

## Commercial Permit

### § 403.42. Permit requirements and exemptions.

- (a) An owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish or change the occupancy of a commercial building, structure and facility or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical, or plumbing system regulated by the Uniform Construction Code shall first apply to the building code official and obtain the required permit under § 403.42a (relating to permit application).
- (b) Emergency repairs or replacement of equipment may be made without first applying for a permit if a permit application is submitted to the building code official within 3 business days of the repair or replacement.
- (c) A permit is not required for the exceptions listed in § 403.1(b) (relating to scope) and the following construction as long as the work does not violate a law or ordinance:
  - (1) Building construction for the following:
    - (i) Fences that are not over 6 feet high.
    - (ii) Oil derricks.
    - (iii) Retaining walls, which are not over 4 feet in height measured from the lowest level of grade to the top of the wall, unless it is supporting a surcharge or impounding Class I, II or III-A liquids.
    - (iv) Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons and the ratio of height to diameter or width does not exceed 2 to 1.
    - (v) Sidewalks and driveways not more than 30 inches above grade and that are not located over a basement or story below it and which are not part of an accessible route.
    - (vi) Painting, papering, tiling, carpeting, cabinets, counter tops and similar finishing work.
    - (vii) Temporary motion picture, television, and theater stage sets and scenery.
    - (viii) Prefabricated swimming pools accessory to a Group R-3 occupancy which are less than 24 inches deep, do not exceed 5,000 gallons and are installed entirely aboveground.
    - (ix) Shade cloth structures constructed for nursery or agricultural purposes that do not include service systems.
    - (x) Swings and other playground equipment accessory to one- or two-family dwellings.
    - (xi) Window awnings supported by an exterior wall which do not project more than 54 inches from the exterior wall and do not require additional support of group R-3 as applicable in the "International Building Code of 2018," and Group U occupancies.
    - (xii) Movable cases, counters and partitions that are not over 5 feet 9 inches in height.
    - (xiii) Window replacement without structural change.
  - (2) Electrical work for the following:
    - (i) Minor repair and maintenance work that includes the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles.
    - (ii) Electrical equipment used for radio and television transmissions. The provisions of the Uniform Construction Code apply to equipment and wiring for power supply and the installation of towers and antennas.
    - (iii) The installation of a temporary system for the testing or servicing of electrical equipment or apparatus.

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- (3) The following gas work:
  - (i) A portable heating appliance.
  - (ii) Replacement of a minor part that does not alter approval of equipment or make the equipment unsafe.
- (4) The following mechanical work or equipment:
  - (i) A portable heating appliance.
  - (ii) Portable ventilation equipment.
  - (iii) A portable cooling unit.
  - (iv) Steam, hot or chilled water piping within any heating or cooling equipment governed under the Uniform Construction Code.
  - (v) Replacement of any part that does not alter its approval or make it unsafe.
  - (vi) A portable evaporative cooler.
  - (vii) A self-contained refrigeration system containing 10 pounds or less of refrigerant and placed into action by motors that are not more than 1 horsepower.
- (5) The following plumbing repairs:
  - (i) Stopping leaks in a drain and a water, soil, waste or vent pipe. The Uniform Construction Code applies if a concealed trap, drainpipe, water, soil, waste or vent pipe becomes defective and is removed and replaced with new material.
  - (ii) Clearing stoppages or repairing leaks in pipes, valves or fixtures, and the removal and installation of water closets, faucets and lavatories if the valves or pipes are not replaced or rearranged.
- (d) An ordinary repair does not require a permit. The following are not ordinary repairs:
  - (1) Cutting away a wall, partition or portion of a wall.
  - (2) The removal or cutting of any structural beam or load-bearing support.
  - (3) The removal or change of any required means of egress, or rearrangement of parts of a structure affecting the egress requirements.
  - (4) The 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.
  - (e) A permit is not required for the installation, alteration or repair of generation, transmission, distribution, metering or other related equipment under the ownership and control of public service agencies.
  - (f) A building code official may issue an annual permit instead of an individual permit for each alteration to an already approved electrical, gas, mechanical or plumbing installation. All of the following are required:
    - (1) The applicant shall regularly employ at least one qualified trades person in the building or structure owned or operated by the applicant.
    - (2) The applicant shall submit an application in accordance with § 403.42a(m).
    - (3) An annual permit holder shall keep detailed records of alterations made in accordance with the annual permit. The permit holder shall provide access to these records to the building code official.