



INTEROFFICE MEMORANDUM

Date: September 1, 2015

To: Code Services Staff

From: Brad Claussen, Building Official

Subject: Right of Entry for Inspectors

This is a guide for inspection staff when conducting inspections on private property. Please keep in mind that not all scenarios are the same and if you have any questions on whether entry is allowed or not, you should seek guidance from a supervisor.

Even though our adopted codes all stipulate that the code official has the right to enter a structure or premises, it goes on to say that proper credentials are to be presented and entry requested. If entry is denied, then other legal means may be explored. Those means are outlined below. Generally speaking, you may visually inspect property from any public place such as the street right of way or an alley. If you are attempting to contact an occupant of a structure, you may go up to the entry door and observe from there and may go in if someone is inside and allows you in. You may NOT go in other places on the property without the permission of the owner or occupant. For construction inspections where a permit has been issued and inspection called for, entry may be made to inspect the item requested.

You may enter a property or structure after an emergency such as a fire or high wind event in order to determine habitability of the structure.

When entry is denied, an administrative warrant may be necessary. City legal staff will take the lead on those situations. When we are requested to accompany another agency entering a structure, we are to make sure the occupant or owner has given permission or the warrant obtained by the outside agency allows us to enter.

Let me know if you have any questions regarding this topic.