



## ARLINGTON COUNTY, VIRGINIA

### County Board Agenda Item Meeting of April 25, 2009

**DATE:** April 2, 2009

**SUBJECT:** Adopt the attached Ordinance to Amend, Reenact and Recodify Chapter 3, Building Code; Chapter 7, Electrical Code; and Chapter 18 Plumbing and Gas Codes of the Code of Arlington County, Virginia, to: 1) increase the fees charged for construction and related permits to adjust for inflation; 2) reflect that fees for electrical inspections are charged to the County and the Arlington Public Schools; 3) change fees for building repair to .008 times the cost of repair and re-roofing to \$217 per 10,000 square feet; 4) clarify that interior demolitions are a flat fee; 5) remove the fee for parking lots; 6) eliminate requirements and fees for driveway permits and outdated maintenance inspections; 7) add fees for overtime inspections.

#### **C. M. RECOMMENDATION:**

Adopt the attached Ordinance to Amend, Reenact and Recodify Chapter 3, Building Code; Chapter 7, Electrical Code; and Chapter 18, Plumbing and Gas Codes of the Code of Arlington County, Virginia, concerning the fees charged for construction and related permits (Attachment B).

**ISSUES:** This involves fee increases included in the FY 2010 Budget

**SUMMARY:** In Fiscal Year (FY) 2008, the County signaled a move for plan review, permitting, and inspections services toward an enterprise fund approach and increased fees significantly, in order to achieve full cost recovery. At the same time, necessary staffing enhancements and operational improvements were made and continue to be made to improve performance and meet customer demands. The proposed fee schedule for FY 2010 adjusts the existing County Board approved schedule for inflation (Attachment A).

**BACKGROUND:** The Inspection Services Division of the Department of Community Planning, Housing and Development is responsible for reviewing requests for building and related trade permits, plans and inspecting buildings that have been newly constructed or renovated. The Division ensures compliance with the Virginia Uniform Statewide Building Code and other applicable local codes and ordinances. It serves as a resource of information for Arlington County residents, design professionals, contractors, builders and developers to ensure that the built environment is constructed and maintained in a safe, energy efficient, and accessible manner.

County Manager: \_\_\_\_\_

County Attorney: \_\_\_\_\_

Staff: Shahriar Amiri, CBO, Department of Community Planning, Housing and Development

**DISCUSSION:** The proposed increases for all fees are based on an inflation adjustment for the past year of four and seven-tenths percent (4.7%). Most fees have been rounded to the nearest dollar, except the lowest fees where such rounding would result in a large percentage increase. Attachment A shows the current fee and the proposed fee by each permit type. The entire fee schedule would become effective on July 1, 2009, if approved by the County Board. The proposed fee increases are intended to further the County's goal of recovering costs associated with construction and building trade permits. By doing so, the County will ensure that the enterprise fund that was created to enhance customer service delivery keeps pace with inflationary cost increases. The fees do not exceed the cost to provide the services.

In addition, beginning in FY 2009, the division began assessing fees to the Schools and the County for all inspection services. In addition, staff inadvertently did not reflect this change for Electrical fees in the Ordinance. That change to County Code is being made in this proposal. The filing fee has been increased to 35% of the total fee to recover the cost of permit administration and plan review services prior to permit issuance. Miscellaneous fees have been added to more accurately reflect the cost of the services. Those fees are generally lower than the current schedule. Lastly, the proposed amendment identifies the frost depth of the foundation system as required by Virginia Uniform Statewide Building Code.

**FISCAL IMPACT:** It is estimated that the proposed fee schedule will generate an additional \$375,898 in fee revenue for the DCPHD Development Fund in FY 2010. The fee revenue increases have been included in the Fiscal Year 2010 Budget.

**ATTACHMENT A**

<b>Proposed Inspection Services Fees</b>		
<b>Permit Type</b>	<b>Existing</b>	<b>Proposed (4.7% increase)</b>
<b>Building Permit Fees</b>		
Commercial New	\$0.72/SF, \$207 minimum	\$0.75/SF, \$217 minimum
Commercial Addition	\$0.72/SF, \$207 minimum	\$0.75/SF, \$217 minimum
Commercial Alteration	\$0.52/SF, \$207 minimum	\$0.54/SF, \$217 minimum
Footing/Foundation; Sheeting and Shoring	\$0.52/SF, \$207 minimum	\$0.54/SF, \$217 minimum
Residential New	\$0.50/SF, \$78 minimum	\$0.52/SF, \$82 minimum
Residential Addition	\$0.50/SF, \$78 minimum	\$0.52/SF, \$82 minimum
Residential Alteration	\$0.15/SF, \$78 minimum	\$0.16/SF, \$82 minimum
Demolition	\$207	\$217
<b>Re-inspection Fee</b>	\$62	\$65
<b>Work Without Permit</b>	\$104	\$109
<b>Plan Revision Fee</b>		
Commercial plans	\$0.07/SF	\$0.08/SF
Residential Plans	\$0.06/SF	\$0.07/SF
Commercial Tenant Layouts	\$52/Discipline	\$54/Discipline
<b>Elevator Construction Fees</b> For each building Plus, for each of the following:		
Passenger or freight, per elevator	Contract cost of the installation multiplied by 0.0078	Contract cost of the installation multiplied by 0.008
<b>Elevator Repair Fees</b>	Contract cost of the installation multiplied by 0.0078	Contract cost of the installation multiplied by 0.008
<b>Elevator Periodic Inspections</b>		
Passenger or freight, per elevator	\$259 plus \$10.50/floor	\$271 plus \$11/floor
Escalator	\$259	\$271
Dumbwaiter	\$31	\$32
Temporary certificate	\$310	\$325
<b>Mechanical equipment permit fees</b>		
New residential HVAC system	\$155	\$162
Additional HVAC system (SFD)	\$52	\$54
Replacement HVAC (SFD)	\$51 plus equipment fee	\$53 plus equipment fee
Cooling equipment	\$21 each 5 tons or fraction	\$22 each 5 tons or fraction
Heating equipment	\$21 each 100 MBH or fraction	\$22 each 100 MBH or fraction
Base mechanical fee	1.6% of the cost difference between the contract value and the value of listed equipment	1.7% of the cost difference between the contract value and the value of listed equipment

Fuel tanks	\$42 Each 500 water gallons or fraction	\$44 Each 500 water gallons or fraction
Expansion tanks	\$42 each 50 water gallon	\$44 each 50 water gallon
Pre-fabricated fireplace (includes wood stoves)	\$26 each	\$27 each
Pre-fabricated Chimney	\$10.50 each	\$11 each
Minimum fee	\$78	\$82
Residential swimming pools	\$0.11/SF	\$0.12/SF
<b>Electrical Fees</b>		
Base fee	\$51	\$53
Each Circuit	\$6.20	\$6.50
Fixtures and receptacles	\$8.30 per 4	\$8.70 per 4
Outdoor single sign	\$78	\$82
Indoor single sign	\$62	\$65
Temporary 60 through 100 amps	\$78	\$82
101 through 600 amps	\$83	\$87
Over 600 amps	\$124	\$130
Service equipment first 500 amps	\$78	\$82
501 through 1600 amps	\$181	\$190
1601 through 3000 amps	\$259	\$271
Over 3000 amps	\$362	\$380
Temporary power	\$52	\$54
Meters each	\$21	\$22
Sub panels each	\$21	\$22
Commercial lighting pole each	\$21	\$22
Residential appliance (first)	\$21	\$22
Residential appliance (each additional)	\$10.50	\$11
Residential heating, each KW	\$5.20	\$5.40
Residential air conditioners	\$21	\$22
Commercial heating equipment, each KW	\$6.20	\$6.50
Commercial cooking appliances	\$21	\$22
Transformers 1 kva through 50 kva	\$42	\$44
Over 50 kva	\$73	\$76
Large receptacle outlets > 20 amps	\$21	\$22
Motors ¼ hp through 5 hp	\$12.50	\$13
6 hp through 25 hp	\$19	\$20
26 hp through 50 hp	\$26	\$27
51 hp through 75 hp	\$52	\$54
Over 75 hp	\$78	\$82
Generators 1 to 50 KW	\$78	\$82
Over 50 KW	\$104	\$109
Swimming pool bonding	\$104	\$109
Minimum fee	\$78	\$82
Re-inspection fee	\$62	\$65
Working without permit	\$104	\$109

<b>Fire Annunciation Alarm System (Commercial)</b>		
Base fee	\$155	\$162
Each device	\$6.20	\$6.50
Fire alarm panels up to 5000 SF floor area	\$259	\$271
5001 to 10000 SF	\$517	\$541
10,001 to 20,000 SF	\$775	\$811
Over 20,000	\$1033	\$1082
Subsequent plan reviews up to 5000 SF floor area	\$207	\$217
5001 to 10,000 SF	\$414	\$433
10,001 to 20,000 SF	\$620	\$649
Over 20,000 SF	\$827	\$866
<b>Plumbing Fees</b>		
Minimum Fee	\$78	\$82
Base fee	\$51	\$53
Each fixture, drain or appliance	\$19	\$20
Sewer tap	\$62	\$62
Sewer repair, relocate	\$62	\$65
Drain and vent	\$31	\$32.50
Cap-off sewer	\$46.50	\$49
Storm manhole	\$46.50	\$49
Water service	\$62	\$65
Fire service	\$73	\$76
Water pipe per dwelling in multi-family	\$31	\$32.50
Water pipe in Single-family	\$15.50	\$16.25
Commercial sewer ejector, sump pump	\$62	\$65
Residential sewer ejector, sump pump	\$62	\$65
Solar heating system	No Charge	No Charge
<b>Gas Systems:</b>		
Base fee	\$51	\$53
Each appliance	\$19	\$20
Extending/relocating gas lines/pipes	\$31	\$32.50
Automatic gas valves	\$62	\$65
Emergency generators	\$62	\$65
Installation not listed	\$73	\$76.50
Re-inspection	\$62	\$65
Modular housing unit	\$155	\$162
<b>Sprinkler permit fees</b>		
Base	\$155	\$162
Sprinkler heads	\$73 per 25	\$76 per 25
Re-inspection fee	\$155	\$162
standpipes (each)	\$73	\$76.50
Plus each floor fee	\$14.50	\$15
Fire pumps (each)	\$330	\$346
Plan revision fee for up to 5000 SF	\$207	\$217
5001 to 10000 SF	\$414	\$433

10,001 to 20,000 SF	\$620	\$649
Over 20,000 SF	\$827	\$866
<b>Gas Fire-suppression system</b>		
Installation up to contract cost of \$5000	\$362	\$379
Installations over \$5000 contract cost	\$724	\$758
Range hood suppression system	\$259	\$271
<b>Work without permit</b>	\$104	\$109

**AN ORDINANCE TO AMEND, REENACT AND RECODIFY CHAPTER 3 (BUILDING CODE), CHAPTER 7 (ELECTRICAL CODE), AND CHAPTER 18 (PLUMBING AND GAS CODES) OF THE ARLINGTON COUNTY CODE CONCERNING THE FEES CHARGED**

**Chapter 3 BUILDING CODE\***

**\*Cross references:** Electrical code, Ch. 7, fire prevention code, Ch. 8; food code, Ch. 9; licenses generally, Ch. 11; plumbing and gas codes, Ch. 18; real estate assessment, Ch. 20; street development and construction, Ch. 22; subdivisions, Ch. 23; swimming pools, Ch. 24; housing standards, Ch. 29; fair housing, Ch. 34; relocation assistance in real property acquisition, Ch. 37; real estate tax relief for the elderly, Ch. 43; housing grants for needy persons, Ch. 44; flood plain management, Ch. 48; consumer protection, Ch. 50; home improvement, Ch. 51.

§ 3-1. Definitions.

§ 3-2. Availability of building codes.

§ 3-3. Supplemental requirements.

§ 3-4. Reserved.

§ 3-5. Permit fees.

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§ 3-9. Exterior driveways.

§ 3-10. Maintenance.

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§ 3-12. Snow loads and frost line requirements.

§ 3-13. Reserved.

§ 3-14. Unsafe buildings.

§ 3-15. Small appliance replacement program.

§ 3-16. Arlington County Building Code Board of Appeals.

§ 3-1. Definitions.

The following words and phrases, when used in this chapter, shall have the meanings respectively ascribed to them in this section:

*Administrative authority* . Wherever the words "administrative authority" appear in this code, they shall mean the building official.

*Building official*. Wherever the term "building official" is used in the building code, it shall be held to mean the inspections services division chief for the county or such other person as is designated by the County Manager to serve as the "building official."

*Municipality* . Wherever the word "municipality" is used in the building code, it shall be held to mean the county.

(12-8-79; 9-22-81; Ord. No. 82-42, 12-4-82; Ord. No. 86-11, 5-17-86; Ord. No. 97-7, 4-12-97)

§ 3-2. Availability of building codes.

There is hereby made available by the County Board of Arlington County, Virginia, for the purpose of establishing rules and regulations for the construction, alteration, removal, demolition, equipment, use and occupancy, location and maintenance of buildings and structures, including permits and penalties, those certain building codes known as Uniform Statewide Building Code, adopted and promulgated by the Virginia State Board of Housing pursuant to Chapter 6, Title 36, of the Code of Virginia, (1950) as amended , have been and now are filed in the office of the inspection services division, and may be viewed there during their regular business days.

(12-8-79; 9-22-81; Ord. No. 82-42, 12-4-82; Ord. No. 86-11, 5-17-86; Ord. No. 97-7, 4-12-97)

§ 3-3. Supplemental requirements.

*Barbed wire and electrically charged fences* . Barbed wire shall not be allowed on any fence or wall at a height of less than six (6) feet. Sharp, unfinished, or cut prongs or links of open mesh type fences shall not be allowed on any fence at a height of less than six (6) feet unless the cut prongs or links are placed at the bottom of the fence. The erection or installation of an electrically charged fence is prohibited.

(12-8-79; Ord. No. 82-42, 12-4-82; Ord. No. 86-11, 5-17-86; Ord. No. 88-8, 4-30-88; Ord. No. 94-9, 4-23-94; Ord. No. 97-7, 4-12-97)

§ 3-4. Reserved.

**Editor's note:** Former § 3-4, which pertained to fire limits and derived from legislation of Dec. 18, 1976, was repealed by Ord. No. 86-11, adopted May 17, 1986.

§ 3-5. Permit fees.

(a) *General*

1. All fees required by this section must be paid prior to release of the permit.
2. A filing fee equal to ~~25%~~ 35% of the total permit fee must be paid at the time of permit application filing. The filing fee is included in the total permit fee specified in this ordinance. The filing fee amount shall not be refunded if no permit is issued.
3. Permit fees are calculated and collected for each permit application. When an application includes multiple buildings, a separate fee will be assessed for each building on which construction will be done under the permit as defined in the building code, or as identified by a separate mailing address.
4. Plan revisions include any changes made by the applicant to the approved construction documents. The fee for plan revisions shall be the higher of the minimum fee under this ordinance for new work shown in the revised plans, or the revision fees as follows:
  - a. Each single family detached and attached dwelling per square foot of area affected by revision ~~\$0.06~~ 0.07
  - b. Revision to other buildings per square foot of area affected by revision ~~\$0.07~~ 0.08
  - c. Commercial interior alteration revision fee per discipline (i.e., Building, Mechanical, Plumbing, Electrical, Fire revisions) ~~\$52~~ 54.00
5. Re-inspection fee after the first or subsequent disapproval ~~\$ 62~~ 65.00
6. Special locking system per door.....\$50.00
7. Issuance of Capacity Certificates – Each ..... \$50.00

- 8. Antennas and Awnings - Each ..... \$100.00
- 9. Work without permit per occurrence, in addition to all other fees ..... \$104109.00
- 10. Overtime inspection fee:  
Two (2) hour minimum . . . 109.00  
Each additional hour, per hour, per inspector . 54.00

- 11. The following additional fees shall apply to each permit covered under this ordinance:
  - a. A fee levy as authorized by USBC for Code Academy activities,
  - b. a 10% automation enhancement surcharge, and
  - c. a 15% indirect cost surcharge

**(a) *Payment required.*** Notwithstanding anything in this section, there shall be no fees assessed for the permit required by the building code for the erection or alteration of a building or structure performed by or for the Washington Metropolitan Area Transit Authority in connection with the construction, alteration, repair or maintenance of bus and rapid rail system; or the Northern Virginia Regional Park Authority. No permit required by the building code shall be valid until the prescribed fee has been paid to the treasurer of Arlington County.

**(b) *New buildings and additions.*** For a permit for the construction of a new building or addition to a building or structure, except for one-and two-family dwellings, the fee shall be seventy ~~two~~ five cents (~~\$0.72~~ 0.75) per gross square foot of total floor area or the minimum permit fee whichever is greater. Permit fee for the construction or replacement of a fence requiring permit by the Building Code, tower, wall, or other structure not defined as a building shall be fifty ~~two~~ four cents (~~\$0.52~~ 0.54) per gross square foot of total area or linear foot (as applicable) or the minimum permit fee whichever is greater.

The permit fee for new construction and additions to one- and two-family detached and attached buildings shall be fifty ~~two~~ four cents (~~\$0.52~~ 0.54) per gross square feet of total floor area. Thirty five (35) Twenty five (25) percent of the permit fee shall be paid at the time plans are submitted for review. This amount shall not be refunded if no permit is issued. An applicant must provide building dimensions, square footage, use group, construction type, and numbers of floors including basements, in order for the fee to be calculated.

**(c) *Alterations, repairs and tenant layouts except one- and two-family detached and attached buildings.***

For a permit for the alteration ~~or repair~~ of a building or structure, or tenant layouts, the fee shall be fifty ~~two~~ four cents (~~\$0.52~~ 0.54) per gross square foot of total area or the minimum permit fee whichever is greater.

For a permit for the repair of a building or structure, the fee shall be calculated as follows: Contract cost of the repair multiplied by \$.008.

For re-roofing of a building or a structure a minimum fee of \$217.00 would be applied for every 10,000 square feet or fraction thereof.

**(d) *Alterations, and repairs of one-and-two-family detached and attached buildings.***

Fifteen Sixteen cents (\$0.15 0.16) per square or linear foot; including but not limited to water proofing, re-roofing, and new and replacement fences requiring a permit by the Building Code.

(e) Notwithstanding any provisions of this ordinance, minimum permit and application filing fee for any construction, alteration, addition, or revision (per occurrence) except for one- and two-family detached and attached buildings shall be ~~\$207~~ 217.00. Minimum permit fee and application filing fee for new construction, alteration and addition to one and two-family detached and attached buildings shall be ~~\$78~~ 82.00.

(f) **Removal of building to new location.** For a permit for the removal of a building or structure to a new location, the fee shall be at the same rate as herein established for the alteration or repair of a building or structure.

**(g) Code Modifications and Appeal.**

1. The fee for a construction-code-modification request for one- and two-family attached and detached dwellings is ~~\$52~~ 54.00. For one- and two-family attached and detached dwellings the fee for filing an appeal is ~~\$100.00~~ 105.00

2. The fee for a construction-code-modification request for all other buildings, including multi-family dwellings, is ~~\$207~~ 217.00. For all other buildings, including multi-family dwellings, the fee for filing an appeal is ~~\$400.00~~ 419.00

(h) **Signs.** For a permit for the erection of a sign, see Section 34 of the Zoning Code.

(i) **Demolitions.** For a permit for the demolition of a building or structure or interior demolition that does not involve any changes to structural or fire-rated assemblies, the fee shall be two hundred and seven dollars (~~\$200~~ 207.00).

**(j) Elevators :**

(1) Permit fees for the installation and repair of an elevator, escalator, dumbwaiter or material/personnel lift, shall be as follows:

Contract cost of the installation multiplied by ~~0.0078~~ 0.008. Applicant shall submit, with permit application evidence of the contract value.

(2) Periodic inspection fee shall be as follows:

Passenger or freight, per elevator base fee	<del>\$259</del> <u>271.00</u>
Plus additional per floor fee of	<del>\$10.50</del> <u>11.00</u>
Escalator	<del>\$259</del> <u>271.00</u>
Dumbwaiter	<del>\$34</del> <u>32.00</u>
(4) For a temporary certificate which shall be valid for six (6) months for each elevator	<del>\$310</del> <u>325.00</u>

**(k) Mechanical equipment permit fees:**

1. New single-family dwelling units and one- and two-family townhouses:

The fee for mechanical permit of one (1) HVAC system in new single-family dwelling units or one- and two-family townhouses shall be	<del>\$155</del> <u>162.00</u>
Additional HVAC systems, each	<del>\$52</del> <u>54.00</u>

2. Single-family and town house alteration, replacement, and repaired equipment:

The base mechanical fee shall be ~~\$51.00~~ 53.00 plus the equipment fee listed in this section. The following fee schedule applies to each piece of equipment.

a. Heating equipment (includes, but is not limited to, heat pump auxiliary heat, heating capacity of packaged units, duct heaters, VAV box heating elements, gas-fired fireplaces, etc.): Each 100 MBH or fraction	<del>\$24</del> <u>22.00</u>
b. Cooling equipment (includes, but is not limited to, cooling capacity of heat pumps, packaged units, cooling boxes, cooling equipment with compressors, etc.): Each five tons of capacity or fraction	<del>\$24</del> <u>22.00</u>
c. Fuel tanks: Each 500 water gallons or fraction	<del>\$42</del> <u>44.00</u>
d. Expansion tanks: Each 50 water gallons or fraction	<del>\$42</del> <u>44.00</u>
e. Pre-fabricated fireplace (includes wood stoves) Each firebox	<del>\$26</del> <u>27.00</u>
f. Pre-fabricated chimney/ <u>Liner</u> Each chimney/ <u>Liner</u>	<del>\$10.50</del> <u>11.00</u>

3. *Other buildings:* This fee includes a base mechanical fee and individual equipment fee. Applicant shall submit, with permit application evidence of the contract value and equipment value.

a) The base mechanical fee is ~~4.6~~ 1.7% of the cost difference between the contract value and the value of listed equipment This fee is in addition to the equipment fee listed below.

b) New, altered, replacement, and repaired equipment fee:

The following fee schedule applies to each piece of equipment.

a. Heating equipment (includes, but is not limited to, heat pump auxiliary heat, heating capacity of packaged units, duct heaters, VAV box heating elements, gas-fired fireplaces, etc.): Each 100 MBH or fraction	<del>\$24</del> <u>22.00</u>
b. Cooling equipment (includes, but is not limited to, cooling capacity of heat pumps, packaged units, cooling boxes, cooling equipment with compressors, etc.): Each five (5) ton capacity or fraction	<del>\$24</del> <u>22.00</u>
c. Fuel tanks: Each 500 water gallons or fraction	<del>\$42</del> <u>44.00</u>

d. Expansion tanks: Each 50 water gallons or fraction	\$42 <u>44.00</u>
e. Pre-fabricated fireplace (includes wood stoves) Each firebox	\$26 <u>27.00</u>
f. Pre-fabricated chimney Each chimney	\$10.50 <u>11.00</u>

4. A minimum fee of ~~\$78~~ 82.00 applies to all Mechanical Permits.

**(l) Residential swimming pool fees** . The fee for a permit to construct a swimming pool shall be at the rate of ~~eleven~~ twelve cents (~~\$0.11~~ 0.12) per square foot of water surface area.

**(m) Refunds**. In case of abandonment or withdrawal of any permit or application, ~~seventy (70)~~ sixty five (65) percent of the fee shall be refunded to the applicant, provided that he makes a written request before the work is commenced. If work has commenced, the applicant may return the permit with a written request for cancellation and a pro-rata refund of the fee shall be made based on the remaining uncompleted work; provided further that such request is made within six (6) months after the date the permit is issued.

~~**(n) Parking lots** . For a permit for the construction or enlargement of a parking lot, the fee shall be at the rate of seventy eight cents (\$0.78) per one hundred (100) square feet or fraction thereof.~~

~~**(o) Modular housing unit inspection** \_\_\_\_\_ \$52~~

(12-8-79; 10-21-80; 9-22-81; Ord. No. 82-5, 2-27-82; Ord. No. 82-42, 12-4-82; Ord. No. 83-10, 7-1-83; Ord. No. 84-9, 4-28-84; Ord. No. 85-25, 7-13-85; Ord. No. 86-11, 5-17-86; Ord. No. 87-9, 3-21-87; Ord. No. 88-8, 4-30-88; Ord. No. 90-6, 7-1-90; Ord. No. 91-17, 7-1-91; Ord. No. 92-1, 2-1-92; Ord. No. 93-4, 7-1-93; Ord. No. 94-9, 4-23-94; Ord. No. 95-8, 4-29-95; Ord. No. 97-7, 4-12-97; Ord. No. 98-10, 7-1-98; Ord. No. 99-9, § 1, 4-14-99; Ord. No. 03-10, 4-26-03; Ord. No. 04-10, 4-24-04)

§ 3-6. Effect on other legislation.

Nothing in this chapter or in the building code adopted in this chapter shall be held to invalidate any part of the zoning ordinance of the county, dated July 15, 1950, except in cases of direct conflict.

§ 3-7. Severability.

If any part or parts, section, subsection, sentence, clause, or phrase of this chapter is for any reason declared unconstitutional or otherwise invalid, such decision shall not affect the validity of the remaining portions of this chapter, which shall remain in full force and effect as if this chapter had been passed with the unconstitutional or otherwise invalid part or parts, section, subsection, sentence, clause or phrase thereof eliminated.

§ 3-8. Reserved.

§§ 3-8.1--3-8.3. Reserved.

**Editor's note:** Former §§ 3-8.1--3-8.3, which pertained to safety requirements, were repealed by Ord. No. 86-11, enacted May 17, 1986. The repealed provisions derived from an ordinance of Dec. 8, 1979, and Ord. No. 82-42, enacted Dec. 4, 1982.

~~§ 3-9. Exterior driveways.~~

~~(a) New or replacement driveways and aprons shall be constructed to meet established engineering and construction standards of the inspection services division, zoning and department of environmental services.~~

~~(b) Such construction shall require a permit and submission of a set of plans. A fee of thirty five dollars (\$35.00) will be charged if obtained separately from a building permit.~~

~~§ 3-9. Frost Depth.~~

~~The frost line depth shall be twenty four (24) inches.~~

~~§ 3-10. Maintenance.~~

~~Buildings and structures, permanent or temporary, which are used to store hazardous materials, or occupied or to be used by twenty (20) or more persons who are employed, lodged, housed, assembled, served, entertained or instructed therein, or the common areas of residential structures containing four (4) or more units, including buildings owned by the state or by any of its political subdivisions and the equipment therein may be inspected periodically after completion to ensure that the building code standards at the time of construction are properly maintained. Permanently installed elevators, manlifts, escalators, and similar type equipment shall be inspected annually per maintenance and safety requirements in the current edition of ANSI A-17.1, referenced by the Virginia Uniform Statewide Building Code, New Construction Code.~~

~~(9-22-81; Ord. No. 86-11, § 5, 5-17-86; Ord. No. 93-25, 12-14-93)~~

~~§ 3-11. Reserved.~~

~~**Editor's note:** Former § 3-11, which pertained to smoke detectors and derived from legislation of Sept. 22, 1981, was repealed by Ord. No. 86-11, enacted May 17, 1986.~~

~~§ 3-13. Reserved.~~

~~**Editor's note:** Former § 3-13, which pertained to parking garage clearances, and derived from Ord. No. 82-42, enacted Dec. 4, 1982 and Ord. No. 83-18, enacted June 18, 1983, was repealed by Ord. No. 93-25, enacted Dec. 14, 1993.~~

~~§ 3-14. Unsafe buildings.~~

~~(1) *Abatement or removal of nuisances and recovery of costs.* Whenever the building official believes dangerous, unsafe, or unsanitary conditions exist in any building, and further believes that those conditions menace the health and safety of the building's occupants or the public, then the building official shall declare the building to be a public nuisance, shall order the responsible party to abate, raze, or remove the nuisance, and shall initiate a legal action to compel the responsible party to do so.~~

~~(a) Authority to require removal or repair of unsafe buildings and structures and recovery of costs.~~

~~(1) The owner of property shall at such time or times as the building official may prescribe, remove, repair, or secure any building, wall, or any other structure which might endanger the public health or safety of other residents. The building official, through its own agents or employees, may remove, repair, or secure any building, wall, or any other structure which might endanger the public health or safety of other residents and the county, when the owner and lien holders of property, after reasonable notice and a reasonable time to do so, have failed to remove, repair, or secure said building, wall, or other structure.~~

(2) In the event the county, through its own agents or employees, removes, repairs, or secures any building, wall, or any other structure after complying with the notice provisions above, the cost or expenses thereof shall be chargeable to and paid by the owners of such property and may be collected by the county as taxes and levies are collected.

(3) Every charge authorized by this section with which the owner of any such property shall have been assessed and which remains unpaid shall constitute a lien against such property ranking on a parity with liens for unpaid local taxes and enforceable in the same manner as provided in Articles 3 and 4 of Chapter 39 of Title 58.1 of the Code of Virginia.

(b) Whenever a public nuisance exists in the county, the county manager or designee may maintain an action to compel the responsible party to abate, raze, or remove such public nuisance. If the public nuisance presents an imminent and immediate threat to life or property, then the county may abate, raze, or remove such public nuisance and recover from the responsible party the necessary costs incurred for the provision of public emergency services reasonably required to abate any such public nuisance.

(c) The term "nuisance" shall include, but not be limited to, dangerous or unhealthy substances which have escaped, spilled, been released, or which have been allowed to accumulate in or on any place, and all unsafe, dangerous, or unsanitary public or private buildings, walls, or structure which constitute a menace to the health and safety of the occupants thereof or the public. The term "responsible party" shall include, but not be limited to, the owner, occupier, or possessor of the premises where the nuisance is located, the owner or agent of the owner of the material which escaped, spilled, or was released, and the owner or agent of the owner who was transporting or otherwise responsible for such material and whose acts or negligence caused such public nuisance.

(Ord. No. 82-42, 12-4-82; Ord. No. 83-18, 6-18-83; Ord. No. 90-26, 8-11-90; Ord. No. 93-25, 12-13-93)

(Ord. No. 83-18, 6-18-83; Ord. No. 84-13, 5-12-84; Ord. No. 88-8, 4-30-88; Ord. No. 92-1, 2-1-92; Ord. No. 95-8, 4-29-95; Ord. No. 04-10, 4-24-04)

## Chapter 7 ELECTRICAL CODE\*

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**\*Editor's note:** Ordinance No. 89-25, adopted Sept. 23, 1989, repealed former Ch. 7 and enacted, in lieu thereof, a new Ch. 7 as herein set forth. The repealed provisions consisted of Arts. I--IV which pertained to general electrical provisions, the National Electrical Code, electrical contractors and electrical permits.

**Cross references:** Building code, Ch. 3; fire prevention code, Ch. 8; food code, Ch. 9; licenses generally, Ch. 11; nursing homes and child care agencies, Ch. 16; plumbing and gas codes, Ch. 18; subdivisions, Ch. 23; swimming pools, Ch. 24; utilities, Ch. 26; housing standards, Ch. 29; home improvement, Ch. 51; child care centers, preschools, etc., Ch. 52; family day care homes, Ch. 59.

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§ 7-1. Title and scope.

§ 7-2. Definitions.

§ 7-3. Availability of codes.

§ 7-4. Administration and enforcement.

§ 7-5. Reserved.

§ 7-6. Permits and fees.

§ 7-7. General provisions.

§ 7-1. Title and scope.

(a) *Title* . This chapter shall be known as the "Arlington County Electrical Code" and may be so cited.

(b) *Scope--New electrical systems* . This code shall apply to electrical systems and to parts thereto which are hereafter installed in buildings of the occupancy classifications enumerated in the Virginia Uniform statewide Building Code.

(Ord. No. 89-25, 9-23-89)

§ 7-2. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Building official* . The inspection services division chief of Arlington County, his agent or designee.

*Construction code inspector* . The qualified person charged with the inspections of all electrical systems and electrical work performed in the county.

(Ord. No. 89-25, 9-23-89; Ord. No. 95-14, 8-8-95; Ord. No. 97-7, 4-12-97)

§ 7-3. Availability of codes.

There is hereby made available by the county board of the County of Arlington, the Virginia Uniform Statewide Building Code, latest edition, of which copies of each are on file in the office of the Inspection Services Division, 2100 Clarendon Boulevard, Suite 1000, and may be examined during the hours between 8:00 a.m. and 5:00 p.m. on regular business days.

(Ord. No. 89-25, 9-23-89)

§ 7-4. Administration and enforcement.

(a) *Administrator--Designated* . The administration and enforcement of this code shall be the duty of the building official who is hereby authorized to take such actions, including the promulgation of rules

and regulations, as may be reasonably necessary to enforce the provisions of this code. The building official may appoint assistants or agents that are necessary to carry out the provisions of this code.

(b) *Same--Powers and duties* :

(1) The building official or his agent shall have the right and power and it shall be their duty to cause all electrical equipment in or on any building in the county to be inspected from time to time in order to ascertain whether, due to the construction, installation or the condition thereof, such electrical equipment is dangerous to life or property.

(2) When the use of any electrical work shall be found dangerous to health and safety, the building official or a duly authorized agent is hereby authorized to order it removed or made safe as may be deemed necessary.

(c) *Responsibilities of owner or occupant* :

(1) Every building, structure or part thereof shall be kept in good electrical repair by the owner.

(2) No person shall knowingly have any electrical work done on premises under his control or on the premises owned by him, except in accordance with the provisions of this code.

(d) *Compliance required* . No person shall install, alter, maintain, service or repair, or cause or permit the installation, altering, maintaining, servicing or repairing of electrical equipment in or on any building, except in accordance with the provisions of this code.

(e) *Inspections--Request for registered electrical contractor's representative to be present* . The inspection services division may require a representative of the registered electrical contractor to be on the job when inspection is made.

(f) *Same--Notice of defect; failure to comply* . When any electrical equipment is found, upon inspection by a construction code inspector, to be dangerous to life or property because it is defective or defectively installed, the person responsible for the electrical equipment shall be notified in writing and shall make any changes or repairs necessary in the judgment of the building official or a duly authorized agent to place such equipment in safe condition. If any person fails to comply with a notice issued by the building official or a duly authorized agent to correct the violation within a reasonable period stated in the notice, the building official shall order the electric company to disconnect its supply of electricity and such electric company shall thereupon disconnect its lines and discontinue the supply of electricity.

In such cases, the notice to the electric company shall state the reason for the service being ordered disconnected and the party responsible for the violation, if such party is known. Any person failing to make corrections of a violation within the time specified in the notice shall be refused any further permits to do electrical work within the county until such corrections are made.

(g) *Interference with building official* . The occupant or owner of property or premises where any electrical equipment is used or is to be used shall not refuse to allow, interfere with or prevent the discharge of duties hereunder by the building official hereunder, or withhold or refuse to divulge, on request of the building official, the name of the person responsible for doing such work herein or thereon.

(h) *Approval of installation* . No person shall use current in the wiring, fixtures or other electrical lines or equipment falling within the scope of this chapter until approval has been granted by a representative of the inspection services division who shall notify the utility that will supply electrical service to the premises when an installation has been approved and grant it permission to energize its service connection and supply the premises with electric service. Written confirmation of such approval shall be furnished to the utility supplying the electric service by the inspection services division.

(i) *Appeals* . The owner of a building or structure, registered electrical contractor or master electrician may appeal from a decision of the building official on his or her interpretation and enforcement of the provisions of this chapter to the building code board of appeals.

(Ord. No. 89-25, 9-23-89)

§ 7-5. Reserved.

**Editor's note:** Former § 7-5, which pertained to registration of contractor and certification of worker, was repealed by Ord. No. 95-14, enacted Aug. 8, 1995.

**§ 7-6. Permits and fees.**

(a) *Permit required* . No electrical work, except minor repair work, shall be performed by any registered electrical contractor, or master electrician, or any owner, owner's agent, architect or engineer until such person has applied for and received a permit from the inspection services division.

(b) *Work in single-family dwellings and townhouses* . Any permit required by this section may be issued to a person, whether registered or not, to do any work regulated by this chapter in a single-family dwelling or townhouse used exclusively for residence purposes, including the usual accessory buildings and quarters in connection with such building, provided that the person is the bona fide owner or agent of the owner of such dwelling.

(c) *Plans required* . Before permits required in this article shall be issued for any electrical work involving a new or renovated commercial or high-rise or multifamily residential building, the prescribed sets of plans must have been submitted to and approved by the inspection services division. Before permits will be issued for major electrical repairs in existing buildings, the registered electrical contractor, owner, owner's agent, architect, engineer or master electrician shall file with the inspection services division detailed sketches of the work proposed to be done. The permit shall not be issued until the plan or sketches have been approved by the construction plan examiner.

(d) *Permit fees.* There shall be no fees assessed for a permit required by this section to do electrical work by or for: the Washington Metropolitan Area Transit Authority in connection with the construction, alteration, repair or maintenance of bus and rapid rail system; the Northern Virginia Regional Park Authority; ~~the School Board of the County of Arlington, Virginia; or the County of Arlington, Virginia.~~

Nothing in this section shall be construed to alter, amend or modify any rule, regulation, standard or requirement of the National Electrical Code, as adopted by the Virginia Uniform Statewide Building Code, Code of Virginia, 1950, as amended, including standards and amendments previously or subsequently adopted.

No permit shall be issued under the provisions of this chapter until the following fees have been paid:

Base fee per permit for items (1) and (2) of electrical permit . . . ~~51.00~~ 53.00, plus

(1) Circuits:

Each circuit . . . \$ ~~6.20~~ 6.50

(2) Fixtures and Receptacle Outlets:

Each 4, or part of 4, for any portion of a total not producing a whole number when divided by 10 (devices, receptacles, and switch outlets) . . . ~~8.30~~ 8.70

(3) Outdoor and Indoor Electric Signs:

Outdoor, single unit sign, each . . . ~~78.00~~ 82.00

Indoor, single unit sign, each . . . ~~62.00~~ 65.00

(4) Temporary Installations:

60 through 100 amperes service . . . ~~78.00~~ 82.00

101 through 600 amperes service . . . ~~83.00~~ 87.00

Over 600 amperes service . . . ~~124.00~~ 130.00

(5) Service Equipment:

Original installation or replacement of service equipment as follows:

First 500 amperes . . . ~~78.00~~ 82.00

501 through 1600 amperes . . . ~~181.00~~ 190.00

1601 through 3000 amperes . . . ~~259.00~~ 271.00

Over 3000 amperes . . . ~~362.00~~ 379.00

Temporary power (T.P.F.) (prior to final approval) . . . ~~52.00~~ 54.00

Meters (including sub-meters for all new residential and commercial construction), each . . . ~~21.00~~ 22.00

Sub-panels, each . . . ~~20.00~~ 21.00

(6) Commercial site lighting, pole lights, landscape lighting, etc (each device)....~~21.00~~ 22.00

(7) Residential:

a. Fixed appliances (excluding space heating devices); all hard wired fixed appliances, separate or combined circuits:

First appliance . . . ~~21.00~~ 22.00

Each additional (not including circuit) . . . ~~10.50~~ 11.00

Note: Fixed appliances include dishwashers, disposals, dryers, water heaters, ranges, gas burners, air handlers, humidifiers, electronic filters, attic fans, paddle fans, kitchen and bathroom fans, and post and flood lights.

b. Heating:

Each kw (not including circuit) . . . ~~5.20~~ 5.50

Central air conditioners (not including circuit), each . . . ~~21.00~~ 22.00

(8) Commercial:

a. Heating, each kw (not including circuit) . . . ~~6.20~~ 6.50

b. All hard wired commercial cooking units, industrial ovens, appliances, etc. (not including circuits), per unit . . . ~~21.00~~ 22.00

c. Transformers:

1 kva through 50 kva . . . ~~42.00~~ 44.00

Over 50 kva . . . ~~73.00~~ 76.00

(9) Larger Receptacle Outlets:

Greater than 20 ampere capacity, per outlet . . . ~~21.00~~ 22.00

(10) Motors (each):

1/4 hp through 5 hp . . . ~~12.50~~ 13.00

6 hp through 25 hp . . . ~~19.00~~ 20.00

26 hp through 50 hp . . . ~~26.00~~ 27.00

51 hp through 75 hp . . . ~~52.00~~ 54.00

Over 75 hp . . . ~~78.00~~ 82.00

(11) Generators (each):

1 to 50 kw . . . ~~78.00~~ 82.00

Over 50 kw . . . ~~104.00~~ 112.00

(12) Fire Annunciation Alarm Systems, Commercial (including circuits):

Base fee per permit replacing, or setting devices. . . ~~155.00~~ 162.00

In addition Each actuating device: pull station, gong, bell, flashing light, flow switch, tamper switch, smoke detector, heat detector, door lock, etc. . . . ~~6.20~~ 6.50

Fire alarm panel, first plan review

for gross floor area of up to 5000 square feet . . .~~259.00~~ 271.00 ,  
for floor area of 5001-10000 square feet .....~~500.00~~ 523.50 ,  
for floor area of 10,001-20000 square feet .....~~775.00~~ 811.00,  
and for floor area of over 20000 square feet ....~~1033.00~~ 1082.00.

Subsequent plan reviews, each additional review

for gross floor area of up to 5000 square feet .. ~~200.00~~ 217.00  
for floor area of 5001-10000 square feet .....~~412.00~~ 431.00 ,  
for floor area of 10,001-20000 square feet .....~~620.00~~ 649.00 ,  
and for floor area of over 20000 square feet .....~~827.00~~ 866.00.

(13) Swimming Pools:

Bonding, pool wiring and motors . . . ~~104.00~~ 109.00

(14) Modular Housing Unit Inspection (not including temporary power, unfinished basements and service) . . . ~~150.00~~ 162.50

(15) Low voltage wiring .....82.00

(156) Minimum Permit Fee . . . 78.00 82.00

The minimum permit fee shall not apply to permits for the installation of a single circuit and fixed appliances not exceeding 20 amperes in existing single-family homes, townhouses or dwelling units in multifamily buildings.

(167) Reinspection fee after the first or subsequent disapproval . . . 62.00 65.00

A reinspection fee will be charged for each inspection after the second inspection.

(178) Working without permit.....104.00 109.00

A reinspection fee will be charged for each inspection after the second inspection.

(189) Overtime inspection fee:

Two (2) hour minimum . . . 109.00

Each additional hour, per hour, per inspector . 54.00

(1920) The following additional fees shall apply to each permit:

- d. a fee levy as authorized by USBC for Code Academy activities,
- e. a 10% automation enhancement surcharge, and
- c. a 15% indirect cost surcharge

(201) Permit Fees Refund:

In case of abandonment or withdrawal of any permit, seventy (70) percent of the fee shall be refunded to the applicant, provided the applicant makes a written request before the work is commenced. If work has commenced, the applicant may return the permit with a written request for cancellation and a pro-rata refund of the fee will be made, based on the remaining, incomplete work; provided further, that such request is made within six (6) months after date of the permit or the last inspection.

(242) Temporary Electrical Permits:

Temporary electrical permits will be issued for sixty (60) days. A temporary permit may be renewed for an additional thirty-day period, if necessary. Applications for temporary permits must be filed under any of the following conditions:

- a. For connection to temporary service drop and for equipment to be used for construction of circuits to be used or number of power units to be installed.

- b. For connection to permanent service or for installation of temporary lighting or power equipment not included in original permit, a separate permit based on the permit fee schedule is required.
- c. For connection to permanent service of heating equipment, a temporary permit will be issued if a regular permit for permanent connection of the heating equipment is issued or is on file at the time the temporary connection is requested.

(223) Procedures Where Work Continued was started by Another Permittee:

Before proceeding with any electrical equipment installation which has been started by any other permit grantee, an owner shall request the electrical section of the inspection services division to inspect the installation for which a permit was granted and also to inspect any work performed, and shall also obtain an owner's permit for the remaining part of the installation.

(Ord. No. 89-25, 9-23-89; Ord. No. 90-6, 7-1-90; Ord. No. 91-17, 7-1-91; Ord. No. 92-1, 2-1-92; Ord. No. 93-4, 7-1-93; Ord. No. 95-8, 4-29-95; Ord. No. 97-7, 4-12-97; Ord. No. 98-10, 4-18-98)

§ 7-7. General provisions.

(a) *Preventive maintenance for 1,000 amperes equipment* . It shall be unlawful to perform any work on service equipment, any compartment of a switchboard, a motor control center, a transformer, or a panel for which the ampacity is one thousand (1,000) amperes or larger, or [which has a] voltage rating over two hundred fifty (250) volts regardless of ampacity, without first completely disengaging the electrical power within that piece of equipment or compartment.

Pursuant to the Virginia Uniform Statewide Building Code, Volume II, Building Maintenance Code, it shall be the responsibility of the owner, or his responsible agent, of a switchboard having a capacity of one thousand (1,000) amperes or larger, to have a master electrician disconnect said equipment once every five (5) years or less to perform normal preventive maintenance. The preventive maintenance shall consist of all maintenance normally performed by electrical contractors including by way of illustration:

- (1) Vacuum entire interior of switchboard.
- (2) Clean bus and contacts with a suitable nonconductive solvent.
- (3) Lubricate all moving mechanisms.
- (4) Check all conductors for abrasions.
- (5) Torque bus and conductors' connections to manufacturers' recommended specifications.
- (6) Check calibration of overcurrent trip units and protective devices.
- (7) Megger board to manufacturers' specifications before re-energizing.
- (8) Replace worn, damaged or deteriorating components.
- (9) Submit report of preventive maintenance performed to inspection services division within thirty (30) days.

(b) *Fees:*

Two (2) hour minimum . . . ~~\$104.00~~ 109.00

Each additional hour, per hour, per inspector . . . ~~52.00~~ 54.00

(Ord. No. 89-25, 9-23-89; Ord. No. 92-1, 2-1-92)

## Chapter 18 PLUMBING AND GAS CODES\*

\***Cross references:** Building code, Ch. 3; electrical code, Ch. 7; fire prevention code Ch. 8; food code, Ch. 9; licenses generally, Ch. 11; nursing homes and child care agencies, Ch. 16; subdivisions, Ch. 23; swimming pools, Ch. 24; utilities, Ch. 26; housing standards, Ch. 29; water supply emergency, Ch. 38; home improvement, Ch. 51; child care centers, preschools, etc., Ch. 52; family day care homes, Ch. 59.

§ 18-1. Title and scope.

§ 18-2. Definitions.

§ 18-3. Availability of codes.

§ 18-4. Administration and enforcement.

§ 18-5. Registration of contractors and certification requirements.

§ 18-6. Permits and fees.

§ 18-7. General provisions.

### § 18-1. Title and scope.

(A) *Title* . This chapter shall be known as the "Arlington County Plumbing Code and Gas Code," and may be so cited.

(B) *Scope* :

Plumbing Systems or Gas Systems:

This code shall apply to all plumbing and gas systems and to parts thereto which are hereafter installed in buildings of the occupancy classifications enumerated in The Virginia Uniform Statewide Building Code.

(1) *Plugging, capping and sealing of abandoned sewer laterals.* When a building is razed or a new sewer connection is provided for an existing building, the abandoned sewer lateral shall be plugged or capped at, or outside of, the property line, and tightly sealed with an approved material. A permit for this work must be obtained before the work is started. Where evidence of an abandoned sewer later is found on a vacant lot or in an abandoned building, it shall be plugged and sealed after proper notice to the owner. Should the owner or agent for the premises ordered to perform this work neglect or refuse to comply with the order within thirty (30) days, it shall be the duty of the inspections division chief to arrange to have this work performed and the cost charged as a recorded lien against the property.

(Ord. No. 89-25, 9-23-89; Ord. No. 95-14, 8-8-95)

### § 18-2. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Building official* . The inspection services division chief of Arlington County, his agent or designee.

*Construction code inspector* . The qualified person charged with the inspections of all plumbing and gas work performed in the county.

*Division chief* . The building official of Arlington County.

*License* . The license to engage in the business of plumbing or gasfitting issued by Arlington County.

*Thoroughfare* . Any street on which the vehicle count exceeds five thousand (5,000) vehicles per day.

(Ord. No. 86-11, 5-17-86; Ord. No. 88-8, 4-30-88; Ord. No. 89-25, 9-23-89; Ord. No. 95-14, 8-8-95)

**§ 18-3. Availability of codes.**

There is hereby made available by the county board of the County of Arlington, Virginia, the Virginia Uniform Statewide Building Code, latest edition, of which copies of each are on file in the office of the Inspection Services Division, 2100 Clarendon Boulevard, and may be examined during the hours between 8:00 a.m. and 5:00 p.m. on their regular business days.

(Ord. No. 86-11, 5-17-86; Ord. No. 89-25, 9-23-89)

**§ 18-4. Administration and enforcement.**

(a) *Generally* . The administration and enforcement of this code shall be the duty of the building official who is hereby authorized to take such actions, including the promulgation of rules and regulations, as may be reasonably necessary to enforce the provisions of this code. Such persons may be appointed and authorized as assistants or agents of the building official as may be necessary to carry out the provisions of this code.

(b) *Powers and duties* . It shall be the duty of the building official or a duly authorized agent to cause all plumbing and gas work in or on any building, structure or premises in the County of Arlington to be inspected from time to time, in order to ascertain whether due to the construction, installation or the condition thereof such plumbing and gas work is dangerous to health and safety.

When the use of any plumbing or gas work shall be found dangerous to health and safety, the building official or a duly authorized agent is hereby authorized to order it removed or made safe as may be deemed necessary.

(c) *Responsibility of owner or occupant* :

(1) Every building, structure or part thereof, shall be kept in good plumbing repair by the owner.

(2) It shall be unlawful for any person to knowingly have any plumbing or gas work done on premises under his control or on premises owned by him, except in accordance with the provisions of this code.

(d) *Saving provisions* . Should any clause, sentence, paragraph or part of this code, or the application thereof to any person or circumstance, be adjudged by a court of competent jurisdiction to be unconstitutional or invalid, said judgment shall not affect, impair or invalidate the remainder of this code or the application of such provision to other persons or circumstances, but shall be confined in its application to the clause, sentence, paragraph or part thereof, directly involved in the controversy in which said judgment shall have been rendered, and to the person or circumstance involved.

(e) The owner of a building or structure, registered plumbing contractor or master plumber may appeal from a decision of the building official on his interpretation and enforcement of the provisions of this chapter to the building code board of appeals as provided herein.

(Ord. No. 86-11, 5-17-86; Ord. No. 88-8, 4-30-88; Ord. No. 89-25, 9-23-89; Ord. No. 95-14, 8-8-95)

**§ 18-5. Registration of contractors and certification requirements.**

Registration and certification:

(1) *Street permit bond and financial responsibility*. Any contractor qualified and registered under state law shall file with the inspection services division a street permit bond in the sum of five thousand dollars (\$5,000.00) to permit the cutting of the surface of streets or highways of the county or tunnelling under the same for the purpose of sewer connections. The registered contractor shall file with the inspection services division a public liability insurance policy with minimum limits of forty thousand dollars (\$40,000.00) or furnish satisfactory evidence of financial responsibility to satisfy claims to the extent of forty thousand dollars (\$40,000.00) of damage to person or property suffered by reason of operation in the public highway.

(Ord. No. 86-11, 5-17-86; Ord. No. 89-25, 9-23-89; Ord. No. 90-33, 10-6-90; Ord. No. 95-14, 8-8-95)

## § 18-6. Permits and fees.

### (a) *Permit Required* :

(1) *Issuance; compliance, exceptions* . No person shall do plumbing or gas work, except minor repair work as herein defined, until he or she shall have filed an application and received a permit therefore from the inspection services division. No plumbing permits or gas permits shall be issued to any person other than a licensed master plumber or master mechanical worker, except that any permit required by this section may be issued to a person to do any work regulated by this chapter in a single-family dwelling or townhouse used exclusively for residence purposes, including the usual accessory buildings and quarters in connection with such building, provided that the person is the bona fide owner or agent of the owner of such dwelling and the work is done in compliance with all requirements of this code.

(2) *Card* . The plumbing permit card shall be posted on the job in such a manner that it will be clearly visible from the street and shall not be removed, defaced or altered.

(3) *Permit application* . Application for a plumbing or gas permit shall be made on forms furnished by the inspection services division. No person shall present any fraudulent information in making application for a plumbing or gas permit, nor shall he or she use the name of another person in order to secure a plumbing or gas permit, except when regularly employed by and authorized to act as agent for a master plumber or master mechanical worker.

(4) *Plans required* . Plans must be submitted and approved before permits will be issued for any plumbing work involving new buildings. Every plot plan for structures or premises which will have plumbing shall show the location and size of the public water main and also the location, size, and depth of the public sewer. If no sewer is available, the location and size of the private disposal system shall be shown. If no public water supply is reasonably available to the premises, the location and nature of the private source of supply shall be shown on the plot plan. Complete mechanical plans including fixture layout and spacing, size, material and location of all building sewers, building drains, storm sewers, drains, soil, waste, and vent piping and water supply, piping for the installation of, alteration of, or addition of the plumbing, sewage and/or drainage system of any building or premises shall be submitted to inspection services division and approved by the construction plans examiner prior to the issuance of any plumbing permit. The master plumber or master mechanical worker shall file in the inspection services division detailed sketches of the work proposed to be done before permits will be issued for major plumbing alterations or repairs in existing buildings. The permit shall not be issued until the plans or sketches have been approved. A copy of the approved plans shall be on the construction site and available during inspections. All work shall be installed in accordance with the approved plans and any approved amendments thereto.

### (5) *Abandoned or discontinued work* :

a. Should any person to whom a permit has been issued for plumbing or gas work abandon the installation for any reason, he or she shall immediately notify the inspection services division.

b. If an installation has been partially completed, the permit grantee, upon abandoning the installation, shall notify the inspection services division and request an inspection. A record shall be kept of the results of the inspection.

c. If a permit grantee abandons an installation after work has been started, the work shall be inspected and a notice of any violations shall be sent to the permit grantee and the bonding company. The master plumber or master mechanical worker, who then proceeds with the installation, shall secure a permit for the entire job and shall be responsible for all work.

d. In case of abandonment or withdrawal of any permit, seventy (70) percent of the fee shall be refunded to the applicant, provided that he or she makes a written request before the work is commenced. If work has commenced, the applicant may return the permit with a written request for

cancellation and a pro-rata refund of the fee will be made based on the remaining incomplete work; provided further that such request is made within six (6) months after the date the permit is issued.

e. Before proceeding with any plumbing or gas work which has been started by any other person, an owner or master plumber or master mechanical worker shall make request for an inspection of the installation, and shall secure a permit for the entire job and shall be responsible for all work.

f. An owner who has secured a plumbing or gas permit may transfer said permit to the master plumber or master mechanical worker, provided he or she notified the inspection services division of his or her intention and receives inspection of the work performed to date.

(b) *Fee Schedule:*

(1) *General:*

1. All fees required by this section must be paid prior to release of the permit and before the start of construction.

2. Permit fees are calculated and collected for each permit application. When an application includes multiple buildings, a separate fee will be assessed to each building as defined in the building code, or as identified by a separate mailing address.

12. The following additional fees shall apply to each permit:

- a. a fee levy as authorized by USBC for Code Academy activities,
- b. a 10% automation enhancement surcharge, and
- c. a 15% indirect cost surcharge

(2) *Plumbing:*

a. Base fee per address, per permit for new work, additions, remodeling, replacing, or setting fixtures and appliances one base fee per permit include item (3) a . . . ~~54.00~~ 53.00

Plus, each fixture, drain or appliance . . . ~~19.00~~ 20.00

Minimum permit fee . . . ~~78.00~~ 82.00

b. Set fees:

Building sewer and tap . . . ~~62.00~~ 65.00

Building sewer; repair, relocate, lower . . . ~~62.00~~ 65.00

Building drain and vent (commercial); extend or relocate . . . ~~34.00~~ 32.00

Cap-off sewer . . . ~~46.50~~ 49.00

Storm manhole . . . ~~46.50~~ 49.00

Water services; new, replace, repair . . . ~~62.00~~ 65.00

Fire service . . . ~~73.00~~ 76.50

Water pipe (inside); new or replacement per dwelling unit in multi-residential of three (3) or more units or per toilet room in non-residential buildings . . . ~~34.00~~ 32.00

Water pipe (inside) new or replacement per toilet room, bath or kitchen for single family, duplex, or town house . . . ~~15.50~~ 16.25

Commercial sewage ejector or sump pump, each pump . . . ~~62.00~~ 65.00

Residential sewage ejector or sump pump . . . ~~62.00~~ 65.00

Solar heating system . . . No charge

(3) *Gas:*

a. Base fee (new work); additions, remodeling, replacing, relocating or resetting gas appliances, one base fee per permit include item (2) a . . . ~~51.00~~ 53.00

Plus, each appliance . . . ~~19.00~~ 20.00

b. Set fees:

Extending or relocating gas line or pipe . . . ~~31.00~~ 32.00

Automatic gas valve (commercial range hood) . . . ~~62.00~~ 65.00

Emergency generator . . . ~~62.00~~ 65.00

(4) *Any installation not listed* . . . ~~73.00~~ 76.00

(5) *Fee per inspection made necessary by failure to be ready when requested and for reinspections after one (1)* . . . ~~62.00~~ 65.00

(6) *Modular housing unit* . . . ~~155.00~~ 162.00

(7) *Sprinkler permit fees:*

The base fee a per permit to install, extend, redesign, modify or alter any sprinkler system . . . ~~155.00~~ 162.00

Plus each 25 sprinkler heads or fraction thereof . . . ~~73.00~~ 76.00

The fee for re-inspections made necessary by failure of a fire protection system to operate in a satisfactory manner . . . ~~155.00~~ 162.00

Standpipe (each) . . . ~~73.00~~ 76.00

Plus per floor served . . . ~~14.50~~ 15.00

Fire pump , each . . . ~~330.00~~ 346.00

The review fee for revisions beyond the second review for each additional resubmittal or redesign shall be,

for gross floor area of up to 5000 square feet . . . ~~207.00~~ 217.00

for floor area of 5001-10000 square feet . . . ~~414.00~~ 433.00,

for floor area of 10001-20000 square feet . . . ~~620.00~~ 649.00 ,

and for floor area of over 20000 square feet . . . ~~827.00~~ 866.00.

(8) *Gas-fire suppressions system :*

Installation up to contract cost of \$5,000.00 . . . ~~362.00~~ 379.00

Installation over contract cost of \$5,000.00 . . . ~~724.00~~ 758.00

(9) Hood suppression system . . . ~~259.00~~ 271.00

(10) Working without permit . . . ~~104.00~~ 109.00

(11) Overtime inspection fee:

Two (2) hour minimum . . . 109.00

Each additional hour, per hour, per inspector . 54.00

(Ord. No. 86-11, 5-17-86; Ord. No. 87-9, 3-21-87; Ord. No. 88-8, 4-30-88; Ord. No. 89-25, 9-23-89; Ord. No. 90-6, 7-1-90; Ord. No. 91-17, 7-1-91; Ord. No. 92-1, 2-1-92; Ord. No. 93-4, 7-1-93; Ord. No. 95-8, 4-29-95; Ord. No. 98-10, 7-1-98)

§ 18-7. General provisions.

(a) *Buildings erected over public sewers.* No building shall be erected over a public storm or sanitary sewer, except in cases of undue hardship, limiting the full use of the property, in which case permission may be granted by the county manager or designee for storm sewers and sanitary sewers, to construct a limited portion of a building over a public storm or sanitary sewer, provided the plans for such buildings are approved by the building official, or a duly authorized agent. Arlington County will not be responsible for damage to any structure built over a public storm or sanitary sewer if it becomes necessary to excavate under or near such structure to maintain the public storm or sanitary sewer.

(b) *Maintenance of Trap Seals, Fixtures and Piping.* The plumbing system of any structure shall be maintained so as to prevent sewer or drain air from entering the building. Vent piping and stacks shall be kept free from stoppages; vacant portions of structures or vacated structures which contain plumbing shall have the normal water seal replaced with nonvolatile, nontoxic liquid, such as waste engine oil or glycerine, or the tapped fixture or device shall be disconnected and its drain opening capped or plugged. Fixtures and devices which discharge to the drainage system, if broken or damaged so liquid seals cannot be maintained, shall be replaced or removed and their drain openings capped or plugged. Broken or deteriorated piping which leaks, or emits soil or waste materials, or drain air, shall be replaced if in service, or if out of service, removed and the system closed until such time as restored use and/or service requires its replacement.

(c) *Connection to public sewer.* All taps into a sanitary sewer shall be made under the supervision of a construction code inspector. The connection of a house sewer to a public sanitary sewer shall be made using an approved saddle. The maximum size house sewer which may be connected to an eight-inch public sanitary sewer shall be five (5) inches. The maximum size house sewer, which may be connected to a ten-inch or larger public sanitary sewer is six (6) inches. All other connections of a house sewer to a public sanitary sewer require the installation of an approved manhole, at the property owner's expense. Taps into the public sanitary sewer shall be at least three (3) feet apart. Taps into sanitary sewer manholes are prohibited, except by permission of the county manager or designee. Such taps will be made at the master plumber's expense. Taps into public storm sewers shall be made as directed by the county manager or designee. Trenches and excavations at taps into public storm or sanitary sewers shall be maintained in a safe condition and shall be kept free from water to permit adequate inspection.

(d) *Work in public right-of-way.* All construction performed within a public right-of-way or easement area shall conform to the requirements contained in the Arlington County Department of Environmental Services Construction Standards and Specifications for Streets, Storm Sewers, Water Mains, and Sanitary Sewers, copies of which are available upon request from the department of environmental services.

(e) *Easements for Sewers.* Unless a right-of-way or easement is recorded with the county clerk of Arlington County, Virginia, no sewer or drain from any building or premises shall be installed on any adjacent property or premises, even though at the time of the proposed installation the adjacent properties are under common ownership. Any plumbing permits hereafter issued without such record of easement for installation as indicated in the previous paragraph shall be null and void, and installations made without such record of easement shall be removed in case of inability on the part or the person desiring right-of-way to secure an easement or right-of-way within thirty (30) days after notice of violation.

(f) *Method of Sewage Disposal :*

(1) For a one- or two-family dwelling, a public sanitary sewer shall be deemed available when such sewer abuts the premises on which the dwelling is located, any part of the building is within three hundred (300) feet of sewer, and a connection may be made lawfully thereto according to local jurisdictional requirements.

(2) For buildings of any other occupancies, a public sanitary sewer shall be deemed available when such sewer is within five hundred (500) feet of the premises on which the building is located, measured along a street, alley or easement, and a connection may be made lawfully thereto according to local jurisdictional requirements. Any extension of public sewer required hereby shall be made at the expense of the owner of the premises to be served. Such extension shall conform to county regulations and will be inspected by the department of environmental services. This section shall not preclude installation of an extension of greater length if required by, or approved by, the county manager or designee.

(3) Disposal of radioactive wastes shall conform to rules and regulations of Title 10 Atomic Energy Commission Part 10--Standards of Protection Against Radiation Paragraph 20-203 Disposal by Release into Sanitary Sewerage System, or as required by administrative authority having jurisdiction.

(4) Sewers required: Every building or separate business establishment having an outside entrance shall have an independent building sewer connection with a public or private sewer, except where one (1) building stands in the rear of another building on the same lot and no public or private sewer is available or can be constructed to the rear building through adjoining alley, court, yard or driveway, the house drain from the front building may be extended to the rear building and the whole may be considered as one (1) house drain.

(5) Cooperative apartments, apartment buildings, condominium apartments or office buildings, and office buildings designed for rental purposes may have one (1) common building sewer, provided that other utilities (water, gas and electricity) are supplied to the building through common meters. In shopping centers and warehouses, each rental unit in one-story buildings to be considered as one (1) building.

*Exception* : Commercial buildings under one (1) roof containing several different units where the landlord is responsible for the maintenance and repair of plumbing, may be served by one (1) system upon written request by the owner so long as separate units within said buildings are not subdividable under both the zoning and building codes. Semi-detached houses, attached houses, or attached condominium houses, shall have one (1) public sewer connection for each living unit.

(g) *Source of Water Supply* :

(1) For a one- or two-family dwelling a public water supply system shall be deemed available when such system abuts the premises on which the dwelling is located, any part of the building in within three hundred (300) feet of system, and a connection may be made lawfully thereto.

(2) For buildings of any other occupancies, a public water supply system shall be deemed available when such system is within five hundred (500) feet of the premises in which the building is located, measured along a street, and a connection may be made lawfully thereto.

(3) Water service required: Every building or separate business establishment having an outside entrance, shall have an independent water connection with a public or private water main, except where one building stands in the rear of another building on an interior lot and no public or private water supply main is available or can be installed to the rear building through an adjoining alley, court, yard or driveway, the water supply from the front building may be extended to the rear building and the whole may be considered as one water service. Water service required for buildings under a single covenant, such as garden apartments, cooperative apartments, apartment buildings, condominium apartments or office buildings, and office buildings designed for rental purposes may have one (1) common water service, provided that other utilities (gas and electricity) are supplied to the building through common meters. In shopping centers and warehouses, each rental unit in one-story buildings shall be considered as one (1) building.

*Exception* : Commercial buildings under one (1) roof containing several different units where the landlord is responsible for the maintenance and repair of plumbing, may be served by one (1) system

upon written request by the owner so long as separate units within said building are not subdividable under both the zoning and building codes. Semi-detached houses, attached houses or attached condominium houses shall have separate water service for each living unit.

(h) *Water Conservation:*

(1) Car wash installation: Car wash installation shall be equipped with an approved water recycling system. This clause shall be retroactive and all existing car wash installations shall be equipped with such recycling devices by not later than one (1) year of the effective date of this section.

(2) Coin-operated car washes or similar devices: No coin-operated car wash may be permitted to be installed and used until plans have been submitted to and approved by the administrative authority. The plans must show the method of connection to an approved sanitary sewer system, disposal of rain subsurface water and the protection of the potable water system.

(Ord. No. 86-11, 5-17-86; Ord. No. 88-8, 4-30-88; Ord. No. 99-9, § 1, 4-14-99; Ord. No. 04-22, 10-2-04)