



# Code Connection

## The Phased Approval (Deferred Submittal) Process in the IRC

by WTCA Staff

Deferred submittals in the residential construction application process explained.

The sections quoted below are from the 2003 edition of the International Residential Code® (IRC). They are conceptually the same as what is in the 2000, and 2006 editions of the IRC, although some section numbers may be different. The quoted sections are from the Model IRC and do not reflect any duly enacted local amendments.

### Issue

The question arises from time to time regarding whether or not Truss Design Drawings (TDDs) are required to be submitted with the other construction design documents at the time the application for a residential building permit is submitted. Deferred submittals are common with commercial construction, so it is seldom an issue for those types of jobs. The "simple" answer for residential construction as provided in the IRC is, "It depends." That is, it depends upon the interpretation of the local authority having jurisdiction and whether there is a specific code amendment or policy that clarifies the submittal requirements for issuing a permit.

In the absence of a specific code amendment or policy, the building official, at his or her discretion, may or may not require the submission of TDDs at the time the permit for the structure is requested.

Here are some possible options.

- Submission of TDDs may be allowed as a separate submission after permitting, but prior to installation (R502.11.1/R802.10.1), and may be considered as part of the typical approval process (R106.1).
- If submission of TDDs is required at the time of permitting, and if the manufacturer of the trusses has not yet been selected by the owner or the owner's agent, the building official may accept a later submission of the TDDs as a phased approval (R106.3.3).
- If submission of TDDs is required at the time of permitting and are submitted with the other construction documents for review and approval, and structural changes are made requiring changes to the TDDs, the building official may accept the changes as amended construction documents (R106.4).

**Note:** If duly enacted fees (R108.1) have been established for either phased approval or for the review of amended construction design documents, the building official may require payment of such fees by the owner or the owner's agent.

### Code Background

Requirements specific to TDDs for roof trusses (similar for floor trusses, see R502.11.4) are provided in Section R802.10.1, which states:

**R802.10.1 Truss design drawings.** Truss design drawings, prepared in conformance with Section R802.10.1, shall be provided to the building official and approved prior to installation. Truss design drawings shall include, at a minimum, the information specified below. Truss design drawing shall be provided with the shipment of trusses delivered to the jobsite.

Per this section, the requirement for the submittal of TDDs is twofold:

### at a glance

- Deferred submittals are permitted by the model IRC code.
- The building official, at his or her discretion, may or may not require the submission of TDDs at the time the permit for the structure is requested.

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1. They are to be approved prior to installation and
2. They are to be provided with the trusses when delivered to the jobsite.

The IRC does not provide any further provisions specific to the submittal or approval process for TDDs. It does, however, provide provisions for the submittal and approval process for construction documents. These provisions are provided in Chapter 1, Administration.

## Outline of the Permitting Process in the IRC

A. The permit approval process is part of the building official's scope of work:

**R104.2 Applications and permits.** The building official shall receive applications, review construction documents and issue permits for the erection and alteration of buildings and structures, inspect the premises for which such permits have been issued and enforce compliance with the provisions of this code.

B. It is the responsibility of the owner, or the owner's agent, to make the required submittals for permits:

**R105.1 Required.** Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace

any 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.

**R105.3 Application for permit.** To obtain a permit, the applicant shall first file an application therefor in writing on a form furnished by the department of building safety for that purpose.

C. Construction design documents are to be submitted with permit application and specific information is to be included on the construction documents:

**R106.1 Submittal documents.** Construction documents, special inspection and structural observation programs, and other data shall be submitted in one or more sets with each application for a permit. The construction documents shall be prepared by a registered design professional where required by the statutes of the jurisdiction in which the project is to be constructed. Where special conditions exist, the building official is authorized to require additional construction documents to be prepared by a registered design professional.

**Exception:** 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 reviewing of construction documents is not necessary to obtain compliance with this code.

**R106.1.1 Information on construction documents.** Construction documents shall be drawn upon suitable material. 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 it will conform to the provisions of this code and relevant laws, ordinances, rules and regulations, as determined by the building official.

D. The construction design documents are to be examined, approved and fees paid as applicable:

**R106.3 Examination of documents.** The building official shall examine or cause to be examined construction documents for code compliance.

**R106.3.1 Approval of construction documents.** When the building official issues a permit, the construction documents shall be approved in writing or by stamp. One set of construction documents so reviewed shall be retained by the building official. The other set shall be returned to the applicant, shall be kept at the site of work and shall be open to inspection by the building official or his or her authorized representative.

**R108.1 Payment of fees.** A permit shall not be valid until the fees prescribed by law have been paid. Nor shall an amendment to a permit be released until the additional fee, if any, has been paid.

**R108.2 Schedule of permit fees.** On buildings, structures, electrical, gas, mechanical, and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the schedule as established by the applicable governing authority.

E. Phased approval (or deferred submittal) is allowed:

**R106.3.3 Phased approval.** The building official is authorized to issue a permit for the construction of foundations or any other part of a building or structure before the construction documents for the whole building or structure have been submitted, provided that adequate information and detailed statements have been filed complying with pertinent requirements of this code. The holder of such permit for the foundation or other parts of a building or structure shall proceed at the holder's own risk with the building operation and without assurance that a permit for the entire structure will be granted.

If a phased approval submission is accepted, work on the structure continues with the construction documents amended per the phased approval.

F. If any changes have been made to the original approved construction documents, including changes to the approved TDDs, the changes must be submitted for approval and the amended construction documents approved.

**R106.4 Amended construction documents.** Work shall be installed in accordance with the approved construction documents, and any changes made during construction that are not in compliance with the approved construction documents shall be resubmitted for approval as an amended set of construction documents.

## Summary

Knowing the permit process of the jurisdiction in which the building is located and the specific submittal requirements for the review and approval of the TDDs will help you avoid the many "last-minute" problems associated with this process. Some jurisdictions have enacted local amendments to the adopted building code. Others have developed separate written policies that clarify their position in this matter. Local rules may also have special accommodations for buildings built from master plans. Visit the *Tech Note* web page at [www.sbcindustry.com/technotes.php](http://www.sbcindustry.com/technotes.php) to see if any clarifications have been provided for your jurisdiction. **SBC**

For more information about how to get involved in the code process, contact WTCA staff at 608/274-4849 or [codes@sbcmag.com](mailto:codes@sbcmag.com).



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