

Chapter 23.10 ANCHORAGE ADMINISTRATIVE CODE 2018 EDITION

Section 101 General.

23.10.101.1 Title.

These regulations shall be known as the Anchorage Administrative Code, may be cited as such and referred to herein as "this code."

(AO No. 2020-85, § 1, 10-27-20)

23.10.101.2 Scope of this code.

The provisions of this code shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures. It shall also serve as the administrative, organizational and enforcement rules and regulations for the technical codes related to all work types listed above within the Municipality.

Exception: This code does not apply to marine structures such as wharves and piers; however, the provisions of this code apply to buildings constructed on wharves and piers.

(AO No. 2020-85, § 1, 10-27-20)

23.10.101.3 Use of building safety services revenue.

All revenues received by the Municipality for building safety services within the scope of this title described in this section shall be expended only for services provided under, and administration and enforcement of, this title.

(AO No. 2020-85, § 1, 10-27-20)

23.10.101.4 Intent.

The purpose of this code is to establish the 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, and safety to life and property from fire and other hazards attributed to the built environment.

(AO No. 2020-85, § 1, 10-27-20)

23.10.101.5 Other laws.

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

(AO No. 2020-85, § 1, 10-27-20)

23.10.101.6 Referenced codes.

Title 23 adopts numerous codes. Throughout the International Codes and other codes as adopted in Title 23, there are references to other codes. In all places where the International Codes make reference to the International Plumbing Code, it shall mean the Uniform Plumbing Code as adopted by the Municipality. In all places where the International Codes and other codes refer to the Electrical, Elevator, Property Maintenance, Sign, or Security codes, it shall mean those codes as adopted by the Municipality.

(AO No. 2020-85, § 1, 10-27-20)

23.10.101.7 Conflicting provisions.

The following shall resolve all conflicting provisions of this code:

- A. When conflicting provisions or requirements occur between this code, the technical codes, reference standards and other codes or laws, the most restrictive shall govern.
- B. When conflicts occur between the technical codes, those provisions providing the greater safety to life shall govern. In other conflicts where sanitation, life safety or fire safety are not involved, the most restrictive provision shall govern.
- C. Where, in a specific case, different sections of the technical codes specify different materials, methods of construction or other requirements, the most restrictive shall govern. When there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.
- D. When conflicts occur between specific provisions of this code, those provisions becoming the law most recently shall prevail.

(AO No. 2020-85, § 1, 10-27-20)

23.10.101.8 Application to existing buildings and building service equipment.

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

(AO No. 2020-85, § 1, 10-27-20)

23.10.101.9 Relocated or moved buildings.

23.10.101.9.1 Buildings moved into the Municipality.

Buildings or structures moved into the Anchorage Building Safety Service area shall comply with the provisions of this code for new buildings and structures.

(AO No. 2020-85, § 1, 10-27-20)

23.10.101.9.2 Buildings moved within the Municipality.

Buildings and structures moved within the Anchorage Building Safety Service Area shall comply with the provisions of this code for new or existing buildings and structures and shall have a code compliance inspection by the Municipality for fire and life safety evaluation prior to the move. The burden of proof to demonstrate compliance with the code rests with the applicant. The building official may require supplemental information, including but not limited to as-built drawings and engineers' reports, prior to issuing a permit for the move.

Exception: One- and two-family dwellings not over two stories in height, moved within the Anchorage Building Safety Service Area and not changed from the existing as-built condition, do not require lateral analysis or lateral upgrades.

(AO No. 2020-85, § 1, 10-27-20)

Section 102 Definitions.23.10.102.1 Definitions.

For the purpose of this code, certain terms, phrases, words and derivatives shall be construed as specified in this section. Where terms are not defined, the definition shall be in accordance with the International Codes, National Electrical Code and the Uniform Plumbing Code adopted by the MOA. Terms not found in adopted codes shall be the ordinary accepted meanings within the context in which the term is used in Webster's Dictionary, and shall be considered as providing ordinarily accepted meanings. Words used in the singular include the plural and the plural the singular. Words used in the masculine gender include the feminine and the feminine the masculine.

Addition is an extension or increase in floor area, number of stories or height of a building or structure.

Alter or alteration is a change or modification in construction or building service equipment.

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

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

Authorized agent is a person designated by an owner in writing to interact on their behalf with the Municipality during the course of the building permit application, plan review and inspection process. An authorized agent may secure permits in the name of the owner, advise the owner on the purchasing of equipment, materials and labor, and advise the owner on the coordination, scheduling and administration of work. An authorized agent may not coordinate, schedule, or administer work, pay for labor, equipment or materials, engage in contractual relationships with or supervise subcontractors, or hire or supervise employees.

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

Building Code is the International Building Code, as adopted by the Municipality.

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

Building permit is a general permit to perform work regulated by title 23, excluding electrical, mechanical, and plumbing work. Electrical, mechanical, and plumbing work is performed under either a trade permit or retrofit permit, further defined elsewhere in this section.

Building service equipment refers to the plumbing, mechanical, electrical and elevator equipment including piping, ductwork, wiring, fixtures and other accessories providing sanitation, lighting, heating, ventilation, cooling, refrigeration, firefighting and transportation facilities essential to the occupancy of the building or structure for its designated use.

Change order refers to the documentation required to support a design change that is significant enough to warrant approval by the plan reviewer prior to commencement of work involving the change.

Commercial Construction is construction of a structure of a non-residential nature or a residential structure comprised of 4 or more contiguous dwelling units.

Contractor means a person who, in the pursuit of an independent business, undertakes or offers to perform, or claims to have the capacity to perform, or submits a bid for a project to construct, alter, repair, move or demolish a building, highway, road, railroad, or any type of fixed structure, including excavation and site development and the erection of scaffolding, electric signs, marquees, or other similar structures for which a condition, rule, regulation, or standard is prescribed by this code. This term includes general contractor, builder, mechanical contractor, specialty contractor and subcontractors. This term does not include regular employees of a contractor licensed under this code or a person who, as owner of a building or structure, performs work on the

building or structure for the owner's use and benefit that would otherwise subject the owner to the licensing requirement of this section.

Dangerous Building Code is the Abatement of Dangerous Building Code, as adopted by the Municipality.

Electrical Code is the National Electrical Code, as adopted by the Municipality.

Electrical contractor means a contractor licensed by the state and Municipality as an electrical contractor who installs electrical wiring and equipment in industrial, commercial or residential categories. An electrical contractor, unless specifically exempted in AS 08.40.190, must be registered as, or employ, an electrical administrator licensed under AS 08.40, and may only submit bids for, or work on, projects for which it has a licensed electrical administrator.

Electrical journeyman is a person who installs electrical systems subject to the standards of the adopted electrical codes. An electrical journeyman shall possess a Journeyman Electrician Certificate of Fitness issued by the State of Alaska when performing electrical work and shall be employed by an electrical contractor licensed in the Municipality. A journeyman electrician may perform electrical work in all occupancies and supervise up to two trainees.

Electrical residential wireman is a person who installs residential wiring subject to the standards of the adopted electrical codes. An electrical residential wireman shall possess a residential wireman certificate of fitness issued by the State of Alaska and shall be employed by an electrical contractor licensed in the Municipality. A residential wireman is limited to residential buildings having no more than four dwelling units on a common foundation and may supervise up to two trainees.

Electrical trainee is a person possessing an Electrician Trainee Certificate of Fitness issued by the State of Alaska and employed by an electrical contractor to learn the electrical trade. Trainees may work only when under the direct supervision of a journeyman or wireman, and no more than two trainees may be assigned to a journeyman or wireman.

Elevator Code is the American National Standards Institute/American Society of Mechanical Engineers ANSI/ASME A17.1 Safety Code for Elevators and Escalators as adopted by the Municipality.

Existing Building is a building erected prior to the date of adoption of this code, or one for which a legal certificate of occupancy has been issued.

Existing Building Code is the International Existing Building Code, as adopted by the Municipality.

Field change order refers to the documentation required to support a minor field change to the approved plans. Field change orders may be reviewed by the inspector or plan reviewer, concurrent with or subsequent to, the commencement of work involving the change.

Fire Code is the International Fire Code, as adopted by the Municipality.

Fuel Gas Code is the International Fuel Gas Code, as adopted by the Municipality.

Gas fitter, journeyman is a person issued a certificate of qualification by the Municipality to install, repair and maintain gas piping and gas-fired equipment regulated by the adopted plumbing and fuel gas codes as an employee of a licensed gas piping, plumbing or sheet metal contractor. A journeyman gas fitter shall hold a State of Alaska certificate of fitness card.

Gas piping contractor means a contractor whose business operations consist of the repair and installation of gas piping and equipment regulated by the adopted plumbing and fuel gas codes. A gas piping contractor is required to be licensed by the state as a mechanical contractor, licensed by the Municipality as a gas piping contractor and must possess a certificate of qualification issued by the Municipality. A gas piping contractor is required to be registered as, or employ, a mechanical administrator licensed under AS 08.40, and may only submit bids for, or work on, projects for which it has a licensed mechanical administrator.

General contractor, or builder means a contractor licensed by the state and Municipality whose business operations require the use of more than three trades or the use of mechanical or specialty contractors and subcontractors who are under the supervision of the contractor.

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

Mechanical Code is the International Mechanical Code, as adopted by the Municipality.

Municipality means Municipality of Anchorage.

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

Owner is any person, agent, firm or corporation with a legal or ownership interest in the property.

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

Person is a natural person, heir, executor, administrator or assign, and also includes a firm, partnership or corporation, its or their successor or assign, or agent of any of the aforesaid.

Plumbing Code is the Uniform Plumbing Code, as adopted by the Municipality.

Plumbing contractor means a contractor whose business operations consist of plumbing work regulated by the adopted plumbing code. A plumbing contractor is required to be licensed by the state as a mechanical contractor, licensed by the Municipality as a plumbing contractor and must be issued a certificate of qualification issued by the Municipality. A plumbing contractor is required to be registered as, or employ, a mechanical administrator licensed under AS 08.40, and may only submit bids for, or work on, projects for which it has a licensed mechanical administrator.

Plumber journeyman is a person issued a certificate of qualification by the Municipality to labor at the trade of plumbing as an employee of a licensed plumbing contractor installing and repairing plumbing and gas piping systems and equipment. A journeyman plumber shall hold a State of Alaska certificate of fitness card.

Plumber trainee is a person, other than a contractor or journeyman, who labors at the trade of plumbing as an employee of a licensed plumbing contractor. The trainee shall be under the direct supervision and in the immediate presence of a plumbing contractor or journeyman. The trainee shall hold a State of Alaska certificate of fitness card and a Municipality of Anchorage certificate of qualification trainee card.

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

Residential construction, for the purposes of issuance of a residential permit, means construction associated with a building having no more than three dwelling units and having no other uses or occupancies other than a private garage or carport.

Residential electrical contractor means a contractor licensed by the state and Municipality as an electrical contractor who installs electrical wiring and equipment in residential buildings having up to four dwelling units on a single foundation.

Retrofit permit is an official document or certificate issued by the building official for limited electrical, plumbing, mechanical or fire system work regulated by this code.

Shall means mandatory.

Sheet metal contractor means a contractor whose business operations consist of the repair and installation of heating, ventilation and air-conditioning equipment, systems and ductwork regulated by the adopted mechanical code. A sheet metal contractor is required to be licensed by the state as a mechanical contractor, licensed by the Municipality as a sheet metal contractor and issued a certificate of qualification by the Municipality. A sheetmetal contractor is required to be registered as, or employ, a mechanical administrator licensed under AS 08.40, and may only submit bids for, or work on, projects for which it has a licensed mechanical administrator.

Sheet metal journeyman is a certificate of qualification holder who labors at the trade of sheet metal as an employee of a licensed sheet metal contractor. A sheet metal journeyman may install and repair mechanical equipment, i.e., HVAC equipment, duct work, and venting of appliances.

Sheet metal trainee is person, other than a contractor or journeyman, who labors at the trade of sheet metal as an employee of a licensed sheet metal contractor. The trainee shall be under the direct supervision and in the immediate presence of a sheet metal contractor or journeyman. The trainee shall hold a certificate of qualification trainee card issued by the Municipality.

Specialty contractor means a contractor licensed by the State of Alaska to perform a specialty trade. Specialty contractors performing work regulated by this code are required to be licensed by the Municipality.

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

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

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

Trade Permit is an official document or certificate issued by the building official to permit performance of electrical, mechanical, or plumbing work. Trade permits may require electrical, mechanical, plumbing, structural, fire prevention and land use plan review.

Valuation or value shall be determined in accordance with this code.

(AO No. 2020-85, § 1, 10-27-20; AO No. 2023-130(S), § 1, 1-16-24)

Section 103 Organization and Enforcement.

23.10.103.1 Creation of enforcement agency.

There is hereby established a code enforcement agency under the administrative and operational control of the building official.

(AO No. 2020-85, § 1, 10-27-20)

23.10.103.2 General.

Whenever the term or the title "administrative authority," "responsible official," "building official," "chief inspector," "code enforcement officer," or similar designation is used herein or in any of the technical codes, it shall mean the building official designated by the appointing authority.

(AO No. 2020-85, § 1, 10-27-20)

23.10.103.3 Powers and duties of the building official.

23.10.103.3.1 General.

The building official is authorized and directed to enforce the provisions of this code, to render interpretations of this 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 this code and shall not have the effect of waiving requirements specifically provided for in this code.

(AO No. 2020-85, § 1, 10-27-20)

23.10.103.3.2 Applications and permits.

The building official shall receive applications, review construction documents and issue permits for the erection and alteration, demolition and moving of buildings and structures, inspect the premises for which such permits are issued and enforce compliance with the provisions of this code.

(AO No. 2020-85, § 1, 10-27-20)

23.10.103.3.2.1

The Internal Auditor shall develop a performance measure and customer satisfaction survey mechanism that audits users' experiences with the Development Services Department.

(AO No. 2020-85, § 1, 10-27-20)

23.10.103.3.3 Notices and orders.

The building official shall issue all necessary notices and orders to ensure compliance with this code. The person to whom a notice or order is directed shall have 30 days to appeal to the board of building regulation examiners and appeals, except as provided in Chapter 23.70, limiting the appeal period to 10 days for notices to vacate. If no timely appeal is filed, the notice and order is final and binding and not subject to any further appeal. The building official may withdraw a notice or order at any time.

(AO No. 2020-85, § 1, 10-27-20)

23.10.103.3.4 Inspections.

The building official shall make the required inspections, or the building official shall have the authority to accept reports of inspection by approved agencies or individuals. Reports of such inspections shall be in writing and be certified by a responsible officer of such approved agency or the responsible individual. The building official is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise, subject to the approval of the appointing authority.

(AO No. 2020-85, § 1, 10-27-20)

23.10.103.3.5 Identification (ID badges - Code Abatement).

The building official shall carry proper identification when inspecting structures or premises in the performance of duties under this code.

(AO No. 2020-85, § 1, 10-27-20)

23.10.103.3.6 Right of entry.

Where it is necessary to make an inspection to enforce the provisions of this code, or where the building official has reasonable cause to believe there exists in a structure or upon a premises a condition contrary to or in violation of this code which makes the structure or premises unsafe, dangerous or hazardous, the building official is authorized to enter the structure or premises at reasonable times to inspect or to perform the duties imposed by this code, provided if such structure or premises is occupied, credentials shall be presented to the occupant and entry requested. If such structure or premises is unoccupied, the building official shall first make a reasonable effort to locate the owner or other person having charge or control of the structure or premises and request entry. If entry is refused, the building official shall have recourse to the remedies provided by law to secure entry.

(AO No. 2020-85, § 1, 10-27-20)

23.10.103.3.7 Department records.

The building official shall keep official records of applications received, permits and certificates issued, fees collected, reports of inspections, and notices and orders issued. Such records shall be retained in the official records for the period required for retention of public records.

(AO No. 2020-85, § 1, 10-27-20)

23.10.103.3.8 Liability.

The building official, member of the building board or employee charged with the enforcement of this code, while acting for the Municipality in good faith and without malice in the discharge of duties required by this code or other pertinent law or ordinance, shall not be liable personally and is hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties. Any suit instituted against an officer or employee because of an act performed by the officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by the municipal attorney until the final termination of the proceedings. Neither the building official nor any subordinate shall be liable for cost in any action, suit or proceeding instituted in pursuance of the provisions of this code.

(AO No. 2020-85, § 1, 10-27-20)

23.10.103.3.9 Approved materials and equipment.

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

(AO No. 2020-85, § 1, 10-27-20)

23.10.103.3.9.1 Used materials and equipment.

The use of used materials meeting the requirements of this code for new materials is permitted. Used equipment and devices shall not be reused unless approved by the building official.

(AO No. 2020-85, § 1, 10-27-20)

23.10.103.3.10 Modifications.

Whenever there are practical difficulties involved in carrying out the provisions of this code, the building official has the authority to grant modifications for individual cases, upon application of the owner or owner's representative, provided the building official shall first find a special individual reason making the strict letter of this code impractical, the modification is in compliance with the intent and purpose of this code, and such modification does not lessen health, life and fire safety, or structural requirements. The details of action granting modifications shall be recorded and entered in the files of the Development Services Department.

(AO No. 2020-85, § 1, 10-27-20)

23.10.103.3.11 Alternative materials, design, and methods of construction and equipment.

The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided any such alternative has been approved. An alternative material, design or method of construction shall be approved where the building official finds the proposed design is satisfactory and complies with the intent of the provisions of this code, and the material, method or work offered is, for the purpose intended, at least the equivalent prescribed in this code in quality, strength, effectiveness, fire resistance, durability and safety.

(AO No. 2020-85, § 1, 10-27-20)

23.10.103.3.11.1 Research reports.

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

(AO No. 2020-85, § 1, 10-27-20)

23.10.103.3.11.2 Tests.

Whenever there is insufficient evidence of compliance with the provisions of this code, or evidence a material or method does not conform to the requirements of this code, or in order to substantiate claims for alternative materials or methods, the building official is authorized to require tests as evidence of compliance, to be made at no expense to the Municipality. Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the building official shall approve the testing procedures. Tests shall be performed by an approved agency, and reports of such tests shall be required for retention of public records.

(AO No. 2020-85, § 1, 10-27-20)

23.10.103.3.12 Cooperation of other officials and officers.

The building official may request and shall receive the assistance and cooperation of other officials of the Municipality as required in the discharge of the duties required by this code or other pertinent laws or ordinance.

(AO No. 2020-85, § 1, 10-27-20)

23.10.103.3.13 Connection of service utilities.

No person shall make connections from a utility, source of energy, fuel or power to any building or system regulated by this code for which a permit is required, until released by the building official.

(AO No. 2020-85, § 1, 10-27-20)

23.10.103.3.14 Temporary connection.

The building official has authority to authorize the temporary connection of the building or system to the utility source of energy, fuel, or power.

(AO No. 2020-85, § 1, 10-27-20)

23.10.103.3.15 Authority to disconnect service utilities.

The building official has authority to authorize disconnection of utility service to the building, structure, or system regulated by this code and the codes referenced in case of emergency where necessary to eliminate an immediate hazard to life or property. The building 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 disconnecting, the owner or occupant of the building, structure, or service system shall be notified in writing as soon as practical thereafter.

(AO No. 2020-85, § 1, 10-27-20)

23.10.103.3.16 Post-earthquake safety evaluation of buildings.

General: Should the Municipality experience a seismic event causing widespread damage to buildings, the building official may conduct the Applied Technology Council ATC-20 Post-Earthquake Safety Evaluation of Buildings process. Where there is reason to believe that a building has sustained structural damage, the building official may require the building undergo a detailed structural evaluation performed by a licensed structural engineer.

Volunteer structural engineers: The department shall maintain a list of volunteer licensed structural engineers familiar with the ATC-20 process. When deemed necessary, the building official will solicit their assistance to perform ATC-20 rapid and detailed evaluations. The building official shall deputize volunteer structural engineers conducting ATC-20 evaluations. All building evaluations shall be submitted to the building department.

(AO No. 2020-85, § 1, 10-27-20)

23.10.103.4 Power and duties of the Board of Building Regulation Examiners and Appeals.

23.10.103.4.1 General.

In order to hear and decide appeals of orders, decisions or determinations made by the building or fire code official relative to the application and interpretation of this code, there shall be and is hereby created a board of building regulation examiners and appeals (hereafter "building board"). The building board may, in its discretion, offer comment or recommendation concerning amendments to this code. The building board shall be appointed by the governing body and shall hold office at its pleasure. The building board shall follow rules of procedure approved by the Assembly for conducting business. All decisions and findings in an appeal shall be rendered in writing to the appellant, with a duplicate copy to the building official.

(AO No. 2020-85, § 1, 10-27-20)

23.10.103.4.2 Appeal pools and three-member hearing panels.

The building board shall establish pools from which three-member hearing panels may be selected. The pools shall be comprised of building board members qualified by experience and training to pass upon matters pertaining to the appeal.

- A. Up to five pools shall be established the first meeting of each calendar year.
- B. The secretary to the board and the board chair shall assign members from the most relevant pool to a specific appeal.
- C. At least two members of a three-member hearing panel shall be actively engaged in disciplines, trades, or professions relevant to the appeal.
- D. In the discretion of the building board, a decision rendered by a three-member hearing panel may be accepted for de novo review.

(AO No. 2020-85, § 1, 10-27-20)

23.10.103.4.3 Limitations of authority.

An application for appeal shall be based on a claim that the true intent of this code, or the rules legally adopted hereunder, have been incorrectly interpreted, the provisions of this code do not fully apply, or an equally good or better form of construction is proposed. The building board, including three-member hearing panels, shall have no authority to waive requirements of this code.

(AO No. 2020-85, § 1, 10-27-20)

23.10.103.4.4 Members, voting and hearings before the building board.

- A. The building board, as described in Section 4.40.030, and this title shall consist of no fewer than 11 and up to 15 members appointed by the mayor, subject to confirmation by the Assembly, qualified by experience or training to pass on matters pertaining to building construction, as follows:
 - 1. Two (2) members shall be Architects registered in the State of Alaska.
 - 2. Two (2) members shall be Professional Engineers registered as Civil Engineers in the State of Alaska.
 - 3. One (1) member shall be a Professional Engineer, registered as a Mechanical Engineer in the State of Alaska.

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4. One (1) member shall be a Professional Engineer, registered as an Electrical Engineer in the State of Alaska.
 5. Two (2) to four (4) members shall be licensed General Contractors actively engaged in general building construction and at least one of the members shall be actively engaged in home building in the State of Alaska.
 6. One (1) member shall be a licensed Electrical Contractor actively engaged in the electrical trade in the State of Alaska.
 7. One (1) member shall be a licensed Plumbing Contractor actively engaged in the plumbing trade in the State of Alaska.
 8. One (1) member shall be a licensed Mechanical Contractor actively engaged in the mechanical trade in the State of Alaska.
 9. Up to two (2) additional members, qualified by experience or training and actively engaged in any of the above listed disciplines, trades, or professions in the State of Alaska.
- B. Building board quorum and voting.
1. Quorum. The majority of the appointed members shall constitute a quorum.
 2. Voting. Action by the building board, including affirmative action on quasi-judicial matters, requires an affirmative vote of the greater of 6 or a majority of members in attendance who are not disqualified by conflict of interest.
- C. Three-member hearing panels. A building board three-member hearing panel shall hear and decide appeals from decisions of administrative officials and other enforcement orders relating to code regulations under Title 23. Except for appeals filed under section 23.70.706, appeals will be scheduled within 3 to 5 business days of the receipt of application for appeal. A person with the right to appeal has 30 days from the date of the action of an administrative official to file an appeal with the secretary to the building board, with the exception noted in section 23.70.706.1, limiting the appeal period to 10 days for notices to vacate, unless a longer time period is stated in writing by the building official. If no appeal is filed within these time periods, the action of the administrative official is deemed final and binding and not subject to any further appeal.
- D. Three-member hearing panel quorum and voting.
1. Quorum. A quorum for a hearing panel shall be three panel members.
 2. Voting. The granting of any appeal or part thereof by a hearing panel shall require the concurring vote of two members of the panel. Any appeal or part thereof which is not granted by the panel shall be considered denied.
 3. Reconsideration. Hearing panel decisions shall not be subject to reconsideration but may be appealed under subsection E. of this section.
- E. Discretionary de novo re-hearing. In its sole discretion as determined by majority vote of the members in attendance not disqualified from voting by conflict of interest or under this subsection as provided below, the building board may accept an appeal decided by a three-member hearing panel, in whole or in part, for de novo re-hearing by the full building board.
- F. Application for de novo re-hearing by the full board may be made by any party or by any member of the building board.
- G. Application for de novo re-hearing by the full building board must be filed with the secretary to the board within 5 business days from publication of the hearing panel's written decision.

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- H. On the question of whether the building board shall exercise its discretion to re-hear a matter as a full board, members of the hearing panel shall not participate in the vote.
 - I. If de novo re-hearing is accepted by the building board, members of the hearing panel first hearing the appeal may participate in the re-hearing as members of the full board.

(AO No. 2020-85, § 1, 10-27-20)

23.10.103.4.5 Secretary to the building board.

The building official or designee shall be an ex-officio member without vote and shall act as secretary to the building board, shall prepare all correspondence, send out all required notices within 5 business days, keep minutes of all meetings, and maintain a file on each case coming before the building board. The secretary will provide timely electronic notice and copies of hearing panel decisions to the full building board.

(AO No. 2020-85, § 1, 10-27-20)

23.10.103.4.6 Supplementing the hearing packet.

When the building board panel requires data and documents not in the current possession of the building official, the secretary to the building board shall act timely on the request to ensure the hearing packet is supplemented with the requested information prior to hearing. If the Notice of Appeal relies on, but does not provide, data, documents, or other information, the secretary shall request or provide the supplemental information within 5 days of receipt of the Notice of Appeal. Failure to request or receive supplemental information timely shall be a valid reason to reschedule the hearing to a time when the supplemental information is available.

(AO No. 2020-85, § 1, 10-27-20)

23.10.103.4.7 Appeal filing fee.

The cost of filing an appeal to the building board is \$500 and shall accompany the filing of the appeal. If a three-member hearing panel denies an appeal, the appellant may request a de novo hearing by the full building board for an additional filing fee of \$500. The fee shall accompany the de novo hearing request. There is no fee for a de novo hearing request when a three-member hearing panel grants an appeal.

(AO No. 2020-85, § 1, 10-27-20)

23.10.103.5 Violations.

23.10.103.5.1 Unlawful acts.

It shall be unlawful for any person, firm or corporation to erect, construct, alter, extend, repair, move, remove, demolish or occupy any building, structure or equipment regulated by this code, or cause same to be done, in conflict with or in violation of any of the provisions of this code.

(AO No. 2020-85, § 1, 10-27-20)

23.10.103.5.2 Notice of violation.

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

(AO No. 2020-85, § 1, 10-27-20)

23.10.103.5.3 Investigation.

Whenever work for which a permit is required by this code is commenced without first obtaining a permit, a code compliance inspection for one or more disciplines may be required before a permit is issued for such work.

(AO No. 2020-85, § 1, 10-27-20)

23.10.103.5.4 Prosecution of violation.

If a person does not comply with a notice of violation or order, the building official is authorized to request the municipal attorney of the Municipality to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the building or structure in violation of the provisions of this code or of the order or direction made pursuant thereto.

(AO No. 2020-85, § 1, 10-27-20)

23.10.103.6 Stop work order.

23.10.103.6.1 Authority.

Whenever the building official or fire code official finds any work regulated by this code being performed in a manner either contrary to the provisions of this code or dangerous or unsafe, the building official or fire code official is authorized to issue a stop work order.

(AO No. 2020-85, § 1, 10-27-20)

23.10.103.6.2 Issuance.

The stop work order shall be in writing and shall be given to the owner of the property involved, or to the owner's agent, or to the person doing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order, and the conditions under which the cited work shall be permitted to resume.

(AO No. 2020-85, § 1, 10-27-20)

23.10.103.6.3 Unlawful continuance.

Any person continuing any work after being served with a stop work order, except such work as the person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties as prescribed by law.

(AO No. 2020-85, § 1, 10-27-20)

23.10.103.7 Penalties and remedies.

23.10.103.7.1 Violation penalties.

Any person violating a provision of this code or failing to comply with the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this code, shall be subject to penalties as prescribed by law including but not limited to those in Table 3-O of this code.

When work is begun without proper permits, a fine at a rate shown in Table 3-O shall be assessed. The payment of the fine shall not exempt an applicant from compliance with all other provisions of this code nor from the penalty prescribed by law. The building official may waive the fine for a first offense.

(AO No. 2020-85, § 1, 10-27-20)

23.10.103.7.2 Contractor license suspension or revocation.

The building official may cancel, suspend, or revoke the license of a contractor who displays incompetence or lack of knowledge in matters relevant to such license, seeks to obtain a building permit or pass an inspection by fraudulent methods, or knowingly performs work multiple times without first obtaining the required permit(s) or if such license was obtained by fraudulent measures. If the license of any person is so cancelled or revoked, another such license shall not be granted to such person within 12 months after the date of such cancellation or revocation. When a contractor accumulates five violations for not obtaining building permits before performing work or other violations within a five-year period, the building official shall revoke the license of the contractor. Notice of the revocation shall be sent to the Alaska Department of Commerce, Community and Economic Development.

(AO No. 2020-85, § 1, 10-27-20)

23.10.103.7.3 Civil Penalties.

In addition to any other remedy or penalty provided by this title, any person violating any provision of this title, or any code of technical regulation adopted pursuant to this title, shall be subject to the civil penalties or injunctive relief, or both, as provided by section 1.45.010B., or fines may be assessed according to the schedule provided in Title 14.

(AO No. 2020-85, § 1, 10-27-20)

23.10.103.7.4 Civil Actions.

Any person aggrieved by the act or omission of another person constituting a violation of the provisions of this title or the codes of technical regulation adopted herein may, following 30 days written notice to the municipal official or department empowered to enforce the provision, commence and maintain a civil action for injunctive relief authorized by section 1.45.010B. The court, in issuing a final order in any action brought by a private person under this section may, in its discretion, award costs of litigation to any party. In any action under this section, the Municipality, if not a party, may intervene as a matter of right.

(AO No. 2020-85, § 1, 10-27-20)

Section 104 Permit requirements.

23.10.104.1 Permits required.

Any owner or authorized agent intending to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building, structure or portion thereof, or to erect, install, enlarge, alter, repair, remove, convert or replace any fire, electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit unless work is specifically exempted by this code.

(AO No. 2020-85, § 1, 10-27-20)

23.10.104.1.1 Emergency repairs.

Where equipment replacements and repairs must be performed after hours in an emergency situation, the contractor shall call the Building Safety Hotline (343-7500) before commencing the work. The permit application shall be submitted within the next working business day to the building official.

(AO No. 2020-85, § 1, 10-27-20)

23.10.104.1.2 Parcels with multiple structures.

Each independent structure on a parcel with multiple structures requires a separate building permit unless otherwise approved by the Building Official.

(AO No. 2020-85, § 1, 10-27-20)

23.10.104.2 Work exempt from permit.

Exemptions from permit requirements of this code shall not be deemed to grant authorization for work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of the Municipality. Exemptions from the requirement for a permit shall not constitute an exemption from the licensing requirements in section 23.10.105.

(AO No. 2020-85, § 1, 10-27-20)

23.10.104.2.1 Building permit exemptions.

A building permit shall not be required for the following:

- A. One-story detached accessory buildings used as tool and storage sheds, playhouses, and similar uses, provided the floor area does not exceed 200 square feet.
- B. Fences of light-frame construction not over eight feet high.
- C. Oil derricks.

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- D. An isolated retaining wall where the retained height measured from the bottom of the footing to the top of the retained soil at the face of the wall is not more than 4 feet and the top of the wall above the retained soil is not more than one foot. Multiple walls, separated by terraces to form an aggregate wall height greater than 4 feet are also exempt where the clear distance between the back face of the lower wall and the front face of the upper wall is greater than two times the retained height of soil of the lower wall.
 - E. 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 2:1.
 - F. Platforms, walks, stairs, ramps and driveways not more than 30 inches above grade, not over any basement or story below and are not part of an accessible route.
 - G. Stairs and decks serving a manufactured home installed on a non-permanent foundation.
 - H. Painting, papering, tiling, carpeting, cabinets, countertops and similar finish work.
 - I. Temporary motion picture, television and theater stage sets and scenery.
 - J. Prefabricated swimming pools accessory to a Group R, Division 3 Occupancy, less than 24 inches deep, do not exceed 5,000 gallons and installed entirely above ground.
 - K. Window awnings in Group R-3 and U occupancies, supported by an exterior wall that do not project more than 54 inches from the exterior wall and do not require additional support.
 - L. Nonfixed and movable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches in height.
 - M. Shade cloth structures constructed for nursery or agricultural purposes and not including service systems.
 - N. Swings and playground equipment.
 - O. Construction site job shacks and fences on legal permitted construction sites.
 - P. Storage racks not over six feet high.
 - Q. Artwork six feet or less tall, where the center of gravity of the structure falls below the mid-height of the structure.
 - R. Grave markers.
 - S. Roof antennas not mechanically anchored where the existing roof structure and antenna stability under design wind loads are checked by a civil or structural engineer licensed in the State of Alaska.
 - T. Replacement of windows and doors where the rough opening is not enlarged.
 - U. Repair or replacement of exterior wall and roof coverings where the total cost of the repair or replacement using fair market value of materials and labor does not exceed \$5,000.
 - V. Repair or replacement of gypsum wall board wall and ceiling finish material where the total cost of the repair and replacement using fair market value of materials and labor does not exceed \$5,000. This exception does not apply to code required fire resistive construction.
 - W. Temporary structures erected for less than 15 days.

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

(AO No. 2020-85, § 1, 10-27-20)

23.10.104.2.2 Electrical permit exemptions.

An electrical permit shall not be required for the following:

- A. Portable motors or other portable appliances energized by means of a cord or cable having an attachment plug end to be connected to an approved receptacle when the cord or cable is permitted by the Electrical Code.
- B. Repair or replacement of fixed motors, transformers or fixed approved appliances of the same type and rating in the same location.
- C. Temporary decorative lighting.
- D. Repair or replacement of current-carrying parts of any switch, contactor or control device.
- E. Reinstallation of attachment plug receptacles, but not the outlets.
- F. Repair or replacement of any overcurrent device of the required capacity in the same location.
- G. Repair or replacement of electrodes or transformers of the same size and capacity in the same location.
- H. Removal of electrical wiring.
- I. Temporary wiring for experimental purposes in suitable experimental laboratories.
- J. Wiring for temporary theater, motion picture or television stage sets.
- K. Low-energy power, controls and signal circuits of Class II and Class III as defined in the Electrical Code.
- L. Installation, alteration or repair of electrical wiring, apparatus or equipment for the generation, transmission, distribution or metering of electrical energy or in the operation of signals or the transmission of intelligence by a public or private utility in the exercise of its function as a serving utility.
- M. The provisions of this code shall not apply to electrical equipment used for radio and television transmissions but shall apply to equipment and wiring for power supply, the installations of towers and antennas.
- N. Installation of any temporary system required for the testing or servicing of electrical equipment or apparatus.

(AO No. 2020-85, § 1, 10-27-20)

23.10.104.2.3 Mechanical permit exemptions.

A mechanical permit shall not be required for the following:

- A. A portable heating appliance.
- B. Portable ventilation appliances and equipment.
- C. A portable cooling unit.
- D. A portable evaporative cooler.
- E. Steam, hot water or chilled water piping within any heating or cooling equipment or appliance regulated by the Mechanical Code.

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- F. The replacement of any minor part that does not alter the approval of equipment or appliance or make such equipment or appliance unsafe.
 - G. Self-contained refrigeration system containing 10 pounds or less of refrigerant or that are actuated by motors of one horsepower or less.
 - H. Portable fuel cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.

(AO No. 2020-85, § 1, 10-27-20)

23.10.104.2.4 Plumbing permit exemptions.

A plumbing permit shall not be required for the following:

- A. The stopping of leaks in drains, water, soil, waste or vent pipe, provided, however, that if any concealed trap, drain pipe, 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 this code.
- B. 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.
- C. The replacement of a hose bibb, drinking fountain, wash fountain, sink or lavatory, including the faucet, provided such replacement does not involve or require the replacement or rearrangement of piping other than a trap or trap arm.
- D. The replacement of a water closet, bidet or urinal, including the flushometer valve, provided such replacement does not involve or require the replacement or rearrangement of piping.
- E. The replacement of an electric water heater in a single-family or duplex dwelling unit, provided such replacement does not involve or require the replacement or rearrangement of piping.

(AO No. 2020-85, § 1, 10-27-20)

23.10.104.2.5 Fire permit exemptions.

A fire system permit shall not be required as regulated by the International Fire Code.

(AO No. 2020-85, § 1, 10-27-20)

23.10.104.3 Temporary and seasonal use structures.

23.10.104.3.1 Temporary structures.

Buildings, structures, sheds, canopies, fences, reviewing stands and other structures of a temporary nature, intended to be occupied more than 14 days, may be erected and occupied by permit from the building official. Temporary uses and structures shall comply with AMC 21.05.080. Temporary structures may be erected without meeting all requirements for permanent structures provided they meet the following conditions:

- A. Exception: Temporary structures are prohibited for Group R occupancies.

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- B. The size of the structure shall not exceed 1,500 square feet nor be more than one story in height unless otherwise approved by the building official;
 - C. The structure shall meet the required setbacks and separation from adjacent buildings as provided by municipal land use regulations, but in no case less than ten feet;
 - D. Temporary structures for public use shall comply with the building code for accessibility;
 - E. Temporary structures shall meet structural requirements in regard to type of materials, spans, and stresses as determined to be safe by the building official;
 - F. Mobile homes and trailers intended for temporary use shall be of manufactured design. Homemade mobile homes or trailers shall not be allowed;
 - G. The structure and all associated materials shall be removed from the approved location on or before the expiration date of the permit;
 - H. Permits for temporary structures located in nonresidential districts may be extended on a one-time basis for 180 days, upon application to the building official with a payment per Table 3-A;
 - I. After a temporary structure is removed from a lot, parcel or tract of land, no temporary structure may be placed at the same location for a period of at least 180 days;
 - J. Normally occupied temporary structures shall be provided with toilet facilities having sufficient capacity for the occupant load in accordance with the building code.

(AO No. 2020-85, § 1, 10-27-20; AO No. 2021-88(S), § 1, 2-15-22)

23.10.104.3.2 Seasonal use structures.

Temporary structures occupied for 180 days or less per calendar year may be occupied on a seasonal basis and be considered a seasonal use structure. Seasonal use structures are subject to the same limitations and requirements as temporary structures, except as follows:

- A. An annual permit shall be obtained, and an annual code compliance inspection performed prior to the establishment of the use or occupancy for each calendar year;
- B. The annual code compliance inspection shall certify there are no hazards to health, life, or safety and proper maintenance of the structure or installations has been performed prior to re-occupancy;
- C. Continued occupancy of seasonal use structures shall be allowed only if permitted and occupied within 360 days of the last occupancy, use or vacation. If not, the structure shall be removed from the premises so as to leave it in a clean, level, nuisance-free condition.

(AO No. 2020-85, § 1, 10-27-20)

23.10.104.3.3 Temporary and seasonal use permit applications.

The application for a temporary or seasonal use permit shall include:

- A. Property owner's name and mailing address;
- B. Legal description of the proposed site with a plot plan showing the proposed location of the structure on the premises, location of any existing structures, and the location of any existing or proposed parking areas;

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- C. Length of use of the proposed structure. A permit is not required if the use is 14 days or less. However, exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in violation of the provisions of this section or any other laws or ordinances of the Municipality;
 - D. Description of the proposed use and a justification of temporary or seasonal occupancy;
 - E. All required fees and cash bonds.

(AO No. 2020-85, § 1, 10-27-20)

23.10.104.3.4 Temporary and seasonal use permit fees.

A nonrefundable fee shall accompany applications for temporary or seasonal use structures. See Table 3-A of this code for applicable fee. Applications for the annual code compliance inspection for seasonal use structures shall be accompanied by the renewal fee.

(AO No. 2020-85, § 1, 10-27-20)

23.10.104.4 Mobile food units.

Mobile food units, including coffee carts, coffee huts, and pushcarts, (hereafter referred to as units) may be set up without obtaining a building permit and certificate of occupancy under the following restrictions:

- A. The unit shall not exceed 8 feet 6 inches in width, 48 feet in length or 15 feet in height, including overhangs.
- B. The unit shall be readily moveable daily and either:
 - 1. Currently titled and licensed by the State of Alaska as a:
 - i. Motor vehicle, or
 - ii. Trailer having a tow hitch, chassis, axles, wheels and trailer lamps and reflectors required by AMC chapter 9.44; or
 - 2. A pushcart as defined in AMC 16.60.050 and that satisfies the requirements of AMC 16.60.230E.
 - 3. A factory built, readily moveable, intermodal shipping container repurposed to function as a mobile food unit which can be lifted or dragged onto a trailer or vehicle within one calendar day for transport.
- C. The unit shall obtain approval by the Department of Health and Human Services.
- D. Approval and a permit, where applicable, shall be obtained from a public utility prior to connecting to the utility's services.
- E. If the unit is to be connected to a public utility's water supply or wastewater system, a licensed plumbing contractor shall obtain a retrofit permit and perform the work. The water supply shall be isolated by a reduced pressure backflow assembly.
- F. If the unit is to be connected to a natural gas supply, a retrofit permit shall be obtained by one of the following:
 - 1. A licensed plumbing contractor, or
 - 2. A licensed mechanical contractor that employs a licensed plumber or gas fitter.

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- G. A licensed electrical contractor shall obtain a permit to provide electrical service and/or connection to the unit. The electrical connection shall consist of an approved flexible cord, attachment cap and receptacle approved for the location.
 - H. The unit shall comply with the National Electrical Code as noted by NEC 550.4 (A). A code compliance inspection shall be performed, and necessary corrections made before power is connected. A licensed electrical contractor shall obtain a permit and make the corrections. The permit for providing electrical service and/or connection may include the corrections when performed by the same contractor.
 - I. Service equipment located adjacent to vehicle lanes or the unit shall be provided with bollards or other substantial protective barriers.
 - J. The unit shall not reduce the required number of parking spaces at existing facilities.
 - K. Mobile food units shall be an allowable use in the zoning district where the unit is proposed to be located.
 - L. Units shall comply with fire plan review and operational processes as determined by the fire marshal. These include, but are not limited to:
 - 1. An Anchorage Fire Department (AFD) approved, currently serviced fire extinguisher shall be located inside the unit.
 - 2. Propane tanks shall be protected from vehicle impact and shall be located in accordance with the fire code.
 - 3. The unit location shall not impact fire lanes or emergency vehicle access to nearby structures.
 - M. The unit location is subject to approval by traffic engineering.
 - N. Public occupancy for consumption of food or beverages shall not be allowed inside the unit. The unit may only be occupied by the owner and employees and entered by members of the public only for ordering and take out of food and beverages for consumption outside the unit.

Units that do not meet all restrictions and requirements listed in items A. through N. shall be considered a structure and require a building permit in accordance with this code.

(AO No. 2020-85, § 1, 10-27-20)

23.10.104.4.1 Application requirements.

The following items are required at the time of the permit application:

- A. A completed commercial permit application.
- B. A site plan showing the unit location.
- C. Approval from the Department of Health and Human Services for compliance with requirements of AMC 16.60.
- D. A current copy of the State of Alaska vehicle or trailer registration, if the structure is not a pushcart or a repurposed factory-built, readily movable, intermodal shipping container.

(AO No. 2020-85, § 1, 10-27-20)

23.10.104.5 Retrofit permits.

Retrofit permits are limited to projects involving fire, electrical, plumbing and mechanical installations where engineering is not required by state law. Retrofit permits shall not be used on projects involving work requiring a

building permit or projects requiring a change of use permit. Electrical, plumbing and mechanical retrofit permits may be used on the same project. Plan review is not required. Retrofit permits are limited in scope-of-work as follows:

- A. One new 20 amp circuit having no more than six general purpose receptacles or light fixtures.
- B. No more than six general purpose receptacles or light fixtures added to one or more existing 20 ampere circuits.
- C. One 20 amp circuit for a sign.
- D. An electrical, plumbing or mechanical alteration to a residential building containing 4 or fewer dwelling units.
- E. An electrical, plumbing or mechanical alteration to a commercial building or a residential building containing more than 4 dwelling units where the scope of work is sufficiently minor to allow a determination that engineering is not required. Pre-approval by a plan review engineer is required.
- F. The like for like replacement of plumbing, mechanical and electrical equipment, fixtures and appliances.
- G. Fire systems regulated by the International Fire Code as amended under AMC 23.45.

Mechanical, plumbing and electrical installations exceeding the above listed parameters generally require engineering in accordance with state law. A commercial trade permit is required in lieu of a retrofit permit when engineering is required.

(AO No. 2020-85, § 1, 10-27-20)

23.10.104.6 Public service utilities.

A permit shall not be required for the installation, alteration, or repair of generation, transmission, distribution or metering or other related equipment under the ownership and control of public service utilities by established right.

(AO No. 2020-85, § 1, 10-27-20)

23.10.104.7 Permit application requirements.

To obtain a permit, the applicant shall first file an application on a form furnished by the department. The application shall:

- A. Identify and describe the work covered by the permit for which application is made.
- B. Describe the land on which the proposed work is to be done by legal description, tax parcel number, or street address to readily identify and definitely locate the proposed building or work.
- C. Indicate the use or occupancy for which the proposed work is intended.
- D. Be accompanied by plans, diagrams, computations and specifications, and other data as required in this code.
- E. State the valuation of the proposed work. Valuation shall be as defined in sections 23.10.102.1 and 23.10.104.15.1.

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- F. Be signed by the owner, contractor, Architectural or Engineering licensed professional, or the owner's authorized agent. If authorized agent will be signing, a notarized statement from the owner, naming authorized agent to be acting on the owners' behalf shall be submitted.
 - G. Be accompanied by other data and information as may be required by the building official.
 - H. Be accompanied by proof of a residential contractor endorsement issued by the State of Alaska if the work under application is an alteration exceeding 25 percent of the value of a residential structure of one to four units, or construction of a residential structure of one to four units. This requirement does not apply to an individual administering or performing work on their own residence.
 - I. Include an estimate of the number of inspections required to complete the project for the following permit types, which are charged on a fee-per-inspection basis:
 - 1. Change of Use;
 - 2. Demolition;
 - 3. Relocatable Set-up;
 - 4. Mobile Food Units; and
 - 5. Trade Permits involving mechanical, electrical, or plumbing work but no structural work.

(AO No. 2020-85, § 1, 10-27-20; AO No. 2021-88(S), § 2, 2-15-22)

23.10.104.8 Design professional in responsible charge.

When it is required that documents be prepared by a registered design professional, the building official shall be authorized to require the owner to engage and designate on the building permit application a registered design professional who shall act as the registered design professional in responsible charge. If the circumstances require, the owner shall designate a substitute registered design professional in responsible charge who shall perform the duties required of the original registered professional in responsible charge. The building official shall be notified in writing by the owner if the registered design professional in responsible charge is changed or is unable to continue to perform the duties. Any changes to design documents following designation of a new design professional in responsible charge shall be done in strict accordance with State of Alaska statutes and regulations governing architects, engineers, and land surveyors. The registered design professional in responsible charge shall be responsible for reviewing and coordinating submittal documents prepared by others, including phased and deferred submittal items, for compatibility with the design of the building. Where structural observation is required by the building code, the inspection program shall name the individual or firms who are to perform structural observation and describe the stages of construction at which structural observation is to occur (see also Special Inspection Program).

(AO No. 2020-85, § 1, 10-27-20)

23.10.104.9 Optional third-party plan review.

- A. *General.* An applicant for a residential or commercial building permit shall have the option for qualified third-party reviewing professionals to conduct the reviews listed under section 23.10.104.9.B. It shall not be the responsibility of the building official to review disciplines for building code compliance that have been reviewed and stamped in accordance with this section by qualified third-party professionals.

Exclusions: This option is not available for:

- 1. Risk category III and IV structures as defined in the International Building Code.
- 2. Structures exceeding 100 feet in height above grade plane.

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3. Normally occupied buildings that are four or more stories or 45 feet or more above grade plane.
 4. Buildings and structures owned or leased by the Municipality of Anchorage including the Anchorage School District.
- B. *Review disciplines.* The following review disciplines qualify for optional third-party plan review:
1. Structural review consisting of the review of structural plans and associated calculations for compliance with the building codes, local amendments, and referenced standards adopted under this Title.
 2. Architectural review of the nonstructural provisions of the building codes, local amendments, and referenced standards, including review for compliance with the building envelope energy conservation code provisions, adopted under this Title. Review for compliance with the International Fire Code is performed by the Anchorage Fire Department and is excluded from this option.
 3. Electrical review for compliance with the electrical code, local amendments, and referenced standards, including the electrical provisions of the energy conservation code, adopted under this Title.
 4. Mechanical review for compliance with the mechanical, fuel gas and plumbing codes, local amendments thereto, and referenced standards, including the mechanical provisions in the energy conservation code, adopted under this Title.
- C. *Reviewer qualifications.* The department shall pre-qualify all reviewers, shall maintain a list of approved reviewers, and assign each a reviewer identification number. Only approved reviewers may perform the optional third-party plan review allowed under this section. A reviewer may qualify for more than one discipline. To apply for inclusion on the list, a person shall first submit an application on a form furnished by the department and include a resume detailing relevant experience. The department shall approve an applicant meeting the requirements set forth below and who has not had the person's state registration revoked or suspended by the state in the previous five years. The minimum qualifications to perform review, by discipline, are as follows:
1. Structural review shall be performed by a professional engineer currently registered by the State of Alaska Board of Registration for Architects, Engineers and Land Surveyors as either a structural engineer or a civil engineer. A reviewing civil or structural engineer must be able to demonstrate a minimum of 5 years of structural engineering experience in Alaska or a similar climate and seismic zone as Anchorage.
 2. Architectural review shall be performed by a professional architect currently registered by the State of Alaska Board of Registration for Architects, Engineers and Land Surveyors or by an engineer currently registered by the State of Alaska Board of Registration for Architects, Engineers and Land Surveyors possessing an International Code Council Building Plans Examiner certification. Review of plans for detached residential buildings with three or fewer dwelling units may be performed by an individual having an International Code Council Building Plans Examiner certification. A person performing architectural review must be able to demonstrate a minimum of 5 years of building design and/or review experience in Alaska or a similar climate.
 3. Electrical review shall be performed by a professional engineer currently registered by the State of Alaska Board of Registration for Architects, Engineers and Land Surveyors as an electrical engineer. A reviewing electrical engineer must be able to demonstrate a minimum of 5 years of building electrical design experience in Alaska or a similar climate.
 4. Mechanical, fuel gas and plumbing review shall be performed by a professional engineer currently registered by the State of Alaska Board of Registration for Architects, Engineers and Land Surveyors as a mechanical engineer. A reviewing mechanical engineer must be able to demonstrate a minimum of 5 years of building mechanical design experience in Alaska or a similar climate.
- D. *Process.*
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1. Reviews shall be conducted only by individuals selected from the department's list of approved review professionals.
 2. No permit application will be accepted where a third-party review professional or a member of their household or immediate family serves as a designer of the project, is an employee of the firm or company acting as the engineer or architect of record for the project, or has a business or financial interest in the completed project. For purposes of this section, the definition of "immediate family" in the Ethics Code, section 1.15.180, shall apply.
 3. Reviewing professionals shall be hired by the owner or the owner's authorized agent.
 4. The applicant shall designate on the building permit application that the third-party plan review option has been elected and completed in accordance with this section and shall list each review discipline elected.
 5. Third-party reviews shall be finalized in advance of submitting the reviewed plans to the municipality.
 6. To be considered a complete third-party plan review, the reviewed plans shall be physically or electronically stamped "Reviewed for Code Compliance" by the third-party reviewer, with the stamp including the reviewer's name, signature, date and municipality designated third-party reviewer identification number assigned by the department.
 7. Change orders and deferred submittals shall be reviewed and approved by the third-party reviewers prior to submittal to the department.
- E. *Letter of review.* Each third-party plan reviewer shall submit a signed letter of review to accompany the permit application. The letter shall include:
1. Description of the scope of work and scope of review,
 2. Detailed description of the reviewer's design and review experience relevant to the specific project,
 3. List of comments, issues identified and corrections made to the completed plans,
 4. Notes and calculations required by this Title from the plan review process,
 5. Statement the reviewer accepts responsibility for the review and does not have a conflict of interest prohibited by subsection D.2., and
 6. Statement the reviewer indemnifies, holds harmless and shall defend the municipality from and against all claims, damages, losses and expenses, including but not limited to attorney fees and costs, arising out of or resulting from the performance of the review, to the fullest extent permitted by law. This statement shall be in a form approved by the municipal risk manager and be executed by: (a) the reviewing professional; (b) the building construction contractor; and (c) the current owner of the property and any party under contract to purchase the property within a year of its completion.
- F. *Restriction of authority.* Third-party reviewing professionals do not have authority to approve code modifications or alternative materials, designs, and methods of construction and equipment as defined in this Title. Any request for consideration of code modifications or alternative materials, designs, and methods of construction and equipment shall be submitted to the building official for approval prior to or with the permit application.
- G. *Auditing.*
1. The building official may audit the reviews conducted by third-party reviewing professionals as necessary to enforce the provisions of this Title.
 2. The building official shall audit a minimum of 10 percent of the reviews submitted under this optional third-party plan review process.

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- H. *Revocation of privilege.* The building official may revoke the approved reviewer status of any individual who has their registration suspended or revoked by the state, is found to have provided materially false statements or information on the reviewer application or in a letter of review, or who commits fraudulent acts in the course of providing plan reviewer services. False statements are punishable as unsworn falsification under applicable law. The building official shall provide the person a reasonable opportunity to respond to the grounds for revocation before making a final decision. The building official's final decision under this subsection shall be provided in writing as a notice to the individual consistent with section 23.10.103.3.3.

(AO No. 2020-85, § 1, 10-27-20; AO No. 2021-88(S), § 3, 2-15-22; AO No. 2023-130(S), § 1, 1-16-24; AO No. 2023-136(S), § 1, 2-27-24)

23.10.104.10 Submittal documents.

Construction documents, statement of special inspections, structural observation programs, geotechnical reports and other data shall be submitted in accordance with the policies prescribed by the building official. The construction documents shall be prepared by a registered design professional where required by state statute. Where special conditions exist, the building official is authorized to require additional construction documents to be prepared by a registered design professional.

A. Exceptions:

1. The building official is authorized to waive the submission of construction documents and other data not required to be prepared by a registered design professional if it is found that the nature of the work applied for is such that review of construction documents is not necessary to obtain compliance with this code.
2. Only one copy of specifications and calculations are required.

(AO No. 2020-85, § 1, 10-27-20)

23.10.104.10.1 Information on construction documents.

Construction documents shall be legible, dimensioned and drawn upon suitable material. The text on the field set of plans shall be a minimum of 3/32 inch in height. Information on plans shall be organized in a logical manner to be readily understandable by contractors, plan reviewers and inspectors. Electronic media documents are permitted to be submitted when approved by the building official. Construction documents shall be of sufficient clarity to indicate the location, nature, and extent of the work proposed and show in detail that the work will conform to the provisions of this code and relevant laws, ordinances, rules and regulations, as determined by the building official. Extraneous details or other information not related to the project shall not be included on the drawings.

Plans for buildings of other than a detached dwelling unit or accessory structure regulated by the IRC, or a single story Group U occupancy shall indicate how required structural and fire-resistive integrity will be maintained where penetrations are made for electrical, mechanical, plumbing and communication conduits, pipes and similar systems.

(AO No. 2020-85, § 1, 10-27-20)

23.10.104.10.2 Fire protection system shop drawings.

Shop drawings for the fire protection system(s) shall be submitted to indicate conformance with the fire code. The construction documents shall be approved prior to the start of system installation. Shop drawings shall contain all information as required by the fire code.

(AO No. 2020-85, § 1, 10-27-20)

23.10.104.10.3 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 in compliance with the provisions of this code. In other than detached single family dwelling units, the construction documents shall designate the number of occupants to be accommodated on every floor, and in all rooms and spaces.

(AO No. 2020-85, § 1, 10-27-20)

23.10.104.10.4 Exterior envelope.

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

The construction documents shall include manufacturer's installation instructions providing supporting documentation that the proposed penetration and opening details described in the construction documents maintain the weather resistance of the exterior envelope. The supporting documentation shall fully describe the exterior system, which was tested, where applicable, as well as the test procedure used.

(AO No. 2020-85, § 1, 10-27-20)

23.10.104.10.5 Site plan.

The construction documents submitted with the permit application shall be accompanied by a site plan showing to scale the size and location of new construction and existing structures on the site, distances from lot lines, the established street grades, proposed finish grades and elevations at all lot corners, based on ties to a recovered benchmark identified in the MOA Benchmark Network. Assumed elevations shall only be allowed with prior written consent of the department. The site plan shall also show existing and proposed drainage patterns, identifying any location where drainage is proposed to be transported off-site; and, as applicable, flood hazard areas, floodways, and design flood elevations; and it shall be drawn in accordance with an accurate boundary line survey. In the case of demolition, the site plan shall show construction to be demolished, and the location and size of existing structures and construction to remain on the site or plot. Any changes to existing topography must also conform to the requirements of Chapter 23.105, Grading, Excavation and Fill, and Landscaping. The building official is authorized to waive or modify the requirement for a site plan when the application for permit is for alteration or repair or when otherwise warranted.

(AO No. 2020-85, § 1, 10-27-20)

23.10.104.11 Deferred submittals.

For the purposes of this section, deferred submittals are defined as those portions of the design not submitted at the time of the application.

Deferral of any submittal items shall have the prior approval of the building official. The registered design professional in responsible charge shall list the deferred submittals on the construction documents for review by the building official.

Documents for deferred submittal items shall be submitted to the registered design professional in responsible charge who shall review and forward them to the building official with a notation indicating the deferred submittal documents have been reviewed and been found to be in general conformance with the design of the building. The notation must be clearly outlined on the documents and must be accompanied by the signature of the registered design professional in responsible charge. The deferred submittal items shall not be installed until the design and submittal documents are approved by the building official. Copies of the approved deferred submittal documents shall be kept on site for reference by inspectors.

(AO No. 2020-85, § 1, 10-27-20)

23.10.104.12 Amended construction documents.

Work shall be installed in accordance with the approved construction documents, and any changes made prior to or during construction that are not in compliance with the approved construction documents shall be resubmitted for approval as an amended set of construction documents through a change order. Changes of a minor nature may utilize the field change order process.

(AO No. 2020-85, § 1, 10-27-20)

23.10.104.13 Retention of construction documents.

The building official shall keep official records of applications received, permits and certificates issued, fees collected, reports of inspections, and notices and orders issued. One set of approved plans, specifications and computations shall be retained in the official records for the period required for retention of public records, and one set of approved plans and specifications shall be returned to the applicant and shall be kept on the site of the building or work at all times while the work authorized thereby is in progress. The building official will provide digital long-term retention documentation as per approved retention plan adopted by the Assembly including but not limited to the following items: Applications, permits, certificates issued, fees collected, reports of final inspections, and all notice and orders.

(AO No. 2020-85, § 1, 10-27-20)

23.10.104.14 Document approval and permit issuance.

23.10.104.14.1 Document examination and approval.

The application, plans, specifications, computations and other data filed for permit shall be reviewed by the building official. Such plans may be reviewed by other departments of the Municipality to verify compliance with any applicable laws under their jurisdiction. Once all documents are reviewed and approved by all departments of the Municipality, the building official shall stamp the approved plans "Reviewed for Code Compliance". Such approved plans shall not be changed, modified or altered without authorization from the building official, and all

work regulated by this code shall be done in accordance with the approved plans. Once documents are approved, all changes made shall require a change order or field change order.

It shall be the building official's option to require an express plan review for one or more plan review disciplines following two or more unsuccessful attempts to resolve plan review comments.

For applications submitted under section 23.10.104.9, when the building official finds the application complete in meeting the requirements for acceptance of plan review and building code compliance responsibilities by the independent reviewing professional(s), the building official shall stamp the accepted plans "Accepted". Once documents are accepted, all changes made shall require documentation of the changes by change order or field change order, showing review and approval by the independent reviewing professional and acceptance by the building official. One set of construction documents so reviewed or accepted shall be retained by the building official, and one set shall be kept at the site of work and shall be open to inspection by the building official or a duly authorized representative.

(AO No. 2020-85, § 1, 10-27-20)

23.10.104.14.2 Express plan review.

Express plan review is an option exercised by the permit applicant or building official to expeditiously resolve plan review comments.

- A. Limitation: The permit applicant may request an express plan review any time after the initial plan review is completed.
- B. Eligible Projects and Applicable Reviews: Any permit or plan review discipline, including architectural, structural, plumbing, mechanical, electrical, fire, land use, traffic engineering, NPDES, right-of-way, flood hazard and Project Management and Engineering (PM&E) reviews. In addition, express plan review may be used for change orders and deferred submittals. Express plan review may be used on phased projects. For example, the structural, architectural and civil plans may be submitted for review prior to the plumbing, mechanical and electrical plans, and partial permits such as a footing and foundation permit may be issued.
- C. Submittal Requirements: Complete the express plan review application and schedule the plan review meeting as described below.
- D. Plan Review Meeting:
 - 1. The plan review meeting is the basis of the express plan review process.
 - 2. The permit applicant schedules the plan review meeting through the Development Services secretary at 343-8301. The applicant specifies which disciplines are required to attend the meeting. All applicable design professionals and municipal plan reviewers are required to attend the meeting.
 - 3. The Municipality reviews plans and supporting documentation during the meeting.
 - 4. The meeting is intended to be a collaborative process between the design professionals and plan reviewers. The objective will be approval of code compliant construction documents.
 - 5. Required corrections of a minor nature can be made to the plans and/or supporting documentation during the meeting. The design professional may either mark-up the plans by hand or submit new plans at a later time with the appropriate revisions. Changes made by hand shall be bubbled, initialed and dated by the design professional.
 - 6. Corrections requiring redesign and/or substantial plan revisions shall be made outside the scope of the meeting.
 - 7. Additional plan review meetings may be scheduled at the applicant's discretion as necessary to review revisions and obtain approval.

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- E. Fee: The express plan review fee is listed in Table 3-B. The fee is in addition to all other applicable permit fees. The fee applies to plan review meeting time and does not apply to plan review conducted outside the scope of the meeting. Payment is due prior to obtaining a permit.
 - F. Express Plan Review Availability: Express Plan Review is based on the availability of the plan review staff as determined by the building official.

(AO No. 2020-85, § 1, 10-27-20)

23.10.104.14.3 Previous approvals.

This code shall not require changes in the construction documents, construction or designated occupancy of a structure for which a lawful permit has been heretofore issued or otherwise lawfully authorized, and the construction of which has been pursued in good faith within 180 days after the effective date of this code and has not been abandoned.

(AO No. 2020-85, § 1, 10-27-20)

23.10.104.14.4 Expiration of plan review.

Applications for which no permit is issued within 360 days following the date of application shall expire by limitation and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the building official. The building official may extend the time for action by the applicant on written request by the applicant showing circumstances beyond the control of the applicant prevented action from being taken. An application shall not be extended if this code or any other pertinent laws or ordinances are amended subsequent to the date of application. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee.

(AO No. 2020-85, § 1, 10-27-20; AO No. 2021-88(S), § 4, 2-15-22)

23.10.104.14.5 Phased permit approval.

The building official may issue a permit for the construction of part of a building, structure or building service equipment before the entire plans and specifications for the whole building, structure or building service equipment are submitted or approved, provided adequate information and detailed statements have been filed complying with all pertinent requirements of the technical codes. The holder of such permit shall proceed with the approved work at the holder's risk, without assurance the permit for the entire building, structure or building service will be granted. This approval must be approved by the building official and shall require written documentation prior to any work being done.

(AO No. 2020-85, § 1, 10-27-20)

23.10.104.14.6 Permit issuance.

If the building official finds the work described in an application for a permit and the plans, specifications and other data filed conform to the requirements of this code, the technical codes, and other pertinent laws and ordinances, and all permit fees have been paid, the building official shall issue a permit to the owner, contractor or authorized agent. If a contractor is performing the work, the permit shall be issued in the name of the contractor.

Exceptions:

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1. The Building Official may require a permit applicant to obtain a Certificate of Occupancy for a previous permit with an expired Conditional Certificate of Occupancy.
 2. The Building Official may require a permit applicant to reopen an expired permit and obtain a Certificate of Occupancy or Certificate of Completion for said expired permit before issuance of another permit.
 3. The Building Official may require a permit applicant to remedy a stop work order, notice of violation, or notice of permit requirement on the applicant's other projects or permits prior to accepting a permit application.

(AO No. 2020-85, § 1, 10-27-20)

23.10.104.14.7 Validity of permit.

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 this code or of any other ordinance of the Municipality. Permits presuming to give authority to violate or cancel the provisions of this code or other ordinances of the Municipality shall not be valid. The issuance of a permit based on construction documents and other data shall not prevent the building official from requiring the correction of errors in the construction documents and other data. The building official is also authorized to prevent occupancy or use of a structure in violation of this code or of any other ordinances of the Municipality.

(AO No. 2020-85, § 1, 10-27-20)

23.10.104.14.8 Expiration of permit.

1. Permits (other than fire protection and life safety system permits). Every permit issued by the building official under the provisions of the technical codes shall expire by limitation and become null and void, if the building or work authorized by the permit is not commenced within 360 days from the date of the permit issuance, or if the building or work authorized by the permit is suspended or abandoned at any time after the work is commenced for a period of 360 days. For the purposes of this section, work shall be deemed suspended or abandoned if no inspections have occurred within 360 days. If the suspension or abandonment has not exceeded 18 months, the work may be recommenced upon application for reactivation of the permit. For reactivation, the building official shall have the option to either extend the previous plan approval at no additional charge or, if a code change has ensued in the interim, require the applicant to revise the drawings accordingly and pay a new plan review fee. For reactivation, the permit fee shall be one of half the amount required for a new permit for such work. In order to renew action on a permit abandoned or suspended more than 18 months, the building official may exercise the same option described above regarding plan review, but the permittee shall pay a new full permit fee.

Exception: When it can be demonstrated that a substantial amount of the previously permitted work has been inspected and approved, the building official may allow the permit to be reopened and final inspections be conducted to close the permit. The permittee shall pay any outstanding fees, including fees for time required to review the project file and any inspections required to close the permit. This exception will only be granted after review of the permit history by the building official. The decision to grant this exception is solely at the building official's discretion.

A permittee may apply for an extension when the permittee is unable to commence work within the time required by this section for good and satisfactory reasons. The building official may extend the time for action by the permittee upon written request by the permittee showing circumstances beyond the control of the permittee prevented action from being taken.

Unless the property has a valid Conditional Use approved by the Planning and Zoning Commission which sets a longer period-of-time for completion, grading permits in residential zoned areas shall be completed within two years of permit issuance. Once a grading permit expires, a stop work order shall be issued, investigative fees shall be paid to reactivate the permit, and a bond posted. The bond shall be no less than the valuation to complete the work. The bond shall be forfeited if work is not completed within 180 days from the permit reactivation date.

2. Fire protection and life safety system permits. All work under a permit to install, upgrade or replace a fire protection or life safety system regulated by the International Fire Code shall be complete and a certificate of completion obtained within one year following the date of permit issuance. For failure to timely close a permit, see the fines schedule in 23.10 Table O.

Exceptions:

1. Upon written request, signed by all applicable parties, explaining why an extension is required, and stating the new completion date, the fire marshal may grant an extension of up to one-year.
2. Fire system permits associated with open building permits issued under AMC 23.10.104 are subject to the building permit expiration provisions of this section.

(AO No. 2020-85, § 1, 10-27-20; AO No. 2021-88(S), § 5, 2-15-22)

23.10.104.14.9 Suspension or revocation.

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

(AO No. 2020-85, § 1, 10-27-20)

23.10.104.14.10 Revising application (removing permittee).

In order to remove the permittee on a specific permit from responsibility of completing the project and obtaining a certificate of occupancy, the "Formal Transfer of Responsibilities" form shall be completed and signed by the Owner and permittee being removed.

(AO No. 2020-85, § 1, 10-27-20)

23.10.104.14.11 Securing suspended work.

If activity associated with a permit is suspended for a prolonged period the site shall be secured against casual public access.

(AO No. 2020-85, § 1, 10-27-20)

23.10.104.15 Fees.

Fees shall be assessed in accordance with the provisions of this section or shall be as set forth in the fee schedule adopted by the Municipality.

(AO No. 2020-85, § 1, 10-27-20)

23.10.104.15.1 Valuation.

Valuation is determined as follows:

- A. The valuation used to compute fees for new construction shall be based on the Building Valuation Data Chart in the most recent August issue of the Building Safety Journal as published by the International Code Council. The regional multiplier shall be 1.3. The rates in the August issue shall become effective on the following January 1st and continue to January 1st of the following year. The valuation shall be calculated using the dollar per square foot method. The area of the building shall be the gross floor area; the total horizontal area of all floors of a building, measured between exterior faces of exterior walls, including interior balconies, mezzanines, stairwells, elevator shafts, ventilation shafts, etc., but excluding area without floor structure in atria.
1. The specific features listed below require a valuation calculation as described:
 - a. The area located under canopies, eaves and overhangs extending more than 4 feet from the building perimeter shall be included in the building area. The area under free-standing canopies along with the occupancy classification, shall be used to determine valuation.
 - b. The valuation used to compute fees for finished basements in single-family homes and duplexes shall be calculated as 0.67 multiplied by the valuation for new construction calculated under subsection A.
 - c. The valuation used to compute fees for partially finished basements in single family homes and duplexes shall be calculated at 0.40 multiplied by the valuation for new construction calculated under subsection A.
 - d. The valuation used to compute fees for permanent fabric structures shall be calculated as 0.50 multiplied by the valuation for new construction calculated under subsection A.
 2. Notwithstanding the above, for fees paid and collected from and including February 15, 2023 through December 31, 2023, the Building Valuation Data Chart published in the August 2021 issue of Building Safety Journal shall be used to compute fees, including those under subsection B. when applicable.
- B. The valuation used to compute fees for projects other than new construction calculated under item 23.10.104.15.1A. shall be provided by the permit applicant and verified by the building official. The valuation shall be the total cost required to complete the project presuming all labor will be compensated and all materials will be purchased at fair market value. Where volunteer labor or donated materials are contributed, the valuation shall nevertheless include the fair market value of donated labor and materials. The building official reserves the right to require a copy of the signed construction contract to verify valuation.

If an applicant prefers not to provide a copy of the signed construction contract when questioned about the stated valuation, the Building Official will calculate valuation using the Building Valuation Data Chart as described in item 23.10.104.15.1A. to compute the valuation as if the project were new construction, and then scale this valuation by multiplying by the appropriate percentage identified in the following table for minor, medium, major or full alterations. The building official's determination of a project as being minor, medium, major or full shall be final and not appealable.

Extent of Alteration	Valuation % of New Construction	Definition of the Extent of Alteration ¹
Minor	20%	Primarily cosmetic work (refinishing walls, ceilings, floors) with minor mechanical, electrical and plumbing work, and incidental structural work. No reconfiguration of space.

Medium	40%	Reconfiguration of less than 50% of the tenant space involving the addition/removal of walls/partitions and associated plumbing, mechanical and electrical work; modification/repair of ceiling systems; replacement of portions of glazing systems; medium projects may include minor changes to the exterior envelope or structural systems.
Major	60%	Reconfiguration of more than 50% of a tenant space involving the addition/removal of walls/partitions and associated plumbing, mechanical and electrical work; installation of new glazing systems and/or ceiling systems; upgrading of structural systems in limited areas to receive increased loads. Significant upgrades to mechanical, electrical or plumbing systems.
Full	80%	Near complete reconfiguration of space involving the demolition of nearly all non-load-bearing walls/partitions (leaving a structural shell) and the installation of new walls/partitions; replacement of electrical, mechanical and plumbing systems; structural upgrades to meet seismic provisions, or other substantial structural renovation, extensive structural repair.

¹The extent of alteration includes one or more of the elements in the definition. The floor area affected shall be calculated on the entire areas of the rooms where alterations are proposed. If a project has areas for which it is reasonable to distinguish as being of different categories, it is appropriate to calculate the area separately to develop the value.

(AO No. 2020-85, § 1, 10-27-20; AO No. 2023-12, § 1, 2-7-23)

23.10.104.15.2 Plan review fees.

- A. Plan review fees shall be calculated in accordance with Table 3-B and paid at the time of document submittal.
- B. Plan review fees are in addition to permit fees.
- C. Other than driveway review fees which are assessed on a case-by-case basis, a Fire Department Plan Review fee is not required for detached one- and two-family dwellings.
- D. Plan review fees calculated as a percentage of the permit fee on fee-per-inspection permits shall be adjusted accordingly based on actual number of inspections used.
- E. Where plans are incomplete or changed so-as-to require additional plan review, an additional plan review fee shall be charged at the rate shown in Table 3-B of this code.
- F. Structures that are identical to a previously approved and permitted structure may qualify for "pre-approved" status for purposes of the plan review fee assessment. The plans must be submitted within the same code cycle. Each identical structure shall be issued a separate building permit.
- G. Plan review fees for projects submitted under the optional process described in section 23.10.104.9 qualify for a reduced fee, as noted in Table 3-B.

(AO No. 2020-85, § 1, 10-27-20)

23.10.104.15.3 Permit fees.

Permit fees depend on the type and extent of construction. Some projects may require more than one type of permit fee, e.g., a building containing an elevator will require a general building permit and an elevator permit. Where a technical code is adopted by the Municipality for which no fee schedule is shown in this code, the fee required shall be in accordance with the schedule established by the Assembly. Permit fees shall be assessed as follows:

1. Permit fees for new construction, additions, alterations to existing buildings and repairs shall be based on valuation determined per 23.10.104.15.1 and calculated in accordance with Table 3-A.
2. Permit fees for stand-alone plumbing, mechanical and/or electrical work that does not involve structural or alteration work and that does not qualify as a retrofit permit shall be assessed on a fee-per-inspection basis in accordance with Table 3-C.
3. Permit fees for change of use and/or occupancy classification that do not involve alteration work shall be assessed a fee-per-inspection basis in accordance with Table 3-C.
4. Permit fees for a temporary gas or electrical service that is not associated with a building permit shall be assessed in accordance with Table 3-D.
5. Permit fees for retrofit permits shall be assessed in accordance with Table 3-E.
6. Elevator, escalator, moving walk, dumbwaiter, platform-lift and stairway chairlift permit and inspection fees shall be assessed in accordance with Table 3-F.
7. Grading, excavation and fill permit fees shall be assessed in accordance with Table 3-G.
8. Residential re-roof permit fees shall be assessed in accordance with Table 3-H.
9. Manufactured (mobile) home set-up permit fees shall be assessed in accordance with Table 3-I.
10. Sign permit fees shall be assessed in accordance with Table 3-J.
11. Fire systems permit fees shall be assessed in accordance with Table 3-M.

For permit fees assessed on the number of inspections, the applicant shall estimate the number of inspections by discipline. The building official will assist the permit applicant with the initial estimate. The building official reserves the right to correct the estimate based on historic information for similar projects. A refund will be granted for inspections not used. Additional fees are required for inspections exceeding the estimated number.

(AO No. 2020-85, § 1, 10-27-20; AO No. 2021-88(S), § 6, 2-15-22)

23.10.104.15.4 Fee refunds.

- A. The building official shall refund a fee that is paid or collected in error.
- B. The building official may refund up to eighty percent (80%) of the permit fee paid when a permit is cancelled.
Exception: The building official may grant a full refund of the permit fee if no work has been done by the Municipality, and the permittee shows the cancellation of the permit was beyond the permittee's control.
- C. The building official may refund the full plan review fee if the permit is cancelled before any review has begun.
- D. The building official shall not refund any fee unless it is requested in writing by the original permittee.
- E. Permits expired by more than 360 days are not entitled to a refund.

23.10.104.16 Shelter units located in allowed camps.

Shelter units located within allowed camps, excluding common fabric tents typically available at retailers rated by the manufacturer for four persons or less, may be set up without obtaining a building permit and certificate of occupancy under the following restrictions and requirements:

- A. Sleeping units shall not exceed 100 square feet gross floor area.
- B. Hygiene and community units shall not exceed 800 square feet gross floor area.
 - a. Exception: Units meeting the requirements of relocatable ancillary buildings under AMC 23.95 may exceed this limit.
- C. Units shall be capable of supporting 25 psf snow load and be able to resist the wind design load for the location.
- D. Units shall be restrained to resist wind load. The attachment shall be designed by an Alaska licensed civil or structural engineer.
- E. Wall/roof panel finish material shall be tested in accordance with ASTM E84 and the flame spread shall not exceed 200 and the smoke developed index shall not exceed 450 (Class C finish material).
- F. Units shall be located and arranged to allow for emergency responder access and snow removal.
 - a. A minimum clear space of 5 feet shall be provided on sides subject to snow shedding.
 - b. A minimum clear space of 10 feet shall be provided in front (on the door side) of each unit.
 - c. Units may be located adjacent to each other forming clusters with up to eight units per cluster. Clusters of units shall be located ten feet minimum from permanent structures, property lines, support structures and other clusters.
- G. The accumulation of trash, combustibles, and other obstructions shall not be allowed in the required clear space.
- H. Units and the required clear space shall be maintained free from the accumulation of snow and ice. Snow shall not be allowed to accumulate on the unit.
- I. Electrical permit required:
 - a. A licensed electrical contractor shall obtain a permit to provide electrical service and/or connection to the unit(s). The electrical connection shall consist of an approved flexible cord, attachment cap and receptacle approved for the location.
 - b. The unit shall comply with the National Electrical Code as noted by NEC 550.4(A). A code compliance inspection shall be performed, and necessary corrections made before power is connected. A licensed electrical contractor shall obtain a permit and make the correction. The permit for providing electrical service and/or connection may include the corrections when performed by the same contractor.
 - c. Installations involving more than one unit require an electrical design sealed by an Alaska licensed electrical engineer.
- J. Occupants shall have access to on-site toilet and bathing facilities.
- K. If the unit is connected to a water supply or wastewater system, a licensed plumbing contractor shall obtain a retrofit permit and perform the work. A public water supply shall be isolated by a reduced pressure backflow assembly.

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- L. If the unit is to be connected to a natural gas or propane supply, a retrofit permit shall be obtained by one of the following:
 - a. A licensed plumbing contractor, or
 - b. A licensed mechanical contractor that employs a licensed plumber or gas fitter.
 - M. Service equipment located adjacent to vehicle lanes shall be protected with bollards or other substantial barrier.
 - N. Units shall comply with fire code and operational processes as determined by the fire marshal. These include, but are not limited to:
 - a. An Anchorage Fire Department (AFD) approved, currently serviced fire extinguisher shall be located inside the unit.
 - b. Propane tanks shall be protected from vehicle impact and shall be located in accordance with the fire code.
 - c. Unit locations shall not impact fire lanes or emergency vehicle access to the units or nearby structures.
 - O. Units that do not meet all restrictions and requirements listed in items A. through M. shall require a building permit in accordance with this code.

(AO No. 2023-70(S-1), § 3, 7-11-23)

Section 105 Licensing requirements.

23.10.105.1 General provisions.

- A. General: Except as allowed under subsections B. and C., no person shall administer or perform work regulated by this code except a person holding a valid, unexpired, and unrevoked contractor's license and/or a certificate of qualification as required by this code and state law.
- B. Contractor Required: All work regulated by this code shall be administered by contractors licensed by the State of Alaska and the Municipality in the relevant trade. This licensing requirement applies regardless of whether the work is exempt from the requirement for a permit.

Exceptions:

- 1. A property owner may act as a contractor as follows:
 - a. An owner may construct a maximum of one structure every two years. The start date of the two-year time limitation shall be the date of the certificate of occupancy. A permit to construct an additional structure cannot be issued during the two-year time limitation.
 - b. An owner may administer alterations, including additions, to an existing structure.
 - c. An owner of an individual dwelling unit located in a multi-dwelling unit structure may administer alterations within their dwelling unit.
- 2. A tenant may administer alterations within their lease space.
- C. Performing Work: All work regulated by this code shall be performed by individuals appropriately licensed in the relevant trade in accordance with state law and this code.

Exceptions:

- 1. A property owner may perform work as follows:

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- a. A person working on an existing structure on that person's own property, whether occupied by the person or not, and a person working on that person's own existing residence, whether owned by the person or not;
 - b. An owner or tenant of commercial property who uses the owner's or tenant's own employees to do maintenance, repair, and alteration work on that property.
 - D. It shall be unlawful for any person to conduct, carry on or engage in the business of, or act in the capacity of a contractor in a trade covered by this code without first being issued a valid municipal contractor's license, and when required, a certificate of qualification.
 - E. An applicant for a building construction contractor's license may be requested to provide a copy of the construction contractor's bond required by state law with the application and shall show proof the bond is current and in effect.
 - F. It shall be unlawful for any person to labor in the capacity of a plumber, gas fitter or sheetmetal journeyman without first being issued a valid journeyman certificate of qualification by the Municipality.
 - G. Any contractor or journeyman doing gas piping, plumbing or sheet metal work covered by this code shall be tested and licensed by the Municipality.
 - H. It shall be unlawful to labor as a plumber or sheet metal trainee without first being issued a valid trainee certificate of qualification by the Municipality.
 - I. It shall be unlawful for any person acting in the capacity of a contractor in a trade covered by this code, or as the responsible agent, manager, supervisor, superintendent or foreman, to knowingly or willfully order, instruct or permit an employee, agent or person under supervision or control to do an act violating the certificate of qualification requirements set forth in subsection F. or H.
 - J. The ratio of individuals holding sheet metal or plumber trainee certificate of qualification cards shall not be more than two for every certified journeyman on a job site.

(AO No. 2020-85, § 1, 10-27-20; AO No. 2021-88(S), § 7, 2-15-22)

23.10.105.2 Certificate of qualification.

23.10.105.2.1 Application for certificate of qualification, gas piping, plumbing and sheet metal.

- A. Every person applying for a gas piping, plumbing or sheet metal contractor certificate of qualification shall complete the application form, pass the required test and pay the required fee. If a certificate is not obtained within 90 days of passing the exam, the applicant may be required to retest.
- B. Every person applying for a gas fitter, plumber or sheet metal journeyman certificate of qualification shall complete the application form, pass the required test and pay the required fee. If a certificate is not obtained within 90 days of passing the exam, the applicant may be required to retest.
- C. Every person applying for a plumber or sheet metal trainee certificate of qualification shall complete the application form and pay the required fee.
- D. In accordance with state law, no person shall qualify as administrator under more than one license. If the relationship of the administrator with the firm or corporation applicant is terminated, the license shall become void within 60 days unless another administrator is qualified by proper authority. Licenses issued to applicants are nontransferable.

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- E. Applicants for a plumbing or sheetmetal contractor certificate of qualification shall provide evidence of at least six years or 12,000 hours minimum of previous practical experience. Applicants for a gas piping contractor certificate of qualification shall provide evidence of at least four years or 8,000 hours minimum of previous practical experience. Only hours accrued while properly licensed and working for a legally licensed contractor for the relevant trade will be credited towards the required hours. In lieu of previous practical experience (at the discretion of the Building Board, Mechanical Subcommittee) credit may be allowed for each year, and fraction thereof, of attendance at a recognized school, if the course taken by the applicant was primarily mechanical and directly related to the particular skill or trade being applied for. No credit shall be allowed any applicant for experience gained while doing any mechanical work ordinarily incidental to or associated with non-mechanical occupations, as determined by the building official.
 - F. Applicants for a plumbing contractor or plumber journeyman certificate of qualification shall provide a copy of a current Alaska Department of Labor Certificate of Fitness Plumber Journeyman card. Applicants for a plumber trainee certificate of qualification shall provide a current copy of an Alaska Department of Labor Certificate of Fitness card.
 - G. Applicants for a plumber or sheet metal journeyman certificate of qualification shall provide evidence of at least four years or 8,000 hours minimum of previous experience personally installing, fabricating, altering and repairing work covered by the particular skill or trade being applied for. Only hours accrued while properly licensed and working for a legally licensed contractor in the relevant trade will be credited towards the required hours. In lieu of previous practical experience, (at the discretion of the Building Board, Mechanical Subcommittee) credit may be allowed for each year, and fraction thereof, of attendance at a recognized school if the course taken by the applicant was primarily mechanical and directly related to the skill or trade being applied for. No credit shall be allowed any applicant for experience gained while doing any work ordinarily incidental to or associated with non-mechanical occupations as determined by the building official. In lieu of the above qualifications, an applicant may submit proof of successful completion of at least a four-year or 8,000 hours minimum apprenticeship program registered and approved by the U. S. Department of Labor, Bureau of Apprenticeship and Training, as acceptable qualifications. Journeyman and trainee plumbers shall have a state license.
 - H. Applicants for a plumber or sheet metal trainee certificate of qualification are not required to have prior experience but shall provide evidence of working for a properly certified contractor and be enrolled in an approved apprenticeship program.
 - I. Applicants for a journeyman gas fitter certificate of qualification shall provide evidence of two years or 4,000 hours minimum previous experience in the gas piping field and shall provide a current copy of an Alaska Department of Labor Certificate of Fitness Gas Fitter card. Only hours accrued while properly licensed and working for a legally licensed contractor in the relevant trade will be credited towards the required hours.

(AO No. 2020-85, § 1, 10-27-20)

23.10.105.2.2 Issuance of certificate of qualification, gas piping, plumbing and sheet metal.

- A. A sheet metal, plumbing, or gas piping contractor certificate of qualification shall be issued to a person who makes application for such certificate, provides evidence of the required experience and training, successfully passes the examination and pays the required fee.
- B. A sheet metal, plumber, or gas fitter journeyman certificate of qualification shall be issued to a person who makes application for such certificate, provides evidence of the required experience and training, successfully passes the examination, and pays the required fee.
- C. A plumber or sheet metal trainee certificate of qualification shall be issued to a person who meets the application requirements for such certificate and pays the required fee.

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- D. Every person required to have a certificate of qualification shall obtain such certificate either:
1. Within 90 days of passing the required test; or
 2. Within 30 days of the expiration date shown on the certificate, except if the certificate has been suspended or revoked.
- E. Certificates of qualification issued under this title are valid for a maximum of two years and expire on February 14 of even calendar years.

(AO No. 2020-85, § 1, 10-27-20)

23.10.105.2.3 Certificate of qualification, re-examination, gas piping, plumbing and sheet metal.

- A. Any person who fails to pass the examination may apply for re-examination on the next available test date.
- B. Fees for re-examination will be the same as initial examination fees.

(AO No. 2020-85, § 1, 10-27-20)

23.10.105.2.4 Expiration of certificate of qualification, gas piping, plumbing and sheet metal.

- A. Every certificate of qualification shall remain in force and effect until its expiration date, unless canceled or revoked.
- B. Certificates of qualification expired beyond 30 days, but less than two years may be renewed by paying the prescribed fee. This fee shall be retroactive to the expiration date of the last certificate issued. In addition, an administrative late fee shall be charged.
- C. Certificates of qualification expired by two or more years shall not be renewed, and the person shall be required to re-take the test required for new applicants.

(AO No. 2020-85, § 1, 10-27-20)

23.10.105.2.5 Backflow assembly tester certificate of qualification.

- A. A backflow assembly tester certificate of qualification shall be issued to a person who makes application for such certificate, attends the four-day Backflow Assembly Certification class sponsored by the Municipality, successfully passes both the written and the hands-on examination, and pays the required fee. The certification is valid for three (3) years and may be extended for one additional year with approval of the building official. An applicant may submit proof of attendance of a similar class and of successfully passing the required examination(s) of the similar class, provided further the similar class is recognized as equal to the aforesaid requirement(s), as determined by the building official.
- B. A person who wishes to maintain a valid certificate of qualification as a Backflow Assembly Tester shall - every three (3) years from the date of original issuance - attend an 8-hour re-certification class administered by the department or a nationally recognized agency approved by the building official, successfully pass both written and hands-on examinations and pay the required fee. Individuals recertified by agencies other than the department shall provide proof they have successfully passed the written and hands-on examinations prior to receiving a new Backflow Assembly Tester certificate of qualification.

(AO No. 2020-85, § 1, 10-27-20)

23.10.105.2.6 Revocation of certificate of qualification.

- A. The building official may cancel or revoke any certificate of qualification issued to any person, if such person later shows incompetence or lack of knowledge in matters relevant to such certificate or if such certificate was obtained by fraud. If the certificate of qualification of any person is canceled or revoked, another certificate shall not be granted to the person within 12 months after the date of cancellation or revocation.
- B. Certificates of qualification are not transferable from one person to another, and the lending of any certificate or the obtaining of permits there under for any other person shall be cause for revocation.
- C. The building official may require retesting of any certificate of qualification holder if such person shows incompetence or lack of knowledge in matters relevant to such certificate. Failure to pass a retesting shall result in revocation of the certificate. The person may apply for retesting after 30 days have elapsed.

(AO No. 2020-85, § 1, 10-27-20)

23.10.105.2.7 Right to inspection, certificate of qualification or fitness.

Municipal inspectors may contact any worker performing work for which a certificate of fitness is required (under AS 18.62.010) or a certificate of qualification is required under this code and request the person to exhibit the person's certificate. The inspector may immediately serve upon the person a notice to cease any work in that occupation until a State of Alaska certificate of fitness and/or a municipal certificate of qualification is displayed.

(AO No. 2020-85, § 1, 10-27-20)

Section 106 Inspection requirements.

23.10.106.1 General.

- A. Construction or work for which a permit is required shall be subject to inspection by the building official and the construction or work shall remain accessible and exposed for inspection until approved by the building official. In addition, certain types of construction shall have special inspection, as specified in Section 106.7, which is a requirement of the owner and paid for by the owner. Note: The special inspector shall not receive compensation from the contractor of record.
- B. Approval, as a result of an inspection, shall not be construed as an approval of a violation of the provisions of this code or other ordinances of the Municipality. Inspections presuming to give authority to violate or cancel the provisions of this code or other ordinances shall not be valid.
- C. It shall be the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purposes. Neither the building official nor the Municipality shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.
- D. An as-built survey may be required by the building official prior to completion of a development to verify a structure is located in accordance with this code, land use regulations and the approved plans.
- E. The building official may require a survey showing as-built contours of a fill or excavation to verify the work conforms to this code, land use regulations and the approved plans.

(AO No. 2020-85, § 1, 10-27-20)

23.10.106.2 Inspection requests.

- A. It shall be the duty of the person doing the work authorized by the permit to notify the building official such work is ready for inspection. The building official may require every request for inspection be filed at least one working day before such inspection is desired. Such request may be via Building Safety online services, in writing or by telephone.
- B. It shall be the duty of the person requesting any inspections required either by this code, or the technical codes, to provide safe access to and means for inspection of the work.

(AO No. 2020-85, § 1, 10-27-20)

23.10.106.3 Approval required.

- A. Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the building official. The building official, upon notification, shall make the requested inspections and shall either indicate the portion of the construction is satisfactory as completed or shall notify the permit holder or an agent of the permit holder wherein the same fails to comply with this code. Any portions not in compliance shall be corrected and such portion shall not be covered or concealed until authorized by the building official.
- B. There shall be a final inspection and approval for each relevant discipline associated with the permitted building or structure before the building or structure shall be declared completed and ready for occupancy and use.
- C. Retrofit permits are completed and closed when the inspector issues an approved final inspection report. A Certificate of Completion is not required but can be provided upon request.

(AO No. 2020-85, § 1, 10-27-20)

23.10.106.4 Required inspections.

The building official shall publish and keep current an "Inspection Schedule" for required inspections for various types of construction. This schedule shall be available on the department website and by hard copy at the Development Services public counter.

(AO No. 2020-85, § 1, 10-27-20)

23.10.106.5 Other inspections.

In addition to the inspections specified above, the building official may make or require other inspections of construction work to ascertain compliance with the provisions of this code or technical codes and other laws enforced by the code enforcement agency.

(AO No. 2020-85, § 1, 10-27-20)

23.10.106.6 Re-inspections.

- A. A re-inspection fee may be assessed for each inspection when such portion of work for which the inspection is requested is not complete. Fees shall be in accordance with Table 3-C of this code, including re-inspection fees for subsequent inspections of the same code issue noted in a prior inspection report. This section is not

to be interpreted as requiring re-inspection fees the first time a job is rejected for failure to comply with the requirements of the technical codes, but as controlling the practice of calling for inspections before the job is ready for such inspection or re-inspection.

- B. Re-inspection fees may be assessed when the approved plans are not readily available to the inspector or for failure to provide access on the date inspection is requested.

(AO No. 2020-85, § 1, 10-27-20)

23.10.106.7 Special inspections and structural observation.

Special inspection and structural observation requirements shall be in accordance with the International Building Code, Chapter 17 and the adopted Special Inspection Program.

(AO No. 2020-85, § 1, 10-27-20)

Section 107 Certificates of Occupancy and Completion.

23.10.107.1 Use or occupancy.

- A. Buildings or structures shall not be used or occupied nor shall a change in the existing use or occupancy classification of a building or structure or portion thereof be made until the building official issues a Certificate of Occupancy as provided herein.
- B. Issuance of a Certificate of Occupancy shall not be construed as an approval of a violation of the provisions of this code or other ordinances of the Municipality. Certificates presuming to give authority to violate or cancel the provisions of this code or other ordinance shall not be valid.

(AO No. 2020-85, § 1, 10-27-20)

23.10.107.2 Change in use.

Changes in the character or use of a building or portion of a building shall not be made except as specified in this code.

(AO No. 2020-85, § 1, 10-27-20)

23.10.107.3 As-built survey.

Unless otherwise approved by the building official, an as-built survey shall be provided for new structures, moved structures and additions to existing structures.

(AO No. 2020-85, § 1, 10-27-20)

23.10.107.4 Certificate of Occupancy issuance.

- A. After the building official and other authorized municipal code enforcement authorities inspect the building, structure and associated land use and find no violations of the provisions of this title or other laws enforced by municipal code enforcement agencies, and upon approval of an as-built survey, the building official shall issue a Certificate of Occupancy containing the following:

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1. The building permit number;
 2. The address of the building;
 3. The name and address of the owner;
 4. A description of the portion of the building for which the certificate is issued; and
 5. A statement that the described portion of the building has been inspected for compliance with the requirements of this code for the group and division of occupancy and the use for which the proposed occupancy is classified.

(AO No. 2020-85, § 1, 10-27-20)

23.10.107.5 Conditional Certificate of Occupancy issuance.

- A. If the building official finds substantial hazard will not result from occupancy of a building or portion thereof before the same is completed, a Conditional Certificate of Occupancy for the use of a portion or portions of a building or structure may be issued prior to the completion of the entire building or structure.
- B. Conditional Certificates of Occupancy for exterior work not completed because of weather shall have an expiration date of September 15 of the following year.
- C. Expired conditional certificates may prevent the same permittee from receiving additional permits as outlined in this code.

(AO No. 2020-85, § 1, 10-27-20)

23.10.107.6 Certificate of Completion.

A Certificate of Completion may be issued in lieu of a certificate of occupancy for permits that do not involve the construction of occupiable space or a change in occupancy classification, including but not limited to retrofit, reroof, repair, renovation, sign, grading/excavation/fill, elevator and fire system permits.

(AO No. 2020-85, § 1, 10-27-20)

23.10.107.7 Failure to obtain a Certificate of Occupancy.

In addition to other penalties and remedies prescribed by this code, the building official may file in the Anchorage District Recorder's Office a certificate describing the property and noncompliance with this code. Failure to obtain a Certificate of Occupancy includes, but is not limited to, the following:

- A. A Conditional Certificate of Occupancy that is expired by more than 180 days; or
- B. A permit under which work has been performed that is expired by more than 180 days; or
- C. Work regulated by this code performed without obtaining the required permit(s).

The responsibility and cost to remedy any conditions necessary to achieve compliance with this code shall not be borne by the Municipality.

(AO No. 2020-85, § 1, 10-27-20)

23.10.107.8 Fees.

All permit fees and fines shall be paid prior to obtaining a Certificate of Occupancy, Conditional Certificate of Occupancy or a Certificate of Completion.

23.10.107.9 Revocation.

The building official may, in writing, suspend or revoke a Certificate of Occupancy issued under the provisions of this title when the certificate is issued in error, or on the basis of incorrect information, or when it is determined the building, structure, land use or portion thereof is in violation of an ordinance, regulation or the provisions of municipal code or state law.

(AO No. 2020-85, § 1, 10-27-20)

Section 108 Unsafe buildings, structures, and building service equipment.

23.10.108.1 General.

See chapter 23.70, Abatement of Dangerous Buildings Code.

(AO No. 2020-85, § 1, 10-27-20)

Fee Tables

23.10. Table 3-A Building/structure permit fees.

1. Commercial Construction (new construction, additions, alterations and repairs)	Building Permit Fee
\$1.00 to \$500,000	\$0.015 * Valuation, minimum fee of \$525
\$500,001 to \$1,000,000	\$0.010 * Valuation
\$1,000,001 to \$5,000,000	\$0.008 * Valuation
\$5,000,001 and up	\$0.006 * Valuation
Permit fee reduction for affordable housing	For affordable housing projects, building permit fee shall be discounted seventy-five percent (75%) when fifty percent (50%) or more of the residential units constructed or renovated will be rented to households earning eighty percent (80%) or less of the federal Housing and Urban Development (HUD's) median household income for the Anchorage area.
Permit fee for Group R-2 occupancies with 4 or fewer dwelling units (four-plexes)	\$0.009 * Valuation. Minimum fee of \$360. The permit applicant receives 23 inspections plus 2 additional inspections for each \$100,000 in valuation above \$500,000 valuation. Additional inspections are charged on a per inspection basis.

2. Residential Construction (new construction, additions, alterations and repairs)	\$0.009 * Valuation. Minimum fee of \$360. The permit applicant receives 23 inspections plus 2 additional inspections for each \$100,000 in valuation above \$500,000 valuation. Additional inspections are charged on a per inspection basis.
3. Trade Permits (Plumbing, mechanical, or electrical work but no structural or alteration work)	\$175 per inspection
4. Miscellaneous Building Permits	
A. Temporary/seasonal building (new)	\$1,175
B. Temporary/seasonal building (extension/yearly renewal)	\$587.50
C. Change of Use	\$175 per inspection
D. Demolition	\$175 per inspection
E. Relocatable set-up permits	\$175 per inspection
F. Mobile food unit	\$175 per inspection

(AO No. 2020-85, § 1, 10-27-20; AO No. 2021-88(S), § 8, 2-15-22; AO No. 2023-130(S), § 1, 1-16-24)

23.10. Table 3-B Plan review fees.

1. Commercial Plan Review Fees	
A. Building Safety	
(1) Plan review	\$0.0031 valuation with a minimum of \$75
(2) Pre-approved plan review for new buildings	\$0.0017 * Valuation with a minimum of \$75 (In lieu of item A. (1))
(3) Plan review fee for Group R-2 occupancies with 4 or fewer dwelling units (four-plexes)	\$0.005 * Valuation with a minimum of \$75
(4) Optional commercial plan review by third-party reviewing professionals, one or more disciplines	\$0.0024 * Valuation with a minimum of \$75 (In lieu of item A.(1))
B. Land Use Plan Review	15% of the permit fee under Table A with a \$75 minimum fee
C. Fire Department	\$0.0011 * Valuation with a minimum of \$75
2. Residential Plan Review Fees	

A. Building Safety	
(1) Plan Review	\$0.005 * Valuation with a minimum of \$75
(2) Pre-Approved Plan Review	\$0.003 * Valuation with a minimum of \$75
(3) Optional residential plan review by third-party reviewing professionals	\$0.003 * Valuation with a minimum of \$75
B. Land Use Plan Review	15% of the permit fee under Table 3-A with a minimum of \$75
C. Fire Department optional residential fire plan review for Wildland Urban Interface	\$0.002 * Valuation with a minimum of \$75
3. Architectural, fire and land use review for change of Use permits involving no alteration work; Structural, fire and land use review of relocatable classroom set-up permits; Land use review for mobile food units.	\$175 per plan review discipline per hour with a half hour minimum per discipline
4. Expedited Plan Review	60% of the permit fee under Table 3-A in addition to the applicable fee in Table 3-B
5. Owner-requested out-sourcing plan review	25% of the permit fee under Table 3-A in addition to the applicable fee in Table 3-B
6. Express Plan Review	\$270 per hour per discipline with a half hour minimum per discipline, in addition to all applicable fees including the base plan review fee
7. Code research, change orders, alternate materials and methods requests, product/fabricator review, misc. review.	\$175 per plan review discipline per hour with a quarter hour minimum per discipline

(AO No. 2020-85, § 1, 10-27-20; AO No. 2023-130(S), § 1, 1-16-24; AO No. 2023-136(S), § 2, 2-27-24)

23.10. Table 3-C Inspection fees.

1. Inspection or first re-inspection for any inspections not already covered by a permitting fee under Table 3-A (such as residential inspection in excess of allotted quantity).	\$175
2. Second and subsequent re-inspections of same code correction issue. Such inspections are not covered by permitting fee paid under Table 3-A. The second and subsequent reinspection fee shall not apply if requested with an inspection to inspect additional work in the same trade and the newly inspected work is ready for and passes inspection.	\$350 (First re-inspection at no additional cost)

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3. Inspection or re-inspection, unscheduled. Unscheduled inspections are not covered by the permitting fees paid under Table 3-A.	\$265
4. Inspection or re-inspection, outside normal business hours, per hour, per inspector. Inspections outside of normal hours are not covered by the permitting fees paid under Table 3-A.	\$350
5. Inspection, Sundays and holidays, per hour, per inspector. Inspections on Sundays or holidays are not covered by the permitting fees paid under Table 3-A.	\$400
6. Code compliance inspection, per inspection.	\$175
7. Secure Facilities Surcharge (in addition to the applicable inspection fee(s) under Table 3-A or 3-C at any facility where an inspector must wait for an escort).	25% Surcharge

(AO No. 2020-85, § 1, 10-27-20; AO No. 2020-118, § 1, 1-1-21)

23.10. Table 3-D Temporary electric and gas permit fees.

1. Temporary Electric, without building permit. No fee if tied to a building permit.	\$175 per inspection
2. Temporary gas, without building permit. No fee if tied to a building permit.	\$175 per inspection

(AO No. 2020-85, § 1, 10-27-20)

23.10. Table 3-E Retrofit permit fees.

1. Retrofit permits limited in scope as follows:	\$95 per inspection
A. One new 20 amp circuit having no more than six general purpose receptacles or light fixtures.	
B. No more than six general purpose receptacles or light fixtures added to one or more existing 20 ampere circuits.	
C. One 20 amp circuit for a sign.	
D. The like for like replacement of a water heater in a residential building containing 4 or fewer dwelling units.	

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2. Retrofit permits limited in scope as follows that do not qualify under item 1. above:	\$175 per inspection
A. The like for like replacement of plumbing, mechanical and electrical equipment, fixtures and appliances in commercial and residential buildings.	
B. The like for like replacement of a water heater in a commercial building or a residential building containing more than 4 dwelling units.	
C. Electrical, plumbing or mechanical alterations to a residential building containing 4 or fewer dwelling units.	
D. Minor plumbing, mechanical and electrical alterations to commercial buildings where the requirement for engineering can be waived (requires pre-approval by plan review).	
3. Test backflow preventer	\$175 per inspection
4. Fire Retrofit Permits - see Table 3-M	

(AO No. 2020-85, § 1, 10-27-20)

23.10. Table 3-F Elevator, escalator, dumbwaiter, and other lift permit fees.

NOTES:

1. Each separately powered unit shall be considered a separate conveyance; applications and permits shall be issued accordingly.
2. Load side wiring associated with the conveyance and installed by the elevator contractor shall not require additional permits.
3. Fees include elevator inspection section plan review time, travel time, inspection time, report preparation time and administrative time.
4. Elevator inspector time is billed in hour increments.

1. New Installations, Modernizations and Relocations	
A. Hydraulic elevators	\$2,400
B. Electric geared and gearless elevators	\$3,090
C. Residential elevators	\$2,060
D. Dumbwaiters	\$1,375
E. Escalators and moving walks	\$3,090

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(Supp. No. Ma 84)

F. Accessibility Equipment covered by A18.1:	
1. Vertical Platform Lift	\$1,375
2. Inclined Platform Lift	\$1,030
3. Inclined Stairway Chairlifts	\$340
Accessibility equipment installed in a single-family home or duplex	Permitting fee shall be reduced by fifty percent (50%)
G. Vertical Reciprocating Conveyor (VRC)	\$1,375
H. Roped hydraulic elevators	\$2,750
2. Minor Alterations	
Building Safety will use 3 hours as the base amount to charge at the time of application. Additional time required to complete the project will be billed at the end of the project.	\$525 base plus \$175 per hour for inspector time beyond 3 hours
3. Biennial Certificate of Inspection	
A. Electric geared and gearless elevators	\$1,030 base plus \$175 per hour for inspector time exceeding 8 hours.
B. Hydraulic elevators	\$690 base plus \$175 per hour for inspector time exceeding 5 hours.
C. Accessibility Equipment covered in the A18.1	
1. Vertical platform lift	\$350 base plus \$175 per hour for inspector time exceeding 2 hours.
2. Inclined platform lift	\$350 base plus \$175 per hour for inspector time exceeding 2 hours.
3. Inclined stairway chair lift	\$175 base plus \$175 per hour for inspector time exceeding 1 hour.
D. Dumbwaiters	\$525 base plus \$175 per hour for inspector time exceeding 4 hours.
E. Vertical Reciprocating Conveyor (VRC)	\$525 base plus \$175 per hour for inspector time exceeding 4 hours.
4. Annual certificate of Inspection	
Escalators and moving walks	\$1,200 base plus \$175 per hour for inspector time exceeding 9 hours.

(AO No. 2020-85, § 1, 10-27-20; AO No. 2020-118, § 2, 1-1-21)

23.10. Table 3-G Grading, excavation and fill permit fees.

1. There is no additional permit fee when grading is done as part of a building permit.	
2. Permit fees are required for stand-alone grading permits as follows:	
A. 1 to 50 cubic yards	\$87.50
B. 51 to 5,000 cubic yards	\$625
C. 5,001 to 100,000 cubic yards	\$1,140
D. Over 100,000 cubic yards	\$2,100
3. Plan review fees are required for grading work as follows:	
A. 1 to 50 cubic yards	\$87.50
B. 51 to 5,000 cubic yards	\$625
C. 5,001 to 100,000 cubic yards	\$1,140
D. Over 100,000 cubic yards	\$2,100

(AO No. 2020-85, § 1, 10-27-20)

23.10. Table 3-H Residential and Commercial Re-roof permit fees.

Residential Re-Roofing Permitting Fees	
1. Up to 1,500 sq. ft.	\$287.50
2. 1,501 to 3,000 sq. ft.	\$350
3. Greater than 3,000 sq. ft.	\$600
Commercial Re-Roofing Permitting Fees (fees also cover plan review services)	
1. Up to 1,500 sq. ft.	\$525
2. 1,501 to 3,000 sq. ft.	\$700
3. Greater than 3,000 sq. ft.	\$1,085

(AO No. 2020-85, § 1, 10-27-20; AO No. 2020-118, § 3, 1-1-21)

23.10. Table 3-I Manufactured (mobile) home set-up permit fees.

1. Set-up fee	\$265
2. Land use plan review fee	\$45

(AO No. 2020-85, § 1, 10-27-20)

23.10. Table 3-J Sign permit fees.

1. Sign permit fee - all signs require zoning and structural inspections; electrical signs also require an electrical inspection.	\$175 per inspection
2. Sign plan review fee - land use, structural and electrical review as applicable, with half-hour increments, one-half hour minimum.	\$175 per hour

(AO No. 2020-85, § 1, 10-27-20)

23.10. Table 3-K Licenses and testing fees.

1. Test Fees	
A. Contractor testing fee	\$90
B. Journeyman testing fee	\$60
2. Issuance or Renewal Fees	
A. Contractor license, 2 years	\$400
B. Journeyman license, 2 years	\$140
C. Trainee license, 2 years	\$85
D. Special Inspector License, 2 years	\$140
E. Administrative late fee	\$70
3. License Requirements	
Backflow Assembly Tester, renewal fee (one-day recertification training required)	\$120

(AO No. 2020-85, § 1, 10-27-20)

23.10. Table 3-L On-site service fees.

1. Certificate of on-site systems approval, (COSA) single family	
A. Existing System	\$550
B. Existing System with active upgrade permit	\$280
C. Well-only	\$280
D. New Installation	\$75
2. On-site conditional COSA approval	\$290
3. On-site wastewater disposal system construction permit, includes drain field replacement	\$595
4. Water well construction permit	\$225
5. Septic tank/Holding tank replacement	\$225
6. Water storage tank permit	\$160
7. Renewal for on-site permit or COSA	\$145
8. On-site water/wastewater expedited review	Additional 60% of the applicable fees
9. On-site wastewater permit change order review, per hour, half-hour minimum	\$145
10. On-site code compliance re-inspection, per inspection, per hour, one hour minimum	\$145
11. Separation distance variance/waivers:	
A. Variance/Waiver, lot line	\$225
B. Variance/Waiver, well to tank	\$1,180
C. Variance/Waiver, well to field	\$1,180
D. Variance/Waiver, other code waiver requests	\$145 per hour
12. Excavator certification	\$100
13. Well driller and pump installer certification	\$100
14. Wastewater treatment equipment review and facility inspection for product approval.	\$145 per hour

(AO No. 2020-85, § 1, 10-27-20; AO No. 2021-88(S), § 9, 2-15-22)

23.10. Table 3-M Fire systems permit fees.

1. Combined Plan Review and Permitting Fees	
A. Access Control System (Permit required if system delays egress or electronically locks egress doors)	\$450
B. Energy system - if legally required by IFC section 1203.2	\$2,100
C. Special Hazard Fire System (CO2, clean agent, halon, halon alternatives, or dry chemical system)	\$700
D. Fire Pump	\$700
E. Fire Sprinkler/Alarm/Foam-water Sprinklers	
0—25 devices	\$450
26—50 devices	\$575
51—75 devices	\$700
76—100 devices	\$825
Each lot of 50 devices beyond 100	\$450
F. Fire Standpipe System	\$875
G. Fire protection or life safety system not otherwise listed (reviewed and inspected per hour) (Some examples are low- and high-expansion foam systems or water spray fixed systems)	\$175 per hour, minimum \$450 charge
H. Gas Detection System	\$450
I. Kitchen Hood Fire System	\$450
J. Digital Alarm Communicator System, Radio System, or other equipment installation for transmission of Off-Premises Signals to a location providing supervising station service. (Fee applies if installing or modifying monitoring equipment for an existing fire or life safety system. If installed as part of a new system installation, fee does not apply.)	\$275
K. Smoke Control or Smoke Exhaust System	\$2,100
L. Demolition Permit for a Fire or Life Safety System	\$175
2. Change Order, per hour, quarter hour minimum	\$175

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3. Retrofit to a Fire or Life Safety System (Limited to fire alarm, fire sprinkler, and kitchen fire systems under International Fire Code Section 105.7.28.2.4.14 and must be replacing an existing system with a like system of similar capacity/functionality)	\$275
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(AO No. 2020-85, § 1, 10-27-20)

23.10. Table 3-N Miscellaneous fees.

1. Code books and publications	at cost
2. Records research and retrieval	\$75 per hour for staff time plus actual box retrieval fees
3. Recording documents on behalf of customers with State of Alaska's District Recorder's Office	\$30 for staff time plus actual recording fees
4. Copies, standard 8½"×11" page, each	\$0.35
5. Copies printed using a plotter, per page	\$5.00
6. Training, per person, per class, when applicable	\$60
7. Code abatement fee, per hour, one hour minimum	\$175

(AO No. 2020-85, § 1, 10-27-20)

23.10. Table 3-O Fines.

1. Fine, building code violation, civil penalty	\$100 to \$500 per day per violation
2. Fine for failure to perform required special inspection	\$425 per incident
3. Investigation fee and fine for work begun without proper permit(s), in addition to all permit fees required by this code.	
a. First Offense: \$1,000 investigation fee. The fee may be waived by the building official if required permit is obtained within reasonable amount of time agreed to by building official.	
b. Subsequent Offenses: \$1,000 investigative fee plus a \$1,000 fine applied incrementally for each additional offense occurring within five years of the original offense. Example: The third offense would be \$3,000 (\$1,000 investigative fee plus \$2,000 fine).	
4. Fine (Contractor), working without a required contractor's license:	
a. First Offense: \$1,000 fine which may be waived by the building official if required license is obtained within 30 days.	
b. Subsequent Offense: \$1,000 fine and an additional \$1,000 applied incrementally for each additional offense occurring within five years of original offense. Example: The third offense within 5 years would be a \$3,000 fine.	
5. Fine (Journeyman), working without a required Certificate of Qualification:	
a. First Offense: \$250 fine (which may be waived by the building official if the individual registers for the journeyman test within 72 hours).	
b. Subsequent Offense: \$250 fine and an additional \$250 applied incrementally for each additional offense occurring within five years of original offense. Example: A third offense within 5 years would be a \$750 fine.	
c. The contractor for whom the violator is working shall be subject to the same fine as the violator.	
6. Fine (Trainee), working without a required trainee card:	
a. First Offense: \$60 fine (waived if trainee card is obtained within 72 hours).	
b. Subsequent Offense: \$60 and an additional \$60 applied incrementally for each additional offense occurring within 5 years of the first offense. Example: A second offense within 5 years would be a \$120 fine.	
c. The contractor for whom the violator is working shall be subject to the same fine as the violator.	
7. Fine, failure to obtain a certificate of completion prior to expiration for a fire systems permit:	
Fine for the failure to obtain a certificate of completion for a system regulated by the International Fire Code, Section 105.7, prior to expiration of the permit shall be \$1,000. An additional fine of \$2,500 shall apply if the permit is not closed-out within 2 years. Additional fines shall apply at the rate of \$5,000 per year for a third and each subsequent year.	

(AO No. 2020-85, § 1, 10-27-20)