

**PERMIT EXEMPTIONS**

Work Exempt from Permit. Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following:

BMC 20.02.095.B.1 Building.

- a. One-story detached structures, accessory to residential structures constructed under the provisions of the IRC, used as tool and storage sheds, tree-supported play structures, playhouse and similar uses, provided the floor area does not exceed 200 square feet (18.58 m²) and, with the exception of tree-supported play structures, the height above grade plane does not exceed 12 feet;
- b. Fences not over six feet (1,829 mm) high;
- c. Oil derricks;
- d. Retaining walls which are not over four feet (1,219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or III-A liquids;
- e. Water tanks supported directly on grade if the capacity does not exceed 5,000 gallons (18,925 L) and the ratio of height to diameter or width does not exceed two to one;
- f. Sidewalks, decks and driveways, associated with residential structures constructed under the provisions of the IRC, not more than 30 inches (762 mm) above grade and not over any basement or story below and which are not part of an accessible route;
- g. Painting, papering, tiling, carpeting, cabinets, countertops and similar finish work; provided, that existing required accessible features are not altered;
- h. Temporary motion picture, television and theater stage sets and scenery;
- i. Prefabricated swimming pools accessory to a one- and two-family dwelling or Group R-3 occupancy, which are less than 24 inches (610 mm) deep, do not exceed 5,000 gallons (18,925 L) and are installed entirely above ground;
- j. Shade cloth structures constructed for garden, nursery or agricultural purposes and not including service systems;
- k. Swings, slides and other similar playground equipment;
- l. Window awnings supported by an exterior wall of one- and two-family dwellings or Group R-3 and Group U occupancies which do not project more than 54 inches (1,372 mm) from the exterior wall and do not require additional support;
- m. Movable cases, counters and partitions not over five feet, nine inches (1,753 mm) in height;
- n. Satellite earth station antennas six and one-half feet (two meters) or less in diameter or diagonal in zones other than residential zones;
- o. Satellite earth station antennas three and one-quarter feet (one meter) or less in diameter in residential zones;
- p. Video programming service antennas three and one-quarter feet (one meter) or less in diameter or diagonal dimension, regardless of zone;
- q. Carports and awnings attached to mobile homes and manufactured housing;
- r. Replacement of nonstructural siding in IRC structures except for veneer, stucco or exterior finish and insulation systems (EFIS);
- s. In-kind window replacement for IRC structures where no alteration of structural members is required and the window U-values meet the prescriptive requirements contained within the International Energy Conservation Code;
- t. Temporary construction site office and storage structures placed at a permitted job site during construction may be allowed on a temporary basis and shall be removed upon final approval of the construction and prior to issuance of the certificate of occupancy. A temporary construction site office or storage structure is a portable structure for which the primary purpose is to securely house equipment and supplies, and which may serve as a temporary office during construction of a project;
- u. In-kind roofing overlays on one- and two-family dwellings provided the new layer results in a maximum of two layers; and
- v. The installation of roof mounted photovoltaic (PV) solar panels meeting all of the following criteria:
 - (1) Total dead load of panels, supports, mountings, raceways and all other appurtenances weigh no more than three pounds per square foot.
 - (2) The total PV solar panel system weight shall not exceed 1,000 pounds.
 - (3) Panels shall be mounted not higher than 18 inches above the surface of the roofing to which they are affixed. Except for flat roofs, no portion of the system may exceed the highest point of the roof. Panels on flat roofs shall not exceed the height allowed for the building.
 - (4) PV supports shall be located to prevent a point load in excess of 50 pounds in any location.
 - (5) Attachment to the structure shall be as specified by the mounting system manufacturer.
 - (6) All signage and markings required by NEC 690 shall be a phenolic or metallic plate or other similar material engraved in block letters at least one-quarter inch in height. The letters and the background shall be in contrasting colors. The identification plate shall be affixed to the equipment by means of mechanical fasteners.

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2. Mechanical.

- a. Portable heating, cooking, or clothes-drying appliances;
- b. Portable ventilation equipment;
- c. Portable cooling unit;
- d. Steam, hot or chilled water piping within any heating or cooling equipment regulated by this code;
- e. Replacement of any part which does not alter its approval or make it unsafe;
- f. Portable evaporative cooler;
- g. Self-contained refrigeration system containing 10 pounds (4.54 kg) or less of refrigerant and actuated by motors of one horsepower (746 W) or less;
- h. Portable fuel cell appliances that are not connected to a fixed piping system and are not interconnected.

3. Plumbing.

- a. The stopping and/or repairing of leaks in drains, water, soil, waste or vent pipe; provided, however, that should any concealed trap, drain pipe, water, soil, waste or vent pipe become defective and it becomes necessary to remove and replace the same with new material, the same 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 replacement or rearrangement of valves, pipes or fixtures;
- c. Reinstallation or replacement of prefabricated fixtures that do not involve or require the replacement or rearrangement of valves or pipes.

4. Public Services Agencies or Work in the Public Way.

- a. A permit shall not be required for the installation, alteration or repair of generation, transmission, distribution or metering or other related equipment that is under the ownership and control of public service agencies established by right.
- b. A permit shall not be required for work located primarily in a public way, public utility towers and poles and hydraulic flood control structures. This exemption is not applicable to wireless communication facilities which are not located in a public way.

5. Grading.

- a. An excavation below existing finished grade for basements and footings of an existing building, retaining wall or other structure authorized by a valid building permit. This shall not exempt any excavation having an unsupported height of greater than five feet.
- b. An excavation of less than 50 cubic yards of material which:
 - (1) Is less than two feet in depth; and/or
 - (2) Does not create a cut slope with a ratio steeper than two horizontal to one vertical.
- c. A fill of less than 50 cubic yards of material which is less than one foot in depth and placed on natural terrain with a slope of less than five horizontal to one vertical.

BMC18.05.050.A. Grading activities involving the excavation and backfilling of foundations, footings, basements, crawlspaces and other earthwork directly associated with the construction of a building or structure regulated under the IBC or IRC do not require issuance of a grading permit. Provided, however, these activities do require issuance of a building permit in accordance with BMC Title 20;

B. Grading activities that do not include any of the activities or thresholds listed in BMC [18.05.040](#) do not require a city-approved grading permit but must still be fully consistent with all applicable requirements of this code including critical areas, shoreline, zoning, utility, surface water, and building regulations; and

C. Activities that do not require issuance of another city-issued development permit; provided, however, that any grading activity shall install and maintain sediment and erosion control and pollution prevention best management practices (BMPs) as promulgated within the Bothell Standards.

D. The following minor activities do not require a grading permit:

1. Agricultural crop management of existing farmed areas;
2. Cemetery graves involving less than 50 cubic yards of excavation, and related filling per each cemetery plot;
3. Public or private rights-of-way, tract or easement pavement maintenance such as pothole and square cut patching, overlaying existing asphalt or concrete pavement with asphalt or concrete without expanding the area of coverage, shoulder grading, reshaping/regrading drainage systems, crack sealing, resurfacing with in-kind material without expanding the road prism, and any pavement preservation activities that do not expand the road section or length; or
4. Replacement or repair of existing underground utility projects, provided the activity replaces the ground surface with in-kind material or materials that have similar runoff characteristics and are subject to preparation of a construction stormwater pollution control prevention plan.