

CITY OF SCOTTSDALE  
PLANNING & DEVELOPMENT SERVICES

**INTERPRETATIONS & APPLICATIONS**  
**OF BUILDING CODES & REGULATIONS** 09-2



CODE SECTION : IBC Section 105.5 Expiration for Permit  
IBC Section Payment of Fee's

07/21/2009

**SUBJECT:** Foreclosed **RESIDENTIAL** properties in varies stages of construction.

2006 International Residential Code:

**105.5 Expiration.**

*Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance; or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced or last recorded inspection.*

**108.1 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.*

When a property under construction is foreclosed and resold, the permit and the permit applicant are no longer valid. New property owners who want to reactivate the original permit shall comply with the following:

To obtain and reactivate the existing permit, the applicant shall first file a **Request to Change Records** form furnished by the Records department for that purpose. Such form shall be complete with new ownership and contractor information and shall be accompanied by proof of current ownership either in the form of copy of the recorded warranty deed or schedule A & B of current title report.

Foreclosed properties are often in different stages of construction. Before the city will consider reactivation a permit on a foreclosed property, the new applicant shall purchase a minimum fee building permit and request an inspection of the property to determine which of the following conditions apply. 4 conditions have been identified.

**Condition 1.** The foreclosed structure has received **approvals** for all inspections **UNDERSLAB** (003, 004, 005, 006, 007 – and 010 if required). This structure shall be considered **25%** complete. The permit reactivation fee shall be **75%** of the full fee normally charged.

**Condition 2.** The foreclosed structure has received **approvals** for all inspections thru the **ROOF DECK/STRAP & SHEAR** (14). This structure shall be considered **50%** complete. The permit reactivation fee shall be **50%** of the fee normally charged.

**Condition 3.** The foreclosed structure has received **approvals** for all inspections up to the **FINAL** inspections, but has not received **approvals** for the **FINAL** inspections (026, 027, 028, 029, 030, 031, 043, 045). This structure shall be considered **75%** complete. The permit reactivation fee shall be 25% of the full fee normally charged.

**Condition 4.** The foreclosed property has all required inspections but needs a **Certificate of Occupancy** issued. A certificate of occupancy permit shall be issued so an inspection of the property can be conducted. After the property is found in compliance, a **Certificate of Occupancy** shall be issued.

Should an application be submitted for a permit reactivation on a foreclosed structure after new fees have gone into effect, the permit shall be calculated at the **new** full fee, and then the proper condition above applied.

Should the application be submitted for permit reactivation on a foreclosed structure after new codes have been adopted, the structure shall be allowed to be completed under the version of the code in place at the time the original permit was obtained.

Requests for copies of the city approved plans shall be made in writing and accompanied with a notarized letter from the Architect and/or Engineer of record releasing a copy of the plans to the applicant.