

## CODE EDITION APPLICABILITY (DEVELOPED 01/06/17; UPDATED 1/10/18)

**Code Applicability** - The code in effect on the date a valid plan submittal is received is the code that will be used to review and approve the submittal. An exception is for projects started without plan approval when it was required, the code in effect at the time of construction potentially may be used if the owner can prove the date. Consideration needs to take into account work started after a denied plan or expired plan. For a new building or building addition, valid plan submittal could be a viable building plan submittal, or a footing and foundation plan submittal received in our office on a business day prior to the code change effective date (or electronic plan submittals uploaded to the departments SharePoint plan review site prior to the code change effective date). Note that a preliminary review does not qualify as a valid plan submittal that determines code edition applicability. You can't beat the deadline for submittal under the current code with bad plans. Sketchy, incomplete, non-code compliant, un-dimensioned, or inconsistent plans will not be considered valid plan submittals. Re-submittal would be under the code in effect at the time of the re-submittal. Also keep in mind that the date an appointment was made and the date the plan is scheduled for review have no bearing, only the date valid plans are received.

**Permit to Start** - requires a valid plan submittal for review purposes and the code in effect would be based on receipt date of those plans. Please be aware, this needs to be a complete reviewable valid plan submittal for consideration.

**"Additional Information" Plan Review Action** - If incidental or moderate problems are found during a plan review, the reviewer will take a plan review action of "Additional Information". If the requested information is submitted within 30 days, the plans will continue to be reviewed under the original code. If the information is not received within 30 days, the reviewer will likely deny the submittal following standard procedures. Subsequent re-submittal will be subject to the code in effect at the time of re-submittal.

**Revisions** - Revisions within the scope of the original project may be submitted prior to plan approval expiration showing compliance with the code in effect at the time of original submittal. Approval of the revision does not extend the expiration date of the approved plans.

**Retroactivity** - Newly adopted code requirements are generally not retroactive to existing buildings/ systems or to previously approved plans prior to the plans' approval expiration date. Retroactive code sections will be specifically indicated as such in the code.

**Tenant Space Alteration Plans** - In the case of a multi-tenant building, the initial and subsequent tenant space alteration plans are subject to the code in effect at the time of submittal of that tenant space plan, not the original building shell. Initial tenant build outs are subject to the IBC not the IEBC.

**Petitions for Variance** - The submittal date of a petition for variance does **not** determine code edition applicability - that would be determined by plan submittal date. Generally, petitions are only valid for a single installation unless otherwise stated within the petition. (Some petitions are approved for a general set of conditions within a building and may be applicable to multiple installations.) The approved petition may not be valid if the applicable code sections and requirements change between petition approval and plan submittal.