in the Residential Code in its place to read as follows:

P2908.1 Design. Drinking water treatment units shall meet the requirements of NSF 42, NSF 44, NSF 53, NSF 62 or CSA B483.1.

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CHAPTER 30 SANITARY DRAINAGE

P3005 Drainage System
P3008 Backwater Valves

P3005 DRAINAGE SYSTEM

Strike Section P3005.2 of the International Residential Code, but retain Subsections P3005.2.1 through P3005.2.11 of the International Residential Code. Insert new Section P3005.2 in the Residential Code to read as follows:

P3005.2 Drainage pipe cleanouts. Drainage pipe cleanouts shall comply with Sections P3005.2.1 through P3005.2.12.

> **Exception:** These provisions shall not apply to pressurized *building drains* and *building sewers* that convey the discharge of automatic pumping equipment to a gravity drainage system.

Insert new Section P3005.2.12 in the Residential Code to read as follows:

> **P3005.2.12 Cleanout at property line.** A cleanout must be placed at the property line, or as close as possible to the property line, if the building wall is constructed on or beyond the property line.

P3008 BACKWATER VALVES

Strike Section P3008.1 of the International Residential Code in its entirety and insert new Section P3008.1 in the Residential Code in its place to read as follows:

P3008.1 General. Where plumbing fixtures are installed on a floor with a finished floor elevation below the elevation of the manhole cover of the next upstream manhole in the *public sewer*, such fixtures (a) shall be protected by a backwater valve installed in the *building drain*, branch of the *building drain*, or horizontal *branch* serving such fixtures; or (b) shall discharge to a sump complying with Section P3007.3 and served by a sewage pump or ejector complying with Section P3007.4. Plumbing fixtures installed on a floor with a finished floor elevation above the elevation of the manhole cover of the next upstream manhole in the *public sewer* shall not discharge through a backwater valve or a sump. This section shall not apply to replacement in kind of compliant plumbing fixtures.

> **Exception:** Where the *code official* deems it appropriate for the protection of existing multi-

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level one- and two-family dwellings in flood prone areas, the retrofitting of backwater valves to be installed in the *building drain* or in a horizontal *branch* serving fixtures on a floor with a finished elevation above the adjacent manhole in the *public sewer* shall be allowed, thereby allowing such fixtures to discharge through the backwater valve.

Strike Section P3008.5 of the International Residential Code in its entirety and insert new Section P3008.5 in the Residential Code in its place to read as follows:

P3008.5 Location. Backwater valves shall be installed so that access is provided to the working parts for service and repair. Valve access covers shall be watertight.

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CHAPTER 44 REFERENCED STANDARDS

ASME
American Society of Mechanical Engineers
Three Park Avenue
New York, N.Y. 10016-5990

Strike standard reference number ASME/A17.1-2007/CSA B44-200, and associated Title, from Chapter 44 of the International Residential Code, under subheading ASME, and insert in its place a new standard reference in the Residential Code to read as follows:

Standard reference number	Title	Referenced in code section number
A17.1-2010/ CSA B44-2010	Safety Code for Elevators and Escalators	R321.1

ASTM
ASTM International
100 Barr Harbor
West Conshohocken, PA 19428-2959

Insert ~~a~~ new standard references in Chapter 44 of the Residential Code under subheading ASTM to read as follows:

Standard reference number	Title	Referenced in code section number
E408-71 (2008)	Standard Test Methods for Total Normal Emittance of Surfaces Using Inspection-Meter Techniques	R908.2
C1549-09	Standard Test Method for Determination of Solar Reflectance Near Ambient Temperature Using a Portable Solar Reflectometer	R908.2
C 1371-04a	Standard Test Method for Determination of Emittance of Materials Near Room Temperature Using Portable Emissometers	R908.2
E1980-11	Standard Practice for Calculating Solar	R908.2

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	Reflectance Index of Horizontal and Low-Sloped Opaque Surfaces	
E1918-06	Standard Test Method for Measuring Solar Reflectance of Horizontal and Low-Sloped Surfaces in the Field	R908.2

CSA
Canadian Standards Association
5060 Spectrum Way
Mississauga, Ontario, Canada L4N 5N6

Strike standard reference number ANSI/CSA America FCI-03, and associated Title, from Chapter 44 of the International Residential Code, under subheading CSA, and insert in its place a new standard reference in Chapter 44 of the Residential Code, under subheading CSA, to read as follows:

Standard reference number	Title	Referenced in code section number
ANSI/CSA America FC1–03	Stationary Fuel Cell Power Systems	M1903.1

Insert a new standard reference in Chapter 44 of the Residential Code, under subheading CSA, to read as follows:

Standard reference number	Title	Referenced in code section number
B64.1.1–01	Vacuum Breakers, Atmospheric Type (AVB)	2902.5.4.1

EPA
Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue, NW
Washington, D.C. 20460

Insert the following new referenced standards in Chapter 44 of the Residential Code under subheading EPA to read as follows:

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Standard reference number	Title	Referenced in code section number
ENERGY STAR	Energy Star Program Requirements, Product Specification for Roof Products, Eligibility Criteria, version 2.2 (October 2010)	R908.1
WaterSense October 2007	High-efficiency Lavatory Faucet Specification	Table P2903.2
WaterSense March 2010	WaterSense Specification for Showerheads	Table P2903.2
WaterSense May 2011	WaterSense Specification for Tank-Type Toilets	Table P2903.2

NSF
NSF International
789 N. Dixboro
Ann Arbor, MI 48105

Insert a new standard reference in Chapter 44 of the Residential Code, under subheading NSF, NSF International, to read as follows:

Standard reference number	Title	Referenced in code section number
62–2007	Drinking Water Distillation Systems	2908.1

SMACNA
Sheet Metal & Air Conditioning Contractors National Assoc., Inc.
4021 Lafayette Center Road
Chantilly, VA 22021

Insert a new standard reference in Chapter 44 of the Residential Code, under the subheading SMACNA, Sheet Metal & Air Conditioning Contractors National Assoc., Inc. to read as follows:

Standard reference number	Title	Referenced in code section number
SMACNA/ANSI–2005	HVAC Duct Construction Standards-Metal and Flexible (2005)	M1601.1.1

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Strike standard reference number SMACNA-10, and associated Title, under subheading SMACNA, Sheet Metal & Air Conditioning Contractors National Assoc., Inc. in Chapter 44 of the International Residential Code, and insert in Chapter 44 of the Residential Code in its place, under subheading SMACNA, Sheet Metal & Air Conditioning Contractors National Assoc., Inc. a new standard reference, and associated Title, to read as follows:

Standard reference number	Title	Referenced in code section number
SMACNA-03	Fibrous Glass Duct Construction Standards (2003)	M1601.1.1, M1604.4.1

The *District of Columbia Residential Code* (2013), referred to as the "*Residential Code*," consists of the 2012 edition of the *International Residential Code for One- and Two-Family Dwellings*, published by the International Code Council (ICC), as amended by the *District of Columbia Residential Code Supplement* (2013) (12 DCMR B). The *International Residential Code* is copyrighted by the ICC and therefore is not republished here. However, a copy of the text may be obtained at: http://publicecodes.cyberregs.com/icod/irc/2012/index.htm?bu=IC-P-2012-000002&bu2=IC-P-2012-000019.

APPENDIX E MANUFACTURED HOUSING USED AS DWELLINGS

Appendix E, Manufactured Housing Used As Dwellings, of the International Residential Code is adopted as Appendix E of the Residential Code with the following amendments.

AE101 Scope
AE302 Application for Permit
AE303 Permits Issuance
AE304 Fees

AE101 SCOPE

Insert new Section AE 101.2 in Appendix E of the Residential Code to read as follows:

AE101.2 Administration and enforcement. Administration and enforcement of Appendix E shall be governed by 12 DCMR A, Chapter 1, which is hereby incorporated by reference.

AE 302 APPLICATION FOR PERMIT

Strike Section AE302 in Appendix E of the Residential Code in its entirety without substitution.

AE303 PERMITS ISSUANCE

Strike Section AE303 in Appendix E of the Residential Code in its entirety without substitution.

AE 304 FEES

Strike Section AE304 in Appendix E of the Residential Code in its entirety without substitution.

The *District of Columbia Residential Code* (2013), referred to as the "*Residential Code*," consists of the 2012 edition of the *International Residential Code for One- and Two-Family Dwellings*, published by the International Code Council (ICC), as amended by the *District of Columbia Residential Code Supplement* (2013) (12 DCMR B). The *International Residential Code* is copyrighted by the ICC and therefore is not republished here. However, a copy of the text may be obtained at: http://publicecodes.cyberregs.com/icod/irc/2012/index.htm?bu=IC-P-2012-000002&bu2=IC-P-2012-000019.

APPENDIX H PATIO COVERS

Appendix H, Patio Covers, of the International Residential Code is adopted in its entirety as Appendix H of the Residential Code.

The *District of Columbia Residential Code* (2013), referred to as the "*Residential Code*," consists of the 2012 edition of the *International Residential Code for One- and Two-Family Dwellings*, published by the International Code Council (ICC), as amended by the *District of Columbia Residential Code Supplement* (2013) (12 DCMR B). The *International Residential Code* is copyrighted by the ICC and therefore is not republished here. However, a copy of the text may be obtained at: http://publicecodes.cyberregs.com/icod/irc/2012/index.htm?bu=IC-P-2012-000002&bu2=IC-P-2012-000019.

APPENDIX J EXISTING BUILDINGS AND STRUCTURES

Appendix J, Existing Building and Structures, of the International Residential Code is adopted as Appendix J of the Residential Code with the following amendments.

AJ501 Alterations

AJ501 ALTERATIONS

Insert new Sections AJ501.8.4 and AJ501.8.5 in Appendix J of the Residential Code to read as follows:

AJ501.8.4 Riser height. The maximum riser height of stairs being altered or modified shall be 8 ¼ inches (210 mm). The riser shall be measured vertically between leading edges of the adjacent treads. The greatest riser height within any flight of stairs shall not exceed the smallest by more than 3/8 inch (9.5 mm).

AJ501.8.5 Tread depth. The minimum tread depth of stairs being altered or modified shall be 9 inches (229 mm). The tread depth shall be measured horizontally between the vertical planes of the foremost projection of adjacent treads and at a right angle to the tread's leading edge. The greatest tread depth within any flight of stairs shall not exceed the smallest by more than 3/8 inch (9.5 mm). The radius of curvature at the leading edge of the tread shall be no greater than 9/16 inch (14.3 mm). A nosing not less than 3/4 inch (19.1 mm) but not more than 1 1/4 inches (32 mm) shall be provided on stairways with solid risers. The greatest nosing projection shall not exceed the smallest nosing projection by more than 3/8 inch (9.5mm) between two stories, including the nosing at the level of floors and landings. Beveling of nosing shall not exceed 1/2 inch (12.7 mm). Risers shall be vertical or sloped from the underside of the leading edge of the tread above at an angle not more than 30 degrees from the vertical.

Exception: A nosing is not required where the tread depth is a minimum of 11 inches (279 mm).

The *District of Columbia Residential Code* (2013), referred to as the "*Residential Code*," consists of the 2012 edition of the *International Residential Code for One- and Two-Family Dwellings*, published by the International Code Council (ICC), as amended by the *District of Columbia Residential Code Supplement* (2013) (12 DCMR B). The *International Residential Code* is copyrighted by the ICC and therefore is not republished here. However, a copy of the text may be obtained at: http://publicecodes.cyberregs.com/icod/irc/2012/index.htm?bu=IC-P-2012-000002&bu2=IC-P-2012-000019.

APPENDIX K SOUND TRANSMISSION

Appendix K, Sound Transmission, of the International Residential Code is adopted in its entirety as Appendix K of the Residential Code.

The *District of Columbia Residential Code* (2013), referred to as the "*Residential Code*," consists of the 2012 edition of the *International Residential Code for One- and Two-Family Dwellings*, published by the International Code Council (ICC), as amended by the *District of Columbia Residential Code Supplement* (2013) (12 DCMR B). The *International Residential Code* is copyrighted by the ICC and therefore is not republished here. However, a copy of the text may be obtained at: http://publicecodes.cyberregs.com/icod/irc/2012/index.htm?bu=IC-P-2012-000002&bu2=IC-P-2012-000019.

APPENDIX M HOME DAY CARE R-3 OCCUPANCY

Appendix M, Home Day Care R-3 Occupancy, of the International Residential Code is adopted in its entirety as Appendix M of the Residential Code.

The *District of Columbia Residential Code* (2013), referred to as the "*Residential Code*," consists of the 2012 edition of the *International Residential Code for One- and Two-Family Dwellings*, published by the International Code Council (ICC), as amended by the *District of Columbia Residential Code Supplement* (2013) (12 DCMR B). The *International Residential Code* is copyrighted by the ICC and therefore is not republished here. However, a copy of the text may be obtained at: http://publicecodes.cyberregs.com/icod/irc/2012/index.htm?bu=IC-P-2012-000002&bu2=IC-P-2012-000019.

DISTRICT OF COLUMBIA
CONSTRUCTION CODES SUPPLEMENT OF 2013
12 DCMR C ELECTRICAL CODE SUPPLEMENT

The District of Columbia has adopted the 2011 edition of the *National Electrical Code* (NEC), as amended by this Supplement.

NEC CHAPTERS AMENDED BY THIS SUPPLEMENT:

ARTICLE 90	INTRODUCTION
CHAPTER 4	EQUIPMENT FOR GENERAL USE

The *District of Columbia Electrical Code* (2013), referred to as the "*Electrical Code*," consists of the 2011 edition of the *National Electrical Code*, published by the National Fire Protection Association (NFPA), as amended by the *District of Columbia Electrical Code Supplement* (2013)(12 DCMR C). The *National Electrical Code* is copyrighted by the National Fire Protection Association and therefore is not republished here. However, a copy of the text may be obtained at: http://www.nfpa.org.

ARTICLE 90 INTRODUCTION

90.1 Purpose

ARTICLE 90 - INTRODUCTION

Strike Section 90.1(A) of the National Electrical Code in its entirety and insert new Section 90.1(A) in the Electrical Code in its place to read as follows:

90.1(A) General. Administration and enforcement of the *Electrical Code* shall be governed by Chapter 1 of the *Building Code*, 12 DCMR A.

Strike Sections 90.1(C), 90.2, 90.4 and 90.6 of the National Electrical Code in their entirety without substitution.

The *District of Columbia Electrical Code* (2013), referred to as the "*Electrical Code*," consists of the 2011 edition of the *National Electrical Code*, published by the National Fire Protection Association (NFPA), as amended by the *District of Columbia Electrical Code Supplement* (2013)(12 DCMR C). The *National Electrical Code* is copyrighted by the National Fire Protection Association and therefore is not republished here. However, a copy of the text may be obtained at: http://www.nfpa.org.

CHAPTER 4 EQUIPMENT FOR GENERAL USE

408 Switchboards and Panelboards

408 SWITCHBOARDS AND PANELBOARDS

Insert new Section 408.23 in Article 408 of the National Electrical Code to read as follows:

408.23 Switchboards of 1000 Amperes or Larger. It shall be the responsibility of the owner of a switchboard having a capacity of 1000 amperes or larger, or the owner's responsible agent, to have a licensed master electrician disconnect said equipment once every three years or less to perform prescribed preventive maintenance. Preventive maintenance shall consist of, but not be limited to:

1. Vacuum entire interior of switchboard.

2. Clean bus and contracts with suitable non-conductive solvents.

3. Lubricate all moving mechanisms.

4. Check all conductors for abrasions and deterioration; recommend replacement if found to be in poor condition.

5. Torque bus and conductor connections to manufacturers' recommended specifications.

6. Check calibration of overcurrent trip units and protective devices.

7. Megger board to manufacturers' specifications before re-energizing.

8. Replace worn, damaged or deteriorating components.

A copy of current inspection and service reports shall be available for public inspection on site.

The *District of Columbia Electrical Code* (2013), referred to as the "*Electrical Code*," consists of the 2011 edition of the *National Electrical Code*, published by the National Fire Protection Association (NFPA), as amended by the *District of Columbia Electrical Code Supplement* (2013)(12 DCMR C). The *National Electrical Code* is copyrighted by the National Fire Protection Association and therefore is not republished here. However, a copy of the text may be obtained at: http://www.nfpa.org.

DISTRICT OF COLUMBIA
CONSTRUCTION CODES SUPPLEMENT OF 2013
12 DCMR D FUEL GAS CODE SUPPLEMENT

The District of Columbia has adopted the 2012 edition of the *International Fuel Gas Code* (IFGC), as amended by this Supplement.

IFGC CHAPTERS AMENDED BY THIS SUPPLEMENT:

CHAPTER 1 SCOPE AND ADMINISTRATION
CHAPTER 2 DEFINITIONS
CHAPTER 5 CHIMNEYS AND VENTS
CHAPTER 8 REFERENCED STANDARDS

The *District of Columbia Fuel Gas Code* (2013), referred to as the "*Fuel Gas Code*," consists of the 2012 edition of the *International Fuel Gas Code*, as amended by the *District of Columbia Fuel Gas Code Supplement* (2013)(12 DCMR D). The *International Fuel Gas Code* is copyrighted by the International Code Council and therefore is not republished here. However, a copy of the text may be obtained at: http://publicecodes.cyberregs.com/icod/ifgc/2012/index.htm?bu=IC-P-2012-000007&bu2=IC-P-2012-000019.

CHAPTER 1 SCOPE AND ADMINISTRATION

101 General

Strike Parts 1 and 2 of Chapter 1 of the International Fuel Gas Code in their entirety and insert new Section 101 to the Fuel Gas Code in their place to read as follows:

101 GENERAL

101.1. General. Administration and enforcement of the *Fuel Gas Code* shall be governed by Chapter 1 of the *Building Code,* 12 DCMR A.

The *District of Columbia Fuel Gas Code* (2013), referred to as the "*Fuel Gas Code*," consists of the 2012 edition of the *International Fuel Gas Code,* as amended by the *District of Columbia Fuel Gas Code Supplement* (2013)(12 DCMR D). The *International Fuel Gas Code* is copyrighted by the International Code Council and therefore is not republished here. However, a copy of the text may be obtained at: http://publicecodes.cyberregs.com/icod/ifgc/2012/index.htm?bu=IC-P-2012-000007&bu2=IC-P-2012-000019.

CHAPTER 2 DEFINITIONS

202 General Definitions

202 GENERAL DEFINITIONS

Strike the definition of Third Party Certified from Section 202 of the International Fuel Gas Code in its entirety and insert a new definition of Third Party Certified to the Fuel Gas Code in its place to read as follows:

THIRD PARTY CERTIFIED. Product or material for which a certification was obtained by the manufacturer indicating that the function and performance characteristics of such product or material have been determined by testing and ongoing surveillance by an approved third-party certification agency. Assertion of certification is in the form of identification in accordance with the requirements of the third-party certification agency.

Strike the definition of Third Party Tested from Section 202 of the International Fuel Gas Code in its entirety and insert a new definition of Third Party Tested to the Fuel Gas Code in its place to read as follows:

THIRD PARTY TESTED. Product, material or system that has undergone successfully a procedure by which an approved testing laboratory provides documentation that such product, material or system conforms to specified requirements.

The *District of Columbia Fuel Gas Code* (2013), referred to as the "*Fuel Gas Code*," consists of the 2012 edition of the *International Fuel Gas Code*, as amended by the *District of Columbia Fuel Gas Code Supplement* (2013)(12 DCMR D). The *International Fuel Gas Code* is copyrighted by the International Code Council and therefore is not republished here. However, a copy of the text may be obtained at: http://publicecodes.cyberregs.com/icod/ifgc/2012/index.htm?bu=IC-P-2012-000007&bu2=IC-P-2012-000019.

CHAPTER 5 CHIMNEYS AND VENTS

505 Direct-Vent, Integral Vent, Mechanical Vent and Ventilation/Exhaust Hood Venting

505 DIRECT-VENT, INTEGRAL VENT, MECHANICAL VENT AND VENTILATION/EXHAUST HOOD VENTING

Insert new Section 505.1.1.1 to the Fuel Gas Code to read as follows:

505.1.1.1 Reuse of commercial cooking fuel gas appliances. Where existing commercial cooking appliances equipped with standing pilot burner are reused, their installation shall comply with one of the following arrangements:

1. Installation shall meet the requirements of Section 505.1.1; or

2. Where a solenoid valve is installed in the gas piping as part of the interlock system to prevent appliance operation when the exhaust hood system is not operating, a bypass line shall be installed to continuously supply the pilots when the exhaust fan is not operating. The bypass line shall be sized so as to prevent the operation of the smallest cooking burner of the appliances served by the hood. The installation shall be interconnected so that actuation of the hood automatic fire suppression system shall shut down all gas supply to the appliance including to the pilot burner bypass.

The *District of Columbia Fuel Gas Code* (2013), referred to as the "*Fuel Gas Code*," consists of the 2012 edition of the *International Fuel Gas Code*, as amended by the *District of Columbia Fuel Gas Code Supplement* (2013)(12 DCMR D). The *International Fuel Gas Code* is copyrighted by the International Code Council and therefore is not republished here. However, a copy of the text may be obtained at: http://publicecodes.cyberregs.com/icod/ifgc/2012/index.htm?bu=IC-P-2012-000007&bu2=IC-P-2012-000019.

CHAPTER 8 REFERENCED STANDARDS

Insert a new standard reference in Chapter 8 of the Fuel Gas Code, under subheading ASTM, ASTM International, to read as follows:

ASTM
ASTM International
100 Barr Harbor Drive
West Conshohocken, PA 19428-2959

Standard reference number	Title	Referenced in code section number
E 136–09	Test Method for Behavior of Materials in a Vertical Tube Furnace at 750 °C	202

The *District of Columbia Fuel Gas Code* (2013), referred to as the "*Fuel Gas Code*," consists of the 2012 edition of the *International Fuel Gas Code*, as amended by the *District of Columbia Fuel Gas Code Supplement* (2013)(12 DCMR D). The *International Fuel Gas Code* is copyrighted by the International Code Council and therefore is not republished here. However, a copy of the text may be obtained at: http://publicecodes.cyberregs.com/icod/ifgc/2012/index.htm?bu=IC-P-2012-000007&bu2=IC-P-2012-000019.

DISTRICT OF COLUMBIA
CONSTRUCTION CODES SUPPLEMENT OF 2013
12 DCMR E MECHANICAL CODE SUPPLEMENT

The District of Columbia has adopted the 2012 edition of the *International Mechanical Code* (IMC), as amended by this Supplement.

IMC CHAPTERS AMENDED BY THIS SUPPLEMENT:

CHAPTER 1	SCOPE AND ADMINISTRATION
CHAPTER 2	DEFINITIONS
CHAPTER 4	VENTILATION
CHAPTER 5	EXHAUST SYSTEMS
CHAPTER 6	DUCT SYSTEMS
CHAPTER 8	CHIMNEYS AND VENTS
CHAPTER 9	SPECIFIC APPLIANCES, FIREPLACES AND SOLID FUEL-BURNING EQUIPMENT
CHAPTER 10	BOILERS, WATER HEATERS AND PRESSURE VESSELS
CHAPTER 11	REFRIGERATION
CHAPTER 15	REFERENCED STANDARDS

The *District of Columbia Mechanical Code* (2013), referred to as the "*Mechanical Code*," consists of the 2012 edition of the *International Mechanical Code*, published by the International Code Council (ICC), as amended by the *District of Columbia Mechanical Code Supplement* (2013)(12 DCMR E). The *International Mechanical Code* is copyrighted by the ICC and therefore is not republished here. However, a copy of the text may be obtained at: http://publicecodes.cyberregs.com/icod/imc/2012/index.htm?bu=IC-P-2012-000005&bu2=IC-P-2012-000019.

Strike Chapter 1 of the International Mechanical Code in its entirety and insert new Chapter 1 in the Mechanical Code in its place to read as follows:

CHAPTER 1 SCOPE AND ADMINISTRATION

101 General

101 GENERAL

101.1 General. Administration and enforcement of the *Mechanical Code* shall be governed by Chapter 1 of the *Building Code*, 12 DCMR A.

The *District of Columbia Mechanical Code* (2013), referred to as the "*Mechanical Code*," consists of the 2012 edition of the *International Mechanical Code*, published by the International Code Council (ICC), as amended by the *District of Columbia Mechanical Code Supplement* (2013)(12 DCMR E). The *International Mechanical Code* is copyrighted by the ICC and therefore is not republished here. However, a copy of the text may be obtained at: http://publicecodes.cyberregs.com/icod/imc/2012/index.htm?bu=IC-P-2012-000005&bu2=IC-P-2012-000019.

CHAPTER 2 DEFINITIONS

202 General Definitions

202 GENERAL DEFINITIONS

Insert new definitions in Section 202 of the Mechanical Code to read as follows:

ASME CODE. The Boiler and Pressure Vessel Code (ASME BPVC) published by the American Society of Mechanical Engineers as referenced in Chapter 15, Referenced Standards.

BOILER, HEATING. A steam or vapor boiler operating at pressures not exceeding 15 psig (103 kPa), or a hot water boiler operating at pressures not exceeding 160 psig (1103 kPa) and temperatures not exceeding 250 °F (121 °C).

BOILER, HOT WATER HEATING. A boiler in which no steam is generated, from which hot water is circulated for heating purposes and then returned to the boiler, and which is operated at a pressure not exceeding 160 psig (1103 kPa) and a temperature not exceeding 250 °F (121 °C) at or near the boiler outlet.

BOILER, HOT WATER SUPPLY. A boiler completely filled with water that furnishes hot water to be used externally to itself at pressures not exceeding 160 psig (1103 kPa) and a temperature not exceeding 250 °F (121 °C) at or near the boiler outlet.

BOILER, MINIATURE. A power or high-temperature water boiler which does not exceed the following limits: 16 inches (406 mm) inside diameter of shell; 20 square feet (1.86 m^2) of heating surface (not applicable to electric boilers); 5 cubic feet (0.142 m^3) of gross volume exclusive of casing and insulation; and 100 psig (690 kPa) maximum allowable working pressure.

BOILER, PORTABLE. A boiler that is primarily intended for temporary location, where its construction and usage permits it to be readily moved from one location to another.

BOILER, POWER. A boiler in which steam or other vapor is generated at a pressure of more than 15 psig (103 kPa).

BOILER, UNFIRED STEAM. An unfired pressure vessel or system of unfired pressure vessels intended for operation at a pressure in excess of 15 psig (103 kPa) steam for the purpose of producing and controlling an output of thermal energy.

CERTIFICATE OF COMPETENCY. A certificate issued by the *code official* to a person who meets the qualifications for an *insurance company inspector* set forth in the *Mechanical Code*.

The *District of Columbia Mechanical Code* (2013), referred to as the "*Mechanical Code*," consists of the 2012 edition of the *International Mechanical Code*, published by the International Code Council (ICC), as amended by the *District of Columbia Mechanical Code Supplement* (2013)(12 DCMR E). The *International Mechanical Code* is copyrighted by the ICC and therefore is not republished here. However, a copy of the text may be obtained at: http://publicecodes.cyberregs.com/icod/imc/2012/index.htm?bu=IC-P-2012-000005&bu2=IC-P-2012-000019.

CERTIFICATE OF INSPECTION (For Chapter 10). A certificate issued for operation of a boiler or pressure vessel as required in the *Mechanical Code*.

EXISTING BOILER OR PRESSURE VESSEL INSTALLATION. A boiler or pressure vessel constructed, installed, placed in operation, or contracted for on or before the effective date of the *Construction Codes*.

EXTERNAL INSPECTION. An inspection made when a boiler or pressure vessel is in operation.

INSURANCE COMPANY INSPECTOR. A person employed or retained by a District of Columbia-licensed insurance company who holds a valid *certificate of competency*.

INTERNAL INSPECTION. An inspection that can reasonably be conducted on the internal and external surfaces of a boiler or pressure vessel while it is shut down and the manhole plates, handhole plates, or other inspection opening closures are removed.

NATIONAL BOARD. The National Board of Boiler and Pressure Vessel Inspectors.

NEW BOILER OR PRESSURE VESSEL INSTALLATION. A boiler or pressure vessel constructed, installed, placed in operation or contracted for after the effective date of the *Construction Codes*.

NONSTANDARD BOILER OR PRESSURE VESSEL. A boiler or pressure vessel that does not bear the *ASME Code* symbol stamp, the API-ASME Code symbol stamp or the stamp of any jurisdiction that has adopted a standard of construction deemed by the *code official* to be equivalent to the *Mechanical Code*.

OWNER OR USER (For Chapter 10). Any *person*, including firms or corporations, legally responsible for the safe installation, operation and maintenance of any boiler or pressure vessel within the District of Columbia.

POTABLE HOT WATER HEATER. A heater supplying potable water for commercial purposes in which the pressure does not exceed 160 psig (1103 kPa) and the temperature does not exceed 210 °F (99 °C).

STANDARD BOILER OR PRESSURE VESSEL. A boiler or pressure vessel which bears the *ASME Code* symbol stamp, the API-ASME Code symbol stamp, both the ASME and the *National Board* stamps or the stamp of another jurisdiction that has adopted a standard of construction deemed by the *code official* to be equivalent to the *Mechanical Code*.

Strike the definition of Smoke-Developed Index from Section 202 of the International Mechanical Code in its entirety and insert new definition of Smoke-Developed Index in Section 202 of the

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Mechanical Code in its place to read as follows:

SMOKE-DEVELOPED INDEX. A comparative measure, expressed as a dimensionless number, derived from measurements of smoke obscuration versus time for a material tested in accordance with ASTM E 84 or UL 723

Strike the definition of Third Party Certified in Section 202 of the International Mechanical Code in its entirety and insert new definition of Third Party Certified in Section 202 of the Mechanical Code in its place to read as follows:

THIRD PARTY CERTIFIED. Product or material for which a certification was obtained by the manufacturer indicating that the function and performance characteristics of such product or material have been determined by testing and ongoing surveillance by an *approved* third-party certification agency. Assertion of certification is in the form of identification in accordance with the requirements of the third-party certification agency.

Strike the definition of Third Party Tested in Section 202 of the International Mechanical Code in its entirety and insert new definition of Third Party Tested in Section 202 of the Mechanical Code in its place to read as follows:

THIRD PARTY TESTED. Product, material or system that has undergone successfully a procedure by which an *approved* testing laboratory provides documentation that such product, material or system conforms to specified requirements.

The *District of Columbia Mechanical Code* (2013), referred to as the "*Mechanical Code*," consists of the 2012 edition of the *International Mechanical Code*, published by the International Code Council (ICC), as amended by the *District of Columbia Mechanical Code Supplement* (2013)(12 DCMR E). The *International Mechanical Code* is copyrighted by the ICC and therefore is not republished here. However, a copy of the text may be obtained at: http://publicecodes.cyberregs.com/icod/imc/2012/index.htm?bu=IC-P-2012-000005&bu2=IC-P-2012-000019.

CHAPTER 4 VENTILATION

401 General

401 GENERAL

Strike Section 401.2 of the International Mechanical Code in its entirety and insert new Section 401.2 in the Mechanical Code in its place to read as follows:

401.2 Ventilation required. Every occupied space shall be ventilated by natural means in accordance with Section 402 or by mechanical means in accordance with Section 403. Each new *dwelling unit* shall be ventilated by mechanical means in accordance with Section 403 and shall have at least one opening to the outdoors for natural ventilation of not less than 4 percent of the floor area of the habitable spaces of the *dwelling unit.*

The *District of Columbia Mechanical Code* (2013), referred to as the "*Mechanical Code*," consists of the 2012 edition of the *International Mechanical Code*, published by the International Code Council (ICC), as amended by the *District of Columbia Mechanical Code Supplement* (2013)(12 DCMR E). The *International Mechanical Code* is copyrighted by the ICC and therefore is not republished here. However, a copy of the text may be obtained at: http://publicecodes.cyberregs.com/icod/imc/2012/index.htm?bu=IC-P-2012-000005&bu2=IC-P-2012-000019.

CHAPTER 5 EXHAUST SYSTEMS

501 General
506 Commercial Kitchen Hood Ventilation System Ducts and Exhaust Equipment
515 Laboratory Ventilating Systems

501 GENERAL

Insert new Section 501.3.1.2 in the Mechanical Code to read as follows:

501.3.1.2 Garage exhaust termination. *Exhaust air* from garage *exhaust systems* or outlets shall not be directed onto walkways. The termination point of private parking garage mechanical *exhaust systems* and outlets shall comply with the requirements for *environmental air* exhaust in Section 501.3.1, item 3, of the *Mechanical Code*. The termination point of public parking garage mechanical *exhaust systems* and outlets shall be located not less than 20 feet (6096 mm) from doors, operable windows and air intake openings into any building. The bottom of exhaust openings serving public garages shall be located not less than 15 feet (4572 mm) above streets, alleys and other walkways.

Exception: When *exhaust air* is directed upwards, the *code official* is authorized to approve garage exhaust openings less than 15 feet (4572 mm) above streets, alleys and other walkways.

506 COMMERCIAL KITCHEN HOOD VENTILATION SYSTEM DUCTS AND EXHAUST EQUIPMENT

Strike Section 506.3.11 of the International Mechanical Code in its entirety and insert new Section 506.3.11 in the Mechanical Code in its place to read as follows:

506.3.11 Grease duct enclosures. A grease duct serving a Type I hood that penetrates a ceiling, wall, floor or any concealed spaces shall be enclosed from the point of penetration to the outlet terminal. A duct shall penetrate exterior walls only at locations where unprotected openings are permitted by the *Building Code*. The duct enclosure shall serve a single grease duct and shall not contain other ducts, piping or wiring systems. Duct enclosures shall have a fire-resistance rating of not less than that of the assembly penetrated and not less than 1 hour. Duct enclosures shall be as prescribed by Section 506.3.11.1, 506.3.11.2 or 506.3.11.3.

Strike Section 506.3.13.3 of the International Mechanical Code in its entirety and insert new Section 506.3.13.3 in the Mechanical Code in its place to read as follows:

506.3.13.3 Termination location. Exhaust outlets shall be located not less than

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10 feet (3048 mm) horizontally from parts of the same or contiguous buildings, adjacent buildings and adjacent property lines and shall be located not less than 15 feet (4572 mm) above the adjoining grade level. Exhaust outlets shall be located not less than 20 feet (6096 mm) horizontally from or not less than 5 feet (1524 mm) above doors, operable windows and air intake openings into any building.

Exceptions:

1. Exhaust outlets shall terminate not less than 5 feet (1524 mm) horizontally from parts of the same or contiguous building, an adjacent building and adjacent property line where air from the exhaust outlet discharges away from such locations.

2. On narrow lots where a 20 foot distance from doors, operable windows and air intake openings into any building cannot be achieved, the *code official* is authorized to approve a smaller distance.

When an approved odor and grease removal system is installed, termination is permitted in accordance with the requirements of Section 501.3.1(2) of the *Mechanical Code*, provided termination is not less than 15 feet (4572 mm) above the adjoining grade level.

Insert new Section 515 in the Mechanical Code to read as follows:

515 LABORATORY VENTILATING SYSTEMS

515.1 Laboratory hoods. Laboratory hoods and laboratory ventilating systems shall be designed and installed in accordance with NFPA 45.

The *District of Columbia Mechanical Code* (2013), referred to as the "*Mechanical Code*," consists of the 2012 edition of the *International Mechanical Code*, published by the International Code Council (ICC), as amended by the *District of Columbia Mechanical Code Supplement* (2013)(12 DCMR E). The *International Mechanical Code* is copyrighted by the ICC and therefore is not republished here. However, a copy of the text may be obtained at: http://publicecodes.cyberregs.com/icod/imc/2012/index.htm?bu=IC-P-2012-000005&bu2=IC-P-2012-000019.

CHAPTER 6 DUCT SYSTEMS

607 Duct and Transfer Openings

607 DUCT AND TRANSFER OPENINGS

Strike Section 607.5.4 of the International Mechanical Code in its entirety and insert new Section 607.5.4. in the Mechanical Code in its place to read as follows:

607.5.4 Corridors/smoke barriers. A *listed smoke damper* designed to resist the passage of smoke shall be provided at each point a duct or air transfer opening penetrates a smoke barrier wall or a *corridor* enclosure required to have smoke and draft control doors in accordance with the *International Building Code*. Smoke dampers and smoke damper actuation methods shall comply with Section 607.5.4.1.

Exceptions:

1. Smoke dampers are not required in *corridor* penetrations where the building is equipped throughout with an *approved* smoke control system in accordance with Section 513 and smoke dampers are not necessary for the operation and control of the system.

2. Smoke dampers are not required in smoke barrier penetrations where the openings in ducts are limited to a single smoke compartment and the ducts are constructed of steel.

3. Smoke dampers are not required in *corridor* penetrations where the duct is constructed of steel not less than 0.019 inch (0.48 mm) in thickness and there are no openings serving the corridor.

4. *Smoke dampers* are not required in ducted *corridor* penetrations where:

    a. The building is equipped throughout with an *automatic sprinkler system* in accordance with Section 903.3.1.1 or 903.3.1.2;

    b. The duct is constructed of steel not less than 0.019 inches (0.48 mm) in thickness;

    c. The ducted system supplies outdoor air only to the corridor and to air handling units that serve spaces adjoining the corridor through ducted connections; and

    d. The outdoor air supply fan is designed to provide a continuous airflow.

Strike Section 607.5.5 of the International Mechanical Code in its entirety and insert new Section 607.5.5 in the Mechanical Code in its place to read as follows:

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607.5.5 Shaft enclosures. Shaft enclosures that are permitted to be penetrated by ducts and air transfer openings shall be protected with listed fire and smoke dampers installed in accordance with their listing.

Exceptions:

1. Fire and smoke dampers are not required at penetrations of exhaust shafts where steel exhaust subducts extend at least 22 inches (559 mm) vertically in exhaust shafts provided there is a continuous airflow upward to the outside and the fan is provided with backup standby power.

2. Fire dampers are not required where penetrations are tested in accordance with ASTM E 119 or UL 263 as part of the fire-resistance-rated assembly.

3. Fire and smoke dampers are not required where ducts are used as part of an approved smoke control system in accordance with Section 909 of the *Building Code*.

4. Fire and smoke dampers are not required where the penetrations are in dedicated parking garage exhaust or supply shafts that are separated from other building shafts by not less than 2-hour fire-resistance-rated construction.

5. Smoke dampers are not required at penetrations of shafts where the building is equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 of the *Building Code*.

6. Fire dampers and combination fire/smoke dampers are not required in kitchens and clothes dryer exhaust systems installed in accordance with the *Mechanical Code*.

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CHAPTER 8 CHIMNEYS AND VENTS

801 General

801 GENERAL

Insert new Section 801.18.5 in the Mechanical Code to read as follows:

801.18.5 Integrity inspection. Before a new or replacement *vented appliance* is approved for use in connection with an existing chimney, the chimney shall be relined or shall be inspected for integrity by the permit holder, in the presence of the *code official*, using a scented smoke test or other approved method. In lieu of observing the test, the *code official* is authorized to accept a certification of integrity of the chimney, issued by the licensed contractor who conducted the inspection or test.

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CHAPTER 9 SPECIFIC APPLIANCES, FIREPLACES AND SOLID FUEL-BURNING EQUIPMENT

922 Kerosene and Oil-Fired Stoves

922 KEROSENE AND OIL-FIRED STOVES

Strike Section 922.1 of the International Mechanical Code in its entirety and insert new Section 922.1 in the Mechanical Code in its place to read as follows:

922.1 General. Kerosene and oil-fired stoves shall not be used or installed in any *premises*.

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CHAPTER 10 BOILERS, WATER HEATERS AND PRESSURE VESSELS

1001 General
1003 Specific Requirements for Boilers and Pressure Vessels
1004 Permits for Construction and Installation of Boilers and Unfired Pressure Vessels; Permit and Inspection Fees
1005 Requirements for Power Boilers
1007 Installation of Low Pressure Heating Boilers
1008 Boiler Controls
1010 Safety Valves
1011 Explosion Doors
1012 Miniature Boilers
1013 Installation of Unfired Pressure Vessels
1014 Safety Valves for Unfired Pressure Vessels
1015 Water Storage Tanks, Water Heaters, Hydro-Pneumatic Tanks
1016 Hydro-Pneumatic Tanks
1017 Relief Valves, Gauges and Safety Controls
1018 Welding on Boilers and Unfired Pressure Vessels
1019 Test Methods
1020 Repairs by Welding
1021 Welded Repairs on Boilers and Unfired Pressure Vessels
1022 Existing Power Boiler Installations
1023 Parts and Equipment for Existing Power Boiler Installations
1025 Existing Miniature Boiler Installations
1026 Existing Unfired Pressure Vessel Installations

Strike Section 1001 of the International Mechanical Code in its entirety and insert Section 1001 in the Mechanical Code in its place to read as follows:

1001 GENERAL

1001.1 Scope. This chapter shall govern the installation, repair, maintenance, testing and inspection of new and existing *boilers*, water heaters and *pressure vessels*.

1001.1.1 Exceptions. The following *pressure vessels*, *boilers*, tanks and containers are not covered by this chapter.

1. *Pressure vessels* used for unheated water supply.

2. Portable unfired *pressure vessels* and Interstate Commerce Commission containers.

3. Containers for bulk oxygen and medical gas.

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4. Unfired *pressure vessels* having a volume of 5 cubic feet (0.14 m^3) or less operating at pressures not exceeding 250 pounds per square inch (psi) (1724 kPa) and located within occupancies of Groups B, F, H, M, R, S and U.

5. *Pressure vessels* used in refrigeration systems that are regulated by Chapter 11 of the *Mechanical Code*.

6. Pressure tanks used in conjunction with coaxial cables, telephone cables, power cables and other similar humidity control systems.

7. Any *boiler* or *pressure vessel* subject to inspection by federal inspectors.

1001.2 Standards applicability. *Boilers*, *pressure vessels* and their respective appurtenances and control systems shall be designed, constructed, installed, inspected, repaired or altered in accordance with the requirements of this Chapter and of the specific provisions of the following standards, to the extent of their respective references contained in this Chapter:

1. ASME BPVC, Boiler and Pressure Vessel Code;

2. ASME CSD-1;

3. NFPA 8501, NFPA 8502, NFPA 8504;

4. UL 726; and

5. ANSI/NBBPVI NB-23 National Board Inspection Code (NBIC).

1001.3 Permit Requirement. A permit shall be obtained from the *code official* for each *boiler* or unfired *pressure vessel* installed, erected, or moved and reinstalled, or re-erected in a new location in the District of Columbia before any work in connection with the equipment is performed.

1001.4 Licensed engineer requirement. The *owner or user* of a facility containing one or more *boilers* or *pressure vessels* shall be responsible for employing or contracting for the services of a an engineer holding the appropriate class of license for the size of the facility, issued by the *Department* in accordance with the requirements of the District of Columbia Board of Industrial Trades (Title 17 DCMR). The engineer's license shall be framed, protected under a durable transparent material and prominently displayed in the *boiler room* or engine room. A daily log of plant operations documenting daily testing of all *boiler* safeties and controls for each tour of duty shall also be kept in the *boiler room* or engine room.

1001.4.1 Engineer's license suspension or revocation. Any engineer licensed by the District of Columbia to operate *boilers* or *pressure vessels* covered by this code shall be subject to fines and other penalties for violation of the *Construction Codes*, and to

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suspension or revocation of his or her engineer's license, if he or she shall operate, or cause to be operated, any *boiler* or unfired *pressure vessel* under his or her supervision without a certificate of inspection or with a certificate that has expired. Revocation or suspension of a license, shall be in accordance with the procedures laid out at D.C. Official Code §§ 47-2853.17 through 47-2853.30 (2012 Repl.).

1001.5 Inspection criteria. The approval of the design and the inspection of the construction, installation and operation of *power boilers*, steam *boilers*, hot water *boilers* and *pressure vessels* in the District of Columbia, shall be performed in accordance with the requirements of the *ASME Code*, ANSI/NBBPVI NB-23 and ASME CSD-1, as specified by this Chapter and the manufacturer's inspection instructions. Inspections for compliance with specific District of Columbia safety requirements shall be performed in accordance with this Chapter.

1001.5.1 Equipment replacement. The inspection of *boiler* and *pressure vessel* equipment installed to replace inoperable equipment shall be performed in accordance with the inspection requirements for new construction as specified in Section 1001.5.

1001.5.2 Existing equipment. Inspection of *boilers* and *pressure vessels* installed and operating in existing facilities shall be performed at a frequency in accordance with the requirements of ANSI/NBBPVI NB-23 and this Chapter.

Strike Section 1003 of the International Mechanical Code in its entirety and insert Section 1003 in the Mechanical Code in its place to read as follows:

1003 REQUIREMENTS FOR BOILERS AND PRESSURE VESSELS

1003.1 Certificates of inspection. No person shall use or cause to be used any steam *boiler* or unfired *pressure vessel* until a *certificate of inspection* has been issued and posted as required in this Chapter. The *certificate of inspection* shall not be issued until it is determined that the *boiler* or *pressure vessel* condition is in conformity with the *ASME Code* and this Chapter, and the provisions of the *Construction Codes* governing the installation of fuel burning equipment in the District of Columbia. A separate *certificate of inspection* shall be required for each equipment unit inspected. Each certificate shall be protected under a durable transparent material in a frame to be supplied by the *owner* or *user* and shall be prominently displayed in the *boiler room* or engine room near the equipment to which it pertains. Certificates for portable equipment shall be kept with the equipment at all times.

1003.2 Final inspection. Upon installation, erection or alteration of any *boiler* or unfired *pressure vessel* in the District of Columbia for which a permit is required, including re-installation or erection of any used *boiler* or unfired *pressure vessel*, a final inspection by the *code official* is required to verify compliance with the applicable *Construction Code* provisions.

1003.2.1 Responsibility of installer. On all installations for which a permit has been issued, the contractor or *person* making the installation shall be responsible for notifying

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the *code official*, with sufficient advance notice so that the necessary inspections can be performed in a timely manner. The contractor or *person* making the installation shall be responsible for ensuring that no boiler or unfired pressure vessel shall be operated until final inspection has been performed and approved by the *code official* to operate the equipment.

1003.3 Renewal of certificate of inspection. No *person* shall operate or cause to be operated any *boiler* or unfired *pressure vessel* requiring inspection under this code without a current *certificate of inspection.* Each *certificate of inspection* must be renewed annually, or at an interval specified by the *code official*, as long as the equipment is in service. Renewal will be granted upon satisfactory demonstration to the *code official* that the equipment or system has met all of the inspections and testing required by the *Construction Codes* and referenced standards. Inspections shall be made by the *code official*, or by an *insurance company inspector* as permitted by Section 1003.12, at the expense and responsibility of the *owner* or *user*.

1003.4 Responsibility to notify code official. Where a *boiler* or unfired *pressure vessel* subject to the provisions of this code is not covered by a current *certificate of inspection*, the *owner* or *user* of such *boiler* or *pressure vessel* shall immediately notify the *code official* in writing of the following information:

1. The location of each *boiler* or unfired *pressure vessel* not covered by a current *certificate of inspection*;

2. The date of the last inspection, if any;

3. Whether or not the equipment is insured and inspected by an insurance company; and

4. The name of the company that insures such equipment.

1003.5 Operating pressure. No *person* shall operate or cause to be operated any *boiler* or unfired *pressure vessel* at a pressure in excess of the allowable pressure as stated on the *certificate of inspection*.

1003.5.1 Marking of pressure vessels. Unfired *pressure vessels* operated at a pressure in excess of 60 pounds per square inch (psi) (414 kPa) and having a capacity in excess of 15 gallons (57 L) shall bear the following information:

1. The ASME symbol;

2. The name of the manufacturer;

3. The maximum allowable working pressure;

4. The serial number and National Board Numbers;

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5. The year built; and

6. Any other required data to indicate that it has been built in accordance with the provisions of Section VIII of the *ASME Boiler and Pressure Vessel Code*.

Exception: Marking of nonstandard pressure vessels shall not be required to contain the information indicated in items 1, 4 and 6 of this section.

1003.6 Safety devices. *Boilers* and unfired *pressure vessels* shall be equipped with safety appliances and piping as prescribed in the *ASME Code*. No *person* shall operate or cause a *boiler* or unfired *pressure vessel* to be operated unless equipped with the prescribed safety appliances and piping, and no *person* shall remove or tamper with any safety appliance or piping, except for the purpose of making repairs. Any adjustments to safety valves shall be made only by direction of the *code official* or an *insurance company inspector*.

1003.7 Tests. When in the judgment of the inspector it is considered necessary to demonstrate the proper operation of the *boiler* safeties and controls, or to demonstrate the licensed engineer's ability to properly operate the *boiler*, the safety-valve capacity of a *boiler* and/or the low water cutout shall be tested. An accumulation test shall be made by shutting off all other steam-discharge outlets from the *boiler*, and operating the fuel-burning equipment to produce the maximum steaming capacity of the *boiler*. An evaporation test shall be performed to demonstrate proper operation of the low water cutout.

1003.7.1 Safety-valve. The safety-valve equipment shall be sufficient to prevent the pressure from rising more than (a) 6 percent above the maximum allowable working pressure, for power *boilers*, and (b) 5 pounds per square inch (psi) (34 kPa) above the maximum allowable working pressure, for heating *boilers*. Provision shall be made for piping the safety valve discharge out of the *boiler* room during a test pursuant to Section 1003.7.

1003.8 Portable boiler or unfired pressure vessel. No temporary *portable boiler* or unfired *pressure vessel* shall be used until it has been inspected by the *code official* or an *insurance company inspector* in accordance with this Chapter 10 and a *certificate of inspection* has been issued. Each *owner* or *user* of *portable boilers* or unfired *pressure vessels* shall furnish in writing to the *code official*, yearly, before December 27, the following information:

1. A list of his or her *portable boilers* and unfired *pressure vessels*;

2. The location of each *portable boiler* and unfired *pressure vessel* in the list; and

3. A statement for each *portable boiler* and unfired *pressure vessel* in the list, indicating whether the boiler or pressure vessel is insured and inspected by an insurance company.

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1003.9 Annual boiler inspection requirements. All steam *boilers* including hot water *boilers* shall be inspected annually by the *code official* or by an *insurance company inspector* as provided in Section 1003.15. The inspection shall include the following.

1003.9.1 Internal inspection. The *internal inspection* shall consist of a thorough examination of all tubes, seams, rivets, drums, stay bolts and other parts to insure that the *boiler* is in safe operating condition and able to carry the pressure allowed.

1003.9.2 External *inspection*. The *external inspection*, to determine the general condition of the boiler and its appurtenances as well as the adequacy of safety valves, pressure gauges, apparatus for determining water level and other appliances, shall be made under normal operating conditions at which time the steam pressure carried shall be observed and the operation of all valves, gauges, safety devices or other appliances shall be checked to ensure that they are in proper working order.

1003.9.3 Hydrostatic test. A hydrostatic test shall be required when, in the judgment of the *code official* or *insurance company inspector*, it is considered necessary in the interest of safety. The test shall be conducted with water at a temperature of at least 70 °F (21 °C) but not higher than 120 °F (49 °C), with pressure applied to the vessel at 1.5 times the maximum allowable working pressure. The test pressure shall hold for 30 minutes.

1003.10 Boiler preparation. A steam or hot water *boiler* shall be prepared *for internal inspection* by the *owner* or *user* on a date specified by the *code official*. Insofar as practicable, the *internal inspection* shall be made no later than 15 days prior to the expiration of the current *certificate of inspection*. In no case shall the *internal inspection* be deferred more than 30 days after the date of expiration of the *certificate of inspection*. The *code official* is authorized to order a steam or hot water *boile*r discontinued from service until the inspection is performed.

1003.10.1 Inspection Procedure. Preparation for *internal inspection* shall be made in the following manner:

1. Water shall be drawn off and the boiler thoroughly washed out;

2. All manhole and handhole plates, washout plugs and the water column connection plugs shall he removed and the furnace and combustion chambers thoroughly cooled and cleaned;

3. All grates or stoker dead plates of internally-fired boilers shall be removed; and

4. All leaks of steam or hot water into the *boiler* shall be stopped. The inspector is also authorized to require the removal of brickwork and insulation covering the seams of shell, drums or domes, sufficient to determine the size and pitch or rivets, their condition, and any other information as may be necessary to definitely determine the condition of the *boiler* and its fitness for safe operation.

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1003.10.2 Hydrostatic test preparation. A steam or hot water *boiler* shall be prepared for hydrostatic test by the *owner* or *user*, when required by the inspector by filling the *boiler* with water to the stop valve and blanking off the connections of the *boiler* to other *boilers* when that *boiler* is connected to other *boilers* that are under steam pressure. Arrangements shall be made with the inspector for the protection of the safety valve and under no circumstances shall the safety valve spring be screwed down for making hydrostatic tests.

1003.10.3 Test gauges. An indicating test gauge shall be connected directly to the *boiler* or *pressure vessel* where it is visible to the operating engineer throughout the duration of the test. The pressure gauge scale shall be graduated over a range of not less than 1.5 times and not greater than four times the maximum test pressure. All gauges utilized for testing shall be calibrated and certified by the operating engineer.

1003.11 Unfired pressure vessels requiring annual inspection. Each unfired *pressure vessel* operating at a pressure in excess of 60 pounds per square inch (psi) (414 kPa) and having a capacity in excess of 15 gallons (57 L) shall be inspected annually by the *code official* or an *insurance company inspector* as permitted by Section 1003.12. Any unfired *pressure vessel* as described herein shall be subjected to inspection if it is connected to a source of supply.

1003.11.1 Type of Inspection. The annual inspection of unfired pressure vessels shall consist of an *external inspection* including safety devices and other appurtenances. When a vessel is provided with manholes an *internal inspection* shall also be performed.

1003.11.2 Hydrostatic Test. A hydrostatic test shall be required when, in the judgment of the inspector, it is considered necessary in the interest of safety. This test shall be conducted with water at a temperature of at least 70 °F (21 °C) but not higher than 120 °F (49 °C), and shall consist of applying to the vessel a pressure of 1.5 times the maximum allowable working pressure. The test pressure shall hold for 30 minutes.

1003.12 Annual inspection by insurance company inspectors. Any steam or hot water *boiler* or unfired *pressure vessel* which is insured and inspected at least once annually by an *insurance company inspector* shall be exempt from annual inspection by the *code official*, provided that the requirements of Sections 1003.12.1 through 1003.12.3 are satisfied.

1003.12.1 *ASME Code*. The *insurance company inspector* shall apply the inspection provisions in Section I, Part PG, paragraph PG-90, "Inspection and Tests - General" in the *ASME Code*.

1003.12.2 Qualifications. In order to perform inspection of *boilers* or *pressure vessels* in the District of Columbia, the inspector shall hold a current *certificate of competency* issued by the *code official* in accordance with this code.

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1003.12.3 Inspection reports. The *insurance company inspector* shall file reports of inspections and other data relating to an insured *boiler* or unfired *pressure vessel*, as may be required, with the *code official* within ten *business days* after the inspection, on the standard forms and in the manner prescribed by the *code official*; provided, that the *internal inspection* report shall be filed in time to prevent the *certificate of inspection* from becoming more than 30 days overdue. Each report shall be printed or typewritten, bear the original inspector's signature in ink and state unambiguously whether or not the *certificate of inspection* should be issued, and the equipment working pressure allowed.

1003.12.3.1 Supplemental report. If the inspector has ordered or recommended changes or repairs to be made following inspection, the inspection report filed with the *code official* in accordance with Section 1003.12.3 shall state the nature of all changes or repairs ordered or recommended. No later than 30 days after the inspection during which the deficiencies were identified, the *insurance company inspector* shall re-inspect the insured *boiler* or *pressure vessel* and submit a supplemental report to the *code official* stating whether the changes or repairs have been completed. If the work has not been completed within the time allowed, the *code official* is authorized to order operation of the equipment to be discontinued, or to take any other actions authorized by the *Construction Codes*.

1003.13 Certificates of competency for insurance company inspectors.

1003.13.1 Application. In order to obtain or renew a *certificate of competency*, each inspector employed or retained, by an insurance company licensed to operate in the District of Columbia, to inspect *boilers* and *pressure vessels* located in the District of Columbia that are insured by the company shall submit an application to the *code official*, in the form prescribed and provided by the *code official*. The application shall include the following:

1. Name, age, qualifications, experience and local address of the inspector;

2. Documentation evidencing employment or retention by an insurance company licensed to operate in the District of Columbia for the inspection of *boilers* and *pressure vessels* in the District of Columbia;

3. A copy of a valid current certificate issued by the *National Board* to the inspector; and

4. Such other data and information as may be required by the *code official*.

1003.13.2 National Board certification. The *code offi*cial is authorized to accept a certificate issued by the *National Board*, upon proper substantiation, and to issue a *certificate of competency* based on such *National Board* certificate.

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1003.13.3 Filing fee. All applications for a new or renewed *certificate of competency* shall be accompanied by a filing fee of $200, or such amount as may be established in the applicable fee schedule published in the *D.C. Register*.

1003.13.3 Expiration. The *certificate of competency* shall be issued for a two-year period, provided, however, any *certificate of competency* issued shall become null and void if the inspector holding the *certificate of competency* ceases to be employed or retained by the insurance company upon which his or her *National Board* eligibility is based, or if the *National Board* certification on which the inspector's *certificate of competency* is based is cancelled or invalidated.

1003.14 Insurance company reporting duties. An insurance company that insures any *boiler* or *pressure vessel* in the District of Columbia shall immediately report the following information to the *code official* by written notice*:*

1. The name of the *owner* or *user* and the location of every *boiler* and unfired *pressure vessel* on which insurance is refused, canceled or discontinued by the company and the reason therefore;

2. The location and name of the *owner* or *user* of each new *boiler* or *pressure vessel* upon which coverage is taken, whether the new equipment has been inspected by the *code official* and whether an installation permit has been obtained;

3. The names of the DC-licensed engineers working on all watches, and the grade of license held by each engineer, and if there is none, the report shall so state; and

4. The termination or cessation of any employment or contractual relationship with an *insurance company inspector* and the reasons therefore.

1003.15 Internal inspection. In the case of *boilers* that can be internally inspected, *certificates of inspection* shall not be issued until after the *internal inspection* has been performed.

1003.16 Notice to make repairs or alterations. If upon inspection by the *code official* it is found that repairs, alterations or cleaning are necessary to ensure the safe operation of a steam *boiler*, hot water *boiler* or unfired *pressure vessel*, and its conformity to the *ASME Code* and this Chapter, a written notice stating the work required to be done and the time allowed for completion shall be sent to the *owner* or *user*.

1003.16.1 Repairs, alterations or cleaning. Repairs, alterations or cleaning required under Section 1003.16 shall be made as directed. Upon completion of the work ordered, the *owner* or *user* shall notify the *code official*. If the work has not been completed within the time allowed, the *code official* is authorized to order operation of the equipment to be discontinued, and to take any other actions authorized by the *Construction Codes*.

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1003.17 Condemnation of defective, unsafe or dangerous equipment. Whenever the *code official* finds that a *boiler* or unfired *pressure vessel*, or its necessary appurtenances, is in such a defective or unsafe condition that life or property is endangered, he or she shall immediately order its further use and operation discontinued. A *boiler* or unfired *pressure vessel* which has been declared unsafe or condemned by the *code official* shall be distinctly labeled as "Unsafe to Use" or condemned by the *Department*. The provisions of Sections 115 and 116 of the *Building Code* and Sections 108 and 109 of the *Property Maintenance Code* shall also apply to defective, unsafe or dangerous boilers and unfired pressure vessels.

1003.17.1 Operation prohibited. No *person* shall operate or cause to be operated any *boiler* or unfired *pressure vessel* which is known to be unsafe or which has been condemned by the *code official*. No *person* shall operate or cause to be operated any *boiler* or unfired *pressure vessel*, the further use and operation of which has been ordered discontinued by the *code official* until the defective or unsafe condition which was the reason for such action has been corrected and a new *certificate of inspection* is issued.

1003.17.2 Notification of unsafe condition. If an *insurance company inspector* finds that a *boiler* or unfired *pressure vessel*, or its necessary appurtenances, are in such a defective or unsafe condition that life or property is endangered, and which, in his or her opinion cannot be repaired and made safe, he or she shall immediately notify the *code official.*

1003.17.3 Abatement. The *owner* or *user* of the equipment deemed unsafe shall abate or cause to be abated or corrected such unsafe condition.

1003.18 Numbering boilers and unfired pressure vessels. Every boiler and unfired pressure vessel installed in the District of Columbia shall be given a District of Columbia number. Numbers assigned to cast-iron boilers shall be of metal not less than 1 inch (25.4 mm) in height and shall be securely attached to a metal plate which in turn shall be securely attached to the front of the boiler. Miniature boilers shall have sufficient space provided so that the District of Columbia boiler number can be stamped on the shell and be clearly visible when the insulating jacket is in place. Numbers on condemned boilers shall not be reassigned.

Strike the title of Section 1004 of the International Mechanical Code and insert a new title in Section 1004 of the Mechanical Code in its place to read as follows:

1004 PERMITS FOR CONSTRUCTION AND INSTALLATION OF BOILERS AND UNFIRED PRESSURE VESSELS; PERMIT, INSPECTION AND MISCELLANEOUS FEES

Strike Section 1004.7 of the International Mechanical Code in its entirety and insert new Sections 1004.7 and 1004.8 in the Mechanical Code in its place to read as follows:

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1004.7 Permits required for installation. No person shall erect, install, re-erect or reinstall or cause to be erected, installed, re-erected or reinstalled any steam or hot water *boiler* or unfired *pressure vessel* until he or she shall have made application on the form provided by the *code official*, and obtained an installation permit.

1004.7.1 Permit applications. Applications for permits shall be accompanied by a form U-1, "Manufacturer's Data Report," as specified in the *ASME Code*, properly filled out and signed by an *authorized boiler inspector* employed by an insurance company, showing that the boiler or unfired pressures vessel has been constructed and inspected in accordance with the requirements of the *ASME Code*. When an application is made to install a used boiler or unfired pressure vessel sufficient specific information shall be furnished to show that the boiler or unfired pressure vessel has been built in accordance with all the requirements of the *ASME Code* and is so stamped.

1004.7.2 Inspection of used equipment. Before an installation permit for a used boiler or unfired pressure vessel shall be issued, the *code official* shall cause the boiler or unfired pressure vessel to be inspected in order to determine whether it is safe to operate, and any repairs or changes that shall be deemed necessary.

1004.8 Permit, inspection and miscellaneous fees. The code official is authorized to require the payment of fees, pursuant to the applicable fee schedule published in the *D.C. Register*, for permits, inspections and other miscellaneous services related to *boilers* and unfired *pressure vessels*, including, but not limited to, fees for permit processing, inspections, welding qualification tests and issuance of *certificates of competency* and *certificates of inspection.*

Strike Section 1005 of the International Mechanical Code in its entirety and insert new Section 1005 in the Mechanical Code in its place to read as follows:

1005 REQUIREMENTS FOR POWER BOILERS

1005.1 Steel platforms. To provide access to the top of every power boiler setting, a steel platform shall be provided, reached by means of a stationary steel stairway or ladder. The platform shall be provided with a 4 inch (102 mm) high toe guard, with a steel railing not less than 36 inches (914 mm) inches in height, and shall have a runway not less than 30 inches (762 mm) in width, made of steel grating or other approved material.

1005.2 Platform access. The stairway or ladder shall not be less than 16 inches (406 mm) in width and shall provide easy access to and from the platform. Where more than one boiler is served by the same platform, or where otherwise deemed necessary, a second stairway or ladder, remote from the first one, shall be provided.

1005.3 Means of egress. Two unobstructed and accessible means of egress remote from each other shall be provided in every room housing power boilers with an aggregate capacity of 75 horsepower (56 kW) or over, or heating boilers with an aggregate capacity of 2,400,000 btu/h

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(703 kW) or over. Blow off pits, ash pits, alleyways, steam pipe tunnels and other places where there would be danger of personnel being trapped shall have adequate ventilation, lighting and a number of means of egress deemed adequate by the code official.

1005.4 Blow-off discharge. Blow-off piping from power boilers shall not discharge directly into a sewer. A blow-off tank or sump shall be used where conditions do not provide an adequate and safe open discharge.

1005.5 Blow-off tanks. Blow-off tanks shall be designed for at least 50 percent of the working steam pressure of the boiler to which it is connected and shall be built in accordance with the *ASME Code*. The tanks shall have a discharge connection at least 6 inches (152 mm) above the maximum water level with a water seal, a vent from the top of the tank and a cold-water connection to the top of the tank. The vent shall be routed to a safe point of discharge above the roof of the building where it is located or the roof of any adjoining building, so as not to constitute a hazard or nuisance. The vent shall be substantially supported. The design of each tank and appurtenant piping shall be submitted to the *Department* for approval. Tank, outlet and vent sizes shall not be less than indicated in Table 1005.5.

TABLE 1005.5
REQUIREMENTS FOR POWER BOILERS BLOW-OFF TANKS

BOILER RATING	TANK SIZE	OUTLET (inches nom.)	VENT (inches nom.)
2 to 25 horsepower	24 in. diameter by 36 in. long	2	2
26 to 75 horsepower	30 in. diameter by 48 in. long	3	3
76 to 150 horsepower	36 in. diameter by 54 in. long	5	4
151 to 250 horsepower	36 in. diameter by 60 in. long	5	5
251 to 600 horsepower	42 in. diameter by 66 in. long	5	6
601 to 1,000 horsepower	48 in. diameter by 72 in. long	6	6

For SI: 1 inch = 25 mm, 1 horsepower = 0.7457 kW.

Strike Section 1007 of the International Mechanical Code in its entirety and insert new Section 1007 in the Mechanical Code in its place to read as follows:

1007 INSTALLATION OF LOW PRESSURE HEATING BOILERS

1007.1 Return water connection. The return water connection to every low pressure steam or hot water heating boiler shall be arranged to form what is known as a "Hartford Loop" so that the water cannot be forced out of the boiler below the safe water level. This connection shall be installed on each boiler, with the inside bottom of the return pipe close nipple, where it connects

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to the equalizing loop, at the same level as the top of the bottom nut of the water gauge glass.

1007.2 Equalizer pipe. Each boiler shall have a separate equalizer pipe installed between the bottom opening of the boiler and the boiler stop valve, when used. The equalizer pipe shall not have a valve in it at any point and shall not be used as a means to connect two or more boilers together below the water line. Equalizer pipe sizes shall not be less than the schedules indicated in Table 1007.2.

TABLE 1007.2
EQUALIZER PIPE SIZES

GRATE AREA (square feet)	S.V.R.C. [a] (pounds per hour)	PIPE SIZE (inches nom.)
Under 4	250 or less	1 ½
4 to 15	251 or 2000	2 ½
Over 15	2001 or over	4

For SI: 1 square foot =0.0929 m^2, 1 inch = 25 mm, 1 pound/hour = 0.4536 kg/h.
a. S.V.R.C., Safety Valve Relieving Capacity, for this purpose, shall be the capacity of the boiler as stamped on a steel boiler or on the name plate of a cast iron boiler.

1007.3 Stop valve. When a stop valve is used in the return line of the loop it shall be located within 6 feet (1829 mm) of the floor. A drain valve shall be provided at the lowest point of the return line. Galvanized pipe and fittings shall not be used in any part of the equalizer pipe or return line.

1007.4 Public water system mechanical feed. Each *boiler* shall be provided with a mechanical feed line supplied from a reliable public water system. The feed line shall not connect directly into any part of a *boiler* exposed to the direct radiant heat from the heat source. It shall be connected to the equalizing line between the *boiler* and the condensate return connection and shall have a check valve in the line as close to the *boiler* as possible.

1007.5 Boiler feed line. The *boiler* feed line shall be designed so as to adequately take care of the maximum demand of the *boiler*.

1007.6 Public water system shut-off valve. All connections from the public water system shut-off valve shall be made of brass pipe with screwed fittings. Tubing shall not be used.

Exceptions:

1. Low-pressure heating *boilers* bearing the ASME stamp that are trimmed by the manufacturer.

2. Low-pressure heating *boilers* rated less than 100 horsepower (74.6 kW).

1007.7 Condensate return pump. A condensate return pump shall have capacity to supply the

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boiler or *boilers* it serves with sufficient water to maintain a normal water level when the boilers are operating at maximum capacity. When more than one *boiler* is served by the pump, the condensate return line shall be arranged to supply all *boilers* adequately.

1007.8 Stop valve. A stop valve shall be installed in each supply and return connection of two or more *boilers* connected to a common system. When a stop valve is used in the supply pipe connection of a single *boiler*, there shall be one used in the return pipe connection and vice versa. If there are multiple branch connections, each one shall be valved. When stop valves over 2 inches in nominal size are used they shall be of the outside screw-and-yoke type.

> **1007.8.1 Stop valve location.** Stop valves shall be located as close to the *boiler* as possible and when over 7 feet (2134 mm) above the floor shall be made accessible for operation by means of either (1) a permanent steel ladder and platform; or (2) a chain or motor operated mechanism.

1007.9 Blow-off connections. Each *boiler* shall have one or more blow-off connections fitted with straightway valves connected directly with the lowest water space. Plug or bob cocks shall not be used. A discharge pipe shall be run to the floor, full size, with an "ell" at the bottom to direct the water away from the operator, or to a blow-off tank. A "tee" fitting shall be used at the *boiler* in order to provide a cleanout for the line. Blow-off valves and discharge pipes shall not be smaller than the schedule indicated in Table 1007.9 based on the equivalent direct radiation rating of the *boiler*. If a surface blow down is used, it shall be run full size to the floor with an "ell" at the bottom, or to an approved drain.

TABLE 1007.9
BLOW-OFF VALVES AND DISCHARGE PIPES

BOILER RATING (square feet E.D.R.)	Valve and Pipe Size (inches nom.)
Under 1000	¾
1001 to 3500	1
3501 to 8500	1 ½
8501 and over	2

For SI: 1 square foot = 0.0929 m^2, 1 inch = 25 mm.

1007.10 Wash-out and hand-hole openings. All wash-out and hand-hole openings shall be accessible and shall not be obstructed or blocked by pipe or other obstacle. Capped pipe nipples and plugs shall be installed in wash-out openings.

1007.11 Cross connections. There shall be no cross connection below the water line, for any purpose, between two or more *boilers*.

Strike Section 1008 of the International Mechanical Code in its entirety and insert new Section 1008 in the Mechanical Code in its place to read as follows:

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1008.1 Steam limit control. Every steam *boiler*, when mechanically fired, shall be provided with a steam limit control (pressure regulator) that shall operate to prevent the steam pressure from rising above the allowable working pressure of the *boiler*. All connections shall be on non-ferrous pipe with screwed fittings. There shall not be any valve between the *boiler* and the control.

Exceptions:

1. *Boilers* that bear the ASME stamp and are trimmed by the manufacturer are exempt from the non-ferrous pipe with screwed fittings requirement.

2. *Boilers* rated less than 100 horsepower (74.6 kW) are exempt from the non-ferrous pipe with screwed fittings requirement.

1008.2 Master limit control. When two or more *boilers* are connected to a common header, a master limit control connected into the main steam header shall be provided to control all *boilers* simultaneously.

1008.3 Low-water fuel cut-off. Each steam *boiler*, when mechanically fired, shall be equipped with an approved low-water fuel cut-off, so arranged as to automatically cut off the fuel supply in case the water-level gauge indicates low-water level.

1008.4 Independent operational controls. The operation of automatic operational controls shall not be dependent upon the functioning of any other device.

1008.5 Oil burner cut-off location. When an oil burner is manually operated, the cut-off valve shall be located in the oil line close to the burner and shall only be re-set manually.

1008.6 Valve location restriction. No valves shall be permitted between the low-water fuel cut-off and the *boiler*.

1008.7 Water gauge glass controls. Each steam *boiler* shall have one or more water-gauge glasses attached to the water column or directly to the *boiler* by means of valved fittings, with the lower fitting provided with a drain valve of the straightway type with opening not less than 1/4 inch (6.4 mm) diameter. The gauge glasses shall be visible from the operating floor and without the removal of any cover or casing. There shall be no obstruction to interfere with visibility of the gauge glasses.

1008.8 Operating elevated gauge glass controls. When gauge cocks or gauge glass shut off cocks are located 78 inches (1981 mm) or more above the operating floor, they shall be of the quick opening type with chains or rods attached for operation from the floor. The gauge glass and pressure gauge shall be illuminated by a light with an approved type of reflector so that they can be easily read.

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1008.9 Automatic water feeder. An automatic water feeder shall be installed on each mechanically fired steam heating *boiler*. It shall have sufficient capacity to take care of the water demand for maximum boiler output.

1008.10 Feed pump capacity. A *boiler* feed pump, when used, shall have capacity to supply sufficient water to all *boilers* served to maintain a normal water level when the *boiler* or *boilers* are operating at maximum capacity.

1008.11 Public water system by-pass. A public water system by-pass valve, with the valve accessible from the floor, shall be installed around a feeder and shall have a valved drain extended to within 6 inches (152 mm) of the floor. A mechanical water feeder supplied from a public water system shall be installed with a bypass valve, with inlet and outlet valves accessible from the floor, with cross tees for inspection and with the drain valve piping extended to within 6 inches (152 mm) of the floor.

1008.12 Feed-water level. A water feeder shall be installed so that it will not cause the water level to rise above the normal operating level specified by the manufacturer of the *boiler*.

1008.13 Minimum boiler water level. On low-pressure steam heating *boilers*, the water gauge glass shall be located so that the lowest permissible water level in the glass shall be as specified in Sections 1008.13.1 through 1008.13.4.

> **1008.13.1 Multiple fire-tube boilers.** For multiple fire-tube boilers at least 1/2 inch (13 mm) of water shall be maintained over the top row of tubes or the fusible plug, if used, whichever is higher.
>
> **1008.13.2 Scotch Marine boilers.** For package type Scotch Marine boilers at least 1/2 inch (13 mm) of water shall be maintained over the top row of tubes or the fusible plug, if used, whichever is higher.
>
> **1008.13.3 Horizontal tube boilers.** For fire-box, horizontal water tube *boilers* at least 1 inch (25 mm) of water shall be maintained over the highest point of the crown sheet.
>
> **1008.13.4 Miscellaneous boilers.** For any other type *boiler* the minimum water level shall be maintained in accordance with the manufacturer's recommendations.

1008.14 Multiple boiler water level. Two or more *boilers* that share any appurtenance shall be arranged so that the low water lines of all boilers are at the same level.

> **Exception:** When each *boiler* is provided with an individual pump control and an individual automatically operated feed water control valve, operation with different water levels shall be allowed.

1008.15 Boiler pressure gauge. Every *boiler* shall have a pressure gauge connected to its steam

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space, or to its water column, or to its steam connection by means of a siphon or equivalent device exterior to the boiler, and of sufficient capacity to keep the gauge tube filled with water. The pressure gauge shall be arranged so that the gauge cannot be shut off from the boiler except by a cock with a "tee" or lever handle installed in the pipe near the gauge.

1008.16 Cock handle position. The handle of the cock for the pressure gauge shall be parallel to the pipe in which it is located when the cock is open.

1008.17 Gauge scale graduation. The scale on the dial of a gauge on a low pressure *boiler* shall be graduated to not less than 30 pounds psi (210 kPa), in 5 psi (35 kPa) increments. Connections to steam gauge siphons shall be of non-ferrous pipe. The gauge shall be visible at all times without the removal of any cover or casing, and shall be of such size and so located as to be easily readable from the operating floor.

Exceptions:

1. *Boilers* that bear the ASME stamp and are trimmed by the manufacturer are exempt from the non-ferrous pipe connection requirement.

2. *Boilers* rated less than 100 horsepower (74.6 kW) are exempt from the non-ferrous pipe connection requirement.

1008.18 Independent controls. When two or more mechanically fired steam *boilers* are connected to the same system, each boiler shall have independent low-water fuel cut-offs, pressure controls, pressure gauges and water feeders.

1008.19 Non-ferrous pipe and fittings. All of the connections for the water column, water feeder, low-water fuel cut-off and make up water line to the boiler, shall be of non-ferrous pipe and screwed fittings, with a cross at each right angle turn and with a check valve in the feed line as close to the boiler as possible. High pressure *boilers* shall have a valve between the *boiler* and the check valve. Tubing shall not be permitted on *boiler* piping or fittings. All piping shall be firmly braced and supported.

Exceptions:

1. *Boilers t*hat bear the ASME stamp and are trimmed by the manufacturer are exempt from the non-ferrous pipe with screwed fittings requirement.

2. *Boilers* rated less than 100 horsepower (74.6 kW) are exempt from the non-ferrous pipe with screwed fittings requirement.

1008.20 Drain locations. *Boiler* drains shall be located so that the discharge will not impinge on the boiler setting or electrical equipment. Water column, water feeder and low-water fuel cut-off shall each have separate full size straight-way valve drains extended to within 6 inches (152 mm)

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from the floor or to a visible approved drain, with the valves located so as to be conveniently accessible for operation. Plug cocks shall not be used.

Strike Section 1010 of the International Mechanical Code in its entirety and insert new Section 1010 in the Mechanical Code in its place to read as follows:

1010 SAFETY VALVES

1010.1 General. Each steam *boiler* shall be provided with one or more safety valves of the spring-pop type, having side outlet discharge, adjusted and sealed to discharge at a pressure not to exceed 15 pounds per square inch (psi) (103 kPa). Seals shall be attached so as to prevent the valve from being taken apart or re-set to relieve at a higher pressure without breaking the seal.

1010.2 Lever-lifting device. Each valve shall have a substantial lever-lifting device which will positively lift the disk from its seat at least 1/16 inch (1.6 mm) when there is no pressure on the boiler. Where the lever is more than 78 inches (1981 mm) above the floor, a flexible chain or cable operating over a pulley shall be provided so that the valve can be tested.

1010.3 Safety valve marking. Each steam safety valve shall bear the ASME symbol to indicate that it complies with the requirements of the *ASME Code* in regard to construction, testing and rating, and shall be plainly and permanently marked by the manufacturer in such a way that the marking will be readable when the valve is installed and will not be obliterated in service.

1010.3.1 Marking data. The marking shall include the following information:

1. The manufacturer's name;

2. The type and catalog number;

3. The pressure at which it is set to open; and

4. The capacity in pounds of steam per hour as certified by the *National Board.*

1010.4 Valve capacity. The steam safety valve capacity for each steam *boiler* shall be such that with the fuel burning equipment installed and operating at maximum capacity, the pressure cannot rise more than 5 psi (34 kPa) above the maximum allowable working pressure of the boiler.

1010.5 Non-compliant valves. When a safety valve no longer meets the provisions of Sections 1010.1 through 1010.4, such as when there is no stamping on a valve or it is not legible, or when a safety valve does not function properly, a new safety valve or valves as required in Section 1010 shall be installed.

1010.6 Installation. It shall be the responsibility of the contractor making the installation or

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changes to a system to provide and install the necessary safety valves, as required by this Chapter and/or recommended by the manufacturer.

1010.7 Accumulation test. In case of dispute over the safety valve capacity or when, in the judgment of the *code official* or *insurance company inspector*, it is considered necessary to test the capacity of the safety valves, an accumulation test shall be conducted by the contractor, owner or operator in the presence of the *code official* or *insurance company inspector*.

1010.7.1 Test procedure. The accumulation test shall be conducted by closing off all other discharge outlets from the boiler and operating the fuel burning equipment at maximum capacity. The safety valves shall be sufficient to prevent the pressure from rising more than 5 psi (34 kPa) above the maximum allowable working pressure of the boiler. Provision shall be made for piping the steam discharge from the *boiler room* during the test.

1010.8 Minimum capacity. The minimum required capacity of the safety valve or valves, in pounds of steam per hour, shall be determined as follows:

1. For steel or cast iron *boilers*, multiply the area of heating surface in square feet, if available, by 5 or use the maximum rating output of the *boiler* as specified by the manufacturer, whichever is greater.

2. If the fuel burning equipment installed will produce a greater output than the minimum obtained in Section 1010.8(1), the minimum capacity of the safety valve or valves shall be based on the maximum output obtainable. In any event the requirements of Section 1010.4 shall be met.

1010.9 Safety valves connection. Safety valves shall be connected to *boilers*, with the spindle in a vertical position, in any one of the following ways:

1. Directly to a tapped or flanged opening in the *boiler*;

2. To a fitting connected to the *boiler* by a close nipple;

3. To a Y-base;

4. To a valveless steam pipe between the adjacent *boilers*; or

5. To a valveless header connecting steam outlets on the same *boiler*.

1010.9.1 Y-base connection. When a Y-base is used pursuant to Section 1010.9(3) above, the inlet area shall not be less than the combined outlet areas.

1010.9.2 Clearance. There shall be sufficient clearance above and around safety valves

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so that they can be removed and replaced without dismantling. The identification plate shall be located so as to be readable.

1010.10 Shut-off prohibition. No shut-off or connection of any description shall be placed between a safety valve and the boiler, nor on the valve discharge pipe between such valve and the atmosphere. A safety valve shall not be connected to an internal pipe in the boiler. Tubing or galvanized pipe shall not be used between the valve and *boiler*.

1010.11 Discharge pipe. A discharge pipe shall not be used on safety valves on low pressure equipment, except where a *boiler* is located in a restricted space or where the discharge from the valve might constitute a hazard to persons or to equipment. A discharge pipe shall be designed to accommodate the opening of a single valve or the aggregate area of all valves, based on the nominal diameter of the discharge openings of the valves with which it connects. The cross section of the discharge pipe shall be equal to the area of all of the safety valves discharging into it.

1010.11.1 Discharge pipe installation. The discharge pipe shall be fitted with an open drain to prevent water from lodging in the upper part of the valve or in the pipe. When an elbow is placed on a safety valve discharge pipe, it shall be located close to the valve outlet and 45° turns shall be used. The discharge pipe shall be braced and supported so that no weight or strain is placed on the valve body. The discharge shall be arranged so there will be no danger of scalding attendants. A safety valve shall not be installed so as to discharge inside the casing of a self-contained *boiler*.

1010.11.2 Discharge pipe location. The safety valve or valves of each high-pressure *boiler* shall be provided with a full size discharge pipe leading to a safe point of discharge, which shall be above the roof of the building where it is located, or of any adjoining building to which it could constitute a hazard or nuisance. Visible, non-valved drains shall be provided to receive the discharge from the valve discharge piping.

1010.11.3 Discharge pipes not required. Boilers of 25 horsepower (18.6 kW) or less shall not be required to have safety valve discharge pipes if the discharge from the safety valve will not constitute a hazard.

1010.12 Connection of two or more boilers. When two or more *boilers* with different allowable working pressures are connected to a common steam main, safety valves shall be allowed to be set at a pressure exceeding the lowest allowable pressure, provided that the *boilers* with allowable working pressures below the safety valves' set pressure shall be protected by a safety valve or valves placed on the connecting pipe to the steam main.

1010.12.1 Connecting pipe. The area or combined area of the safety valve or valves placed on the connecting pipe to the steam main, as provided for in Section 1010.12, shall not be less than the area of the connecting pipe or the area of the steam main, whichever is smaller. Each safety valve placed on the connecting pipe shall be set at the lowest

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allowable pressure of any of the connected *boilers*.

Strike Section 1011 of the International Mechanical Code in its entirety and insert new Section 1011 in the Mechanical Code in its place to read as follows:

1011 EXPLOSION DOORS

1011.1 Explosion doors. Each *boiler* burning fuel in suspended or gaseous form shall have one or more self-closing explosion doors located in the *boiler* setting and breeching as required. This section shall apply to new installations and to existing installations that are changed to burn fuel in suspended or gaseous form.

1011.2 Deflectors. Explosion doors, when located in the walls of the *boiler* setting within 7 feet (2134 mm) of the firing floor or of any platform or walkway, shall be provided with substantial deflectors to divert the blast of exploding gas so that it will not constitute a hazard.

Insert new Section 1012 in the Mechanical Code to read as follows:

1012 INSTALLATION OF MINIATURE BOILERS

1012.1 Miniature boiler limitation. *Miniature boiler* is a power or high-temperature water boiler that does not exceed the size and pressure limits specified in its definition. Where any one of the limits specified in the definition is exceeded, the rules for *power boilers* shall apply.

1012.2 Clearance. Each *boiler* shall be located so that adequate space will be provided for the proper operation of the *boiler* and appurtenances, for the inspection of all surfaces and for their necessary maintenance and repair. Each *miniature boiler* shall have the following minimum clearances:

1. 18 inches (457 mm) on all sides;

2. 3 feet (914 mm) from electric meters and main-line switches;

3. 18 inches (457 mm) from all other switches and fuse boxes; and

4. 3 feet (914 mm) horizontally from any gas meter.

1012.3 Feed pump. Each *miniature boiler* operating at a pressure in excess of 25 pounds psi (172 kPa) shall be provided with at least one feed pump or other approved feeding device except where the steam generator is operated with no extraction of steam (closed system).

1012.4 Blow-off connection. Each *miniature boiler* shall be provided with a blow-off connection that shall not be reduced in size and shall be led to a safe point of discharge. Whenever, in the judgment of the *boiler inspector* a safe place of discharge cannot be provided, a

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blow-down tank shall be installed, and a 1 inch (25 mm) vent leading to a safe point of discharge shall be provided on the tank. The blow-off shall be fitted with a valve or cock in direct connection with the lowest water space practicable.

1012.5 Mechanically fired boilers. Each mechanically fired *miniature boiler* shall be provided with an automatic low-water fuel cut-off so located as to automatically cut off the fuel supply in case the water level falls to the level of the bottom of the water glass.

1012.6 Gas-fired boilers. Where *miniature boilers* are gas-fired, the burners used shall conform to the requirements of the *Fuel Gas Code*. The burner shall be equipped with an automatic fuel-regulating governor that shall be regulated by the steam pressure. This governor shall be so constructed that, in the event of its failure, there shall be no possibility of steam from the boiler entering the gas chamber or gas supply pipe. A manual stop or throttle valve shall be located in the inlet pipe ahead of the fuel-regulating governor. All applicable requirements of the *Fuel Gas Code* shall be satisfied.

1012.7 Boiler vent installations. Each gas-fired *miniature boiler* shall be connected to a vent or flue, or to a chimney, extended to an approved location outside of the building. The venting arrangement shall be of *approved* design and in accordance with the boiler manufacturer's installation instructions.

Insert new Section 1013 in the Mechanical Code to read as follows:

1013 INSTALLATION OF UNFIRED PRESSURE VESSELS

1013.1 Access for inspection. Each unfired *pressure vessel* shall be installed so that it is available for complete *external inspection* of shell and heads and shall be located so that, wherever possible, there will be not less than 12 inches (305 mm) between the vessel and any floor, wall, ceiling or other obstruction. There shall be no piping or other obstructions to prevent proper access. Any manhole or inspection opening shall be located so that it is readily accessible. All stamping and longitudinal welded or riveted joints shall be located in a position so as to be readily visible to the inspector. Where necessary to install a vessel underground, it shall be enclosed in a concrete or brick pit with a removable cover so that inspection of the entire shell and heads of the vessel can be performed.

1013.2 Structural supports. Each unfired *pressure vessel* shall be supported by masonry or structural supports of sufficient strength and rigidity to safely support the vessel and its contents. Provisions shall be made to reduce vibration in both the vessel and its connecting piping.

1013.3 Piping and connections. All piping and connections to an unfired *pressure vessel* shall be supported in a substantial and safe manner so that there is no strain placed upon the vessel. Provision shall be made for expansion, contraction and drainage.

1013.4 Protection. Each unfired pressure vessel shall be painted with two coats of approved

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paint, so that it is protected from rust and corrosion. It shall not be in contact with any corrosive material or moisture.

1013.5 Drip pipe. Each unfired *pressure vessel* shall have a bottom drip pipe fitted with a valve or cock in direct connection with the lowest space practicable. The minimum size of pipe and fittings shall be 3/4 inch (19 mm) except for tanks 20 inches (508 mm) in diameter or less, in which the minimum size of the pipe and fittings shall be 1/4 inch (6.4 mm). If a plug cock is used, the plug shall be held in place with a guard or gland. Globe valves and cocks shall not be used.

1013.6 Pressure gauge. Each unfired pressure vessel shall have a pressure gauge connected in a manner that the gauge cannot be shut off from the vessel, except by a cock with a "tee" or lever handle, which shall be placed on the pipe near the gauge. Connections to gauges shall be placed on the pipe near the gauge. Connections to gauges shall be made of non-ferrous pipe and fittings from the tank to the gauge. Tubing shall not be used. The dial of the gauge shall be graduated to not less than 1.5 times the maximum pressures allowed for the vessel. A 1/4 inch (6.4 mm) test gauge connection shall be provided for attaching the inspector's test gauge.

Insert new Section 1014 in the Mechanical Code to read as follows:

1014 SAFETY VALVES FOR UNFIRED PRESSURE VESSELS

1014.1 General. Each unfired *pressure vessel* shall be protected by safety and relief valves and shall be provided with indicating and controlling devices to ensure its safe operation. These valves and devices shall be so constructed, located and installed that they cannot readily be rendered inoperative.

1014.2 Safety valves. The relieving capacity of safety valves shall be such as to prevent pressure in the vessel from rising to more than 10 percent above the maximum allowable working pressure, taking into account the effect of static head. Safety valve discharge shall be carried to a safe place.

1014.3 Type of safety valve. Each *pressure vessel* safety valve shall be of the direct spring-loaded type, having a substantial lever-lifting device so that the disk can be lifted from its seat by the spindle not less than 1/8th the diameter of the valve when the pressure of the vessel is 75 percent of that at which the safety valve is set to open.

1014.4 Marking. Every *pressure vessel* valve shall be marked "ASME" or "National Board Standard," and shall bear the following information:

1. The name or identifying mark of the manufacturer;

2. The pipe size of valve inlet;

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3. The pressure at which the valve is set to open; and

4. The relieving capacity.

1014.5 Prohibited safety valves. Safety valves having either the seat or disk of cast iron shall not be used.

1014.6 Multiple safety valves. If more than one safety valve is used, the discharge capacity shall be taken as the combined capacity of all valves.

1014.7 Pressure relief in unfired pressure vessels. For vessels in which pressure is not generated but is derived from an outside source, each safety valve shall be so connected to the vessel, vessels or system which it protects as to prevent pressure from rising beyond the maximum allowable pressure in any vessel protected by the safety valve.

1014.8 Pressure relief in other than unfired pressure vessels. For vessels in which pressure may be generated, the safety valve or valves shall be connected directly to the vessel that is to be protected or to a pipe line leading to the vessel. The internal cross-sectional area of the pipe line shall be not less than the nominal area of the safety valve or valves used, and without any intervening valve between the vessel and the safety valve or valves protecting it.

1014.9 Pressure relief escape pipe. When an escape pipe is used, it shall be full-sized and fitted with an open drain to prevent liquid from lodging in the upper part of the safety valve, and no valve of any description shall be placed on the escape pipe between the safety valve and the atmosphere.

1014.10 Escape pipe fittings. When an elbow is placed on an escape pipe, it shall be located close to the safety valve outlet or the escape pipe shall be securely anchored and supported. When two or more safety valves are placed on one connection, this connection shall have a cross-sectional area at least equal to the combined area of these safety valves.

1014.11 Freeze protection. Each safety valve which is exposed to a temperature of 32 °F (0 °C) or less shall have a drain at least 3/8 inch (9.5 mm) in diameter at the lowest point where water can collect.

1014.12 Spring adjustment. Safety-valve springs shall not be adjusted to carry more than 10 percent greater pressure than that for which the springs were made.

1014.13 Valve testing. Each safety valve shall be tested at least once every day by raising the disk from its seat.

1014.14 Valve sizing. Safety valves for compressed air tanks shall not exceed 3 inches (75 mm) in diameter and shall be sized for the maximum flow of free air that can be supplied, as determined in Section VIII, Division 1, Part UG, paragraph UG-133, "Determination of Pressure

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Relief Requirements" in the *ASME Code*.

1014.15 Use of rupture disks. Rupture disks or heads used for supplemental protection of pressure vessels shall be designed to fail at a pressure above the safety or relief valve setting.

1014.16 Multiple vessels. When two or more unfired *pressure vessels* that are allowed different pressures are connected to a common source of pressure, all safety valves shall be set at a pressure not exceeding the lowest vessel working pressure allowed.

Insert new Section 1015 in the Mechanical Code to read as follows:

1015 WATER STORAGE TANKS, WATER HEATERS, HYDRO-PNEUMATIC TANKS

1015.1 Limited capacity storage tanks. Each hot water storage tank, range boiler, or automatic storage water heater, having a nominal water-containing capacity of 120 gallons (454 L) or less shall be built for a minimum working pressure of 125 pounds psi (862 kPa) and shall be tested hydrostatically to 300 pounds psi (2069 kPa). Each tank shall have clearly and indelibly stamped or stenciled thereon the name of the manufacturer, the maximum allowable working pressure for which it is built, and the test pressure.

1015.2 Tank labeling. Each hot water tank shall be stamped with the ASME symbol to indicate that it is constructed in accordance with the *ASME Code*. It shall also be stamped with the name of the manufacturer, the maximum allowable working pressure, the year built and the identifying number of the *National Board*.

1015.3 Manufacturer's data report. Applications for permits for hot water storage tanks as described in Section 1015.1 shall be accompanied by the manufacturer's data report, which shall be signed by an inspector licensed by the *National Board* to inspect *boilers* and *pressure vessels*.

1015.4 Gas-fired automatic storage water heaters. Gas-fired automatic storage water heaters shall bear a label indicating approval and listing in accordance with the *Fuel Gas Code.*

1015.5 Oil-fired or electrically-heated water heaters. Oil-fired or electrically-heated automatic storage water heaters shall be listed and labeled, and shall bear the label of an *approved* listing agency.

1015.6 Storage water heater label. Each storage water heater shall bear the manufacturer's trade name or trademark, the catalog number, the input rating in Btu/h (W), the output in gallons per hour at 100 °F rise in temperature, and the nominal capacity of the storage tank, in gallons (L).

1015.7 Storage tank installation. Storage tanks shall be substantially supported by one of the following methods:

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1. Installed on steel supports constructed of pipe or structural steel and resting upon a structurally sound floor;

2. Hung from supports attached to structural steel or concrete beams that have been determined to be of sufficient strength to support the additional weight; or

3. Installed upon concrete saddles.

In all cases, provision shall be made to take care of expansion. Tanks shall not be supported by their piping system. Manhole openings shall be kept clear of all walls, pipes or other obstructions.

1015.8 Gas-fired water heater venting. Each gas-fired water heater shall be provided with an approved draft diverter installed in accordance with the manufacturer's installation instructions and connected to an effective chimney. Connection to a common chimney shall be made above the entrance of other larger vent connectors or breechings, in accordance with Section 803.7.

1015.9 Commercial and industrial installations. In commercial and industrial establishments, when a connection to a chimney is impracticable, the installation of an automatic unvented water heater shall be approved by the *code official* if all of the following requirements are met:

1. The flow of gas supply shall be limited, by fixed orifices, to the maximum flow values specified in Table 1015.9 as a function of the net interior volume of the space in which the heater is located the maximum input rating of the heater shall not exceed 10,000 BTU per hour (3 kW); and

2. The heater shall otherwise conform to the *Construction Codes.*

TABLE 1015.9
MAXIMUM ALLOWABLE GAS FLOW
FOR UNVENTED COMMERCIAL AND INDUSTRIAL WATER HEATERS

Net Volume of Room or Space (cubic feet)	MAXIMUM ALLOWABLE GAS FLOW (CUBIC FEET PER HOUR, CFH)	
	COLUMN NO. 1 [a]	COLUMN NO. 2 [b]
1000 to 1500	2	3
1501 to 2000	3	4
2001 to 2500	4	5
2501 to 3000	5	6
3001 to 3500	6	7
3501 to 4000	7	8
Over 4000	8	8

For SI: 1 cubic foot = 0.028 m3, 1 CFH = 0.028 m3/h

a. Column No.1 applies to appliances located in spaces that do not have openings to other spaces.

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b. Column No. 2 applies to appliances located in spaces that have permanent openings of at least 15 square feet (1.4 m^2) leading to another space of equal or greater volume.

1015.10 Prohibited use. Water from a hot water supply *boiler*, automatic water heater coil or tank shall not be used for building heating, except for auxiliary space heating, permitted to have a by-pass from any such *boiler* or heater, provided that there is no actual withdrawal of water from the unit and that all surfaces and connections in contact with the water are of copper or other approved corrosion resistant material.

1015.11 Existing tanks. A tank currently in use shall not be painted, lined or repaired on the inside with any material or in any manner that will affect either the color or taste of the water supply after the tank is put into service. Any material intended for use as a lining or protective coating for the interior of tanks shall be submitted to the *code official* for approval.

1015.12 Tank maintenance and repair. The water supply connections to and from the tank shall be disconnected or plugged while the tank is being cleaned, painted, lined or repaired, to prevent any foreign fluid or substance from entering the distribution piping. Adequate measures shall be taken for the protection of workers in the tank.

1015.13 Welding repair. Any repair by welding on a tank shall be done by a qualified welder licensed by the *Department* and the work shall be witnessed by the *code official*.

1015.14 Alterations or additions. When changes or additions are made to an existing hot water supply system or when a storage tank is replaced or moved, compliance with the provisions of this chapter shall be required.

> **Exception:** When there is no available opening in the top of an automatic storage water heater with a nominal water containing capacity 120 gallons (454 L) or less, it shall be permissible to install the relief valve in the outlet header from the heater, with only one fitting between the relief valve and the tank.

Insert new Section 1016 in the Mechanical Code to read as follows:

1016 HYDRO-PNEUMATIC TANKS

1016.1 Minimum working pressure. Each hydro-pneumatic tank shall be constructed for a minimum working pressure of 150 pounds psi (1034 kPa).

1016.2 Label. Each hydro-pneumatic tank shall be stamped with the ASME symbol to indicate that it is constructed in accordance with the *ASME Code*. It shall also be stamped with the name of the manufacturer, the maximum allowable working pressure, the year built and the identifying number of the *National Board.*

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1016.3 Manufacturer's data report. Applications for permits shall be accompanied by the manufacturer's data report, which shall be signed by an inspector licensed by the *National Board* to inspect boilers and pressure vessels.

1016.4 Gauges and manhole. Each hydro-pneumatic tank shall be provided with a gauge-glass to show the level of the water in the upper section of the tank, and a pressure gauge. The tank shall also be provided with an 11-inch (280 mm) manhole opening, which shall be kept clear of walls, pipes or other obstructions.

1016.5 Safety relief valves. Each hydro-pneumatic tank shall be equipped with a lever lifting safety valve bearing the ASME symbol, suitable for use with air, installed in a vertical position on the top of the tank, and set to relieve at or below the maximum allowable working pressure of the tank. The valve shall be sealed to prevent tampering and there shall be no shut-off valve between the tank and the relief valve.

1016.6 Pressure gauge. Each hydro-pneumatic tank shall be provided with a pressure gauge not less than 4 inches (102 mm) in diameter connected directly to the tank by means of non-ferrous pipe. A cock with a "tee" handle shall be placed in the pipe near the gauge. The gauge shall be graduated to not less than 1.5 times the maximum allowable working pressure of the tank.

1016.7 Valve by-pass. Each hydro-pneumatic tank shall be piped to include a full-size valved by-pass so that domestic water can be used in the building when the tank is not in service.

1016.8 Vacuum relieving device. Each hydro-pneumatic tank shall be provided with a vacuum relieving device located on the top of the tank, and a horizontal swing check valve in the water supply line from the pump to the tank, and in the domestic water supply by-pass line to the tank. A valved sludge drain pipe shall be installed at the bottom of the tank and it shall discharge through an air break into the drainage system of the building.

Insert new Section 1017 in the Mechanical Code to read as follows:

1017 RELIEF VALVES, GAUGES AND SAFETY CONTROLS

1017.1 General. Each hot water storage tank and automatic water heater shall be equipped with safety controls to prevent the temperature of the water in the tank from exceeding 200 °F (93 °C) and the pressure from exceeding the maximum allowable working pressure for which the tank is built. Each such unit shall be equipped with the following:

1. A pressure relief valve and a separate temperature relief valve of the spillage type;

2. A combination temperature-pressure relief valve of the spillage type; or

3. In the case of automatic water heaters manufactured as a unit, a thermostat and a pressure relief valve.

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1017.2 Pressure relief valves. Each pressure relief valve shall be of the lever lifting, spring-loaded type without disk on the pressure side of the valve. The valves shall be set to relieve at a pressure at or below the maximum allowable working pressure of the tank and shall be so arranged that they cannot be reset to relieve at a higher pressure than that stamped thereon.

1017.3 Relief valve capacity. The pressure relief valve or valves shall have sufficient capacity to prevent the pressure in the tank from rising to more than 10 percent above the maximum allowable working pressure. The rated capacity of the valve or valves shall be equal to the maximum gross output of the heating unit installed. The gross output shall be determined from the data supplied on the manufacturer's nameplate or catalog data, or from the fuel input.

1017.4 Labeling. Pressure relief valves shall bear the ASME symbol to indicate that they comply with the requirements of the *ASME Code* in regard to construction, testing and rating, and shall be plainly and permanently marked by the manufacturer in a way that the marking will be readable when the valve is installed and will not be obliterated in service. Pressure relief valves used on non-ASME approved, gas-fired equipment shall bear the seal or mark of an approved agency to indicate listing under the requirements of an approved testing agency. Pressure relief valves shall bear the ASME symbol for equipment using other fuels. The marking on pressure relief valves shall include the following information:

1. The manufacturer's name;

2. The type and catalog number;

3. The pressure at which it is set to open; and

4. The capacity in pounds of steam per hour (kg/hr) or BTU per hour (W) as certified by the *National Board*.

1017.5 Valve size. No pressure relief valve shall be less than 3/4 inch (19 mm) standard pipe size.

1017.6 Valve installation. Each pressure relief valve shall be installed in a vertical position, directly on the top of the tank, or if there is no opening available, on a fitting in the hot water service line, within 2 inches (51 mm) of the tank. Each pressure relief valve shall have a full size discharge pipe of non-ferrous metal, with an unthreaded open end, extended to an approved plumbing fixture or, if none is available, to within 6 inches (152 mm) of the floor. When the discharge pipe is over 1 inch (25 mm) in diameter it shall be supported and braced to prevent any strain being placed on the valve.

1017.7 Multiple valves. If more than one relief valve is used, it shall be permissible to connect them to a manifold whose inlet pipe area shall be equal to the sum of the areas of the inlet openings of all the connected valves. There shall be no restriction to pipe cross sectional area on

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either the inlet or discharge side of the relief valve or valves, and there shall be no shut-off valve or check valve between the relief valve and the tank.

1017.8 Temperature relief valves. Each temperature relief valve shall bear a label indicating approval and listing by ASME, and shall be approved by the *Department*.

1017.8.1 Valve type and design. Each temperature relief valve shall be of the automatic self-closing type with a test lever and shall be designed to open at 200 °F (93 °C) or lower and be of sufficient capacity to limit the temperature to not over 200 °F (93 °C). The valve shall be non-adjustable and shall not be less than 3/4 inch (19 mm) standard pipe size.

1017.8.2 Label. Each temperature relief valve shall bear a plate permanently attached, giving the following information:

1. The name of the manufacturer;

2. The model or type number of the valve;

3. The temperature at which the valve will open; and

4. The rated capacity in BTU per hour (W).

1017.8.3 Installation. Each temperature relief valve shall be installed in a vertical position on the top of the tank. Temperature relief valves shall be screwed directly into the tank without intervening fittings unless the dip tube extension type is used, in which case the tube shall project into the tank. If a fitting is used, it shall be of non-ferrous material. Each valve shall have a full size discharge pipe with an unthreaded open end, extended to within 6 inches (152 mm) of the floor or to an approved receptor fixture. There shall be no restrictions to pipe cross section area on either the inlet or discharge side of the relief valve, and there shall be no shut-off or check valve between the relief valve and the tank.

1017.9 Combination temperature and pressure relief valve. When a combination temperature-pressure relief valve is used, it shall conform with the requirements of Section 1017 for pressure relief valves and for temperature relief valves. It shall bear the ASME symbol, meet the labeling requirements of Sections 1017.4 and 1017.8.2, and bear the symbol of the American Gas Association for the temperature relief element.

1017.10 Aquastat. Each aquastat used on an automatic gas water heater shall be listed by the American Gas Association, unless provided as part of a complete American Gas Association approved unit, and shall operate to shut off the gas supply to limit the temperature of the heated water to not over 210 °F (99 °C).

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1017.11 Hot water heating systems. Hot water supply *boilers*, tankless heaters, electric heaters, immersion heating coils in *boilers* and any other type of heater shall be protected against excessive pressure, as provided herein.

1017.11.1 Pressure gauge. Each hot water supply *boiler* and hot water storage tank shall be provided with a pressure gauge connected directly to the *boiler* or tank by means of non-ferrous pipe. A cock with a "tee" handle shall be placed in the pipe near the gauge. The gauge shall have a dial not less than 4 inches (102 mm) in diameter and shall be so located that it can be easily read from the floor. It shall be graduated to not less than one and one-half (1½) times the maximum allowable working pressure of the *boiler* or tank. Gauges shall not be required for range *boilers* and domestic type water heaters.

1017.11.2 Thermometer. Each hot water supply *boiler*, hot water storage tank, tankless heater, immersion type heater or any other type of heater shall be provided with a thermometer capable of providing readings up to 300 °F (149 °C), of a size and so located that it can be easily read from the floor. It shall be located in a well so that it will indicate the temperature of the water at or near the outlet and shall be accurate within 2 percent. Thermometers shall not be required for range *boilers* or domestic type water heaters.

1017.11.3 Water mixing valve. When hot water is used by the general public or by persons not in control of the heating equipment, an approved water mixing valve shall be installed to limit the temperature of the water at the fixtures to not over 140 °F (60 °C). A thermometer shall be installed on the discharge side of the mixing valve and shall be of a size and so located as to be easily read from the floor.

Insert new Section 1018 in the Mechanical Code to read as follows:

1018 WELDING ON BOILERS AND UNFIRED PRESSURE VESSELS

1018.1 Rules for welding on boilers and unfired pressure vessels. The construction, installation, repair or *alteration* of a boiler or unfired pressure vessel by welding shall be made in accordance with the section of the *ASME Code* governing the particular kind of vessel or work to be done, or by the specific requirements in this section for welded repairs.

1018.1.1 Qualified welding procedure. A contractor desiring to make repairs shall have a written welding procedure specification that shall be prepared and qualified in accordance with the Welding Qualification of Section IX of the *ASME Code*. Alternatively, the contractor shall have the option to use the standard District of Columbia welding procedure specification. The selected procedure shall then be used for qualifying each welder and shall be strictly adhered to in making repairs under this chapter. A welder shall be limited to the type of steel and thickness of plate for which he or she is qualified.

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1018.1.1.1 Unacceptable welds. Welding repairs or alterations on *boilers* or unfired *pressure vessels* and connections thereto, performed by unqualified contractors or welding operators, shall not be accepted for either new or existing installations.

1018.1.2 Welder qualification. Each welder shall pass satisfactory qualification tests as required by the *ASME Code*.

1018.1.3 Qualification standard. The qualification test for individual welders shall be made in accordance with the *ASME Code*. The test shall be made in the presence of the *code official* who shall stamp the specimens with an identifying number. The *code official* shall have the option of accepting a welder without further examination, provided that the applicant submits proof of a satisfactory welding procedure and operator qualification test, made in accordance with the *ASME Code* and these regulations, for approval prior to any welding.

1018.1.4 Specimen~~s~~ testing. After the specimens have been prepared as required by the *ASME Code*, they shall be tested either by the *code official* or the National Institute of Standards and Technology (NIST). The test shall be made in accordance with the guided-bend jig test as described in the *ASME Code*. A report shall be made on a form similar to the data recording forms in Section IX, Appendix B of the *ASME Code.*

1018.1.5 Authorization card. If the report indicates that the welder has passed the test, the *code official* shall issue a card authorizing him or her to perform welding on *boilers* or unfired *pressure vessels* in the District of Columbia. This authorization shall be valid for a period of two years from the date of the test.

1018.1.6 Welder qualification limitations. The qualification test does not qualify a welder to do welding on pressure piping.

1018.2 Qualification retest. A welder who fails to meet the requirements for one or more of the test specimens shall be allowed to be retested unless, in the judgment of the *code official*, the welder requires further training or practice, in which case a complete retest of the welder shall be performed after completion of such additional training or practice. When a request for an immediate retest is approved, the welder shall make two test welds of each type for each position on which the welder has failed. To become qualified, all of the retest weld specimens shall pass the specimen test specified in Section 1018.1.4.

1018.3 Welder retest requirements. Notwithstanding the issuance of a qualification card, the *code official* has the authority to request a new test under any the following circumstances:

1. When a welder has not welded under the procedure specification for a period of three months or more;

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2. When there is a specific reason to question the welder's ability to make welds that meet the specification; or

3. At the expiration of the welder's two year qualification period.

1018.3.1 Questionable welds. If any question arises as to the quality of a weld, the *code official* is authorized to require that test specimens be trepanned from the weld. Preparation and testing of the specimens shall be done by NIST, and the contractor shall be responsible for all expenses incidental to this testing.

1018.3.2 Welding inspection requirements. No welding on any boiler or unfired pressure vessel shall be done before an inspection has been made by the *code official* or an *insurance company inspector*, and the method of welding has been sanctioned by the *code official* or the *insurance company inspector*. If, in the opinion of the *code official*, or the *insurance company inspector* a hydrostatic test is necessary, that test shall be applied after the repairs have been completed.

1018.4 Responsibilities of insurance company inspector. Before repairs are started, the *insurance company inspector* shall examine the written welding procedure and records of qualification tests, to verify that procedures and welders have been properly approved, tested and qualified. The *insurance company inspector* who authorized and witnessed the repair shall submit a written report to the *code official* on every welded repair.

Insert new Section 1019 in the Mechanical Code to read as follows:

1019 TEST METHODS

1019.1 Welder qualification tests. The qualification tests described herein shall be specifically devised to determine a welder's ability to produce sound welds. In order to determine the welder's ability to make groove welds in various plate positions, tests with the groove in the following three positions shall be required:

1. Test Position I – Plates placed in a vertical position with the welding groove horizontal. This test shall qualify the welder to make horizontal flat welds.

2. Test Position II – Plates placed in a vertical position with the welding groove vertical. This test shall qualify the welder to make vertical flat welds.

3. Test Position III – Plates placed in a horizontal position with the weld metal deposited form the underside of the plates. This test shall qualify the welder to make flat welds in the overhead position.

1019.2 Weld plate specifications. The base material of the plates to be welded shall be of flange or firebox steel quality, 3/8 inch (9.5 mm) thick and having a tensile strength of not less

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than 55,000 pounds psi (379 MPa). The plates shall be 5 inches (127 mm) long by 6 inches (152 mm) wide, and shall be prepared for a single "V" groove butt joint.

1019.3 Preparing test specimens. The method of preparing test specimens shall be as follows:

1. When the welding has been completed, specimens shall be removed as directed, by machine or flame cutting. They shall be approximately 1½ inches (38 mm) wide.

2. The weld reinforcement shall be removed by machine or grinding, flush with the surface of the base material.

3. The corners of the edges of all test specimens shall be rounded to a radius of not more than 1/15 inch (1.7 mm).

In addition to (1), (2) and (3) above, the test specimens shall be prepared as specified in Section IX, paragraph QW-462, "Test Specimens," of the *ASME Code*.

1019.4 Specimen testing methods and passing criteria. The method of testing specimens shall be as follows:

1. Specimens shall be bent in a bending jig called the "guided bend test," until the curvature of the specimen is such that a 1/32 inch (0.8 mm) wire cannot be passed between the curve portion of the plunger and the specimen.

2. Face bend specimens shall be placed with the face of the weld toward the gap in the jig; root bend specimens shall be placed with the root of the weld toward the gap.

After removal from the jig, the convex surface of the specimens shall be examined for the appearance of cracks or other open defects. Any specimen in which a crack or other open defect exceeding 1/8 inch (3.2 mm) measured in any direction is present after the bending shall be cause for failure to pass the test.

Insert new Section 1020 in the Mechanical Code to read as follows:

1020 REPAIRS BY WELDING

1020.1 Repairs limited to specific types of steel. These rules shall be applicable only to repairs to steel having a known weldable quality, and are further limited to carbon steel having a carbon content of not more than 0.35 percent and to low alloy steel having a carbon content of not more than 0.25 percent. A welder shall not make repairs in a plate with thickness in excess of that permitted under the qualification tests in the *ASME Code*. A welder shall not make repairs on a material for which the welder is not qualified, or in a thickness of plate that exceeds that permitted under the welder's qualification conditions.

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1020.2 Groove welding. Groove welds shall completely penetrate the material being welded. If possible, welding shall be applied from both sides of the plate, or a backing strip or ring may be used to ensure complete penetration. Welds shall have a convex surface on both sides if applied on both sides of the plates being joined, or on the weld side if welding is applied from one side only. No valleys or undercutting at edges or welded joints shall be permitted. The reinforcement may be chipped, ground or machined off flush with the base material, if so desired, after the welding has been completed.

1020.3 Defective weld repairs. In making a repair to a weld that has failed in service, the defective weld material shall be removed by chipping or grinding until sound material is reached on all sides. The resulting groove shall be filled as required by the applicable welding procedure.

1020.4 Carbon steel stress-relieving. In the repair of carbon or low alloy steel, thermal stress-relieving shall be applied to the completed work when required by these rules and when considered necessary by the *code official or insurance company inspector*. The heat may be applied by any means that will raise the temperature of the material, in the region of the weld, gradually and uniformly, to approximately 1200 °F (649 °C). In the absence of a more accurate means of determining temperature, reaching a dull "red glow" in daylight will suffice. This temperature shall be maintained for a period of 1 hour/inch (1 hour/25 mm) of thickness of the joined material.

> **1020.4.1 Circumferential joints.** For circumferential joints, the area heated shall comprise a band extending completely around the cylinder and having a width on each side of the center line of the weld not less than three times the greatest width of the finished weld.
>
> **1020.4.2 Nozzles.** For nozzles, the heated area shall comprise a circumferential band of the shell of the vessel extending around the entire joint, including the nozzle of the welded attachment, and shall extend at least six times the vessel plate thickness beyond the weld that connects the nozzle or other attachment to the vessel.
>
> **1020.4.3 Stress-relief cooldown procedure.** Upon completion of the stress-relieving operation, the plate shall be allowed to cool at a rate not greater than 500° F (278° C) per hour divided by the maximum thickness of the welded part in inches, until the temperature of 500° F (260° C) is reached, after which normal cooling by exposure to air in a still atmosphere shall be permitted.

1020.5 Thermal stress-relief alternatives. Where conditions are such that thermal stress relieving as outlined above is inadvisable, another method of stress-relieving acceptable to the *code official* or *insurance company inspector* shall be used. When deemed necessary, preheating shall be used.

Insert new Section 1021 in the Mechanical Code to read as follows:

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1021 WELDED REPAIRS ON BOILERS AND UNFIRED PRESSURE VESSELS

1021.1 Crack repair in stayed areas. Cracks in stayed areas shall be allowed to be repaired by welding, provided that no multiple or star cracks radiating from rivet or stay bolt holes shall be welded.

1021.2 Crack repair in unstayed areas. Cracks in unstayed shells, drums or headers of boilers or pressure vessels shall be allowed to be repaired by welding, provided that the cracks do not extend between rivet holes in a longitudinal seam, or parallel to a longitudinal riveted seam within 8 inches (203 mm), measured from the nearest caulking edge. The total length of any one such crack shall not exceed 8 inches (203 mm). A crack of greater length shall be allowed to be welded provided the complete repair is radiographed and stress-relieved. Any crack that is allowed to be welded shall be properly prepared to permit fusion through the entire plate thickness.

1021.3 Crack repair in unstayed furnaces. Cracks of any length in unstayed furnaces shall be allowed to be welded, provided that the welds are thermally stress-relieved. Welds shall be applied from both sides of the plate wherever possible. Welds applied from one side only shall be allowed to be used if expressly permitted by the inspector. Repair of cracks by welding at the knuckle or turn of flange of furnace openings shall be prohibited except upon special prior approval by the boiler inspector.

1021.4 Corrosion repair in stayed furnaces. Corroded areas in stayed furnaces shall be allowed to be built up by welding, provided that the remaining uncorroded plate material has an average thickness of not less than 50 percent of the original plate thickness, and further provided that the areas so affected are not deemed by the inspector to be sufficiently extensive to impair the safety of the object. In cased furnaces, the stays and stay bolts shall come completely through the reinforcing metal and the original ends of the stay bolts shall be plainly visible to the inspector.

1021.5 Corrosion repair around access openings. Corroded areas around manholes or handhole openings, in either stayed or unstayed plates, shall be allowed to be built up by welding, provided that the average loss of thickness does not exceed 50 percent of the original plate thickness and that the area to be repaired does not extend more than 3 inches (76 mm) from the edge of the hole.

1021.6 Corrosion repair in unstayed shells. Corroded areas in unstayed shells, drums or headers of boilers or pressure vessels shall be allowed to be built up by welding, provided that the remaining uncorroded plate material has an average thickness of not less than 50 percent of the original plate thickness, and further provided that the inspector has deemed that the safety of the object has not been impaired.

1021.7 Repairs to connector areas. Edges of butt straps, of plate laps, of nozzles, or of connections, attached by riveting, shall be allowed to be restored to their original thickness by

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welding. No seal welding shall be used except upon special prior approval by the boiler inspector, and in no case shall seal welding be used where cracks are present in riveted areas.

1021.8 Welding tube ends. The ends of tubes in fire-tube and water-tube boilers shall be allowed to be welded, provided that they have not been reduced more than 10 percent in thickness and they comply with the requirements of paragraphs PWT-11 and PFT-12 in Section I, Parts PWT and PFT of the *ASME Code*.

1021.9 Re-ending tubes and pipes. Re-ending of piecing tubes or pipes in either fire-tube or water-tube boilers shall be permitted, provided that the thickness of the tube or pipe has not been reduced by more than 10 percent from the thickness required by the *ASME Code* for the approved pressure. In all cases they shall comply with the requirements in Section I, Part PWT, paragraph PWT-10, "Tube Wall Thickness" of the *ASME Code*.

1021.10 Patch material. The material used for patches shall be of the same general quality and have at least the same yield strength of the plate to be patched. The thickness of any patch shall be at least equal to, but not more than 1/3 inch (8.5 mm) greater than, the plate being patched.

1021.11 Permitted patches. Flush or butt-welded patches or new sections shall be allowed to be applied to stayed plates without limitation of size or plate thickness. Lapped or fillet-welded patches shall be allowed to be applied to stayed plates, provided that they are not exposed to radiant heat. Lapped and fillet-welded patches shall be allowed to be applied on the pressure side of the sheet in unstayed areas, provided that the maximum diameter of the opening so repaired does not exceed 16 times the thickness of the plate, but in no case shall the opening be larger than 8 inches (203 mm) in diameter.

1021.12 Patches not permitted. No flush or butt-welded patches shall be permitted in unstayed shells, drums or headers.

1021.13 Threaded to weld-in stays. Threaded stays shall be allowed to be replaced by welded-in stays, provided that, in the judgment of the *code official or insurance company inspector*, the plate adjacent to the stay bolt has not been materially weakened by deterioration or wastage. All requirements of the applicable sections of the *ASME Code* governing welded-in stays, including Section I, Part PW, paragraph PW-19, "Welded-in Stays" shall be met.

Insert new Section 1022 in the Mechanical Code to read as follows:

1022 EXISTING POWER BOILER INSTALLATIONS

1022.1 Maximum allowable working pressure. The maximum allowable working pressure on the shell or drum of a power boiler shall be determined by the strength of the weakest section of the structure, computed from the following information.

1. The thickness of the plate;

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2. The tensile strength of the plate;

3. The efficiency of the longitudinal joint or tube ligaments, whichever is least;

4. The inside diameter of the course; and

5. The factor of safety allowed by this chapter.

1022.1.1 Computation. The maximum allowable working pressure shall be determined in accordance with the following equation:

$$(TS \times t \times E) \div (R \times FS) = P_m$$

where:

P_m = Maximum allowable working pressure (psi) (kPa)

TS = Ultimate tensile strength of shell plates (psi) (kPa)

t = Minimum thickness of shell plate in weakest course (inch) (mm)

E = Efficiency of longitudinal joint, per Section VIII, Division 1, Part UW, paragraph UW-12 of the *ASME Code*

R = Inside radius of the weakest course of the shell or drum (inch) (mm)

FS = Factor of safety required by Chapter 10 of the *Mechanical Code*

1022.2 Nonstandard boilers factor of safety. The factor of safety for *nonstandard boilers* with longitudinal joints of butt or double strap construction shall be not less than the following:

1. 4.5 for *boilers* not more than 20 years old;

2. 5 for *boilers* more than 20 years old, but not more than 25 years old; and

3. 5.5 for *boilers* more than 25 years old, but not more than 30 years old.

At the beginning of each subsequent 5-year period, the factor of safety shall be increased by not less than 0.5.

1022.2.1 Allowable working pressure limitation. In no case shall the maximum allowable working pressure on old *boilers* be increased unless they are being operated at

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a lesser pressure than would be allowable for similar new *boilers*, in which case the changed pressure shall not exceed that allowable for new *boilers* of the same construction.

1022.3 Standard boilers factor of safety. The factor of safety for *standard boilers* with longitudinal joints of butt or double strap construction shall be five for *boilers* not more than 25 years old. At the beginning of each subsequent 5-year period, the factor of safety shall be increased by not less than 0.5.

Exception: When a thorough internal and external inspection of a boiler more than 25 years old is conducted, and a hydrostatic pressure test is performed at 1 1/2 times the allowed working pressure of the boiler, during which no leakage or signs of distress develop, the allowed working pressure shall be allowed to continue to be calculated with a factor of safety of five.

1022.4 Water-tube boilers factor of safety. The factor of safety for *nonstandard boilers* of the water-tube type with longitudinal joints of lap riveted construction shall be not less than the following:

1. 5 for boilers not more than 20 years old;

2. 5.5 for boilers more than 20 years old, but not more than 25 years old; and

3. 6 for boilers more than 25 years old, but not more than 30 years old.

At the beginning of each subsequent 5-year period, the factor of safety shall be increased by not less than 0.5.

1022.5 Factor of safety for other nonstandard boilers. The factor of safety for nonstandard fire tube, flue and cylinder boilers, the shells of which are exposed to the products of combustion and which have continuous longitudinal joints of lap-riveted construction exceeding 12 feet (3658 mm) in length, shall be not less than the following:

1. 6 for boilers not more than 10 years old;

2. 6.5 for boilers more than 10 years old, but not more than 15 years old; and

3. 7 for boilers more than 15 years old, but not more than 20 years old.

At the beginning of each subsequent 5-year period, the factor of safety for boilers specified in this section shall be increased by not less than 0.5.

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1022.5.1 Reinstallation. When a *boiler* regulated by Section 1022.5 is removed from an existing setting, it shall not be reinstalled for an allowable working pressure in excess of 15 pounds psi (103 kPa).

1022.6 Boilers with cast-iron headers and mud drums. The maximum allowable working pressure on water-tube *boilers*, the tubes of which are secured to cast-iron or malleable-iron headers or which have cast-iron mud drums, shall not exceed 160 pounds psi (1103 kPa).

1022.7 Assumed tensile strengths. When the tensile strength of steel or wrought iron shell plates is not known, it shall be taken as 55,000 pounds psi (379 212 kPa) for steel and 45,000 pounds psi (310 264 kPa) for wrought iron.

1022.8 Crushing strength of mild steel. The resistance to crushing of mild steel shall be taken at 95,000 pounds psi (655 000 kPa).

1022.9 Rivets. In computing the ultimate strength of rivets in shear, the cross-sectional area of the rivet shank shall be used to determine the value of the shear strength of the rivet, based upon the provisions in Section I of the *ASME Code*.

1022.9.1 Size of rivets. When the diameter of the rivet holes in the longitudinal joints of a boiler is not known, the diameter of rivets, after driving, shall be selected from Table 1022.9.1, or ascertained by cutting out one rivet in the body of the joint.

TABLE 1022.9.1
MINIMUM SIZES OF RIVETS BASED ON PLATE THICKNESS

Thickness of plate (inch)	Diameter of rivet after driving (inch)
1/4	11/16
9/32	11/16
5/16	3/4
11/32	3/4
3/8	13/16
13/32	13/16
7/16	15/16
15/32	15/16
1/2	15/16
9/16	1-1/16
5/8	1-1/16

For SI: 1 inch = 25 mm

1022.10 Inspection of inaccessible parts. When the heads of water tube *boiler* mud drums or headers are not accessible for inspection, the brick work shall be removed after the boiler has been in service for 10 years to facilitate inspection and at not more than 5-year intervals thereafter. Seams and parts of fire-tube boilers that are not accessible for inspection shall be

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exposed whenever the *code official* or *insurance company inspector* deems that the general condition of the *boiler* warrants further examination.

1022.11 Safety valves. Each power *boiler* shall be equipped with one or more safety valves of the spring-pop type with a lifting device, placed as close to the *boiler* as possible. No valve of any description shall be placed between the safety valve and the *boiler*, nor on the escape pipe between the safety valve and the atmosphere. When an elbow is placed on a safety valve escape pipe, it shall be located close to the safety valve outlet or the escape pipe shall be securely anchored and supported. When an escape pipe is used, it shall be full size and fitted with an indirect drain to prevent water from lodging in the upper part of the safety valve or escape pipe. Safety valves having either the seat or disk of cast iron shall not be used. Dead weight and lever weight safety valves shall be prohibited.

> **1022.11.1 Safety valve~~s~~ capacity.** The capacity of the safety valve or valves installed on each *boiler* shall be such that the safety valve or valves will discharge all the steam that can be generated by the *boiler* without allowing the pressure to rise to more than 6 percent above the maximum allowable working pressure, nor to more than 6 percent above the highest pressure to which any safety valve is set.
>
> **1022.11.2 Safety valves setting.** One or more safety valves on every *boiler* shall be set at or below the maximum allowable working pressure. The remaining valves may be set within a range of 3 percent above the maximum allowable working pressure, but the range of setting of all the safety valves on a *boiler* shall not exceed 10 percent of the highest pressure~~s~~ to which any safety valve is set.

Insert new Section 1023 in the Mechanical Code to read as follows:

1023 PARTS AND EQUIPMENT FOR EXISTING POWER BOILER INSTALLATIONS

1023.1 Fire-actuated fusible plugs. Where fire-actuated fusible plugs are used, they shall conform to the rules of the *ASME Code* for new construction.

1023.2 Water glass. Each steam *boiler* shall have at least one water glass, the lowest visible part of which shall be as required by the *ASME Code* for new construction.

1023.3 Gauge cocks. Each *boiler* with an allowable working pressure in excess of 15 pounds psi (103 kPa) shall have three or more gauge cocks located within the range of the visible length of the water glass, except when such *boiler* has two water glasses with independent connections to the boiler located on the same horizontal plane and not less than 2 feet (610 mm) apart.

1023.4 Outlet connections. No outlet connections shall be placed on the pipes connecting a water column to a *boiler*, except for connections for a damper regulator, a feed water regulator, a

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low water fuel cut-off, drains or a steam gauge. Each water column shall have a valved drain extended to within 6 inches (152 mm) of the floor.

1023.5 Steam gauges. Each steam *boiler* shall have a steam gauge connected to the steam space or to the steam connection to the water column. The steam gauge shall be connected to a siphon or equivalent device of sufficient capacity to keep the gauge tube filled with water and so arranged that the gauge cannot be shut off from the *boiler* except by a cock placed near the gauge and provided with a "T" or lever handle arranged to be parallel to the pipe in which it is located when the cock is open.

1023.6 Low-water cut-off. Each mechanically fired steam *boiler* shall be equipped with a low-water fuel cut-off so located as to automatically cut off the fuel supply when the water level falls below the top of the bottom nut of the water glass. Each cut-off shall have a drain extended to within 6 inches (152 mm) of the floor. When two or more mechanically-fired *boilers* are connected to the same system, each *boiler* shall have independent low-water cut-offs, controls, and gauges.

1023.7 Stop valve. Each steam outlet from a high-pressure *boiler* shall be fitted with a stop valve located as close as practicable to the boiler. This requirement shall not apply to safety-valve connections.

1023.8 Blow drains. When a stop valve is so located that water can accumulate, free blow drains shall be provided, the discharge of which shall be visible to the operator while manipulating the valve.

1023.9 Blow-off connection. Each *boiler* shall have a full-size blow-off connection, fitted with a valve or cock connected directly with the lowest water space practicable. When cocks are used, they shall be of the gland or guard type and suitable for the pressure allowed. Globe valves shall not be used for this purpose.

1023.9.1 Extra heavy blow-off pipe. When the maximum allowable working pressure exceeds 100 pounds psi (689 kPa), the blow-off shall be extra heavy from *boiler* to valve or valves, and shall extend full size without reducers or bushings. Blow-off piping shall be of black wrought iron or black steel and shall be extra heavy pipe. Galvanized pipe shall not be used for this purpose.

1023.9.2 Fittings. All fittings between the *boiler* and valve shall be steel or extra heavy fittings of bronze, brass or malleable iron. Replacement of pipe or fittings in the blow-off lines shall be installed in accordance with the *ASME Code* for new installations.

Exceptions:

1. Low-pressure heating boilers bearing the ASME stamp that are trimmed by the manufacturer are exempt from the fittings material requirements.

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2. Low-pressure heating boilers rated less than 100 horsepower (74.6 kW) are exempt from the fittings material requirements.

1023.9.3 Extra heavy blow-off valves. When the maximum allowable working pressure exceeds 100 pounds psi (689 kPa), each bottom blow-off pipe shall be fitted with two valves or a valve and cock, such valves and cocks to be of the extra heavy type.

1023.9.4 Protection of blow-off pipe. A bottom blow-off pipe, when exposed to direct furnace heat, shall be protected by fire-brick or other heat-resisting material, arranged so as to allow the pipe to be inspected. An opening in the *boiler* setting for a blow-off pipe shall be arranged to provide for free expansion and contraction.

1023.10 Feed-water connections. The feed pipe of a steam *boiler* shall be provided with a check valve near the boiler and a valve or cock between the check valve and the *boiler*. When two or more *boilers* are fed from a common source, there shall also be a globe valve on the branch to each *boiler*, between the check valves and the main feed pipe. When a globe valve is used on a feed pipe, the inlet shall be under the disk from the valve. In all cases where the safety valve is set above 25 pounds psi (172 kPa), there shall be a second means of feeding water against the maximum approved working pressure of the *boiler.*

1023.11 Hydrostatic test. When a hydrostatic test is applied, test pressure shall not exceed 1 ½ times the maximum allowable working pressure of the boiler. During a hydrostatic test of a boiler, suitable provisions shall be made to attain the test pressure without using the compression screw of the safety valve spring.

1023.12 Repairs and replacements. Where repairs or replacements are made or fittings or appliances are renewed or attached to a *boiler*, they shall comply with the provisions of the *ASME Code* for new installations.

1023.13 Conditions not covered by these rules. Installation conditions of power *boiler* parts and equipment not specifically covered in Chapter 10 of the *Mechanical Code* shall be regulated as determined by the *code official.*

Insert new Section 1024 in the Mechanical Code to read as follows:

1024 EXISTING HEATING BOILER INSTALLATIONS

1024.1 Maximum allowable working pressure. The maximum allowable working pressure of heating *boilers* shall be determined as follows:

1. **Riveted Heating Boilers.** The maximum allowable working pressure~~s~~ on the shell or drum of a riveted heating *boiler* shall be determined in accordance with Section 1022,

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except that in no case shall the maximum allowable working pressure of a steam boiler exceed 15 pounds psi (103 kPa).

2. **Cast Iron Heating Boilers.** The maximum allowable working pressure of a *boiler* composed principally of cast iron shall not exceed 15 pounds psi (103 kPa), unless such *boiler* complies with all the requirements of the *Mechanical Code* for power *boilers*. The maximum allowable working pressure of a *boiler* having cast-iron shell or heads and steel or wrought-iron tubes shall not exceed 15 pounds psi (103 kPa).

1024.1.1 Low pressure boiler. A radiator in which steam pressure is generated at a pressure of 15 pounds psi (103 kPa) or less shall be considered a low pressure *boiler*.

1024.1.2 Manufacturer's specification and identification. The maximum allowable working pressure shall in no case exceed the pressure indicated by the manufacturer's identification stenciled or cast upon the *boiler* or upon a plate secured to it. In the absence of a manufacturer's identification stencil or plate, the maximum allowable working pressure shall not exceed that recommended in the manufacturer's specification or catalog.

1024.1.3 Safe operating pressure. If, in the judgment of the *code official* or an *insurance company inspector*, a steam-heating *boiler* is not safe for operation at the pressure previously approved, the operating pressure shall be reduced to a pressure deemed safe by the *code official or insurance company inspector*, or proper repair shall be made, or the *boiler* shall be retired from service, as determined by the *code official* or *insurance company inspector*.

1024.2 Safety valves. Each steam-heating *boiler* shall be provided with one or more safety valves with a total area of not less than 1 square inch (645 mm^2) for each 5 square feet (0.46 m^2) of grate area or equivalent if grates are not used. The steam-relieving capacity of the safety valve or valves on any *boiler* shall be sufficient to prevent the *boiler* pressure from rising to more than 5 pounds psi (34 kPa) above the maximum allowable working pressure of the *boile*r.

1024.2.1 Capacity. If there is any doubt as to the capacity of the safety valve, an accumulation test shall be run. No safety valve shall be smaller than 3/4 inch (19 mm) in diameter nor larger than 4.5 inches (114 mm) in diameter.

1024.2.2 Stop valve. No stop valve of any type shall be located between a *boiler* and its safety valve, nor in the safety valve discharge pipe.

1024.3 Parts and equipment. Each steam-heating *boiler* shall be equipped with the following parts and equipment that shall meet the requirements of Sections 1024.3.1 through 1024.3.8, as applicable.

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1024.3.1 Steam pressure gauge. Each steam-heating *boiler* shall have a steam pressure gauge connected to the steam space of the *boiler* itself or on steam pipe near the *boiler*. The graduation~~s~~ of the steam gauge shall not have a range of less than 15 pounds psi (103 kPa) nor more than 30 psi (207 kPa).

1024.3.2 Water gauge glass. Each heating *boiler* shall have at least one water gauge glass with the lowest visible part above the heating surfaces in the primary combustion chamber. When, in the judgment of the *code official* or an *insurance company inspector*, the heating surfaces above the low-water line may be damaged by contact with high temperature gases, the water gauges shall be raised until the lowest visible part of the glass gauge is above the testing surface.

1024.3.3 Gauge cocks. Each steam-heating *boiler* shall have two or more gauge cocks located within the visible length of the water gauge glass.

Exception: Steam-heating *boilers* provided with two water gauge glasses.

1024.3.4 Steam stop valve. Heating boilers that can be closed–off from the heating system by closing a steam stop valve shall be equipped with a check valve in the condensate return line, between the boiler and the system. Any part of a heating system that can be closed off from the remainder of the system by closing a steam stop valve, shall be provided with a check valve in the condensate return pipe from that part of the system.

1024.3.5 Feed-water connections. Feed-water connections shall be independent of any water gauge connections. Where possible, feed-water connections shall be made to the condensate return pipe of the reservoir of the condensate return pump. There shall be a check valve in the feed-water line, close to the boiler.

1024.3.6 Low-water cut-off of mechanically fired boilers. Each mechanically fired heating *boiler* shall be equipped with a low-water cut-off so located as to automatically cut off the fuel supply in case the water level falls below the top of the bottom nut of the water glass. Each cut-off shall have a drain extended to within 6 inches (152 mm) of the floor. When two or more mechanically fired heating *boilers* are connected to the same system, each *boiler* shall have independent low-water cut-offs, controls and gauges.

1024.3.7 Low-water cut-off of electrically operated boilers. If a low-water fuel cut-off device is electrically operated, it shall be so connected that it will fail-safe in the "cut-off" position both when the electric current is switched off and upon loss of electric power supply.

1024.3.8 Condensate return pump. Each condensate return pump shall be provided with an automatic water level control, set to maintain the water level between two gauge cocks.

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1024.4 Repairs or replacements. When repairs or replacement of parts or piping are made, or fittings or appliances are replaced or attached to a heating *boiler*, the rules applying to new installations shall be followed as nearly as practicable.

1024.4.1 Safety valve replacement. When a safety valve is replaced the requirements of Section 1010 shall be met. No safety valve shall be smaller than 3/4 inch (19 mm) in diameter nor larger than 4.5 inches (114 mm) in diameter.

Insert new Section 1025 in the Mechanical Code to read as follows:

1025 EXISTING MINIATURE BOILER INSTALLATIONS

1025.1 Maximum allowable working pressure. The maximum allowable working pressure on the shell or drum of a *miniature boiler* shall be determined in accordance with the following equation:

$$(TS \times t \times E) \div (R \times FS) = P_m$$

where:

P_m	=	Maximum allowable working pressure (psi) (kPa)
TS	=	Ultimate tensile strength of shell plates (psi) (kPa)
t	=	Minimum thickness of shell plate in weakest course (inch) (mm)
E [a]	=	Efficiency of longitudinal joint, per Section VIII, Division 1, Part UW, paragraph UW-12, "Joint Efficiencies" of the *ASME Code*
E [a]	=	Efficiency for tube ligaments between openings as calculated in Section I, Part PG, paragraphs PG-52 and PG-53 of the *ASME Code*
R	=	Inside radius of the weakest course of the shell or drum (inch) (mm)
FS	=	Factor of safety required by Chapter 10 of the *Mechanical Code*

a. Where there are both riveted joints and tube ligaments to consider, the lowest calculated efficiency, E, shall be used.

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1025.2 Parts and equipment. Each *miniature boiler* shall be equipped with the following parts and equipment that shall meet the requirements of Sections 1025.2.1 through 1025.2.13, as applicable.

1025.2.1 Feed pump. Each *miniature boiler* operating at a pressure in excess of 25 pounds psi (172 kPa) shall be provided with at least one feed pump or other approved water-feeding device.

Exception: Where the steam generator is operated as a closed system with no extraction of steam, in lieu of a feeding device, a suitable connection or opening, not less than ½ inch (13 mm) nominal pipe size, shall be provided to fill the generator when cold.

1025.2.2 Feed water and blow-off connections. Each *miniature boiler* shall be fitted with feed water and blow-off connections that shall not be less than 1/2 inch (13 mm) iron pipe size, unless operated on a closed system. The feed pipe shall be provided with a check valve and a stop valve. The blow-off shall be fitted with a valve or cock and shall be in direct connection with the lowest water space practicable. When the boiler is under pressure, feed water shall not be introduced through the openings or connections used for the column, the water gauge glass or gauge cocks. All valves, pipe fittings and appliances shall be rated at a minimum of 125 pounds psi (862 kPa) standard pressure.

1025.2.3 Water gauge glass and gauge cocks. Each *miniature boiler* shall be equipped with a water gauge glass and one or more gauge cocks. The lowest permissible water level shall be at a point one-third of the height of the shell.

Exceptions:

1. Where the *miniature boiler* is equipped with internal furnace, the lowest permissible water level shall be not less than one-third of the length of the tube above the top of the furnace.

2. In the case of small generating units operated as a closed system, where there is insufficient space for the usual water gauge, water-level indicators of the glass bull's eye type shall be allowed to be used.

1025.2.4 Steam gauge. Each *miniature boiler* shall be equipped with a steam gauge having its dial graduated to not less than 1 1/2 times the maximum allowable working pressure. The gauge shall be connected to the steam space or to the steam connection to the water column by a brass or bronze composition siphon tube, or equivalent device that will keep the gauge tube filled with water.

1025.2.5 Safety valve. Each *miniature boiler* shall be equipped with a sealed, spring loaded, "pop" safety valve not less than 1/2 inch (13 mm) diameter connected directly to

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the boiler. To ensure the safety valve is unrestricted, each valve shall have a substantial lifting device by which the valve disk can be lifted from its seat when the pressure in the boiler is at least 75 percent of full working pressure. All safety valves shall be mounted with their spindles vertical and shall be accessible.

1025.2.5.1 Safety valve identification. The safety valve shall be plainly marked by the manufacturer with the following information:

1. Manufacturer name or identifying trademark;

2. The nominal diameter;

3. The steam pressure at which it is set to open; and

4. The capacity in pounds of steam per hour (kg/hr) and ASME Standard.

1025.2.5.2 Minimum relieving capacity. The minimum relieving capacity for the safety valve shall be determined on the basis of 3 pounds of steam per hour per square foot (lb/hr/ft^2) (14.65 kg/hr/m^2) of heating surface and shall be sufficient to discharge all the steam that can be generated by the miniature boiler without allowing the pressure to rise to more than 6 percent above the maximum allowable working pressure.

1025.2.6 Standard stop valve. Each steam line from a *miniature boiler* shall be provided with a 125 pounds psi (862 kPa) standard stop valve located as close to the boiler shell or drum as practicable.

1025.2.7 Blow-off connections. Each *miniature boiler* shall be provided with a blow-off connection that shall not be reduced in size and shall be extended to a safe point of discharge. Whenever, in the judgment of the *code official*, a safe point of discharge is not available, a blow-down tank shall be provided. The blow-off shall be fitted with a valve or cock and shall be connected directly to the lowest water space practicable.

1025.2.8 Automatic low-water fuel cut-off. Each *miniature boiler* mechanically-fired by any fuel other than gas shall be provided with an automatic low-water fuel cut-off, so located as to automatically cut off the fuel supply in case the water level falls below the bottom of the water glass.

1025.2.9 Gas-fired boilers. The burners of gas-fired *miniature boilers* shall conform to the listing requirements of the American Gas Association. Such burners shall be equipped with an automatic fuel-regulating governor regulated by the steam pressure. The governor shall be so constructed that, in the event of its failure, there can be no possibility of steam from the boiler entering the combustion chamber or the gas supply pipe. A manual stop cock or throttle valve shall be provided, located in the inlet pipe

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ahead of the fuel-regulating governor. Each gas-fired *miniature boiler* shall be equipped with a 4-inch (102 mm) vent or flue, extended to an approved location outside of the building or connected to a chimney, in accordance with the *Fuel Gas Code*. Where the horizontal run of the vent is more than 10 feet (3048 mm), its size shall be increased to 6 inches (152 mm).

1025.2.10 Replacement. All *miniature boiler* replacements shall conform to the requirements of the *Mechanical Code* for new installations.

1025.2.11 Retubed boiler inspections. Each retubed *miniature boiler* shall be inspected and approved by the *code official* before the *boiler* is again put in service.

1025.2.12 Used boilers. Each used *miniature boiler* brought into the District of Columbia shall be inspected and approved by the *code official* before being installed. Installation shall require a permit pursuant to Section 1001.3 and Section 105 of the *Building Code*.

1025.2.13 Installation Permit. Moving a *miniature boiler* and reinstalling it in the same or another building shall require a boiler installation permit.

Insert new Section 1026 in the Mechanical Code to read as follows:

1026 EXISTING UNFIRED PRESSURE VESSEL INSTALLATIONS

1026.1 Maximum allowable internal working pressures. The maximum allowable working pressure for a *pressure vessel* shall be determined in accordance with Sections 1026.1.1 or 1026.1.2.

1026.1.1 Standard Pressure Vessels. The maximum allowable working pressure for standard *pressure vessels* shall be determined in accordance with the applicable provisions of the *ASME Code* or the API-ASME Code under which they were constructed but shall not exceed the working pressure shown on the manufacturer's nameplate stamping and data report.

1026.1.2 Non-Standard Pressure Vessels. The maximum allowable working pressure for a non-standard *pressure vessel* shall be determined by the calculated strength of its weakest course. The computation shall be determined by the formula that follows, based on the thickness of the plate, the tensile strength of the plate, the efficiency of the longitudinal joint, the radius of the course and the factor of safety required by the *Mechanical Code*.

$$(TS \times t \times E) \div (R \times FS) = P_m$$

where:

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P_m = Maximum allowable working pressure (psi) (kPa)

TS = Ultimate tensile strength of shell plates (psi) (kPa)

t = Lowest thickness of shell plate in weakest course (inch) (mm)

E [a] = Efficiency of longitudinal joint depending upon construction
Use values as follows:
For riveted joints = calculated riveted efficiency

For fusion welded joints:
- Single "V" weld = 50%
- Double "V" weld = 70%
- Single lap weld = 40%
- Double lap weld = 50%
- Forge weld = 80%
- Brazed steel = 80%
- Brazed copper = 90%

E [a] = Efficiency for tube ligaments between openings as calculated in Section I, Part PG, paragraphs PG-52 and PG-53 of the *ASME Code*

R = Inside radius of the weakest course of the shell (inch) (mm). If the thickness of the shell exceeds 10 percent of the inside radius, the outer radius shall be used

FS = Factor of safety required by Chapter 10 of the *Mechanical Code*

a. Where there are both riveted joints and tube ligaments to consider, the lowest calculated efficiency, E, shall be used.

1026.2 Maximum allowable external working pressure. The maximum allowable working pressure for cylindrical vessels subjected to external or collapsing pressure shall be determined by methods in Section I, Part PG, paragraph PG-28 of the *ASME Code*, except that the factor of safety used to calculate the working pressure shall be in accordance with the requirements of Section 1026.3.

1026.3 Factor of safety. The maximum permissible exterior working pressure for existing *pressure vessels* of other than lap-seam construction shall be calculated using a factor of safety of not less than 4.5.

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1026.3.1 Pressure vessels of lap-seam construction. The maximum permissible exterior working pressure for existing *pressure vessels* with longitudinal lap joints shall be calculated based on the age of the vessel, using the factors of safety in Table 1026.3.1.

TABLE 1026.3.1
MINIMUM SAFETY FACTORS FOR EXISTING PRESSURE VESSELS WITH LONGITUDINAL LAP SEAMS

Age of the Vessel	Safety Factor
0 to 10 years	4
10 to 20 years	4.5
20 to 25 years	5
25 to 30 years	5.5

1026.3.2 Age limit. The age limit of a *pressure vessel* having a longitudinal lap joint and a working pressure over 50 pounds psi (345 kPa) shall be 30 years.

1026.4 Stress limits. In checking the tensile stresses in the walls of existing vessels, the effect of static head shall be considered in order to verify that such tensile stresses do not exceed the ultimate tensile strength of the material, divided by the applicable factor of safety required by the *Mechanical Code*.

1026.5 Inspection of inaccessible parts. Where, in the opinion of the *code official*, as the result of conditions disclosed at the time of an inspection, it is deemed necessary to remove interior or exterior lining, covering or brick work to expose certain parts of the vessel not visible at the time of regular inspection, the *code official* is authorized to require the removal of such material to permit proper inspection and to ascertain hidden conditions and remaining thicknesses.

1026.6 Lap-seam cracks. The shell or drum of a *pressure vessel* in which a lap seam crack is discovered along a longitudinal riveted joint shall be immediately discontinued from use. If the vessel is not more than 15 years of age, and when approved by the *code official*, the *owner* or *user* is authorized to make repairs consisting of the installation of a complete new course of the original shell thickness. Patching shall be prohibited. For the purpose of this section, a "lap-seam crack" is the typical crack frequently found in lap seams, extending parallel to the longitudinal joints and located either between or adjacent to rivet holes.

1026.7 Tensile strength. When the ultimate tensile strength of steel shell plates is not known, it shall be taken as 55,000 pounds psi (379 000 kPa) for equipment operating at temperatures not exceeding 700 °F (371 °C).

1026.8 Crushing strength of mild steel. The resistance to crushing of mild steel shall be taken at 95,000 pounds psi (655 000 kPa).

1026.9 Rivets. In computing the ultimate strength of rivets in shear, the values of the material

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shear strength contained in Table 1026.9, to be applied to the cross-sectional area of the rivet shank, shall be used.

TABLE 1026.9 ULTIMATE STRENGTH OF RIVETS IN SHEAR

	Pounds per square inch (psi)
Steel rivets in single shear	44,000
Steel rivets in double shear	88,000

1026.9.1 Cross-Sectional Area. The cross-sectional area used in the computations shall be that of the rivet shank after driving.

1026.9.2 Diameter. When the diameter of the rivet holes in the longitudinal joints of a pressure vessel is not known, the diameter of the rivet after driving shall be ascertained from Table 1022.9.1 or by cutting out one rivet in the body of the joint, and the cross-sectional area of the rivet shall be calculated from the obtained diameter.

1026.10 Safety appliances. Each unfired *pressure vessel* shall be protected by such safety and relief valves and indicating and controlling devices as will ensure its safe operation. These valves and devices shall be so constructed, located and installed that they cannot readily be rendered inoperative. The relieving capacity of safety valves shall be such as to prevent a rise in pressure in the vessel to more than 10 percent above the maximum allowable working pressure, taking into account the effect of static head. Safety valve discharges shall be carried to a safe place of disposal.

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CHAPTER 11 REFRIGERATION

1101 General

1101 GENERAL

Strike Section 1101.4 of the International Mechanical Code in its entirety and insert new Section 1101.4 in the Mechanical Code in its place to read as follows:

1101.4 Water connection. Water supply and discharge connections associated with refrigeration systems shall be made in accordance with the *Mechanical Code* and the *Plumbing Code*.

1101.4.1 Condenser cooling water. Water used for condenser cooling purposes without recirculation shall at all times be regulated by automatic controls designed to produce a minimum water temperature rise of 15 °F (8.3 °C), and to stop the flow of water when cooling is not required.

1101.4.2 Approval of refrigeration systems. No permit shall be issued for the installation of a refrigeration system that requires water from the public water mains at a peak demand flow in excess of 15 gpm (56.8 L/m), until an application to install such system, signed by the *owner* of the *premises* where the system is to be installed, is filed with and approved by the District of Columbia Water and Sewer Authority (DC Water).

1101.4.3 Water for refrigeration. Water supplied from the public water mains shall not be used for refrigeration purposes where DC Water has determined that such use might be detrimental to the proper service of consumers in the affected distribution area.

The *District of Columbia Mechanical Code* (2013), referred to as the "*Mechanical Code*," consists of the 2012 edition of the *International Mechanical Code*, published by the International Code Council (ICC), as amended by the *District of Columbia Mechanical Code Supplement* (2013)(12 DCMR E). The *International Mechanical Code* is copyrighted by the ICC and therefore is not republished here. However, a copy of the text may be obtained at: http://publicecodes.cyberregs.com/icod/imc/2012/index.htm?bu=IC-P-2012-000005&bu2=IC-P-2012-000019.

CHAPTER 15 REFERENCED STANDARDS

Strike ASME BPVC from Chapter 15 of the International Mechanical Code, and insert in the Mechanical Code, under subheading ASME, American Society of Mechanical Engineers in Chapter 15, in its place, a new standard reference, to read as follows:

ASME

American Society of Mechanical Engineers
Three Park Avenue
New York, NY 10016-5990

Standard reference number	Title	Referenced in code section number
BPVC 2010	ASME Boiler & Pressure Vessel Code–10 Edition	1001.2, 1001.5, 1004.1

Insert in Chapter 15 of the Mechanical Code a new subheading NBBPVI and insert, under that subheading, a new standard reference to read as follows:

NBBPVI

National Board of Boiler and Pressure Vessel Inspectors
1055 Crupper Avenue
Columbus, Ohio 43229-1183

Standard reference number	Title	Referenced in code section number
ANSI/NBBPVI NB-23–2011	National Board Inspection Code (NBIC)	1001.2

Strike standard reference NFPA 31-ll from Chapter 15 of the International Mechanical Code, under subheading NFPA, National Fire Protection Association, in its entirety and insert new standard reference NFPA 31-11 in Chapter 15 of the Mechanical Code in its place to read as follows:

NFPA

National Fire Protection Association
1 Batterymarch Park
Quincy, MA 02169-7471

The *District of Columbia Mechanical Code* (2013), referred to as the "*Mechanical Code*," consists of the 2012 edition of the *International Mechanical Code*, published by the International Code Council (ICC), as amended by the *District of Columbia Mechanical Code Supplement* (2013)(12 DCMR E). The *International Mechanical Code* is copyrighted by the ICC and therefore is not republished here. However, a copy of the text may be obtained at: http://publicecodes.cyberregs.com/icod/imc/2012/index.htm?bu=IC-P-2012-000005&bu2=IC-P-2012-000019.

Standard reference number	Title	Referenced in code section number
31-11	Installation of Oil-burning Equipment	801.2.1, 801.18.1, 801.18.2, 920.2, 1308.1

Insert in Chapter 15 of the Mechanical Code a new subheading NSF, NSF International, and insert, under that subheading, a new standard reference to read as follows:

NSF

NSF International
789 N. Dixboro
Ann Arbor, MI 48105

Standard reference number	Title	Referenced in code section number
14–2008e	Plastics Piping System Components and Related Materials	301.4

Strike standard reference UL 896 in Chapter 15 of the International Mechanical Code, under subheading UL, Underwriters Laboratories, Inc. without substitution.

Strike standard reference numbers UL 1812-2009 and UL 1815-2009 from Chapter 15 of the International Mechanical Code, in their entirety, and insert in the Mechanical Code, Chapter 15, under subheading UL, Underwriters Laboratories, Inc. in their place two new standard references to read as follows:

UL

Underwriters Laboratories, Inc.
333 Pfingsten Road
Northbrook, IL 60062-2096

Standard reference number	Title	Referenced in code section number
1812–2009	Standard for Ducted Heat Recovery Ventilators	510.8.1

The *District of Columbia Mechanical Code* (2013), referred to as the "*Mechanical Code*," consists of the 2012 edition of the *International Mechanical Code*, published by the International Code Council (ICC), as amended by the *District of Columbia Mechanical Code Supplement* (2013)(12 DCMR E). The *International Mechanical Code* is copyrighted by the ICC and therefore is not republished here. However, a copy of the text may be obtained at: http://publicecodes.cyberregs.com/icod/imc/2012/index.htm?bu=IC-P-2012-000005&bu2=IC-P-2012-000019.

	– with Revisions through June 2010	
1815–2009	Standard for Nonducted Heat Recovery	510.8.1

The *District of Columbia Mechanical Code* (2013), referred to as the "*Mechanical Code*," consists of the 2012 edition of the *International Mechanical Code*, published by the International Code Council (ICC), as amended by the *District of Columbia Mechanical Code Supplement* (2013)(12 DCMR E). The *International Mechanical Code* is copyrighted by the ICC and therefore is not republished here. However, a copy of the text may be obtained at: http://publicecodes.cyberregs.com/icod/imc/2012/index.htm?bu=IC-P-2012-000005&bu2=IC-P-2012-000019.

DISTRICT OF COLUMBIA
CONSTRUCTION CODES SUPPLEMENT OF 2013
12 DCMR F PLUMBING CODE SUPPLEMENT

The District of Columbia has adopted the 2012 edition of the *International Plumbing Code* (IPC), as amended by this Supplement.

IPC CHAPTERS AMENDED BY THIS SUPPLEMENT:

CHAPTER 1 SCOPE AND ADMINISTRATION
CHAPTER 2 DEFINITIONS
CHAPTER 3 GENERAL REGULATIONS
CHAPTER 4 FIXTURES, FAUCETS AND FIXTURE FITTINGS
CHAPTER 6 WATER SUPPLY AND DISTRIBUTION
CHAPTER 7 SANITARY DRAINAGE
CHAPTER 8 INDIRECT/SPECIAL WASTE
CHAPTER 11 STORM DRAINAGE
CHAPTER 13 NONLIQUID SATURATED TREATMENT SYSTEMS
CHAPTER 14 REFERENCED STANDARDS

The *District of Columbia Plumbing Code* (2013), referred to as the "*Plumbing Code*," consists of the 2012 edition of the *International Plumbing Code* as amended by the *District of Columbia Plumbing Code Supplement* (2013) (12 DCMR F). The *International Plumbing Code* is copyrighted by the International Code Council and therefore is not republished here. However, a copy of the text may be obtained at: http://publicecodes.cyberregs.com/icod/ipc/2012/index.htm?bu=IC-P-2012-000004&bu2=IC-P-2012-000019.

CHAPTER 1 SCOPE AND ADMINISTRATION

101 General

Strike Chapter 1 of the International Plumbing Code in its entirety and insert new Section 101 in the Plumbing Code in its place to read as follows:

101 GENERAL

101.1 General. Administration and enforcement of the *Plumbing Code* shall be governed by Chapter 1 of the *Building Code*, 12 DCMR A.

The *District of Columbia Plumbing Code* (2013), referred to as the "*Plumbing Code*," consists of the 2012 edition of the *International Plumbing Code* as amended by the *District of Columbia Plumbing Code Supplement* (2013) (12 DCMR F). The *International Plumbing Code* is copyrighted by the International Code Council and therefore is not republished here. However, a copy of the text may be obtained at: http://publicecodes.cyberregs.com/icod/ipc/2012/index.htm?bu=IC-P-2012-000004&bu2=IC-P-2012-000019.

CHAPTER 2 DEFINITIONS

202 General Definitions

202 GENERAL DEFINITIONS

Insert the following new definitions in Section 202 of the Plumbing Code to read as follows:

HIGH RISK NON-RESIDENTIAL STRUCTURE. Any building or structure that houses operations that pose a health hazard contamination risk to the public water supply.

LEAD-FREE PLUMBING FIXTURES AND FITTINGS. Plumbing fixtures and plumbing fittings, the wetted surfaces of which contain not more than a weighted average of 0.25 percent lead, where such plumbing fixtures and fittings are intended to be used to dispense drinking or cooking water for human consumption. Plumbing fixtures and fittings that are not intended to dispense water for human consumption are exempted from lead-free requirements by the Reduction of Lead in Drinking Water Act (Public Law 111-380, enacted January 4, 2011).

WATER SERVICE POINT OF ENTRY. The location where the water service connection initially protrudes into the building interior, through the building envelope wall or floor, to supply the *plumbing system.*

Strike the definition of LEAD-FREE PIPE AND FITTINGS in Section 202 of the International Plumbing Code in its entirety and insert a new definition in Section 202 of the Plumbing Code in its place to read as follows:

LEAD-FREE PIPE AND FITTINGS. Pipe and pipe fittings, the wetted surfaces of which contain not more than 0.25 percent lead, where such pipe and fittings are intended to be used in the supply or distribution of drinking or cooking water for human consumption. Pipe and fittings that meet the requirements of the Reduction of Lead in Drinking Water Act (Public Law 111-380, enacted January 4, 2011) for pipe and fittings used to supply or distribute water for human consumption.

The *District of Columbia Plumbing Code* (2013), referred to as the "*Plumbing Code*," consists of the 2012 edition of the *International Plumbing Code* as amended by the *District of Columbia Plumbing Code Supplement* (2013) (12 DCMR F). The *International Plumbing Code* is copyrighted by the International Code Council and therefore is not republished here. However, a copy of the text may be obtained at: http://publicecodes.cyberregs.com/icod/ipc/2012/index.htm?bu=IC-P-2012-000004&bu2=IC-P-2012-000019.

CHAPTER 3 GENERAL REGULATIONS

301 General

301 GENERAL

Strike Section 301.3 of the International Plumbing Code in its entirety and insert new Section 301.3 in the Plumbing Code in its place to read as follows:

301.3 Connections to drainage system. Every improved lot in which *plumbing fixtures* are installed shall have its own independent sanitary or combined sewer connection, to discharge liquid wastes and *sewage* to the available public system, installed from the public way at a right angle to the street lot line or as approved by the administrative authority. *Plumbing fixtures*, *drains*, *plumbing appurtenances* and *plumbing appliances* used to receive or discharge liquid wastes or *sewage* shall be directly connected to the *sanitary drainage system* of the building or premises, in accordance with the requirements of this code. This section shall not be construed to prevent indirect waste systems required by Chapter 8.

> **Exception:** Bathtubs, showers, whirlpool bathtubs, lavatories, drinking fountains, clothes washers and laundry trays shall not be required to discharge to the *sanitary drainage system* where such fixtures discharge to an *approved gray water* system for flushing of water closets and urinals.

Strike Section 301.4 of the International Plumbing Code in its entirety and insert new Section 301.4 in the Plumbing Code in its place to read as follows:

301.4 Connections to domestic water supply. Every improved lot in which *plumbing fixtures* are installed shall have its own independent water connection to the available public *water supply system*, installed from the public way at a right angle to the street lot line or as approved by the administrative authority. Every *plumbing fixture*, device or *plumbing appliance* requiring or using water for its proper operation shall be directly or indirectly connected to the public *water supply system*, in accordance with the requirements of this code.

> **Exception:** Water closets and urinals shall not be required to be connected to the public *water supply system* where such *fixtures* are supplied from an *approved gray water* system.

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CHAPTER 4 FIXTURES, FAUCETS AND FIXTURE FITTINGS

403 Minimum Plumbing Facilities
405 Installation of Fixtures
410 Drinking Fountains

403 MINIMUM PLUMBING FACILITIES

Strike Section 403.4 of the International Plumbing Code in its entirety and insert new Section 403.4 in the Plumbing Code in its place to read as follows:

403.4 Signage. Multi-occupancy public facilities shall be designated by a legible sign for each sex. Single-occupancy public facilities shall be designated with gender-neutral signage. Signs shall be readily visible and located near the entrance to each toilet facility. Signs for accessible toilet facilities shall comply with Section 1110 of the International Building Code.

405 INSTALLATION OF FIXTURES

Strike Section 405.3.2 of the International Plumbing Code in its entirety and insert new Section 405.3.2 in the Plumbing Code in its place to read as follows:

> **405.3.2 Public lavatories.** Lavatories shall be installed within multiple-occupancy employee and *public toilet rooms* that contain one or more water closets or urinals. The number of such lavatories shall be sufficient to serve the occupant load served by the water closets and urinals located in the same *toilet room*, based on the ratios of Table 403.1. All single-occupancy employee and *public toilet rooms* shall contain a lavatory. Lavatories installed outside a *toilet room* shall not count towards the number of lavatories required by Table 403.1 for employee and *public* toilet facilities.

410 DRINKING FOUNTAINS

Strike Section 410.1 of the International Plumbing Code in its entirety and insert new Section 410.1 in the Plumbing Code in its place to read as follows:

410.1 Approval. Drinking fountains shall conform to ASME A112.19.1/CSA B45.2 or ASME A112.19.2/CSA B45.1 and water coolers shall conform to AHRI 1010. Drinking fountains and water coolers shall conform to NSF 61, Section 9.

Strike Section 410.3 of the International Plumbing Code in its entirety and insert new Section 410.3 in the Plumbing Code in its place to read as follows:

410.3 Substitution. Where restaurants provide drinking water in a container free of charge, drinking fountains shall not be required. In establishments of occupancies B or M, with an area of 1,500 square feet (139.4 m^2) or less, a water cooler or a bottled water dispenser shall be

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permitted to be substituted for the required drinking fountains. In other occupancies, including B or M occupancies with an area of more than 1,500 square feet (139.4 m^2), water coolers or bottled water dispensers shall be permitted to be substituted for not more than 50 percent of the required number of drinking fountains.

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CHAPTER 6 WATER SUPPLY AND DISTRIBUTION

603 Water Service
604 Design of Building Water Distribution System
605 Materials, Joints and Connections
608 Protection of Potable Water Supply
614 Landscape Irrigation and Outdoor Fountains

603 WATER SERVICE

Strike Section 603.1 of the International Plumbing Code in its entirety and insert new Section 603.1 in the Plumbing Code in its place to read as follows:

603.1 Size of water service pipe. The water service pipe shall be sized to supply water to the structure in the quantities and at the pressures required in this code. The water service pipe shall be not less than 1 inch (25.4 mm) in diameter.

Insert new Sections 603.3 through 603.3.3 and Table 603.3.1 to the Plumbing Code to read as follows:

603.3 Water service piping protection. Water service piping shall be protected against backflow in accordance with Sections 603.3.1 through 603.3.3. This section shall not apply to one and two-family dwellings.

> **603.3.1 Water service piping backflow prevention.** A backflow prevention device shall be installed on the *water service pipe*, downstream of the water meter, in compliance with Table 603.3.1, for every new water service, and for existing water services as required by Section 603.3.3. Backflow prevention devices shall be installed in accordance with manufacturer's installation instructions and shall be located upstream from any served water outlet.
>
> **603.3.2 High Risk Non-Residential Structure.** Any building, structure or campus that is or contains a facility hereafter classified as a high risk non-residential structure shall be required to install a reduced pressure principle backflow prevention assembly conforming to ASSE 1013 on the water service connection. High risk non-residential facilities include, but are not limited to, hospitals, hemoglobin dialysis centers, funeral homes or mortuary facilities, chemical manufacturing plants, car wash facilities, sewage treatment plants, auxiliary water supply systems, wells, dry cleaning plants, laboratories, facilities where radioactive materials are handled, and facilities with a water reuse system.
>
> **603.3.3 Existing water service piping.** Installation of a backflow preventer in an existing *water service pipe* shall be required only in the following cases:

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1. Construction of a new structure reusing the existing service.

2. Alteration of the existing water distribution system of the structure affecting fixtures that in aggregate account for more than 75 percent of the demand load of the existing installed system, calculated in accordance with Section 604.3, not including minor piping adjustments for fixture replacements.

3. Addition to the existing water distribution system of the structure that will result in an increase of more than 50 percent in the demand load of the existing installed system, calculated in accordance with Section 604.3

4. The served existing structure has been or is heretofore classified as a *high risk non-residential structure*.

5. When the existing *water service pipe* is being replaced.

Table 603.3.1 Water Service Backflow Prevention

Domestic Backflow Prevention Device

Facility type	Service Size	Type	Location Note [a]
Residential or non-residential	1", 1 1/2" and 2"	ASSE 1024 Dual Check Valve Type	On the discharge side of meter yoke Note [b]
Non-residential	3" and larger	ASSE 1015 Double Check BFP Assembly	Inside facility, within 10 feet of water service point of entry
High Risk Non-residential	Any	ASSE 1013 Reduced Pressure Principle BF Preventer	

Fire Protection Backflow Prevention Device

Water Treatment	Type	Location Note [a]
No chemical additives	ASSE 1015 Double Check Fire Protection BFP Assembly ASSE 1048 Double Check Detector Fire Protection BFP Assembly	Inside facility, within 10 feet of water service point of entry
Treated with chemical additives	ASSE 1013 Reduced Pressure Principle Fire Protection BF Preventer	

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	ASSE 1047 Reduced Pressure Detector Fire Protection BFP Assembly	

For SI: 1 inch = 25.4 mm, 1 ft = 304.8 mm, 1 pound per square inch = 6.895 kPa.

a - Backflow prevention device shall always be located upstream from any water outlet.
b - Where inlet pressure to meter yoke is less than 42 psi, it is acceptable to locate the domestic backflow prevention device inside the facility, within 10 feet of water service point of entry.

604 DESIGN OF BUILDING WATER DISTRIBUTION SYSTEM

Strike Table 604.4 in the International Plumbing Code in its entirety and insert new Table 604.4 in the Plumbing Code in its place to read as follows:

TABLE 604.4
MAXIMUM FLOW RATES AND CONSUMPTION FOR PLUMBING FIXTURES AND FIXTURE FITTINGS

PLUMBING FIXTURE OR FIXTURE FITTING	MAXIMUM FLOW RATE OR QUANTITY[b]
Lavatory and bar sink faucet, private	1.5 gpm at 60psi and WaterSense labeled
Lavatory, public (metering)	0.25 gallon per metering cycle
Lavatory, public (other than metering)	0.5 gpm at 60 psi
Bar sink faucet in other than dwelling units or hotel and hospital private rooms	2.2 gpm at 60 psi
Shower head[a]	2.0 gpm at 80psi and WaterSense labeled
Sink faucet, kitchen	2.2 gpm at 60 psi
Urinal, flushing or non-water	0.5 gallon per flushing cycle and WaterSense labeled, or non-water urinals
Water closet, public and remote[d]	1.6 gallons per flushing cycle
Water closet (tank type)[c]	1.28 gallons per flushing cycle and WaterSense labeled
Water closet, private flushometer type, or public and non-remote	1.28 gallons per flushing cycle

For SI: 1 gallon per minute = 3.785 L/m,
1 pound per square inch = 6.895 kPa

a. A hand-held shower spray is a shower head
b. Consumption tolerances shall be determined from referenced standards.
c. Dual Flush Toilets - The effective flush volume shall not exceed 1.28 gallons (4.8 liters). The effective flush volume is defined as the composite, average flush volume of two reduced flushes and one full flush. Flush volumes will be tested in accordance with ASME A112.19.2 and ASME A112.19.14.
d. A remote water closet is a water closet that is located not less than 30 feet (9144 mm) upstream of other drain line connections or fixtures and where less than 1.5 drainage fixture units are upstream of the drain line connection.

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605 MATERIALS, JOINTS AND CONNECTIONS

Strike Section 605.2 of the International Plumbing Code in its entirety and insert in its place new Section 605.2 to the Plumbing Code to read as follows:

605.2 Lead content of water supply pipe and fittings. Pipe and pipe fittings, including valves and faucets, utilized in any portion of the water supply system that provides drinking or cooking water for human consumption shall meet the requirements for *lead-free pipe and fittings* or the requirements for *lead-free plumbing fixtures and fittings*, as applicable. Other pipe, pipe fittings, valves and faucets utilized in the water supply system shall have a maximum of 8-percent lead content.

608 PROTECTION OF POTABLE WATER SUPPLY

Strike Section 608.16.4 of the International Plumbing Code in its entirety and insert new Section 608.16.4 in the Plumbing Code in its place to read as follows:

608.16.4 Connections to automatic fire sprinkler systems and standpipe systems. The potable water supply to automatic fire sprinkler and standpipe systems shall be protected against backflow by one of the following methods:

1. If the systems contain no chemical additives, by a double check backflow prevention assembly conforming to ASSE 1015 or by a double check detector fire protection backflow prevention assembly conforming to ASSE 1048.

2. If either system contains chemical additives, by a reduced pressure principle fire protection backflow preventer conforming to ASSE 1013 or by a reduced pressure detector fire protection backflow prevention assembly conforming to ASSE 1047.

   Exception: Where systems are installed as a portion of the water distribution system in accordance with the requirements of this code and are not provided with a fire department connection, separate backflow protection of the water supply system from the fire suppression system shall not be required.

Insert new Section 608.18 in the Plumbing Code to read as follows:

608.18 Fire hydrant use connections. Connection to a fire hydrant for any use other than firefighting operations shall require pre-approval by DC Water, shall be metered and shall be protected against backflow in accordance with this section. The connection shall include a reduced pressure principle backflow preventer conforming to ASSE 1013, suitable for high-hazard applications, which shall carry a current inspection tag less than six months old. The assembly shall be installed within 10 feet (3048 mm) of the hydrant water meter and ahead of any water outlet.

The *District of Columbia Plumbing Code* (2013), referred to as the "*Plumbing Code*," consists of the 2012 edition of the *International Plumbing Code* as amended by the *District of Columbia Plumbing Code Supplement* (2013) (12 DCMR F). The *International Plumbing Code* is copyrighted by the International Code Council and therefore is not republished here. However, a copy of the text may be obtained at: http://publicecodes.cyberregs.com/icod/ipc/2012/index.htm?bu=IC-P-2012-000004&bu2=IC-P-2012-000019.

Insert new Section 614 in the Plumbing Code to read as follows:

614 LANDSCAPE IRRIGATION AND OUTDOOR FOUNTAINS

614.1 Landscape irrigation systems. Irrigation of exterior landscaping shall comply with Sections 614.1.1 and 614.1.2.

Exception: Projects under the jurisdiction of the *Residential Code*.

614.1.1 Water for outdoor landscape irrigation. In accordance with Section 614.1.2, outdoor landscape irrigation systems shall be designed and installed to reduce potable water use by 50 percent through plant selection, water efficient irrigation technology, the elimination of a permanently installed irrigation system, and/or, where permitted by District regulation or ordinances, with *alternate onsite nonpotable water* complying with Section 1115 and local regulations. Designers shall use the EPA Water Sense Interactive Water Budget Tool to determine whether the design meets the 50 percent reduction threshold.

Exceptions: *Potable* water is permitted to be used as follows:

1. During the establishment phase of newly planted landscaping and during periods of drought in excess of 30 days.

2. To irrigate food production.

3. To supplement *nonpotable* water irrigation of shade trees provided in accordance with Section 408.2.3 of the *Green Construction Code*.

614.1.2 Irrigation system design and installation. Where in-ground irrigation systems are provided, the systems shall comply with all of the following:

1. The design and installation of outdoor irrigation systems shall be under the supervision of an irrigation professional accredited or certified by an appropriate local or national body.

2. Landscape irrigation systems shall not direct water onto building exterior surfaces, foundations or exterior paved surfaces. Systems shall not generate runoff.

3. Where an irrigation control system is used, the system shall be one that regulates irrigation based on weather, climate or soil moisture data, or time of day. The controller shall have integrated or separate sensors to suspend irrigation events during rainfall.

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4. Irrigation zones shall be based on plant water needs with plants of similar need grouped together. Turfgrass shall not be grouped with other plantings on the same zone.

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CHAPTER 7 SANITARY DRAINAGE

712 Sumps and Ejectors
715 Backwater Valves

712 SUMPS AND EJECTORS

Strike Section 712.3.5 of the International Plumbing Code in its entirety and insert new Section 712.3.5 in the Plumbing Code in its place to read as follows:

712.3.5 Pump connection to the drainage system. Pumps connected to the drainage system shall connect to a building sewer, building drain, soil stack, waste stack or horizontal branch drain. The discharge point shall not be upstream of any backwater valve and shall not generate a condition that could cause flooding at any of the building fixtures. Where the discharge line connects into horizontal drainage piping, the connection shall be made through a wye fitting into the top of the drainage piping and such wye fitting shall be located not less than 10 pipe diameters from the base of any soil stack, waste stack or fixture drain.

715 BACKWATER VALVES

Strike Section 715.1 of the International Plumbing Code in its entirety and insert new Section 715.1 in the Plumbing Code in its place to read as follows:

715.1 Sewage backflow. Where plumbing fixtures are installed on a floor with a finished floor elevation below the elevation of the manhole cover of the next upstream manhole in the *public sewer*, such fixtures shall be protected by a backwater valve installed in the *building drain* or horizontal *branch* serving such fixtures, or shall discharge to a sump complying with Section 712.3 and served by a sewage pump or ejector complying with Section 712.4. Plumbing fixtures installed on a floor with a finished floor elevation above the elevation of the manhole cover of the next upstream manhole in the *public sewer* shall not discharge through a backwater valve or a sump. This section shall not apply to replacement in kind of compliant plumbing fixtures.

> **Exception:** Where the *code official* deems it appropriate for the protection of existing multi-level buildings in flood prone areas, the retrofitting of backwater valves to be installed in the *building drain* or in a horizontal *branch* serving fixtures on a floor with a finished elevation above the adjacent manhole in the *public sewer* shall be allowed, thereby allowing such fixtures to discharge through the backwater valve.

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CHAPTER 8 INDIRECT/SPECIAL WASTE

802 Indirect Wastes

802 INDIRECT WASTES

Strike Section 802.3 of the International Plumbing Code in its entirety and insert new Section 802.3 in the Plumbing Code in its place to read as follows:

802.3 Waste receptors. Waste receptors shall be of an *approved* type. A removable strainer or basket shall cover the waste outlet of waste receptors. Waste receptors shall be installed in ventilated spaces. Waste receptors shall not be installed in *bathrooms*, *toilet rooms*, plenums, crawl spaces, attics, interstitial spaces above ceilings and below floors or in any inaccessible or unventilated space such as a closet or storeroom. Ready access shall be provided to waste receptors.

Exception: Clothes washer standpipes shall be permitted in *bathrooms* in *dwelling units*.

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CHAPTER 11 STORM DRAINAGE

1101 General
1104 Conductors and Connections
1115 Rainwater Collection and Distribution Systems

1101 GENERAL

Strike Section 1101.2 in the International Plumbing Code in its entirety and insert new Section 1101.2 in the Plumbing Code in its place to read as follows:

1101.2 Where required. All roofs, paved areas, yards, courts and courtyards shall drain into a separate storm *sewer* system, or a combined *sewer* system, or to an *approved* place of disposal.

> **Exception:** When *approved*, storm water is permitted to be discharged from roofs, paved areas, yards, courts, courtyards, downspouts, rain barrels, cisterns or rooftop storage facilities to vegetated areas such as lawns, gardens, grassy swales or bio-retention cells on the same lot. In such instances, the storm water shall flow away from the building and shall not flow across property lines onto adjacent lots unless it discharges into an approved shared best management practice as defined in 21 DCMR Chapter 5.

1104 CONDUCTORS AND CONNECTIONS

Strike Section 1104.2 of the International Plumbing Code in its entirety and insert new Section 1104.2 in the Plumbing Code in its place to read as follows:

1104.2 Combining storm with sanitary drainage. The sanitary and storm drainage systems of a structure shall be entirely separate except where the structure is served by a combined *public sewer* system. The storm building drain and the sanitary building drain shall remain separate through the exterior walls of the building. Where a combined *public sewer* is utilized, the building *storm drain* shall be connected in the same horizontal plane through a single-wye fitting to the combined sewer, not less than 10 feet (3048 mm) downstream from any *soil stack*, and downstream of any backwater valve. Where the connection is in public space or when the size of either drain is 8 inches in diameter or larger, the combination shall be made with a manhole in lieu of a single-wye.

Insert new Section 1115 in the Plumbing Code to read as follows:

1115 RAINWATER COLLECTION AND DISTRIBUTION SYSTEMS

1115.1 Scope. The provisions of this section shall govern the construction, installation, *alteration* and repair of rainwater collection and conveyance systems. Water collected in rainwater collection systems shall not be used as drinking water or for any other potable water

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application.

1115.2 Potable water connections. Where a potable system is connected to a rainwater collection and conveyance system, the potable water supply shall be protected against backflow by an *approved* air gap fitting in accordance with Section ~~608~~ 608.13.1.

1115.3 Nonpotable water connections. Nonpotable water from any source other than roof drainage, other storm drainage or condensate water where approved shall not be combined in a rainwater collection and distribution system.

1115.4 Installation. Except as provided for in this section, all systems shall be installed in compliance with the provisions of the *Plumbing Code* and the manufacturer's instructions.

1115.5 Rainwater collected for landscape irrigation. Rainwater collected on the surface of the building site, or from the roof surfaces of the building, and used for landscape irrigation purposes shall not be limited regarding the method of application. Rainwater collected from elevated building locations that is to be used in building site irrigation shall comply with the provisions of Section 1115 with the exception of Sections 1115.11.1 and 1115.11.7.3.

1115.6 Approved components and materials. Piping, plumbing components, and materials used in the collection and conveyance systems shall be manufactured of material *approved* for the intended application and compatible with any disinfection and treatment systems used.

1115.7 Insect and vermin control. Inlets and vents to the system shall be protected to prevent the entrance of insects and vermin into storage tanks and piping systems. Screens installed on vent pipes, inlets, and overflow pipes shall have an aperture of not greater than 1/16 inch (1.6 mm) and shall be close fitting. Screen materials shall be compatible with contacting system components and shall not accelerate corrosion of system components.

1115.8 Drainage. Water drained from the roof washer or debris excluder shall not be drained to the sanitary sewer. Such water shall be diverted from the storage tank and discharge in a location that will not cause erosion or damage to property. Roof washers and debris excluders shall be provided with an automatic means of self-draining between rain events, and shall not drain onto roof surfaces.

1115.9 Freeze protection. Where sustained freezing temperatures occur, provisions shall be made to keep storage tanks and the related piping from freezing.

1115.10 Trenching requirements. All collection and distribution piping containing rainwater shall be separated from the building sewer as required in Section 603.2 for water service piping.

> **Exception:** Irrigation piping located outside of a building and downstream of the backflow preventer is not required to meet the trenching requirements where rainwater is used for outdoor applications.

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1115.11 Rainwater catchment and collection systems. The design of rainwater collection and conveyance systems shall conform to accepted engineering practice.

1115.11.1 Collection surface. Rainwater shall be collected only from above-ground impervious roofing surfaces constructed from *approved* materials. Collection of water from vehicular parking, pedestrian, or other surfaces shall be prohibited except where the water is used exclusively for landscape irrigation or where water quality treatment measures that are adequate for the end use have been approved. Overflow and bleed-off pipes from roof-mounted appliances including but not limited to evaporative coolers, water heaters and solar water heaters shall not discharge onto rainwater collection surfaces.

1115.11.2 Debris excluders. Downspouts and leaders shall be connected to a roof washer and shall be equipped with a debris excluder or equivalent device to prevent the contamination of collected rainwater with leaves, sticks, pine needles and similar material. Debris excluders and equivalent devices shall be self-cleaning.

1115.11.3 Roof gutters and downspouts. Gutters and downspouts shall be constructed of materials that are compatible with the collection surface and the rainwater quality for the desired end use. Joints shall be watertight.

1115.11.3.1 Slope. Roof gutters, leaders and rainwater collection piping shall slope continuously toward collection inlets. Gutters and downspouts shall have a slope of not less than 1 unit in 96 units along their entire length and shall not permit the collection or pooling of water at any point.

Exception: Siphonic drainage systems installed in accordance with the manufacturer's installation instructions shall not be required to have slope.

1115.11.3.2 Size. Gutters and downspouts shall be installed and sized in accordance with Section 1106.6.

1115.11.3.3 Cleanouts. Cleanouts shall be provided in the water conveyance system so as to allow access to all filters, flushes, pipes and downspouts.

1115.11.4 Collection pipe materials. In buildings where rainwater collection and conveyance systems are installed, draining piping *approved* for use within plumbing draining systems shall be utilized to collect rainwater and convey it to the storage tank. Vent piping *approved* for use within plumbing venting systems shall be utilized for all vents within the rainwater system. Drains to a stormwater discharge shall use *approved* waste piping.

1115.11.4.1 Joints. Collection piping conveying rainwater shall utilize joints

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approved for use with the distribution piping and appropriate for the intended applications as specified in the *Plumbing Code.*

1115.11.4.2 Size. Collection piping conveying rainwater from collection surfaces shall be sized in accordance with Chapter 11 of the *Plumbing Code* and local rainfall rates.

1115.11.4.3 Marking. Additional marking of rainwater collection piping shall not be required beyond that required for sanitary drainage, waste and vent piping by the *Plumbing Code.*

1115.11.5 Filtration. Collected rainwater shall be filtered to the level required for the intended end use. Filters shall be accessible for inspection and maintenance.

1115.11.6 Disinfection. Where the intended application and initial quality of the collected rainwater requires disinfection or other treatment or both, the collected rainwater shall be treated as needed to ensure that the required water quality is delivered at the point of use. Where chlorine is used for disinfection or treatment, water shall be tested for residual chlorine in accordance with ASTM D 1253. The levels of residual chlorine shall not exceed the levels allowed for the intended use in accordance with the requirements of the District of Columbia.

1115.11.7 Storage tank. The design of the storage tank shall be in accordance with Sections 1115.11.7.1 through 1115.11.7.10.

1115.11.7.1 Location. Storage tanks shall be installed either above or below grade. Above-grade storage tanks shall be protected from direct sunlight and shall be constructed using opaque, UV-resistant materials including, but not limited to, heavily tinted plastic, fiberglass, lined metal, concrete, wood or painted to prevent algae growth, or shall have specially constructed sun barriers including, but not limited to, installation in garages, crawlspaces or sheds. Storage tanks and their manholes shall not be located directly under any soil or waste piping or any source of contamination. Rainwater storage tanks shall be located with a minimum horizontal distance between various elements as indicated in Table 1115.11.7.1.

TABLE 1115.11.7.1
LOCATION OF RAINWATER STORAGE TANKS

ELEMENT	MINIMUM HORIZONTAL DISTANCE FROM STORAGE TANK (FEET)
Critical root zone (CRZ) of protected trees	2
Lot line adjoining private lots	5
Seepage pits	5

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For SI: 1 foot = 304.8 mm.

1115.11.7.2 Materials. Where water is collected onsite, it shall be collected in an *approved* tank constructed of durable, nonabsorbent and corrosion-resistant materials. Storage vessels shall be compatible with the material being stored. Storage tanks shall be constructed of materials compatible with the type of disinfection system used to treat water upstream of the tank and used to maintain water quality within the tank.

1115.11.7.2.1 Wooden tanks. Wooden storage tanks shall not be required to have a liner. Where unlined tanks are used, the species of wood shall be decay resistant and untreated.

1115.11.7.3 Makeup water. Where an uninterrupted supply is required for the intended application, potable water shall be provided as a source of make-up water for the storage tank. The potable water supply shall be protected against backflow by an *approved* air gap fitting in accordance with Section 608.13.1.

1115.11.7.4 Overflow. The storage tank shall be equipped with an overflow pipe having the same or larger area as the sum of the areas of all tank inlet pipes. The overflow pipe shall be protected from insects or vermin and the discharge from such pipe shall be disposed of in a manner consistent with stormwater runoff requirements of the District of Columbia. The overflow pipe shall discharge at a sufficient distance from the tank to avoid damaging the tank foundation or the adjacent property. The overflow drain shall not be equipped with a shutoff valve. A minimum of one cleanout shall be provided on each overflow pipe in accordance with Section 708.

1115.11.7.5 Access. A minimum of one access opening shall be provided to allow inspection and cleaning of the tank interior. Access openings to storage tanks and other vessels shall have an *approved* locking device or shall otherwise be protected from unauthorized access. Below-grade storage tanks located outside of the building shall be provided with either a manhole not less than 24 inches (610 mm) square or a manhole with an inside diameter of not less than 24 inches (610 mm). Manholes shall extend not less than 4 inches (102 mm) above ground or shall be designed so as to prevent water infiltration. Finish grade shall be sloped away from the manhole to divert surface water from the manhole. Each manhole cover shall be secured to prevent unauthorized access. Service ports in manhole covers shall be not less than 8 inches (203 mm) in diameter and shall be not less than 4 inches (102 mm) above the finished grade level. The service port shall be secured to prevent unauthorized access.

Exception: Storage tanks having a volume of less than 800 gallons (3028 L) and installed below grade shall not be required to be equipped with a

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manhole where provided with a service port that is not less than 8 inches (203 mm) in diameter.

1115.11.7.6 Venting. Storage tanks shall be provided with a vent sized in accordance with the *Plumbing Code* and based on the diameter of the tank influent pipe. Tank vents shall not be connected to sanitary drainage system vents.

1115.11.7.7 Inlets. Storage tank inlets shall be designed to introduce water into the tank with minimum turbulence and shall be located and designed to avoid agitating the contents of the storage tank.

1115.11.7.8 Outlets. Outlets shall be located not less than 4 inches (102 mm) above the bottom of the storage tanks and shall not skim water from the surface.

1115.11.7.9 Draining of tanks. Where storage tanks require draining for service or cleaning, tanks shall be drained by using a pump or by a drain located at the lowest point in the tank. The discharge from draining the tank shall be disposed of in a manner consistent with the stormwater runoff requirements of the District of Columbia and at a sufficient distance from the tank to avoid damaging the tank foundation.

1115.11.7.10 Marking and signage. Each storage tank shall be marked with its rated capacity. Storage tanks shall bear signage that reads as follows: "CAUTION: NONPOTABLE WATER – DO NOT DRINK." Where an opening is provided that could allow the entry of personnel, the opening shall bear signage that reads as follows: "DANGER – CONFINED SPACE." Markings shall be indelibly printed on a tag or sign constructed of corrosion-resistant waterproof material mounted on the tank or shall be indelibly printed on the tank. The letters of words shall be not less than 0.5 inches (13 mm) in height and shall be of a color that contrasts with the background on which they are applied.

1115.11.8 Valves. Valves shall be installed in accordance with Section 1115.11.8.1.

1115.11.8.1 Backwater valve. Backwater valves shall be installed on each overflow and tank drain pipe. Backwater valves shall be installed so that access is provided to the working parts for service and repair.

1115.11.9 Roof washer. A sufficient amount of rainwater shall be diverted at the beginning of each rain event, and not allowed to enter the storage tank, to wash accumulated debris from the collection surface, or approved pre-treatment measures shall be used as specified in a plan approved in compliance with 21 DCMR Chapter 5. The amount of rainfall to be diverted shall be field adjustable as necessary to minimize storage tank water contamination. The roof washer shall not rely on manually operated

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valves or devices, and shall not operate automatically. Diverted rainwater shall not be drained to the roof surface, and shall be discharged in a manner consistent with the stormwater runoff requirements of the District of Columbia. Roof washers shall be accessible for maintenance and service.

1115.11.10 Vent piping. Storage tanks shall be provided with a vent in accordance with the requirements of Section 1115.11.7.6. Vents shall be sized in accordance with the *Plumbing Code*, based on the aggregate diameter of storage tank influent pipe(s). Vents shall be protected from contamination by means of a U-bend installed with the opening directed downward or an *approved* cap. Vent outlets shall extend a minimum of 4 inches (102 mm) above grade, or as necessary to prevent surface water from entering the storage tank. Vent openings shall be protected against the entrance of vermin and insects in accordance with the requirements of Section 1115.7.

1115.11.11 Pumping and control system. Mechanical equipment including pumps, valves and filters shall be easily accessible and removable in order to perform repair, maintenance and cleaning. Pressurized water shall be supplied at a pressure appropriate for the application and within the range specified by the *Plumbing Code.* Where water could be supplied at an excessive pressure, a pressure-reducing valve shall be installed in accordance with the requirements of the *Plumbing Code.*

1115.11.11.1 Water-pressure-reducing valve or regulator. Where the rainwater pressure supplied by the pumping system exceeds 80 psi (552 kPa) static, a pressure-reducing valve shall be installed to reduce the pressure in the rainwater distribution system piping to 80 psi (552 kPa) static or less. Pressure-reducing valves shall be specified and installed in accordance with Section 604.8.

1115.11.12 Distribution pipe. Distribution piping shall comply with Sections 1115.11.12.1 through 1115.11.12.4.

1115.11.12.1 Materials. Distribution piping conveying rainwater shall conform to the standards and requirements specified by the *Plumbing Code* for nonpotable water.

1115.11.12.2 Joints. Distribution piping conveying rainwater shall utilize joints *approved* for use with the distribution piping and appropriate for the intended applications as specified in the *Plumbing Code*.

1115.11.12.3 Size. Distribution piping conveying rainwater shall be sized in accordance with the *Plumbing Code* for the intended application.

1115.11.12.4 Marking. Nonpotable rainwater distribution piping shall be of the color purple and shall be embossed or indelibly printed with the words: "CAUTION: NONPOTABLE WATER – DO NOT DRINK" or shall be installed

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with a purple identification tape or wrap. Identification tape shall be not less than 3 inches (76 mm) wide and shall have white or black lettering on purple stating "CAUTION: NONPOTABLE WATER – DO NOT DRINK." Identification tape shall be installed on top of nonpotable rainwater distribution pipes, fastened not greater than every 10 feet (3048 mm) to each pipe length and run continuously the entire length of the pipe. Lettering shall be readily observable within the room or space where the piping is located.

> **Exception:** Piping located outside of the building and downstream of the backflow preventer is not required to be purple where rainwater is used for outdoor applications.

1115.12 Tests and inspections. Tests and inspections shall be performed in accordance with Sections 1115.12.1 through 1115.12.10.

1115.12.1 Drainage and vent tests. The testing of rainwater collection piping, overflow piping, vent piping and storage tank drains shall be conducted in accordance with Section 312.

1115.12.2 Draining and vent final test. A final test shall be applied to the rainwater collection piping, overflow piping, storage tank, and tank vent piping in accordance with Section 312.4.

1115.12.3 Water supply system test. The testing of makeup water supply piping and rainwater distribution piping shall be conducted in accordance with Section 312.5.

1115.12.4 Inspection and testing of backflow prevention assemblies. The testing of backflow preventers and backwater valves shall be conducted in accordance with Section 312.10.

1115.12.5 Inspection of vermin and insect protection. Inlets and vents to the system shall be inspected to ensure that each is protected to prevent the entrance of insects or vermin into storage tank and piping systems in accordance with Section 1115.8.

1115.12.6 Roof gutter inspection. Roof gutters shall be inspected to verify that the installation and slope is in accordance with Section 1115.11.3.

1115.12.7 Roofwasher test. Roofwashers shall be tested by introducing water into the gutters. Proper diversion of the first quantity of water in accordance with the requirements of Section 1115.11.9 shall be verified.

1115.12.8 Storage tank tests. Storage tanks shall be tested in accordance with the following:

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1. Storage tanks other than factory made tanks shall be filled with water to the overflow line prior to and during inspection. Seams and joints shall be left exposed and the tank shall remain water tight without leakage for a period of 24 hours.

2. The overflow system shall be tested for a period of 15 minutes to verify proper drainage and verify that there are no leaks.

3. The makeup water system shall be tested for proper operation and automatic shutoff of the system at the refill threshold shall be verified.

1115.12.9 Supply pressure test. The static water pressure at the point of use farthest from the supply shall be verified to be within the range required for the application, in accordance with Section 1115.11.11.

1115.12.10 Water quality test. The quality of the water for the intended application shall be verified at the point of use in accordance with all applicable requirements of the District of Columbia.

1115.13 Operations and maintenance manuals. Operations and maintenance materials shall be supplied by the installer to the owner of the system in accordance with 1115.13.1 through 1115.13.4. The owner shall keep these manuals on site or where they are readily available to the *code official* upon request.

1115.13.1 Manual. A detailed operations and maintenance manual shall be supplied in hardcopy form with all rainwater collection systems.

1115.13.2 Schematics. The manual shall include a detailed system schematic, the locations of all system components and a list of all system components including manufacturer and model number.

1115.13.3 Maintenance procedures. The manual shall provide a maintenance schedule and procedures for all system components requiring periodic maintenance. Consumable parts including filters shall be noted along with part numbers.

1115.13.4 Operations procedures. The manual shall include system startup and shutdown procedures. The manual shall include detailed operating procedures for the system.

1115.14 System abandonment. In order to abandon or cease use of a rainwater collection and conveyance system, other than rain barrels, the *owner* shall first obtain approval for abandonment of the system from both the District Department of the Environment and the *code official*. Abandonment of a rainwater collection and conveyance system shall comply with the following:

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1. System piping connecting to a utility-provided water system shall be removed or disabled and the potable water supply line shall be capped with an approved cap or plug.

2. The storage tank shall be secured from inadvertent access by sealing or locking tank inlets and access points, or by filling with sand or by other equivalent *approved* method.

1115.14.1 Mandatory abandonment. Mandatory abandonment of a rainwater collection and conveyance system is required where (1) system installation is not required by the stormwater requirements in ~~Title 20,~~ 21 DCMR Chapter 5; and (2) the *owner* fails to properly maintain the system in accordance with the maintenance procedures set forth in Section 1115.13. The *owner* shall comply with the system abandonment procedures set forth in Section 1115.14.

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CHAPTER 13 NONLIQUID SATURATED TREATMENT SYSTEMS

1301 Gray Water Recycling Systems
1302 Systems for Flushing Water Closets and Urinals
1303 Subsurface Landscape Irrigation Systems

1301 GRAY WATER RECYCLING SYSTEMS

Strike Sections 1301.1 and 1301.2 and Figure 1301.1(1) of the International Plumbing Code in their entirety and insert new Sections 1301.1 and 1301.2 in the Plumbing Code in their place to read as follows:

1301.1 Scope. The provisions of Chapter 13 shall govern the materials, design, construction and installation of gray water systems for flushing of water closets and urinals. See Figure 1301.1(2).

1301.2 Installation. In addition to the provisions of Section 1301, systems for flushing of water closets and urinals shall comply with Section 1302. Except as provided for in this chapter, all systems shall comply with the provisions of the other chapters of this code.

Strike Section 1301.5 of the International Plumbing Code in its entirety and insert new Section 1301.5 in the Plumbing Code in its place to read as follows:

1301.5 Inspections. *Gray water* systems shall be inspected in accordance with Section 312 of the *Plumbing Code* and with Section 109 of the *Building Code*, 12 DCMR A.

Strike Section 1301.7 of the International Plumbing Code in its entirety and insert new Sections 1301.7 and 1301.7.1 in the Plumbing Code in its place to read as follows:

1301.7 Waste water connections. *Gray water* recycling systems shall receive only the waste discharge of bathtubs, showers, lavatories, drinking fountains, whirlpool bathtubs, clothes washers or laundry trays.

> **1301.7.1 Prohibited sources.** Roof drainage and other stormwater drainage shall not be collected in *gray water* systems except for makeup purposes as provided in Section 1302.3.1. *Gray water* systems shall not receive waste discharge from any fixture installed in an I-2 occupancy.

1302 SYSTEMS FOR FLUSHING WATER CLOSETS AND URINALS

Strike Section 1302.3 of the International Plumbing Code in its entirety and insert new Sections 1302.3 and 1302.3.1 in the Plumbing Code in its place to read as follows:

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1302.3 Makeup water. Where an uninterrupted supply is required for the intended application, *potable water* shall be provided as a source of makeup water for the storage tank. The *potable water* supply shall be protected against backflow by an approved air gap fitting in accordance with Section 608.13.1

> **1302.3.1 Makeup water from other sources.** In addition to the makeup water required by Section 1302.3, makeup water supplied to a *gray water* system from a rainwater collection system complying with Section 1115 shall be allowed where *approved*. The design of the makeup water connection between the two systems shall be *approved* prior to installation. The overflow discharge of a rainwater collection system shall not pass through any portion of the *gray water* system.

Strike Section 1302.4 of the International Plumbing Code in its entirety and insert new Section 1302.4 in the Plumbing Code in its place to read as follows:

1302.4 Coloring. The *gray water* shall be dyed purple with a food grade vegetable dye before such water is supplied to the fixtures.

Strike Section 1302.6 of the International Plumbing Code in its entirety and insert new Section 1302.6 in the Plumbing Code in its place to read as follows:

1302.6 Identification. Distribution piping and reservoirs shall be identified as containing nonpotable water. *Gray water* collection piping shall be identified so as to preclude drainage pipe connections from prohibited fixtures. Piping identification shall be in accordance with Section 608.8.

1303 SUBSURFACE LANDSCAPE IRRIGATION SYSTEMS

Strike Section 1303 of the International Plumbing Code in its entirety without substitution.

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CHAPTER 14 REFERENCED STANDARDS

Insert a new EPA referenced standard in Chapter 14 of the Plumbing Code to read as follows:

EPA	Environmental Protection Agency 1200 Pennsylvania Avenue, NW Washington, DC 20460	
Standard Reference Number	**Title**	**Referenced in code section number**
Water Sense October 2007	High-efficiency Lavatory Faucet Specification	Table 604.4
Water Sense August 2009	WaterSense Specification for Flushing Urinals	Table 604.4
Water Sense March 2010	WaterSense Specification for Showerheads	Table 604.4
Water Sense May 2011	WaterSense Specification for Tank-Type Toilets	Table 604.4 Table 604.4
Water Sense August 2011	WaterSense Landscape Water Budget Tool Version 1.01	614.1.1 Table 604.4

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DISTRICT OF COLUMBIA
CONSTRUCTION CODES SUPPLEMENT OF 2013
12 DCMR G PROPERTY MAINTENANCE
CODE SUPPLEMENT

The District of Columbia has adopted the 2012 edition of the *International Property Maintenance Code* (IPMC), as amended by this Supplement.

IPMC CHAPTERS AMENDED BY THIS SUPPLEMENT:

CHAPTER 1 ADMINISTRATION AND ENFORCEMENT
CHAPTER 2 DEFINITIONS
CHAPTER 3 REQUIREMENTS
CHAPTER 4 LIGHT, VENTILATION, AND OCCUPANCY LIMITATIONS
CHAPTER 5 PLUMBING FACILITIES AND FIXTURES REQUIREMENTS
CHAPTER 6 MECHANICAL AND ELECTRICAL REQUIREMENTS
CHAPTER 7 FIRE SAFETY REQUIREMENTS
CHAPTER 8 REFERENCED STANDARDS

The *District of Columbia Property Maintenance Code* (2013), referred to as the "*Property Maintenance Code*," consists of the 2012 edition of the *International Property Maintenance Code*, published by the International Code Council (ICC), as amended by the *District of Columbia Property Maintenance Code Supplement* (2013) (12 DCMR G). The *International Property Maintenance Code* is copyrighted by the ICC and therefore is not republished here. However, a copy of the text may be obtained at: http://publicecodes.cyberregs.com/icod/ipmc/2012/index.htm?bu=IC-P-2012-000006&bu2=IC-P-2012-000019.

CHAPTER 1 ADMINISTRATION AND ENFORCEMENT

101 General
102 Applicability
103 Department of Consumer and Regulatory Affairs
104 Duties and Powers of the Code Official
105 Approval
106 Violations and Infractions
107 Notice and Orders
108 Unsafe Structures Premises and Equipment
109 Emergency Measures
110 Demolition

Strike Chapter 1 of the International Property Maintenance Code in its entirety and insert new Chapter 1 in the Property Maintenance Code in its place to read as follows:

101 GENERAL

101.1 Title. The *D.C. Property Maintenance Code* (2013), hereinafter referred to as the "*Property Maintenance Code*," shall consist of the 2012 edition of the *International Property Maintenance Code*, as amended by the *D.C. Property Maintenance Code Supplement* (2013) (12 DCMR G).

101.2 Scope. The scope of the *Property Maintenance Code* shall be as defined in Section 101.4.5.2 of 12 DCMR A.

101.3 Intent. The intent of the *Property Maintenance Code* shall be as defined in Section 101.4.5.3 of 12 DCMR A.

101.4 Severability. The provisions of Sections 102.5, Partial Invalidity, and 102.5.1, Segregation of Invalid Provisions, of 12 DCMR A, shall apply to the *Property Maintenance Code* and are hereby incorporated by reference.

102 APPLICABILITY

102.1 Conflicting provisions. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall govern. Where differences occur between provisions of the *Property Maintenance Code* and its referenced standards, the provisions of the *Property Maintenance Code* shall apply. Where, in a specific case, different sections of the *Property Maintenance Code* specify different requirements, the most restrictive shall govern.

The *District of Columbia Property Maintenance Code* (2013), referred to as the "*Property Maintenance Code*," consists of the 2012 edition of the *International Property Maintenance Code*, published by the International Code Council (ICC), as amended by the *District of Columbia Property Maintenance Code Supplement* (2013) (12 DCMR G). The *International Property Maintenance Code* is copyrighted by the ICC and therefore is not republished here. However, a copy of the text may be obtained at: http://publicecodes.cyberregs.com/icod/ipmc/2012/index.htm?bu=IC-P-2012-000006&bu2=IC-P-2012-000019.

102.2 Maintenance. Equipment, systems, devices and safeguards required by the *Property Maintenance Code* or a previous regulation or code under which the *structure* or *premises* was constructed, altered or repaired shall be maintained in good working order. No *owner, operator* or *occupant* shall cause any service, facility, equipment or utility which is required under this section to be removed from or shut off from or discontinued for any occupied *dwelling*, except for such temporary interruption as necessary while repairs or alterations are in progress. The requirements of the *Property Maintenance Code* are not intended to provide the basis for removal or abrogation of fire protection and safety systems and devices in existing *structure*s. Except as otherwise specified herein, the *owner* or the *owner*'s designated agent shall be responsible for the maintenance of buildings, *structures* and *premises*.

102.3 Application of other codes. Repairs, additions, demolition, razing or alterations to a structure, or changes of use or occupancy, shall be done in accordance with the provisions of the *Construction Codes*. Nothing in the *Property Maintenance Code* shall be construed to cancel, modify or set aside any provision of the *Construction Codes* or the *Zoning Regulations*, Title 11 DCMR.

102.4 Existing remedies. The provisions in the *Property Maintenance Code* shall not be construed to abolish or impair existing remedies of the District of Columbia or its officers or agencies relating to the condemnation, removal or demolition of any structure which is dangerous, unsafe and/or unsanitary, the abatement of nuisance property, or the maintenance of vacant buildings.

> **102.4.1 Code precedence.** If a conflict arises between the *Housing Code*, Title 14 DCMR, Subtitle A and the *Property Maintenance Code*, the provisions of the *Property Maintenance Code* shall take precedence.

102.5 Workmanship. Repairs, maintenance work, alterations or installations which are caused directly or indirectly by the enforcement of the *Property Maintenance Code* shall be executed and installed in a workmanlike manner, installed in accordance with the manufacturer's installation instructions, and use materials of a quality and kind suitable for the purpose for which used and of a kind normally used in the applicable trade.

102.6 Historic buildings. Any *building* or other *structure* that is listed (either as an individual listing or as a contributing resource to a listed historic district) in the D.C. or National Register of Historic Places shall be exempt from specific provisions of the *Property Maintenance Code*; provided, that (a) the D.C. Historic Preservation Officer or the Keeper of the National Register of Historic Places certifies that compliance with the specific provisions of the *Property Maintenance Code* will cause the loss of irretrievable historic components that may lead to the de-listing of the *building* or other *structure*; and (b) the *code official* determines the exemption does not adversely affect the safety of the building or other structure or the public interest of

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health, safety and welfare.

102.7 Referenced codes and standards. The provisions of Section 102.4, Referenced Standards, of 12 DCMR A, shall apply to the *Property Maintenance Code* and are hereby incorporated by reference.

> **Exception:** Where enforcement of a *Property Maintenance Code* provision would violate the conditions of the listing of the equipment or appliance, the conditions of the listing shall apply.

102.8 Matters not covered by the code. Requirements necessary for the strength, stability or proper operation of an existing fixture, structure or equipment, or for the public health, safety and welfare, not specifically covered by the *Property Maintenance Code*, shall be determined by the *code official*.

102.9 Application of references. References to chapter or section numbers, or to provisions not specifically identified by number, shall be construed to refer to such chapter, section or provision of the *Property Maintenance Code*.

102.10 Other laws. The provisions of the *Property Maintenance Code* shall not be deemed to nullify any provisions of local or federal law.

102.11 Special flood hazard areas. The storage of equipment or materials that are listed as dangerous materials in 20 DCMR § 3106.2 or that will affect either the base flood elevation or the floodway in any Special Flood Hazard Area, as delineated on the Federal Emergency Management Agency's Flood Insurance Rate Map for the District (20 DCMR § 3101.2), shall be required to obtain a building permit from the Department of Consumer and Regulatory Affairs, pursuant to 12 DCMR A § 105, and comply with the requirements of 20 DCMR Chapter 31.

103 DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS

103.1 Department of Consumer and Regulatory Affairs. The provisions of Section 103, Department of Consumer and Regulatory Affairs, of 12 DCMR A, shall apply to the *Property Maintenance Code* and are hereby incorporated by reference.

103.2 Liability. The provisions of Section 104.8, Relief from Personal Liability, of 12 DCMR A, shall apply to the *Property Maintenance Code* and are hereby incorporated by reference.

103.3 Fees. The fees for activities and services performed by the Department of Consumer and Regulatory Affairs in carrying out its responsibilities under the *Property Maintenance Code* shall be paid in accordance with the applicable fee schedule published in 12 DCMR M as amended from time to time.

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104 DUTIES AND POWERS OF THE CODE OFFICIAL

104.1 General. The *code official* shall enforce the provisions of the *Property Maintenance Code.*

104.1.1 Rulemaking authority. The provisions of Section 104.1.1, Legal Authority, of 12 DCMR A, shall apply to the *Property Maintenance Code* and are hereby incorporated by reference.

104.2 Inspections. The *code official* is authorized to make all of the required inspections, or to accept reports of inspection by *approved* agencies. The *code official* is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise.

104.3 Right of entry. The *code official* is authorized to enter a structure or *premises* at all reasonable times to inspect and for the purpose of enforcing the *Property Maintenance Code*, subject to constitutional restrictions on unreasonable searches and seizures, and subject to the provisions of this Section. If entry is refused or not obtained, the *code official* is authorized to obtain an administrative search warrant issued pursuant to D.C. Official Code § 11-941 (2012 Repl.) or D.C. Superior Court Civil Rule 204 or to pursue any other recourse as provided by law.

104.3.1 Right of entry – *housing business* license property. The *code official*, both prior to the issuance of a *housing business* license and during the license period, is authorized, at all reasonable hours, to enter and inspect the *premises* occupied or to be occupied by a *housing business* except as provided in Section 104.3.2

104.3.2 Right of entry of *housing business* license property with *tenant.* If it appears that any portion of a *premises* is under the exclusive control of a *tenant*, or if the operator of a *housing business* so claims, the *code official* shall not enter that portion of the *premises* without first having obtained permission from the *tenant* or the *tenant*'s agent, except as provided in Section 104.3.3.

104.3.3 Tenant refusal to permit inspection. If a *tenant* of a *housing business* does not give permission to inspect that portion of the *premises* under the *tenant*'s exclusive control, the *code official* shall not enter that portion of the *premises* unless the *code official* has:

1. A valid administrative warrant permitting the inspection, issued pursuant to D.C. Official Code § 11-941 (2012 Repl.) or D.C. Superior Court Civil Rule 204; or
2. A reasonable basis to believe that exigent circumstances require immediate entry into that portion of the *premises* in order to prevent any *imminent danger* to the public health or welfare.

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The refusal of any *tenant* to permit such an inspection shall not result in the revocation or suspension of the *housing business* license, nor shall such refusal result in the assessment of penalties against the *operator* of a *housing business*, provided however, that when the *code official* presents a valid administrative search warrant that permits inspection of *premises* under a *tenant*'s exclusive control, the *tenant* of a *housing business* who refuses to give permission to inspect that portion of the *premises* shall be in violation of the *Property Maintenance Code.*

104.3.4 Refusal to permit inspection. If the *owner* or *operator* of a *housing business*, or agent of such *owner* or *operator*, refuses to permit the *code official* to inspect the *premises* occupied or to be occupied by a *housing business*, such refusal shall be cause for withholding the issuance of a license for those *premises* until the inspection is permitted, and/or cause for the revocation of any existing license.

104.3.4.1 As a condition of receiving a *housing business* license under D.C. Official Code § 47-2828 (2012 Repl.), the *owner* or *operator* of a *housing business* must agree to:

1. Allow access to the *Department* for any inspection required under the *Construction Codes*; and

2. Notify any affected *tenant* whose unit requires inspection.

104.4 Identification. The provisions of Section 104.5, Credentials, of 12 DCMR A, shall apply to the *Property Maintenance Code* and are hereby incorporated by reference.

104.5 Notices and orders. The *code official* is authorized to issue all necessary notices or orders to ensure compliance with the *Property Maintenance Code*, and to institute administrative and legal actions to correct violations or infractions, including actions pursuant to An Act To provide for the abatement of nuisances in the District of Columbia by the Commissioners of said District, and for other purposes, approved April 14, 1906 (34 Stat. 114; D.C. Official Code § 42-3131.01 *et seq*. (2012 Repl.)), and the Abatement and Condemnation of Nuisance Properties Omnibus Amendment Act of 2002, effective April 19, 2002 (D.C. Law 14-114; D.C. Official Code § 42-3171.01 *et seq*. (2012 Repl.)).

104.6 Department records. The provisions of Section 104.7, Department Records, of 12 DCMR A, shall apply to the *Property Maintenance Code* and are hereby incorporated by reference.

104.7 Coordination of inspections. Whenever in the enforcement of the *Property Maintenance Code* or another code or ordinance, the responsibility of more than one *code official* of the

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District is involved, it shall be the duty of the *code officials* involved to coordinate their inspections and administrative orders as fully as practicable so that the *owners* and occupants of the structure shall not be subjected to visits by numerous inspectors or multiple or conflicting orders.

105 APPROVAL

105.1 Modifications. Whenever there are practical difficulties involved in carrying out the provisions of the *Property Maintenance Code*, the *code official* shall have the authority to grant modifications for individual cases upon application of the *owner* or *owner's* representative, provided the *code official* shall first find that special individual reasons makes the strict letter of the *Property Maintenance Code* impractical, that the modification is in compliance with the intent and purpose of the *Property Maintenance Code*, and that such modification does not lessen health, life and fire safety requirements or violate District law or regulations. The details of any action granting modifications shall be recorded and entered in the *Department* files.

105.2 Alternative materials, methods and equipment. The provisions of Section 104.11, Alternative Materials, Equipment, Methods of Construction and Design, of 12 DCMR A, shall apply to the *Property Maintenance Code* and are hereby incorporated by reference.

105.3 Required testing. Whenever there is insufficient evidence of compliance with the provisions of the *Property Maintenance Code*, or evidence that a material or method does not conform to the requirements of the *Property Maintenance Code*, or in order to substantiate claims for alternative materials or methods, the *code official* shall have the authority to require tests to be made as evidence of compliance at no expense to the jurisdiction.

> **105.3.1 Test methods.** Test methods shall be as specified in the *Property Maintenance Code* or by other recognized and accepted test methods in the industry. In the absence of recognized and accepted test methods, the *code official* shall be permitted to approve appropriate testing procedures performed by an agency *approved* by the *code official*.
>
> **105.3.2 Test reports.** The provisions of Section 104.7, Department Records, of 12 DCMR A, regarding retention of test reports, shall apply to the *Property Maintenance Code* and are hereby incorporated by reference.

105.4 Used material and equipment. The provisions of Section 104.9.1, Used Materials, Equipment and Devices, of 12 DCMR A shall apply to the *Property Maintenance Code* and are hereby incorporated by reference.

105.5 Permits for repairs and improvements. Any repair or improvement which may be required by a notice issued under the authority of the *Property Maintenance Code* for which a permit is required shall not be made until that permit has been issued by the District.

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105.5.1 Compliance with applicable laws. All work under a permit shall be done in accordance with all applicable laws and regulations. The provisions of Section 102.4.1, Conflicts, of 12 DCMR A, shall apply to the *Property Maintenance Code* and are hereby incorporated by reference.

106 VIOLATIONS AND INFRACTIONS

106.1 Unlawful acts. It shall be unlawful for a person, firm or corporation to be in conflict with or in violation of any of the provisions of the *Property Maintenance Code*.

106.2 Notice of violation or order. Service of a notice of violation or order shall be in accordance with Section 107.

106.3 Code official authority. Whenever the *code official* has reasonable grounds to believe that a violation of the *Property Maintenance Code* exists, he or she is authorized to take the following actions either singly or in combination, in addition to imposing any other remedies or penalties otherwise available to the *code official* in the *Property Maintenance Code* or otherwise:

1. Institute the appropriate proceeding at law or in equity to prosecute, restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of the *Property Maintenance Code* or of the order or direction made pursuant thereto;

2. Issue a notice of violation, which may afford the person responsible for the correction of the violation an opportunity to abate the violation;

3. Issue a notice of infraction, assessing a fine for the infraction;

4. Issue a combined notice of violation and notice of infraction;

5. Issue an order requiring a deposit of collateral for uncorrected violations;

6. Effect summary correction of the violation, or demolition of the structure, as authorized by law;

7. Refer the property to the Board of Condemnation of Insanitary Buildings (BCIB) for condemnation proceedings pursuant to D.C. Official Code § 6-902 *et seq*. (2012 Repl. & 2013 Supp.); or

8. Issue any other order or notice authorized to be issued by the *code official*.

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106.4 Violation fines and penalties. Any person who violates a provision of the *Property Maintenance Code*, or fails to comply therewith or with any of the requirements thereof, shall be subject to the penalties established hereafter and shall be subject to prosecution. In the event of any failure to comply with any provision of the *Property Maintenance Code* following service of a notice of violation or order in accordance with Section 107, each and every day such violation continues shall constitute a separate offense.

106.4.1 Penalty. Any person who violates any of the provisions of the *Construction Codes* or orders issued under the authority of the *Construction Codes*, shall, upon conviction, be guilty of a misdemeanor, punishable by a fine of not more than $2,000, or by imprisonment not exceeding 90 days, or both, for each such offense. Each day a violation continues shall be deemed a separate offense. Prosecutions pursuant to this section shall be brought in the name of the District of Columbia by the Attorney General for the District of Columbia.

106.4.2 Additional penalties. Civil fines, penalties, and fees may be imposed, in addition to other available remedies, for any infraction of the provisions of the *Construction Codes*, including the provisions of the *Property Maintenance Code*, pursuant to the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985, effective October 5, 1985 (D.C. Law 6-42; D.C. Official Code § 2-1801 *et seq.* (2012 Repl.)) ("Civil Infractions Act"). Violation of the provisions of the *Property Maintenance Code* shall be deemed a strict liability offense for which a fine may be imposed pursuant to the *Civil Infractions Act* and Title 16 of the DCMR. Adjudication of any infraction shall be pursuant to the *Civil Infractions Act.*

106.4.3 Culpability. Any person, including a *tenant*, who causes a violation of the *Property Maintenance Code*, is subject to the same penalties as those provided in Section 106.4.

106.4.4 Separate offenses. The penalties prescribed in Section 106.4 shall be applicable to each separate offense.

106.4.5 Housing business license. The violation of any of the provisions of the *Property Maintenance Code* may be grounds for denial, suspension or revocation of any *housing business* license or license endorsement under Chapter 28 of Title 47 of the D.C. Official Code and/or the *Housing Code*, Title 14 DCMR.

106.5 Abatement of violation. Notwithstanding any other penalties or remedies set forth in Section 106.4, where any person violates a provision of the *Property Maintenance Code*, or fails to comply therewith or with any of the requirements thereof, following notice as prescribed in Section 107 of this chapter, the *code official* may cause such condition to be corrected. The costs of any corrective action, and all expenses incident thereto, shall be deemed a special assessment

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and shall be assessed as a tax against the property on which the violating condition existed, bear interest and be collected in the same manner as delinquent general taxes in the District are collected, in accordance with D.C. Official Code § 47-1205 (2012 Repl.). Nothing herein shall be construed to abolish or impair existing remedies relating to abatement of nuisance property, including, but not limited to, Chapters 31 and 31A of Title 42 of the D.C. Official Code, or to preclude conversion of a special assessment lien to an administrative judgment, enforceable in the same manner as any other civil judgment under District of Columbia law, as authorized by D.C. Official Code § 42-3131.01 (2012 Repl.).

106.6 Deposit of collateral. The *code official* is authorized to require a deposit of collateral as directed, from an owner or person(s) responsible, for uncorrected violations of the *Property Maintenance Code* where a notice or order has been issued for the violation, reinspection indicates that the violation has not been corrected, and no appeal from the notice or order is pending. The collateral amount shall be based on the reasonable estimated cost of labor and materials to correct the violative condition. The *code official* is authorized to draw down on the collateral deposited to cover the costs of *summary abatement*.

107 NOTICES AND ORDERS

107.1 Notice to *owner* or to person or persons responsible. In addition to other penalties authorized by statute or regulation, whenever the *code official* determines that there has been a violation of the *Property Maintenance Code* or has grounds to believe that a violation has occurred, the *code official* is authorized to serve one or more of the following notices or orders, which may impose a fine or other penalty, on an *owner* or the person or persons responsible therefore:

1. A notice of violation;

2. A notice of infraction;

3. A combined notice of violation and notice of infraction; or

4. Any other order or notice authorized to be issued by the *code official*.

107.1.1 Applicable procedures. Service of a notice of violation or any other authorized notice or order, other than a notice of infraction, shall be in the manner prescribed in Sections 107.2 and 107.3, except as otherwise provided herein. Notices of infraction shall be issued in accordance with the procedures and fine amounts set forth in Section 201 of the *Civil Infractions Act* and Title 16 of the DCMR.

107.1.2 Code official discretion. Issuance of a notice of violation, notice of infraction, or combined notice of violation and notice of infraction pursuant to this section, prior to

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taking other enforcement action, is at the discretion of the *code official*. Failure to issue a notice of violation, notice of infraction, or combined notice of violation and notice of infraction shall not be a bar or a prerequisite to criminal prosecution, civil action, corrective action, or civil infraction proceeding based upon a violation of the *Property Maintenance Code*.

107.1.3 Historic Preservation. Additional notice procedures may apply to historic buildings pursuant to D.C. Official Code § 6-801 *et seq*. (2012 Repl.).

107.2 Form of notice or order. Notices or orders issued under the *Property Maintenance Code* must:

1. Be in writing;

2. Include the name and address of the person or entity being cited;

3. Include a description of the real estate sufficient for identification;

4. Include a statement of the violation or violations, the code section(s) violated and why the notice or order is being issued;

5. Include, if the notice or order affords an opportunity to abate a violation, a reasonable period of time by which the required repairs and improvements must be made;

6. Include, if applicable, a specific time by which unsafe or imminently dangerous *premises* shall be closed, barricaded and/or vacated, or equipment placed out of service;

7. Include a statement informing the property *owner* of the right to appeal pursuant to Section 107.8; and

8. Include a statement of the District of Columbia's right in accordance with Section 106.5 to abate the violation without the *owner*'s consent if the *owner* fails to comply with the notice or order or to file a timely appeal, to assess the costs of such abatement against the *owner*, and to place a tax lien on the property for the costs of such abatement.

107.2.1 Special notice provisions for residential premises. Where the *code official* (a) issues a notice or order to close and barricade a residential structure or *dwelling unit*, pursuant to Section 108.3, or (b) posts a closure or imminently dangerous notice or order pursuant to Section 109.1.1, the following additional provisions shall apply:

1. The notice or order shall specify a date by which *tenants* or occupants of the structure or unit are required to vacate the structure or unit;

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2. The notice or order shall include a statement informing *tenants* or occupants of the structure or unit of the right to appeal pursuant to Section 107.8, including, where applicable, the right to an expedited hearing pursuant to Section 107.8.2;

3. A copy of the notice or order shall be provided to *tenants* in accordance with Section 107.7; and

4. The notice shall provide contact information for the Office of the Tenant Advocate.

107.3 Method of service of notices and orders. The *code official* shall effect service of any notice or order (except notices of infraction) upon the property *owner* or person(s) responsible for the violation or violations by one of the following methods, any of which shall be deemed proper service:

1. Personal service on the property *owner* or persons responsible, or the agents thereof; or

2. By electronic mail to the last-known electronic mail address of the person or business to be notified, provided that a copy of the notice or order is posted in a conspicuous place in or about the structure or *premises* affected by such notice; or

3. Delivering the notice to the last known home or business address of the property *owner* or persons responsible as identified by the tax records, business license records, or corporate registration records, and leaving it with a person over the age of 16 years old residing or employed therein; or

4. Mailing the notice, via first class mail postage pre-paid, to the last known home or business address of the property *owner* or persons responsible or the agents thereof as identified by the tax records, business license records or corporate registration records; or

5. If the notice is returned as undeliverable by the Post Office authorities, or if no address is known or can be ascertained by reasonable diligence, by posting a copy of the notice in a conspicuous place in or about the structure or *premises* affected by such notice.

107.4 Unauthorized tampering. Signs, placards, tags, or seals posted or affixed by the *code official* shall not be mutilated, destroyed, obstructed or tampered with, or removed without authorization from the *code official*.

107.5 Penalties. Penalties for noncompliance with *the Property Maintenance Code* shall be as set forth in Section 106.

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107.6 Transfer of ownership. It shall be unlawful for the *owner* of any *dwelling unit* or structure upon whom a notice of violation or order has been served to sell, transfer, mortgage, lease or otherwise dispose of such *dwelling unit* or structure to another person or entity until the provisions of the notice or order have been complied with, or until such *owner* shall first furnish the grantee, transferee, mortgagee or lessee a true copy of any notice or order issued by the *code official* and shall furnish to the *code official* a signed and notarized statement from the grantee, transferee, mortgagee or lessee, acknowledging the receipt of such notice or order and fully accepting the responsibility without condition for making the corrections or repairs required by such notice or order.

107.7 Copy of notices and orders. After an inspection of a *dwelling unit* occupied by a *tenant*, the *code official* ~~Director~~ shall provide the *tenant* with a copy of any notice or order with respect to that unit issued to the *owner* pursuant to the *Property Maintenance Code*. This requirement will be satisfied by mailing a copy to the *tenant* by first-class mail, leaving a copy at the *tenant*'s residence or any other reasonable method in the *code official*'s discretion.

107.7.1 Notification for multiple *tenants*. In any instance where a violation or violations of the *Property Maintenance Code* involve more than one *tenant* of a residential building or dwelling, including violations involving common space, the *code official* shall post a copy of any notice or order issued to the *owner* pursuant to Section 107 for a reasonable time in one or more locations within the building or buildings in which the deficiency exists. The locations for posting the notification shall be reasonably selected to give notice to all *tenants* affected. Any *tenant* directly affected by the violation(s) shall, upon request to the *code official*, be sent a copy of the posted notification.

107.7.1.1 Building Closures. Where the *code official* (a) issues an order or notice to close and barricade a residential *structure* or *dwelling unit*, pursuant to Section 108, or (b) posts a closure or imminently dangerous order or notice pursuant to Section 109, in addition to posting the notice or order as provided in 107.7.1, the *code official* shall provide a copy of the notice or order to each *tenant* affected by the notice or order by leaving a copy at each *dwelling unit* or any other reasonable method in the *code official*'s discretion.

107.7.2 Tampering with notification. No person shall alter, modify, destroy, obstruct or otherwise tamper with or mutilate a notification posted under Section 107.7.1 or Section 107.3.

107.7.3 Exclusivity of tenant notice provisions. The *code official* shall not be subject to any other *tenant* notification provisions, except as set forth in this Section 107.

107.8 Appeal and hearing. Any person directly affected by a notice or order issued under this

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Property Maintenance Code shall have the right to appeal to the Office of Administrative Hearings (OAH). Except where an expedited hearing is requested pursuant to Section 107.8.2, the OAH appeal shall be filed within 10 business days after the date the *person* appealing the decision of the *code official* had notice or knowledge of the decision, or should have had notice or knowledge of the decision, whichever is earlier. The appeal shall specify that the *Property Maintenance Code* or the rules legally adopted thereunder have been incorrectly interpreted or applied by the *code official*, the provisions of the *Property Maintenance Code* do not fully apply, or the requirements of the *Property Maintenance Code* are adequately satisfied by other means. OAH shall have no authority to waive requirements of the *Property Maintenance Code*.

Exceptions:

1. OAH review of a notice or order to close or vacate residential *premises* issued pursuant to Section 108 shall be based solely on the issue of whether the *premises* are unsafe or unfit for occupancy requiring a building closure under the provisions of Section 108.

2. OAH review of a notice or order to close or vacate residential *premises* issued pursuant to Section 109 shall be based solely on the issue of whether the *code official's* building closure decision comported with Section 109.1.

3. Where the *owner* waives the right to an administrative hearing pursuant to Section 302.4.2.1.

107.8.1 Stay of enforcement. Appeals of notices or orders shall stay the enforcement of the notice or order until the appeal is heard by OAH.

Exceptions:

1. Closure or imminent danger notices or orders issued pursuant to Section 109, and related orders to vacate *premises*; or

2. Closure notices or orders issued pursuant to Section 108, and related orders to vacate *premises*, except where the *tenant* or occupant has requested an expedited OAH hearing in accordance with Section 107.8.2.

107.8.2 Expedited OAH hearing for Section 108 closure orders. Where a notice or order to close or vacate a residential *premises* is issued pursuant to Section 108, a *tenant* or occupant of the *premises* affected by the closure has a right to request an expedited hearing by OAH prior to the closure subject to the following requirements:

1. The *tenant* or occupant shall file the request for an expedited hearing with OAH no later than the date specified in the closure order for *tenants* or occupants to

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vacate the structure or unit;

2. OAH review shall be based solely on the issue of whether the *premises* are unsafe or unfit for occupancy requiring a building closure under the provisions of Section 108 of the *Property Maintenance Code;*

3. Enforcement of the closure notice or order shall be stayed until OAH issues a written decision; and

4. OAH shall hold a hearing within 72 hours of receipt of a timely request, and shall issue a decision within 72 hours after the hearing. For purposes of computing the 72 hour period, weekends and legal holidays shall be excluded.

Nothing herein shall be construed to authorize an expedited hearing for any notices or orders issued, or actions taken, pursuant to Section 109.

107.8.3 Section 109 closure or imminently dangerous orders and notices. Appeal of a closure notice or order issued pursuant to Section 108, or a request for an expedited hearing pursuant to 107.8.2, shall not preclude the *code official* from issuing a notice or order pursuant to Section 109 for the same *premises* or structure, while such appeal or hearing is pending.

108 UNSAFE STRUCTURES AND EQUIPMENT

108.1 General. When structures, *premises* or equipment, in whole or in part, are found by the *code official* to be unsafe or dangerous, or when a structure is found unfit for human occupancy, or is found to be unlawful, such structure may be closed by the *code official* pursuant to the provisions of the *Property Maintenance Code* and may be referred to the Board of Condemnation for issuance of a condemnation order, pursuant to An Act To create a board for the condemnation of insanitary buildings in the District of Columbia, and for other purposes, as amended, approved May 1, 1906 (34 Stat. 157; D.C. Official Code § 6-901 *et seq*. (2012 Repl. & 2013 Supp.)).

108.1.1 Unsafe structures. An unsafe structure or anything attached to or connected with any building or other structure that is found to be unsafe or dangerous to the life, health, property or safety of the public or the occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire, or because such structure contains unsafe equipment, or is so damaged, decayed, dilapidated, structurally unsafe, or of such faulty construction or unstable foundation that partial or complete collapse is possible.

108.1.2 Unsafe equipment. Unsafe equipment includes any boiler, heating equipment,

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elevator, moving stairway, electrical wiring or device, flammable liquid containers or other equipment on the *premises* or within the structure which is in such disrepair or condition that such equipment is a hazard to life, health, property or safety of the public or occupants of the *premises* or structure.

108.1.3 Structure unfit for human occupancy. A *structure* is unfit for human occupancy whenever the *code official* finds that such structure is: unsafe; unlawful; or, due to the degree to which the structure is in disrepair or lacks maintenance, is unsanitary or vermin or rat infested, contains filth and contamination, or lacks *ventilation*, illumination, sanitary or heating facilities or other essential equipment required by the *Property Maintenance Code;* or whenever the *code official* finds that the location of the structure constitutes a hazard to the *occupants* of the *structure* or to the public.

108.1.4 Unlawful *structure*. An unlawful *structure* is one found in whole or in part to be occupied by more persons than permitted under the *Property Maintenance Code*, or was erected, altered or occupied contrary to law.

108.1.5 Dangerous *structure* or *premises*. For the purpose of this code, any *structure* or *premises* that has any or all of the conditions or defects described below shall be considered dangerous:

1. Any door, aisle, passageway, stairway, exit or other means of egress that does not conform to the *Construction Codes* as related to the requirements for existing buildings.

2. The walking surface of any aisle, passageway, stairway, exit or other means of egress is so warped, worn loose, torn or otherwise unsafe as to not provide safe and adequate means of egress.

3. Any portion of a building, *structure* or appurtenance that has been damaged by fire, earthquake, wind, flood, *deterioration*, *neglect*, abandonment, vandalism or any other cause to such an extent that it is likely to partially or completely collapse, or to become *detached* or dislodged.

4. Any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof, that is not of sufficient strength or stability, or is not so *anchored*, attached or fastened in place so as to be capable of resisting natural or artificial loads of one and one-half the original designed value.

5. The building or *structure*, or part of the building or *structure*, is likely to collapse partially or completely, because of dilapidation, *deterioration*, decay, faulty construction, the removal or movement of some portion of the ground necessary

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for the support, or for any other reason, or some portion of the foundation or underpinning of the building or *structure* is likely to fail or give way.

6. The building or *structure*, or any portion thereof, is clearly unsafe for its use and *occupancy*.

7. The building or *structure* is *neglected*, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children who might play in the building or *structure* to their danger, become a harbor for vagrants, criminals or immoral persons, or enable persons to resort to the building or *structure* for committing a nuisance or an unlawful act.

8. The building or *structure* has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building or *structure* provided by the *Construction Codes*, or of any law or ordinance to such an extent as to present either a substantial risk of fire, building collapse or any other threat to life and safety.

9. A building or *structure*, used or intended to be used for dwelling purposes, that is determined by the *code official* to be unsanitary, unfit for human habitation, or in such a condition that is likely to cause sickness or disease because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, *ventilation*, mechanical or plumbing system or otherwise.

10. Any building or *structure* that is determined by the *code official* to be a threat to life or health because of a lack of sufficient or proper fire-resistance-rated construction, fire protection systems, electrical system, fuel connections, mechanical system, plumbing system or other cause.

11. Any portion of a building or *structure* that remains on a site after the demolition or destruction of the building or *structure*, or whenever any building or *structure* or portion thereof is abandoned so as to become an attractive nuisance or hazard to the public.

108.1.6 Unserviceable equipment. Whenever the *code official* determines that the repair record on any boiler, air conditioning system, heating equipment, elevator, moving stairway or other equipment on the *premises* or within a *structure* reflects the need for replacement of the equipment, the *code official* may declare the equipment "unserviceable" and order the replacement of the equipment.

108.2 Closing of vacant *structures*. If the *structure* is vacant and unfit for human habitation and occupancy, and is not in danger of structural collapse, the *code official*, after providing notice as

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prescribed in Section 108.3, is authorized to post a closure placard on the *premises* and order the *structure* closed up so as not to be an attractive nuisance. Upon failure of the *owner* to close up the *premises* within the time specified in the order, the *code official* shall cause the *premises* to be closed and secured through any available public agency or by contract or arrangement with private persons, and the cost thereof shall be charged against the real estate upon which the *structure* is located and shall be a lien upon such real estate and may be collected by any other legal resource.

108.2.1 Authority to disconnect service utilities. The provisions of Section 111.3, Authority to Disconnect Service Utilities, of 12 DCMR A shall apply to the *Property Maintenance Code* and are hereby incorporated by reference.

108.3 Notice. Whenever the *code official* has found a *premises* or *structure* to be unsafe or unfit for occupancy or has found the use of equipment to be unsafe or unlawful under the provisions of this Section 108, notice shall be posted in a conspicuous place in or about the *premises* or *structure* affected by such notice and shall be served on the *owner* or the person or persons responsible for the *premises*, *structure* or equipment in accordance with Section 107.3 and An Act To authorize the Commissioners of the District of Columbia to remove dangerous or unsafe buildings and parts thereof, and for other purposes, as amended, approved March 1, 1899 (30 Stat. 923; D.C. Official Code § 6-801 *et seq*. (2012 Repl.)). If the notice pertains to equipment, it shall also be placed on the equipment found to be unsafe or unlawful. The notice shall be in the form prescribed in Section 107.2. The *code official* is authorized to order the *owner* to close and barricade the structure or *dwelling unit* within a specified period of time.

108.3.1 Special provisions applicable to residential premises.

108.3.1.1 Copies of notices and orders. The *code official* shall provide *tenants* of *residential premises* with copies of notices and orders issued pursuant to Section 108 in accordance with Section 107.7. The *code official* shall not be subject to any other *tenant* notification provisions, except as expressly set forth in Section 107.7.

108.3.1.2 Building closures. The *code official* is authorized to order *tenants* or occupants of *residential premises* to vacate the premises within a time sufficient to allow the *owner* to comply with the order to close and barricade the premises, provided that *tenants* shall be given at least five calendar days to vacate the *premises*. If any *tenant* or occupant fails to vacate the *premises* within the time period set forth in the notice or order, subject to the appeal provisions of Section 107.8, the *code official* is authorized to order the removal of the *tenants* or occupants.

108.3.1.3 Other rental housing provisions. The removal of *tenants* from unsafe *residential premises*, or the service of an order to vacate pursuant to this Section 108, shall not be considered an eviction or notice to vacate under D.C. Official Code § 42-

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3505.01 (2012 Repl.). Notwithstanding the foregoing, nothing herein shall be construed to nullify or abrogate any other rights to which a *tenant* is entitled under District laws or regulations, including relocation assistance, the right to reoccupy the rental unit following rehabilitation, or the right to pursue rights and remedies under D.C. Official Code Title 42, Chapter 34 (2012 Repl. & 2013 Supp.).

108.3.2 Historic preservation. Repairs to, or removal or demolition of, a historic landmark or building or structure located within an historic district shall comply with D.C. Official Code § 6-801 *et seq*. (2012 Repl.).

108.4 Placarding. Upon failure of the *owner* or person responsible to comply with the notice provisions within the time given, the *code official* is authorized to post on the *premises* a closure placard bearing the words "These Premises are Unsafe and Its Occupancy Has Been Prohibited by the Code Official," or to post on the defective equipment a placard bearing the words "Removed from Service." The placard shall include a statement of the penalties provided for occupying the *premises* or operating the equipment, and for removing the placard.

108.4.1 Removal of placard. The *code official* shall authorize removal of the applicable placards whenever the defect or defects upon which the closure or removal from service actions were based have been eliminated. Any person who defaces or removes a placard without the approval of the *code official* shall be subject to the penalties provided by the *Property Maintenance Code*.

108.5 Prohibited occupancy. Any occupied *structure*, closed and placarded by the *code official*, shall be vacated as ordered by the *code official*. Any person who shall occupy a placarded *premises* or shall operate placarded equipment, and any *owner* or any person responsible for the *premise*s who shall let anyone occupy a placarded *premises* or operate placarded equipment, shall be liable for the penalties provided by the *Property Maintenance Code*.

108.6 Abatement methods. The *owner*, *operator* or *occupant* of a *structure*, *premises* or equipment deemed unsafe by the *code official* shall abate or cause to be abated or corrected such unsafe conditions either by repair, rehabilitation, demolition or other *approved* corrective action.

108.6.1 Costs of abatement. Where the *owner*, *operator* or *occupant* of a *premises*, including any *buildings*, other *structures*, or equipment, deemed unsafe by the *code official* fails to abate such unsafe condition following notice as prescribed in Section 107, the *code official* may cause such condition to be corrected and assess the costs of any corrective action, and all expenses incident thereto, as a tax against the property in accordance with Section 106.5. Nothing herein shall be deemed to preclude or negate any other penalties or remedies set forth in Section 106.4, or to preclude conversion of a special assessment lien to an administrative judgment, enforceable in the same manner as

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any other civil judgment under District of Columbia law, as authorized by D.C. Official Code § 42-3131.01 (2012 Repl.).

108.7 Record. The *code official* shall maintain a report on an unsafe condition. The report shall state the *occupancy* of the *structure* and the nature of the unsafe condition.

108.8 Condemnation. The *code official* is authorized to refer a building or structure determined to be unsafe under this Section 108 to the Board for the Condemnation of Insanitary Buildings for issuance of an order of condemnation, pursuant to D.C. Official Code § 6-903 (2012 Repl.).

109 EMERGENCY MEASURES

109.1 *Imminent danger*. The *code official* is hereby authorized and empowered to order and require the tenants or occupants to vacate a *premises* forthwith when, in the opinion of the *code official*: there is imminent danger of failure or collapse of a building or other structure which endangers life; or when any structure or part of a structure has fallen and life is endangered by the occupation of the structure; or when there is actual or potential danger to the building occupants or those in the proximity of any structure because of explosives, explosive fumes or vapors, or the presence of toxic fumes, gases or materials; or when the health or safety of occupants of the *premises* or those in the proximity of the *premises* is immediately endangered by an unsanitary condition or the operation of defective or dangerous equipment. The *code official* shall cause to be posted at each entrance to such structure a notice or order reading as follows: "This Structure Is Unsafe and Its Occupancy Has Been Prohibited by the *code official*." It shall be unlawful for any *person* to enter such structure except for the purpose of securing the structure, making the required repairs, removing the hazardous condition, or demolishing the same.

109.1.1 Special provisions applicable to residential premises.

109.1.1.1 Copies of notices and orders. The *code official* shall provide *tenants* of *residential premises* with copies of notices and orders issued pursuant to Section 109 in accordance with Section 107.7. The *code official* shall not be subject to any other *tenant* notification provisions, except as expressly set forth in Section 107.7.

109.1.1.2 Building closures. Where the *code official* posts a closure or imminently dangerous notice or order pursuant to Section 109.1, the *code official* is authorized to order all *tenants* or occupants to vacate the imminently dangerous structure or *dwelling unit.* The notice or order shall include the time by which the *premises* must be vacated, provided that tenants and occupants shall be given at least 24 hours to vacate, unless the *code official* determines that *tenants* and occupants must leave the *premises* immediately for their personal safety. If any

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tenant or occupant fails to vacate the structure or unit within the time specified in the notice or order, the *code official* is authorized to order removal of the *tenant* or occupant from the structure or unit.

109.1.1.3 Other rental housing provisions. The removal of tenants from imminently dangerous premises, or the service of an order to vacate, pursuant to this Section 109 shall not be considered an eviction or notice to vacate under D.C. Official Code § 42-3505.01 (2012 Repl.). Notwithstanding the foregoing, nothing herein shall be construed to nullify or abrogate any other rights to which a *tenant* is entitled under District laws or regulations, including relocation assistance, the right to reoccupy the rental unit following rehabilitation, or the right to pursue rights and remedies under D.C. Official Code Title 42, Chapter 34 (2012 Repl. & 2013 Supp.).

109.1.2 Appeals. Imminent danger notices and orders, and other notices and orders issued pursuant to Section 109, are appealable to OAH pursuant to Section 107.8, but any appeal shall not stay the enforcement of the notice or order. Any person ordered to take emergency measures or actions shall comply with such order forthwith. The expedited hearing procedures set forth in Section 107.8.2 shall not apply to orders and notices issued pursuant to Section 109.

109.1.3 Historic preservation. Emergency measures affecting a historic landmark or a building or structure located within an historic district shall comply with D.C. Code § 6-803(b) (2012 Repl.).

109.2 Temporary safeguards. Whenever, in the opinion of the *code official*, there is imminent danger due to an unsafe condition, the *code official* shall order the necessary work to be done, including the boarding up of openings, to render such structure temporarily safe whether or not the legal procedure herein described has been instituted; and shall further cause such other action to be taken as the *code official* deems necessary to meet such emergency.

109.3 Closing streets. When necessary for the public safety, the *code official* is authorized to temporarily close sidewalks, streets, buildings, other structures, and places adjacent to such unsafe structure, and prohibit them from being used.

109.4 Emergency repairs. For the purposes of this section, the *code official* shall employ the necessary labor and materials to perform the required work as expeditiously as possible.

109.5 Costs of emergency repairs. Where the *code official* causes emergency work to be done pursuant to Section 109.2 or Section 109.4, the costs incurred in the performance of emergency work and expenses incident thereto shall be paid from appropriations of the District of Columbia on certification of the *code official* and shall be assessed as a tax against the property on which

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the emergency work or repairs were performed in accordance with Section 106.5. Nothing herein shall be deemed to preclude conversion of a special assessment lien to an administrative judgment, enforceable in the same manner as any other civil judgment under District of Columbia law, as authorized by D.C. Official Code § 42-3131.01 (2012 Repl.).

109.5.1 Additional costs of emergency repairs. Costs of emergency repairs shall also be deemed to include, but are not limited to, costs associated with cleaning the premises to comply with the *Property Maintenance Code*, utility removal or disconnection costs, court costs, fines, and penalties. If the *code official* determines that no other shelter is available to tenants or occupants removed from residential premises pursuant to Section 109.1, the *code official* has discretion to assess all expenses incident to *tenant* relocation as a cost of emergency repairs, including, but not limited to, temporary housing, security deposits and the first month's rent if required.

109.6 Condemnation. The *code official* is authorized to refer a building or structure determined to be imminently dangerous under this Section 109 to the Board of Condemnation of Insanitary Buildings for issuance of an order of condemnation pursuant to D.C. Official Code § 6-903 (2012 Repl.).

110 DEMOLITION

110.1 Demolition of deteriorated structures. The *code official* is authorized to initiate proceedings pursuant to D.C. Official Code § 42-3173 (2012 Repl.) to demolish or enclose a "deteriorated structure", as defined in D.C. Official Code § 42-3173.01 (2012 Repl.).

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CHAPTER 2 DEFINITIONS

202 General Definitions

202 GENERAL DEFINITIONS

Insert the following new definitions in Section 202 of the Property Maintenance Code:

COMMON SPACE. All portions of the *premises* used in common by the occupants of a *building* or *structure* not under the exclusive control of a single *tenant.*

GROWING SEASON. The time period from May 1 through October 31 of the same calendar year.

HOUSING BUSINESS. A business licensed, or required to be licensed, under D.C. Official Code § 47-2828 (2012 Repl.), including any *dwelling unit* or *rooming unit* in a residential building that is offered for rent or lease. A housing business also includes the rental of a *dwelling unit* or *rooming unit* in a residential building that the housing business owner or operator also occupies. A housing business does not include any transient housing providers, such as a hotel, bed and breakfast, inn and motel, boarding house or *rooming house*.

MAIN ENTRANCE (for Section 304.3). The principal point of entry into a building or other structure from a public street, private street or officially named alley.

PRIVATE THOROUGHFARE (for Section 304.3). Streets, alleys and other thoroughfares where the underlying land is owned by private citizens or entities, or is part of existing tax or record lots adjoining a *public thoroughfare*.

PUBLIC THOROUGHFARE (for Section 304.3). Streets, alleys and other thoroughfares that are under the jurisdiction of the District of Columbia, any other public government, including the Federal Government or its branches, or by any adjoining state government.

QUALIFIED PERSON. One who has received training in and has demonstrated skills and knowledge in the construction and operation of specific equipment and installations and the hazards involved.

STREET NUMBER (for Section 304.3). A number used to provide specific identification for a *premises* on a public or private thoroughfare in the District of Columbia. A street number may be (1) the address of the *main entrance* of a *premises* or (2) an address created when a *building* has an entrance from the exterior, other than the *main entrance*, that directly serves a tenant different than that served by the *main entrance*. It shall be stored as a numeric value.

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SUMMARY ABATEMENT. The process by which the *code official* may remove a nuisance from any *premises*, at the expense of the *owner* in situations where the *owner* fails to comply with or to appeal a notice or order to abate, or where emergency measures are required.

UNTENDED. Conditions that evidence a lack of care, maintenance, or management or a *premises*, including buildings or structures.

VEGETATIVE GROWTH. Vegetation of all types, including weeds, poison ivy, poison oak, poison sumac, kudzu, plants with noxious odors, and grasses.

Strike the definitions of ROOMING HOUSE and ROOMING UNIT in Section 202 of the International Property Maintenance Code and insert new definitions in Section 202 of the Property Maintenance Code in their place to read as follows:

ROOMING HOUSE (for the *Property Maintenance Code*). A building or part thereof that provides sleeping accommodations for three or more persons who are not members of the immediate family of the resident operator or manager, with or without the provision of meals, for compensation; *sleeping units* are not under the exclusive control of the *occupants*. The term *rooming house* shall not be interpreted to include an establishment known as, or defined in the *Construction Codes* as, a hotel, motel, inn, bed and breakfast, private club, tourist home, guest house, or other transient accommodation.

ROOMING UNIT. One or more *habitable spaces* forming a single habitable unit occupied or intended to be occupied for sleeping or living purposes; but not for the preparation or eating of meals.

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CHAPTER 3 REQUIREMENTS

302 Exterior Property Areas
303 Exterior Structure
304 Interior Structure
307 Handrails and Guardrails
308 Rubbish and Garbage
309 Pest Elimination
310 Carbon Monoxide Alarms

302 EXTERIOR PROPERTY AREAS

Strike Section 302.1 of the International Property Maintenance Code in its entirety and insert new Section 302.1 in the Property Maintenance Code in its place to read as follows:

302.1 Sanitation. All *exterior property* and *premises* shall be maintained in a clean, safe and sanitary condition. The *occupant* shall keep that part of the *exterior property* which such *occupant* occupies or controls in a clean and sanitary condition. Without limiting the generality of the foregoing, the accumulation of trash on a *premises* shall constitute an unsanitary and unhealthy condition if it creates a:

1. Harbor or concealment (including hiding places for persons);

2. Harbor or refuge for snakes, rodents, or other vermin, including rats and mice;

3. Noxious or unpleasant odor; or

4. Fire hazard.

Strike Section 302.4 of the International Property Maintenance Code in its entirety and insert new Section 302.4 in the Property Maintenance Code in its place to read as follows:

302.4 Weeds. All *premises* and *exterior property* shall be maintained free from weeds or plant growth in excess of 8 inches (203 mm). All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation other than trees or shrubs; provided, however, that this term shall not include cultivated flowers and gardens.

Upon failure of the *owner* or agent having charge of a property to cut and destroy weeds or *vegetative growth* (as described below) after service of a notice of violation, the owner shall be subject to prosecution in accordance with Section 106.3 and as prescribed by the District of Columbia. Upon failure to comply with the notice of violation, any duly authorized employee of

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the District of Columbia or contractor hired by the District of Columbia shall be authorized to enter upon the property in violation and cut and destroy the weeds growing thereon, and the costs of such removal shall be paid by the *owner* or agent responsible for the property.

302.4.1 Vegetative growth. The following types of *vegetative growth* are prohibited regardless of height:

1. *Vegetative growth* that is *untended*;

2. Shrubbery that is a detriment to the health, safety, or welfare of the public;

3. *Vegetative growth* that creates a harbor or concealment, including hiding places for persons and harbors or concealments for refuse or trash;

4. *Vegetative growth* that harbors, or provides a refuge for, snakes, rodents, or other vermin, including rats and mice;

5. *Vegetative growth* that creates an unpleasant or noxious odor;

6. *Vegetative growth* that constitutes a fire hazard;

7. *Vegetative growth* that creates a breeding place for mosquitoes; and

8. *Vegetative growth* that is dead or diseased.

Exceptions:

1. Weeds, grasses, or other vegetation planted for agricultural use, if such weeds, grasses or vegetation are located at least 150 feet (45.72 m) from property zoned for nonagricultural use.

2. Healthy plants, grasses, or shrubbery in tended grounds, gardens, or landscape designed yards, which exceed 8 inches in height.

302.4.2 Additional enforcement provisions.

302.4.2.1 Written consent of owner. The *owner* of the *premises* may give written consent to the Mayor or the Mayor's designee authorizing the removal of trash or the mowing of weeds or grass pursuant to a notice of violation requiring abatement of a prohibited condition. By giving such written consent, the *owner* waives the right to an administrative hearing challenging the Mayor's abatement actions.

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302.4.2.2 Summary abatement during the same growing season. If the *owner* of any *premises* is served in accordance with the procedures set forth in Section 107.2 and 107.3 with a notice of violation under Section 302.4 but fails to comply with the terms of the notice of violation, then, the District of Columbia government may summarily abate the violating condition during the same growing season in which the notice of violation was issued without issuance of another notice.

304 EXTERIOR STRUCTURE

Insert new Section 304.2.1 in the Property Maintenance Code to read as follows:

304.2.1 Elimination of peeling, flaking and chipped paint; pre-1978 structures. In s*tructures*, including *building* components, built before 1978, peeling, flaking and chipped paint covered by Section 304.2 shall be eliminated in accordance with the work practice standards for renovations set forth in regulations governing lead-based paint promulgated, or as may be promulgated, by the District's Department of the Environment (DDOE) or the federal Environmental Protection Agency, including, but not limited to, 40 CFR § 745.85 (7-1-12 edition) and in conformance with all pertinent lead abatement requirements in D.C. Official Code § 8-231.01 *et seq.* (2012 Repl. & 2013 Supp.), including all pertinent implementing regulations.

Exceptions:

1. *Structure*s and *building* components built in 1978 or later; or

2. Where all components containing deteriorated paint (as defined in 40 CFR § 745.63) have been tested in accordance with 40 CFR § 745.82(a) (7-1-12 edition) and are documented to be exempt from lead-safe work practice requirements.

Strike Section 304.3 of the International Property Maintenance Code in its entirety and insert new Section 304.3 to the Property Maintenance Code in its place to read as follows.

304.3 Premises identification. Each *premises*, including buildings and *structures*, to which a *street number* has been assigned shall have the number displayed in conformance with the requirements specified in 12 DCMR A Section 118. The *owner* of a *premises* shall obtain a *street number* assignment, as applicable, pursuant to Section 118, Addresses of Premises, of 12 DCMR A. The minimum size of a street number shall be 3 inches (76 mm) high and 1/2 inch (13 mm) wide and shall be in Arabic figures on a contrasting background.

304.3.1 Main entrance location.

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304.3.1.1 The assigned *street number* shall be located directly over or near the *main entrance* in a position easily observed and readable from the opposite side of a *public thoroughfare.*

304.3.1.2 Multi-tenant buildings having separate exterior entrances with separate numbers shall post the assigned *street number* near each entrance in accordance with this section.

304.3.1.3 In addition to posting the street number of the building or other structure in a position easily observed and readable from the opposite side of the *public thoroughfare* serving that entrance, the *owner* of a building or other *structure* located on a lot where the *main entrance* is not located at and fronting on a *public thoroughfare*, shall post the *street number* directly above or near the *main entrance*.

304.3.24 Rear entrance location. If the rear of a *premises*, to which a *street number* has been assigned, faces a street or *public thoroughfare* accessible to the public, the *owner* shall also place the *street number* of the *main entrance* in a position easily observed and readable from the *public thoroughfare* serving the rear of that *premises*.

304.3.3~~5~~ Construction Site~~s~~ location. *Street numbers* shall be posted at construction sites in a position easily observed and readable from any *public thoroughfare* serving the construction site.

304.3.4~~6~~ Private Thoroughfare ~~Streets~~. The *owner* of a *private thoroughfare* shall provide standard street signs in compliance with Sections 118.14.1, 118.14.3 and 118.14.4 of 12 DCMR A. The *owner* of a building, *premises*, or *structure* located on a *private thoroughfare* shall comply with the *street number* display provisions of Section 304.3; provided, the *street number* need not be readable from a *public thoroughfare* if, under the circumstances, this requirement would be impracticable and the *approved street numbers* are placed in a position to be plainly legible and visible from the *private thoroughfare* fronting the property.

Strike Section 304.7 of the International Property Maintenance Code in its entirety and insert new Section 304.7 to the Property Maintenance Code in its place to read as follows.

304.7 Roofs and drainage. The roof and flashing shall be sound and tight and shall not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the *structure*. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.

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304.7.1 Storm drainage. Storm water shall drain into a separate storm sewer system, or a combined sewer system, or to an *approved* place of disposal.

304.7.2 Grading. The yard or area at the *premises* shall be graded so that all storm drainage flows freely from all parts of the *premises* into an inlet or place of disposal that complies with Section 304.7.1, and so that the drainage shall flow away from any building on the *premises.*

304.7.3 Water accumulation. Yard spaces and other areas appurtenant to a residential building shall be graded to avoid the accumulation of water.

Strike Section 304.11 in the International Property Maintenance Code in its entirety and insert new Section 304.11, to the Property Maintenance Code in its place to read as follows:

304.11 Chimneys and towers. All chimneys, cooling towers, smoke stacks and similar appurtenances shall be maintained structurally safe and sound and in good repair. All exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.

304.11.1 Unused openings in chimneys shall be closed.

304.11.2 All flue openings in chimneys shall be supplied with flue crocks, and metal or masonry thimbles.

Strike Section 304.14 of the International Property Maintenance Code in its entirety and insert new Section 304.14 in its place to read as follows:

304.14 Insect screens. During the period from March 15 to November 15 of each year, every door, window and other outside opening required for *ventilation* of habitable rooms, food preparation areas, food service areas, or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored, shall be supplied with *approved* tightly fitting screens of minimum 16 mesh per inch (16 mesh per 25 mm) and every screen door used for insect control shall have a self-closing device in good working condition.

Exception: Screens shall not be required where other *approved* means, such as air curtains or insect repellent fans, are employed.

Strike Section 304.18.3 of the International Property Maintenance Code in its entirety and insert new Section 304.18.3 in its place to read as follows:

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304.18.3 Basement hatchways. *Basement* hatchways that provide access to a *dwelling unit*, *rooming unit* or *housekeeping unit* that is rented, leased or let shall be equipped with devices that secure the units from unauthorized entry. Each *basement* hatchway shall be constructed and maintained to prevent the entrance of rodents, rain or surface drainage water into the *dwelling unit*, *rooming unit* or *housekeeping unit*.

305 INTERIOR STRUCTURE

Strike Section 305.3 in the International Property Maintenance Code in its entirety and insert new Sections 305.3 and 305.3.1 in the Property Maintenance Code in its place to read as follows:

305.3 Interior surfaces. All interior surfaces, including windows and doors, shall be maintained in good, clean, dry and sanitary condition. Peeling, chipping, flaking or abraded paint shall be repaired, removed or covered. Cracked or loose plaster, holes, decayed wood, water damage and other defective surface conditions shall be corrected.

305.3.1 Elimination of peeling, flaking and chipped paint; pre-1978 structures. In structures, including *building* components, built before 1978, peeling, flaking and chipped paint covered by Section 305.3 shall be repaired, removed or covered in accordance with the work practice standards for renovations set forth in regulations governing lead-based paint promulgated, or as may be promulgated, by the District's Department of the Environment (DDOE) or the federal Environmental Protection Agency, including, but not limited to, 40 CFR § 745.85 (7-1-12 edition), and in conformance with all pertinent lead abatement requirements in D.C. Official Code § 8-231.01 *et seq.* (2012 Repl. & 2013 Supp.), including all pertinent implementing regulations.

Exceptions:

1. *Structure*s and *building* components built in 1978 or later; or

2. Where all components containing deteriorated paint (as defined in 40 CFR §745.63) have been tested in accordance with 40 CFR § 745.82(a) (7-1-12 edition) and are documented to be exempt from lead-safe work practice requirements.

Strike Section 305.4 in the International Property Maintenance Code in its entirety and insert new Section 305.4 in the Property Maintenance Code in its place to read as follows:

305.4 Stairs and walking surfaces. Every stair, ramp, landing, balcony, porch, deck or other

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walking surface shall be maintained in sound condition and good repair, and maintained free from hazardous conditions.

307 HANDRAILS AND GUARDRAILS

Strike Section 307.1 in the International Property Maintenance Code in its entirety and insert new Section 307.1 in the Property Maintenance Code in its place to read as follows:

307.1 General. Every exterior and interior flight of stairs having more than three risers shall have a handrail on one side of the stair and every open portion of a stair, landing, balcony, porch, deck, ramp or other walking surface which is more than 30 inches (762 mm) above the floor or grade below shall have *guards*. Handrails shall not be less than 30 inches (762 mm) in height or more than 42 inches (1067 mm) in height measured vertically above the nosing of the tread or above the finished floor of the landing or walking surfaces. *Guards* shall not be less than 30 inches (762 mm) in height above the floor of the landing, balcony, porch, deck, or ramp or other walking surface.

Exception: *Guards* shall not be required where exempted by the *Building Code*

308 RUBBISH AND GARBAGE

Strike Section 308.1 of the International Property Maintenance Code in its entirety and insert new Section 308.1 in the Property Maintenance Code in its place to read as follows:

308.1 Accumulation of rubbish or garbage. All *exterior property* and *premises*, and the interior of every structure, shall be free from any accumulation of *rubbish* or garbage. The occupant of a *sleeping unit*, *dwelling unit*, multiple occupancy or a *rooming house* shall not permit the accumulation of rags, waste paper, broken furniture or any combustible junk in any portions of the *premises* under the occupant's control.

Strike Section 308.2 in the International Property Maintenance Code in its entirety and insert new Section 308.2 in the Property Maintenance Code in its place to read as follows:

308.2 Disposal of rubbish. Every *occupant* of a structure shall dispose of all *rubbish* in a clean and sanitary manner by placing such *rubbish* in *approved* containers.

> **308.2.1 Rubbish storage facilities.** The *owner* of every occupied *premises* shall supply *approved* covered containers for *rubbish*, and the *owner* of the *premises* shall be responsible for the removal of *rubbish.* The place of common storage or disposal for such containers shall be readily accessible to all occupants at all times through *common space.*

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308.2.2 Refrigerators. Refrigerators and similar equipment not in operation shall not be discarded, abandoned or stored on *premises* without first removing the doors.

308.2.3 Housing business. The *operator* of a *housing business* shall not permit the accumulation or rags, waste paper, broken furniture or any combustible junk in any portions of the premises under the *operator's* control.

Strike Section 308.3 in the International Property Maintenance Code in its entirety and insert new Section 308.3 in the Property Maintenance Code in its place to read as follows:

308.3 Disposal of garbage. Every *occupant* of a structure shall dispose of garbage in a clean and sanitary manner by placing such garbage in an *approved* garbage disposal facility or *approved* garbage containers.

308.3.1 Garbage facilities. The *owner* of every dwelling shall supply one of the following: an *approved* mechanical food waste grinder in each *dwelling unit* or an *approved* leakproof, covered, outside garbage container.

308.3.2 Containers. The *operator* of every establishment producing garbage shall provide, and at all times cause to be utilized, *approved* leakproof containers provided with close-fitting covers for the storage of such materials until removed from the *premises* for disposal. The place of common storage or disposal for such containers shall be readily accessible to all occupants at all times through *common space*.

Insert new Section 308.4 in the Property Maintenance Code to read as follows:

308.4. Condition of storage receptacles. Persons required by this Section 308 to provide and maintain storage receptacles shall keep them free of accumulated grease, filth, or insect breeding, and shall keep them in a clean condition.

Strike Section 309 of the International Property Maintenance Code in its entirety and insert new Section 309 in the Property Maintenance Code in its place to read as follows:

309 PEST ELIMINATION

309.1 Infestation. All *structure*s shall be kept free from insect and rodent *infestation*. The maintenance of all *structure*s in a reasonably insect-free and rodent-free state shall be the responsibility of the *owner* and *occupant* or *tenant*. All *structure*s in which insects or rodents are found shall be promptly exterminated by *approved* processes that will not be injurious to human health. After extermination, proper precautions shall be taken by the *owner* and *occupant* or *tenant* to prevent re-infestation.

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309.2 Owner. The *owner* of any *structure* shall be responsible for extermination within the *structure* prior to renting or leasing the *structure*.

309.3 Single occupant. The *occupant* of a one-family dwelling or of a single-*tenant* non-residential *structure* shall be responsible for extermination on the *premises.*

309.4 Non-residential multiple occupancy. The *owner* of a non-residential *structure* containing multiple *occupants* shall maintain the public or shared areas of the *structure* and *exterior property* free from insects, rodents and rodent harborages. It shall be the responsibility of each *occupant t*o maintain the area occupied in a safe and sanitary condition so as to minimize the potential for *infestation* by insects or rodents.

> **309.4.1 Infestation.** If *infestation* is caused by failure of an *occupant* to prevent such *infestation* in the area occupied, the *occupant* shall be responsible for extermination; or, where the *infestation* is caused by defects in the *structure*, the *owner* shall be responsible for extermination.
>
> > **Exception:** A lease between *owner* and *occupant* may assign responsibility for extermination.

309.5 Residential multiple occupancy. The *owner* of a *structure* containing two or more *sleeping units* or *dwelling unit*s, a Group R occupancy (other than a single-family *dwelling*) or a *rooming house*, shall maintain the public or shared areas of the *structure* and *exterior property* free from insects, rodents and rodent harborages. In addition, the *owner* shall provide regular extermination services that may be utilized by the *occupant* of each dwelling upon reasonable request. Each *occupant* shall maintain the occupied areas in a safe and sanitary condition so as to minimize the potential for *infestation* by insects or rodents, promptly report any *infestation* to the *owner* and request and allow the extermination services provided by the *owner*.

> **309.5.1 Multiple sleeping unit or dwelling unit infestation.** Where more than one *sleeping unit* or *dwelling unit* in a *structure* is infested with insects or rodents, the *owner* shall provide extermination services at the *owner's* expense.
>
> **309.5.2 Single sleeping unit or dwelling unit infestation.** Where only one *sleeping unit* or *dwelling unit* is infested, and there is evidence that the *occupant* has not kept their *sleeping unit* or *dwelling unit* in a safe and sanitary condition, the *owner* may charge the *occupant* for the cost of the extermination services in that *sleeping unit* or *dwelling unit*.
>
> **309.5.3 Owner responsibility.** Where the *owner* fails to provide regular extermination services that may be utilized by the *occupant* upon reasonable request, the *owner* shall pay for all extermination services as are required.

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310 CARBON MONOXIDE ALARMS

Insert new Section 310 in the Property Maintenance Code to read as follows:

310.1. Carbon monoxide alarms. Effective one year from the date that the 2013 edition of the *Construction Codes* is adopted pursuant to Section 122 of the *Building Code*, an *approved* carbon monoxide alarm shall be installed, in Group I and R occupancies and buildings regulated by the *Residential Code*, in the immediate vicinity of the *bedrooms* in *dwelling units* located in a building containing a fuel-burning appliance or a building which has an attached garage. Only one alarm shall be required outside each separate sleeping area or grouping of *bedrooms*. The carbon monoxide alarms shall be listed as complying with UL 2034 and be installed and maintained in accordance with NFPA 720 and the manufacturer's instructions. An *open parking garage*, as defined by Chapter 2 of the *Building Code*, or an enclosed parking garage ventilated in accordance with section 404 of the *Mechanical Code*, shall not be considered an attached garage.

Exception: A *sleeping unit* or *dwelling unit* which does not itself contain a fuel-burning appliance or have an attached garage, but which is located in a building with a fuel-burning appliance or an attached garage, need not be equipped with a carbon monoxide alarm provided that:

1. The *sleeping unit* or *dwelling unit* is located more than one story above or below any story which contains a fuel-burning appliance or attached garage;

2. The *sleeping unit* or *dwelling unit* is not connected by ductwork or ventilation shafts to any room containing a fuel-burning appliance or to an attached garage; and

3. The building is equipped with a common area carbon monoxide alarm system.

310.1.1 Single station carbon monoxide alarms. Single station carbon monoxide alarms shall be battery operated, or shall receive their primary power from the building wiring system. Plug-in devices securely fastened to the *structure* and installed in accordance with the manufacturer's installation instructions are deemed to satisfy this requirement. Hard wired and plug-in carbon monoxide alarms shall be equipped with battery back up.

310.1.2 Combination smoke/carbon monoxide alarms. Combination smoke/carbon monoxide alarms shall receive their primary power from the building wiring when such wiring is served from a commercial source, and when primary power is interrupted, shall receive power from a battery. Wiring shall be permanent and without a disconnecting switch other than those required for overcurrent protection. Smoke alarm features of combination smoke/carbon monoxide alarms shall be interconnected.

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310.2 Carbon monoxide detection systems. Carbon monoxide detection systems, which include carbon monoxide detectors and audible notification appliances, installed and maintained in accordance with this section for carbon monoxide alarms and NFPA 720 shall be permitted. The carbon monoxide detectors shall be listed as complying with UL 2075.

> **310.2.1 Housing business.** The *owner* or *operator* of a *housing business* shall replace or repair the carbon monoxide detectors within 15 days of receipt of written notification by an *occupant* or *tenant* that replacement or repairs are needed. The *owner* or *operator* shall ensure that a carbon monoxide detector is operable and in good repair at the beginning of each tenancy.

310.3 Where required in existing dwellings. Where work requiring a permit occurs in an existing *dwelling unit*, carbon monoxide alarms shall be provided in the *dwelling unit* in accordance with Section 908.7 of the *Building Code* for new construction.

> **Exception:** Work involving the exterior surfaces of a *building* or *structure*, such as the replacement of roofing or siding, or the addition or replacement of windows or doors, are exempt from the requirements of Section 310.

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CHAPTER 4 LIGHT, VENTILATION AND OCCUPANCY LIMITATIONS

401 General
402 Light
403 Ventilation
404 Occupancy Limits

401 GENERAL

Strike Section 401.3 in the International Property Maintenance Code in its entirety and insert new Sections 401.3 and 401.4 in the Property Maintenance Code in its place to read as follows:

401.3. Window obstruction where natural light or natural ventilation is required. Exterior glazed openings shall open directly onto a *public way* or onto a *yard* or *court* in accordance with the provisions in effect when the building was approved for occupancy. Wherever walls or other portions of a structure face a window of any room and such obstructions are located less than 3 feet (914 mm) from the window and extend to a level above the sill of the window, such window shall not be deemed to face directly to the outdoors nor to a court and shall not be included as contributing to the required minimum total window area for the room. A reasonable number of trees or shrubs shall not violate this section.

401.4 Habitable spaces. *Habitable spaces* are permitted below grade plane, provided they meet the requirements of this code.

402 LIGHT

402.1 Habitable Space.

Strike Section 402.1 of the International Property Maintenance Code in its entirety and insert new Section 402.1 in its place in the Property Maintenance Code to read as follows:

402.1 General. Every space intended for human occupancy shall be provided with natural light by means of exterior glazed openings in accordance with Section 1205.2 of the *Building Code* or shall be provided with artificial light in accordance with Section 1205.3 of the *Building Code*.

> **Exception:** Artificial light shall not be used to meet the lighting requirements for bedrooms, living rooms and *sleeping units*.
>
> **402.1.1 Natural light.** Where natural light is required, the minimum net glazed area shall be not less than 8 percent of the floor area of the room or rooms served. At least 50

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percent of required glazing shall be clear glass; it is permissible for the remainder of the required glazing to be obscure glass, glass block or other *approved* translucent material.

402.1.1.1 Adjoining spaces. For the purpose of natural lighting, any room is permitted to be considered as a portion of an adjoining room where one-half of the area of the common wall is open and unobstructed and provides an opening of not less than one-tenth of the floor area of the interior room or 25 square feet (2.32 m^2), whichever is greater.

1. It is permissible for glazing to fill a portion or all of the required opening between adjoining spaces.

2. It is permissible to install doors in openings between adjoining spaces. However, opaque portions of doors shall not contribute to meeting the minimum opening requirement of not less than one-tenth of the floor area of the interior room or 25 square feet (2.32 m^2), whichever is greater.

Exception: Openings required for natural light shall be permitted to open into a sunroom with *thermal isolation* or a patio cover where the common wall provides a glazed area of not less than one-tenth of the floor area of the interior room or 20 square feet (1.86 m^2), whichever is greater.

402.1.1.2 Exterior openings. Exterior openings required by Section 402.1 for natural light shall open directly onto a *public way*, *yard* or *court*, as set forth in Section 401.3.

Exceptions:

1. Required exterior openings are permitted to open into a roofed porch where the porch:

   1.1. Abuts a *public way*, *yard* or *court*;

   1.2. Has a ceiling height of not less than 7 feet (2134 mm); and

   1.3. Has a longer side at least 65 percent open and unobstructed.

2. Skylights are not required to open directly onto a *public way*, *yard* or *court*.

Strike Section 402.1.2 in the International Property Maintenance Code in its entirety and insert new Section 402.1.2 in the Property Maintenance Code in its place to read as follows:

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402.1.2 Artificial light. Artificial light shall be provided that is adequate to provide an average illumination of 10 footcandles (107 lux) over the area of the room at a height of 30 inches (762 mm) above the floor level.

Strike Section 402.2 of the International Property Maintenance Code in its entirety and insert new Section 402.2 in the Property Maintenance Code in its place to read as follows:

402.2 Common space and stairways. Every *common space* and stairway in residential occupancies, other than in one-family dwellings, shall be lighted at all times with a minimum of 15 footcandles (164 lux) at floor level. Means of egress serving more than two *dwelling units*, including exterior means of egress, shall be illuminated at all times the building space served by the means of egress is occupied with a minimum of 1 footcandle (11 lux) at floors, landings and treads.

402.3 Other spaces.

Insert new subsection 402.3.1 to Section 402.3 of the Property Maintenance Code to read as follows:

402.3.1 *Bathrooms*. Each *bathroom*, *toilet room* or compartment, and other similar rooms shall be naturally or artificially lighted at least equivalent to the requirements of Section 402. Naturally lighted *bathrooms*, *toilet rooms* or compartments, and other similar rooms shall be provided with aggregate glazing area of not less than 3 square feet (0.3 m²).

403 VENTILATION

Strike Section 403.1 of the International Property Maintenance Code in its entirety and insert new Section 403.1 in its place in the Property Maintenance Code to read as follows:

403.1 General. Every space intended for human occupancy shall be provided with natural ventilation in accordance with Section 1203.4 of the *Building Code*, or mechanical ventilation in accordance with the *Mechanical Code*. Each new *dwelling unit* shall be ventilated by mechanical means in accordance with Section 403 of the *Mechanical Code* and shall have at least one opening to the outdoors for natural ventilation of not less than 4 percent of the floor area of the habitable spaces of the *dwelling unit*.

404 OCCUPANCY LIMITS

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Strike Section 404.1 in the International Property Maintenance Code in its entirety and insert new Section 404.1 in the Property Maintenance Code in its place to read as follows:

404.1 Privacy. *Dwelling units*, hotel units, *housekeeping units*, *rooming units* and dormitory units shall be arranged to provide privacy and be separate from other adjoining spaces, and shall be arranged so that occupants can access *common space* without going through another unit.

Insert new Subsection 404.4.1.1 to Section 404.4.1 of the Property Maintenance Code to read as follows:

404.4.1.1 Special provisions for existing high-density transient uses. Where a hotel or motel has a valid certificate of occupancy as of January 1, 2014, and the hotel or motel uses any sleeping room for the accommodation of a greater number of occupants than is authorized by Sections 404.4.1 and 404.5, the increased density of occupancy (referred to as "high density occupancy" or "high density use") shall be permitted only if there is compliance with the following conditions:

1. Each occupant of a high density use room shall be a transient;

2. The maximum number of occupants accommodated on any single floor of the hotel or motel shall not exceed one person for each 50 square feet (4.6 m^2) the total habitable room area in all of the *rooming units* located on that floor;

3. High density occupancy rooms shall be provided with daily maid service which shall include at least one thorough cleaning of the room each day it is occupied;

4. Each high density occupancy room shall be given a daily airing, unless the room is mechanically ventilated;

5. The beds in each high density occupancy room shall be arranged so that the head end of each bed is at least 3 feet distant from the head end of any other bed;

6. A high density use room shall be located in a hotel or a motel protected by a supervised watchman service comprised of such number of employees, with such number of watchmen's clock stations, and with inspection tours following such routes, as may be approved by the Fire Marshal; and

7. Each floor and stairway in a high density use hotel or a motel shall be inspected by the employees of the supervised watchman service at least

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once every 30 minutes during the period beginning at midnight and ending at 7:00 a.m. the following morning.

Strike Section 404.4.3 in the International Property Maintenance Code in its entirety and insert new Section 404.4.3 in the Property Maintenance Code in its place to read as follows:

404.4.3 Water closet accessibility. Every *bedroom* shall have access to at least one water closet and one lavatory without passing through another *bedroom*, or a non-residential space. Every *bedroom* in a *dwelling unit* shall have access to at least one water closet and lavatory located in the same story as the *bedroom* or an adjacent story.

Insert new Section 404.4.6 in the Property Maintenance Code to read as follows:

404.4.6 No room shall be divided in any manner into space intended for living, sleeping, eating or cooking purposes by an installed partition or divider of any type above four feet (1219 mm) in height, unless each such subdivided part complies with the requirements for a *habitable* space.

Exception: The enclosure of cabinet-type kitchenettes by doors or other closing devices, where those kitchenettes are too small to be occupied when the doors or other closing devices are closed in a normal manner, shall not be deemed to subdivide the room.

404.7 Food preparation.

Insert new Subsection 404.7.1 to Section 404.7 of the Property Maintenance Code to read as follows:

404.7.1 Facilities provided by an owner. If an *owner* furnishes any facilities for cooking, storage or refrigeration of food that are not within a *sleeping unit* or *dwelling unit*, these facilities shall be maintained by the *owner* in a safe and sanitary condition and in good working order.

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CHAPTER 5 PLUMBING FACILITIES AND FIXTURE REQUIREMENTS

503 Toilet Rooms
505 Water System

503 TOILET ROOMS

Strike Section 503.4 of the International Property Maintenance Code in its entirety and insert new Section 503.4 in the Property Maintenance Code in its place to read as follows:

503.4 Floor surface. In other than *dwelling units*, every *toilet room* floor and every wall base in a *toilet room* shall be a smooth, hard, nonabsorbent surface that permits such floor to be easily kept in a clean and sanitary condition. The wall base shall be at least 3 inches (76.20 mm) in height.

505 WATER SYSTEM

505.4 Water heating facilities.

Insert new Subsection 505.4.1 in the Property Maintenance Code to read as follows:

> **505.4.1 Inspection.** The owner or operator of a *housing business*, with one or more *dwelling units* occupied by a *tenant* or *tenants* served by a water heating facility, shall cause the water heating facility, including the flues, vents and dampers for escape of carbon monoxide gas, to be inspected by a qualified person annually. A copy of all inspection and service reports shall be available on site.

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CHAPTER 6 MECHANICAL AND ELECTRICAL REQUIREMENTS

602 Heating Facilities
603 Mechanical Equipment
604 Electrical Facilities
605 Electrical Equipment
606 Elevators and Conveying Systems
608 Air Conditioning

602 HEATING FACILITIES

Strike Section 602.3 of the International Property Maintenance Code in its entirety and insert new Section 602.3 in the Property Maintenance Code in its place to read as follows:

602.3 Heat supply. Every *owner* and *operator* of any building who rents, leases or lets one or more *dwelling units*, or *rooming units*, dormitory or guestrooms on terms, either expressed or implied, to furnish heat to the *occupants* thereof shall supply heat during a period starting no later than October 1 and ending no earlier than May 1 to maintain a temperature of not less than 68 ºF (20 ºC) in all habitable rooms, *bathrooms* and *toilet rooms*.

Exceptions:

1. When the outdoor temperature is below the winter outdoor design temperature for the District, maintenance of the minimum room temperature shall not be required provided that the heating system is operating at its full capacity. The winter outdoor design temperature for the District of Columbia is 17ºF (-8.33ºC).

2. Heat in a building with a two-pipe system, or any other system reasonably requiring more than 15 days to transition from air-conditioning to heat, shall be supplied during a period starting no later than October 15 and ending no earlier than May 1 to maintain a temperature of not less than 68 ºF (20 ºC) in all habitable rooms, *bathrooms* and *toilet rooms*.

Strike Section 602.4 of the International Property Maintenance Code in its entirety and insert new Section 602.4 in the Property Maintenance Code in its place to read as follows (maintain Exceptions to this Section):

602.4 Occupiable work spaces. Indoor occupiable work spaces shall be supplied with sufficient heat during the period from October 15 to May 15 to maintain a minimum temperature of 65 ºF (18 ºC) during the hours the spaces are occupied.

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Exceptions:

1. Processing, storage and operation areas that require cooling or specific temperature conditions.

2. Areas in which persons are primarily engaged in vigorous physical activities.

Insert new Section 602.6 in the Property Maintenance Code to read as follows:

602.6 Inspection of heating facilities by qualified persons. The *owner* of a multiple dwelling, containing two or more units served by a heating facility, shall cause the heating facility to be inspected by a qualified person annually. A copy of all inspection and service reports shall be available for public inspection on site in the office of the building *operator*.

Exception: If the building operator does not have an on site office, the reports shall be made available for inspection:

1. By posting the reports in an on site location accessible to all building residents; or

2. By mailing or delivering a copy of the reports to each unit; or

3. By mailing or delivering a notice to each unit identifying a location within the District of Columbia where the reports are available for public inspection during normal business hours.

603 MECHANICAL EQUIPMENT

603.1 Mechanical appliances.

Insert new Subsection 603.1.1 to Section 603.1 of the Property Maintenance Code to read as follows:

603.1.1 Prohibited Locations. Gas meters and fuel-fired appliances and equipment shall not be located in sleeping rooms, *bathrooms*, *toilet rooms*, storage closets, or surgical rooms, or in a space that opens only into such rooms or spaces, except where the installation complies with one of the following:

1. The appliance is a direct-vent appliance installed in accordance with the conditions of the listing and the manufacturer's instructions.

2. Vented room heaters, wall furnaces, vented decorative appliances, vented gas fireplaces, vented gas fireplace heaters and decorative appliances for installation

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in vented solid fuel-burning fireplaces are installed in rooms that meet the required volume criteria of the *Fuel Gas Code* Section 304.5.

3. A single wall-mounted unvented room heater is installed in a bathroom and such unvented room heater is equipped as specified in the *Fuel Gas Code* Section 621.6 and has an input rating not greater than 6,000 Btu/h (1.76 kW). The bathroom shall meet the required volume criteria of the *Fuel Gas Code* Section 304.5.

4. A single wall-mounted unvented room heater is installed in a bedroom and such unvented room heater is equipped as specified in the *Fuel Gas Code* Section 621.6 and has an input rating not greater than 10,000 Btu/h (2.93 kW). The bedroom shall meet the required volume criteria of the *Fuel Gas Code* Section 304.5.

5. The appliance is installed in a room or space that opens only into a bedroom or bathroom, and such room or space is used for no other purpose and is provided with a solid weather-stripped door equipped with an approved self-closing device. All combustion air shall be taken directly from the outdoors in accordance with the *Fuel Gas Code* Section 304.6.

604 ELECTRICAL FACILITIES

Strike Section 604.2 of the International Property Maintenance Code in its entirety and insert new Section 604.2 in the Property Maintenance Code in its place to read as follows:

604.2 Service. The size and usage of appliances and equipment shall serve as a basis for determining the need for additional facilities in accordance with NFPA 70. *Dwelling units* shall be served by a three-wire, 120/240 volt, single-phase electrical service having a rating of not less than 60 amperes.

Exception: For installations consisting of not more than two 2-wire branch circuits, service disconnecting means shall have a rating of not less than 30 amperes.

605 ELECTRICAL EQUIPMENT

Insert new Section 605.4 in the Property Maintenance Code to read as follows:

605.4 Switchboards of 1000 amperes or larger. Preventative maintenance shall be performed on switchboards having a capacity of 1000 amperes or larger as required by Article 408.23 of the *Electrical Code*, as amended.

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Strike Section 606 of the International Property Maintenance Code in its entirety and insert new Section 606 in the Property Maintenance Code in its place to read as follows:

606 ELEVATORS AND CONVEYING SYSTEMS

606.1 General. No elevator or conveying system, including, but not limited to, escalators, dumbwaiters, wheelchair lifts, cartveyors, manlifts and moving walks, shall be operated without a valid certificate of inspection issued by the *code official.*

Exceptions:

1. Where the *code official* authorizes limited approval of use in accordance with the provisions of Section 606.2, or Section 3010.2 of the *Building Code*.

2. Elevators and conveying systems covered by the *Residential Code* where the equipment is serving one *dwelling unit*.

3. In Groups R-2 and R-3 occupancies where the equipment is serving one *dwelling unit.*

606.2 Content of certificate of inspection; posting. The certificate of inspection shall contain the following information:

1. The address of the structure;

2. The name and address of the owner;

3. A description of the vertical transportation equipment (e.g., escalator, elevator, dumbwaiter, wheelchair lift, moving walk or conveyor);

4. The rated load and speed;

5. A statement that the described equipment has been inspected for compliance with the requirements of the *Construction Codes*;

6. The name of the *code official*; and

7. Any special stipulations and conditions of the permit under which the equipment was installed, relocated or altered.

606.2.1 Posting of certificate. A copy of the most current certificate of inspection shall be conspicuously displayed at all times within the elevator car or attached to the

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conveying system unless display of certificates is exempted pursuant to Section 606.4. If the building operator maintains an office in the same building, the certificate of inspection may be made available for public inspection in the office instead of being on display within the elevator.

606.3 Maintenance, testing, inspections. Periodic tests and inspections shall be made by the *code official*, or by an *approved* Third Party Inspection Agency, and shall be made at the expense and responsibility of the *owner*. Except as otherwise provided for in this code, the maintenance, inspection and testing of all elevators and conveying systems and their components, including the frequency of inspections and testing, shall conform to:

606.3.1 Elevators, escalators and other conveyances listed in ASME A17.1, Appendix N. Inspection and tests shall be performed at not less than the periodic intervals listed in ASME A17.1, Appendix N, except where otherwise specified by the *code official.*

Exception: Units in residential use serving one family *dwelling unit.*

606.3.2 Platform lifts and stairway chair lifts. Inspections and testing of platform lifts and stairway chair lifts shall be performed for all units as stated in ASME A18.1, Safety Standard for Platform Lifts and Stairway Chairlifts.

Exception: Units in residential use serving one family *dwelling unit.*

606.3.3 Manlifts. Inspections and testing of manlifts shall be performed for all units as stated in ASME A90.1, Safety Standard for Manlifts.

606.3.4 Conveyors and related equipment. Inspections and testing of conveyors and related equipment shall be performed as stated in ASME B20.1, Safety Standard for Conveyors and Related Equipment.

606.3.4.1 Cartveyors. Cartveyors shall be maintained as per original equipment manufacturer's recommendations. Inspection and testing shall be at the same frequency as escalators as stated in ASME A17.1, Appendix N.

606.4 Reports and certificates. Where inspections and tests are not made by the *code official*, the *approved* agency shall submit a report of the inspections and tests to the *code official* on *approved* forms not more than 30 days after completion of the inspection and tests. Upon receipt of satisfactory inspection and test reports, the *code official* shall authorize the issuance of a certificate of inspection, or a renewal certificate as provided in Section 3010.9, for each unit of equipment.

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Exceptions: The submission of test reports to the *code official* and the issuance of certificates and display of certificates is not required:

1. In Group R-2 and R-3 occupancies where the equipment is serving one *dwelling unit.*

2. In buildings under the jurisdiction of the *Residential Code* where the equipment is serving one *dwelling unit*.

606.5 Out of service; temporarily dormant. A permit from the *Department* shall be required: (a) to take an elevator or conveying system out of service pursuant to ASME A17.1, Section 8.11.1.4; or (b) to place an elevator or conveying system in temporarily dormant status as set forth in Section 606.5.1.

606.5.1 Temporarily dormant. An elevator or conveying system shall be temporarily dormant where removed from its normal class of service for an extended period of time (not to exceed five years) by an owner's decision and not due to maintenance or repair. During this period of time, the equipment shall be secured for the benefit of public safety in accordance with the following requirements:

1. The power supply shall be disconnected by removing fuses and placing a padlock on the mainline disconnect switch in the "OFF" position. This padlock shall not be removed without permission from the *code official*.

2. The unit shall be parked and the hoistway/runway doors securely bolted from opening in any plane. The means of securing the doors shall be exclusive of the interlocks.

3. A wire seal shall be installed on the mainline disconnect switch by an elevator inspector accredited by a national certifying agency and *approved* by the *code official* which wire seal shall not be removed without permission from the *code official*.

4. The equipment shall not be used again until it has been put in safe running order and passed an acceptance test, congruent with the installation date or the Code Data Tag posted on the equipment, as provided in ASME 17.1, Section 8.10, and the *owner* has obtained a valid certificate of inspection from the *code official*.

5. Annual inspections shall continue for the duration of the period that the elevator is temporarily dormant, and the inspector shall file an annual report with the *code official* to confirm that the requirements set forth in this section are met.

The *District of Columbia Property Maintenance Code* (2013), referred to as the "*Property Maintenance Code*," consists of the 2012 edition of the *International Property Maintenance Code*, published by the International Code Council (ICC), as amended by the *District of Columbia Property Maintenance Code Supplement* (2013) (12 DCMR G). The *International Property Maintenance Code* is copyrighted by the ICC and therefore is not republished here. However, a copy of the text may be obtained at: http://publicecodes.cyberregs.com/icod/ipmc/2012/index.htm?bu=IC-P-2012-000006&bu2=IC-P-2012-000019.

606.6 Equipment in operation. In buildings equipped with passenger elevators, at least one elevator shall be maintained in operation at all times when the building is occupied.

> **Exception:** Buildings equipped with only one elevator or conveying system shall be permitted to have the elevator or conveying system temporarily out of service for testing, maintenance and/or repair.

606.7 Renewal of certificates. The certificate of inspection, for each elevator and conveying system, must be renewed every 24 months, or at an alternate interval specified by the *code official*, as long as the unit is in service. Renewal of the certificate of inspection will be granted upon satisfactory demonstration to the *code official* that the unit of equipment has met all of the inspections and testing required by the *Construction Codes* and referenced standards.

606.8 Unsafe equipment. When, in the opinion of the *code official*, an elevator or conveying system or its components are unsafe or unlawful, the *code official* is authorized and empowered to place the unit out of service, and to prohibit the operation of the equipment until the unsafe or unlawful condition is corrected pursuant to the procedures set forth in Section 108. When, in the opinion of the *code official*, there is imminent danger due to an unsafe condition, the *code official* is authorized to place the equipment out of service and to take other emergency measures, without notice to the owner, pursuant to Section 109. Whenever the *code official* places an elevator or conveying system out of service, a placard or notice bearing the words "Unsafe to Use" shall be posted on the equipment and the *code official* may also attach a lead seal to prevent the equipment from being operated.

> **606.8.1 Notification of code official by third party inspection agency.** When an *approved* Third Party Inspection Agency inspector observes or identifies unsafe, unlawful or imminently dangerous condition(s) causing an elevator to be removed from service, the inspector shall notify the *code official* immediately. Where emergency measures are required, the Third Party Inspector is authorized to place on the unit adjudged to be unsafe or unlawful an "Unsafe to Use" placard; provided, that the *code official* is notified immediately of the Third Party Inspector's action, pursuant to the notification procedures established by the c*ode official*.
>
> **606.8.2. Placard removal.** The *code official* shall remove the "Unsafe to Use" notice whenever the defect or defects upon which a ~~the~~ closure action was based have been eliminated. Any person who defaces or removes an "Unsafe to Use" notice or lead seal without the approval of the *code official*, or operates placarded equipment, shall be subject to the penalties provided by this code. An *approved* Third Party Inspector is permitted to remove an "Unsafe to Use Notice" issued by that inspector, after abatement of the unsafe or unlawful condition and appropriate reinspection of the conveyance.
>
> > **Exception:** Placarded equipment may be operated only as necessary to effectuate

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repairs.

606.8.3 Abatement methods. The *owner* of the equipment deemed unsafe by the *code official* shall abate or cause to be abated or corrected such unsafe conditions either by repair, rehabilitation, replacement or other *approved* corrective action.

Insert new Section 606.9 in the Property Maintenance Code to read as follows:

606.9 Required Elevator Signage. A permanent sign of durable material, with lettering no smaller than one quarter inch (6 mm) high shall be placed in all elevators cars, with the following wording:

ALL ACCIDENTS ON OR DAMAGE TO ELEVATORS ARE TO BE REPORTED TO THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS 202 442-4400; OR AFTER WORKING HOURS BY CALLING 311.

Insert new Section 608 in the Property Maintenance Code to read to as follows:

608 AIR CONDITIONING

608.1 General. The *owner* or *operator* of a *housing business*, who provides air conditioning as a service either through individual air conditioning units or a central air conditioning system, shall maintain each such air conditioning unit or system in safe and good working condition so that it is capable of providing, during a period starting no later than May 15 and ending no earlier than September 15, an inside temperature, in the rooms it is intended to serve, equal to the greater of: (a) 78 ºF (26 ºC); or (b) at least 15 ºF (9 ºC) less than the outside temperature.

Exception: The air conditioning system in a building with a two-pipe system, or any other system reasonably requiring more than 15 days to transition from heat to air conditioning, shall be maintained in safe and good working condition so that it is capable of providing, during the period starting no later than June 1 and ending no earlier than September 15, an inside temperature, in the rooms it is intended to serve, equal to the greater of: (a) 78 ºF (26 ºC); or (b) at least 15 ºF (8 ºC) less than the outside temperature.

608.2 Inspection of air conditioning equipment by qualified persons. The *owner* of a *structure* containing two or more units served by central or shared air conditioning equipment, or wall-mounted air conditioning units (not including window air conditioning units), shall cause the air conditioning equipment to be inspected by a *qualified person* annually. A copy of current inspection and service reports shall be available for public inspection on site in the office of the building *operator*.

The *District of Columbia Property Maintenance Code* (2013), referred to as the "*Property Maintenance Code*," consists of the 2012 edition of the *International Property Maintenance Code*, published by the International Code Council (ICC), as amended by the *District of Columbia Property Maintenance Code Supplement* (2013) (12 DCMR G). The *International Property Maintenance Code* is copyrighted by the ICC and therefore is not republished here. However, a copy of the text may be obtained at: http://publicecodes.cyberregs.com/icod/ipmc/2012/index.htm?bu=IC-P-2012-000006&bu2=IC-P-2012-000019.

Exception: If the building operator does not have an on-site office, the reports shall be made available for inspection:

1. By posting the reports in an on site location accessible to all building residents; or

2. By mailing or delivering a copy of the reports to each unit; or

3. By mailing or delivering a notice to each unit identifying a location within the District of Columbia where the reports are available for public inspection during normal business hours.

The *District of Columbia Property Maintenance Code* (2013), referred to as the "*Property Maintenance Code*," consists of the 2012 edition of the *International Property Maintenance Code*, published by the International Code Council (ICC), as amended by the *District of Columbia Property Maintenance Code Supplement* (2013) (12 DCMR G). The *International Property Maintenance Code* is copyrighted by the ICC and therefore is not republished here. However, a copy of the text may be obtained at: http://publicecodes.cyberregs.com/icod/ipmc/2012/index.htm?bu=IC-P-2012-000006&bu2=IC-P-2012-000019.

CHAPTER 7 FIRE SAFETY REQUIREMENTS

701 General
702 Means of Egress
704 Fire Protection Systems

701 GENERAL

Insert new Section 701.3 in the Property Maintenance Code to read as follows:

701.3 Hazardous and combustible materials. Combustible, flammable, explosive or other hazardous materials, such as paint, volatile oils and cleaning fluids, or combustible *rubbish*, such as wastepaper, boxes and rags, shall not be accumulated or stored unless such storage complies with the applicable requirements of the *Building Code* and the *Fire Code.*

702 MEANS OF EGRESS

Strike Section 702.4 of the International Property Maintenance Code in its entirety and insert new Section 702.4 in the Property Maintenance Code in its place to read as follows:

702.4 Emergency escape openings. Required emergency escape openings shall be maintained in accordance with the code in effect at the time of construction, and shall conform with the following. Required emergency escape and rescue openings shall be operational from the inside of the room without the use of keys or tools. Bars, grilles, grates or similar devices are permitted to be placed over emergency escape and rescue openings provided the minimum net clear opening size complies with the code that was in effect at the time of construction and such devices shall be releasable or removable from the inside without the use of a key, tool or force greater than that which is required for normal operation of the escape and rescue opening. It shall be the duty of the *owner* to keep fire escapes, stairways, and other egress facilities in a good state of repair, painted and free from obstruction.

Insert new Sections 702.5, 702.6 and 702.7 to the Property Maintenance Code to read to as follows:

702.5 Arrangements. Exits from *dwelling units*, *rooming units* and *sleeping units*, including guestrooms and dormitory units, shall not lead through other such units, or through *toilet rooms* or *bathrooms*.

702.6 Exit signs. All means of egress shall be indicated with approved "Exit" signs where required by the *Building Code*. All "Exit" signs shall be maintained visible, and all illuminated "Exit" signs shall be illuminated at all times that the building is occupied.

The *District of Columbia Property Maintenance Code* (2013), referred to as the "*Property Maintenance Code*," consists of the 2012 edition of the *International Property Maintenance Code*, published by the International Code Council (ICC), as amended by the *District of Columbia Property Maintenance Code Supplement* (2013) (12 DCMR G). The *International Property Maintenance Code* is copyrighted by the ICC and therefore is not republished here. However, a copy of the text may be obtained at: http://publicecodes.cyberregs.com/icod/ipmc/2012/index.htm?bu=IC-P-2012-000006&bu2=IC-P-2012-000019.

702.7 Stair identification. The interior and exterior of all stairway doors shall be provided with signage as required by Section 1022.9 of the *Building Code*.

704 FIRE PROTECTION SYSTEMS

704.1. General.

Insert new Subsection 704.1.2 in the Property Maintenance Code to read as follows:

> **704.1.2 Fire extinguishers.** All portable fire extinguishers required by a prior or current *Building Code* or *Fire Code* shall be visible, readily accessible and maintained in an efficient and safe operating condition. Extinguishers shall be of an *approved* type. Fire extinguishers shall be maintained in accordance with NFPA 10 as referenced in the *Fire Code*.

Strike Section 704.2 of the International Property Maintenance Code in its entirety and insert new Sections 704.2 and 704.2.1 in the Property Maintenance Code in its place to read as follows:

704.2 Smoke alarms. Single- or multiple-station smoke alarms shall be installed and maintained in Group R or I-1 occupancies, regardless of *occupant* load at all of the following locations:

1. On the ceiling or wall outside of each separate sleeping area in the immediate vicinity of *bedrooms.*

2. In each room used for sleeping purposes.

3. In each story within a *dwelling unit*, including *basements* and cellars but not including crawl spaces and uninhabitable attics. In dwellings or *dwelling units* with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level.

Single- or multiple-station smoke alarms shall be installed in other groups in accordance with the *Fire Code.*

> **704.2.1 Existing occupancies.** Existing Group I-1 and R occupancies shall have a 36 month period, commencing on the date of adoption of the 2013 edition of the *D.C. Construction Codes* in accordance with Section 122 of the *Building Code*, to install smoke alarms that comply with the requirements of Section 704.2.

The *District of Columbia Property Maintenance Code* (2013), referred to as the "*Property Maintenance Code*," consists of the 2012 edition of the *International Property Maintenance Code*, published by the International Code Council (ICC), as amended by the *District of Columbia Property Maintenance Code Supplement* (2013) (12 DCMR G). The *International Property Maintenance Code* is copyrighted by the ICC and therefore is not republished here. However, a copy of the text may be obtained at: http://publicecodes.cyberregs.com/icod/ipmc/2012/index.htm?bu=IC-P-2012-000006&bu2=IC-P-2012-000019.

Insert new Section 704.5 in the International Property Maintenance Code to read as follows:

704.5 Fire alarm systems. Fire alarm systems shall be continuously maintained in accordance with applicable NFPA requirements or as otherwise directed by the *code official.*

704.5.1 Manual fire alarm boxes. All manual fire alarm boxes shall be operational and unobstructed.

704.5.2 Fire alarm signage. Where fire alarm systems are not monitored by a supervising station, an approved permanent sign shall be installed adjacent to each manual fire alarm box that reads: "**WHEN ALARM SOUNDS CALL FIRE DEPARTMENT**".

Exception: When the manufacturer has permanently provided this information on the manual fire alarm box.

704.5.3 Fire alarm notice. In accordance with the requirements of the Fire Alarm Notice and Tenant Fire Safety Amendment Act of 2009, effective March 11, 2010 (D.C. Law 18-116; D.C. Official Code § 6-751.11 (2012 Repl.), the *owner* of a *building* containing four or more *dwelling units*, *rooming units* or *sleeping units* shall post in conspicuous places in the *common space* of the *building*, and distribute to each *tenant* or unit *owner*, a written notice that provides information about fire alarm systems in the *building*. The notice shall be on a form developed and published by the *code official* in English and in the languages required under section 4 of the Language Access Act of 2004, effective June 19, 2004 (D.C. Law 15-167; D.C. Official Code § 2-1933 (2012 Repl.).

Insert new Section 704.6 in the Property Maintenance Code to read as follows:

704.6 High rise buildings. The *owner* of a *high-rise building* shall:

1. Prepare and maintain a fire safety and evacuation plan for the building; and

2. Conduct fire drills at least once every year.

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CHAPTER 8 REFERENCED STANDARDS

Strike the ASME referenced standard in Chapter 8 of the International Property Maintenance Code in its entirety and insert the following new ASME referenced standards in its place to read as follows:

ASME American Society of Mechanical Engineers
Three Park Avenue
New York, NY 10016-5990

Standard Reference Number	Title	Referenced in code section number
A17.1 /CSA B44- 2010	Safety Code for Elevators and Escalators	606.2.1, 606.2.4.1
A18.1-2008	Safety Standard for Platform Lifts and Stairway Chairlifts	606.2.2
A90.1-2009	Safety Standard for Manlifts	606.2.3
B20.1-2009	Safety Standard for Conveyors and Related Equipment	606.2.4

Insert a new NFPA referenced standard in Chapter 8 of the Property Maintenance Code to read as follows:

NFPA National Fire Protection Association
1 Batterymarch Park
Quincy, MA 02169

Standard Reference Number	Title	Referenced in code section number
720-05	Standard for the Installation of Carbon Monoxide (CO) Warning Equipment in Dwelling Units	310

The *District of Columbia Property Maintenance Code* (2013), referred to as the "*Property Maintenance Code*," consists of the 2012 edition of the *International Property Maintenance Code*, published by the International Code Council (ICC), as amended by the *District of Columbia Property Maintenance Code Supplement* (2013) (12 DCMR G). The *International Property Maintenance Code* is copyrighted by the ICC and therefore is not republished here. However, a copy of the text may be obtained at: http://publicecodes.cyberregs.com/icod/ipmc/2012/index.htm?bu=IC-P-2012-000006&bu2=IC-P-2012-000019.

Insert a new UL referenced standard in Chapter 8 of the Property Maintenance Code to read as follows:

UL	Underwriters Laboratories, Inc. 333 Pfingsten Road Northbrook, Il 60062

Standard Reference Number	Title	Referenced in code section number
2304-08	Single and Multiple-station Carbon Monoxide Alarms	310

The *District of Columbia Property Maintenance Code* (2013), referred to as the "*Property Maintenance Code*," consists of the 2012 edition of the *International Property Maintenance Code*, published by the International Code Council (ICC), as amended by the *District of Columbia Property Maintenance Code Supplement* (2013) (12 DCMR G). The *International Property Maintenance Code* is copyrighted by the ICC and therefore is not republished here. However, a copy of the text may be obtained at: http://publicecodes.cyberregs.com/icod/ipmc/2012/index.htm?bu=IC-P-2012-000006&bu2=IC-P-2012-000019.

DISTRICT OF COLUMBIA
CONSTRUCTION CODES SUPPLEMENT OF 2013
12 DCMR H FIRE CODE SUPPLEMENT

The District of Columbia has adopted the 2012 edition of the *International Fire Code* (IFC), as amended by this Supplement.

IFC CHAPTERS AMENDED BY THIS SUPPLEMENT:

CHAPTER 1	ADMINISTRATION AND ENFORCEMENT
CHAPTER 2	DEFINITIONS
CHAPTER 3	GENERAL REQUIREMENTS
CHAPTER 5	FIRE SERVICE FEATURES
CHAPTER 6	BUILDING SERVICES AND SYSTEMS
CHAPTER 9	FIRE PROTECTION SYSTEMS
CHAPTER 10	MEANS OF EGRESS
CHAPTER 11	CONSTRUCTION REQUIREMENTS FOR EXISTING BUILDINGS
CHAPTER 56	EXPLOSIVES AND FIREWORKS
CHAPTER 61	LIQUEFIED PETROLEUM GASES
APPENDIX B	FIRE-FLOW REQUIREMENTS FOR BUILDINGS
APPENDIX C	FIRE HYDRANT LOCATIONS AND DISTRUBUTION
APPENDIX D	FIRE APPARATUS ACCESS ROADS
APPENDIX H	HAZARDOUS MATERIALS MANAGEMENT PLAN (HMMP) AND HAZARDOUS MATERIALS INVENTORY STATEMENT (HMIS) INSTRUCTIONS

The *District of Columbia Fire Code* (2013), referred to as the "*Fire Code*," consists of the 2012 edition of the *International Fire Code (International Fire Code*), published by the International Code Council (ICC), as amended by the *District of Columbia Fire Code Supplement* (2013) (12 DCMR H). The *International Fire Code* is copyrighted by the ICC and therefore is not republished here. However, a copy of the text may be obtained at: http://publicecodes.cyberregs.com/icod/ifc/2012/index.htm?bu=IC-P-2012-000003&bu2=IC-P-2012-000019.

Strike Chapter 1 of the International Fire Code in its entirety and insert new Chapter 1 in the Fire Code in its place to read as follows:

CHAPTER 1 ADMINISTRATION AND ENFORCEMENT

PART 1 GENERAL PROVISIONS

101 Scope and General Requirements
102 Applicability

PART 2 ADMINISTRATIVE PROVISIONS

103 Fire and Emergency Medical Services Department
104 General Authority and Responsibilities
105 Permits
106 Inspections
107 Maintenance
108 Appeals
109 Violations
110 Unsafe Structures and Equipment
111 Emergency Measures
112 Service Utilities
113 Fees

PART 1 GENERAL PROVISIONS

101 SCOPE AND GENERAL REQUIREMENTS

101.1 Title. The *D.C. Fire Code* (2013), hereinafter referred to as the "*Fire Code*," shall consist of the 2012 edition of the *International Fire Code* as amended by the *Construction Codes Supplement* (12 DCMR H, Fire Code Supplement).

101.2 Scope. The *Fire Code* establishes regulations affecting or relating to *structures*, processes, *premises* and safeguards regarding:

1. The hazard of fire and explosion arising from the storage, handling or use of *structures*, materials or devices;

2. Conditions hazardous to life, property or public welfare in the occupancy of *structures* or *premises*;

3. Fire hazards in the *structure* or on the *premise*s from occupancy or operation; and

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4. Conditions affecting the safety of fire fighters and emergency responders during emergency operations.

101.2.1 Appendices. Provisions in the appendices of the *International Fire Code* shall not apply unless specifically adopted in the *Construction Codes Supplement*.

101.3 Intent. The purpose of the *Fire Code* is to establish the minimum requirements consistent with nationally recognized good practice for providing a reasonable level of life safety and property protection from the hazards of fire, explosion or dangerous conditions in new and existing *buildings*, *structures* and *premises*, and to provide safety to fire fighters and emergency responders during emergency operations.

101.4 Partial Invalidity. If any part or provision of the *Construction Codes* is held illegal or void, this shall not make illegal or void any other parts or provisions of the *Construction Codes* that are determined to be legal. It shall be presumed that the *Construction Codes* would have been enacted and adopted without such illegal or void parts or provisions.

101.4.1 Severability. Any illegal or void part of the *Construction Codes* shall be severed from the remainder of the *Construction Codes* by the court holding such part illegal or void, and the remainder of the *Construction Codes* shall remain effective.

101.4.2 Decisions Involving Existing Structures. The invalidity of any provision in any section of the *Construction Codes* as applied to existing *buildings* and *structures* shall not be held to affect the validity of such section in its application to *buildings* and *structures* erected after the effective date of the *Construction Codes*.

102 APPLICABILITY

102.1 Buildings and Property. The *Fire Code* shall be applicable to all *premises*, including *buildings* and *structures*, and conditions within the District of Columbia and the *structures* appurtenant to such *buildings*, including *buildings* and *structures* appurtenant to *premises* occupied by or for any foreign government as an embassy or chancery, to the extent provided for in Section 206 of the Foreign Missions Act, approved August 24, 1982 (96 Stat. 286; D.C. Official Code § 6-1306(g) (2012 Repl.)). The provisions of the *Fire Code* shall not apply to public *buildings* or *premises* owned by the United States Government, including appurtenant structures and portions of *buildings*, *premises*, or *structures* that are under the exclusive control of an officer of the United States Government in his or her official capacity. If a lessor is responsible for maintenance and repairs to property leased to the United States Government, the property shall not be deemed to be under the exclusive control of an officer of the United States Government.

102.2. Administrative, **Operational and Maintenance Provisions.** The administrative, operational and maintenance provisions of the *Fire Code* shall apply to:

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1. Conditions and operations arising after the adoption of the *Fire Code*; and

2. Existing conditions and operations.

102.3 Other Construction Codes Requirements. Except as provided in Section 102.10, nothing in the *Fire Code* shall negate or modify permit, certificate of occupancy or other applicable requirements set forth in the *Construction Codes*, including, but not limited to the following.

102.3.1 Change in Use, Load or Floor Layout. Any change in the use, ~~or~~ occupancy load or tenant floor layout of any *structure* or portion thereof shall comply with the applicable provisions of the *Construction Codes*, including, but not limited to, Section 110.1.3 of 12 DCMR A.

102.3.2 Application of Building Code and Existing Building Code. The design and construction of new *structures* shall comply with the *Building Code*, and any alterations, additions, changes in use or occupancy, or changes in *structures* required by the *Fire Code*, which are within the scope of the *Building Code* or the *Existing Building Code*, must comply with the *Building Code* or the *Existing Building Code* as applicable.

102.3.4 Fire Protection Systems. Where interior or exterior fire protection systems or devices are installed or altered, such systems or devices are subject to the permit application, fire protection documents, inspection and other applicable requirements set forth in Chapter 1 of 12 DCMR A.

102.3.5 Application of Property Maintenance Code. *Owners* and *tenants of premises* shall also comply with applicable property maintenance provisions as set forth in the *Property Maintenance Code.*

102.4 Application of Fire Code to Structures Subject to the Residential Code. Where *structures* are designed and constructed in accordance with the *Residential Code*, the provisions of the *Fire Code* shall apply as follows:

1. **Construction and design provisions:** Provisions of the *Fire Code* pertaining to the exterior of the *structure* shall apply including, but not limited to, *premises* identification, fire apparatus access and water supplies. Where interior or exterior fire protection systems or devices are installed, the provisions of the *Fire Code* shall also apply.

2. **Administrative, operational and maintenance provisions:** All such provisions of the *Fire Code* shall apply.

102.5 [Reserved].

102.6 Historic Buildings. The provisions of the *Fire Code* relating to the construction, *alteration*, repair, enlargement, restoration, relocation or moving of *buildings* or *structures* shall

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not be mandatory for historic *buildings* or *structures* meeting the requirements of Chapter 12 of the *Existing Building Code*, when such *buildings* or *structures* are judged by the c*ode official* not to constitute a distinct hazard to life or property. The *code official* is authorized to approve a fire protection plan developed in accordance with the provisions of National Fire Protection Association (NFPA) Standard 909 for any designated historic *building* or *structure*.

102.7 Referenced Codes and Standards. The codes and standards referenced in the *Fire Code* shall be those that are listed in Chapter 80 of the *International Fire Code* and such codes and standards shall be considered part of the requirements of the *Fire Code* to the prescribed extent of each such reference. Where differences occur between the provisions of the *Fire Code* and the referenced standards, the provisions of the *Fire Code* shall apply.

102.8 Subjects Not Regulated by the Fire Code. Where no applicable standards or requirements are set forth in the *Fire Code*, or are contained within other laws, codes, regulations or ordinances adopted by the District of Columbia, compliance with applicable standards of NFPA or other nationally recognized fire safety standards, as *approved* by the *code official*, shall be deemed as *prima facie* evidence of compliance with the intent of the *Fire Code*. Nothing herein shall derogate from the authority of the *code official* to determine compliance with codes or standards for those activities or installations within *the code official*'s jurisdiction or responsibility.

102.9 Matters Not Provided For. Requirements that are essential for the public safety of an existing or proposed activity, *building* or *structure*, or for the safety of the occupants thereof, which are not specifically provided for by the *Fire Code*, shall be determined by the *code official*.

102.10 Code Precedence. Unless otherwise provided herein, or in the Construction Codes Approval and Amendments Act of 1986, effective March 21, 1987 (D.C. Law 6-216; D.C. Official Code § 6-1401 *et seq.* (2012 Repl.)) ("Construction Codes Act"), the following order of precedence is established among the documents adopted: *District of Columbia Construction Codes Supplement*, including standards and amendments; *International Codes*, including standards and amendments.

102.10.1 Conflicts. Where, in any specific case, different sections of the *Construction Codes* specify different materials, methods of construction or other requirements, the most restrictive shall govern. When there is a conflict between a general requirement and a specific requirement within the *Construction Codes*, the specific requirement shall be applicable.

If conflict arises between the provisions of the Construction Codes Act and the *Construction Codes Supplement*, the *International Codes*, or their referenced standards, the provisions of the Construction Codes Act shall take precedence. If conflict arises between the *Construction Codes Supplement*, the *International Codes*, and their referenced standards:

1. The provisions of the *Construction Codes Supplement* shall take precedence over

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the *International Codes* and their referenced standards, except as provided in subparagraphs 2 and 3 of this section.

2. The provisions of the *Existing Building Code* shall take precedence over other provisions of the *Construction Codes* and their referenced standards with regard to *existing buildings* and Group R-4 occupancy *buildings*.

3. The most stringent provisions of the *Existing Building Code* shall take precedence when a *building* is both an *existing building* and a Group R-4 occupancy.

4. The provisions of the *International Codes*, other than their referenced standards, shall take precedence over their referenced standards.

102.11 Other Laws. The provisions of this *Fire Code* shall not be deemed to nullify any provisions of District or federal law.

102.12 Application of References. References in this Chapter 1 to chapter or section numbers, or to provisions not specifically identified by number, shall be construed to refer to such chapter, section or provision of the *Fire Code.*

102.13 Special Flood Hazard Areas. The storage of equipment or materials that are listed as dangerous materials in 20 DCMR § 3106.2, or that will affect either the base flood elevation or the floodway in any Special Flood Hazard Area, as delineated on the Federal Emergency Management Agency's Flood Insurance Rate Map for the District (20 DCMR § 3101.2), shall be required to obtain a permit from the Department of Consumer and Regulatory Affairs pursuant to 12 DCMR A § 105, and to comply with the requirements of DCMR Title 20, Chapter 31.

102.14 Private Fire Hydrants. The installation, maintenance, repair and replacement of private fire hydrants shall comply with the provisions of the Private Fire Hydrant Act of 2010, effective March 31, 2011 (D.C. Law 18-337; D.C. Official Code § 34-2410.01 *et seq.* (2012 Repl.)) ("Private Fire Hydrant Act").

PART 2 ADMINISTRATIVE PROVISIONS

103 FIRE AND EMERGENCY MEDICAL SERVICES DEPARTMENT

103.1 *Code Official* for the *Fire Code*. The Fire Chief of the District of Columbia Fire and Emergency Medical Services Department ("Fire Chief") shall be the *code official* for the enforcement of the *Fire Code*, except that the Director of the Department of Consumer and Regulatory Affairs ("DCRA") shall be the *code official* for enforcement of all provisions of the *Fire Code* pertaining to approval, installation, design, modification, maintenance, testing, and inspection of all new and existing fire protection systems. References to the term "*Department*" within the *Fire Code* shall mean the District of Columbia Fire and Emergency Medical Services Department.

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103.1.1 Enforcement by DCRA Director. The provisions of 12 DCMR A, Chapter 1, shall apply to the enforcement by the DCRA Director of all *Fire Code* provisions pertaining to approval, installation, design, modification, maintenance, testing and inspection of all new and existing fire protection systems.

103.2 Duties and Powers of the Code Official. The duties and powers of the *code official* are set forth in Section 104.1.

103.3 Delegation of Authority. The *code official* shall have the authority to delegate his or her duties and powers under the *Fire Code*, but he or she shall remain responsible for the proper performance of those duties and powers.

103.4 Organization. The *code official* shall appoint such number of officers, technical assistants, inspectors and other employees as shall be necessary for the administration of the *Fire Code* and as authorized by the appointing authority.

103.5 Deputy. The *code official* is authorized to designate an employee as deputy who shall exercise all the powers of the *code official* during the temporary absence or disability of the *code official*.

103.6 Conflicts of Interest. No official or employee of the *Department* shall directly or indirectly engage in any private business transaction or activity that tends in any way to interfere with the performance of his or her duties, including:

1. **Furnishing of Services.** Being engaged in, or directly or indirectly connected with, the furnishing of labor, materials or appliances for the construction, *alteration* or maintenance of a *building* or *structure* under the jurisdiction of the *Construction Codes*, or the preparation of plans or specifications of a *building* or *structure* under the jurisdiction of the *Construction Codes*, unless the official or employee is the principal owner of the *building* or *structure*.

2. **Conflict with Official Duties.** Being engaged in any work which conflicts with official duties or with the interest of the *Department*.

3. **Private Work.** Directly or indirectly engaging with or accepting remuneration from any private person, firm, or corporation for the performance of any work as a designer, architect, engineer, consultant or inspector, which work is to be submitted to, passed upon, reviewed, or inspected by any officer of the District of Columbia charged with the administration of any portion of the *Construction Codes*.

103.7 Relief from Personal Liability. Unless otherwise provided by Federal or District of Columbia law, the *code official* and any officials and employees of the *Department* charged with enforcement of the *Construction Codes*, while acting in their official capacity, shall not be liable

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personally, and are relieved from all personal liability for any damage that may accrue to persons or property as a result of any act required or permitted in the discharge of their official duties.

103.7.1 Defense of Suits. Any suit instituted against the *code official* or any officer or employee of the *Department* because of an act performed in the discharge of official duties and under the provisions of the *Construction Codes*, or by reason of any act or omission while performing official duties in connection with the *Construction Codes*, shall be defended by the Office of the Attorney General for the District of Columbia until the final termination of legal proceedings.

103.7.2 Liability for Costs. The *code official* and any official or employee of the *Department* shall not be personally liable for costs in any action, suit or proceeding that is instituted in pursuance of the provisions of the *Construction Codes*.

103.7.3 Liability for Acts or Omissions. Any official or employee of the *Department*, acting in good faith and without malice, shall be free from liability for acts performed under the provisions of the *Construction Codes* or by reason of any act or omission while performing official duties in connection with the *Construction Codes*.

103.8 Jurisdictional Liability. The District of Columbia government shall not be liable under the *Fire Code* for any damage to persons or property, by reason of the inspection or re-inspection of *buildings***,** *structures* or equipment authorized herein, or failure to inspect or re-inspect such *buildings, structures* or equipment or by reason of the approval or disapproval of any *building, structure* or equipment authorized therein.

104 GENERAL AUTHORITY AND RESPONSIBILITIES

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

104.1.1 Administrative Bulletins. The *code official* shall have the authority to promulgate, from time to time, *administrative bulletins* that shall be effective upon publication in the D.C. Register. *Administrative bulletins* shall be titled, numbered, and dated. *Administrative bulletins* shall be publically available at the *Department's* permit center and shall be posted on the *Department's* website. The *code official* shall maintain on the *Department's* website the same *administrative bulletins* as available at the *Department's* permit center.

104.1.2 Amendment of the Fire Code. Amendment of the *Fire Code* shall be governed by Section 122 of 12 DCMR A, which is incorporated by reference.

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104.2 Applications and Permits. The *code official* is authorized to receive applications, review construction documents and issue permits for construction regulated by the *Fire Code*, issue permits for operations regulated by the *Fire Code*, inspect the *premises* for which such permits have been issued, and enforce compliance with the provisions of the *Fire Code*.

104.3 Right of Entry. Whenever it is necessary to make an inspection to enforce the provisions of the *Fire Code*, or whenever the *code official* has reasonable cause to believe that there exists in a *building* or upon any *premises* any conditions or-violations of the *Fire Code* which make the *building* or *premise*s unsafe, dangerous or hazardous, the *code official* shall have the authority to enter the *building* or *premises* at all reasonable times to inspect or to perform the duties imposed upon the *code official* by the *Fire Code.* With respect to the inspection of any occupied habitable portion of any building, consent to such inspection shall first be obtained from any person of suitable age and discretion therein, except where an emergency or imminently dangerous condition exists and immediate steps must be taken to protect the public, pursuant to Section 111, such consent need not be obtained. When attempting to gain entrance for inspection, the *code official*, and any authorized representatives of the *code official*, shall show official credentials issued by the *Department*. If entry is refused, the *code official* is authorized to apply to the Superior Court for an administrative search warrant, pursuant to D.C. Official Code §§ 42-3131.02 and 42-3509.08 (2012 Repl.) and Sup. Ct. Civ. R. 204.

104.4 Identification. The *code official*, and authorized representatives of the *code official*, shall carry proper identification when inspecting *structures* or *premises* in the performance of their duties under the *Fire Code*.

104.5 Notices and Orders. The *code official* is authorized to issue such notices or orders as are required to ~~e~~affect compliance with the *Fire Code* in accordance with Section 109 Violations.

104.6 Official Records. The *code official* shall keep official records as required by Sections 104.6.1 through 104.6.3. Such official records shall be retained for not less than 5 years or for as long as the structure or activity to which such records relate remains in existence, unless otherwise provided by other regulations. In accordance with procedures established by the *code official*, official records shall be available for public inspection at all appropriate times pursuant to the Freedom of Information Act of 1976, effective March 25, 1977 (D.C. Law 1-96; D.C. Official Code § 2-531 *et seq*. (2012 Repl.)). Pursuant to D.C. Official Code § 2-532 (2012 Repl.), the *Department* may collect a fee in accordance with 1 DCMR § 408 for researching and copying any requested documents, except that Advisory Neighborhood Commissioners shall not be required to pay this fee.

> **104.6.1 Approvals.** A record of approvals shall be maintained by the *code official* and shall be available for public inspection during business hours in accordance with applicable laws.
>
> **104.6.2 Inspections.** The *code official* shall keep a record of each inspection made, including notices and orders issued, showing the findings and disposition of each.

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104.6.3 Fire Records. The *Department* shall keep a record of fires occurring within the District of Columbia and of facts concerning the same, including statistics as to the extent of such fires and the damage caused thereby, together with other information as required by the *code official*.

104.7 Administrative. Application for modification, alternative methods or materials, and the final decision of the *code official,* shall be in writing and shall be officially recorded in the permanent records of the *Department.*

104.8 Approved materials and equipment. All materials, equipment and devices *approved* by the *code official* shall be constructed and installed in accordance with such approval.

104.8.1 Material and equipment reuse. Materials, equipment and devices shall not be reused or reinstalled unless such elements have been reconditioned, tested and placed in good and proper working condition and *approved*.

104.8.2 Technical assistance. To determine the acceptability of technologies, processes, products, facilities, materials and uses attending the design, operation or use of a *building* or *premises* subject to inspection by the *code official*, the *code official* is authorized to require the owner or agent to provide, without charge to the District of Columbia government, a technical opinion and report. The opinion and report shall be prepared by a qualified engineer, specialist, laboratory, or fire safety specialty organization acceptable to the *code official* and shall analyze the fire safety properties of the design, operation or use of the *building* or *premises* and the facilities and appurtenances situated thereon, to recommend necessary changes. The *code official* is authorized to require design submittals to be prepared by, and bear the stamp of, a *registered design professional*.

104.9 Modifications. Whenever there are practical difficulties involved in carrying out the provisions of the *Fire Code*, the *code official* shall have the authority to grant modifications for individual cases, provided the *code official* shall first find that special individual reason makes the strict letter of the *Fire Code* impractical, that the modification is in compliance with the intent and purpose of the *Fire Code*, and that such modification does not lessen health, life and fire safety requirements. The details of action granting modifications shall be recorded and entered in the *Department's* files, and shall be in accordance with Section 104.10 of the *Building Code*.

104.10 Alternative Materials and Methods. The provisions of the *Fire Code* are not intended to prevent the installation of any material or to prohibit any method of construction not specifically prescribed by the *Fire Code*, provided that any such alternative has been *approved* as specified in Section 104.11 of the *Building Code*. The *code official* is authorized to approve an alternative material or method of construction where the *code official* finds that (1) the proposed design is satisfactory and complies with the intent of the provisions of the *Fire Code*, and (2) that the material, method or work offered is, for the purpose intended, at least the equivalent of that

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prescribed in the *Fire Code* in quality, strength, effectiveness, fire resistance, durability and safety.

104.10.1 Research Reports. Supporting data, when necessary to assist in the approval of materials or assemblies not specifically provided for in the *Fire Code*, shall consist of valid research reports from sources *approved* by the *code official*.

104.10.2 Tests. Whenever there is insufficient evidence of compliance with the provisions of the *Fire Code*, or evidence that a material or method does not conform to the requirements of the *Fire Code*, or in order to substantiate claims for alternative materials or methods, the *code official* shall have the authority to require tests as evidence of compliance to be made at no expense to the District of Columbia government. Test methods shall be as specified in the *Fire Code* or by other recognized test standards. In the absence of recognized and accepted test methods, the *code official* shall approve the testing procedures. Tests shall be performed by an agency *approved* by the *code official*. Reports of such tests shall be retained by the *code official* for the period required for retention of public records.

104.11 Fire Investigations.

104.11.1 Fire and Arson Investigation Authority. The Fire Chief, the Fire Marshal, and his or her authorized representative(s) shall have the authority to investigate the cause, origin, and circumstances of every fire, explosion, or hazardous materials emergency in which the *Department* has a reasonable interest. When the Fire Chief, the Fire Marshal, or their authorized representative(s) have reason to believe that a fire, explosion, or hazardous materials incident may be the result of any violation of the law, he or she shall immediately take custody of and safeguard all physical evidence in connection therewith, and shall have the authority to prohibit the disturbance or removal of any materials, substance, device, or utility in or upon any *building* or *premises* where an incident occurred, until the investigation of the incident is complete. However, the Metropolitan Police Department shall be the primary investigative agency in incidents involving critical injury, death, or assaults with intent to kill.

104.11.2 Fire Records. The Fire Chief shall keep a record of all fires and related facts, including investigation findings and statistics and information about the cause, origin and extent of any fires and related damage.

104.11.3 Authority to Enter and Examine. The Fire Chief, the Fire Marshal or his or her authorized representative(s) shall have the authority at all times, in performance of the duties imposed by the provisions of the *Fire Code*, to enter upon or examine any area, *building* or *premises*, vehicle or other thing when there is a probable cause to believe that fires or attempts to cause fires exist. The Fire Chief, Fire Marshal or authorized representative(s) shall have the authority to enter, at any time, any *building* or *premises* adjacent to that at which the fire or attempt to cause fires has occurred should they deem

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it necessary in the proper discharge of their duties, and are authorized, in their discretion, to take full control and custody of such *buildings* and *premises* and place such person in charge thereof as they may deem proper until their examination and investigation is completed.

104.11.4 Arrest and Warrant Powers. The Fire Marshal, and any other personnel designated in writing by the Fire Chief, shall have and exercise, and are hereby invested with, the same general police powers, including arrest powers, as regular members of the Metropolitan Police Department, for the express purpose of enforcing the fire safety laws in effect in the District of Columbia, including, but not limited to, the *Fire Code*. This power shall extend to any arrest, the securing of warrants pursuant to Chapter 5 of Title 23 of the D.C. Official Code, or other lawful action necessary to permit the peaceful completion of any lawful action by the *Department*.

104.11.5 Assistance from Other Agencies. Police and other enforcement agencies shall have authority to render necessary assistance in the investigation of fires when requested to do so.

104.11.6 Authority at Fires and Other Emergencies. The Fire Chief or officer of the *Department* in charge at the scene of a fire or other emergency involving the protection of life or property or any part thereof, shall have the authority to direct such operation as necessary to extinguish or control any fire, perform any rescue operation, investigate the existence of suspected or reported fires, gas leaks or other hazardous conditions or situations, or take any other action necessary in the reasonable performance of duty. In the exercise of such power, the fire chief is authorized to prohibit any person, vehicle, vessel or thing from approaching the scene and is authorized to remove, or cause to be removed or kept away from the scene, any vehicle, vessel or thing which could impede or interfere with the operations of the *Department* and, in the judgment of the *code official*, any person not actually and usefully employed in the extinguishing of such fire or in the preservation of property in the vicinity thereof.

104.11.6.1 Barricades. The Fire Chief or officer of the *Department* in charge at the scene of an emergency is authorized to place ropes, guards, barricades or other obstructions across any street, alley, place or private property in the vicinity of such operation so as to prevent accidents or interference with the lawful efforts of the fire department to manage and control the situation and to handle fire apparatus.

104.11.6.2 Obstructing Operations. No person shall obstruct the operations of the *Department* in connection with extinguishment or control of any fire, or actions relative to other emergencies, or disobey any lawful command of the *code official* or officer of the *Department* in charge of the emergency, or any part thereof, or any lawful order of a police officer assisting the *Department*.

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104.11.6.3 Systems and devices. No person shall render a fire protection system or device inoperative during an emergency unless by direction of the *code official* or *Department* official in charge of the incident.

105 PERMITS

105.1 General. Permits shall be in accordance with Sections 105.1.1 through 105.6.47.

105.1.1 Permits Required. Permits required by the *Fire Code* shall be obtained from the *code official*. Permit fees, if any, shall be paid prior to issuance of the permit. Issued permits shall be kept on the *premises* designated therein at all times and shall be readily available for inspection by the *code official*.

105.1.2 Operational Permits. An operational permit allows the applicant to conduct an operation or a business for which a permit is required by Section 105.6 for either:

1. A prescribed period; or

2. Until renewed or revoked.

105.1.3 Permits for the Same Location. When more than one permit is required for the same location, the *code official* is authorized to consolidate such permits into a single permit, provided that each provision of those permits is listed in the consolidated permit.

105.1.4 President or Vice President's Residence. No permit required under the *Fire Code* shall be issued if it is determined by the *code official* that:

1. The permit affects an area in close proximity to the official residence of the President or Vice-President of the United States; and

2. The United States Secret Service has established that the issuance of the permit would adversely impact the safety and security of the President or Vice-President of the United States.

105.2 Application. Application for a permit required by the *Fire Code* shall be made to the *code official* in such form and detail as prescribed by the *code official*. Applications for permits shall be accompanied by such plans as prescribed by the *code official*.

105.2.1 Refusal to Issue Permit. If the application for a permit describes a use that does not conform to the requirements of the *Fire Code* and other pertinent laws and ordinances, the *code official* shall not issue a permit, but shall return the application to the applicant with the refusal to issue such permit. Such refusal shall, when requested, be in writing and shall contain the reasons for refusal.

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105.2.2 Inspection Authorized. Before a new operational permit is *approved*, the *code official* is authorized to inspect the receptacles, vehicles, *buildings*, devices, *premises*, storage spaces or areas to be used to determine compliance with the *Fire Code* or any operational constraints required.

105.2.3 Time Limitation of Application. An application for a permit for any proposed work or operation shall be deemed to have been abandoned 180 days after the date of filing, unless such application has been diligently prosecuted or a permit has been issued; except that the *code official* is authorized to grant one or more extensions of time for additional periods not exceeding 90 days each. Any extension shall be requested in writing and justifiable cause demonstrated.

105.2.4 Action on Application. The *code official* shall examine or cause to be examined applications for permits and amendments thereto within a reasonable time after filing. If the application or the construction documents do not conform to the requirements of pertinent laws, the *code official* shall reject such application in writing, stating the reasons therefore. If the *code official* is satisfied that the proposed work or operation conforms to the requirements of the *Fire Code* and laws and ordinances applicable thereto, the *code official* shall issue a permit therefore as soon as practicable.

105.3 Conditions of a Permit. A permit shall constitute permission to maintain, store or handle materials; or to conduct processes which produce conditions hazardous to life or property; or to install equipment utilized in connection with such activities; or to install or modify any fire protection system or equipment or any other construction, equipment installation or modification in accordance with the provisions of the *Fire Code* where a permit is required by Section 105.6. Such permission shall not be construed as authority to violate, cancel or set aside any of the provisions of the *Fire Code* or other applicable regulations or laws of the District of Columbia.

105.3.1 Expiration. An operational permit shall remain in effect until reissued, renewed, or revoked or for such a period of time as specified in the permit.

105.3.1.1 Transferability of permits. Operational permits issued pursuant to Section 105.6 are not transferable, and a new permit must be obtained where there is a change in the *person* conducting an operation or business, or a transfer of the *premises*, for which a permit has been issued.

105.3.2 Occupancy Prohibited Before Approval. A *building* or *structure* shall not be occupied prior to the *code official* issuing a permit and conducting associated inspections indicating that the applicable provisions of the *Fire Code* have been met.

105.3.3 Conditional Permits. Where permits are required and upon the request of a permit applicant, the *code official* is authorized to issue a conditional permit to occupy the *premises* or portion thereof before the entire work or operations on the *premises* is completed; provided, that such portion or portions will be occupied safely prior to full

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completion or installation of equipment and operations without endangering life or public welfare. The *code official* shall notify the permit applicant in writing of any limitations or restrictions necessary to keep the permit area safe. The holder of a conditional permit shall proceed only to the point for which approval has been given, at the permit holder's own risk and without assurance that approval for the occupancy or the utilization of the entire *premises*, equipment or operations will be granted.

105.3.4 Posting the Permit. Issued permits shall be kept on the *premises* designated therein at all times and shall be readily available for inspection by the *code official*.

105.3.5 Compliance with *Fire Code*. The issuance or granting of a permit shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of the *Fire Code* or of any other law or regulation of the District of Columbia. Permits presuming to give authority to violate or cancel the provisions of the *Fire Code* or other law or regulation of the District of Columbia shall not be valid. The issuance of a permit based on construction documents and other data shall not prevent the *code official* from requiring the correction of errors in the construction documents and other data. Any addition to or alteration of *approved* construction documents shall be *approved* in advance by the *code official*, as evidenced by the issuance of a new or amended permit.

105.3.6 Information on the Permit. The *code official* shall issue all permits required by the *Fire Code* on an *approved* form furnished for that purpose. The permit shall contain a general description of the operation or occupancy and its location and any other information required by the *code official*. Issued permits shall bear the signature of the *code official* or other *approved* legal authorization.

105.4 Revocation. Without precluding the imposition of any other remedies or penalties authorized under the *Fire Code*, or other District of Columbia regulations or statutes, ~~T~~the *code official* is authorized to revoke a permit issued under the provisions of the *Fire Code* for any of the following conditions:

1. The permit is used for a location or establishment other than that for which it was issued.

2. The permit is used for a condition or activity other than that listed in the permit.

3. Any of the conditions or limitations set forth in the permit has been violated.

4. There have been any false statements or misrepresentations as to the material facts in the application for permit or on the plans on which a permit or approval was based.

5. The permit is used by a different *person* than the *person* in whose name the permit was issued.

6. The permittee failed, refused or neglected to comply with orders or notices duly served in

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accordance with the provisions of the *Fire Code* within the time provided therein.

7. The permit was issued in error or in violation of an ordinance, regulation or the *Fire Code*.

105.4.1 Effective date of revocations. Revocations based on Section 105.4 shall become final upon occurrence of one of the following conditions:

1. The permit holder fails to timely request a hearing from the Office of Administrative Hearings within 15 days of the date of service of the notice of revocation pursuant to Section 108.1; or

2. The Office of Administrative Hearings finds that grounds exist to revoke the permit following a hearing requested by the permit holder pursuant to Section 108.1.

105.4.2 Cancellations. The *code official* shall have the right to declare a permit null and void, if the Fire Department determines that the permit was erroneously issued as the result of administrative or clerical error and notifies the permit holder of the error within five business days of permit issuance. Upon such notification, the permit holder shall promptly surrender the permit for cancellation; however, the failure to surrender the permit voluntarily for cancellation shall not affect its invalidity and the permit shall be cancelled upon notification to the permit holder in accordance with Section 109.2.1.

105.5 [RESERVED].

105.6 Required Operational Permits. The *code official* is authorized to issue operational permits for the operations set forth in Sections 105.6.1 through 105.6.47.

105.6.1 Aerosol Products. An operational permit is required to manufacture, store or handle an aggregate quantity of Level 2 or Level 3 aerosol products in excess of 500 pounds (227 kg) net weight.

105.6.2 Amusement Buildings. An operational permit is required to operate a *special amusement building*.

105.6.3 Aviation Facilities. An operational permit is required to use Group H or Group S occupancy for aircraft servicing or repair and aircraft fuel-servicing vehicles. Additional permits required by other sections of the *Fire Code* include, but are not limited to, *hot work*, *hazardous materials* and *flammable finishes* or combustible finishes.

105.6.4 Carnivals and Fairs. An operational permit is required to conduct a carnival or fair.

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105.6.5 Cellulose Nitrate Film. An operational permit is required to store, handle or use cellulose nitrate film in a Group A occupancy.

105.6.6 Combustible Dust-Producing Operations. An operational permit is required to operate a grain elevator, flour, starch mill, feed mill, or a plant pulverizing aluminum, coal, cocoa, magnesium, spices or sugar, or other operations producing *combustible dusts* as defined in Chapter 2.

105.6.7 Combustible Fibers. An operational permit is required for the storage and handling of *combustible fibers* in quantities greater than 100 cubic feet (2.8 m3).

Exception: A permit is not required for agricultural storage.

105.6.8 Compressed Gases. An operational permit is required for the storage, use or handling at *normal temperature and pressure* (NTP) of *compressed gases* in excess of the amounts listed in Table 105.6.8.

Exception: Vehicles equipped for and using *compressed gas* as a fuel for propelling the vehicle.

TABLE 105.6.8
PERMIT AMOUNTS FOR COMPRESSED GASES

TYPE OF GAS	AMOUNT (cubic feet at NTP)
Corrosive	200
Flammable (except cryogenic fluids and liquefied petroleum gases)	200
Highly toxic	Any amount
Inert and simple asphyxiant	6,000
Oxidizing (including oxygen)	504
Pyrophoric	Any amount
Toxic	Any amount

105.6.9 Covered Mall Buildings. An operational permit is required for:

1. The placement of retail fixtures and displays, concession equipment, displays of highly combustible goods and similar items in the mall.

2. The display of liquid- or gas-fired equipment in the mall.

3. The use of open-flame or flame-producing equipment in the mall.

105.6.10 Cryogenic Fluids. An operational permit is required to produce, store,

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transport on site, use, handle or dispense cryogenic fluids in excess of the amounts listed in Table 105.6.10.

Exception: Permits are not required for vehicles equipped for and using cryogenic fluids as a fuel for propelling the vehicle or for refrigerating the lading.

TABLE 105.6.10
PERMIT AMOUNTS FOR CRYOGENIC FLUIDS

TYPE OF CRYOGENIC FLUID	INSIDE BUILDING (gallons)	OUTSIDE BUILDING (gallons)
Flammable	More than 1	60
Inert	60	500
Oxidizing (including oxygen)	10	50
Physical or health hazard not indicated above	Any amount	Any amount

For SI: 1 gallon =3.785L

105.6.11 Cutting and Welding. An operational permit is required to conduct cutting or welding operations in the District of Columbia.

105.6.12 Dry Cleaning Plants. An operational permit is required to engage in the business of dry cleaning or to change to a more hazardous cleaning solvent used in existing dry cleaning equipment.

105.6.13 Exhibits and trade shows. An operational permit is required to operate exhibits and trade shows.

105.6.14 Explosives. An operational permit is required for the manufacture, storage, handling, sale or use of any quantity of explosives, explosive materials, fireworks or pyrotechnic special effects within the scope of Chapter 33.

Exception: Storage in Group R-3 occupancies of smokeless propellant, black powder and small arms primers for personal use, not for resale and in accordance with Section 3306.

105.6.15 Fire Hydrants and Valves. An operational permit is required to use or operate fire hydrants or valves intended for fire suppression purposes which are installed on water systems and accessible to a fire apparatus access road that is open to or generally used by the public.

Exception: A permit is not required for authorized employees of the water company that supplies the system or the fire department to use or operate fire hydrants or

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valves.

105.6.16 Flammable and Combustible Liquids. An operational permit is required:

1. To use or operate a pipeline for the transportation within facilities of flammable or combustible liquids. This requirement shall not apply to the off-site transportation in pipelines regulated by the District of Columbia Department of Transportation (DDOT), nor does it apply to piping systems.

2. To store, handle or use Class I liquids in excess of 5 gallons (19 L) in a *building* or in excess of 10 gallons (37.9 L) outside of a *building*, except that a permit is not required for the following:

    1. The storage or use of Class I liquids in the fuel tank of a motor vehicle, aircraft, motorboat, mobile power plant or mobile heating plant, unless such storage, in the opinion of the *code official*, would cause an unsafe condition.

    2. The storage or use of paints, oils, varnishes or similar flammable mixtures when such liquids are stored for maintenance, painting or similar purposes for a period of not more than 30 days.

    3. To store, handle or use Class II or Class IIIA liquids in excess of 25 gallons (95 L) in a building or in excess of 60 gallons (227 L) outside a building, except for fuel oil used in connection with oil-burning equipment.

    4. To store, handle or use Class IIIB liquids in tanks or portable tanks for fueling motor vehicles at motor fuel-dispensing facilities or where connected to fuel-burning equipment.

        Exception: Fuel oil and used motor oil used for space heating or water heating.

    5. To remove Class I or II liquids from an underground storage tank used for fueling motor vehicles by any means other than the *approved*, stationary on-site pumps normally used for dispensing purposes.

    6. To operate tank vehicles, equipment, tanks, plants, terminals, wells, fuel-dispensing stations, refineries, distilleries and similar facilities where flammable and *combustible liquids* are produced, processed, transported, stored, dispensed or used.

    7. To place temporarily out of service (for more than 90 days) an

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underground, protected above-ground or above-ground flammable or *combustible liquid* tank.

8. To change the type of contents stored in a flammable or *combustible liquid* tank to a material that poses a greater hazard than that for which the tank was designed and constructed.

9. To manufacture, process, blend or refine flammable or *combustible liquids*.

10. To engage in the dispensing of liquid fuels into the fuel tanks of motor vehicles at commercial, industrial, governmental or manufacturing establishments.

11. To utilize a site for the dispensing of liquid fuels from tank vehicles into the fuel tanks of motor vehicles, marine craft and other special equipment at commercial, industrial, governmental or manufacturing establishments.

105.6.17 Floor Finishing. An operational permit is required for floor finishing or surfacing operations exceeding 350 square feet (33 m^2) using Class I or Class II liquids.

105.6.18 Fruit and Crop Ripening. An operational permit is required to operate a fruit- or crop-ripening facility or conduct a fruit-ripening process using ethylene gas.

105.6.19 Fumigation and Thermal Insecticidal Fogging. An operational permit is required to operate a business of fumigation or thermal insecticidal fogging and to maintain a room, vault or chamber in which a toxic or flammable fumigant is used.

105.6.20 Hazardous Materials. An operational permit is required to store, transport on site, dispense, use or handle hazardous materials in excess of the amounts listed in Table 105.6.20.

105.6.21 HPM Facilities. An operational permit is required to store, handle or use hazardous production materials.

105.6.22 High-Piled Storage. An operational permit is required to use a building or portion thereof as a high-piled storage area exceeding 500 square feet (46 m^2).

105.6.23 Hot Work Operations. An operational permit is required for *hot work* including, but not limited to:

1. Public exhibitions and demonstrations where *hot work* is conducted.

2. Use of portable *hot work* equipment inside a structure.

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Exception: Work that is conducted under a permit issued by the Department of Consumer and Regulatory Affairs pursuant to Section 105, 12 DCMR A.

3. Fixed-site *hot work* equipment such as welding booths.

4. *Hot work* conducted within a wildfire risk area.

5. Application of roof coverings with the use of an open-flame device.

6. When *approved*, the *code official* shall issue a permit to carry out a *hot work* program. This program allows *approved* personnel to regulate their facility's *hot work* operations. The *approved* personnel shall be trained in the fire safety aspects denoted in this chapter and shall be responsible for issuing permits requiring compliance with the requirements found in Chapter 35. These permits shall be issued only to their employees or *hot work* operations under their supervision.

105.6.24 Industrial Ovens. An operational permit is required for operation of industrial ovens regulated by Chapter 30.

TABLE 105.6.20
PERMIT AMOUNTS FOR HAZARDOUS MATERIALS

TYPE OF MATERIAL	AMOUNT
Combustible liquids	See Section 105.6.16
Corrosive materials	
Gases	See Section 1056.8
Liquids	55 gallons
Solids	1,000 pounds
Explosive materials	See Section 105.6.8
Flammable materials	
Gases	See Section 105.6.8
Liquids	See Section 105.6.16
Solids	100 pounds
Highly toxic materials	
Gases	See Section 105.6.8
Liquids	Any amount
Solids	Any amount
Oxidizing materials	
Gases	See Section 106.6.8
Liquids	

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Class 4	Any amount
Class 3	1 gallon
Class 2	10 gallons
Class 1	55 gallons
Solids	
Class 4	Any amount
Class 3	10 pounds
Class 2	100 pounds
Class 1	500 pounds
Organic Peroxides	
Liquids	
Class I	Any amount
Class II	Any amount
Class III	1 gallon [a]
Class IV	2 gallons
Class V	No permit required
Solids	
Class I	Any amount
Class II	Any amount
Class III	10 pounds [b]
Class IV	20 pounds
Class V	No permit required
Pyrophoric materials	
Gases	Any amount
Liquids	Any amount
Solids	Any amount
Toxic materials	
Gases	See Section 105.6.8
Liquids	10 gallons
Solids	100 pounds
Unstable (reactive) materials	
Liquids	
Class 4	Any amount
Class 3	Any amount
Class 2	5 gallons
Class 1	10 gallons
Solids	
Class 4	Any amount
Class 3	Any amount
Class 2	50 pounds
Class 1	100 pounds

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Water-reactive materials	
Liquids	
Class 3	Any amount
Class 2	5 gallons
Class 1	55 gallons
Solids	
Class 3	Any amount
Class 2	50 pounds
Class 1	500 pounds

For SI: 1 gallon = 3.785 L, 1 pound = 0.454 kg

a. 20 gallons when Table 5003.1.1 (1) Note k applies and hazard identification signs in accordance with Section 5003.5 are provided for quantities of 20 gallons or less.

b. 200 pounds when Table 5003.1.1 (1) Note k applies and hazard identification signs in accordance with Section 5003.5 are provided for quantities of 200 pounds or less.

105.6.25 Lumber Yards and Woodworking Plants. An operational permit is required for the storage or processing of lumber exceeding 100,000 board feet (8,333 ft^3) (236 m^3).

105.6.26 Liquid- or Gas-Fueled Vehicles or Equipment in Assembly Buildings. An operational permit is required to display, operate or demonstrate liquid- or gas-fueled vehicles or equipment in assembly buildings.

105.6.27 LP-Gas. The use of liquefied petroleum gas is prohibited wherever natural gas is available except where permitted by the *code official*. An operational permit is required for the following storage and/or uses of LP-gas:

1. Each permanent installation irrespective of the size of the containers.

2. The storage of any number of portable containers awaiting use, refill, or sale having a combined total of 60 pounds or more.

3. Any commercial cooking use.

4. Vending stands, vending carts or vehicles.

5. Tanks larger than 5 pounds used inside of any buildings.

6. Operation of cargo tankers that transport LP-gas.

Empty containers which have been used in LP-gas service and partially filled containers shall be considered as a full container.

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105.6.28 Magnesium. An operational permit is required to melt, cast, heat treat or grind more than 10 pounds (4.54 kg) of magnesium.

105.6.29 Miscellaneous Combustible Storage. An operational permit is required to store in any building or upon any premises in excess of 2,500 cubic feet (71m^3) gross volume of combustible empty packing cases, boxes, barrels or similar containers, rubber tires, rubber, cork or similar combustible material.

105.6.30 Open Burning. An operational permit is required for the kindling or maintaining of an open fire or a fire on any public street, alley, road, or other public or private ground. Instructions and stipulations of the permit shall be adhered to.

Exception: *Recreational fires*.

105.6.31 Open Flames and Torches. An operational permit is required to remove paint with a torch; or to use a torch or open-flame device in a wildfire risk area.

105.6.32 Open Flames and Candles. An operational permit is required to use open flames or candles in connection with assembly areas, dining areas of restaurants or drinking establishments.

Exceptions:

1. *Places of religious worship*.

2. Candles in restaurants.

105.6.33 Organic Coatings. An operational permit is required for any organic-coating manufacturing operation producing more than 1 gallon (4 L) of an organic coating in one day.

105.6.34 Assembly Group A. An operational permit is required for use of a *building* or *structure* classified under Assembly Group A, as defined in Section 303 of the *Building Code*.

Exception: Assembly uses with an occupant load of less than 100 persons.

105.6.35 Private Fire Hydrants. An operational permit is required for the removal from service, use or operation of private fire hydrants, provided, however, that no permit authorizing the installation of a private fire hydrant shall be approved without the recordation of an agreement in the land records of the District of Columbia that satisfies the requirements of the Private Fire Hydrant Act.

Exception: A permit is not required for private industry with trained maintenance

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personnel, private fire brigade or fire departments to maintain test and use private hydrants.

105.6.36 Pyrotechnic Special Effects Material. An operational permit is required for use and handling of pyrotechnic special effects material.

105.6.37 Pyroxylin Plastics. An operational permit is required for storage or handling of more than 25 pounds (11 kg) of cellulose nitrate (pyroxylin) plastics and for the assembly or manufacture of articles involving pyroxylin plastics.

105.6.38 Refrigeration Equipment. An operational permit is required to operate a mechanical refrigeration unit or system regulated by Chapter 6.

105.6.39 Repair Garages and Motor Fuel-Dispensing Facilities. An operational permit is required for operation of repair garages and automotive, marine and fleet motor fuel-dispensing facilities.

105.6.40 Rooftop Heliports. An operational permit is required for the operation of a rooftop heliport.

105.6.41 Spraying or Dipping. An operational permit is required to conduct a spraying or dipping operation utilizing flammable or *combustible liquids* or the application of combustible powders regulated by Chapter 24.

105.6.42 Storage of Scrap Tires and Tire Byproducts. An operational permit is required to establish, conduct or maintain storage of scrap tires and tire byproducts that exceed 2,500 cubic feet (71m^3) of total volume of scrap tires and for indoor storage of tires and tire byproducts.

105.6.43 Temporary Membrane Structures and Tents. An operational permit is required to operate an air-supported temporary membrane structure or a tent having an area in excess of 400 square feet (37 m^2).

Exceptions:

1. Tents used exclusively for recreational camping purposes.

2. Tents open on all sides, which comply with all of the following:

    2.1. Individual tents having a maximum size of 700 square feet (65 m^2).

    2.2. The aggregate area of multiple tents placed side by side without a fire break clearance of not less than 12 feet (3658 mm) shall not exceed 700 square feet (65 m^2) total.

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2.3. A minimum clearance of 12 feet (3658 mm) to structures and other tents shall be provided.

105.6.44 Tire-Rebuilding Plants. An operational permit is required for the operation and maintenance of a tire-rebuilding plant.

105.6.45 Waste Handling. An operational permit is required for the operation of wrecking yards, junk yards and waste material-handling facilities.

105.6.46 Wood Products. An operational permit is required to store chips, hogged material, lumber or plywood in excess of 200 cubic feet (6 m^3).

105.6.47 Emergency Responder Radio Coverage Systems. An operational permit is required for the installation and use of emergency responder radio coverage systems and related equipment.

106 INSPECTIONS

106.1 Inspection authority. The *code official* is authorized to enter and examine any *building*, *structure*, marine vessel, vehicle or *premises* in accordance with Section 104.3 for the purpose of enforcing the *Fire Code*.

106.2 Inspections. The *code official* is authorized to conduct such inspections as are deemed necessary to determine the extent of compliance with the provisions of the *Fire Code* and to approve reports of inspection by *approved* agencies or individuals. All reports of such inspections shall be prepared and submitted in writing for review and approval. Inspection reports shall be certified by a responsible officer of such *approved* agency or by the responsible individual. The *code official* is authorized to engage such expert opinion as deemed necessary to report upon unusual, detailed or complex technical issues.

106.2.1 Inspection Requests. It shall be the duty of the holder of the permit or their duly authorized agent to notify the *code official* when work is ready for inspection. It shall be the duty of the permit holder to provide access to and means for inspections of such work that are required by the *Fire Code*.

106.3 Approvals. Approval as the result of an inspection shall not be construed to be an approval of a violation of the provisions of the *Fire Code* or of other laws or regulations of the District of Columbia. Inspections presuming to give authority to violate or cancel provisions of the *Fire Code* or of other laws or regulations of the District shall not be valid.

107 MAINTENANCE

107.1 Maintenance of Safeguards. Whenever or wherever any device, equipment, system,

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condition, arrangement, level of protection, or any other feature is required for compliance with the provisions of the *Fire Code*, or otherwise installed, such device, equipment, system, condition, arrangement, level of protection, or other feature shall thereafter be continuously maintained in accordance with the *Fire Code* and applicable referenced standards.

107.2 Testing and Operation. Equipment requiring periodic testing or operation to ensure maintenance shall be tested or operated as specified in the *Fire Code*.

107.2.1 Test and Inspection Records. Required test and inspection records shall be available to the *code official* at all times, and such records as designated shall be filed with the *code official*.

107.2.2 Reinspection and Testing. Where any work or installation does not pass an initial test or inspection, the necessary corrections shall be made so as to achieve compliance with the *Fire Code*. The work or installation shall then be resubmitted to the *code official* for inspection and testing.

107.3 Supervision. Maintenance and testing shall be under the supervision of a responsible person who shall ensure that such maintenance and testing is conducted at specified intervals in accordance with the *Fire Code*.

107.4 Rendering Equipment Inoperable. Portable or fixed fire-extinguishing systems or devices and fire-warning systems shall not be rendered inoperative or inaccessible except as necessary during emergencies, maintenance, repairs, alterations, drills or prescribed testing.

107.5 Overcrowding. Overcrowding or admittance of any person beyond the *approved* capacity of a building or a portion thereof shall not be allowed. The *code official*, upon finding any overcrowding conditions or obstructions in aisles, passageways or other means of egress, or upon finding any condition which constitutes a life safety hazard, shall be authorized to cause the event to be stopped until such condition or obstruction is corrected.

108 APPEALS

108.1 Right of Appeal. Any person directly affected by a notice or order issued under this *Fire Code* shall have the right to appeal to the Office of Administrative Hearings, pursuant to the Office of Administrative Hearings Establishment Act of 2001, effective March 6, 2002 (D.C. Law 14-76; D.C. Official Code § 2-1831.01 *et seq*. (2012 Repl.)) and regulations promulgated thereunder. The appeal shall be filed within 15 days of the date of service of the notice or order. An appeal shall be based on a claim that the true intent of the *Fire Code* has been incorrectly interpreted, the provisions of the code do not fully apply, or the requirements of the *Fire Code* are adequately satisfied by other means.

Notwithstanding the foregoing, OAH review of a notice or order to close or vacate a residential *premises* issued pursuant to Section 110 shall be based solely on the issue of whether the

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premises are unsafe or unfit for occupancy requiring a building closure under the provisions of Section 110 of the *Fire Code*; and OAH review of a notice or order to close or vacate a residential *premises* issued pursuant to Section 111 shall be based solely on the issue of whether the *code official's* building closure decision was arbitrary and capricious.

108.1.2 Expedited OAH hearing for Section 110 closure orders. Where a notice or order to close or vacate a residential *premises* is issued pursuant to Section 111, a *tenant* or occupant of the *premises* affected by the closure has a right to request an expedited hearing by OAH prior to the closure subject to the following requirements:

1. The *tenant* or occupant shall file the request for an expedited hearing with OAH no later than the date specified in the closure order for *tenants* or occupants to vacate the structure or unit;

2. OAH review shall be based solely on the issue of whether the *premises* are unsafe or unfit for occupancy requiring a building closure under the provisions of Section 110 of the *Fire Code;*

3. Enforcement of the closure notice or order shall be stayed until OAH issues a written decision; and

4. OAH shall hold a hearing within 72 hours of receipt of a timely request, and shall issue a decision within 72 hours after the hearing record is closed. In determining the 72-hour period, weekends and legal holidays shall be excluded.

Nothing herein shall be construed to authorize an expedited hearing for any notices or orders issued, or actions taken, pursuant to Section 111.

108.1.3 Section 111 closure or imminently dangerous orders and notices. Appeal of a closure notice or order issued pursuant to Section 110, or a request for an expedited hearing pursuant to 108.1.2, shall not preclude the *code official* from issuing a notice or order pursuant to Section 111 for the same *premises* or structure, while such appeal or hearing is pending.

108.2 Stay of Action. Appeals of notices or orders shall stay the enforcement of the notice or order until the appeal is heard by the Office of Administrative Hearings.

Exceptions:

1. Notices or orders issued pursuant to Section 111~~0~~ Emergency Measures.

2. Closure notices or orders issued pursuant to Section 110, and related orders to vacate *premises*, except where the *tenant* or occupant has requested an expedited OAH hearing in accordance with Section 108.1.2.

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3. Stop work orders issued pursuant to Section 109.6.

108.3 Unsafe Conditions; Emergency Measures. Any person ordered to take emergency measures or to correct unsafe conditions shall comply with such order forthwith. Any affected *person* may thereafter pursue his, her or its right of appeal pursuant to Section 108.1.

109 VIOLATIONS

109.1 Unlawful acts. It shall be unlawful for a *person*, firm or corporation to erect, construct, alter, repair, remove, demolish or utilize a building, occupancy, premises or system regulated by the *Fire Code*, or cause same to be done, in conflict with or in violation of any of the provisions of the *Fire Code*.

109.2 Notice of violation or order. When the *code official* finds a *building*, *premises*, vehicle, storage facility or outdoor area that is in violation of the *Fire Code*, the *code official* is authorized to prepare a written notice of violation or order describing the conditions deemed unsafe and, when compliance is not immediate, specifying a time for re-inspection.

109.2.1 Service. A notice of violation or order issued pursuant to the *Fire Code* shall be served upon the *owner*, operator, occupant, or other *person* responsible for the condition or violation, in accordance with the service provisions set forth in 12 DCMR A, § 113.2.1, which are incorporated herein by reference.

109.2.2 Special notification provisions for residential premises. Where a notice or order is issued to the *owner* of a residential *premises* with respect to a *dwelling unit* occupied by a *tenant*, the *code official* shall provide such *tenant* with a copy of the notice or order. This requirement will be satisfied by mailing a copy to the *tenant* by first-class mail, leaving a copy at the *tenant*'s residence or any other reasonable method in the *code official*'s discretion.

109.2.2.1 Notification for multiple *tenants*. In any instance where a notice or order affects more than one *tenant* of a residential building or *dwelling*, including notices or orders involving common space, the *code official* shall post a copy of any notice or order issued to the *owner* for a reasonable time in one or more locations within the building or buildings in which the violation exists. The locations for posting the notification shall be reasonably selected to give notice to all *tenants* affected. Any *tenant* directly affected by the violation(s) shall, upon request to the *code official*, be sent a copy of the posted notification.

109.2.2.1.1 Building Closures. Where the *code official* (a) issues an order or notice to close and barricade a residential *structure* or *dwelling unit*, pursuant to Section 110, or (b) posts a closure or imminently dangerous order or notice pursuant to Section 111, in addition to posting

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the notice or order as provided in 109.2.2.1, the *code official* shall provide a copy of the notice or order to each *tenant* affected by the notice or order by leaving a copy at each *dwelling unit* or any other reasonable method in the *code official*'s discretion.

109.2.2.2 Exclusivity of tenant notice provisions. The *code official* shall not be subject to any other *tenant* notification provisions, except as expressly set forth in this Section 109.2.2.

109.2.3 Failure to Issue a Notice. Issuance of a notice of violation pursuant to this section is at the discretion of the *code official*. Failure to give a notice of violation shall not be a bar to any criminal prosecution, civil action, or civil infraction proceeding brought under the *Fire Code*.

109.2.4 Compliance with Orders and Notices. A notice of violation or order issued or served as provided by the *Fire Code* shall be complied with by the *owner*, operator, occupant or other *person* responsible for the condition or violation to which the notice of violation or order pertains.

109.2.5 Prosecution of Collateral Fines and Other Violations. If the notice of violation is not complied with as specified by the *code official*, the *code official* may issue a collateral notice, or civil infraction. If violations are not corrected as specified, a request may be made to the District of Columbia Office of the Attorney General to institute the appropriate legal proceedings to restrain, correct or abate the violation or require removal or termination of the unlawful use of the building or structure in violation of the provisions of the *Fire Code* or of any related order or direction. The *code official* may request a law enforcement officer to make arrests for any offense cited in the *Fire Code* or orders of the *code official* affecting the immediate safety of the public.

109.2.6 Unauthorized Tampering. Signs, tags or seals posted or affixed by the *code official* shall not be mutilated, destroyed, obstructed, tampered with or removed without authorization from the *code official*.

109.3 Violation Penalties. Any *person*, firm, or corporation violating any of the provisions of the *Fire Code* or failing to comply with any order issued pursuant to any section of the *Fire Code*, upon conviction thereof shall be punished by a fine of not more than $300 or imprisonment for not more than 90 days, or both. Each day that a violation continues, after a service of notice as provided in the *Fire Code*, shall be deemed a separate offense.

109.4 Civil Infractions. Civil fines, penalties, and fees may be imposed as alternative sanctions for any infraction of the provisions of the *Fire Code*, or any rules or regulations issued under authority of the *Fire Code* or pursuant to Title I-III of the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985 (D.C. Law 6-42, D.C. Official Code § 2-1801.01 *et seq*. (2012 Repl.)) ("*Civil Infractions Act*"). Notices of infraction shall be issued in

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accordance with the procedures and fine amounts set forth in Section 201 of the *Civil Infractions Act* and Title 16 of the DCMR.

109.5 Abatement of Violation. In addition to the imposition of the penalties herein described, the *code official* is authorized to institute appropriate action to prevent unlawful construction or to restrain, correct or abate a violation; or to prevent illegal occupancy of a *structure* or *premises*; or to stop an illegal act, conduct of business or occupancy of a *structure* on or about any *premises*.

109.6 Stop work order. Whenever the *code official* finds any work regulated by the *Fire Code* being performed in a manner contrary to the provisions of the *Fire Code* or in a dangerous or unsafe manner, the *code official* is authorized to issue a stop work order.

109.6.1. Form of stop work order. A stop work order shall be in writing, in a form prescribed by the *code official*, and shall be given to the *owner* of the property, or to the *owner's* agent, or to the *person* doing the work. If the stop work order cannot be delivered personally, notice shall be effected by posting the stop work order in or about the structure affected by such notice as provided in Section 109.6.1.1. Upon issuance of a stop work order, the cited work shall immediately cease, except such work as that *person* is directed to perform by the *code official* to remove a violation or unsafe condition. The stop work order shall state the reason for the order, and the conditions under which the cited work is authorized to resume. The stop work order shall state the address of the property and the specific section or sections of the *Fire Code* violated. It shall also contain a description of the right to appeal the order and how to obtain an appeal form. No stop work order shall be issued nor considered valid unless it contains all of the above information, along with the signature of the issuing official.

109.6.1.1 Posting of stop work order. Regardless of how service is effected, the code official shall post the stop work order in a conspicuous location, visible to the public and other government officials, in or about the building, structure or premises affected by the stop work order.

109.6.1.2 Removal or obstruction of a posted stop work order. Unauthorized removal or obstruction of a posted stop work order is a violation of the *Construction Codes*, and is subject to the penalties provided in D.C. Official Code § 6-1406 (2012 Repl.) and the injunctive relief set out in D.C. Official Code § 6-1407 (2012 Repl.).

109.6.1.3 Access required to post a stop work order. Where the *code official* requires access into a structure to post a stop work order, the *owner* of the *structure*, or his or her agent, must provide the required access within 24 hours after receiving written notice from the *code official* pursuant to Section 109.6.1

109.6.2 Emergencies. Where an emergency or imminently dangerous condition exists,

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the *code official* shall not be required to give a written notice prior to stopping the work.

109.6.3 Failure to comply. Any *person* who shall continue any work after a stop work order has been posted , except such work as that *person* is directed to perform to remove a violation or unsafe condition, shall be subject to the penalties set forth in D.C. Official Code § 6-1406 (2012 Repl.) and the injunctive relief set out in D.C. Official Code § 6-1407 (2012 Repl.).

109.6.3.1 Owner and/or designated agent responsible for ensuring compliance with stop work order. The *owner* of the property, or his or her agent, serving as the contractor of record, shall be deemed to have violated the stop work order where his or her subordinate employees, workers, and sub-contractors do not comply with the requirements of the stop work order.

109.6.3.2 Code official may seek a warrant for violation of stop work order. Upon finding that the requirements of a stop work order have been violated, including the removal of a stop work order, the *code official* may request the Office of the Attorney General for the District of Columbia to institute appropriate proceedings which may include the arrest and prosecution of the *owner* or agent.

109.6.4 Appeal of stop work order. The property *owner*, his or her agent, or the person responsible for the work cited in a stop work order, may initiate an appeal within the *Department* from a stop work order. Claimants shall appeal using a form provided by the *code official*, on which they shall state the grounds for the appeal, which shall be based on a claim that the *Fire Code* or the rules legally adopted thereunder, have been incorrectly interpreted or applied, or the requirements of the *Fire Code* are adequately satisfied by other means. The appeal shall be filed within 15 days after the date on which the stop work order is posted.

109.6.4.1 Action on appeal. Within 10 business days after the date of receipt of the appeals form, the *code official* shall affirm, modify, or reverse the previous action or decision. The decision of the *code official* shall be the final decision of the *Department*. If the *code official* denies the appeal, or does not act upon the appeal within the 10 business day period, the decision will be deemed affirmed and the claimant may appeal the matter directly to the Office of Administrative Hearings, as provided for in Section 108.

109.6.4.2 Stay of action. The filing of an appeal does not stay the effect of a stop work order.

110 UNSAFE STRUCTURES AND EQUIPMENT

110.1 General. If during the inspection of a *premises*, a building or structure or any building

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system, in whole or in part, or existing equipment constitutes a clear and inimical threat to human life, safety or health, the *code official* shall issue such notice or orders to remove or remedy the conditions as shall be deemed necessary in accordance with this section and shall notify the building *code official* of any repairs, *alterations*, remodeling, removing or demolition required.

110.1.1 Unsafe Conditions. Structures or existing equipment that are or hereafter become unsafe or deficient because of inadequate *means of egress*, or which constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or which involve illegal or improper occupancy or inadequate maintenance, shall be deemed unsafe conditions. A vacant *structure* which is not secured against unauthorized entry as required by Section 311 shall be deemed unsafe.

110.1.2 Structural Hazards. When an apparent structural hazard is caused by the faulty installation, operation or malfunction of any of the items or devices governed by the *Fire Code*, the *code official* shall immediately notify the building *code official* in accordance with Section 110.1.

110.1.3 Special Measures. Temporary special fire protection measures shall be taken when adequate fire protection is not being provided or hazardous or dangerous conditions exist. Installation of special fire protection equipment is one of the available special measures. Special fire protection equipment shall be installed in accordance with the requirements of the *Fire Code* and the *Building Code.*

110.2 Evacuation. The *code official* or the fire department official in charge of an incident shall be authorized to order the immediate evacuation of any occupied building deemed unsafe when such building has hazardous conditions that present imminent danger to building occupants. *Persons* so notified shall immediately leave the structure or premises and shall not enter or re-enter until authorized to do so by the *code official* or the fire department official in charge of the incident.

110.3 Summary Abatement. Where conditions exist that violate the *Fire Code* and are deemed hazardous to life and property, the *code official* or fire department official in charge of the incident is authorized to abate summarily such hazardous conditions.

110.4 Abatement. The *owner*, operator or occupant of a *premises*, including any *buildings or structures* thereon, deemed unsafe by the *code official* shall abate or cause to be abated or corrected such unsafe conditions either by repair, rehabilitation, demolition or other *approved* corrective action.

110.5 Owner/Tenant Responsibility. The *owner* of a *premises*, including any *structures* and *buildings* thereon, shall be responsible for the safe and proper maintenance of the *premises* at all times in compliance with *Fire Code* requirements, except as otherwise provided in this code. *Occupants* are responsible for keeping that part of the *premises* which they occupy and control in

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a safe condition. In *existing buildings*, the fire protection equipment systems or devices, *means of egress* and safeguards required by the *Fire Code* or a previous statute, code or other District of Columbia municipal regulation, shall be maintained in good working order. If an *owner*, *tenant* or other legitimate occupant of a *premises*, including any *building* or *structure* thereon, creates conditions in violation of the *Fire Code* by virtue of storage, handling and use of substances, materials, devices and appliances, the *owner*, *tenant* or occupant shall be held responsible for the abatement of said hazardous conditions.`

110.6 Special provisions for residential building closures. Where the *code official* issues an order or notice to close and barricade a residential *building* or *dwelling unit* pursuant to Section 110, the following additional provisions shall apply.

1. The notice or order shall specify a date by which *tenants* or occupants are required to vacate the *residential building* or *dwelling unit*.

2. The notice or order shall include a statement informing *tenants* or occupants of the *building* or unit of the right to appeal pursuant to Section 108 of the *Fire Code*, including, where applicable, the right to an expedited hearing pursuant to Section 108.1.2.

3. A copy of the notice or order shall be provided to *tenants* in accordance with Section 109.2.2.

4. The notice shall provide contact information for the Office of the Tenant Advocate.

111 EMERGENCY MEASURES

111.1 Imminent Danger. The *code official* is hereby authorized and empowered to order and require the occupants to vacate the *premises* forthwith when, in the opinion of the *code official*, any work, operations, processes or conditions regulated by the *Fire Code* create an imminent danger to building occupants or those in the proximity of any *premises* because of: the hazard of fire and explosion arising from the storage, handling or use of structures, materials or devices; fire hazards in the structure or on the *premises* from occupancy or operation; conditions affecting the safety of fire fighters and emergency responders during emergency operations; or conditions hazardous to life, property or public welfare. The *code official* shall cause to be posted at each entrance to such structure a notice reading as follows: "This Structure Is Unsafe and Its Occupancy Has Been Prohibited by the [*code official*]." It shall be unlawful for any *person* to enter such structure except for the purpose of securing the structure, making the required repairs, removing the hazardous condition or of demolishing the same.

111.2 Temporary Safeguards. Whenever, in the opinion of the *code official*, there is imminent danger due to an unsafe condition, the *code official* is authorized to order the necessary work to be done, including the boarding up of openings, to render such structure or *premises* temporarily safe whether or not the legal procedures set forth in Section 109 have been instituted; and shall further cause such other action to be taken as the *code official* deems necessary to meet such

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emergency.

111.3 Closing Streets. When necessary for the public safety, the *code official* is authorized to temporarily close sidewalks, streets, buildings, other structures, and places adjacent to such unsafe structure, and prohibit them from being used.

111.4 Emergency Repairs. For the purposes of this section, the *code official* shall employ the necessary labor and materials to perform the required work as expeditiously as possible.

111.5 Costs of Emergency Repairs. Where the *code official* causes emergency work to be done pursuant to Section 111.2 or Section 111.4, the costs incurred in the performance of emergency work shall be paid from appropriations of the District of Columbia on certification of the *code official* and shall be assessed as a tax against the property on which the emergency work or repairs were performed, carried as a tax on the regular tax rolls, and collected in the same manner as real estate taxes are collected.

111.6 Special Provisions Applicable to Residential Premises. Where the *code official* posts a closure or imminently dangerous notice or order pursuant to Section 111, the *code official* is authorized to order all *tenants* or occupants to vacate the imminently dangerous *structure* or *dwelling unit*. The notice or order shall include the time by which the *premises* must be vacated, provided that tenants and occupants shall be given at least 24 hours to vacate, unless the *code official* determines that *tenants* and occupants must leave the *premises* immediately for their personal safety. If any *tenant* or occupant fails to vacate the *structure* or unit within the time specified in the notice or order, the *code official* is authorized to order removal of the *tenant* or occupant from the *structure* or unit.

111.6.1 Additional provisions for residential building closures. Where the *code official* posts a closure or imminently dangerous order or notice in a residential *structure* or *dwelling unit* pursuant to Section 111, the following additional provisions shall apply.

1. The notice or order shall specify a date by which *tenants* or occupants are required to vacate the *residential building* or *dwelling unit*.

2. The notice or order shall include a statement informing *tenants* or occupants of the *building* or unit of the right to appeal pursuant to Section 108.1 of the *Fire Code.*

3. A copy of the notice or order shall be provided to *tenants* in accordance with Section 109.2.2.

4. The notice shall provide contact information for the Office of the Tenant Advocate.

111.6.2 Other rental housing provisions. The removal of tenants from imminently

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dangerous *premises*, or the service of an order to vacate, pursuant to this Section 111 shall not be considered an eviction or notice to vacate under D.C. Official Code § 42-3505.01 (2012 Repl.). Notwithstanding the foregoing, nothing herein shall be construed to nullify or abrogate any other rights to which a *tenant* is entitled under District laws or regulations, including relocation assistance, the right to reoccupy the rental unit following rehabilitation, or the right to pursue rights and remedies under D.C. Official Code, Title 42, Chapter 34.

111.7 Appeals. Imminent danger notices and orders, and other orders and notices issued pursuant to Section 111, are appealable to OAH pursuant to Section 108, but any appeal shall not stay the enforcement of the notice or order. Any person ordered to take emergency measures or actions shall comply with such order forthwith. The expedited hearing procedures set forth in Section 108.1.2 shall not apply to orders and notices issued pursuant to Section 111.

112 SERVICE UTILITIES

112.1 Authority to Disconnect Service Utilities. The *code official* shall have the authority to authorize disconnection of utility service to a *building*, *structure* or system in order to safely execute emergency operations or to eliminate an immediate hazard. The *code official* shall notify the serving utility and, whenever possible, the *owner* and occupant of the *building*, *structure* or service system of the decision to disconnect prior to taking such action if not notified prior to disconnection. The *owner* or occupant of the *building*, *structur*e or service system shall be notified in writing as soon as practical thereafter.

113 FEES

113.1 Fees. A permit shall not be issued until the applicable fees have been paid, nor shall an amendment to a permit be released until the additional fee, if any, has been paid.

113.2 Fee Schedule. A fee for each plan examination, permit and inspection shall be paid in accordance with the applicable fee schedule published in the *D.C. Register*, as amended from time to time.

113.3 Work Commencing Before Permit Issuance. Any *person* who commences any work, activity or operation regulated by the *Fire Code* before obtaining the necessary permits shall be subject to an additional fee, which shall be in addition to the required permit fees.

113.4 Related Fees. The payment of the fee for the construction, *alteration*, removal or demolition of work done in connection to or concurrently with the work or activity authorized by a permit shall not relieve the applicant or holder of the permit from the payment of other fees that are prescribed by law.

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CHAPTER 2 DEFINITIONS

202 Definitions

202 DEFINITIONS

Insert a new definition in Section 202 of the Fire Code to read as follows:

SKY LANTERN. An unmanned device designed to carry an open flame as an airborne decorative device and/or light. Also known as kongming lantern, wish lantern, sky candle, fire balloon or aerial luminaries.

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PART II GENERAL SAFETY PROVISIONS

CHAPTER 3 GENERAL REQUIREMENTS

308 Open Flames

308 OPEN FLAMES

Strike Section 308.1.4 of the International Fire Code in its entirety and insert new Section 308.1.4 to the Fire Code in its place to read as follows:

308.1.4 Open-flame cooking devices. Charcoal burners and other open-flame cooking devices shall not be operated on balconies or within 10 feet (3048mm) of any *building* or combustible construction.

Exceptions:

1. Detached single-family *dwellings*.

2. Where buildings, balconies and decks are protected by an *automatic sprinkler system*.

3. Natural gas grills approved and installed in accordance with the *Construction Codes*, provided that such grills are installed on a non-combustible surface and located 10 feet (3048 mm) or more from any combustible construction.

Insert new Section 308.1.6.3 in the Fire Code to read as follows:

308.1.6.3 Sky Lanterns. The lighting of, use, and release of untethered *sky lanterns* is prohibited.

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PART III BUILDING AND EQUIPMENT DESIGN FEATURES

CHAPTER 5 FIRE SERVICE FEATURES

507 Fire Protection Water Supplies
508 Fire Command Center

507 FIRE PROTECTION WATER SUPPLIES

Strike Section 507.5.2 of the International Fire Code in its entirety and insert new Section 507.5.2 in the Fire Code in its place to read as follows:

507.5.2 Inspection, testing and maintenance. Fire hydrant systems shall be subject to periodic tests as required by the fire *code official*. Fire hydrant systems shall be maintained in an operative condition at all times and shall be repaired where defective. Additions, repairs, *alterations* and servicing shall comply with *approved* standards. Approved markings such as color, status rings, and flow rating bands shall be provided and maintained for all fire hydrants in accordance with the requirements of the fire *code official*.

507.5.2.1 Private fire hydrant systems. Private fire hydrant systems shall comply with the Private Fire Hydrant Act of 2010, effective March 31, 2011 (D.C. Law 18-337; D.C. Official Code § 34-2410.01 et. seq. (2012 Repl.) ("Private Fire Hydrant Act").

508 FIRE COMMAND CENTER

Strike Sections 508.1 through 508.1.5 of the International Fire Code in their entirety and insert new Sections 508.1 through 508.1.5 in the Fire Code in their place to read as follows:

508.1 General. Where required by other sections of this code and in all *high-rise buildings*, a *fire command center* for fire department operations shall be provided and shall comply with Sections 508.1.1 through 508.1.5.

508.1.1 Location and access. The *fire command center* shall be directly accessible from the exterior on the address side of the building; or, where approved by the *code official* in consultation with the Fire Chief, in an interior location which has direct access from the entrance lobby on the address side of the building.

508.1.1.1 Identification. The entrance door to the *fire command center* shall be illuminated and clearly marked "Fire Command Center" with letters a minimum of 3 inches (76 mm) in height on a contrasting background. In instances where the *fire command center* is not located near the building's main entrance, a sign

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indicating the location of the fire control room shall be conspicuously posted near the building's main entrance.

508.1.1.2 Prohibited use. Electrical, mechanical or plumbing equipment other than those associated with the *fire command center*, shall not be located within the *fire command center*. The *fire command center* shall not be used for other than its intended use unless approved by the Fire Chief.

508.1.1.3 Locking arrangements. The *fire command center* shall be secured from unauthorized entry and shall be accessible to the Department at all times.

508.1.1.4 Access. Where access to the *fire command center* from the building's exterior is restricted because of secured openings, a key box in accordance with Section 506 of the *Fire Code* shall be installed at the building's main entrance or other approved location for *Department* access. The key box shall be of an *approved* type and shall contain keys to gain necessary access to the building and *fire command center* as required by the *code official* in consultation with the Fire Chief.

508.1.2 Separation. The *fire command center* shall be separated from the remainder of the building by not less than a 1-hour *fire barrier* constructed in accordance with Section 707 of the *Building Code* or *horizontal assembly* constructed in accordance with Section 711 of the *Building Code*, or both.

508.1.3 Size. The *fire command center* shall be of sufficient size to accommodate all equipment and features required by this section but not less than 96 square feet (8.9 m^2). A minimum clear aisle width of 48 inches (1220 mm) shall be provided in front of all equipment panels.

508.1.4 Layout approval. A layout of the *fire command center* and all features required by this section to be contained therein shall be submitted for approval prior to installation.

508.1.5 Required features. The *fire command center* shall comply with NFPA 72 and shall contain the following features:

1. The emergency voice/alarm communication system control unit.

2. The fire department communications system.

3. Fire detection and alarm system annunciator.

4. Annunciator unit visually indicating the location of the elevators and whether they are operational.

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5. The fire-fighter's control panel required by Section 909.16 for smoke control systems installed in the building.

6. Controls for unlocking *stairway* doors simultaneously.

7. Sprinkler valve and water-flow detector display panels.

8. Emergency and standby power status indicators.

9. A telephone for *Department* use with controlled access to the public telephone system.

10. Fire pump status indicators.

11. Schematic building plans indicating the typical floor plan and detailing the building core, *means of egress, fire protection systems*, fire-fighting equipment and fire department access, and other building features affecting emergency response. The schematic plans shall be readily accessible, diagrammatic in nature, and fabricated of durable material or provided with a protective cover and bound in one set.

12. A copy of the facility's Fire Safety Plans and Fire Evacuation Plans that are prepared and maintained in accordance with the *Fire Code.*

13. Generator supervision devices, manual start and transfer features.

14. Public address system, where specifically required by other sections of this code.

15. Elevator fire recall switch in accordance with ASME A17.1.

16. Elevator emergency or standby power selector switch(es), where emergency or standby power is provided.

17. An *approved* Building Information Card that contains, but is not limited to, the following information:

    17.1. General building information that includes: property name, address, the number of floors in the building (above and below grade), use and occupancy classification (for mixed uses, identify the different types of occupancies on each floor), estimated building population (i.e., day, night, weekend);

    17.2. Building emergency contact information that includes: a list of the

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building's emergency contacts (e.g., building manager, building engineer, etc.) and their respective work phone number, cell phone number, and email address;

17.3. Building construction information that includes: the type of building construction (e.g., floors, walls, columns, and roof assembly);

17.4. *Exit stair* information that includes: number of *exit stairs* in the building, each *exit stair* designation and floors served, location where each *exit stair* discharges, *exit stairs* that are pressurized, *exit stairs* provided with emergency lighting, each *exit stair* that allows reentry, *exit stairs* providing roof access;

17.5 Elevator information that includes: number of elevator banks, elevator bank designation, elevator car numbers and respective floors that they serve, location of elevator machine rooms, location of sky lobby, location of freight elevator banks;

17.6. Building services and system information that includes: location of mechanical rooms, location of building management system, location and capacity of all fuel oil tanks, location of emergency generator, location of natural gas service;

17.7. *Fire protection system* information that includes: locations of standpipes, location of fire pump room, location of fire department connections, floors protected by *automatic* sprinklers, location of different types of sprinkler systems installed (e.g., dry, wet, pre-action, etc.); and

17.8. Hazardous material information that includes: location of hazardous material, quantity of hazardous material.

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CHAPTER 6 BUILDING SERVICES AND SYSTEMS

601 General
604 Emergency and Standby Power Systems

601 GENERAL

Strike Section 601.2 of the International Fire Code in its entirety and insert new Section 601.2 in the Fire Code in its place to read as follows:

602.1 Permits. Permits shall be obtained for refrigeration systems and battery systems as set forth in Section 105.6.

604 EMERGENCY AND STANDBY POWER SYSTEMS

Strike Section 604.5.1 of the International Fire Code in its entirety and insert new Section 604.5.1 in its place in the Fire Code to read as follows:

> **604.5.1. Activation test.** An activation test of the emergency lighting equipment shall be completed annually. The activation test shall ensure the emergency lighting activates automatically upon normal electrical disconnect and stays sufficiently illuminated for a minimum of 30 seconds.
>
> *(No change to Section 604.5.1.1 of the International Fire Code.)*

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CHAPTER 9 FIRE PROTECTION SYSTEMS

903 Automatic Sprinkler Systems
905 Standpipe Systems
906 Portable Fire Extinguishers
907 Fire Alarm and Detection Systems
908 Emergency Alarm Systems
909 Smoke Control Systems
914 Fire Protection Based on Special Detailed Requirements of Use and Occupancy

903 AUTOMATIC SPRINKLER SYSTEMS

Strike Section 903.4.2 of the International Fire Code in its entirety and insert new Section 903.4.2 to the Fire Code in its place to read as follows:

903.4.2 Alarms. An approved audible device, located on the exterior of the building in an *approved* location, shall be connected to each *automatic sprinkler system*. Such sprinkler water-flow alarm devices shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Where a fire alarm system is installed, actuation of the *automatic sprinkler system* shall actuate the building fire alarm system.

Exception: An alarm device shall not be required on the exterior of the building when the sprinkler system is monitored by an approved central station, remote supervising station or proprietary supervising station in accordance with NFPA 72.

905 STANDPIPE SYSTEMS

Strike Section 905.2 of the International Fire Code in its entirety and insert new Section 905.2 to the Fire Code in its place to read as follows:

905.2 Installation standard. Standpipe systems shall be installed in accordance with this section and NFPA 14.

Exceptions:

1. The residual pressure of 100 psi for 2½-inch hose connection and 65 psi for 1½-inch hose connection is not required to be greater than 65 psi in buildings equipped throughout with an *automatic sprinkler system* in accordance with Section 903.3.1.1, where the highest floor level is not more than 150 feet above the lowest level of fire department vehicle access.

2. No fire pump shall be required provided that the standpipes are capable of a minimum

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250 gallons per minute (gpm) at 65 psi to the topmost floor in buildings equipped throughout with an *automatic sprinkler system*, or a minimum of 500 gpm at 65 psi to the topmost floor in all other *buildings*, from the lowest level of fire department vehicle access.

Strike Section 905.3.1 of the International Fire Code in its entirety and insert new Section 905.3.1 in the Fire Code in its place to read as follows:

905.3.1 Building height. Class III standpipe systems shall be installed throughout buildings where the floor level of the highest story is located more than 30 feet (9144 mm) above the lowest level of the fire department vehicle access, or where the floor level of the lowest story is located more than 30 feet (9144 mm) below the highest level of fire department vehicle access. In determining the lowest level of fire department vehicle access for purposes of this section, recessed loading docks for four vehicles or less shall be excluded. Conditions where topography makes access from the fire department vehicle to the building impractical or impossible shall be excluded from the determination of the lowest level or highest level of fire department vehicle access.

Exceptions:

1. Class I standpipes are allowed in buildings equipped throughout with an *automatic sprinkler system* in accordance with Section 903.1.1 or 903.3.1.2.

2. Class I manual standpipes are allowed in *open parking garages* where the highest floor is located not more than 150 feet (45 720 mm) above the lowest level of fire department vehicle access.

3. Class I manual dry standpipes are allowed in *open parking garages* that are subject to freezing temperatures, provided that the hose connections are located as required for Class II standpipes in accordance with Section 905.5.

4. Class I standpipes are allowed in *basements* equipped throughout with an *automatic sprinkler system*.

5. Hose stations for use by the building occupants shall not be required, subject to the approval of the Fire Chief, provided that each hose connection is 2 1/2 inches (63.5 mm) and is equipped with a 2 ½-inch by 1 ½- inch (63.5 mm by 38.2 mm) reducer and a cap attached with a chain.

906 PORTABLE FIRE EXTINGUISHERS

Strike Section 906.1 of the International Fire Code in its entirety (without striking Table 906.1) and insert new Section 906.1 in its place in the Fire Code to read as follows:

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906.1 Where required. Portable fire extinguishers shall be installed in the following locations.

1. In Group A, B, E, F, H, I, M, R-1, R-2, R-4 and S occupancies, as required by the code under which the building or space was permitted.

   Exceptions:

   1. In Group R-2 occupancies, portable fire extinguishers shall be required only in locations specified in Items 2 through 6 where each *dwelling unit* is provided with a portable fire extinguisher having a minimum rating of 1-A:10-B:C.

   2. In Group E occupancies equipped throughout with quick-response sprinklers, portable fire extinguishers shall be required only in locations specified in Items 2 through 6.

2. Within 30 feet (9144 mm) of commercial cooking equipment.

3. In areas where flammable or combustible liquids are stored, used or dispensed.

4. On each floor of structures under construction, except Group R-3 occupancies, in accordance with Section 3315.1.

5. Where required by the *Fire Code* sections indicated in Table 906.1.

6. Special-hazard areas, including but not limited to laboratories, computer rooms and generator rooms, where required by the fire code official.

(No change to Table 906.1.)

907 FIRE ALARM AND DETECTION SYSTEMS

Strike Section 907.3.3 of the International Fire Code in its entirety and insert new Section 907.3.3 in the Fire Code in its place to read as follows:

907.3.3 Elevator emergency operation. Automatic fire detectors and all fire alarm system components installed for elevator emergency operation shall be installed in accordance with the provisions of ASME A17.1 and NFPA 72. Smoke detectors shall not be installed in unsprinklered elevator hoistways unless they are installed to activate the elevator hoistway smoke relief equipment.

Strike Section 907.6.3.1 of the International Fire Code in its entirety and insert new Sections 907.6.3.1 through 907.6.3.1.1.2.1 to the Fire Code in its place to read as follows:

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907.6.3.1 Zoning indicator panel. A zoning indicator panel and the associated controls shall be provided in an *approved* location that is readily discernible and readily accessible to the responding fire department. The visual zone indication shall lock in until the system is reset and shall not be canceled by the operation of an audible alarm-silencing switch. Zoning indicator panels shall include remote annunciator panels and zoning displays that are integral to the fire alarm control equipment.

907.6.3.1.1 Remote annunciator panels. Where remote annunciator panels are required, they shall be provided at the main entrance, at each designated fire department entrance, and where specified by Section 907.6.3.1.1.2. Remote annunciator panels shall be provided as follows:

907.6.3.1.1.1 Directory-style display. A directory-style annunciator shall be provided in buildings with more than one story above or below grade and in buildings with more than one zone per floor. The directory-style annunciator shall consist of either an alpha-numeric LCD display or an *approved* directory-style panel with individual lamps. As a minimum, the annunciator shall indicate related floor, zone and status conditions using readily identifiable designations in plain English text.

Exception: Where a graphic display with individual lamps is provided in accordance with Section 907.6.3.1.1.2.1.

907.6.3.1.1.2 Graphic display. A graphic annunciator display shall be provided at the main entrance, and in the fire command center or at the fire alarm control panel location where there is no fire command center, for buildings of the following types:

1. *High-rise buildings*.

2. Covered mall buildings.

3. Nursing homes and hospitals.

4. Buildings of any occupancy where three or more exits are provided per floor level above or below the level of exit discharge.

5. Buildings comprised of more than one street address with separate entrances.

6. Buildings with Group A occupancies of greater than 1,000 persons.

907.6.3.1.1.2.1 Graphic display features. Graphic annunciator displays shall consist of an integrated graphic annunciator panel or

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where *approved* in buildings not more than four stories above or two stories below the fire department entrance, a directory-style annunciator panel with a permanently mounted graphic diagram. Graphic annunciator displays shall be fabricated of a durable material and shall incorporate the following features:

1. A graphic diagram that identifies:

    1.1. Building address.

    1.2. North arrow.

    1.3. Building floor plan outline of each general type, where the orientation of each diagram is consistent with the annunciator location.

    1.4. Fire alarm zoning.

    1.5. Location of exit stairways, labeled with designations that are consistent with Section 1022.9 and labeled to indicate stairways that provide roof access.

    1.6. Location of elevator banks.

    1.7. Location of elevator machine room.

    1.8. Location of the annunciator with "YOU ARE HERE" marker.

    1.9. Location of fire command center or fire alarm control equipment.

    1.10. Location of fire department connections.

2. Individual lamps that identify each associated device, floor, zone, and system status condition. Lamp colors shall be coordinated with the associated system conditions as follows: red for alarm; yellow or amber for supervisory; and yellow or amber for system trouble. Green lamps are permitted to indicate annunciator power supervision. A push-button style switch shall be provided for lamp test operation.

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3. Audible alert sounder that locally annunciates alarm, trouble, and supervisory conditions, with alert silencing-switch that is accessible to authorized personnel only.

Exception: An audible sounder is not required for an annunciator panel where the required audible annunciation is provided by fire alarm control equipment that is located adjacent to the annunciator.

908 EMERGENCY ALARM SYSTEMS

Strike Sections 908.1 and 908.2 of the International Fire Code in their entirety and insert new Sections 908.1 and 908.2 in the Fire Code in their place to read as follows:

908.1 General. The systems required by this section shall be designed and installed in accordance with the provisions of both this code and the *Building Code*. Before proceeding with design, construction, installation, or use of systems required by Sections 908.2 through 908.6, the *owner* shall request and participate in a coordination meeting with DCRA and the Fire Department to determine the applicable code requirements. The meeting shall be attended by all concerned parties, including, but not limited to, the *owner*, contractor, architect and design professionals.

908.2 Group H occupancies; Group H-5 Occupancy. Emergency alarms for the detection and notification of an emergency condition in Group H occupancies shall be provided as required in Chapter 50. Emergency alarms for notification of an emergency condition in an HPM facility shall be provided as required in Section 2703.12. A continuous gas-detection system shall be provided for HPM gases in accordance with Section 2703.13.

909 SMOKE CONTROL SYSTEMS

Strike Section 909.16 of the International Fire Code and accompanying Exception; do not strike Subsections 909.16.1 through 909.16.3 of the International Building Code. Insert new Section 909.16 and accompanying Exception in the Fire Code to read as follows:

909.16 Fire-fighter's smoke control panel. A fire-fighter's smoke control panel for fire department emergency response purposes only shall be provided and shall include manual control or override of automatic control for mechanical smoke systems. The panel shall be located in a *fire command center* complying with Section 508 in high-rise buildings or buildings with smoke-protected assembly seating. In all other buildings, the fire-fighter's smoke control panel shall be installed in an *approved* location adjacent to the fire alarm control panel. The fire-fighter's smoke control panel shall comply with Sections 909.16.1 through 909.16.3.

Exception: Where buildings are equipped with stair pressurization systems and/or elevator hoistway venting systems or elevator hoistway pressurization systems and no mechanical

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smoke control systems per Section 909 of the *Building Code*, the required manual controls are permitted to be integral to the fire alarm control panel or located at another *approved* location and are not required to comply with the provisions of Section 909.16.

Maintain Subsections 909.16.1 through 909.16.3 without any changes.

914 FIRE PROTECTION BASED ON SPECIAL DETAILED REQUIREMENTS OF USE AND OCCUPANCY

Strike Section 914.3.1.2, Water supply to required fire pumps, of the International Fire Code in its entirety without substitution.

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CHAPTER 10 MEANS OF EGRESS

1003 General Means of Egress
1005 Means of Egress Sizing
1008 Doors, Gates and Turnstiles
1015 Exit and Exit Access Doorways
1022 Interior Exit Stairways and Ramps
1024 Luminous Egress Path Markings

1003 GENERAL MEANS OF EGRESS

Strike Section 1003.2 of the International Fire Code in its entirety and insert new Section 1003.2 in the Fire Code in its place to read as follows:

1003.2 Ceiling height. The *means of egress* shall have a ceiling height of not less than 7 feet (2134 mm).

Exceptions:

1. Sloped ceilings in accordance with Section 1208.2 of the *Building Code*.

2. Ceilings of *dwelling units* and *sleeping units* within residential occupancies in accordance with Section 1208.2 of the *Building Code*.

3. Allowable projections in accordance with Section 1003.3.

4. Stair headroom in accordance with Section 1009.5.

5. Door height in accordance with Section 1008.1.1.

6. Ramp headroom in accordance with Section 1010.6.2.

1005 MEANS OF EGRESS SIZING

Strike Section 1005.3.1 of the International Fire Code in its entirety and insert a new Section 1005.3.1 in the Fire Code in its place to read as follows:

1005.3.1 Stairways. The capacity, in inches (mm), of *means of egress stairways* shall be calculated by multiplying the occupant load served by such *stairway* by a means of egress capacity factor of 0.3 inch (7.6 mm) per occupant. Where *stairways* serve more than one story, only the occupant load of each story considered individually shall be used in calculating the required capacity of the *stairways* serving that story.

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Exception: For other than Group H and I-2 occupancies, the capacity, in inches (mm), of the *means of egress stairways* shall be calculated by multiplying the *occupant load* served by the *stairway* by a *means of egress* capacity factor of 0.2 inch (5.1 mm) per occupant in buildings equipped throughout with an *automatic sprinkler system* installed in accordance with Section 903.3.1.1 or 903.3.1.2.

Strike Section 1005.3.2 of the International Fire Code in its entirety and insert a new Section 1005.3.2 in the Fire Code in its place to read as follows:

1005.3.2 Other egress components. The capacity, in inches (mm), of *means of egress* components other than *stairways* shall be calculated by multiplying the occupant load served by such component by a *means of egress* capacity factor of 0.2 inch (5.1 mm) per occupant.

Exception: For other than Group H and I-2 occupancies, the capacity, in inches (mm), of *means of egress* components other than *stairways* shall be calculated by multiplying the *occupant load* served by such component by a *means of egress* capacity factor of 0.15 inch (3.8 mm) per occupant in buildings equipped throughout with an *automatic sprinkler system* installed in accordance with Section 903.3.1.1 or 903.3.1.2

1008 DOORS, GATES AND TURNSTILES

Strike Section 1008.1.9.11 of the International Fire Code in its entirety and insert new Section 1008.1.9.11 to the Fire Code in its place to read as follows:

1008.1.9.11 Stairway doors. *Interior stairway means of egress* doors shall be openable from both sides without the use of a key or special knowledge or effort.

Exceptions:

1. *Stairway* discharge doors shall be openable from the egress side and shall only be locked from the opposite side.

2. This section shall not apply to doors arranged in accordance with Section 403.5.3 of the *Building Code*.

3. In *stairways* serving not more than four stories, doors are permitted to be locked from the side opposite the egress side, provided they are openable from the egress side and capable of being unlocked simultaneously without unlatching upon a signal from the fire command center, if present, or a signal by emergency personnel from a single location inside the main entrance to the building.

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4. *Stairway* exit doors shall be openable from the egress side and shall only be locked from the opposite side in Group B, F, M and S occupancies where the only interior access to the tenant space is from a single *exit stair* where permitted in Section 1021.2.

5. *Stairway* exit doors shall be openable from the egress side and shall only be locked from the opposite side in Group R-2 occupancies where the only interior access to the *dwelling unit* is from a single *exit stair* where permitted in Section 1021.2.

6. In buildings five or more stories in height, including existing buildings without a fire command center complying with Section 508, doors are permitted to be locked from the side opposite the egress side provided they are unlocked without unlatching upon activation of the building's fire alarm system and the stairway is provided with a telephone or other two-way communication system in accordance with Section 403.5.3 of the *Building Code*.

1015 EXIT AND EXIT ACCESS DOORWAYS

Strike Section 1015.2.1 of the International Fire Code in its entirety and insert new Section 1015.2.1 in the Fire Code in its place to read as follows:

1015.2.1 Two exits or exit access doorways. Where two *exits* or *exit access doorways* are required from any portion of the *exit access*, the *exit* doors or *exit access doorways* shall be placed a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the building or area to be served measured in a straight line between *exit* doors or *exit access doorways*. Interlocking or *scissor stairs* shall be counted as one *exit stairway*.

Exceptions:

1. Where interior *exit stairways* are interconnected by a 1-hour fire-resistance-rated *corridor* conforming to the requirements of Section 1018, the required *exit* separation shall be measured along the shortest direct line of travel within the *corridor*.

2. Where a building is equipped throughout with an *automatic sprinkler system* in accordance with Sections 903.3.1.1 or 903.3.1.2, the separation distance of the *exit* doors or *exit access doorways* shall not be less than one-fourth of the length of the maximum overall diagonal dimension of the area served.

1022 INTERIOR EXIT STAIRWAYS AND RAMPS

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Strike Section 1022.9 of the International Fire Code in its entirety and insert new Section 1022.9 in the Fire Code in its place to read as follows:

1022.9 Stairway signage. Signs shall be provided in all *interior exit stairways* and *ramps* connecting more than three stories, and for all *interior exit stairways* and *ramps* in buildings with three or more *interior exit stairways* or *ramps.*

1022.9.1 Signs outside stairway. A sign complying with ICC A117.1 shall be provided at each entrance to the *exit stairway* and *ramp*, identifying the *stair* or *ramp* with the same designations used for the *stairway* identification signs in Section 1022.9.2.1. The sign also shall state "EXIT" in raised characters and Braille in accordance with Section 1011.4 of the *Fire Code*.

1022.9.2 Signs inside stairway. *Stairway* identification signs, floor-level signs, and *exit discharge* signs shall comply with the following requirements:

1022.9.2.1 Stairway identification signs. A *stairway* identification sign shall be provided at each floor landing in the *interior exit stairway* and *ramp* designating the floor level, the terminus of the top and bottom of the *interior exit stairway* and *ramp* and the identification of the *stair* or *ramp*. The signage shall also identify the story of, and the direction to, the *exit discharge* and the availability of roof access from the *interior exit stairway* and *ramp*. The sign shall be located entirely between 5 feet (1524 mm) and 8 feet (2438 mm) above the floor landing in a position that is readily visible when the doors are in the open and closed positions and located so that occupants egressing from floors that are more remote from the exit discharge will face the sign frontally at some point in their path of egress

Exception: *Stairway* identification signs are not required to identify the *story* of, and direction to, the *exit discharge* in *interior exit stairways* and *ramps* that connect less than three stories.

1022.9.2.1.1 Signage requirements. *Stairway* identification signs shall comply with all of the following requirements:

1. The signs shall be a minimum size of 18 inches (457 mm) by 12 inches (305 mm).

2. The word "STAIR" and the *stair* designation or "RAMP" and the *ramp* designation shall consist of numerals and/or capital letters designating the identification of the *interior exit stairway* and *ramp*. The characters shall be a minimum of 1 $^{1}/_{2}$ inches (38 mm) in height but not greater than one-third the height of the floor level identification characters.

3. The numerals or capital letters designating the floor level shall be a

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minimum of 5 inches (127 mm) in height and located in the center of the sign.

4. All other lettering and numbers shall be a minimum of 1 inch (25 mm) in height but not greater than the *stair* or *ramp* identification characters.

5. The directional arrow shall be a minimum of 4 inches (102 mm) in length.

6. If the *interior exit stairway* or *ramp* provides access to the roof, the words "FIRE DEPT. ROOF ACCESS" shall be displayed immediately after the *stair* or *ramp* identification.

7. The signs shall identify floor levels, *stairs* and *ramps* by one or more characters, using a designation that is consistent with the floor level, *stair* and *ramp* designations used throughout the building.

8. Characters and their background shall have a non-glare finish. Characters shall contrast with their background, with either light characters on a dark background or dark characters on a light background.

9. The sign shall be of an approved design, and shall be durable and of a material that complies with other sections of the *Construction Codes*. Unless painted on the wall, the sign shall be securely fastened to the structure.

1022.9.2.2 Floor-level signs. In addition to the *stairway* identification sign, a floor-level sign in raised characters and Braille complying with ICC A117.1 shall be located at each floor-level landing adjacent to the door leading from the *interior exit stairway* and *ramp* into the *corridor* to identify the floor level.

1022.9.2.3 Exit discharge signs. A sign stating "EXIT" in raised characters and Braille shall be located adjacent to the door to the *exit discharge* in accordance with Section 1011.4.

1024 LUMINOUS EGRESS PATH MARKINGS

Strike Section 1024 of the International Fire Code in its entirety without substitution.

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CHAPTER 11 CONSTRUCTION REQUIREMENTS FOR EXISTING BUILDINGS

1101 General
1102 Definitions
1103 Fire Safety Requirements for Existing Buildings
1104 Means of Egress for Existing Buildings

1101 GENERAL

Strike Section 1101.2 of the International Fire Code in its entirety and insert new Section 1101.2 in the Fire Code in its place to read as follows:

1101.2 Intent. The intent of this chapter is to provide a minimum degree of fire and life safety to persons occupying *existing* buildings. *Existing* buildings shall comply with the requirements of the *Building Code* that applied at the time of construction, and any other D.C. laws which apply to *existing* buildings. When the fire *code official*, in consultation with the building *code official*, believes that an existing or newly presented condition in an *existing* building has reduced compliance with the minimum degree of fire and life safety required by this chapter, the fire *code official* may require that a life safety evaluation of that condition be prepared, consistent with the requirements of Section 104.8.2. The life safety evaluation shall identify any changes that are necessary to address the condition and restore compliance with the required minimum degree of fire and life safety. The building shall be modified to comply with the recommendations set forth in the *approved* evaluation; provided, that the modifications required shall not exceed the minimum requirements of the *Existing Building Code*.

1103 FIRE SAFETY REQUIREMENTS FOR EXISTING BUILDINGS

Strike Section 1103.6 of the International Fire Code in its entirety and insert new Section 1103.6 in the Fire Code in its place to read as follows:

1103.6 Standpipes. *Existing* buildings shall be equipped with standpipe systems installed in accordance with Section 905 where required in Sections 1103.6.1 and 1103.6.2. The fire *code official* is authorized to approve the use of manual standpipe systems to achieve compliance with this section where the responding fire department is capable of providing the required hose flow at the highest standpipe outlet.

> **Exception:** *Existing* buildings that are equipped with existing standpipe systems are not required to upgrade the standpipe systems to comply with the installation requirements of Section 905, where approved by the *fire code official*.
>
> > **1103.6.1 Existing multiple-story buildings.** *Existing* buildings with occupied floors located more than 75 feet (22 860 mm) above the lowest level of fire department vehicle

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access or more than 75 feet (22 860 mm) below the highest level of fire department vehicle access shall be equipped with standpipes systems.

1103.6.2 Existing helistops and heliports. *Existing* buildings with a rooftop helistop or heliport located more than 30 feet (9144 mm) above the lowest level of fire department vehicle access shall be equipped with a standpipe system extended to the roof level on which the helistop or heliport is located in accordance with Section 2007.

Strike Sections 1103.8 and 1103.8.1 of the International Fire Code in their entirety (with no change to Sections 1103.8.2 and 1103.8.3) and insert new Sections 1103.8 and 1103.8.1 in the Fire Code in their place to read as follows:

1103.8 Single and multiple-station smoke alarms. Single- or multiple-station smoke alarms shall be installed and maintained in Group R or I-1 occupancies, regardless of *occupant* load at all of the following locations:

1. On the ceiling or wall outside of each separate sleeping area in the immediate vicinity of *bedrooms.*

2. In each room used for sleeping purposes.

3. In each story within a *dwelling unit*, including *basements* and cellars but not including crawl spaces and uninhabitable attics. In dwellings or *dwelling units* with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level.

Single- or multiple-station smoke alarms shall be installed in other groups in accordance with the *Fire Code.*

1103.8.1 Existing occupancies. Existing Group I-1 and R occupancies shall have a 36 month period, commencing on the date of adoption of the 2013 edition of the *D.C. Construction Codes* in accordance with Section 122 of the *Building Code* to install smoke alarms that comply with the requirements of Section 1103.8.

Strike Section 1103.23 of the International Fire Code in its entirety and insert new Section 1103.23 in the Fire Code in its place to read as follows:

1103.23 Elevator operation. *Existing* elevators with a travel distance of 25 feet (7620 mm) or more above or below the main floor or other level of a building, and intended to serve the needs of emergency personnel for fire-fighting or rescue purposes, shall be provided with emergency operation when required by the *Existing Building Code*.

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1104 MEANS OF EGRESS FOR EXISTING BUILDINGS

Strike Section 1104.24 of the International Fire Code in its entirety without substitution.

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CHAPTER 56 EXPLOSIVES AND FIREWORKS

5601 General
5609 Temporary Storage of Consumer Fireworks

5601 GENERAL

Strike Section 5601.1.3 of the International Fire Code in its entirety and substitute new Section 5601.1.3 in its place in the Fire Code to read as follows:

5601.1.3 Fireworks. The possession, manufacture, storage, sale, handling and use of fireworks are prohibited.

Exceptions:

1. Storage and handling of fireworks as allowed in Section 5604.

2. Manufacture, assembly and testing of fireworks as allowed in Section 5605.

3. The use of fireworks for fireworks displays as allowed in Section 5608.

4. The possession, storage, sale, handling and use of specific types of Division 1.4G fireworks where allowed by Section 5609, provided such fireworks comply with CPSC 16 CFR Parts 1500 and 1507, and DOTn 49 CFR Parts 100–185, for consumer fireworks.

5609 TEMPORARY STORAGE OF CONSUMER FIREWORKS

Strike Section 5609 of the International Fire Code in its entirety and insert new Section 5609 in the Fire Code in its place to read as follows:

5609 CONSUMER FIREWORKS

5609.1 General.

5609.1.1 Scope. The manufacture of fireworks is prohibited in the District of Columbia. The display, sale or discharge of consumer fireworks shall comply with the requirements of this Section.

5609.1.1.1 Prohibited Fireworks. The manufacture, possession, storage, display, sale, setting off, or discharge of any fireworks listed below is prohibited in the District of Columbia:

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1. Firecrackers of any kind or description;

2. Any fireworks that explodes, such as cherry bombs, salutes, roman candles, floral shells, artillery shells;

3. Any firework intended to move after the piece is placed and fired; such as bottle rockets, parachutes, buzzbombs, pinwheels, helicopters, jumping jacks;

4. Wire s~~S~~parklers more than 20 inches (508 mm) in length;

5. Any firework that contains mercury, arsenic tetryl, phosphorous, sulphocyanide, mercury, magnesium, potassium picrate, gallic acid, chlorate compounds, gunpowder, sulphur, chlorate or potash and sugar, or any highly oxidizing agent;

6. Any firework having a side fuse, or a fuse inserted at any point along the length of the firework;

7. Notwithstanding section 5609.1.1.2(3), cylindrical tube sparklers of any size which emit showers of sparks, or heat and light, including, but not limited to, products advertised as champagne sparklers, birthday cake sparklers, and wedding sparklers; and

8. Any firework found by the Fire Chief to be dangerous to the safety of any person or property.

5609.1.1.2 Permitted Fireworks. The following fireworks are permitted to be stored, displayed, sold, delivered, used and possessed in accordance with the provisions of this article:

1. Any firework specifically excepted in this article;

2. Toy paper caps containing not more than twenty-five hundredths (0.25) of a grain of explosive composition per cap;

3. Sparklers not more than 20 inches (508 mm) in length (except for cylindrical tube sparklers prohibited in 5609.1.1);

4. Torches;

5. Box fire;

6. Fountains;

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7. Cones;

8. Non-poisonous snakes;

9. Paper novelty items;

10. Colored lights; and

11. Any other fireworks tested by an *approved* agency or organization and approved by the *code official*.

5609.1.1.3 Labeling. Each standard retail package or retail item of fireworks stored, kept for sale, sold, or delivered by any person engaged in the business of selling fireworks shall be labeled or marked with the name of the manufacturer, the number and type of the firework, and directions of use.

5609.2 Limitations and Requirements for Permitted Fireworks.

5609.2.1 Prohibitions. No person shall manufacture, process, package, repackage, store, keep for sale, display, sell or deliver any of the following in the District of Columbia:

1. Any firework which emits flame or sparks to a distance greater than 12 feet (3658 mm);

2. Any imitation or actual firework which resembles a firecracker or cherry bomb;

3. Any firework that has a fuse which is not individually protected by a protective cap or seal approved by the Fire Chief or the designated agent of the Fire Chief; or

4. Any cylindrical tube firework that has a clay choke or other restrictive device which may delay the escape of gases.

5609.2.2 Cylindrical Tube Fireworks. Cylindrical tube fireworks that comply with the following requirements are permitted to be sold or offered for sale in the District of Columbia:

1. The top surface of the composition load shall be flat (parallel to the plane of the tube end);

2. The space between the top surface and the open end of the tube shall be equal in all diameters to the maximum inside diameter of the tube, without restrictions of any kind;

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3. Between the lower end of the composition load and the base of the tube there shall be a solid clay plug with a minimum length of 1 inch (25 mm);

4. The plug shall be formed of clay moistened with oil, dextrine, or other material suitable to give uniform hardness and strength and to ensure positive adhesion to the inside of the tube;

5. There shall be no void between the end of the composition load and the clay plug, or between the clay plug and the handle or spike;

6. The specifications for the manufacture of the firework shall require the clay plug to be loaded into the tube in not less than four increments, each separately loaded and separately pressed;

7. Handles or spikes shall be inserted into the tube a minimum distance of 2 inches (51 mm) or 25 percent of the tube length in tubes less than 5 inches (152 mm) long; and

8. The spike or handle shall be firmly attached to the clay base and to the sides of the tube.

5609.3 License to Sell Fireworks. No *person* shall engage in the business of selling or offering to sell any fireworks, either at wholesale or at retail, until a license in accordance with Section 5609.4 or 5609.5, as applicable, has been issued by the Department of Consumer and Regulatory Affairs.

5609.4 License to Sell Fireworks: Wholesale.

5609.4.1 Wholesale License Required. No person shall engage in the business of selling or offering to sell at wholesale in the District of Columbia any of the permitted fireworks described in Section 5609.1.1.2 without first securing a wholesaler's license to sell fireworks from the Department of Consumer and Regulatory Affairs.

5609.4.2 Minimum Age. No individual shall be issued a wholesaler's license unless the applicant has passed his or her 21st birthday.

5609.4.3 Deadline for applications. All applications for a wholesale license to sell fireworks shall be submitted to the Department of Consumer and Regulatory Affairs no later than May 25 for the sale of fireworks during the same calendar year. This license must be renewed annually.

5609.4.4 License conditions. All wholesale license applicants shall:

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1. Maintain for the period of the license issued to him or her a depot or warehouse in the District of Columbia, in which all fireworks shall be held for at least 24 hours during the period from June 20 through July 5, inclusive, and for at least three business days at all other times, for inspection by the Fire Chief prior to shipment to any retail licensee; or

2. Submit to inspection of the entire contents of each wholesale shipment, at a site to be determined by the Fire Chief, prior to distribution to any retail licensee.

5609.4.5 Warehouse inspections. Each wholesale licensee applicant who maintains a warehouse or depot in the District of Columbia shall notify the Fire Chief of each shipment received or deposited at the warehouse or depot. Said notice shall be furnished not less that three business days before the date on which the fireworks are delivered to any retail licensee.

5609.4.6 Non-warehouse inspections. Each wholesale licensee applicant who does not maintain a warehouse or depot in the District of Columbia is required to provide advance notice of at least three business days to schedule appointments for inspection. All inspections shall be conducted by appointment only, during hours to be determined by the Fire Chief and at a site to be provided by the District of Columbia, except that from June 28 through July 4, inclusive, wholesale licensee applicants shall provide advance notice of at least 24 hours. Inspections will be scheduled between the hours of 10:00 am and 2:00 pm.

5609.4.6.1 No storage of fireworks on site. The site provided by the District of Columbia for inspections shall not be used to store, sell or distribute fireworks. Fireworks shall be removed from the inspection site immediately following completion of the inspection.

5609.4.6.2 Inclement weather. Inspections may be conducted outside. In an event of inclement weather, the applicant has the option of either rescheduling the inspection for a later date or providing, at his or her own expense, a tarp or other means of protection for the fireworks during such inspection.

5609.4.6.3 Unloading and Reloading of Fireworks. It is the applicant's responsibility to provide sufficient labor to unload and reload each fireworks shipment, as shall be required for inspection. The inspectors shall not participate in unloading or reloading fireworks.

5609.4.6.4 Voucher issued. After the fireworks have been inspected and approved, the Fire Chief shall issue to the wholesale licensee a voucher, which shall be carried on the vehicle used to transport wholesale fireworks at all times.

5609.4.7 Overnight storage. No wholesale fireworks shall be stored overnight in the

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District of Columbia except in a warehouse, depot or other facility pursuant to a permit issued by the Department of Consumer and Regulatory Affairs for such purposes. For the purposes of this section, overnight shall be defined as the hours between 8:00 p.m. to 5:00 a.m. All wholesale fireworks that are not stored in an approved location are required to be removed from the jurisdiction.

5609.4.8 Restrictions on deliveries. No wholesale licensee shall make deliveries to retail sale location during rush hour. For the purposes of this section, rush hour shall be defined as the hours between 6:30 a.m. and 9:30 a.m. and between 3:30 p.m. and 6:30 p.m. daily, except Saturdays, Sundays and legal holidays.

5609.4.9 Vehicle standards. In the interest of public safety, all vehicles transporting wholesale fireworks shall meet the following standards.

1. All vehicles used to transport or distribute wholesale fireworks shall be placarded to indicate their contents;

2. A 2A20 BC fire extinguisher shall be carried in the cab of each vehicle; and

3. Tractor-trailer trucks in excess of 20 feet in length and straight trucks in excess of 18 feet in length shall not be used to transport wholesale fireworks within the District of Columbia.

5609.4.10 Wholesaler's records. Each wholesaler licensee shall maintain full and complete records of all purchases and sales of fireworks. The Fire Chief is authorized to examine the books and records of any wholesale licensee with respect to purchases and sales of fireworks.

5609.4.11 Other fireworks prohibited. No person licensed under this section shall store, keep for sale, deliver, or display any fireworks other than those authorized by this article.

5609.4.12 Sample required. Persons engaged in the business of selling or offering to sell fireworks at wholesale shall submit to the Fire Chief at least three samples of each firework proposed to be sold or delivered by the wholesaler, together with complete specifications and a chemical analysis for each firework. These samples shall be submitted to the Office of the Fire Marshal no later than February 1 of each year.

5609.5 License to Sell Fireworks: Retail.

5609.5.1 Retail license required. No person shall engage in the business of selling or offering to sell at retail in the District of Columbia any of the fireworks described in Section 5609.1.1.2 without first securing a fireworks retailer's license from the Department of Consumer and Regulatory Affairs.

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5609.5.2 Permit required. Each retailer shall obtain a permit from the Fire Chief to ensure the proper storage of fireworks.

5609.5.3 Retail sale of fireworks. All fireworks for retail sale in the District of Columbia shall be purchased in the District of Columbia from a licensed fireworks wholesaler.

5609.5.4 Minimum age. No individual shall participate in the retail sale of fireworks unless he or she has reached his or her 18th birthday.

5609.5.5 Application period. The application period shall be from June 1 of each calendar year through June 25. If June 25 falls on a day other than a *business day*, the last day of the application period shall be the last *business day* prior to June 25.

5609.5.6 Hours of sales operation. No fireworks product shall be offered for retail sale from any location in the District of Columbia between the hours of 10:00 p.m. to 10:00 a.m.

5609.5.7 Sale from fixed locations. A retail license will be issued to persons for the sale of fireworks only from a fixed location.

5609.5.8 Retailers records. Each retail licensee shall maintain full and complete records of all purchases of fireworks.

5609.5.9 Financial responsibility. Any person or business applying for a permit for the purposes of storage or retail of fireworks shall file with the Fire Chief or his representative a corporate surety bond in the principal minimum sum of $100,000 or a public liability insurance policy for the same sum for the purposes of payment of damages to persons or property which arise from, or are caused by, the conduct of any act authorized by the permit upon which any judicial judgment results. This section shall apply to all permanent and temporary retail establishments.

5609.6 Additional Safety Requirements for Fireworks.

5609.6.1 Prohibitions near flammable materials. No person shall sell, handle, store, or discharge any fireworks within 50 feet (15 240 mm) of any gasoline pump, fill line, vent line, or any building where flammable liquids are stored or handled.

5609.6.2 Places where discharges are prohibited. No person shall discharge fireworks within 50 feet (15 240 mm) of a place where fireworks are stored, handled, or sold.

5609.6.3 Removal or relocation. If the Fire Chief finds that fireworks are stored or displayed in any of the following ways, the Fire Chief is authorized to issue written

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orders to the licensee to remove or relocate that storage or display.

1. In a location that would impede egress from the premises in the event of a fire;

2. In close proximity to a source of possible ignition; or

3. In any other manner that is dangerous to persons or property.

5609.6.4 No Smoking Signs. No smoking signs that comply with Section 310.3 shall be posted at all retail firework stands.

5609.6.5 Fire Extinguishers. At least one fire extinguisher with a minimum rating of 2A shall be installed in each retail fireworks stand. The fire extinguisher shall be maintained in accordance with NFPA 10.

5609.7 Seizure of Fireworks.

5609.7.1 Fireworks Subject to Seizure. All fireworks sold, offered for sale, stored, processed, or transported in violation of this article shall be subject to seizure by the Fire Chief.

5609.7.2 Impounding. The Fire Chief shall impound all seized fireworks in a place under such conditions that will reduce as much as reasonably possible any threat from those impounded fireworks to the safety of any person or property.

5609.7.3 Notice to Destroy or Transport. At the time of seizure, the Fire Chief shall issue a written notice to the owner of the fireworks or the owner's agent stating that all seized fireworks shall be destroyed 30 days from the date of the notice. All seized fireworks approved for sale in the District of Columbia shall be returned provided the owner of the fireworks or the owner's agent can make arrangements satisfactory to the Fire Chief within 30 days from the date of the notice to properly transport the permitted fireworks to an approved location.

5609.7.4 Destruction of Fireworks. If the arrangements required under Section 5609.7.3 are not made within 30 days from the date on which written notice is given by the Fire Chief to the owner of the fireworks or the owner's agent, the Fire Chief shall destroy or order the destruction of the seized fireworks in a manner that reasonably avoids danger to any person or property.

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CHAPTER 61 LIQUEFIED PETROLEUM GASES

6101 General

6101 GENERAL

Strike Section 6101.2 of the International Fire Code in its entirety and insert new Section 6101.2 in the Fire Code in its place to the read as follows:

6101.2 Permits. An operational permit for storage and/or uses of LP-gas is required in accordance with Section 105.6.27. Distributors shall not fill an LP-gas container for which a permit is required unless a permit for installation has been issued for that location by the *code official*.

> **6101.2.1 Empty Containers:** Empty containers which have been used in LP-gas service and partially filled containers shall be considered as a full container.

Insert a new Section 6101.4 in the Fire Code to read as follows:

6101.4 Natural Gas: The use of LP-gas is prohibited wherever natural gas is available except where permitted by the *code official*.

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APPENDIX B FIRE-FLOW REQUIREMENTS FOR BUILDINGS

The provisions of Appendix B, Fire-Flow Requirements for Buildings, to the International Fire Code are adopted in their entirety as Appendix B to the Fire Code.

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APPENDIX C FIRE HYDRANT LOCATIONS AND DISTRIBUTION

The provisions of Appendix C, Fire Hydrant Locations and Distribution, to the International Fire Code are adopted in their entirety as Appendix C to the Fire Code.

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APPENDIX D FIRE APPARATUS ACCESS ROADS

The provisions of Appendix D, Fire Apparatus Access Roads, to the International Fire Code are adopted in their entirety as Appendix D to the Fire Code.

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APPENDIX H HAZARDOUS MATERIALS MANAGEMENT PLAN (HMMP) AND HAZARDOUS MATERIALS INVENTORY STATEMENT (HMIS) INSTRUCTIONS

The provisions of Appendix H, Hazardous Materials Management Plan (HMMP) and Hazardous Materials Inventory Statement (HMIS) Instructions, to the International Fire Code are adopted in their entirety as Appendix H to the Fire Code.

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DISTRICT OF COLUMBIA
CONSTRUCTION CODES SUPPLEMENT OF 2013
12 DCMR I ENERGY CONSERVATION CODE SUPPLEMENT

The District of Columbia has adopted the 2012 edition of the *International Energy Conservation Code* (IECC), as amended by this Supplement.

IECC CHAPTERS AMENDED BY THIS SUPPLEMENT:

IECC – COMMERCIAL PROVISIONS

CHAPTER 1[CE] ADMINISTRATION
CHAPTER 2[CE] DEFINITIONS
CHAPTER 4[CE] COMMERCIAL ENERGY EFFICIENCY

IECC – RESIDENTIAL PROVISIONS

CHAPTER 1[RE] SCOPE AND ADMINISTRATION
CHAPTER 4[RE] RESIDENTIAL ENERGY EFFICIENCY

The *District of Columbia Energy Conservation Code* (2013), referred to as the "*Energy Conservation Code*," consists of the 2012 edition of the *International Energy Conservation Code*, published by the International Code Council, as amended by the *District of Columbia Energy Conservation Code Supplement* (2013)(12 DCMR I). The *International Energy Conservation Code* is copyrighted by the ICC and therefore is not republished here. However, a copy of the text may be obtained at: http://publicecodes.cyberregs.com/icod/iecc/2012/index.htm?bu=IC-P-2012-000014&bu2=IC-P-2012-000019.

IECC-COMMERCIAL PROVISIONS

CHAPTER 1[CE] ADMINISTRATION

C101 General

Strike Parts 1 and 2 of Chapter 1[CE] of the International Energy Conservation Code in their entirety and insert new Section C101 to the Energy Conservation Code in their place to read as follows:

C101 GENERAL

C101.1 General. Administration and enforcement of the *Energy Conservation Code* shall be governed by Chapter 1 of the *Building Code*, 12 DCMR A.

The *District of Columbia Energy Conservation Code* (2013), referred to as the "*Energy Conservation Code*," consists of the 2012 edition of the *International Energy Conservation Code*, published by the International Code Council, as amended by the *District of Columbia Energy Conservation Code Supplement* (2013)(12 DCMR I). The *International Energy Conservation Code* is copyrighted by the ICC and therefore is not republished here. However, a copy of the text may be obtained at: http://publicecodes.cyberregs.com/icod/iecc/2012/index.htm?bu=IC-P-2012-000014&bu2=IC-P-2012-000019.

CHAPTER 2[CE] DEFINITIONS

C202 General Definitions

C202 GENERAL DEFINITIONS

Strike definition of Above-grade Wall in Section 202 of the International Energy Conservation Code-Commercial in its entirety and insert a new definition of Above-grade Wall in Section 202 of the Energy Conservation Code Commercial in its place to read as follows:

ABOVE-GRADE WALL. Definition provided in Section C402.2.2.1.

Insert a new definition of Below-grade Wall in Section 202 of the Energy Conservation Code-Commercial to read as follows:

BELOW-GRADE WALL. Definition provided in Section C402.2.2.2.

The *District of Columbia Energy Conservation Code* (2013), referred to as the "*Energy Conservation Code*," consists of the 2012 edition of the *International Energy Conservation Code*, published by the International Code Council, as amended by the *District of Columbia Energy Conservation Code Supplement* (2013)(12 DCMR I). The *International Energy Conservation Code* is copyrighted by the ICC and therefore is not republished here. However, a copy of the text may be obtained at: http://publicecodes.cyberregs.com/icod/iecc/2012/index.htm?bu=IC-P-2012-000014&bu2=IC-P-2012-000019.

CHAPTER 4[CE] COMMERCIAL ENERGY EFFICIENCY

C402 Building Envelope Requirements
C408 System Commissioning

C402 BUILDING ENVELOPE REQUIREMENTS

Strike Section C402.2.1.1 of the International Energy Conservation Code in its entirety and insert new Section C402.2.1.1 in the Energy Conservation Code in its place to read as follows:

C402.2.1.1 Roof solar reflectance and thermal emittance. Low-sloped roofs, with a slope less than 2 units vertical in 12 horizontal, directly above cooled *conditioned spaces* in Climate Zones 1, 2, 3 and 4 shall comply with one or more of the options in Table C402.2.1.1.

Exceptions: The following roofs and portions of roofs are exempt from the requirements in Table C402.2.1.1:

1. Portions of roofs that include or are covered by:

   1.1. Photovoltaic systems or components.

   1.2. Solar air or water heating systems or components.

   1.3. Roof gardens or landscaped roofs.

   1.4. Above-roof decks or walkways.

   1.5. Skylights.

   1.6. HVAC systems, components, and other opaque objects mounted above the roof.

2. Portions of roofs shaded during the peak sun angle on the summer solstice by permanent features of the building, or by permanent features of adjacent buildings.

3. Portions of roofs that are ballasted with a minimum stone ballast of 17 pounds per square foot (psf) (74 kg/m^2) or 23 psf (117 kg/m^2) pavers.

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4. Roofs where a minimum of 75 percent of the roof area meets a minimum of one of the exceptions above.

TABLE C402.2.1.1
MINIMUM ROOF REFLECTANCE AND EMITTANCE OPTIONS[a]

Three-year-aged solar reflectance[b] of 0.55 and three-year aged thermal emittance[c] of 0.75
Initial solar reflectance[b] of 0.70 and initial thermal emittance[c] of 0.75
Three-year-aged solar reflectance index[d] of 64
Initial solar reflectance index[d] of 82

a. The use of area-weighted averages to meet these requirements shall be permitted. Materials lacking initial tested values for either solar reflectance or thermal emittance shall be assigned both an initial solar reflectance of 0.10 and an initial thermal emittance of 0.90. Materials lacking three-year-aged tested values for either solar reflectance or thermal emittance shall be assigned both a three-year-aged solar reflectance of 0.10 and a three-year aged thermal emittance of 0.90.

b. Solar reflectance tested in accordance with ASTM C 1549, ASTM E 903 or ASTM E 1918.

c. Thermal emittance tested in accordance with ASTM C 1371 or ASTM E 408.

d. Solar reflectance index (SRI) shall be determined in accordance with ASTM E 1980 using a convection coefficient of 2.1 Btu/h × ft^2×°F (12W/m^2 × K). Calculation of aged SRI shall be based on aged tested values of solar reflectance and thermal emittance. Calculation of initial SRI shall be based on initial tested values of solar reflectance and thermal emittance.

Strike Section C402.2.6 of the International Energy Conservation Code in its entirety and insert new Section C402.2.6 in the Energy Conservation Code in its place to read as follows:

C402.2.6 Slabs on Grade. Where the slab-on-grade is in contact with the ground, the minimum thermal resistance (R-value) of the insulation around the perimeter of unheated or heated slab-on-grade floors, and the minimum thermal resistance of the insulation under heated slab-on-grade floors, shall be as specified in Table C402.2. The under-slab insulation shall be placed immediately below required vapor retarder. The perimeter insulation shall be placed on the outside of the foundation or on the inside of the foundation wall. The perimeter insulation shall extend downward from the top of the slab surface for a minimum distance as shown in the table or to the top of the footing, whichever is less, or downward to at least the bottom of the slab and then horizontally to the interior or exterior for the total distance shown in the table. Perimeter insulation extending away from the building foundation shall be protected by pavement or by a minimum of 10 inches (254 mm) of soil cover.

Exception: Where the unheated slab-on-grade floor is greater than 24 inches (610

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mm) below the finished exterior grade, perimeter insulation is not required.

Strike Section C408 of the International Energy Conservation Code in its entirety and insert new Section C408 in the Energy Conservation Code in its place to read as follows:

C408 SYSTEM COMMISSIONING

Strike Section C408 of the International Energy Conservation Code in its entirety without substitution.

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IECC-RESIDENTIAL PROVISIONS

CHAPTER 1 [RE] SCOPE AND ADMINISTRATION

R101 General

Strike Chapter 1[RE] of the International Energy Conservation Code in its entirety and insert new Section 101 in the Energy Conservation Code in its place to read as follows:

R101 GENERAL

R101.1 General. Administration and enforcement of the *Energy Conservation Code* shall be governed by Chapter 1 of the *Building Code*, 12 DCMR A.

The *District of Columbia Energy Conservation Code* (2013), referred to as the "*Energy Conservation Code*," consists of the 2012 edition of the *International Energy Conservation Code*, published by the International Code Council, as amended by the *District of Columbia Energy Conservation Code Supplement* (2013)(12 DCMR I). The *International Energy Conservation Code* is copyrighted by the ICC and therefore is not republished here. However, a copy of the text may be obtained at: http://publicecodes.cyberregs.com/icod/iecc/2012/index.htm?bu=IC-P-2012-000014&bu2=IC-P-2012-000019.

CHAPTER 4 [RE] RESIDENTIAL ENERGY EFFICIENCY

R402 Building Thermal Envelope
R403 Systems

R402 BUILDING THERMAL ENVELOPE

Strike Section R402.2.9 in the International Energy Conservation Code in its entirety and insert new Section R402.2.9 in the Energy Conservation Code in its place to read as follows:

R402.2.9. Slab-on-grade floors. Slab-on-grade floors shall be insulated in accordance with Table R402.1.1. Under-slab insulation is required for heated slabs on grade and shall be placed immediately below required vapor retarders. The perimeter insulation shall extend downward from the top of the slab surface on the outside or inside of the foundation wall. Perimeter insulation located below grade shall be extended the distance provided in Table R402.1.1 by any combination of vertical insulation, insulation extending under the slab or insulation extending out from the building foundation. Perimeter insulation extending away from the building foundation shall be protected by pavement or by a minimum of 10 inches (254 mm) of soil cover. The top edge of the insulation installed between the exterior wall and the edge of the interior slab-on-grade shall be permitted to be cut at a 45-degree (0.79 rad) angle away from the exterior wall. Slab-edge insulation shall not be required where the *code official* designates the District of Columbia as having a very heavy termite infestation.

Exception: Where the unheated slab-on-grade floor is greater than 12 inches (305 mm) below the finished exterior grade, perimeter insulation is not required.

Strike Section R402.4.1 of the International Energy Conservation Code in its entirety and insert new Section R402.4.1 in the Energy Conservation Code in its place to read as follows:

R402.4.1 Building thermal envelope. The *building thermal envelope* of (1) detached one- and two-family *dwellings* and townhouses; (2) Group R-3 *buildings* and (3) their accessory structures shall comply with Sections R402.4.1.1 and R402.4.1.2. The *building thermal envelope* of Group R-2 and R-4 *buildings* three stories or less in height above grade plane shall comply with either Sections R402.4.1.1 or R402.4.1.2. The sealing methods between dissimilar materials shall allow for differential expansion and contraction.

R402.4.1.1 Installation. The components of the *building thermal envelope* as listed in Table R402.4.1.1 shall be installed in accordance with the manufacturer's instructions and the criteria listed in Table R402.4.1.1, as applicable to the method of construction. Where required by the *code official*, an *approved* third party shall inspect all components

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and verify compliance.

R402.4.1.2 Testing. The *building* or *dwelling unit* shall be tested and verified as having an air leakage rate of less than or equal to 5 air changes per hour at a pressure of 0.2 inches w.g. (50 Pascals). Testing shall be conducted with a blower door at a pressure of 0.2 inches w.g. (50 Pascals). Where required by the *code official,* testing shall be conducted by an *approved* third party. A written report of the results of the test shall be signed by the party conducting the test and provided to the *code official.* Testing shall be performed at any time after creation of all penetrations of the *building thermal envelope.* Testing shall be conducted in accordance with a method approved by the *code official* including, but not limited to, an *approved* sampling protocol.

Exception: *Additions, alterations,* renovations or repairs are not subject to the testing requirements under R402.4.1.2 except for *Level 3 alterations*. However, the air barrier and insulation installation for *additions, alterations,* renovations or repairs shall be completed in accordance with Table R402.4.1.1 as applicable to the scope of work.

During testing:

1. Exterior windows and doors, fireplace and stove doors shall be closed, but not sealed, beyond the intended weather stripping or other infiltration control measures;

2. Dampers including exhaust, intake, makeup air, backdraft and flue dampers shall be closed, but not sealed beyond intended infiltration control measures;

3. Interior doors, if installed at the time of the test, shall be open;

4. Exterior doors for continuous ventilation systems and heat recovery ventilators shall be closed and sealed;

5. Heating and cooling systems, if installed at the time of the test, shall be turned off; and

6. Supply and return registers, if installed at the time of the test, shall be fully open.

Strike Table R402.4.1.1 in the International Energy Conservation Code in its entirety and insert new Table R402.4.1.1 in the Energy Conservation Code in its place to read as follows:

TABLE R402.4.1.1

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AIR BARRIER AND INSULATION INSTALLATION

COMPONENT	AIR BARRIER CRITERIA a	INSULATION INSTALLATION CRITERIA
General Requirements	A continuous air barrier shall be installed in the building envelope. Exterior thermal envelope shall contain a continuous air barrier. Breaks or joints in the air barrier shall be sealed.	Air-permeable insulation shall not be used as a sealing material.
Ceiling / attic	The air barrier in any dropped ceiling/soffit shall be aligned with the insulation and any gaps in the air barrier sealed. Access openings, drop down stair or knee wall doors to unconditioned attic spaces shall be sealed.	The insulation in any dropped ceiling/soffit shall be aligned with the air barrier.
Walls	Junctions of the foundation and sill plate shall be sealed. Junctions of the top plate and top of exterior walls shall be sealed. Knee walls shall be sealed.	Corners and headers shall be insulated. Exterior thermal envelope insulation for framed walls shall be installed in substantial contact and continuous alignment with the air barrier.
Windows, skylights and doors	The space between window/door jambs and framing, and skylights and framing shall be sealed.	
Rim joists	Rim joists shall include the air barrier.	Rim joists shall be insulated.
Floors (including above garage and cantilevered floors)	The air barrier shall be installed at any exposed edge of insulation.	Insulation shall be installed to maintain permanent contact with underside of subfloor decking.

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COMPONENT	AIR BARRIER CRITERIA a	INSULATION INSTALLATION CRITERIA
Crawl space walls	Exposed earth in unvented crawl spaces shall be covered with a Class I vapor retarder with overlapping joints taped.	Where provided in lieu of floor insulation, insulation shall be permanently attached to the crawlspace walls.
Shafts, penetrations	Duct shafts, utility penetrations, and flue shafts opening to exterior or unconditioned space shall be sealed.	
Narrow cavities		Batts in narrow cavities shall be cut to fit, or narrow cavities shall be filled by insulation that on installation readily conforms to the available cavity space.
Garage separation	Air sealing shall be provided between the garage and conditioned spaces.	
Recessed lighting	Recessed light fixtures installed in the building thermal envelope shall be sealed to the drywall.	Recessed light fixtures installed in the building thermal envelope shall be air tight, IC rated.
Plumbing and wiring		Batt insulation shall be cut neatly to fit around wiring and plumbing in exterior walls, or insulation that on installation readily conforms to available space shall extend behind piping and wiring.
Shower / tub on exterior wall	The air barrier installed at exterior walls adjacent to showers and tubs shall separate them from the showers and tubs.	Exterior walls adjacent to showers and tubs shall be insulated.

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COMPONENT	AIR BARRIER CRITERIA a	INSULATION INSTALLATION CRITERIA
Electrical / phone box on exterior walls	The air barrier shall be installed behind electrical or communication boxes, or air sealed boxes shall be installed.	
HVAC register boots	HVAC register boots that penetrate building thermal envelope shall be sealed to the subfloor or drywall.	
Fireplace	An air barrier shall be installed on fireplace walls. Fireplaces shall have gasketed doors	

a. In addition, inspection of log walls shall be in accordance with the provisions of ICC-400

R403 SYSTEMS

Strike Section R403.2 (including Subsections R403.2.1 through R403.2.3) of the International Energy Conservation Code in its entirety and insert new Section R403.2 in the Energy Conservation Code in its place to read as follows

R403.2 Ducts. Ducts and air handlers shall be in accordance with Sections R403.2.1 through R403.2.3.

R403.2.1 Insulation (Prescriptive). Supply ducts located in attics shall be insulated to a minimum of R-8. All other ducts shall be insulated to a minimum of R-6.

Exception: Ducts or portions thereof located completely inside the *building thermal envelope.*

R403.2.2 Sealing (Mandatory). Ducts, air handlers, and filter boxes shall be sealed. Joints and seams shall comply with either the *Mechanical Code* or *Residential Code,* as applicable.

Exceptions:

1. Air-impermeable spray foam products shall be permitted to be applied without additional joint seals.

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2. Where a duct connection is made that is partially inaccessible, three screws or rivets shall be equally spaced on the exposed portion of the joint so as to prevent a hinge effect.

3. Continuously welded and locking-type longitudinal joints and seams in ducts operating at static pressures less than 2 inches of water column (500 Pa) pressure classification shall not require additional closure systems.

Duct tightness shall be verified by either of the following:

1. **Postconstruction test:** Total duct leakage shall be less than or equal to 8 cfm (113.3 L/min) per 100 square feet (9.29 m^2) of conditioned floor area when tested at a pressure differential of 0.1 inches w.g. (25 Pa) across the entire system, including the manufacturer's air handler enclosure. All register boots shall be taped or otherwise sealed during the test.

2. **Rough-in test:** Total leakage shall be less than or equal to 8 cfm (113.3 L/min) per 100 square feet (9.29 m^2) of conditioned floor area when tested at a pressure differential of 0.1 inches w.g. (25 Pa) across the system, including the manufacturer's air handler enclosure. All registers shall be taped or otherwise sealed during the test. If the air handler is not installed at the time of the test, total leakage shall be less than or equal to 4 cfm (85 L/min) per 100 square feet (9.29 m^2) of conditioned floor area.

Testing shall be conducted in accordance with a method approved by the *code official*, including, but not limited to, an *approved* sampling protocol.

Exceptions to testing requirements:

1. The total leakage test is not required for ducts and air handlers located entirely within the *building thermal envelope.*

2. Existing duct systems that are part of an *addition, alteration*, renovation, or repair shall not be subject to the testing requirements set forth in this section. New duct systems that are part of an *addition, alteration*, renovation or repair shall be subject to the testing requirements set forth in this section.

R403.2.2.1 Sealed air handler. Air handlers shall have a manufacturer's designation for an air leakage of no more than 2 percent of the design air flow rate when tested in accordance with ASHRAE 193.

R403.2.3 Building cavities (Mandatory). Building framing cavities shall not be used as

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ducts or plenums.

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DISTRICT OF COLUMBIA
CONSTRUCTION CODES SUPPLEMENT OF 2013
12 DCMR J EXISTING BUILDING CODE SUPPLEMENT

The District of Columbia has adopted the 2012 edition of the *International Existing Building Code* (IEBC), as amended by this Supplement.

IEBC CHAPTERS AMENDED BY THIS SUPPLEMENT:

CHAPTER 1 SCOPE AND ADMINISTRATION
CHAPTER 2 DEFINITIONS
CHAPTER 4 PRESCRIPTIVE COMPLIANCE METHOD
CHAPTER 6 REPAIRS
CHAPTER 7 ALTERATIONS-LEVEL 1
CHAPTER 8 ALTERATIONS-LEVEL 2
CHAPTER 9 ALTERATIONS-LEVEL 3
CHAPTER 10 CHANGE OF OCCUPANCY
CHAPTER 15 CONSTRUCTION SAFEGUARDS

The *District of Columbia Existing Building Code* (2013), referred to as the "*Existing Building Code,"* consists of the 2012 edition of the *International Existing Building Code* as amended by the *District of Columbia Existing Building Code Supplement* (2013)(12 DCMR J)*).* The *International Existing Building Code* is copyrighted by the International Code Council and therefore is not republished here. However, a copy of the text may be obtained at: http://publicecodes.cyberregs.com/icod/iebc/2012/index.htm?bu=IC-P-2012-000006&bu2=IC-P-2012-000019.

CHAPTER 1 SCOPE AND ADMINISTRATION

101 General

Strike Chapter 1 of the International Existing Building Code in its entirety and insert new Section 101 to the Existing Building Code in its place to read as follows:

101 GENERAL

101.1 Administration and enforcement of the *Existing Building Code* shall be governed by Chapter 1 of the *Building Code*, 12 DCMR A.

The *District of Columbia Existing Building Code* (2013), referred to as the "*Existing Building Code,"* consists of the 2012 edition of the *International Existing Building Code* as amended by the *District of Columbia Existing Building Code Supplement* (2013)(12 DCMR J)*).* The *International Existing Building Code* is copyrighted by the International Code Council and therefore is not republished here. However, a copy of the text may be obtained at: http://publicecodes.cyberregs.com/icod/iebc/2012/index.htm?bu=IC-P-2012-000006&bu2=IC-P-2012-000019.

CHAPTER 2 DEFINITIONS

202 General Definitions

202 GENERAL DEFINITIONS

Strike the following definitions in the International Existing Building Code and insert the new definitions to the Existing Building Code in their place to read as follows:

ADDITION. An extension or increase in the building area, aggregate floor area, number of stories or height of a building or structure.

EXISTING BUILDING. Any building or structure that was erected and occupied or issued a certificate of occupancy at least one year before a construction permit application for that building or structure was made to DCRA.

Insert the following new definition to Section 202 of the Existing Building Code to read as follows:

FIRE RESISTANCE RATING. The period of time a building element, component or assembly maintains the ability to confine a fire, continues to perform a given structural function, or both, as determined by the tests, or the methods based on tests, prescribed in fire resistance ratings of building assemblies and structural elements shall be determined in accordance with Section 703 of the *Building Code*, 12 DCMR A. The fire resistance rating of existing building assemblies which have not been rated in accordance with Section 703 of the *Building Code* shall be determined in accordance with the procedures set forth in *Guidelines on Fire Ratings of Archaic Materials and Assemblies*, published in the *Existing Building Code* as Resource A.

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CHAPTER 4 PRESCRIPTIVE COMPLIANCE METHOD

403 Alterations
410 Accessibility for Existing Buildings

403 ALTERATIONS

Strike Section 403.3.1 of the International Existing Building Code in its entirety and insert new Section 403.3.1 to the Existing Building Code in its place to read as follows:

403.3.1 Design live load. Where the *alteration* does not result in increased design live load, existing gravity load-carrying structural elements shall be permitted to be evaluated and designed for live loads approved prior to the *alteration.* If the approved live load is less than that required by Section 1607 of the *Building Code*, 12 DCMR A, the area designed for the nonconforming live load shall be posted with placards of approved design indicating the approved live load. Where the *alteration* does result in increased design live load, the live load required by Section 1607 of the *Building Code* shall be used.

Exception: In buildings erected before July 1, 1925, the *code official* is authorized to allow a maximum reduction of 30 percent of the specified minimum live loads in Table 1607.1 of the *Building Code*, with a minimum live load for other than residential buildings of 40 psf (1.92 kN/m2), provided official live load placards are posted showing this reduced live load.

410 ACCESSIBILITY FOR EXISTING BUILDINGS

Strike Section 410.7 of the International Existing Building Code in its entirety and insert Section 410.7 to the Existing Building Code in its place to read as follows:

410.7 Alterations affecting an area containing a primary function. Where an *alteration* affects the accessibility to, or contains an area of, *primary function*, the route to the *primary function* area shall be accessible. The accessible route to the *primary function* area shall include toilet facilities or drinking fountains serving the area of *primary function*.

Exceptions:

1. The costs of providing the accessible route are not required to exceed 20 percent of the costs of the alterations affecting the area of *primary function*.

2. This provision does not apply to *alterations* limited solely to windows, hardware, operating controls, electrical outlets, signs, mechanical systems, electrical systems,

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installation or *alteration* of fire protection systems and abatement of hazardous materials.

3. This provision does not apply to *alterations* undertaken for the primary purpose of increasing the accessibility of a *facility*.

4. This provision does not apply to altered areas limited to Type B dwelling and sleeping units.

5. Power-operated doors at the main building entrance are not required except where that entrance is part of the work area.

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CHAPTER 6 REPAIRS

606 Structural

606 STRUCTURAL

Insert new Section 606.3 to the Existing Building Code to read as follows:

606.3 Reduction of strength. Repairs shall not reduce the structural strength or stability of the building, structure or any individual member thereof.

> **Exception:** Such reduction shall be allowed if structural integrity is not reduced below the current *Building Code* levels as determined by the *code official.*

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CHAPTER 7 ALTERATIONS-LEVEL 1

704 Means of Egress
705 Accessibility

704 MEANS OF EGRESS

Insert new Sections 704.2 and 704.3 to the Existing Building Code to read as follows:

704.2 Use of Exit and Exit Access Enclosures. Exits and exit access corridors shall comply with Section 1018.5 of the *Building Code*, 12 DCMR A.

Exception:

Existing exit access corridors that serve areas undergoing Level 1 alterations shall be allowed to be used as air return plenums where the following four conditions are verified:

1. The existing HVAC system already uses the corridor as a return plenum.

2. The HVAC system remains as existing, except for rearrangement of terminal branches, relocation of supply diffusers or replacement in kind of equipment.

3. The transfers from the altered space, to the corridor, shall be equipped with an approved smoke damper arranged to close upon detection of smoke on either side of the transfer.

4. The corridor is not an exit discharge.

704.3 Allowance for Fire Resistance Upgrading: When improving the fire resistance rating of the enclosure of stairways, exit access corridors or exit passageways complying with Section 1005 of the *Building Code*, 12 DCMR A, a tolerance of up to 1-1/2 inches (38 mm) shall be allowed in the minimum width of those elements of egress. When improving the fire resistance rating of a wall assembly on one side of stairways, exit access corridors or exit passageways, a tolerance of up to 3/4 inches (19 mm) shall be allowed in the minimum width of those elements of egress.

705 ACCESSIBILITY

Strike Section 705.2 of the International Existing Building Code in its entirety and insert new Section 705.2 to the Existing Building Code in its place to read as follows:

705.2 Alterations affecting an area containing a primary function. Where an *alteration* affects the accessibility to, or contains an area of, *primary function*, the route to the *primary*

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function area shall be accessible. The accessible route to the *primary function* area shall include toilet facilities or drinking fountains serving the area of *primary function*.

Exceptions:

1. The costs of providing the accessible route are not required to exceed 20 percent of the costs of the alterations affecting the area of *primary function*.

2. This provision does not apply to *alterations* limited solely to windows, hardware, operating controls, electrical outlets, signs, mechanical systems, electrical systems, installation or *alteration* of fire protection systems and abatement of hazardous materials.

3. This provision does not apply to *alterations* undertaken for the primary purpose of increasing the accessibility of a *facility*.

4. This provision does not apply to altered areas limited to Type B dwelling and sleeping units.

5. Power-operated doors at the main building entrance are not required except where that entrance is part of the work area.

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CHAPTER 8 ALTERATIONS-LEVEL 2

801 General
804 Fire Protection
805 Means of Egress

801 GENERAL

Strike Section 801.1 of the International Existing Building Code in its entirety and insert new Section 801.1 to the Existing Building Code in its place to read as follows:

801.1 Scope. Level 2 *alterations* as described in Section 504 shall comply with the requirements of this chapter.

Exceptions:

1. Buildings in which the reconfiguration is exclusively the result of compliance with the accessibility requirements of Section 705.2 shall be permitted to comply with Chapter 7.

2. Sections 803.2.1, 805.3 and 805.4 shall not be mandatory for Level 2 alteration work areas of less than 500 square feet (46.5 m²) provided:

   2.1. There is no increase in hazard; and

   2.2. The alterations do not adversely affect the existing means of egress or any required fire resistance rating.

Strike Section 801.3 of the International Existing Building Code in its entirety and insert new Section 801.3 to the Existing Building Code in its place to read as follows:

801.3 Compliance. All new construction elements, components, systems and spaces shall comply with the requirements of the *Building Code*, 12 DCMR A.

Exceptions:

1. Windows may be added without requiring compliance with the light and ventilation requirements of the *Building Code*.

2. Newly installed electrical equipment shall comply with the requirements of Section 808.

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3. The length of dead-end corridors in newly constructed spaces shall only be required to comply with the provisions of Section 805.6.

4. The minimum ceiling height of the newly created habitable and occupiable spaces and corridors shall be 7 feet (2134 mm). A lower clearance than that set forth in Exceptions to Subsection 1208.2 of the *Building Code* is permitted in special cases where the *code official* determines that a lower clearance will pose no undue health or safety hazard to the occupants.

804 FIRE PROTECTION

Strike Section 804.3 of the International Existing Building Code in its entirety and insert new Section 804.3 to the Existing Building Code in its place to read as follows:

804.3 Standpipes. Where the *work area* includes exits or corridors shared by more than one tenant and is located more than 50 feet (15 240 mm) above or below the lowest level of fire department access, a standpipe system shall be provided. Standpipes shall have an approved fire department connection with hose connections at each floor level above or below the lowest level of fire department access. Standpipe systems shall be installed in accordance with the *Building Code*, 12 DCMR A.

Exceptions:

1. Installation of a manual, wet standpipe system is permitted to achieve compliance with this section.

2. The interconnection of multiple standpipe risers shall not be required.

805 MEANS OF EGRESS

Strike Section 805.3.1.1 of the International Existing Building Code in its entirety and insert new Section 805.3.1.1 to the Existing Building Code in its place to read as follows:

805.3.1.1 Single-exit buildings. Only one exit is required from buildings and spaces of the following occupancies:

1. In Group A, B, E, F, M, U and S occupancies, a single exit is permitted in the story at the level of exit discharge when the occupant load of the story does not exceed 49 and the exit access travel distance does not exceed 75 feet (22 860 mm).

Exception: In Group A, B, E, F, M, U and S the exit access travel distance may be increased to 100 feet (30 480 mm) when the area

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served by the single exit and all egress components of the single exit are protected with automatic sprinklers.

2. Group B, F-2 and S-2 occupancies not more than two stories in height that are not greater than 3,500 square feet per floor (326 m²), when the exit access travel distance does not exceed 75 feet (22 860 mm). The minimum fire-resistance rating of the exit enclosure and of the opening protection shall be 1-hour.

   Exception: In Group B occupancies not more than three stories in height provided the exit access travel distance does not exceed 100 feet (30 480 mm) and the building is equipped with an approved automatic fire suppression system and automatic fire alarm system with smoke detectors located in all corridors, lobbies and common areas.

3. Open parking structures where vehicles are mechanically parked.

4. In community residences for individuals with developmental disabilities, the maximum occupant load excluding staff is 12.

5. Groups R-1 and R-2 not more than two stories in height, when there are not more than four dwelling units per floor and the exit access travel distance does not exceed 50 feet (15 240 mm). The minimum fire-resistance rating of the exit enclosure and of the opening protection shall be 1-hour.

   Exception: Group R-2 buildings may be not more than three stories in height where the building is equipped with an automatic fire suppression system and automatic fire alarm system.

6. In multilevel dwelling units in buildings of occupancy Group R-1 or R-2, an exit shall not be required from every level of the dwelling unit provided that one of the following conditions is met:

   6.1. The travel distance within the dwelling unit does not exceed 75 feet (22 860 mm); or

   6.2. The building is not more than three stories in height and all third-floor space is part of one or more dwelling units located in part on the second floor; and no habitable room within any such dwelling unit shall have a travel distance that exceeds 50 feet (15 240 mm) from the outside of the

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habitable room entrance door to the inside of the entrance door to the dwelling unit.

7. In Group R-2, H-4, H-5 and I occupancies and in rooming houses and child care centers, a single exit is permitted in a one-story building with a maximum occupant load of 10 and the exit access travel distance does not exceed 75 feet (22 860 mm).

8. In buildings of Group R-2 occupancy that are equipped throughout with an automatic fire sprinkler system, a single exit shall be permitted from a basement or story below grade if every dwelling unit on that floor is equipped with an approved window providing a clear opening of at least 5 square feet (0.47 m²) in area, a minimum net clear opening of 24 inches (610 mm) in height and 20 inches (508 mm) in width and a sill height of not more than 44 inches (1118 mm) above the finished floor.

9. In buildings of Group R-2 occupancy of any height with not more than four dwelling units per floor, with a smokeproof enclosure or outside stair as an exit and with such exit located within 20 feet (6096 mm) of travel to the entrance doors to all dwelling units served thereby.

10. In buildings of Group R-3 occupancy equipped throughout with an automatic fire sprinkler system, only one exit shall be required from basements or stories below grade.

11. In Group E occupancies that satisfy all of the following conditions:

    11.1. Not more than two stories above the level of exit discharge.

    11.2. The floor area of the story does not exceed 3,000 square feet (279 m²).

    11.3. Total occupant load served by the single exit does not exceed 49 persons per floor.

    11.4. Automatic sprinkler protection throughout the building, and a building fire alarm system.

12. In Group A-3, A-4, B, E, M and R occupancies located not more than one story below grade that satisfy all the following conditions:

    12.1. The floor area of the story does not exceed 2,500 square feet (233 m²).

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12.2. The area served by the single exit and all egress components of the single exit are equipped with an approved automatic fire suppression system.

12.3. The building is equipped with an automatic fire alarm system.

13. In Group A occupancies located not more than one story above the level of exit discharge where all of the following conditions are satisfied:

13.1. The floor area of the Group A occupancy does not exceed 2,000 square feet (186 m²).

Exception: Where the entire building is protected by an automatic sprinkler system, the floor area shall not exceed 3,000 square feet (279 m²).

13.2. The occupant load of the assembly area served by the single exit does not exceed 2/3 of the capacity of the single exit.

13.3. The area served by the single exit and all egress components of the single exit are protected with an automatic sprinkler system.

13.4. All portions of the level of discharge with access to the single exit egress path shall be protected by an automatic sprinkler system or shall be separated from the egress path in by an enclosure with a fire resistance rating of not less than 1-hour.

13.5. The building is provided with an automatic fire alarm system in accordance with the *Building Code* and NFPA 72.

14. In below-grade parking garages of Group S-2, provided:

14.1. The parking levels are protected with automatic sprinklers and a fire alarm system;

14.2. The travel distance to the exit does not exceed 400 feet (121 920 mm); and

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14.3. A car ramp is available for exit in addition to the single exit.

15. Group R-2 occupancies in buildings of any height that are provided with an approved, automatic fire suppression system, a single exit from a dwelling unit (i.e., apartment) is permitted, provided both of the following conditions are met:

15.1. Travel distance within the dwelling unit to the exit access corridor does not exceed 125 feet (38 100 mm); and

15.2. Travel distance from corridor door to an exit does not exceed 200 feet (60 960 mm).

Strike Section 805.4.1.1 of the International Existing Building Code in its entirety and insert new Section 805.4.1.1 to the Existing Building Code in its place to read as follows:

805.4.1.1 Occupant load and travel distance. In any *work area*, all rooms and spaces having an occupant load greater than 50 or in which the travel distance to an exit exceeds 75 feet (22 860 mm) shall have a minimum of two egress doorways.

Exceptions:

1. Storage rooms having a maximum occupant load of 10.

2. Where the *work area* is served by a single exit in accordance with Section 805.3.1.1.

3. In Group B occupancies, only one egress doorway is required when conditions 3.1, 3.2, and 3.3 are met, and either condition 3.4 or 3.5, as applicable, is also met.

3.1. The space is confined, restricted or isolated by the demising partitions of the existing adjacent spaces such that two egress doorways complying with the remoteness requirements of the *Building Code* cannot be provided;

3.2. The common path of travel within the space is not more than 100 feet (30 480 mm);

3.3. The occupant load of the space does not exceed 49;

3.4. In non-sprinklered, non-high-rise buildings, automatic smoke

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detection is provided both in the spaces served by the single egress doorway and throughout the means of egress to the building exits; or

3.5. In high-rise buildings, both the spaces served by the single egress doorway and the means of egress to the building exit are provided with automatic sprinklers.

Strike Section 805.6 of the International Existing Building Code in its entirety and insert new Section 805.6 to the Existing Building Code in its place to read as follows:

805.6 Dead-end corridors. Dead-end corridors in any work area shall not exceed 35 feet (10 670 mm).

Exceptions:

1. Where dead-end corridors of greater length are permitted by the *Building Code*, 12 DCMR A.

2. In other than Group A and H occupancies, the maximum length of an existing dead-end corridor shall be 50 feet (15 240 mm) in buildings equipped throughout with an automatic fire alarm system installed in accordance with the *Building Code*.

3. In other than Group A and H occupancies, the maximum length of an existing dead-end corridor shall be 75 feet (22 860 mm) where the floor containing the dead-end corridor is equipped with automatic sprinkler protection in accordance with the *Building Code*.

4. In other than Group A and H occupancies, the maximum length of an existing dead-end corridor shall be 100 feet (30 480 mm) in buildings equipped throughout with an automatic sprinkler system installed in accordance with the *Building Code*.

5. In other than Group A and H occupancies, the maximum length of an extended dead-end corridor shall not exceed 50 feet (15 240 mm) on floors equipped with an automatic sprinkler system installed in accordance with the *Building Code*.

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CHAPTER 9 ALTERATIONS-LEVEL 3

902 Special Use and Occupancy
903 Building Elements and Materials
904 Fire Protection
908 Energy Conservation

902 SPECIAL USE AND OCCUPANCY

Strike Section 902.1 of the International Existing Building Code I its entirety and insert new Section 902.1 to the Existing Building Code in its place to read as follows:

902.1 High-rise buildings. Any building having occupied floors more than 75 feet (22 860 mm) above the lowest level of fire department vehicle access shall comply with the requirements of Sections 902.1.1 and 902.1.2.

> **Exception:** Existing high-rise buildings that are stripped of all systems and interior walls in all areas other than those used as a public garage, leaving no more than the structure, shaft walls and the exterior envelope assemblies, shall be rebuilt in full compliance with Section 403 of the *Building Code*, 12 DCMR A.

Maintain Sections 902.1.1 and 902.1.2 of the International Existing Building Code.

903 BUILDING ELEMENTS AND MATERIALS

Insert new Section 903.4 in the Existing Building Code to read as follows:

903.4 Air-borne sound. Walls, partitions and floor/ceiling assemblies separating *dwelling units* from each other or from public or service areas shall have a sound transmission class (STC) of not less than 50 (45 if field tested) for air-borne noise when tested in accordance with ASTM E 90. Walls, partitions and floor/ceiling assemblies separating Group A-2 occupancies from *dwelling units* shall have a sound transmission class (STC) of not less than 55 and shall be field tested to achieve a rating of not less than 50 for air-borne noise. Penetrations or openings in construction assemblies for piping; electrical devices; recessed cabinets; bathtubs; soffits; or heating, ventilating or exhaust ducts shall be sealed, lined, insulated or otherwise treated to maintain the required ratings. This requirement shall not apply to *dwelling unit* entrance doors; however, such doors shall be tight fitting to the frame and sill.

> **Exception:** Group A-2 occupancies that do not utilize amplified music as part of their use shall be exempt from these provisions.

904 FIRE PROTECTION

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Strike Section 904.1.1 of the International Existing Building Code in its entirety and insert new Section 904.1.1 to the Existing Building Code in its place to read as follows:

904.1.1 High-rise buildings. In high-rise buildings, work areas shall be provided with automatic sprinkler protection in accordance with Section 903 of the *Building Code*, 12 DCMR A.

904.1.1.1 Where Level 3 work areas occur on 75 percent or more of the building floors, excluding mechanical, parking and non-occupiable levels, automatic sprinkler protection shall be provided throughout the entire building in accordance with Section 903 of the *Building Code*.

904.1.1.2 Where an automatic sprinkler system with sprinkler control valves and water flow devices is provided for each floor throughout the building in accordance with Section 903 of the *Building Code*, modifications to the minimum type of construction and fire resistance rating requirements of the *Construction Codes* are permitted as described in Section 403.2 of the *Building Code*.

904.1.1.3 Additional requirements for alterations to 100% percent of floors. Where Level 3 alteration work areas occur on all floors, excluding mechanical, parking and non-occupiable levels, the building shall comply with the following additional requirements:

1. **Emergency voice/alarm communication systems.** Provide an emergency voice/alarm communication system in accordance with Section 403.4.4 of the *Building Code*.

2. **Emergency responder radio coverage.** Provide a two-way fire department communications system in accordance with Section 403.4.5 of the *Building Code*.

3. **Fire command center.** Provide a fire command center in accordance with Section 403.4.6 of the *Building Code*.

   Exception: Where the following features do not exist in the building or cannot be readily provided as part of a Level 3 alteration, they are not required to be added for compliance with Section 911.1 of the *Building Code*: annunciator unit visually indicating the location of the elevators and whether they are operational; status indicators and controls for air-handling systems and emergency and standby power status indicators.

4. **Standby power and emergency power systems.** Provide standby power and emergency power systems in accordance with Sections 403.4.8 and 403.4.9 of the *Building Code*.

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Strike Section 904.1.2 of the International Existing Building Code in its entirety and insert new Section 904.1.2 to the Existing Building Code in its place to read as follows:

904.1.2 Rubbish and linen chutes. Rubbish and linen chutes located in the work area shall be provided with automatic sprinkler system protection where protection of the rubbish and linen chute would be required under the provisions of the *Building Code* for new construction.

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CHAPTER 10 CHANGE OF OCCUPANCY

1012 Change of Occupancy Classification

1012 CHANGE OF OCCUPANCY CLASSIFICATION

Insert new Section 1012.1.5 in the Existing Building Code to read as follows:

1012.1.5 Air-borne sound. All buildings undergoing a change of occupancy classification shall comply with Section 903.4.

Strike Section 1012.4.2 of the International Existing Building Code in its entirety and insert new Section 1012.4.2 to the Existing Building Code in its place to read as follows:

1012.4.2 Means of egress for change of use to equal or lower hazard category. When a change of occupancy classification is made to an equal or lesser hazard category (higher number) as shown in Table 1012.4, existing elements of the means of egress shall comply with the requirements of Section 905 for the new occupancy classification. Newly constructed or configured means of egress shall comply with the requirements of Chapter 10 of the *Building Code*, 12 DCMR A.

Exceptions:

1. Any stairway replacing an existing stairway within a space where the pitch or slope cannot be reduced because of existing construction shall not be required to comply with the maximum riser height and minimum tread depth requirements.

2. When the following conditions are met, a single open stair shall be permitted to serve as the exit:

    1. Change of use Group from R-3 to B;

    2. The building is three stories above grade or less;

    3. Occupant load served is fewer than 50 persons;

    4. Egress capacity is met; and

    5. The existing egress features are maintained or improved.

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CHAPTER 15 CONSTRUCTION SAFEGUARDS

1501 General

Strike Chapter 15 of the International Existing Building Code in its entirety and insert new Section 1501 to the Existing Building Code in its place to read as follows:

1501 GENERAL

1501.1 The provisions of Chapter 33 of the *Building Code*, 12 DCMR A, shall govern safety during construction that is under the jurisdiction of this code and the protection of adjacent public and private properties.

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DISTRICT OF COLUMBIA
CONSTRUCTION CODES SUPPLEMENT OF 2013
12 DCMR K GREEN CONSTRUCTION CODE SUPPLEMENT

The District of Columbia has adopted the 2012 edition of the *International Green Construction Code* (IgCC), as amended by this Supplement.

IgCC CHAPTERS AMENDED BY THIS SUPPLEMENT:

CHAPTER 1	SCOPE AND ADMINISTRATION
CHAPTER 2	DEFINITIONS
CHAPTER 3	GREEN BUILDING ACT AND ASHRAE 189.1
CHAPTER 4	SITE DEVELOPMENT AND LAND USE
CHAPTER 5	MATERIAL RESOURCE CONSERVATION AND EFFICIENCY
CHAPTER 6	ENERGY CONSERVATION, EFFICIENCY AND CO_2^e EMISSION REDUCTION
CHAPTER 7	WATER RESOURCE CONSERVATION, QUALITY AND EFFICIENCY
CHAPTER 8	INDOOR ENVIRONMENTAL QUALITY AND COMFORT
CHAPTER 9	COMMISSIONING
CHAPTER 10	EXISTING BUILDINGS
CHAPTER 11	EXISTING BUILDING SITE DEVELOPMENT
CHAPTER 12	REFERENCED STANDARDS
APPENDIX A	PROJECT ELECTIVES

The *District of Columbia Green Construction Code* (2013), referred to as the "*Green Construction Code*," consists of the 2012 edition of the *International Green Construction Code* published by the International Code Council (ICC), as amended by the *District of Columbia Green Construction Code Supplement* (2013) (12 DCMR K). The *International Green Construction Code* is copyrighted by the ICC and therefore is not republished here. However, a copy of the text may be obtained at: http://publicecodes.cyberregs.com/icod/igcc/2012/index.htm?bu=IC-P-2012-000023&bu2=IC-P-2012-000019 .

Strike Chapter 1 of the International Green Construction Code in its entirety and insert new Chapter 1 in the Green Construction Code in its place to read as follows.

CHAPTER 1 SCOPE AND ADMINISTRATION

101 General

101 GENERAL

101.1 Scope and intent. Scope and intent of the *Green Construction Code* shall be governed by Chapter 1 of the *Building Code*, 12 DCMR A.

101.2 Administration and enforcement. Administration and enforcement of the *Green Construction Code* shall be governed by Chapter 1 of the *Building Code*, 12 DCMR A.

The District of Columbia Green Construction Code (2013) , referred to as the "*Green Construction Code*," consists of the 2012 edition of the *International Green Construction Code* published by the International Code Council (ICC), as amended by the *District of Columbia Green Construction Code Supplement* (2013)(12 DCMR K). The *International Green Construction Code* is copyrighted by the International Code Council and therefore is not republished here. However, a copy of the text may be obtained at: http://publicecodes.cyberregs.com/icod/igcc/2012/index.htm?bu=IC-P-2012-000023&bu2=IC-P-2012-000019.

CHAPTER 2 DEFINITIONS

202 Definitions

202 DEFINITIONS

Insert the following new definitions in Section 202 of the Green Building Code to read as follows:

DAYLIT AREA.

1. **Under skylights.** The area under skylights whose horizontal dimension, in each direction, is equal to the skylight dimension in that direction plus either the floor-to-ceiling height or the dimension to a ceiling height opaque partition, or one-half the distance to adjacent skylights or vertical fenestration, whichever is least.

2. **Adjacent to vertical fenestration.** The area adjacent to vertical fenestration which receives daylight through the fenestration. For purposes of this definition and unless more detailed analysis is provided, the daylight *zone* depth is assumed to extend into the space a distance of 15 feet (4572 mm) or to the nearest ceiling height opaque partition, whichever is less. The daylight *zone* width is assumed to be the width of the window plus 2 feet (610 mm) on each side, or the window width plus the distance to an opaque partition, or the window width plus one-half the distance to adjacent skylight or vertical fenestration, whichever is least.

DISTRICT FINANCED. (1) Financing of a project or contract where funds or resources to be used for construction and development costs, excluding ongoing operational costs, are received from the District, or funds or resources which, in accordance with a federal grant or otherwise, the District administers, including a contract, grant, loan, tax abatement or exemption, land transfer, land disposition and development agreement, or tax increment financing, or any combination thereof, provided, that federal funds may be applied to the financing percentage only if permitted by federal law and grant conditions; or (2) Financing whose stated purpose is, in whole or in part, to provide for the new construction or substantial rehabilitation of affordable housing.

DISTRICT INSTRUMENTALITY FINANCED. See "*District financed*."

ELECTRIC VEHICLE. An automotive-type vehicle for on-road use, such as passenger automobiles, buses, trucks, vans, neighborhood electric vehicles, electric motorcycles and the like, primarily powered by an electric motor that draws current from a rechargeable storage battery, fuel cell, photovoltaic array, or other source of electric current. Plug-in hybrid electric vehicles (PHEV) are considered electric vehicles.

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ELECTRIC VEHICLE CONNECTOR. A device that, by insertion into an electric vehicle inlet, establishes an electrical connection to the electric vehicle for the purpose of power transfer and information exchange.

ELECTRIC VEHICLE SUPPLY EQUIPMENT. The conductors, including the ungrounded, grounded, and equipment grounding conductors and the electric vehicle connectors, attachment plugs, and all other fittings, devices, power outlets, or apparatus installed specifically for the purpose of transferring energy between the premises wiring and the electric vehicle.

FLOOR AREA, GROSS (For Section 302). *Gross floor area* shall have the same meaning ascribed to it ~~as~~ in the *Zoning Regulations*, 11 DCMR, and as interpreted by the Zoning Administrator.

GROSS FLOOR AREA (For Section 302). See *Floor area, gross*.

NEW CONSTRUCTION (For Section 302). The construction of any building or structure whether as a stand-alone, or an addition to, a building or structure. The term "new construction" includes new buildings and additions or enlargements of existing buildings, exclusive of any *alterations* or repairs to any existing portion of a building.

PROJECT (For Section 302). Construction that is all or a part of one development scheme, built at one time or in phases.

RESIDENTIAL OCCUPANCIES (For Section 302). Residential Group R-2, R-3 or R-4 occupancies, and buildings regulated by the *Residential Code.*

SUBSTANTIAL IMPROVEMENT (For Section 302). Any repair, *alteration*, or addition of a building or structure, the cost of which equals or exceeds 50 percent of the market value of the building or structure before the repair, *alteration*, or addition is started.

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Strike Chapter 3 of the International Green Construction Code in its entirety and insert new Chapter 3 in the Green Construction Code in its place to read as follows:

CHAPTER 3 GREEN BUILDING ACT AND ASHRAE 189.1

301 General
302 Green Building Act Requirements
303 ASHRAE 189.1 Adoption

301 GENERAL

301.1 General. The scope of the *Green Construction Code*, and alternative paths for complying with the *Green Construction Code*, are set forth in 12 DCMR A § 101.4.9.

302 GREEN BUILDING ACT REQUIREMENTS

302.1 Green Building Act of 2006 requirements. An applicant for permits subject to Section 302.2 or Section 302.3 shall comply with Sections 302.4 through 302.12 and the Green Building Act of 2006, effective March 8, 2007 (D.C. Law 16-234; D.C. Official Code §§ 6-1451.01 *et seq.* (2012 Repl. & 2013 Supp.)), as amended ("Green Building Act" or "GBA"). Other components of the Green Building Act are administered by other District of Columbia agencies. The applicant shall have the option of requesting a Green Building Act Preliminary Design Review Meeting ("GBA PDRM") with the Department, at the discretion of the applicant.

302.2 Publicly-owned or publicly financed projects. This section shall apply to each *project* that is new construction or a *substantial improvement;* and, is either:

1. A District-owned or District instrumentality-owned *project*; or

2. A *District financed* or *District instrumentality financed project*, where the financing represents at least 15 percent of the *project*'s total cost.

   302.2.1 Energy Star Target Finder Tool. Each *project* of 10,000 square feet (929 m^2) or more of *gross floor area* shall be designed and constructed to achieve a minimum score of 75 points on the Energy Star Target Finder Tool. The applicant shall provide plans and supporting documents in sufficient detail and clarity to enable the *code official* to verify compliance with this section.

   Exceptions:

   1. Building occupancies for which the Energy Star tool is not available.

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2. *Alterations*.

302.2.2 Non-residential projects. A *project* which does not contain *residential occupancies* that equal or exceed 50 percent of the gross floor area of the *project*, including allocable area of common space, shall be deemed a non-residential *project* and shall be designed and constructed so as to achieve no less than the applicable LEED standard listed in Section 302.4, at the Silver level or higher. The applicant shall provide plans and supporting documents in sufficient detail and clarity to enable the *code official* to verify compliance with this section.

Exceptions:

1. Educational Group E (covered by Section 302.2.3).

2. Space designed and occupied for *residential occupancies* in a non-residential *project* (covered by Section 302.2.4).

3. Space designed and occupied for non-residential uses located in a residential *project* (covered by Section 302.2.5).

4. Space designed and occupied for non-residential uses located in a District-owned or a District instrumentality-owned building (covered by either Section 302.2.6 or Section 302.2.7 as applicable).

302.2.3 Educational Group E. A *project* of Educational Group E shall be designed and constructed to meet the LEED standard for Schools, at the Gold level or higher. The applicant shall provide plans and supporting documents in sufficient detail and clarity to enable the *code official* to verify compliance with this section. This section shall apply only to the following: (1) schools owned, operated or maintained by the District of Columbia Public Schools (DCPS); and (2) District of Columbia public charter schools.

Exceptions:

1. Where sufficient funding is not available to meet the applicable LEED standard for Schools at the Gold level, then the *project* shall meet the LEED standard for Schools at no less than the Certified Level of the LEED standard for Schools. Prior to submitting a permit application under this exception, the applicant shall obtain an exemption based on insufficient funding from DDOE pursuant to Section 302.12.

2. Where a *project* for Educational Group E occupancy is located in only a portion of a building, then only that portion of the building that is the subject of the *project* shall comply with this Section 302.2.3.

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302.2.4 Project containing residential occupancies. Where a *project* contains 10,000 square feet (929 m^2) or more of *gross floor area* for *residential occupancies* including the allocable area of common space, then the *residential occupancies* of the *project* shall be designed and constructed to meet or exceed the Enterprise Green Communities Criteria, or a substantially equivalent standard as determined by the *code official*. The applicant shall provide plans and supporting documents in sufficient detail and clarity to enable the *code official* to verify compliance with this section. A self-certification checklist shall be submitted to the *code official* with the application for the certificate of occupancy of the residential component of the *project*. The residential component of the project shall not be required to meet a LEED standard.

302.2.5 Interior construction of a mixed use space in a residential project. Where *residential occupancies* exceed 50 percent of the *gross floor area* of the *project*, including allocable area of common space, and the *project* contains at least 50,000 contiguous square feet (4645 m^2) of *gross floor area*, exclusive of common space of the non-residential occupancies, then the space designated for non-residential occupancies shall be designed and constructed to meet or exceed one or more of the applicable LEED standards listed in Section 302.4 at the Certified Level. The applicant shall provide plans and supporting documents in sufficient detail and clarity to enable the *code official* to verify compliance with this section.

302.2.6 Interior tenant fit-out alteration in a District-Owned or a District Instrumentality-Owned project. Where a *project* in a District-owned or a District instrumentality-owned building involves the *alteration* of 30,000 square feet (2787 m^2) or more of *gross floor area* for a single non-residential occupancy, exclusive of common space, for which space a certificate of occupancy for non-residential use has been or would be issued, then the portion of the *project* subject to *alteration* shall be designed and constructed to meet or exceed one or more of the LEED standards listed in Section 302.4 at the Certified Level. The applicant shall provide plans and supporting documents in sufficient detail and clarity to enable the *code official* to verify compliance with this section.

302.2.7 Interior tenant fit-out in new construction. Where a *project* in a District-owned or a District-instrumentality-owned building involves the fit-out for tenant occupancy of shell space or spaces of 30,000 square feet (2787 m^2) or more of *gross floor area*, exclusive of common space, for a single non-residential occupancy, for which space a certificate of occupancy would be issued, the portion of the *project* subject to tenant fit-out shall be designed and constructed to meet or exceed one or more of the applicable LEED standards listed in Section 302.4 at the Certified Level. The applicant shall provide plans and supporting documents in sufficient detail and clarity to enable the *code official* to verify compliance with this section.

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302.3 Privately-owned projects. All privately-owned *projects* that are (a) new construction or *substantial improvement*; and (b) 50,000 square feet (4645 m^2) or more of *gross floor area* shall comply with Section 302.3. Privately-owned *projects* shall mean *projects* owned or developed by a non-governmental *person* which are not within the scope of Section 302.2. This category shall also include, but shall not be limited to, ~~a~~ *projects* involving the following District of Columbia participation:

1. Improved and unimproved real property acquired by sale from the District or a District instrumentality to a private entity;

2. Unimproved real property leased from the District or a District instrumentality to a private entity: and

3. Any *project* where some portion but less than 15 percent of the *project*'s total *project* cost is *District financed* or *District instrumentality financed*. Privately-owned *projects* receiving 15 percent or greater of the *project's* cost from the District or a District instrumentality shall comply with Section 302.2.

302.3.1 Energy Star Target Finder Tool. Each *project* of 50,000 square feet (4645 m^2) or more of *gross floor area* shall estimate the *project*'s energy performance using the Energy Star Target Finder Tool and submit this data to the *code official* with the permit application.

Exception: Building occupancies for which the Energy Star tool is not available.

302.3.2 Privately-owned non-residential projects. In addition to compliance with Section 302.3.1, each non-residential *project* of 50,000 square feet (4645 m^2) or more of *gross floor area* shall be designed and constructed to meet or exceed one or more of the LEED standards listed in Section 302.4 at the Certified Level. A "non-residential project" shall mean a *project* where 50 percent or more of the *gross floor area*, including allocable area of common space, is occupied or intended for occupancy for uses that are not *residential occupancies*. The applicant shall provide plans and supporting documents in sufficient detail and clarity to enable the *code official* to verify compliance with this section.

302.3.3 Interior construction of mixed use space in a residential project. Where *residential occupancies* exceed 50 percent of *the gross floor area* of the *project*, including allocable area of common space, and the *project* contains at least 50,000 contiguous square feet (4645 m^2) of *gross floor area*, exclusive of common space of the non-residential occupancies, then the space designated for non-residential occupancies shall be designed and constructed to meet or exceed one or more of the applicable LEED standards listed in Section 302.4 at the Certified Level. The applicant shall provide plans

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and supporting documents in sufficient detail and clarity to enable the *code official* to verify compliance with this section.

302.3.4 Educational Group E. A project of Educational Group E occupancy shall be designed and constructed to meet the LEED standard for Schools, at the Gold level or higher. The applicant shall provide plans and supporting documents in sufficient detail and clarity to enable the *code official* to verify compliance with this section. This section shall apply only to the following: (1) schools owned, operated or maintained by the District of Columbia Public Schools (DCPS); and (2) District of Columbia public charter schools.

Exceptions:

1. Where sufficient funding is not available to meet the applicable LEED standard for Schools at the Gold level, then the *project* shall meet the LEED standard for Schools at no less than the Certified Level of the LEED standard for Schools. Prior to submitting a permit application under this exception, the applicant shall obtain an exemption based on insufficient funding from DDOE pursuant to Section 302.12.

2. Where a *project* for Educational Group E occupancy is located in only a portion of a building, then only that portion of the building that is the subject of the *project* shall comply with this Section 302.3.4.

302.3.5 Terminology. Where the term "gross floor space" is used in the Green Building Act, the term shall mean *gross floor area.*

302.4 LEED standards. Applicants, in consultation with the U.S. Green Building Council (USGBC) listed in Chapter 12, shall utilize one or more of the following LEED standards listed in Chapter 12, as appropriate for the type of *project* or occupancy:

1. New Construction & Major Renovations.

2. Commercial Interiors.

3. Core & Shell.

4. Healthcare.

5. Retail: Commercial Interiors.

6. Retail: New Construction & Major Renovations.

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7. Schools.

302.4.1 LEED version. An applicant for permits subject to Sections 302.2.2 through 302.2.7 (excluding residential *projects* subject to 302.2.4) or Section 302.3.2 through 302.3.~~3~~4 shall either register the *project* with the USGBC or shall meet the LEED requirements without USGBC registration and provide verification of compliance in accordance with alternatives 2 or 3 of Section 302.5.1.

302.4.1.1 LEED version applicable to certain projects.

302.4.1.1.1 Prior USGBC registration. Where an applicant has registered a *project* with the USGBC using an earlier version of the LEED standards listed in Section 302.4 and Chapter 12, then the applicant may elect to have verification of the *project* based upon such earlier LEED version, provided that the USGBC will continue the certification process under the earlier version.

302.4.1.1.2 Verification of compliance without USGBC registration. Where an applicant elects to meet the LEED requirements without USGBC registration, the applicant shall use the LEED standards listed in Section 302.4.

Exception: Where the applicant has engaged in at least one of the following interactions with the District of Columbia, then the applicant may elect to have verification of the *project* based upon an earlier LEED version, provided that the earliest version of the appropriate LEED standard that shall be used is the version in effect one year prior to whichever of the interactions of the applicant with the District of Columbia came first:

1. The approval of a land disposition agreement;

2. The submission of an application to the Board of Zoning Adjustment for a variance or special exception relief;

3. The submission of an application to the Zoning Commission for a planned unit development or other approval requiring Zoning Commission action;

4. The submission of an application to the Historic Preservation Review Board or Mayor's Agent for the Historic Preservation Review Board;

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5. The filing of a building permit application for the primary scope of work of *project*, but not applications for other types of permits, including, but not limited to, applications for raze permits, trade permits, foundation and earthwork permits or miscellaneous; or

6. Other substantial land-use interactions with the District as determined by the *code official*.

302.4.1.2 Enterprise Green Communities version. An applicant for permits subject to 302.2.4 shall register the *project* with Enterprise Green Communities or with the entity that certifies compliance with an *approved* substantially equivalent standard; or, the applicant shall meet the applicable standard without registration of the *project* and provide verification of compliance in accordance with alternatives 2 or 3 of Section 302.5.1

302.4.1.2.1 Prior registration. Where an applicant has registered a *project* with Enterprise Green Communities or with an entity that certifies compliance with an *approved* substantially equivalent standard, using an earlier version of the applicable standards than listed in Chapter 12, then the applicant may elect to have verification of the *project* based upon such earlier version, provided that the certifying organization will continue the certification process under the earlier version.

302.4.1.2.2 Verification of compliance without registration. Where an applicant elects to meet the Enterprise Green Communities Criteria (or an *approved* substantially equivalent standard) without registration, the applicant shall use the Enterprise Green Communities Criteria listed in Chapter 12 or, if applicable, the *approved* substantially equivalent standard.

Exception: Where the applicant has engaged in at least one of the interactions with the District of Columbia listed in Section 302.4.1.1.2, then the applicant may elect to have verification of the *project* based upon an earlier version of the appropriate standard; provided, that the earliest version of the appropriate standard that shall be used is the version in effect one year prior to whichever of the interactions of the applicant with the District of Columbia listed in Section 302.4.1.1.2 came first.

302.5 Verification. Evidence that a *project* meets or exceeds the LEED standard required by

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Sections 302.2.2 through 302.2.7 or Sections 302.3.2 through 302.3.4~~3~~, or the Enterprise Green Communities Criteria (or *approved* substantially equivalent standard) required by Section 302.2.4, shall be submitted to the *code official* within 24 calendar months after the *project*'s receipt of the first certificate of occupancy issued for occupiable space in a *story above grade plane*.

302.5.1 Evidence required. For purposes of this section, verification of compliance shall be established by the following:

1. A certification by the USGBC that the *project* meets or exceeds the applicable LEED standard required by Sections 302.2.2 through 302.2.7 or Sections 302.3.2 through 302.3.4~~3~~, or, if applicable, a certification by Enterprise Green Communities (or entity that certifies an *approved* substantially equivalent standard) that the *project* meets or exceeds the applicable standard required by Section 302.2.4; or

2. A determination by the *code official* that the *project* meets or exceeds the LEED standard required by Sections 302.2.2 through 302.2.7 or Section 302.3.2 through 302.3.4~~3~~, or the Enterprise Green Communities Criteria (or *approved* substantially equivalent standard) required by Section 302.2.4; or

3. A certification by an *approved agency* or *approved source* that the *project* meets or exceeds the LEED standard required by Sections 302.2.2 through 302.2.7 or Section 302.3.2 through 302.3.4~~3~~, or the Enterprise Green Communities Criteria (or *approved* substantially equivalent standard) required by Section 302.2.4.

302.5.2 Extension. The *code official*, for good cause and upon written request, is authorized to extend the period for verification of compliance for up to three consecutive one-year periods.

302.6 Financial security. Before issuance of the first certificate of occupancy for occupiable space in a *story above grade plane* of a privately-owned project subject to the provisions of Sections 302.3.2 through 302.3.4, the applicant shall provide to the *code official* evidence of financial security to cover the amount of fine that would be imposed under the Green Building Act for non-compliance with the provisions of Sections 302.3.2 through 302.3.4.

302.6.1 Amount of financial security. The amount of the potential fine on a *project*, and thus the amount of financial security, shall be as follows:

1. $7.50 per square foot of *gross floor area* of construction if the *project* is less than 100,000 square feet (9290 m^2) of *gross floor area* of the *project*.

2. $10.00 per square foot of *gross floor area* of construction if the *project* is equal to

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or greater than 100,000 square feet (9290 m^2) of *gross floor area* of the *project*.

The amount of a fine for non-compliance under this sub-section, and thus the amount of security, shall not exceed $3,000,000. When applying the provisions of this Section 302.6 to interior construction of a mixed use space in a residential project covered by Section 302.3.3, the *gross floor area* of the *project* shall be deemed to mean the contiguous *gross floor area*, exclusive of common space, of the non-residential occupancies. The amount of this fine shall be subject to modification based upon the form of security for performance as provided for in Sections 302.6.2.1 through 302.6.2.3.

302.6.2 Security for performance/form of delivery. The financial security requirement shall be met through one of the following four methods:

302.6.2.1 Cash. If this option is elected, cash shall be deposited in an escrow account in a financial institution in the District in the names of the *applicant* and the District. A copy of a binding escrow agreement of the financial institution shall be submitted to the *code official* in a form satisfactory to the Office of the Attorney General, which provides that the funds can be released upon direction of the District where remitted pursuant to Section 302.7. If cash is used as the financial security, the amount of the financial security posted shall be discounted by 20 percent.

302.6.2.2 Irrevocable letter of credit. If this option is elected, an irrevocable letter of credit benefitting the District shall be submitted to the *code official* in a form satisfactory to the Office of the Attorney General from a financial institution authorized to do business in the District. The irrevocable letter of credit, issued by the financial institution, shall comply with applicable regulatory requirements. If an irrevocable letter of credit is used as the financial security, the amount of the financial security posted shall be discounted by 20 percent.

302.6.2.3 Bond. If this option is elected, a bond benefitting the District, which complies with applicable regulatory requirements, shall be submitted to the *code official* in a form satisfactory to the Office of the Attorney General. If a bond is used as the financial security, the amount of the financial security posted shall be discounted by 20 percent.

302.6.2.4 Binding pledge. If this option is elected, a binding pledge shall be submitted to the *code official* in a form approved by the Office of the Attorney General. The binding pledge shall be recorded as a covenant in the land records of the District against legal title to the land in which the *project* is located and shall bind the *owner* and any successors in title to pay any fines levied under Section 302.7.1.

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302.7 Enforcement. Where a *project* fails to provide pursuant to Section 302.5 satisfactory verification of the *project*'s compliance with the requirements of Sections 302.3.2 through 302.3.4~~3~~ within the prescribed time frame and any extensions thereof granted by the *code official* pursuant to Section 302.5.2, the *code official* is authorized to draw down on the financial security submitted as cash, irrevocable letter of credit or bond, by submission by the District of the original security documentation, provided that where a binding pledge has been provided, to enforce such pledge agreement pursuant to its terms. The amounts thus drawn down from the financial security shall be deposited in the Green Building Fund set up under the Green Building Act.

302.7.1 Financial security drawdowns. If a *project* fails to provide satisfactory verification of compliance, the drawdowns of the financial security in the form of cash, irrevocable letter of credit, or bond shall be as follows:

1. Failure to provide proof of compliance within 24 calendar months after the *project*'s receipt of the first certificate of occupancy for occupiable space in a *story above grade plane*: 100 percent drawdown; or

2. Miss up to three LEED points in the applicable LEED standard: 50 percent drawdown; or

3. Miss more than three LEED points in the applicable LEED standard: 100 percent drawdown.

302.7.2 Binding pledge fines. If a *project* fails to provide satisfactory verification of compliance within 24 calendar months after the *project*'s receipt of the first certificate of occupancy for occupiable space in a *story above grade plane* and a binding pledge is used as the form of financial security, one or more fines shall be due and payable per the amounts set out in Section 302.6.1 as may be modified pursuant to Section 302.7.1.

302.8 Release of financial security. If, within 24 calendar months following the issuance of the first certificate of occupancy for occupiable space in a *story above grade plane*, the *project* fulfills the requirements of Section 302.5, the financial security shall be released by the District of Columbia and, as applicable, returned.

302.9 Remediation. If within 24 months after receipt of the first certificate of occupancy for occupiable space in a *story above grade plane*, or within the extension periods granted to the project per Section 302.5.2, the project does not meet the requirements of Section 302.5, the project *owner* shall, at its own cost, design and renovate the *existing building* to meet or exceed the current edition of the LEED standard for Existing Buildings: Operations & Maintenance at the Certified Level. The *project owner* shall submit sufficient data to the *code official* to verify compliance with this section. The *project owner* shall provide to the *code official* certification, by the *owner*'s *registered design professional* or an *approved agency or an approved source* that

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the *project* complies with this section.

302.10 Additional fine. If within 48 calendar months after receipt of the first certificate of occupancy for occupiable space in a *story above grade plane*, a *project* subject to Section 302.34 fails to provide satisfactory verification in accordance with the provisions of Section 302.5 or Section 302.9, the *project owner* shall pay a monthly fine of $0.02 per square foot of *gross floor area* of the *project* to the District of Columbia. The fine shall be a civil penalty, due and payable annually. The fine shall be in addition to any fines issued under Section 302.7 and shall not be subject to the $3,000,000 limit under Section 302.6.1.

302.11 Appeals. Determinations made by the *code official* under Sections 302.2 through 302.10 may be appealed pursuant to Section 112 of the *Building Code*.

302.12 Exemptions. A request for an exemption from application of the Green Building Act, or the implementing regulations set forth in Section 302, to any *project* may be made to DDOE pursuant to the provisions of 20 DCMR Chapter 35 and D.C. Official Code § 6-1451.10 (2012 Repl.).

303 ASHRAE 189.1 ADOPTION

303.1 Adoption. ASHRAE 189.1 is adopted and incorporated into the *Green Construction Code* by this reference, subject to the amendments set forth in this section.

303.2 Amendments to ASHRAE 189.1.

Strike Section 2 of ASHRAE 189.1 in its entirety and insert new Section 2 in its place to read as follows:

2. SCOPE

The scope of ASHRAE 189.1 shall be governed by 12 DCMR A § 101.4.9.

3. DEFINITIONS, ABBREVIATIONS, AND ACRONYMS

3.2 Definitions.

Strike the definition of "acceptance representative" in Section 3.2 of ASHRAE 189.1 and insert a new definition of "acceptance representative" in its place to read as follows:

Acceptance representative: An entity identified by the *owner* who leads, plans, schedules, and coordinates the activities needed to implement the building acceptance testing activities. The acceptance representative may be a qualified employee or consultant of the *owner*. The

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acceptance representative shall meet the qualifications for an *approved* agency set forth in the Green Building Program Manual.

Strike the title of Section 4 of ASHRAE 189.1 in its entirety and insert a new title in Section 4 in its place to read as follows:

4. GENERAL AND APPENDICES

Insert the following amendments to Section 5 of ASHRAE 189.1:

5. SITE SUSTAINABILITY

5.3 Mandatory Provisions.

Strike Sections 5.3.1.2 (Prohibited Development Activity) and 5.3.2 (Mitigation of Heat Island Effect) of ASHRAE 189.1 in their entirety without substitution.

Strike the Exceptions to Sections 5.3.3.2 and 5.3.3.3 in ASHRAE 189.1 in their entirety and insert new Exceptions in their place to read as follows:

Exceptions to Sections 5.3.3.2 and 5.3.3.3:

1. Specialized signal, directional, and marker lighting associated with transportation.

2. Advertising signage or directional signage.

3. Lighting integral to equipment or instrumentation and installed by its manufacturer.

4. Lighting for theatrical purposes, including performance, stage, film production, and video production.

5. Lighting for athletic playing areas.

6 Lighting that is in use for no more than 60 continuous days and is not re-installed any sooner than 60 days after being uninstalled.

7. Lighting for industrial production, material handling, transportation sites, and associated storage areas.

8. Theme elements in theme/amusement parks.

The District of Columbia Green Construction Code (2013) , referred to as the "*Green Construction Code*," consists of the 2012 edition of the *International Green Construction Code* published by the International Code Council (ICC), as amended by the *District of Columbia Green Construction Code Supplement* (2013)(12 DCMR K). The *International Green Construction Code* is copyrighted by the International Code Council and therefore is not republished here. However, a copy of the text may be obtained at: http://publicecodes.cyberregs.com/icod/igcc/2012/index.htm?bu=IC-P-2012-000023&bu2=IC-P-2012-000019.

9. Roadway lighting required by governmental authorities.

10. Lighting classified for and used in hazardous locations as specified in NFPA 70.

11. Lighting for swimming pools and water features.

12. Means of egress and emergency lighting.

13. Lighting for public safety.

14. Lighting for security.

5.4 Prescriptive Option.

Strike Section 5.4.1 (Site Development) of ASHRAE 189.1 in its entirety and insert new Section 5.4.1 in its place to read as follows:

5.4.1 Site Development. *Building projects* shall comply with Section 5.4.1.1.

5.4.1.1 Greenfield Sites. On a *greenfield site*:

a. Where more than 20 percent of the area of the predevelopment *site* has existing *native plants* or *adapted plants*, a minimum of 20 percent of the area of *native plants* or *adapted plants* shall be retained.

b. Where 20 percent or less of the area of the predevelopment *site* has existing *native plants* or *adapted plants*, a minimum of 20 percent of the *site* shall be developed or retained as vegetated area. Such vegetated areas include bioretention facilities, rain gardens, filter strips, grass swales, vegetated level spreaders, constructed *wetlands*, planters, and open space with plantings. A minimum of 60 percent of such vegetated area shall consist of *biodiverse planting* of *native plants* and/or *adapted plants* other than turfgrass.

6. WATER USE EFFICIENCY

6.3 Mandatory Provisions.

6.3.1 Site Water Use Reduction.

Strike Section 6.3.1.3 of ASHRAE 189.1 in its entirety and insert new Section 6.3.1.3 in its place to read as follows:

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6.3.1.3 Controls. Any irrigation system for the project *site* shall be controlled by a qualifying *smart controller* that uses either *ET* and weather data or soil moisture readings to adjust irrigation schedules and an on-site rain or moisture sensor that automatically shuts the system off after a predetermined amount of rainfall or sensed moisture in the soil. Qualifying *smart controllers* shall meet the minimum requirements as listed below when tested in accordance with IA *SWAT* Climatological Based Controllers 8th Draft Testing Protocol or IA *SWAT* Soil Moisture Sensor-Based Controllers: Laboratory and Operational Tests Version 3.0. *Smart controllers* that use *ET* or soil moisture shall use the following inputs for calculating appropriate irrigation amounts:

a. *Irrigation adequacy*—80% minimum ET_c.

b. *Irrigation excess*—not to exceed 10%.

6.3.2 Building Water Use Reduction.

Strike Section 6.3.2, Subsection i. of ASHRAE 189.1 in its entirety without substitution.

6.3.2.3 HVAC Systems and Equipment.

Strike Section 6.3.2.3, Subsection c. of ASHRAE 189.1 in its entirety without substitution.

6.4 Prescriptive Option.

Strike Section 6.4.1 (Site Water Use Reduction) of ASHRAE 189.1 in its entirety without substitution.

Strike Section 6.4.2.3 (Medical and Laboratory Facilities) of ASHRAE 189.1 in its entirety without substitution.

7. ENERGY EFFICIENCY

7.3 Mandatory Provisions.

Strike Section 7.3.2 (On-Site Renewable Energy Systems) of ASHRAE 189.1 in its entirety without substitution.

7.4 Prescriptive Option.

Strike Section 7.4.1.1 (On-Site Renewable Energy Systems) of ASHRAE 189.1 in its entirety without substitution.

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Strike 7.4.3.3 (Economizers) of ASHRAE 189.1 in its entirety without substitution.

Strike Section 7.5 (Performance Option) of ASHRAE 189.1 in its entirety and insert new Section 7.5 in its place to read as follows:

7.5 Performance Option.

7.5.1 General Comprehensive Performance Requirements. Projects shall comply with Section 7.5.2.

7.5.2 Annual Energy Cost. The *building project* shall have an annual energy cost less than or equal to that achieved by compliance with Sections 7.3 and 7.4, and Sections 5.3.2.2, 5.3.2.3, 6.3.2, 6.4.2, 8.3.1, 8.3.4, and 8.4.1. Comparisons shall be made using Normative Appendix D.

8. INDOOR ENVIRONMENTAL QUALITY (IEQ)

8.3 Mandatory Provisions.

Strike Section 8.3.2 (Thermal Environmental Conditions for Human Occupancy) of ASHRAE 189.1 in its entirety and without substitution.

9. THE BUILDING'S IMPACT ON THE ATMOSPHERE, MATERIALS, AND RESOURCES

9.3 Mandatory Provisions.

Strike Section 9.3.4 (Storage and Collection of Recyclables and Discarded Goods) of ASHRAE 189.1 in its entirety without substitution.

10. CONSTRUCTION AND PLANS FOR OPERATION

Strike Section 10.1 (Scope) of ASHRAE 189.1 in its entirety and insert new Section 10.1 in its place to read as follows:

10.1 Scope. This section specifies requirements for construction and plans for operation, including the *commissioning process*, building acceptance testing, measurement and *verification*, energy use reporting, durability, transportation management, erosion and sediment control, construction, and indoor air quality during construction. Commissioning documents shall be available to the code official upon request.

10.3 Mandatory Provisions.

The District of Columbia Green Construction Code (2013) , referred to as the "*Green Construction Code*," consists of the 2012 edition of the *International Green Construction Code* published by the International Code Council (ICC), as amended by the *District of Columbia Green Construction Code Supplement* (2013)(12 DCMR K). The *International Green Construction Code* is copyrighted by the International Code Council and therefore is not republished here. However, a copy of the text may be obtained at: http://publicecodes.cyberregs.com/icod/igcc/2012/index.htm?bu=IC-P-2012-000023&bu2=IC-P-2012-000019.

Strike Section 10.3.1.1.1 (Activities Prior to Building Permit) of ASHRAE 189.1 in its entirety without substitution.

Strike Section 10.3.1.2 (Building Project Commissioning) of ASHRAE 189.1 in its entirety and insert new Section 10.3.1.2 in its place to read as follows:

> **10.3.1.2 Building Project Commissioning.** Commissioning shall be performed in accordance with this section using *generally accepted engineering standards* and handbooks acceptable to the *AHJ*. Buildings undergoing the *commissioning process* will be deemed to comply with the requirements of Section 10.3.1.1, "Building Acceptance Testing." A *commissioning process* shall be incorporated into the predesign, design, construction, and first year occupancy of the *building project* that verifies that the delivered building and its components, assemblies, and systems comply with the documented *OPR*. Procedures, documentation, tools, and training shall be provided to the building operating staff to sustain features of the building assemblies and systems for the service life of the building. This material shall be assembled and organized into a systems manual that provides necessary information to the building operating staff to operate and maintain all commissioned systems identified within the building project.

Strike Section 10.3.1.2.1 (Activities Prior to Building Permit) of ASHRAE 189.1 in its entirety without substitution.

Strike Section 10.3.1.2.3 (Post-Occupancy Activities) of ASHRAE 189.1 in its entirety without substitution.

Strike Section 10.3.1.3 (Erosion and Sediment Control (ESC)) of ASHRAE 189.1 in its entirety without substitution.

Strike Section 10.3.2 (Plans for Operation) of ASHRAE 189.1 in its entirety and insert new Section 10.3.2 in its place to read as follows:

> **10.3.2 Preliminary Commissioning Report.** Prior to the final inspection, the Preliminary Commissioning Report shall be provided to the owner. A copy of the report shall be made available to the *code official* upon request.

Insert new Section 10.3.3 in ASHRAE 189.1 to read as follows:

> **10.3.3 Final Commissioning Report Requirement.** A Final Commissioning Report shall be provided to the owner within 180 days after the date of issuance of the first certificate of occupancy for occupiable space in a *story above grade plane*, and a copy shall be made available to the *code official* upon request.

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11. NORMATIVE REFERENCES

Under subheading "Irrigation Association (IA)" in Section 11 of ASHRAE 189.1, strike the SWAT reference in its entirety, and insert the following new references in its place under subheading "Irrigation Association (IA)" in Section 11 of ASHRAE 189.1 to read as follows:

Irrigation Association (IA) **6450 Arlington Boulevard** **Falls Church, VA 22042-6638** **1-703-536-7080** **www.irrigation.org**		
Reference	**Title**	**Section**
Smart Water Application Technologies (SWAT) Soil Moisture Sensor-Based Controllers: Laboratory and Operational Tests Version 3.0, August 2011	Smart Water Application Technologies (SWAT), Turfgrass and Landscape Irrigation System Smart Controllers Soil Moisture Sensor-Based Controllers	6.3.1.3
Smart Water Application Technologies (SWAT) Climatological Based Controllers 8th Draft Testing Protocol, September 2008	Smart Water Application Technologies (SWAT), Turf and Landscape Irrigation Equipment Climatologically Based Controllers	6.3.1.3

The District of Columbia Green Construction Code (2013) , referred to as the "*Green Construction Code*," consists of the 2012 edition of the *International Green Construction Code* published by the International Code Council (ICC), as amended by the *District of Columbia Green Construction Code Supplement* (2013)(12 DCMR K). The *International Green Construction Code* is copyrighted by the International Code Council and therefore is not republished here. However, a copy of the text may be obtained at: http://publicecodes.cyberregs.com/icod/igcc/2012/index.htm?bu=IC-P-2012-000023&bu2=IC-P-2012-000019.

CHAPTER 4 SITE DEVELOPMENT AND LAND USE

401 General
402 Preservation of Natural Resources
403 Stormwater Management
404 Landscape Irrigation and Outdoor Fountains
405 Management of Vegetation, Soils and Erosion Control
406 Building Site Waste Management
407 Transportation Impact
408 Heat Island Mitigation
409 Site Lighting

401 GENERAL

Strike Section 401.2 of the International Green Construction Code in its entirety and insert new Section 401.2 in the Green Construction Code in its place to read as follows:

401.2 Predesign site inventory and assessment. An inventory and assessment of the natural resources and baseline conditions of the building site shall be submitted with the *construction documents*. The inventory and assessment shall:

1. Identify how soils will be prepared, amended and placed in a manner that establishes or restores the ability of the soil to support the vegetation that has been protected and that will be planted;

2. Identify *invasive plant species* on the site for removal; and

3. Identify native plant species on the site.

402 PRESERVATION OF NATURAL RESOURCES

Strike Section 402 of the International Green Construction Code in its entirety without substitution.

403 STORMWATER MANAGEMENT

Strike Section 403 of the International Green Construction Code in its entirety without substitution.

404 LANDSCAPE IRRIGATION AND OUTDOOR FOUNTAINS

Strike Section 404 of the International Green Construction Code in its entirety without

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substitution.

405 MANAGEMENT OF VEGETATION, SOILS AND EROSION CONTROL

Strike Section 405.1 of the International Green Construction Code in its entirety and insert new Section 405.1 in the Green Construction Code in its place to read as follows:

405.1 Soil and water quality protection. Soil and water quality shall be protected in accordance with Section 405.1.4.

Strike Sections 405.1.1, 405.1.2, and 405.1.3 of the International Green Construction Code in their entirety without substitution.

Strike Section 405.1.4 of the International Green Construction Code in its entirety and insert new Section 405.1.4 in the Green Construction Code in its place to read as follows:

405.1.4 Soil reuse and restoration. Soils that are being placed or replaced on a *building site* shall be prepared, amended and placed in a manner that establishes or restores the ability of the soil to support the vegetation that has been protected and that will be planted. Soil reuse and restoration shall be in accordance with Sections 405.1.4.1 and 405.1.4.2.

405.1.4.1 Preparation. Before placing stockpiled or imported topsoils, compliance with all of the following shall occur:

1. Areas shall be cleared of debris including, but not limited to, *building* materials, plaster, paints, road base type materials, petroleum based chemicals, and other harmful materials;

2. Areas of construction-compacted subsoil shall be scarified; and

3. The first lift of replaced soil shall be mixed into this scarification zone to improve the transition between the subsoil and overlying soil horizons.

Exceptions: Scarification is prohibited in all of the following locations:

1. Where scarification would damage existing tree roots.

2. On inaccessible slopes.

3. On or adjacent to trenching and drainage installations.

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4. On areas intended by the design to be compacted such as abutments, footings, inslopes.

5. *Brownfields.*

6. Other locations where scarification would damage existing structures, utilities and vegetation being preserved.

405.1.4.2 Restoration. Soils disturbed during construction shall be restored in areas that will not be covered by buildings, structures or hardscapes. Soil restoration shall comply with the following:

1. **Organic matter.** To provide appropriate organic matter for plant growth and for water storage and infiltration, soils shall be amended with a mature, stable compost material so that not less than the top 6 inches (152.4 mm) of soil contains not less than 3 percent organic matter. Sphagnum peat or organic amendments that contain sphagnum peat shall not be used. Soil organic matter shall be determined in accordance with ASTM D 2974. Organic materials selected for onsite amendment or for blending of imported soils shall be renewable within a 50-year cycle.

   Exception: Where the reference soil for a building site has an organic level depth other than 6 inches, soils shall be amended to organic matter levels and organic matter depth that are comparable to the site's reference soil.

2. **Additional soil restoration criteria.** In addition to compliance with Item 1, soil restoration shall comply with not less than three of the following criteria:

   1. **Compaction.** Bulk densities within the root zone shall not exceed the densities specified in Table 405.1.4 and shall be measured using a soil cone penetrometer in accordance with ASAE S313.3. The root zone shall be not less than 6 inches (152.4 mm), nor less than the site's reference soil, whichever results in the greater depth of measurement. Data derived from a soil cone penetrometer shall be reported in accordance with ASAE EP542.

   2. **Infiltration rates.** Infiltration rates or saturated hydraulic conductivity of the restored soils shall be comparable to the site's reference soil. Infiltration rates shall be determined in accordance with ASTM D 3385 or ASTM D 5093. For sloped areas where the methods provided in the referenced standards cannot be used

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successfully, alternate methods *approved* by the *code official* shall be permitted provided that the same method is used to test both reference soil and onsite soil.

3. **Soil biological function.** Where remediated soils are used, the biological function of the soils' mineralizable nitrogen shall be permitted as a proxy assessment of biological activity.

4. **Soil chemical characteristics.** Soil chemical characteristics appropriate for plant growth shall be restored. The pH, cation exchange capacity and nutrient profiles of the original undisturbed soil or the site's reference soil shall be matched in restored soils. Salinity suitable for regionally appropriate vegetation shall be established. Soil amendments and fertilizers shall be selected from those which minimize nutrient loading to waterways or groundwater.

TABLE 405.1.4
MAXIMUM CONE PENETROMETER READINGS

SURFACE RESISTANCE (PSI)		SUBSURFACE RESISTANCE (PSI)	
All Textures Sand	Sand (includes loamy sand, sandy loam, sandy clay loam, and sandy clay)	Silt (includes loam, silt loam, silty clay loam, and silty clay)	Clay (includes clay loam)
110	260	260	225

Strike Section 405.2 of the International Green Construction Code in its entirety and insert new Section 405.2 in the Green Construction Code in its place to read as follows

405.2 Invasive plant species. *Invasive plant species* shall not be planted on a building site. Containment or removal of any *invasive plant species* currently on the site is required.

Strike Section 405.3 of the International Green Construction Code in its entirety and insert new Section 405.3 in the Green Construction Code in its place to read as follows:

405.3 Native plant landscaping. Where new landscaping is installed as part of a site plan or within the building site, not less than 50 percent of the newly landscaped area shall be planted with native plant species.

Exceptions:

The District of Columbia Green Construction Code (2013) , referred to as the "*Green Construction Code*," consists of the 2012 edition of the *International Green Construction Code* published by the International Code Council (ICC), as amended by the *District of Columbia Green Construction Code Supplement* (2013)(12 DCMR K). The *International Green Construction Code* is copyrighted by the International Code Council and therefore is not republished here. However, a copy of the text may be obtained at: http://publicecodes.cyberregs.com/icod/igcc/2012/index.htm?bu=IC-P-2012-000023&bu2=IC-P-2012-000019.

1. Locations where non-native plant species are required by laws or regulations of the District of Columbia;

2. Vegetative roofs for buildings or structures; or

3. Trees.

406 BUILDING SITE WASTE MANAGEMENT

Strike Section 406.1 of the International Green Construction Code in its entirety and insert new Section 406.1 in the Green Construction Code in its place to read as follows:

406.1 Building site waste management requirements ~~plan~~. Not less than 75 percent of the land-clearing debris from a building site shall be diverted from landfills. Land-clearing debris includes rock, trees, stumps and associated vegetation. The building site development shall comply with the following additional requirements:

1. The effective destruction and disposal of *invasive plant species*.

2. Where the site is located in a federal or state designated quarantine zone for invasive insect species, building site vegetation management shall comply with the quarantine rules.

3. Receipts or other documentation related to diversion shall be maintained through the course of construction. When requested by the *code official*, evidence of diversion shall be provided.

Insert new Section 406.3 in the Green Construction Code to read as follows:

406.3 Verification. Prior to issuance of the first certificate of occupancy for occupiable space in a *story above grade plane*, or prior to final inspection, if a new certificate of occupancy is not required, the *Department* is authorized to ~~may~~ require the *owner*, contractor or an *approved agency* to provide verification of the project's compliance with Section 406.1.

407 TRANSPORTATION IMPACT

Strike Section 407 of the International Green Construction Code in its entirety without substitution.

408 HEAT ISLAND MITIGATION

The District of Columbia Green Construction Code (2013) , referred to as the "*Green Construction Code*," consists of the 2012 edition of the *International Green Construction Code* published by the International Code Council (ICC), as amended by the *District of Columbia Green Construction Code Supplement* (2013)(12 DCMR K). The *International Green Construction Code* is copyrighted by the International Code Council and therefore is not republished here. However, a copy of the text may be obtained at: http://publicecodes.cyberregs.com/icod/igcc/2012/index.htm?bu=IC-P-2012-000023&bu2=IC-P-2012-000019.

Strike Section 408.1 of the International Green Construction Code in its entirety and insert new Section 408.1 in the Green Construction Code in its place to read as follows:

408.1 General. The heat island effect of building and building site development shall be mitigated in accordance with Section 408.2.

Strike Section 408.2.2 of the International Green Construction Code in its entirety and insert new Section 408.2.2 in the Green Construction Code in its place to read as follows:

> **408.2.2 Shading by structures.** Where shading is provided by a building or structure or a building element or component, such building, structure, component or element shall comply with the following:
>
> 1. Where open trellis-type free standing structures, such as, but not limited to, covered walkways, and trellises or pergolas, are covered with native plantings, the plantings shall be designed to achieve mature coverage within five years; and
>
> 2. Shade provided onto the hardscape by an adjacent building or structure located on the same lot shall be calculated and credited toward compliance with this section based on the projected peak sun angle on the summer solstice.

Strike Section 408.3 of the International Green Construction Code in its entirety without substitution.

409 SITE LIGHTING

Strike Section 409.1 of the International Green Construction Code in its entirety and insert new Section 409.1 in the Green Construction Code in its place to read as follows:

409.1 Light pollution control. U~~u~~plight, light trespass, and glare shall be limited for all exterior lighting equipment as described in Sections 409.2 and 409.3. The provisions of this section shall only apply to new construction and Level 3 *alterations* complying with the applicable requirements of the *Existing Building Code*.

> **Exceptions:** Lighting used for the following exterior applications is exempt where equipped with a control device independent of the control of the non-exempt lighting:
>
> 1. Specialized signal, directional, and marker lighting associated with transportation.
>
> 2. Advertising signage or directional signage.
>
> 3. Lighting integral to equipment or instrumentation and installed by its manufacturer.

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4. Theatrical purposes, including performance, stage, film production, and video production.

5. Athletic playing areas where lighting is equipped with hoods or louvers for glare control.

6. Temporary lighting.

7. Lighting for industrial production, material handling, transportation sites, and associated storage areas where lighting is equipped with hoods or louvers for glare control.

8. Theme elements in theme and amusement parks.

9. Roadway lighting required by governmental authorities.

10. Lighting used to highlight features of public monuments and registered landmark structures.

11. Lighting classified for and used in hazardous areas.

12. Lighting for swimming pools and water features.

13. Means of egress and emergency lighting.

14. Lighting for public safety.

15. Lighting for security.

Strike Section 409.1.1 and Table 409.1.1 of the International Green Construction Code in their entirety and insert new Section 409.1.1 and Table 409.1.1 in the Green Construction Code in their place to read as follows:

409.1.1 Exterior lighting zones. The lighting zone for the building site shall be determined from Table 409.1.1 as clarified by *Administrative Bulletins*.

TABLE 409.1.1 EXTERIOR LIGHTING ZONES

LIGHTING ZONE	DESCRIPTION
1	Developed areas of national parks, state parks, forest land and rural areas
2	Areas predominantly consisting of residential zoning, neighborhood business districts, light industrial with limited nighttime use and

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	residential mixed use areas
3	All other areas (not included in other zones)
4	High-activity commercial districts

Strike Section 409.2 of the International Green Construction Code in its entirety and insert new Section 409.2 in the Green Construction Code in its place to read as follows:

409.2 Uplight. Exterior lighting shall comply with the requirements of Table 409.2 for the exterior lighting zones (LZ) appropriate to the *building site*.

Exceptions: Lighting used for the following exterior applications shall be exempt from the requirements of Table 409.2:

1. Lighting for *building* facades, landscape features, and public monuments in exterior lighting zones 3 and 4.

2. Lighting for *building* facades in exterior lighting zone 2.

3. Lighting installed below canopies.

4. Lighting for flag poles.

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CHAPTER 5 MATERIAL RESOURCE CONSERVATION AND EFFICIENCY

503 Construction Waste Management
504 Waste Management and Recycling
505 Material Selection

503 CONSTRUCTION WASTE MANAGEMENT

Strike Section 503.1 of the International Green Construction Code in its entirety and insert new Section 503.1 in the Green Construction Code in its place to read as follows:

503.1 Construction material and waste management requirements. Not less than 50 percent of nonhazardous construction waste shall be diverted from disposal, by recycling or salvage of construction materials and waste.

The *owner*, contractor or *approved agency* shall maintain receipts and other documentation through the course of construction relating to diversion. The percentage of materials diverted shall be calculated by weight or volume, but not both. For the purposes of this section, construction materials and waste shall include, but are not limited to (1) all materials delivered to the site and intended for installation prior to the issuance of the certificate of occupancy, including related packaging; and (2) construction materials and waste removed during *demolition* or *razing*. Construction and waste materials shall not include land-clearing debris. Land-clearing debris shall include trees, stumps, rocks, and vegetation and shall be managed in accordance with Section 406.1.

Insert new Section 503.2 in the Green Construction Code to read as follows:

503.2 Verification. Prior to issuance of the first certificate of certificate of occupancy for occupiable space in a *story above grade plane*, or prior to final inspection, if a new certificate of occupancy is not required, the *Department* is authorized to require the *owner*, contractor or an *approved agency* to provide verification of the project's compliance with Section 503.1. When requested by the *code official*, evidence of diversion shall be provided, which may include, but is not limited to, hauling receipts.

504 WASTE MANAGEMENT AND RECYCLING

Strike Section 504 of the International Green Construction Code in its entirety without substitution.

505 MATERIAL SELECTION

Strike Section 505 of the International Green Construction Code in its entirety and insert new

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Section 505 in the Green Construction Code in its place to read as follows:

505.1 Material selection and properties. Building materials shall conform to Section 505.2. Furniture and furnishings may be included, but are not required. Section 505 shall not apply to projects of less than 50,000 square feet (15 240 m^2).

Exceptions:

1. Electrical, mechanical, plumbing, security and fire detection, and alarm equipment and controls, automatic fire sprinkler systems, elevators and conveying systems shall not be required to comply with Section 505.2.

2. Where a whole building life cycle assessment is performed in accordance with Section 505.1.1, compliance with Section 505.2 shall not be required.

505.1.1 Whole building life cycle assessment; alternative compliance. Where a whole building life cycle assessment is performed, compliance with the material selection requirements of Section 505 is not required. The requirements for the execution of a whole building life cycle assessment shall be performed in accordance with the following:

1. The assessment shall demonstrate that the building project achieves not less than a 20 percent improvement in environmental performance for global warming potential and at least two of the following impact measures, as compared to a reference design of similar usable floor area, function and configuration that meets the minimum energy requirements of this code and the structural requirements of the *Building Code*. For relocatable buildings, the reference design shall be comprised of the number of reference buildings equal to the estimated number of uses of the relocatable building.

    1.1. Primary energy use.

    1.2. Acidification potential.

    1.3. Eutrophication potential.

    1.4. Ozone depletion potential.

    1.5. Smog potential.

2. The reference and project buildings shall utilize the same life cycle assessment tool.

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3. The life cycle assessment tool shall be *approved* by the *code official*.

4. Building operational energy shall be included. For relocatable buildings, an average building operational energy shall be estimated to reflect potential changes in location, siting, and configuration by adding or subtracting modules, or function.

5. Building process loads shall be permitted to be included.

6. Maintenance and replacement schedules and actions for components shall be included in the assessment. For relocatable buildings, average transportation energy, material and waste generation associated with reuse of relocatable buildings shall be included in the assessment.

7. The full life cycle shall be assessed from resource extraction to demolition and disposal, including, but not limited to, onsite construction, maintenance and replacement; relocation and reconfiguration; material and product embodied acquisition; and process and transportation energy.

   Exception: Electrical and mechanical equipment and controls, plumbing products, fire detection and alarm systems, elevators and conveying systems shall not be included in the assessment.

8. The complete building envelope, structural elements, inclusive of footings and foundations, and interior walls, floors and ceilings, including interior and exterior finishes, shall be assessed to the extent that data are available for the materials being analyzed in the selected life cycle assessment tool.

9. The life cycle assessment shall conform to the requirements of ISO 14044.

505.2 Material selection. Not less than 40 percent of the total building materials used in the project, based on cost, shall comply with Sections 505.2.1, 505.2.2, 505.2.3, 505.2.4, or 505.2.5. Where a material complies with more than one section, the material value shall be multiplied by the number of sections that it complies with. The value of total building material cost shall remain constant regardless of whether materials are tabulated in more than one section.

505.2.1 Used materials and components. Used materials and components shall comply with the provisions for such materials in accordance with the applicable requirements of this code. The value of used materials shall be either the actual cost paid or the replacement value.

505.2.2 Recycled content building materials. Recycled content building materials shall comply with the following:

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1. The recycled content value of a material assembly shall be determined by weight. The recycled fraction of the assembly is then multiplied by the cost of assembly to determine the recycled content value.

    2. Recycled content shall mean material that has been reprocessed from recovered [reclaimed] material by means of a manufacturing process and made into a final product or into a component for incorporation into a final product.

505.2.3 Recyclable building materials and building components. Building materials and building components that can be recycled into the same material or another material with a minimum recovery rate of not less than 30 percent through recycling and reprocessing or reuse, or building materials shall be recyclable through an established, nationally available closed loop manufacturer's take-back program.

505.2.4 Bio-based materials. *Bio-based* materials shall be those materials that comply with one or more of the following:

1. The *bio-based* content is not less than 75 percent as determined by testing in accordance with ASTM D6866.

2. Wood and wood products used to comply with this section, other than salvaged or reused wood products, shall be labeled in accordance with the SFI Standard, FSC STD-40-004 V2-1 EN, PEFC Council Technical Document or equivalent *fiber procurement system*. As an alternative to an on-product label, a Certificate of Compliance indicating compliance with the *fiber procurement system* shall be permitted. Manufacturer's *fiber procurement systems* shall be audited by an accredited third-party.

3. The requirements of USDA 7CFR, Part 2902.

505.2.5 Indigenous (regional) materials. Indigenous materials or components shall be composed of resources that are recovered, harvested, extracted or manufactured within a 500 mile (800 km) radius of the building site. Where only a portion of a material or product is recovered, harvested, extracted or manufactured within 500 miles (800 km), only that portion shall be included. Where resources are transported by water or rail, the distance to the building site shall be determined by multiplying the distance that the resources are transported by water or rail by 0.25, and adding that number to the distance transported by means other than water or rail.

505.3 Verification. Within 180 days after the final inspection, the *owner*, contractor, or an *approved agency* shall provide the *code official* with documentation verifying compliance with

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the material selection or whole building life cycle assessment requirements of Section 505.

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CHAPTER 6 ENERGY CONSERVATION, EFFICIENCY AND $C0_2^e$ EMISSION REDUCTION

601 General
602 Modeled Performance Pathway Requirements
603 Energy Metering, Monitoring and Reporting
604 Automated Demand-response (Auto-DR) Infrastructure
605 Building Envelope Systems
606 Building Mechanical Systems
607 Building Service Water Heating Systems
608 Building Electrical Power and Lighting Systems
609 Specific Appliances and Systems
610 Building Renewable Energy Systems
611 Energy Systems Commissioning and Completion

601 GENERAL

Strike Section 601.3.1 in the International Green Construction Code in its entirety and insert new Section 601.3.1 in the Green Construction Code in its place to read as follows:

> **601.3.1 Performance-based compliance.** Buildings designed on a performance basis shall comply with Sections 602, 608.6, 609, and 611.

Strike Section 601.3.2 of the International Green Construction Code in its entirety and insert new Section 601.3.2 in the Green Construction Code in its place to read as follows:

> **601.3.2 Prescriptive-based compliance.** Buildings designed on a prescriptive basis shall comply with the requirements of Sections 605, 606, 607, 608, 609, and 611.

602 MODELED PERFORMANCE PATHWAY REQUIREMENTS

Strike Section 602.1 and Subsection 602.1.1 of the International Green Construction Code in their entirety and insert new Section 602.1 and Subsection 602.1.1 in the Green Construction Code in their place to read as follows:

602.1 Performance-based compliance. Compliance for buildings and their sites to be designed on a performance basis shall be determined by predictive modeling. Predictive modeling shall use source energy kBtu/sf-y unit measure based on compliance with Section 602.1.1. Where a building has mixed uses, all uses shall be included in the performance-based compliance.

> **602.1.1 zEPI.** Performance-based designs shall demonstrate a zEPI of not more than 51 as determined in accordance with Equation 6-1 for energy use reduction.

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(Equation 6-1)

$$zEPI = 57 \times (EUIp/EUI)$$

Where:

EUIp =the proposed energy use index in source kBtu/sf-y for the proposed design of the building and its site calculated in accordance with Section 602.1.2.

EUI = the base annual energy use index in source kBtu/sf-y for a baseline building and its site calculated in accordance with Section 602.1.2.

Strike subsection 602.1.2 of the International Green Construction Code ~~in its entirety~~ and insert new subsection 602.1.2 in the Green Construction Code in its place to read as follows:

602.1.2 Base annual energy use index. The proposed energy use index (EUIp) of the building and building site shall be calculated in accordance with Equation 6-1; Appendix G to ASHRAE 90.1, as modified by Sections 602.1.2.1 through 602.1.2.3; and *approved* modeling guidelines. The annual energy use shall include all energy used for building functions and its anticipated occupancy.

Retain subsections 602.1.2.1 and 602.1.2.2 of the International Green Construction Code in their entirety.

Strike Subsection 602.1.2.3 of the International Green Construction Code in its entirety and insert new Subsection 602.1.2.3 in the Green Construction Code in its place to read as follows:

602.1.2.3 Non-renewable energy. In calculating the annual energy use index, for fuel other than electrical power, energy use shall be converted to consistent units by multiplying the non-renewable energy fossil fuel use at the utility *meter* or measured point of delivery to Btu's and multiplying by the conversion factor in Table 602.1.2.2.

Strike Table 602.1.2.2 of the International Green Construction Code in its entirety and insert new Table 602.1.2.2 in the Green Construction Code in its place to read as follows:

TABLE 602.1.2.2
U.S. AVERAGE BUILDING FUELS ENERGY CONVERSION FACTORS BY FUEL TYPE[a]

FUEL TYPE	ENERGY CONVERSION FACTOR
Natural Gas	1.09
Fuel Oil	1.13

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LPG	1.12
Purchased heat (hot water)	1.35
Purchased heat (steam)	1.45
District cooling	1.033
Other	1.1

a. Source: Gas Technology Institute Source Energy and Emissions Analysis Tool.

Retain Subsection 602.1.3 of the International Green Construction Code in its entirety.

Strike Section 602.2 of the International Green Construction Code in its entirety (including associated subsections) without substitution.

603 ENERGY METERING, MONITORING AND REPORTING

Strike Section 603.1 of the International Green Construction Code in its entirety and insert new Section 603.1 in the Green Construction Code in its place to read as follows:

603.1 Scope. The provisions of Section 603 shall only apply to new construction and projects that are undertaking a complete electrical system replacement. Section 603 shall not apply to Group R occupancies.

603.1.1 Purpose. The purpose of this section is to provide requirements that will ensure that buildings are constructed or altered in a way that will provide the capability for their energy use, production and reclamation to be measured, monitored and reported. This includes the design of energy distribution systems so as to isolate load types, the installation of or ability to install in the future meters, devices and a data acquisition system, and the installation of, or the ability to provide, energy displays and other appropriate reporting mechanisms in the future.

All forms of energy delivered to the building and building site, produced on the building site or in the building, and reclaimed at the building site or in the building shall be metered and all energy load types measured in accordance with this section.

603.1.1.1 Buildings with tenants within the scope of Section 603. In buildings with nonresidential tenants, the metering required by Section 603.3 shall be collected for the entire building and for each floor in the building. Tenants within the scope of Section 603 shall have access to all data collected for the floors in which they have occupancy. Means of access shall be left to the discretion of the owner.

Strike Section 603.3.7 of the International Green Construction Code in its entirety and insert new Section 603.3.7 in the Green Construction Code in its place as follows:

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603.3.7 Renewable energy. Equipment and systems providing energy from renewable energy sources which is included in the determination of the building zEPI, shall be capable of being metered to allow a determination of the output of equipment and systems in accordance with Sections 603.3.7.1 through 603.3.7.3.

603.3.7.1 Solar electric. Equipment and systems providing electric power through conversion of solar energy directly to electric power shall be capable of being metered so that the peak electric power (kW) provided to the building and its systems or to off-site entities can be determined at 15 minute intervals, and the amount of electric power (kWh) provided to the building and its systems can be determined at intervals of one hour or less.

603.3.7.2 Wind power systems. Equipment and systems providing electric power through conversion of wind energy directly to electric power shall be capable of being metered so that the peak electric power (kW) provided to the building and its systems or to off-site entities can be determined at 15 minute intervals, and the amount of electric power (kWh) provided to the building and its systems can be determined at intervals of one hour or less.

603.3.7.3 Other renewable energy electric production systems. Equipment and systems providing electric power through conversion of other forms of renewable energy directly to electric power shall be capable of being metered so that the peak electric power (kW) provided to the building and its systems or to off-site entities can be determined at 15 minute intervals, and the amount of electric power (kWh) provided to the building and its systems can be determined at intervals of one hour or less.

Strike Section 603.4 of the International Green Construction Code in its entirety and insert new Section 603.4 in the Green Construction Code in its place to read as follows

603.4 Energy load type sub-metering. For buildings that are not less than 50,000 square feet (4645 m^2) in *total building floor area*, the energy use of the categories specified in Table 603.2 shall be metered through the use of sub-meters or other *approved* equivalent methods meeting the capability requirements of Section 603.3.

603.4.1 Buildings less than 50,000 square feet. For buildings that are less than 50,000 square feet (4645 m^2) in *total building floor area*, the energy distribution system shall be designed and constructed to accommodate the future installation of sub-meters and other *approved* devices in accordance with Section 603.4. This includes, but is not limited to, providing access to distribution lines and ensuring adequate space for the installation of sub-meters and other *approved* devices.

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Strike Section 603.5 of the International Green Construction Code in its entirety and insert new Section 603.5 in the Green Construction Code in its place to read as follows:

603.5 Minimum energy measurement and verification. Meters, sub-meters, and other *approved* devices installed in compliance with Sections 603.3 and 603.4 shall be connected to a data acquisition and management system capable of storing not less than 36 months worth of data collected by all meters and other *approved* devices.

Strike Section 603.6 of the International Green Construction Code in its entirety without substitution.

604 AUTOMATED DEMAND-RESPONSE (AUTO-DR) INFRASTRUCTURE

Strike Section 604.1 of the International Green Construction Code in its entirety and insert new Section 604.1 in the Green Construction Code in its place to read as follows:

604.1 Establishing an open and interoperable automated demand response (Auto-DR) infrastructure. Buildings that contain heating, ventilation, or air conditioning (HVAC) systems shall comply with Sections 604.1 through 604.3. Where a building energy management and control system (EMCS) is being installed, it shall be integrated with building HVAC systems controls to receive an open and interoperable automated demand response (Auto-DR) relay or Internet signal. Actual participation in demand response programs is not required by the *Green Construction Code*.

Exceptions: Auto-DR infrastructure is not required for the following:

1. Buildings located where the electric utility or regional Independent System Operator (ISO) or Regional Transmission Operator (RTO) does not offer a demand response program to buildings regulated by this code.

2. Buildings with a peak electric demand not greater than 0.75 times that of the standard reference design.

3. *Buildings* that have incorporated on-site renewable energy generation to provide 20 percent or more of the building's energy demand.

Strike the Exception to Section 604.3 of the International Green Construction Code in its entirety and insert a new Exception to Section 604.3 of the Green Construction Code in its place to read as follows:

Exceptions: The Auto-DR strategy is not required to include the following buildings and systems:

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1. Hospitals and critical emergency response facilities.

2. Ventilation and exhaust systems required by Chapter 5 of the *Mechanical Code* for the control or removal of dust, particles, odors, fumes, spray, gas, smoke or other hazardous materials, considered to be irritating or injurious to health or safety, and produced by or involved in operations or processes, including hazardous materials storage.

3. Manufacturing process systems.

4. Group R occupancies.

Strike Section 604.4 of the International Green Construction Code in its entirety without substitution.

605 BUILDING ENVELOPE SYSTEMS

Strike Section 605.1 of the International Green Construction Code in its entirety and insert new Section 605.1 in the Green Construction Code in its place to read as follows:

605.1 Prescriptive compliance. Where buildings are designed using the prescriptive-based compliance path in accordance with Section 60l.3.2, *building thermal envelope* systems shall comply with the provisions of Section C402 of the *Energy Conservation Code* and the provisions of Section 605.2 where applicable.

605.1.1 Insulation and fenestration criteria. The *building thermal envelope* shall meet the requirements of Tables C402.1.2 and C402.3 of the *Energy Conservation Code.*

605.1.2 Air leakage. The *building thermal envelope* shall be durably sealed to limit air leakage in accordance with Section C402.4 of the *Energy Conservation Code.*

Strike Section 605.2 of the International Green Construction Code in its entirety and insert new Section 605.2 in the Green Construction Code in its place to read as follows:

605.2. Roof replacement. For roof replacement on an *existing building* with insulation entirely above the deck and where the roof slope is less than two units vertical in 12 units horizontal (17-percent slope), the insulation shall conform to the energy conservation requirements for insulation entirely above deck in the *Energy Conservation Code*.

Exception: Where the required R-value cannot be provided due to thickness limitations presented by existing rooftop conditions, including heating, ventilating and air-conditioning equipment, low door or glazing heights, parapet heights, proper roof flashing heights, the maximum thickness of insulation compatible with the available

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space and existing uses shall be installed.

606 BUILDING MECHANICAL SYSTEMS

Strike Section 606.2 of the International Green Construction Code in its entirety without substitution.

Strike Section 606.3 of the International Green Construction Code in its entirety and insert new Section 606.3 in the Green Construction Code in its place to read as follows:

606.3 Duct and plenum insulation, sealing and testing. Supply and return air ducts and plenums, air handlers and filter boxes shall be insulated and sealed in accordance with Section C403.2.7.1.1 of the *Energy Conservation Code* and shall be tested using guidelines in Section 606.3.1.

Retain Subsection 606.3.1 of the International Green Construction Code in its entirety.

Strike Section 606.4 of the International Green Construction Code in its entirety without substitution.

Strike Section 606.5 of the International Green Construction Code in its entirety and insert new Section 606.5 in the Green Construction Code in its place to read as follows:

606.5 Economizers. Economizers shall comply with the requirements of the *Energy Conservation Code.*

Strike Section 606.6 of the International Green Construction Code in its entirety and insert new Section 606.6 in the Green Construction Code in its place to read as follows:

606.6 Variable air volume (VAV) fan control. Individual fans with motors equal to or greater than 5.0 horsepower (3.7285 kW) shall be one of the following:

1. Driven by a mechanical or electrical variable speed drive;

2. Driven by a vane-axial fan with variable-pitch blades; or

3. Provided with controls or devices that will result in fan motor demand of not more than 30 percent of its design wattage at 50 percent of design airflow when the static pressure set point equals one-third of the total design static pressure, based on manufacturer's certified fan data.

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For systems with direct digital control of individual zone boxes reporting to the central control panel, the static pressure set point shall be reset based on the zone requiring the most pressure. The set point shall be reset lower until one zone damper is wide open.

Exceptions:

1. Systems without zone dampers are exempt from the static pressure reset requirements.

2. Fans that are part of a required *fire protection system*.

Strike Section 606.7 of the International Green Construction Code in its entirety and insert new Section 606.7 in the Green Construction Code in its place to read as follows:

606.7 Kitchen makeup air systems. Kitchen ventilation and exhaust systems shall be in accordance with the *Mechanical Code* and this section. Kitchen ventilation systems that deliver conditioned supply air to any space containing a kitchen hood shall not be capable of exceeding the greater of the following:

1. The supply airflow rate required to meet the conditioning load;

2. The ventilation rate required for the area; or

3. The hood exhaust flow minus the available transfer air from adjacent spaces. For the purposes of this section, available transfer air is considered to be that portion of outdoor ventilation air not required to satisfy other exhaust needs, such as restrooms, and not required to maintain pressurization of adjacent spaces.

Strike Section 606.8 of the International Green Construction Code in its entirety and insert new Section 606.8 in the Green Construction Code in its place to read as follows.

606.8 Laboratory exhaust systems. Laboratory exhaust systems shall comply with the provisions of the *Energy Conservation Code* except as specified in Section 606.8.1.

606.8.1 Laboratory exhaust systems. Buildings with laboratory exhaust systems having a total exhaust rate greater than 5,000 cfm (2360 L/s) shall be provided with one or more of the following:

1. A variable air volume (VAV) laboratory exhaust and room supply system capable of reducing exhaust and makeup air flow rates to the minimum required in the *Mechanical Code.*

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2. A heat recovery system to precondition makeup air from laboratory exhaust so that the percentage that the exhaust and makeup air flow rates can be reduced from design conditions plus the sensible recovery effectiveness percentage totals not less than 50 percent. The heat recovery system must be in compliance with the *Mechanical Code* and shall not be provided where the *Mechanical Code* prohibits such systems.

3. Direct makeup auxiliary air supply equal to not less than 75 percent of the exhaust air flow rate capable of being heated and cooled to the design temperatures specified in Section C302.1 of the *Energy Conservation Code*.

607 BUILDING SERVICE WATER HEATING SYSTEMS

Strike Section 607.2.2 of the International Green Construction Code in its entirety and insert new Section 607.2.2 in the Green Construction Code in its place to read as follows:

607.2.2 Water heater controls for dwelling units. Water heaters installed in *dwelling units* in buildings shall be equipped with external water temperature thermostat controls.

Strike Section 607.3 of the International Green Construction Code in its entirety without substitution.

Strike Section 607.4 of the International Green Construction Code in its entirety without substitution.

Strike Section 607.5 of the International Green Construction Code in its entirety without substitution.

Strike Section 607.6 of the International Green Construction Code in its entirety without substitution.

Strike Section 607.7 of the International Green Construction Code in its entirety without substitution.

608 BUILDING ELECTRICAL POWER AND LIGHTING SYSTEMS

Strike Section 608.4 (including Sections 608.4.1 and 608.4.2) of the International Green Construction Code in its entirety and insert new Section 608.4 in the Green Construction Code in its place to read as follows:

608.4 Exterior lighting reduction ~~controls~~. Exterior lighting shall be controlled by a *time switch* and configured so that the total exterior lighting power is automatically reduced by not less than 30 percent within two hours after *facility operations* conclude.

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Exceptions: An exterior lighting time switch shall not be required for the following occupancies and conditions:

1. Group H occupancies.

2. Group I occupancies.

3. Group R occupancies.

4. Lighting that is connected to *occupant sensor controls*.

5. Means of egress lighting required by the *Building Code* or the *Fire Code*.

6. Solar powered luminaires that are not connected to a centralized power source.

Strike Section 608.5 of the International Green Construction Code in its entirety and insert new Section 608.5 in the Green Construction Code in its place to read as follows:

608.5 Automatic daylight controls. Automatic *daylight controls* shall be provided in *daylit areas* to control the lights serving those areas.

Exceptions: Automatic *daylight controls* are not required for the following spaces and equipment:

1. *Daylit areas* where the skylight is located in a portion of the roof that is shaded during the peak sun angle on the summer solstice by permanent features of the building or by permanent features of adjacent buildings.

2. *Daylit areas* where the fenestration is located in an obstructed exterior wall that does not face a public way, or a yard or court complying with Section 1206 of the *Building Code.*

3. *Daylit areas* served by less than 120 watts of lighting.

4. Spaces where medical care is directly provided.

5. Spaces within *dwelling units* or *sleeping units*.

6. Lighting required to comply with Section C405.2.3 of the *Energy Conservation Code*.

7. Lobbies and retail spaces.

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8. Areas where the sidelighting effective aperture is less than 10 percent.

Strike Section 608.6 of the International Green Construction Code in its entirety and insert new Section 608.6 in the Green Construction Code in its place to read as follows:

608.6 Equipment controls. Water dispensers, vending machines, and refrigerator and freezer cases shall be controlled by an *occupant sensor* or *time switch* as follows:

1. Water dispensers that utilize energy to cool or heat drinking water shall be controlled by time switch controls.

2. Lighting integral to vending machines and refrigerator and freezer cases shall be controlled by an occupancy sensor or a time switch.

Strike Section 608.7 of the International Green Construction Code in its entirety without substitution.

Strike Section 608.8 of the International Green Construction Code in its entirety without substitution.

Strike Section 608.10 of the International Green Construction Code in its entirety without substitution.

Strike Section 608.11 of the International Green Construction Code in its entirety without substitution.

Strike Section 608.12 of the International Green Construction Code in its entirety without substitution.

609 SPECIFIC APPLIANCES AND EQUIPMENT

Strike Section 609.2 of the International Green Construction Code in its entirety and insert new Section 609.2 in the Green Construction Code in its place to read as follows:

609.2 Permanent appliances and equipment. Appliances and equipment that are permanently connected to the building energy supply systems shall comply with the provisions of Sections 609.2.1 through 609.2.4 as applicable. Such appliances and equipment shall be listed, labeled and installed in accordance with the manufacturer's installation instructions and the provisions and terms of their listing, the *Energy Conservation Code*, *Fuel Gas Code*, *Mechanical Code*, *Plumbing Code* and *Building Code*, and shall be provided with controls and energy monitoring

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systems as required by this code.

609.2.1 Elevators. Elevator systems shall comply with Section 609.2.1.1

609.2.1.1 Ventilation. Cab ventilation fans other than air conditioning or air purifying fans shall have an efficacy greater than or equal to 3.0 cfm per watt (0.085 m3/min./watt).

609.2.2 Escalators and moving walkways. Escalators and moving walkways shall be capable of being automatically slowed in accordance with ASME A17.1/CSA B44.

609.2.3 Commercial food service equipment. Not less than 50 percent, based on total wattage, of the commercial food service equipment installed shall be Energy Star rated. Equipment that is ineligible for Energy Star ratings is excluded from the calculation.

609.2.4 Conveyors. Motors associated with conveyors shall be sized to meet the expected load and designed to run within 90 percent of capacity at all times the conveyor is expected to operate. Conveyor motors shall be provided with sleep mode controls. Two-speed motors and adjustable-speed drives shall be provided where load weights are expected to vary. Readily accessible controls shall be provided to allow for manual shut off of the conveyor when the conveyor is not needed. Conveyor systems shall be designed to use gravity feed where conditions allow and arranged so that long straight runs are provided with as few drives as possible.

610 BUILDING RENEWABLE ENERGY SYSTEMS

Strike Section 610 of the International Green Construction Code in its entirety without substitution.

611 ENERGY SYSTEMS COMMISSIONING AND COMPLETION

Strike Section 611 of the International Green Construction Code in its entirety and insert new Section 611 in the Green Construction Code in its place to read as follows:

611.1 Mechanical systems commissioning and completion requirements. Mechanical systems commissioning and completion of the mechanical system installation shall comply with Section 611.1 and the Green Building Program Manual.

611.1.1 Commissioning plan. A *commissioning* plan shall be developed by a *registered design professional* or *approved agency* and shall include at a minimum all of the following items:

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1. A narrative describing the activities that will be accomplished during each phase of *commissioning*, including guidance on who accomplishes the activities and how they are completed.

2. Equipment and systems to be tested including, but not limited to, the specific equipment, appliances or systems to be tested and the number and extent of tests.

3. Functions to be tested including, but not limited to, calibrations and economizer controls.

4. Conditions under which the test shall be performed including, but not limited to, affirmation of winter and summer design conditions and full outside air.

5. Measurable criteria for performance.

611.1.2 Systems adjusting and balancing. HVAC systems shall be balanced in accordance with generally accepted engineering standards. Air and water flow rates shall be measured and adjusted to deliver final flow rates within the tolerances provided in the product specifications. Test and balance activities shall include as a minimum, the provisions of Sections 611.1.2.1 and 611.1.2.2.

611.1.2.1 Air systems balancing. Each supply air outlet and zone terminal device shall be equipped with a means for air balancing in accordance with the IMC. Discharge dampers are prohibited on constant volume fans and variable volume fans with motors of 10 hp (18.6 kW) and larger. Air systems shall be balanced in a manner to first minimize throttling losses then, for fans with system power of greater than 5 hp, fan speed shall be adjusted to meet design flow conditions.

Exception: Fans with fan motor horsepower of 5 hp or less.

611.1.2.2 Hydronic systems balancing. Individual hydronic heating and cooling coils shall be equipped with means for balancing and measuring flow. Hydronic systems shall be proportionately balanced in a manner to first minimize throttling losses, then the pump impeller shall be trimmed or pump speed shall be adjusted to meet design flow conditions. Each hydronic system shall have either the capability to measure pressure across the pump, or shall have test ports at each side of each pump.

Exceptions:

1. Pumps with pump motors of 5 hp or less.

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2. Where throttling results in not greater than 5 percent of the nameplate horsepower draw above that required if the impeller were trimmed.

611.1.3 Functional performance testing. Functional performance testing shall be in accordance with the requirements of Sections 611.1.3.1, 611.1.3.2 and 611.1.3.3.

611.1.3.1 Equipment. Equipment functional performance testing shall demonstrate the installation and operation of components, systems, and system-to-system interfacing relationships in accordance with *approved* plans and specifications so that operation, function, and maintenance serviceability for each of the commissioned systems is confirmed. Testing shall include all specified modes of control and *sequence of operation*, including under full-load, part-load and all of the following emergency conditions:

1. Each mode as described in the *sequence of operation*.

2. Redundant or *automatic* back-up mode.

3. Performance of alarms.

4. Mode of operation upon a loss of power and restoration of power.

611.1.3.2 Controls. HVAC control systems shall be tested to document that control devices, components, equipment, and systems are calibrated adjusted and operate in accordance with the *approved* plans and specifications. *Sequences of operation* shall be functionally tested to document that they operate in accordance with the *approved* plans and specifications.

611.1.3.3 Economizers. Air economizers shall undergo a functional test to determine that they operate in accordance with manufacturer's specifications.

611.1.4 Preliminary commissioning report. A preliminary report of *commissioning* test procedures and results shall be completed and certified by the *registered design professional* or *approved agency* and provided to the *building* owner prior to the final mechanical inspection. The report shall be identified as "Preliminary Commissioning Report" and shall identify all of the following:

1. Itemization of deficiencies found during testing required by this section that have not been corrected at the time of report preparation.

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2. Deferred tests that cannot be performed at the time of report preparation because of climatic conditions.

3. Climatic conditions required for performance of the deferred tests.

611.1.4.1 Acceptance. *Buildings*, or portions thereof, shall not pass the final mechanical inspection until such time as the *code official* has received a letter of transmittal from the *building* owner acknowledging that the *building* owner has received the Preliminary Commissioning Report.

611.1.4.2 Copy. At the request of the *code official*, a copy of the Preliminary Commissioning Report shall be made available for review.

611.1.4.3 Certification. A certification, signed and sealed by the *registered design professional* or *approved agency*, documenting that the mechanical and service water heating systems comply with Sections C403 and C404 of the *Energy Conservation Code* shall be provided to the *code official* by or before the final inspection.

611.1.5 Completion requirements. The *construction documents* shall specify that the requirements described in this section be provided to the *building* owner within 180 days of the date of issuance of the *certificate of occupancy*.

611.1.5.1 Drawings. *Construction documents* shall include the location of and performance data pertaining to each piece of equipment.

611.1.5.2 Manuals. An operating and maintenance manual in accordance with industry-accepted standards shall be provided and shall include all of the following:

1. Submittal data stating equipment size and selected options for each piece of equipment requiring maintenance.

2. Manufacturer's operation manuals and maintenance manuals for each piece of equipment furnished as part of the *building* project. Required routine maintenance shall be clearly identified.

3. Names and addresses of not less than one *service agency*.

A Systems Manual shall be provided and shall include all of the following:

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1. HVAC controls system maintenance and calibration information, including wiring diagrams, schematics, and control sequence descriptions. Desired or field-determined set-points shall be permanently recorded on control drawings at control devices or, for digital control systems, in programming comments.

2. A complete narrative of how each system is intended to operate, including recommended setpoints, seasonal change-over information and emergency shutdown operation.

3. Control sequence descriptions for lighting, domestic hot water heating and all renewable energy systems complete with a description of how these systems connect to, and are controlled in conjunction with, the overall building system.

611.1.5.3 System balancing report. A written report describing the activities and measurements completed in accordance with Section 611.1.2 shall be provided.

611.1.5.4 Final commissioning report. A complete report of test procedures and results identified as "Final Commissioning Report" shall be completed and provided to the building owner, and shall be made available to the *code official* upon request. The report shall include all of the following:

1. Results of all functional performance tests.

2. Disposition of all deficiencies found during testing, including details of corrective measures used or proposed.

3. All functional performance test procedures used during the *commissioning* process including measurable criteria for test acceptance, provided herein for repeatability.

Exception: Deferred tests that were not performed at the time of report preparation because of climatic conditions.

611.2 Sequence of operation. A *sequence of operation* shall be developed and finalized upon *commissioning*, when the operational details are initialized and validated. A *sequence of operation* shall be the final record of system operation, and shall be included on the control diagram 'as-builts', or as part of the education and operation and maintenance document that is provided to the owner.

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611.3 Lighting commissioning and completion requirements. The *registered design professional* or *approved agency* shall provide evidence of compliance with the provisions of Sections 611.3.1 and 611.3.2.

611.3.1 Pre-occupancy requirement. Prior to final electrical inspection, **t**he *approved agency* conducting *commissioning* shall verify that controls have been installed in accordance with the *approved construction documents*. Any discrepancies shall be reviewed for compliance with Section 608 and the requirements of Section C405.2 of the *Energy Conservation Code.*

611.3.2 Final commissioning report. Lighting controls shall be commissioned in accordance with this Section. Within 180 days of the date of issuance of the first *certificate of occupancy* for occupiable space in a *story above grade plane*, the owner shall be provided with a Final Commissioning Report and a copy shall be made available to the *code official* upon request. The report shall include the following:

611.3.2.1 Occupant sensors. It shall be verified that testing to verify compliance with Section C405.2 of the *Energy Conservation Code* has been performed.

611.3.2.2 Automatic daylight controls. *Automatic daylight controls* shall be commissioned in accordance with all of the following:

1. It shall be verified that the placement and orientation of each sensor is consistent with the manufacturer's instructions. If not, the sensor shall be relocated or replaced.

2. Control systems shall be initially calibrated to meet settings and design intent established in the construction *documents*;

3. Prior to calibration of systems controlling dimmable luminaires all lamps shall be seasoned in accordance with the recommendations of the lamp manufacturer.

4. Where located inside *buildings*, calibration of open-loop *daylight controls*, which receive illumination from natural light only, shall not occur until fenestration shading devices such as blinds or shades have been installed and commissioned;

5. Calibration of closed-loop *daylight controls*, that receive illumination from both natural and artificial light, shall not occur until furniture systems and interior finishes have been installed, and any fenestration shading devices such as blinds or shades have been installed and commissioned; and

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6. Calibration procedures shall be in accordance with the manufacturer's instructions.

611.3.2.3 Time switch and programmable schedule controls. Lighting controls installed in accordance with Section 608 shall be programmed. Scheduling shall incorporate weekday, weekend and holiday operating times, including leap year and daylight savings time corrections. It shall be verified that system overrides work and are located in compliance with Section C405.2 of the *Energy Conservation Code*.

611.3.2.4 Dimming systems with preset scenes. For programmable dimming systems it shall be verified that *automatic* shutoff and *manual* overrides are working and that programming is complete. Prior to programming, all lamps shall be seasoned in accordance with NEMA LSD 23.

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CHAPTER 7 WATER RESOURCE CONSERVATION, QUALITY AND EFFICIENCY

702 Fixtures, Fittings, Equipment and Appliances
703 HVAC Systems and Equipment
704 Water Treatment Devices and Equipment
705 Metering
708 Gray Water Systems
709 Reclaimed Water Systems
710 Alternate Onsite Nonpotable Water Sources

702 FIXTURES, FITTINGS, EQUIPMENT AND APPLIANCES

Strike Section 702.1 of the International Green Construction Code in its entirety and insert new Section 702.1 in the Green Construction Code in its place to read as follows:

702.1 Fitting and fixture consumption. Fixtures shall comply with Table 702.1.

Strike Table 702.1 of the International Green Construction Code in its entirety and insert new Table 702.1 in the Green Construction Code in its place to read as follows:

TABLE 702.1

MAXIMUM FIXTURE AND FITTING FLOW RATES FOR REDUCED WATER CONSUMPTION

FIXTURE OR FIXTURE FITTING TYPE	MAXIMUM FLOW RATE
Showerhead[a]	2.0 gpm and WaterSense labeled
Lavatory faucet and bar sink—private	1.5 gpm and WaterSense labeled
Lavatory faucet—public (metered)	0.25 gpc[b]
Lavatory faucet—public (nonmetered)	0.5 gpm
Kitchen faucet—private	2.2 gpm
Kitchen and bar sink faucets in other than dwelling units and guestrooms	2.2 gpm
Urinal	0.5 gpf and WaterSense labeled or nonwater urinal
Water closet—public and remote[c]	1.6 gpf

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Water closet—public and nonremote	1.28 gpf average[d, e]
Water closet—tank type, private	1.28 gpf and WaterSense labeled[d]
Water closet—flushometer type, private	1.28 gpf[e]
Prerinse spray valves	1.3 gpm
Drinking fountains (manual)	0.7 gpm
Drinking fountains (metered)	0.25 gpc[b]

For SI: 1 foot = 304.8 mm, 1 gallon per cycle (gpc) = 3.8 Lpc, 1 gallon per flush (gpf) = 3.8 Lpf, 1 gallon per minute (gpm) = 3.8 Lpm.

a. Includes hand showers, body sprays, rainfall panels and jets. Showerheads shall be supplied by automatic compensating valves that comply with ASSE 1016 or ASME A112.18.1/CSA B125.1 and that are specifically designed to function at the flow rate of the showerheads being used.

b. Gallons per cycle of water volume discharged from each activation of a metered faucet.

c. A remote water closet is a water closet located not less than 30 feet upstream of other drain line connections or fixtures and is located where less than 1.5 drainage fixture units are upstream of the drain line connection.

d. The effective flush volume for a dual-flush water closet is defined as the composite, average flush volume of two reduced flushes and one full flush.

e. In public settings, the maximum water use of a dual flush water closet is based solely on its full flush operation; not an average of full and reduced volume flushes.

Strike Section 702.6 of the International Green Construction Code in its entirety and substitute new Section 702.6 in the Green Construction Code in its place to read as follows:

702.6 Appliances. Sections 702.6.1 through 702.6.4 shall regulate appliances that are not related to space conditioning.

702.6.1 Clothes washers. Clothes washers of the type in the ENERGY STAR program as defined in "ENERGY STAR® Program Requirements, Product Specification for Clothes Washers, Eligibility Criteria," shall have a water factor (WF) not exceeding 6.0 and a *modified energy factor* (MEF) of not less than 2.0.

702.6.2 Ice makers. Ice makers producing cubed-type ice shall be ENERGY STAR qualified as commercial ice machines. Ice makers of a type not currently ENERGY STAR qualified, such as flake, nugget or continuous-type ice makers, shall not exceed the total water use of 25 gallons per 100 pounds (208 L per 100 kg) of ice produced.

Exception: Under counter ice makers.

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702.6.3 Steam cookers. Steam cookers with drain connections shall consume no more than 5 gal (18.9 L)/hour/pan, and those without drain connections shall consume no more than 2 gal (7.6 L)/hour/pan.

702.6.4 Dishwashers. Dishwashers shall be ENERGY STAR qualified where an ENERGY STAR category exists for the specific dishwasher type. Where an ENERGY STAR category does not exist, the dishwasher shall be in accordance with Table 702.6.4.

TABLE 702.6.4
MAXIMUM WATER CONSUMPTION FOR COMMERCIAL DISHWASHERS

DISHWASHER TYPE	MAXIMUM WATER CONSUMPTION
Rackless conveyor	2.2 gallons per minute
Utensil washer	2.2 gallons per rack

For SI: 1 gallon per minute = 3.785 Lpm.

Strike Section 702.7 of the International Green Construction Code in its entirety without substitution.

Strike Section 702.9 of the International Green Construction Code in its entirety without substitution.

Strike Section 702.11 of the International Green Construction Code in its entirety without substitution.

Strike Section 702.13 of the International Green Construction Code in its entirety and insert new Section 702.13 in the Green Construction Code in its place to read as follows:

702.13 Automated vehicle wash facilities. Not less than 50 percent of the water used for the rinsing phase of the wash cycle at automated vehicle wash facilities shall be collected to be reused for the washing phase. Towel and chamois washing machines shall have high-level water cut-offs.

702.13.1 Nonpotable water use. Except for water recirculated within the facility, potable and nonpotable water use for automobile washing shall not exceed 40 gallons (151 L) per vehicle for in-bay *automatic* washing, and 35 gallons (132.5 L) per vehicle for conveyor and express type car washing.

Exception: Bus and large commercial vehicle washing facilities.

Strike Section 702.17 of the International Green Construction Code in its entirety without substitution.

Strike Section 702.18 of the International Green Construction Code in its entirety without

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substitution.

Strike Section 702.20 of the International Green Construction Code in its entirety without substitution.

703 HVAC SYSTEMS AND EQUIPMENT

Strike Section 703.1 of the International Green Construction Code in its entirety without substitution.

Strike Section 703.2 of the International Green Construction Code in its entirety without substitution.

Strike Section 703.3 of the International Green Construction Code in its entirety without substitution.

Strike Section 703.4 of the International Green Construction Code in its entirety without substitution.

Strike Section 703.6 of the International Green Construction Code in its entirety without substitution.

Strike Section 703.7.5 of the International Green Construction Code in its entirety without substitution.

Strike Section 703.8 of the International Green Construction Code in its entirety without substitution.

704 WATER TREATMENT DEVICES AND EQUIPMENT

Strike Section 704.1.4 of the International Green Construction Code in its entirety and insert new Section 704.1.4 in the Green Construction Code in its place to read as follows:

> **704.1.4 Efficiency and listing.** Water softeners that regenerate in place, that are connected to the water system they serve by piping not exceeding 1 ¼ inches (31.8 mm) in diameter, or that have a volume of 3 cubic feet (0.085 m^3) or more of cation exchange media shall have a rated salt efficiency of not less than 4,000 grains of total hardness exchange per pound of salt (571 g of total hardness exchange per kg of salt), based on sodium chloride equivalency and shall be listed and labeled in accordance with NSF 44. All other water softeners shall have a rated salt efficiency of not less than 3,000 grains of total hardness exchange per pound of salt (429 g of total hardness exchange per kg of salt), based on sodium chloride equivalency.

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Strike Section 704.2 of the International Green Construction Code in its entirety and insert new Section 704.2 in the Green Construction Code in its place to read as follows:

704.2 Reverse osmosis water treatment systems. Point-of-use reverse osmosis treatment systems shall be listed and labeled in accordance with NSF 58. Point-of-use reverse osmosis systems shall be equipped with an automatic shutoff valve that prevents the production of reject water when there is no demand for treated water.

Strike Section 704.3 of the International Green Construction Code in its entirety and insert new Section 704.3 in the Green Construction Code in its place to read as follows:

704.3 Onsite reclaimed water treatment systems. Onsite reclaimed water treatment systems shall be listed and labeled to NSF 350. These systems shall include gray water, rainwater, and other nonpotable water reuse treatment systems and waste water treatment systems used to produce nonpotable water for water closet and urinal flushing, surface irrigation and similar applications.

705 METERING

Strike Table 705.1.1, Metering Requirements, of the International Green Construction Code in its entirety and insert new Table 705.1.1 in the Green Construction Code in its place to read as follows:

TABLE 705.1.1 METERING REQUIREMENTS

APPLICATION	REQUIREMENTS
Irrigation	Irrigation systems that are automatically controlled shall be metered.
Tenant spaces	Tenant spaces that are estimated to consume over 1000 gallons of water per day shall be metered individually.
Onsite water collection systems	The makeup water lines supplying onsite water collection systems shall be metered.
Ornamental water features	Ornamental water features with a permanently installed water supply shall be required to utilize a meter on makeup water supply lines.
Pools and in-ground spas	Indoor and outdoor pools and in-ground spas shall be required to utilize a meter on makeup water supply lines.
Cooling towers	Cooling towers of 100 tons capacity or greater or groups of towers shall be required to utilize a meter on makeup water and blow-down water supply lines.
Steam boilers	The makeup water supply line to steam boilers anticipated to draw

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	more than 100,000 gallons annually or having a rating of 500,000 Btu/h or greater shall be metered.
Industrial processes	Industrial processes consuming more than 1,000 gallons per day on average shall be metered individually.
Evaporative coolers	Evaporative coolers supplying in excess of 0.6 gpm, on average, makeup water shall be.
Fluid coolers and chillers	Water-cooled fluid coolers and chillers that do not utilize closed-loop recirculation shall be metered.
Roof spray systems	Roof spray systems for irrigating vegetated roofs or thermal conditioning shall be metered.

For SI: 1 gallon = 3.8 L, 1 gallon per minute = 3.8 Lpm, 1 ton = 12,000 Btu, 1 British thermal unit per hour = 0.00029 kWh.

706 NONPOTABLE WATER REQUIREMENTS

Strike Section 706 of the International Green Construction Code in its entirety without substitution.

707 RAINWATER COLLECTION AND DISTRIBUTION SYSTEMS

Strike Section 707 of the International Green Construction Code in its entirety without substitution.

708 GRAY WATER SYSTEMS

Strike Section 708 of the International Green Construction Code in its entirety without substitution.

709 RECLAIMED WATER SYSTEMS

Strike Section 709 of the International Green Construction Code in its entirety without substitution.

710 ALTERNATE ONSITE ONPOTABLE WATER SOURCES

Strike Section 710 of the International Green Construction Code in its entirety without substitution.

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CHAPTER 8 INDOOR ENVIRONMENTAL QUALITY AND COMFORT

802 Building Construction Features, Operations and Maintenance Facilitation
803 HVAC Systems
804 Specific Indoor Air Quality and Pollutant Control Measures
806 Material Emissions and Pollutant Control
808 Daylighting

802 BUILDING CONSTRUCTION FEATURES, OPERATIONS AND MAINTENANCE FACILITATION

Strike Section 802.3 of the International Green Construction Code in its entirety and insert new Section 802.3 in the Green Construction Code in its place to read as follows:

802.3 Air-handling system filters. Filter racks shall be designed to prevent airflow from bypassing filters. Access doors and panels provided for filter replacement shall be fitted with flexible seals to provide an effective seal between the doors and panels and the mating filter rack surfaces. Filter access panels and doors shall not be obstructed.

803 HVAC SYSTEMS

Strike Section 803.2 of the International Green Construction Code in its entirety without substitution.

Strike Section 803.3 of the International Green Construction Code in its entirety without substitution.

Strike Section 803.4 of the International Green Construction Code in its entirety without substitution.

Strike Section 803.5 of the International Green Construction Code in its entirety and insert new Section 803.5 in the Green Construction Code to read as follows:

803.5 Filters. Filters for air conditioning systems that serve occupied spaces and handle a component of outdoor air shall be rated at MERV 11 or higher, in accordance with ASHRAE Standard 52.2, and system equipment shall be designed to be compatible. The air handling system design shall account for pressure drop across the filter. Filter performance shall be shown on the filter manufacturer's data sheet.

804 SPECIFIC INDOOR AIR QUALITY AND POLLUTANT CONTROL MEASURES

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Strike Section 804 of the International Green Construction Code in its entirety without substitution.

806 MATERIAL EMISSIONS AND POLLUTANT CONTROL

Strike the Exceptions to Section 806.1 of the International Green Construction Code in their entirety and insert new Exceptions to Section 806.1 in the Green Construction Code in their place to read as follows:

Exceptions:

1. Composite wood products that are made using adhesives that do not contain urea-formaldehyde (UF) resins.

2. Composite wood products that are sealed with an impermeable material on all sides and edges.

3. Composite wood products that are used to make elements considered to be furniture, fixtures and equipment (FF&E) that are not permanently installed.

4. Fire-retardant composite wood products.

Strike Section 806.2 of the International Green Construction Code in its entirety and insert new Section 806.2 in the Green Construction Code to read as follows:

806.2 Adhesives and sealants. Projects shall comply with the limits on volatile organic compound ("VOC") emissions for adhesives and sealants as established in Chapter 7 (Volatile Organic Compounds and Hazardous Air Pollutants) of DCMR Title 20 (Environment).

Strike Section 806.3 of the International Green Construction Code in its entirety and insert new Section 806.3 in the Green Construction Code in its place to read as follows:

806.3 Architectural paints and coatings. Projects shall comply with the limits on volatile organic compound ("VOC") emissions for architectural paints and coatings as established in Chapter 7 (Volatile Organic Compounds and Hazardous Air Pollutants) of DCMR Title 20 (Environment).

807 ACOUSTICS

Strike Section 807 of the International Green Construction Code in its entirety without substitution.

808 DAYLIGHTING

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Strike Section 808 of the International Green Construction Code in its entirety without substitution.

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Strike Chapter 9 of the International Green Construction Code in its entirety and insert new Chapter 9 in the Green Construction Code in its place to read as follows:

CHAPTER 9 COMMISSIONING

901 General
902 Approved Agency
903 Commissioning

901 GENERAL

901.1 Scope. The provisions of this chapter are intended to facilitate the commissioning of buildings constructed in accordance with the *Green Construction Code*. The requirements shall only apply to *equipment* and systems covered by the code that are new or are being replaced in total.

902 APPROVED AGENCY

902.1 Approved agency. The *code official* shall determine the required qualifications of an *approved* agency for purposes of this chapter and of Section 611, in accordance with Section 903.1 and the Green Building Program Manual. Where commissioning is required by the *Green Construction Code*, the *owner* shall name the individual or firms who are to perform the commissioning and to provide the requisite certifications and verifications. The *approved* agency shall comply with the commissioning requirements set forth in the *Green Construction Code* and in the Green Building Program Manual.

903 COMMISSIONING

903.1 General. Where application is made for construction as described in this section, the *registered design professional in responsible charge* or *approved* agency shall perform commissioning during construction as required by Table 903.1 and by *Administrative Bulletins*. The *approved* agency shall be qualified and shall demonstrate competence, to the satisfaction of the *code official*, for the commissioning of the particular type of construction or operation in accordance with the qualification requirements set forth in ~~the~~ *Administrative Bulletins*. The *registered design professional in responsible charge* and engineers of record involved in the design of the project are permitted to act as the *approved* agency provided those personnel meet the qualification requirements set forth in the Green Building Program Manual to the satisfaction of the *code official*.

903.2 Preliminary commissioning report requirement. The *approved* agency shall keep records of the commissioning required by Table 903.1. The *approved* agency shall furnish commissioning reports to the *owner* and the *registered design professional in responsible charge*

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and, upon request, to the *code official*. Reports shall indicate that work was or was not completed in conformance to *approved* construction documents. Discrepancies shall be brought to the immediate attention of the contractor for correction. Where discrepancies are not corrected, they shall be brought to the attention of the *owner, code official* and to the *registered design professional in responsible charge* prior to the completion of that phase of the work. Prior to the final inspection, a Preliminary Commissioning Report shall be provided to the owner and a copy shall be made available to the *code official* upon request.

903.3 Final commissioning report requirement. A Final Commissioning Report shall be provided to the owner within 180 days after the date of issuance of ~~a~~ the first certificate of occupancy for occupiable space in a *story above grade plane*, and a copy shall be made available to the *code official* upon request.

TABLE 903.1
COMMISSIONING PLAN

CONSTRUCTION OR SYSTEM REQUIRING VERIFICATION	PREOCCUPANCY	METHOD	OCCURRENCE	SECTION/ REFERENCED STANDARD
			Preoccupancy	
Chapter 4: Site Development and Land Use				
Landscape irrigation systems	X	Field-inspection	Installation	Section 614 of the *Plumbing Code*
Stormwater management system operation	None	Field-inspection	Installation	21 DCMR (Water and Sanitation), Chapter 5 (Water Quality and Pollution)
Site lighting	X	Testing and report	Installation	409
Chapter 6: Energy				
Energy consumption, monitoring, targeting and reporting				
a. Monitoring system	X	Inspection and verification	During construction and prior to occupancy	603
b. Calibration	X	Testing and review and evaluation or test reports	During commissioning	603
Mechanical systems completion				
a. Air system balancing – provide the means for system balancing	X	Inspection and verification	During construction and prior to occupancy	611.1.2.1 and through reference to *Energy Conservation Code*
b. Hydronic system balancing –	X	Inspection and	During	611.1.2.2 and

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provide means for system balancing		verification	construction and prior to occupancy	through reference to *Energy Conservation Code*
c. Mechanical system manuals – construction documents to require O&M manual	X	Verification of construction documents	Plan review	611.1.5.2
Mechanical systems				
a. Commissioning required and noted in plans and specifications	X	Verification of construction documents	Plan review	611.1
b. Documentation of required commissioning outcomes	X	Verification with the building owner	Subsequent to completion of all commissioning activities	611.1
c. Preparation and availability of a commissioning plan	X	Verification with the RDP or commissioning agent	Between plan review and commissioning initiation	611.1.1
d. Balance HVAC systems (both air and hydronic)	X	HVAC system installer/contractor or commissioning agent	After installation of HVAC systems and prior to occupancy	611.1.2
e. Functional performance testing of HVAC equipment	X	HVAC system installer/contractor or commissioning agent	After installation of HVAC systems and prior to occupancy	611.1.3
f. Functional performance testing of HVAC controls and control systems	X	HVAC system installer/contractor or commissioning agent	After installation of HVAC systems and prior to occupancy	611.1.3.2
g. Preparation of preliminary commissioning report	None	HVAC system installer/contractor or commissioning agent	None	611.1.4
h. Acceptance of HVAC systems and equipment/system verification report	None	Building owner	None	611.1.4.1
i. Preparation and distribution of final HVAC system completion. Documentation that construction documents require drawings, manuals, balancing reports and commissioning report be provided to the owner and that they have been provided	None	RDP, contractor or commissioning authority	None	611.1.5

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Chapter 6: Lighting				
Verification of lamp	X	Field inspection	Final inspection	611.3
Verification of ballast	X	Field inspection	Final inspection	611.3
Lighting Controls				
a. Installation	X	Field inspection	Final inspection	611.3.2
b. Calibration	X	System installer/Contractor or commissioning agent	Final inspection	611.3
Chapter 7: Water Resource Conservation, Quality and Efficiency				
Cooling tower performance	—	—	—	703.7.7
Metering	X	—	—	705.1.1
Chapter 8: Indoor Environmental Quality and Comfort				
Air-handling system access	X	Field inspection and verification	During construction and prior to occupancy	802.2
Air-handling system filters	X	Field inspection and verification	During construction and prior to occupancy	802.3

For SI: 1 square foot = 0.0929 m^2.

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CHAPTER 10 EXISTING BUILDINGS

Strike Chapter 10 of the International Green Construction Code in its entirety without substitution.

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CHAPTER 11 EXISTING BUILDING SITE DEVELOPMENT

Strike Chapter 11 of the International Green Construction Code in its entirety without substitution.

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CHAPTER 12 REFERENCED STANDARDS

Under the heading "ASME", in Chapter 12 of the Green Construction Code, insert a new standard reference number ASME/A17.1 2010/CSA B44-10 to read as follows:

ASME

American Society of
Mechanical Engineers, Inc.
Three Park Avenue
New York, NY 10016-5990

Standard reference number	Title	Referenced in code section number
ASME/A17.1 2010/CSA B44-10	Safety Code for Elevators and Escalators	609.2.2

Under the heading "ASHRAE", in Chapter 12 of the International Green Construction Code, strike standard reference number 189.1-2011 in its entirety and insert standard reference number 189.1-2011 in its place to read as follows:

ASHRAE

American Society of Heating,
Refrigerating and Air-
Conditioning Engineers, Inc.
1791 Tullie Circle
Atlanta, GA 30329-2305

Standard reference number	Title	Referenced in code section number
189.1-2011	Standard for the Design of High-performance Green Buildings Except Low-rise Residential Buildings	303

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Insert a new Referenced Standard to Chapter 12 of the Green Construction Code to read as follows:

Enterprise Community Partners	Enterprise Community Partners, Inc. 70 Corporate Center 11000 Broken Land Parkway Suite 700 Columbia, MD 21044

Standard reference number	Title	Referenced in code section number
Enterprise Green Communities Criteria 2011	Enterprise Green Communities Criteria	302.2.4

Under the heading "EPA", in Chapter 12 of the Green Construction Code, insert the following new Referenced Standards to read as follows:

EPA	Environmental Protection Agency Ariel Rios Building 1200 Pennsylvania Avenue, NW Washington, D.C. 20460

Standard reference number	Title	Referenced in code section number
ENERGY STAR	Energy Star Target Finder Tool	302.2.1 302.3.1

Under the heading "EPA" in Chapter 12 of the International Green Construction Code, strike the WaterSense Referenced Standards in their entirety and insert new WaterSense Referenced Standards under the heading "EPA" in Chapter 12 of the Green Construction Code in their place to read as follows:

Standard	Title	Referenced in

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reference number		code section number
WaterSense October 2007	High-efficiency Lavatory Faucet Specification	Table 702.1
WaterSense August 2009	WaterSense Specification for Flushing Urinals	Table 702.1
WaterSense March 2010	WaterSense Specification for Showerheads	Table 702.1
WaterSense May 2011	WaterSense Specification for Tank-Type Toilets	Table 702.1

Under the heading "ISO", in Chapter 12 of the International Green Construction Code, strike standard reference number 14044-2006 in its entirety and insert in Chapter 12 of the Green Construction Code under subheading "ISO" a new standard reference number 14044-2006 in its place to read as follows:

ISO

International Organization for Standardization
ISO Central Secretariat
1 ch, de la Voie-Creuse,
Case Postale 56
CH-1211 Geneva 20,
Switzerland

Standard reference number	Title	Referenced in code section number
14044-2006	Environmental Management-Lifecycle Assessment-Requirements and Guidelines	505.1.1

Under the heading "ISO", in Chapter 12 of the Green Construction Code, insert a new standard reference number 14021 to read as follows:

ISO

International Organization for Standardization
ISO Central Secretariat
1 ch, de la Voie-Creuse,
Case Postale 56
CH-1211 Geneva 20,
Switzerland

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Standard reference number	Title	Referenced in code section number
14021:2001 +A1:2011	Environmental labels and declarations. Self-declared environmental claims (Type II environmental labeling)(British Standard)	505.2.2

Insert a new Referenced Standard in Chapter 12 of the Green Construction Code to read as follows:

USGBC

U.S. Green Building Council
2101 L Street, NW, Suite 500
Washington, D.C. 20037

Standard reference number	Title	Referenced in code section number
LEED-NC 2009	New Construction & Major Renovations	302.4
LEED-CI 2009	Commercial Interiors	302.4
LEED-CS 2009	Core & Shell	302.4
LEED 2009	Healthcare	302.4
LEED 2009	Retail: Commercial Interiors	302.4
LEED 2009	Retail: New Construction & Major Renovations	302.4
LEED 2009	Schools	302.4
LEED-EB 2009	Existing Buildings: Operations & Maintenance	302.9

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Appendix A to the International Green Construction Code is adopted and incorporated into the Green Construction Code as Appendix A with the following modifications.

APPENDIX A PROJECT ELECTIVES

A101 General
A102 Applicability and Conformance
A104 Site Project Electives
A105 Material Resource Conservation and Efficiency
A106 Energy Conservation, Efficiency and Earth Atmospheric Quality
A107 Water Resource Conservation and Efficiency
A108 Indoor Environmental Quality and Comfort

A101 GENERAL

Strike Section A101.1 of Appendix A in the International Green Construction in its entirety and insert new Section A101.1 in Appendix A of the Green Construction Code in its place to read as follows:

A101.1 Scope. The provisions of this appendix are designed to offer conservation practices that achieve greater benefit than the minimum requirements of the *Green Construction Code*. Appendix A shall only apply to projects within the scope of the *Green Construction Code* as set forth in Section 101.4.9.3 of the *Building Code* that are either new construction or Level 3 *alterations.*

A102 APPLICABILITY AND CONFORMANCE

Strike Section A102.2 of Appendix A in the International Green Construction Code in its entirety and insert new Section A102.2 in Appendix A of the Green Construction Code in its place to read as follows:

A102.2 Required number of and selection of project electives. New construction projects shall attain a total of 15 project electives, and Level 3 *alterations* shall attain 13 project electives. Selected project electives shall be applied as mandatory requirements for the project. Selected project electives shall be communicated to the *code official* in the manner and form specified by the *code official*.

A104 SITE PROJECT ELECTIVES

Strike Section A104.1 (including Subsections 104.1.1 through 104.1.3) of Appendix A of the International Green Construction Code in its entirety without substitution.

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Strike Table A104, Site Project Electives, in Appendix A of the International Green Construction Code in its entirety and insert new Table A104 in its place in Appendix A of the Green Construction Code to read as follows:

TABLE A104
SITE PROJECT ELECTIVES

SECTION	DESCRIPTION	MINIMUM NUMBER OF ELECTIVES REQUIRED AND ELECTIVES SELECTED
A104.2	Wildlife corridor	☐ Yes ☐ No
A104.3	Infill site	☐ Yes ☐ No
A104.4	Brownfield site	☐ Yes ☐ No
A104.5	Site restoration	☐ Yes ☐ No
A104.6	Mixed use development	☐ Yes ☐ No
A104.7	Changing and shower facilities	☐ Yes ☐ No
A104.8	Long-term bicycle parking and storage	☐ Yes ☐ No
A104.9	Heat island	☐ Yes ☐ No
A104.9.1	Site hardscape project elective 1	☐ Yes ☐ No

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A104.9.2	Site hardscape project elective 2	☐ Yes	☐ No
A104.9.4	Roof covering project elective – 25 percent vegetative roof coverage	☐ Yes	☐ No
A104.9.4	Roof covering project elective – 50 percent vegetative roof coverage	☐ Yes	☐ No
A104.9.4	Roof covering project elective – 75 percent vegetative roof coverage	☐ Yes	☐ No
A104.10	Native plant landscaping – 75 percent native plants	☐ Yes	☐ No
A104.10	Native plant landscaping – 100 percent native plants	☐ Yes	☐ No
A104.11	Electric vehicle charging infrastructure project elective	☐ Yes	☐ No

Strike Sections A104.7 and A104.8 in Appendix A of the International Green Construction Code in their entirety and substitute new Sections A104.7 and A104.8 in Appendix A of the Green Construction Code in their place to read as follows:

A104.7 Changing and shower facilities project elective. Projects that provide changing and shower facilities shall receive a project elective.

A104.8 Long-term bicycle parking and storage project elective. Projects that provide not less than 90 percent of long term bicycle parking within a building or provide the parking with a permanent cover including, but not limited to, roof overhangs, awnings, or bicycle storage lockers, shall be recognized as a single project elective.

Strike Section A104.9 in Appendix A of the International Green Construction Code in its entirety and insert new Section A104.9 in Appendix A of the Green Construction Code in its place to read as follows:

A104.9 Heat island. Project electives related to heat island impact shall comply with Sections A104.9.1, A104.9.2 or A104.9.4. Compliance with multiple electives shall be recognized.

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Strike Section A104.9.3 in Appendix A of the International Green Construction Code in its entirety without substitution.

Strike Section A104.9.4 in Appendix A of the International Green Construction Code in its entirety and insert new Section A104.9.4 in Appendix A of the Green Construction Code in its place to read as follows:

A104.9.4 Roof covering project elective. Projects that install vegetative roofs shall be recognized as a project elective. Projects will receive one project elective for 25 percent coverage of total roof square footage, one additional elective credit for 50 percent coverage, or three total elective credits for 75 percent coverage.

Insert new Section A104.10 in Appendix A of the Green Construction Code to read as follows:

A104.10 Native plant landscaping project elective. Projects that install native plant landscaping beyond the code minimum shall be recognized as a project elective. Projects will receive one project elective for 75 percent native plant landscaping coverage, and an additional project elective for 100 percent coverage.

Insert new Section A104.11 in Appendix A of the Green Construction Code to read as follows:

A104.11 Electric vehicle charging infrastructure project elective. Projects intending to qualify for an *electric vehicle* charging infrastructure project elective shall install e*lectric vehicle supply equipment*, or electrical infrastructure suitable for the future installation of e*lectric vehicle supply equipment*, in accordance the following requirements:

1. At least 6.6kW of power shall be supplied to the *electric vehicle* parking space(s).

2. The total power divided by the number of *electric vehicle* parking spaces shall not be less than 1.5kW.

3. In all locations other than Group M, *electric vehicle supply equipment*, an appropriate NEMA receptacle, or a junction box shall be installed and co-located with each *electric vehicle* charging parking space. In order to receive the project elective in Group M locations, an *electric vehicle connector* shall be installed.

4. There shall be at least one *electric vehicle* charging space per each 30 parking spaces or fraction thereof.

5. At least one *electric vehicle* charging parking space shall be adjacent to an ADA accessible space.

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6. *Electric vehicle* charging infrastructure shall be designated on the *construction documents*.

A105 MATERIAL RESOURCE CONSERVATION AND EFFICIENCY

Strike Section A105.1 in Appendix A of the International Green Construction Code in its entirety and insert new Section A105.1 in Appendix A of the Green Construction Code in its place to read as follows:

A105.1 Waste management project elective. Projects seeking a waste management project elective shall comply with Section 503.1, except that the nonhazardous construction waste materials required to be diverted from landfills shall be increased by 20 percent.

Strike Section A105.3 in Appendix A of the International Green Construction Code in its entirety and insert new Section A105.3 in Appendix A of the Green Construction Code in its place to read as follows:

A105.3 Material selection project electives. Each of the following shall be considered a separate material selection project elective. The project electives are cumulative and compliance with each item shall be recognized individually.

1. Compliance with this project elective shall require compliance with Section 505.2, except that buildings and structures shall contain used, recycled content, recyclable, bio-based and indigenous materials that comply with Sections 505.1 through 505.2.5, such that the aggregate total materials compliant with those sections constitute at least 50 percent of the total building products and materials used, based on cost, used singularly or in combination.

2. Compliance with Item 1, except that such materials shall be used for at least 75 percent of the total cost of materials in the project.

Strike Table A105 in Appendix A of the International Green Construction Code in its entirety and insert new TableA105 in Appendix A of the Green Construction Code in its place to read as follows:

TABLE A105
MATERIAL RESOURCE CONSERVATION AND EFFICIENCY PROJECT ELECTIVES

SECTION	DESCRIPTION	MINIMUM NUMBER OF ELECTIVES REQUIRED AND ELECTIVES

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		SELECTED
A105.1	Waste management	☐ Yes ☐ No
A105.2	Construction waste landfill maximum	☐ Yes ☐ No
A105.3(1)	Reused, recycled content, recyclable, bio-based and indigenous materials (50percent)	☐ Yes ☐ No
A105.3(2)	Reused, recycled content, recyclable, bio-based and indigenous materials (75percent)	☐ Yes ☐ No
A105.4	Service life plan	☐ Yes ☐ No
A105.5	Design for deconstruction and building reuse	☐ Yes ☐ No
A105.6	Existing building reuse	☐ Yes ☐ No
A105.7	Historic building reuse	☐ Yes ☐ No

A106 ENERGY CONSERVATION, EFFICIENCY AND EARTH ATMOSPHERIC QUALITY

Strike Table A106 in Appendix A of the International Green Construction Code in its entirety and insert new Table A106 in Appendix A of the Green Construction Code in its place to read as follows:

TABLE A106
ENERGY CONSERVATION AND EFFICIENCY PROJECT ELECTIVES

The District of Columbia Green Construction Code (2013) , referred to as the "*Green Construction Code*," consists of the 2012 edition of the *International Green Construction Code* published by the International Code Council (ICC), as amended by the *District of Columbia Green Construction Code Supplement* (2013)(12 DCMR K). The *International Green Construction Code* is copyrighted by the International Code Council and therefore is not republished here. However, a copy of the text may be obtained at: http://publicecodes.cyberregs.com/icod/igcc/2012/index.htm?bu=IC-P-2012-000023&bu2=IC-P-2012-000019.

SECTION	DESCRIPTION	MINIMUM NUMBER OF ELECTIVES REQUIRED AND ELECTIVES SELECTED
A106.1	zEPI reduction project electives	☐ Yes ☐ No
A106.1	Project zEPI is at least 5 points lower than required by Table 302.1	☐ 1 elective
A106.1	Project zEPI is at least 10 points lower than required by Table 302.1	☐ 2 electives
A106.1	Project zEPI is at least 15 points lower than required by Table 302.1	☐ 3 electives
A106.1	Project zEPI is at least 20 points lower than required by Table 302.1	☐ 4 electives
A106.1	Project zEPI is at least 25 points lower than required by Table 302.1	☐ 5 electives
A106.1	Project zEPI is at least 30 points lower than required by Table 302.1	☐ 6 electives
A106.1	Project zEPI is at least 35 points lower than required by Table 302.1	☐ 7 electives
A106.1	Project zEPI is at least 40 points lower than required by Table 302.1	☐ 8 electives
A106.1	Project zEPI is at least 45 points lower than required by Table 302.1	☐ 9 electives
A106.1	Project zEPI is at least 51 points lower than required by Table 302.1	☐ 10 electives

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A106.2	Mechanical systems project elective	☐ Yes ☐ No
A106.3	Service water heating	☐ Yes ☐ No
A106.4	Lighting systems	☐ Yes ☐ No
A106.5	Passive design	☐ Yes ☐ No
A106.6	Renewable energy systems—5 percent	☐ Yes ☐ No
A106.6	Renewable energy systems—10 percent	☐ Yes ☐ No
A106.6	Renewable energy systems—20 percent	☐ Yes ☐ No
A106.7	Energy display	☐ Yes ☐ No
A106.8	Auto demand response for lighting	☐ Yes ☐ No
A106.9	Insulation and fenestration	☐ Yes ☐ No
A106.10	Permanent shading devices for fenestration	☐ Yes ☐ No
A106.11	Air leakage testing—0.25 cfm/ft2 qualifies for 2 project electives	☐ Yes ☐ No

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A106.11	Air leakage testing—0.15 cfm/ft2 qualifies for 2 project electives	☐ Yes	☐ No
A106.12	Waste water heat recovery	☐ Yes	☐ No
A106.13	Circulating hot water systems	☐ Yes	☐ No
A106.14	Exterior lighting and signage shutoff	☐ Yes	☐ No
A106.15	Energy Star equipment	☐ Yes	☐ No
A106.16	Lighting power density – 15 percent reduction	☐ Yes	☐ No
A106.16	Lighting power density – 20 percent reduction	☐ Yes	☐ No
A106.16	Lighting power density – 25 percent reduction	☐ Yes	☐ No
A106.16	Lighting power density – 30 percent reduction	☐ Yes	☐ No
A106.16	Lighting power density – 35 percent reduction	☐ Yes	☐ No
A106.17	Green power purchases	☐ Yes	☐ No

Strike Section A106.6 in Appendix A of the International Green Construction Code in its entirety and insert new Section A106.63 in Appendix A of the Green Construction Code in its place to read as follows:

A106.6 Renewable energy system project electives. Buildings seeking a renewable energy system project elective or electives shall be equipped with one or more renewable energy

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systems that have the capacity to provide the percent of annual energy used within the building as selected in Table A106.

Insert new Sections A106.7 through A106.17 in Appendix A of the Green Construction Code to read as follows:

A106.7 Energy display. Buildings seeking an energy display project elective shall install a permanent, readily accessible and visible display adjacent to the main building entrance or on a publicly available Internet web site. The display shall be capable of providing all of the following:

1. The current energy demand for the whole building level measurements, updated for each fuel type at the intervals specified in Section 603.3.

2. The average and peak demands for the previous day and the same day the previous year.

3. The total energy usage for the previous 18 months.

A106.8 Auto demand response system for lighting. Buildings seeking an auto demand response system for lighting project elective shall install a system capable of reducing total connected power of lighting as determined in accordance with Section C405.5 of the *Energy Conservation Code* by not less than 15 percent.

A106.9 Insulation and fenestration project elective. For projects seeking the insulation and fenestration project elective, the *building thermal envelope* shall exceed the requirements of Tables C402.1.2 and C402.3 of the *Energy Conservation Code* by not less than 10 percent. Specifically, for purposes of compliance with this code, each U-factor, C-factor, F-factor and SHGC in the specified tables shall be reduced by 10 percent to determine the prescriptive criteria.

A106.10 Permanent shading devices for fenestration. Projects seeking the permanent shading devices project elective shall comply with one of the following for *vertical fenestration* on the West, South, and East facades:

1. *Vertical Fenestration* shall be shaded by permanent projections that have an area-weighted average projection factor of not less than 0.50. The building is allowed to be rotated up to 45 degrees to the nearest cardinal orientation for purposes of calculations and showing compliance.

2. *Vertical fenestration* shall have direct solar radiation for fewer than 250 hours per year because of shading by permanent external buildings, existing permanent infrastructure, or topography.

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3. *Vertical fenestration* shall have automatically controlled shading devices capable of modulating in multiple steps the amount of solar gain and light transmitted into the space in response to daylight levels or solar intensity that comply with all of the following:

   a. Exterior shading devices shall be capable of providing at least 90 percent coverage of the *fenestration* in the closed position.

   b. Interior shading devices shall be capable of providing at least 90 percent coverage of the *fenestration* in the closed position and have a minimum solar reflectance of 0.50 for the surface facing the *fenestration*.

   c. A manual override located in the same *enclosed space* as the *vertical fenestration* shall override operation of automatic controls no longer than four hours.

   d. Acceptance testing and commissioning shall be conducted to verify that automatic controls for shading devices respond to changes in illumination or radiation intensity.

4. *Vertical fenestration* shall have automatically controlled *dynamic glazing* capable of modulating in multiple steps the amount of solar gain and light transmitted into the space in response to daylight levels or solar intensity that comply with all of the following:

   a. *Dynamic glazing* shall have a lower labeled *SHGC* equal to or less than 0.12, lowest labeled *VT* no greater than 0.05, and highest labeled *VT* no less than 0.40.

   b. A manual override located in the same *enclosed space* as the *vertical fenestration* shall override operation of automatic controls no longer than four hours.

   c. Acceptance testing and commissioning shall be conducted to verify that automatic controls for *dynamic glazing* respond to changes in illumination or radiation intensity.

A106.11 Air leakage testing. Projects shall receive 2 project electives where the tested air leakage of the total area of the *building thermal envelope* is less than 0.25 cfm/ft^2 under a pressure differential of 0.3 in water column (1.57 lb/ft^2) (1.25 L/s.m^2 under a pressure differential of 75 Pa). Projects shall receive 2 additional project electives where the tested air leakage is 0.15 cfm/ft^2 under the same conditions. Testing shall occur after rough-in and after installation of

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penetrations of the building envelope, including penetrations for utilities, heating, ventilating and air-conditioning (HVAC) systems, plumbing, and electrical equipment and appliances. Testing shall be done in accordance with ASTM E 779. Where a building entrance is required to be protected with a vestibule in accordance with the *Energy Conservation Code*, an air curtain tested in accordance with ANSI/AMCA 220 is permitted to be used as an alternative to separate conditioned space from the exterior.

A106.12 Waste water heat recovery. Projects that install a waste water heat recovery system shall qualify for a project elective provided that the system preheats the incoming water used for hot water functions by not less than 10 °F (5.6 °C).

A106.13 Circulating hot water systems. Projects seeking a circulating hot water systems project elective shall not have continuous, timer, or water temperature-initiated (aquastat) operation of circulating pumps. Gravity or thermosyphon circulation loops are prohibited. Pumps on circulating hot water systems shall be activated on demand by either a hard-wired or wireless activation control of one of the following types:

1. A normally open, momentary contact switch.

2. Motion sensors that make momentary contact when motion is sensed.

3. A flow switch.

4. A door switch.

A106.14 Exterior lighting and signage shutoff. Projects seeking an exterior lighting and signage shutoff project elective shall control the lighting of building facades, signage, and landscape features by a time switch control configured so that the lighting automatically shuts off from within one hour after facility operations conclude until within 1 hour before facility operations begin.

A106.15 Energy Star equipment elective. Projects seeking the Energy Star equipment elective shall install 100 percent Energy Star rated equipment for all equipment types that have Energy Star ratings.

A106.16 Lighting power density reduction. Projects seeking the lighting power density reduction elective shall receive one project elective for a 15 percent reduction, two project electives for 20 percent reduction, three project electives for 25 percent reduction, four project electives for 30 percent reduction, and five project electives for 35 percent reduction, compared to the requirements found in the *Energy Conservation Code*.

A106.17 Green power purchases. Projects that sign up for 100 percent green power for five years of modeled design energy consumption or 8 kWh/sf/year shall receive one project elective.

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A107 WATER RESOURCE CONSERVATION AND EFFICIENCY

Strike Table A107 in Appendix A of the International Green Construction Code in its entirety and insert new Table A107 in Appendix A of the Green Construction Code in its place to read as follows:

TABLE A107
WATER RESOURCE CONSERVATION AND EFFICIENCY
PROJECT ELECTIVES

SECTION	DESCRIPTION	MINIMUM NUMBER OF ELECTIVES REQUIRED AND ELECTIVES SELECTED	
A107.2	Onsite waste water treatment	☐ Yes	☐ No
A107.3	Alternate onsite nonpotable water for outdoor hose connections	☐ Yes	☐ No
A107.4	Alternate onsite nonpotable water for plumbing fixture flushing	☐ Yes	☐ No
A107.7	Alternate onsite nonpotable water for industrial process makeup water	☐ Yes	☐ No
A107.8	Alternate onsite nonpotable water for cooling tower makeup water	☐ Yes	☐ No
A107.9	Gray water collection	☐ Yes	☐ No
A107.10	Condensate drainage recovery	☐ Yes	☐ No
A107.11	Wet-hood exhaust scrubber system	☐ Yes	☐ No

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Strike Section A107.3.1 in Appendix A of the International Green Construction Code in its entirety without substitution.

Strike Sections A107.4.1 through A107.4.3 in Appendix A of the International Green Construction Code in their entirety without substitution.

Strike Section A107.5 (including subsections) in Appendix A of the International Green Construction Code in its entirety without substitution.

Strike Section A107.6 (including subsections) in Appendix A of the International Green Construction Code in its entirety without substitution.

Strike Section A107.7.1 in Appendix A of the International Green Construction Code in its entirety without substitution.

Strike Sections A107.8 and A107.9 in Appendix A of the International Green Construction Code in their entirety and insert new Sections A107.8 and A107.9 in Appendix A of the Green Construction Code in their place to read as follows:

A107.8 Alternate onsite nonpotable water for cooling tower makeup water project elective. Where projects are intended to qualify for an *alternate onsite nonpotable water* for cooling tower makeup water project elective in accordance with Section A107.7, nonpotable water shall be utilized for cooling tower makeup water in accordance with the requirements of Section 703.7.

A107.9 Gray water collection project elective. Where projects are intended to qualify for a gray water collection project elective in accordance with Section A107.8, waste water from lavatories, showers, bathtubs, clothes washers, and laundry trays shall be collected for reuse onsite.

Insert new Sections A107.10 and A107.11 in Appendix A of the Green Construction Code to read as follows:

A107.10 Condensate drainage recovery. Projects that are pursuing a condensate drainage recovery project selective shall collect 100 percent of condensate for reuse in applications such as water features, fountains, gray water collection systems and rainwater collection systems.

A107.11 Wet-hood exhaust scrubber systems. Where wet-hood exhaust scrubber systems are used, projects that are pursuing this elective shall incorporate a water recirculation system. The makeup water supplies for such systems shall be metered in accordance with Section 705.1.

> **A107.11.1 Washdown systems.** Hoods incorporating washdown or rinsing systems for perchloric acid and similar chemicals shall utilize self-closing valves. Such systems shall be designed to drain automatically after each washdown process has been completed.

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A107.11.2 Water sources. Where suitable alternate onsite nonpotable water is available, makeup water supplies to the recirculation system of wet-hood exhaust scrubbers shall utilize alternate onsite nonpotable water or municipal reclaimed water of a water quality appropriate for the application.

A108 INDOOR ENVIRONMENTAL QUALITY AND COMFORT

Strike Table A108 in Appendix A of the International Green Construction Code in its entirety and insert new Table A108 in Appendix A of the Green Construction Code in its place to read as follows:

TABLE A108
INDOOR ENVIRONMENTAL QUALITY AND COMFORT
PROJECT ELECTIVES

SECTION	DESCRIPTION	MINIMUM NUMBER OF ELECTIVES REQUIRED AND ELECTIVES SELECTED	
A108.2	VOC emissions – flooring	☐ Yes	☐ No
A108.3	VOC emissions – ceiling systems	☐ Yes	☐ No
A108.4	VOC emissions – wall systems	☐ Yes	☐ No
A108.5	Total VOC limit	☐ Yes	☐ No
A108.6	Views to building exterior – 50percent	☐ Yes	☐ No
A108.6	Views to building exterior – 75percent	☐ Yes	☐ No
A108.7	Daylighting – 25percent	☐ Yes	☐ No

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A108.7	Daylighting – 50percent	☐ Yes	☐ No
A108.7	Daylighting – 75percent	☐ Yes	☐ No
A108.8	Post-construction, pre-occupancy baseline IAQ testing	☐ Yes	☐ No
A108.9	Post-construction, pre-occupancy flush out	☐ Yes	☐ No

Strike Section A108.6 in Appendix A of the International Green Construction Code in its entirety and insert new Section A108.6 in Appendix A of the Green Construction Code in its place to read as follows:

A108.6 Views to building exterior project elective. Where projects are intended to qualify for a "views to building exterior" project elective in accordance with Section A108.6, not less than 50 percent of the net floor area shall have a direct line of sight to the exterior through clear vision glazing. A total of not less than 45 square feet (4.18 m^2) of clear vision glazing in the exterior wall or roof shall be visible. The direct line of sight shall originate at a height of 42 inches (1067 mm) above the finished floor of the space, shall terminate at the clear vision glazing in the exterior wall or roof, and shall be less than 40 feet (12 192 mm) in length. Projects that have a direct line of sight to the exterior for 75 percent of the net floor area shall qualify for an additional project elective.

> **Exception:** Where the direct line of sight is less than 25 feet (7620 mm) in length, a total of not less than 18 square feet (1.67 m^2) of clear vision glazing in the exterior wall or roof shall be visible.

Insert new Sections A108.7, A108.8 and A108.9 in Appendix A of the Green Construction Code to read as follows:

A108.7 Daylighting project elective. Where projects intend to qualify for a daylighting project elective, 25 percent of the net floor area shall be located within a *daylit area*. Projects can receive one additional project elective with 50 percent and another additional project elective for 75 percent daylighting. All projects shall comply with either Section A108.7.1 or Section A108.7.2.

> **A108.7.1 Daylight prescriptive requirements.** *Daylit areas* shall comply with Sections A108.7.1.1 or A108.7.1.2. For determining the total *daylit area*, any overlapping *daylit*

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areas shall be counted only once. Drawings clearly showing the *daylit areas* of the plan shall be provided as part of the permit application.

The total *daylit area* shall be the sum of the area of all sidelighting *daylit areas* and the area of all toplighting *daylit areas*, except that sidelighting *daylit areas* shall not be included in the calculation of the area of toplighting *daylit areas*.

A108.7.1.1 Sidelighting. The *daylit area* shall be illuminated by *fenestration* that complies with Table A108.7.1 and Figure A108.7.1 (4). Where *fenestration* is located in a wall, the *daylit area* shall extend laterally to the nearest 56 inch (1.4 m) high partition, or up to 2.0 times the height from the floor to the top of *fenestration*. Where *fenestration* is located in a rooftop monitor, the *daylit area* shall extend laterally to the nearest 56 inch (1.4 m) high partition, or up to 1.0 times the height from the floor to the bottom of the *fenestration*, whichever is less, and longitudinally from the edge of the *fenestration* to the nearest 56 inch (1.4 m) high partition, or up to 0.25 times the height from the floor to the bottom of the *fenestration*, whichever is less, as indicated in Figures A108.7.1(2) and A108.7.1(3).

A108.7.1.2 Toplighting. The *daylit area* shall be illuminated by a roof *fenestration* assembly such as a skylight, sloped glazing or tubular daylighting device that complies with Table A108.7.1 and Figure A108.7.2. The *daylit area* extends laterally and longitudinally beyond the glazed opening of the roof *fenestration* assembly to the nearest 56 inch (1.4 m) high partition, or up to 0.7 times the height from the floor to the bottom of the rough opening of the daylighting well, whichever is less, as indicated in Figure A108.7.2.

A108.7.2 Daylight performance requirements. Each *daylit area* shall comply with the requirements of either Sections A108.7.2.1 or A108.7.2.2. Daylight analysis shall be conducted in accordance with Section A108.7.2.3. Drawings or documents demonstrating compliance with A108.7.2 shall be provided as part of the permit application.

A108.7.2.1 Morning illumination. Not less than 28 foot-candles (300 lux) and not more than 418 foot-candles (4500 lux) of natural light shall be available at a height of 30 inches (750 mm) above the floor 3 hours before the peak solar angle on the spring equinox.

A108.7.2.2 Afternoon illumination. Not less than 28 foot-candles (300 lux) and not more than 418 foot-candles (4500 lux) of natural light shall be available at a height of 30 inches (750 mm) above the floor 3 hours after the peak solar angle on the spring equinox.

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A108.7.2.3 Daylight analysis. A daylight analysis shall:

1. Assume sky conditions to be clear.

2. Address the effects of exterior shading devices, *buildings*, *structures*, and geological formations on the *fenestration* of the proposed building and on the ground and other light reflecting surfaces. Include the effects of movable exterior *fenestration* shading devices. The configuration of *fenestration* with automatically controlled variable transmittance shall be adjusted to accurately represent the control system operation.

3. Exclude the effects of interior furniture systems, shelving, and stacks.

4. Use the actual reflectance characteristics of all materials.

5. Assume that blinds, shades and other movable interior *fenestration* shading devices are completely diffusing, with a visible transmittance of 5 percent for fabric shades, and 20 percent for horizontal or vertical blinds.

6. Use calculation spaced not more than 39.4 inches (1 m) by 39.4 inches (1 m). The calculation grid shall start within 20 inches (508 mm) of each wall or partition.

7. Reduce the visible transmittance of all *fenestration* by 20 percent where details about the window framing, mullions, wall thickness and well depth cannot be included in the model.

A108.7.3 Sky types. Registered design professionals shall use sky type B in determining the applicable effective aperture in Table A108.7.1.

A108.8 Post-construction, pre-occupancy baseline IAQ testing. Where projects are intended to qualify for this project elective, after all interior finishes are installed, the building shall be tested for indoor air quality and the testing results shall indicate that the levels of VOCs meet the levels detailed in Table A108.8 using testing protocols in accordance with ASTM D 6196, ASTM D 5466, ASTM D 5197, ASTM D 6345, and ISO 7708. Test samples shall be taken in not less than one location in each 25,000 square feet (1860 m^2) of floor area or in each contiguous floor area.

A108.9 Post-construction, pre-occupancy flush out. After construction ends, prior to occupancy and with all interior finishes installed, install new filtration media and perform a

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building flush-out by supplying a total air volume of 14,000 cubic feet of outdoor air per square foot (4,500 cubic meters of outdoor air per square meter) of floor area while maintaining an internal temperature of at least 60 °F (15 °C) and relative humidity no higher than 60 percent.

Insert new Table A108.7.1 in Appendix A of the Green Construction Code to read as follows:

TABLE A108.7.1
MINIMUM EFFECTIVE APERTURE

SKY TYPE	MINIMUM EFFECTIVE APERTURE (percentage)		
	Sidelighting from fenestration in a wall [see Figure A108.7.1(1)]	**Sidelighting from rooftop monitor [see Figures A108.7..1(2) and A108.7.1(3)]**	**Toplighting (see Figure A108.7.2)**
A[a]	10.0	5.0	1.0
B[b]	12.0	6.0	1.2
C[c]	16.0	8.0	2.2

a. Sky Type A – more than 75 percent mean sunshine, in accordance with the NOAA Annual Mean Sunshine Percentage Table.

b. Sky Type B – 45 percent to 75 percent mean sunshine, in accordance with the NOAA Annual Mean Sunshine Percentage Table.

c. Sky Type C – less than 45 percent mean sunshine, in accordance with the NOAA Annual Mean Sunshine Percentage Table.

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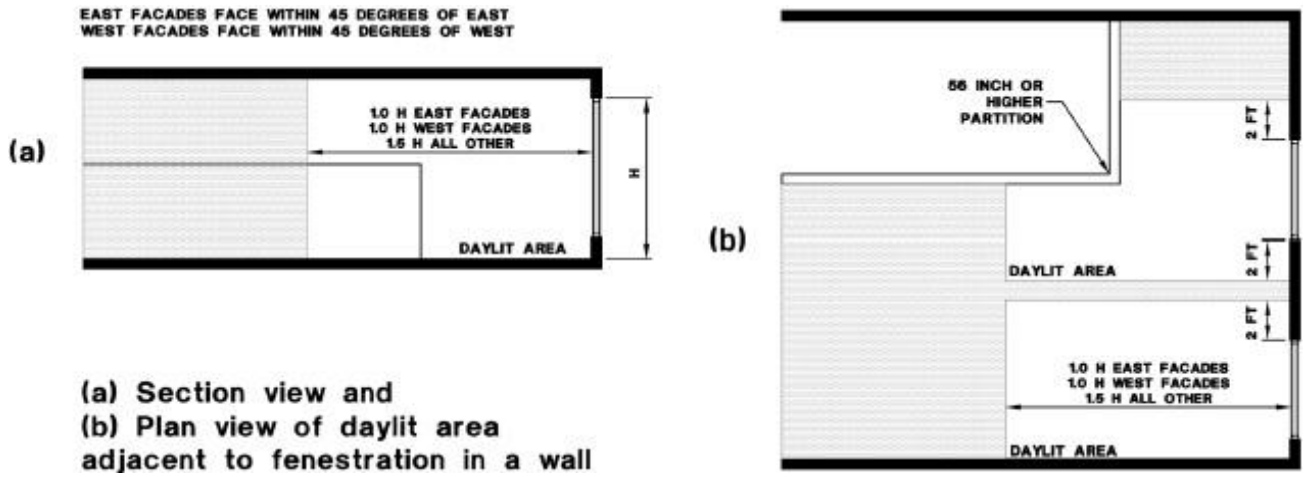
Insert new Figure A108.7.1(1) in Appendix A of the Green Construction Code to read as follows (See Figure 808.3.1.1(1) of the International Green Construction Code):

FIGURE A108.7.1 (1)
***DAYLIT AREA* ADJACENT TO FENESTRATION IN A WALL**



(a) Section view and
(b) Plan view of daylit area adjacent to fenestration in a wall

For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm, 1 degree = 0.017 rad.

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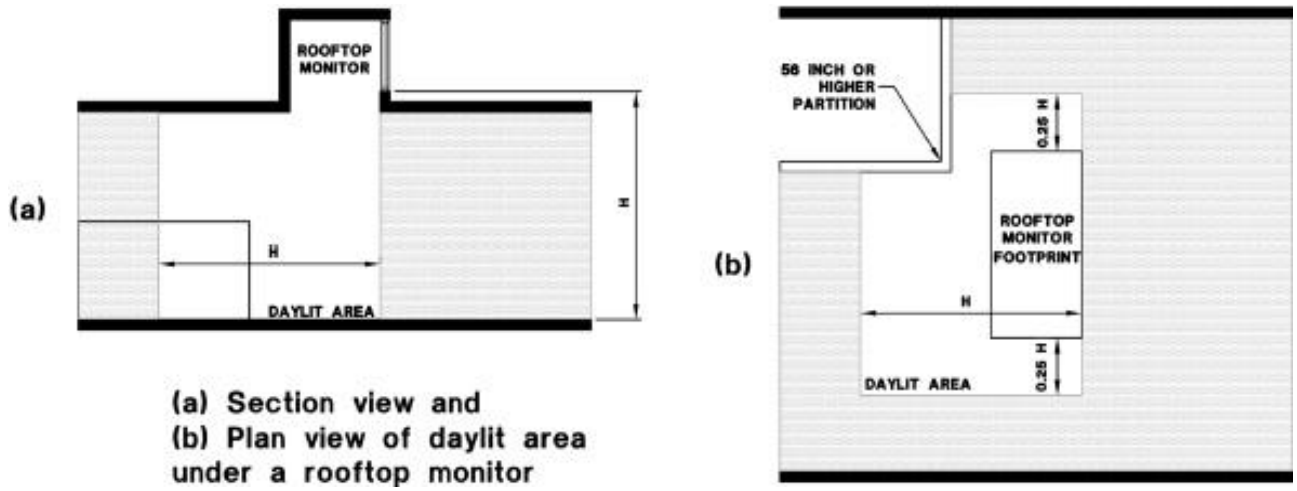
Insert new Figure A108.7.1(2) in Appendix A of the Green Construction Code to read as follows (See Figure 808.3.1.1(2) of the International Green Construction Code):

FIGURE A108.7.1 (2)
***DAYLIT AREA* ADJACENT UNDER A ROOFTOP MONITOR**



(a) Section view and
(b) Plan view of daylit area under a rooftop monitor

For SI: 1 inch = 25.4 mm.

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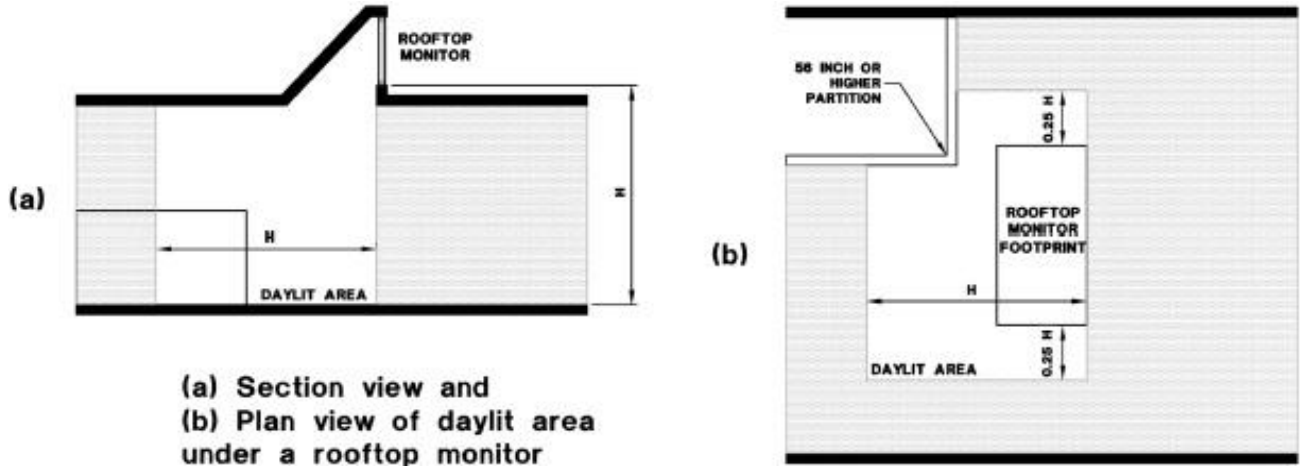
Insert new Figure A108.7.1(3) in Appendix A of the Green Construction Code to read as follows (See Figure 808.3.1.1(3) of the International Green Construction Code):

FIGURE A108.7.1 (3)
***DAYLIT AREA* ADJACENT UNDER A ROOFTOP MONITOR**



(a) Section view and
(b) Plan view of daylit area under a rooftop monitor

For SI: 1 inch = 25.4 mm.

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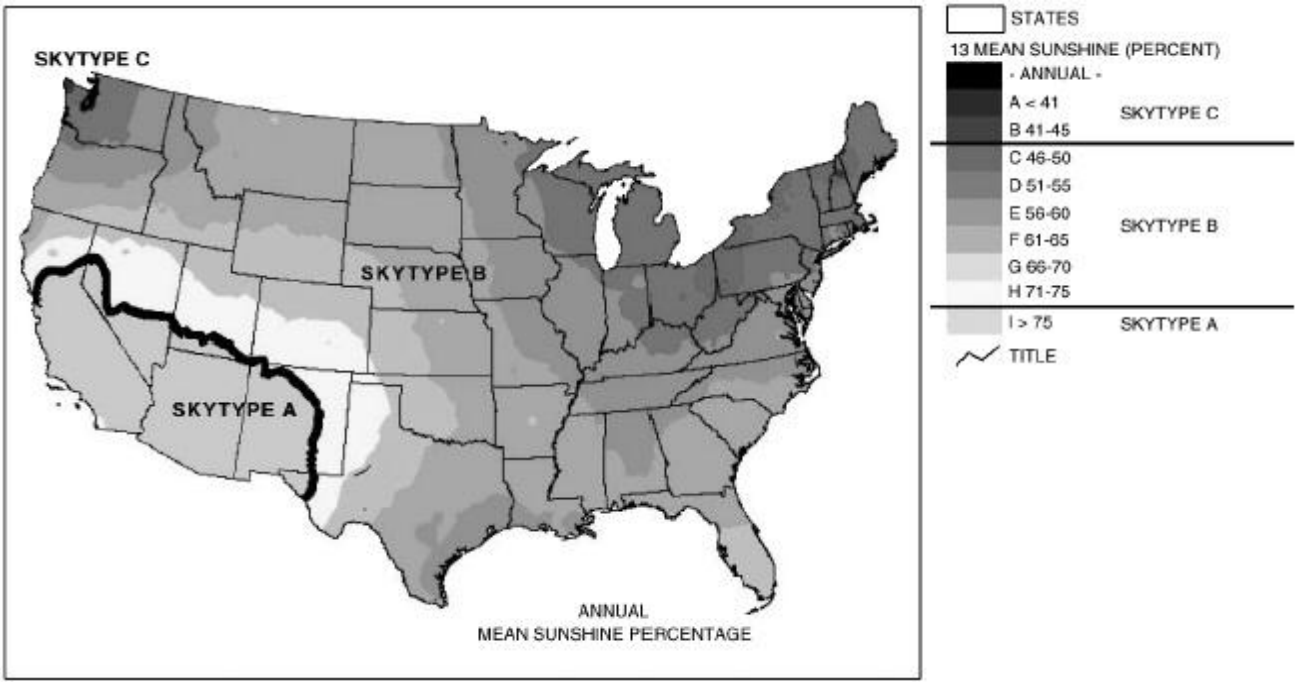
Insert new Figure A108.7.1(4) in Appendix A of the Green Construction Code to read as follows (See Figure 808.3.1.1(4) of the International Green Construction Code):

FIGURE A108.7.1 (4)
SKY TYPES



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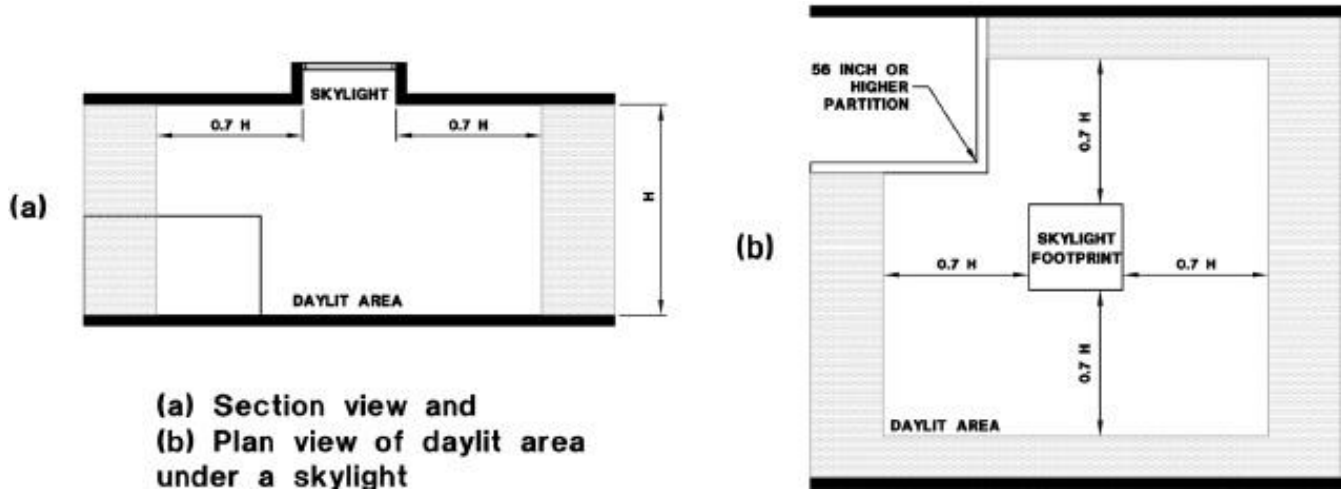
Insert new Figure A108.7.2 in Appendix A of the Green Construction Code to read as follows (See Figure 808.3.1.2 of the International Green Construction Code):

FIGURE A108.7.2
***DAYLIT AREA* UNDER A SKYLIGHT**



(a) Section view and
(b) Plan view of daylit area under a skylight

For SI: 1 inch = 25.4 mm.

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Insert new Table A108.8 in Appendix A of the Green Construction Code to read as follows (See Table 804.2 of the International Green Construction Code):

TABLE A108.8
MAXIMUM CONCENTRATION OF AIR POLLUTANTS [a]

MAXIMUM CONCENTRATION OF AIR POLLUTANTS RELEVANT TO IAQ	MAXIMUM CONCENTRATION ug/m^3 (unless otherwise noted)
1–Methyl-2-pyrrolidinone[a]	160
1,1,1-Trichloroethane	1000
1,3-Butadiene	20
1,4-Dichlorobenzene	800
1,4-Dioxane	3000
2-Ethylhexanoic acid[a]	25
2-Propanol	7000
4-Phenylcyclohexene (4-PCH)[a]	2.5
Acetaldehyde	140
Acrylonitrile	5
Benzene	60
t-Butyl methyl ether	8000
Caprolactam[a]	100
Carbon disulfide	800
Carbon monoxide	9 ppm and no greater than 2 ppm above outdoor levels
Carbon tetrachloride	40
Chlorobenzene	1000
Chloroform	300
Dichloromethane	400
Ethylbenzene	2000
Ethylene glycol	400
Formaldehyde	27
n-Hexane	7000
Naphthalene	9
Nonanal[a]	13
Octanal[a]	7.2
Particulates (PM 2.5)	35 (24-hr)
Particulates (PM 10)	150 (24-hr)
Phenol	200
Styrene	900
Tetrachloroethene	35
Toluene	300
Total volatile organic compounds (TVOC)	500

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Trichloroethene	600
Xylene isomers	700

a. This chemical has a limit only where carpets and fabrics with styrene butadiene rubber (SBR) latex backing material are installed as part of the base building systems.

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DISTRICT OF COLUMBIA
CONSTRUCTION CODES SUPPLEMENT OF 2013
12 DCMR L SWIMMING POOL AND SPA CODE SUPPLEMENT

The District of Columbia has adopted the 2012 edition of the *International Swimming Pool and Spa Code* (ISPSC), as amended by this Supplement.

ISPSC CHAPTERS AMENDED BY THIS SUPPLEMENT:

CHAPTER 1 SCOPE AND ADMINISTRATION
CHAPTER 2 DEFINITIONS

The *District of Columbia Swimming Pool and Spa Code* (2013), referred to as the "*Swimming Pool and Spa Code*," consists of the 2012 edition of the *International Swimming Pool and Spa Code,)* as amended by the *District of Columbia Swimming Pool and Spa Code Supplement* (2013)(12 DCMR L). The *International Swimming Pool and Spa Code* is copyrighted by the International Code Council and therefore is not republished here. However, a copy of the text may be obtained at: http://publicecodes.cyberregs.com/icod/ispsc/2012/index.htm?bu=IC-P-2012-000024&bu2=IC-P-2012-000019.

CHAPTER 1 SCOPE AND ADMINISTRATION

101 General

Strike Chapter 1 of the International Swimming Pool and Spa Code in its entirety and insert a new Chapter 1 in the Swimming Pool and Spa Code in its place to read as follows:

101 GENERAL

101.1 Administration and enforcement of the *Swimming Pool and Spa Code* shall be governed by Chapter 1 of the *Building Code*, 12 DCMR A.

The *District of Columbia Swimming Pool and Spa Code* (2013), referred to as the "*Swimming Pool and Spa Code*," consists of the 2012 edition of the *International Swimming Pool and Spa Code,)* as amended by the *District of Columbia Swimming Pool and Spa Code Supplement* (2013)(12 DCMR L). The *International Swimming Pool and Spa Code* is copyrighted by the International Code Council and therefore is not republished here. However, a copy of the text may be obtained at: http://publicecodes.cyberregs.com/icod/ispsc/2012/index.htm?bu=IC-P-2012-000024&bu2=IC-P-2012-000019.

CHAPTER 2 DEFINITIONS

202 Definitions

202 DEFINITIONS

Strike the definition of Aquatic Vessel in Section 202 of the International Swimming Pool and Spa Code in its entirety and insert a new definition of Aquatic Vessel in Section 202 of the Swimming Pool and Spa Code in its place to read as follows:

AQUATIC VESSEL. A vessel, permanent or temporary, intended for swimming, bathing, or wading and that is designed and manufactured to be connected to a *circulation system*. For purposes of this code, the term is used to identify all the types of vessels governed by this code, including: swimming pools, aquatic facilities, *spas* and hot tubs, and related equipment. Such vessels are either used in a *residential* application or in a public application. This definition does not include: prefabricated pools accessory to a Group R-3 occupancy, or accessory to buildings under the jurisdiction of the *Residential Code*, which are less than 24 inches (610 mm) deep, do not exceed 1000 gallons (3785.41 L), are installed entirely above ground, and are not designed or manufactured to be connected to a *circulation system*.

The *District of Columbia Swimming Pool and Spa Code* (2013), referred to as the "*Swimming Pool and Spa Code*," consists of the 2012 edition of the *International Swimming Pool and Spa Code,)* as amended by the *District of Columbia Swimming Pool and Spa Code Supplement* (2013)(12 DCMR L). The *International Swimming Pool and Spa Code* is copyrighted by the International Code Council and therefore is not republished here. However, a copy of the text may be obtained at: http://publicecodes.cyberregs.com/icod/ispsc/2012/index.htm?bu=IC-P-2012-000024&bu2=IC-P-2012-000019.