

**SULTAN CITY COUNCIL
AGENDA ITEM COVER SHEET**

ITEM NO: D-2
DATE: July 22, 2010
SUBJECT: Adoption of Updates to Building Codes
CONTACT PERSON: Robert Martin, Community Development Director



ISSUE:

Discussion of local government options for adoption of the current Washington Building Code updates.

STAFF RECOMMENDATION:

Staff recommends that Council consider options for adoption of the 2009 Amendments to the Washington State Building Code, as adopted by Sultan Municipal Code (SMC) Title 15, and provide Staff direction on desired course of action.

BACKGROUND:

The following background review is provided by City Attorney Margaret King:

For years the construction of buildings and homes throughout the nation were regulated under a few model code books and many individual city building codes. For decades many have urged a common code format so it could be better understood and universally used. In response, the International Code Council was formed in 1994 to develop a uniform set of building codes. In early 2000, a family of International codes was developed then amended in 2003, 2006 and now 2009.

The Washington State Building Code (Ch. 19.27 RCW) is applicable to all construction in the state and becomes effective on July 1, 2010. The State adopted the 2009 International Codes and a few others to make up the Washington State Building Code. The provisions of the State Building Code take effect in all cities regardless of whether they are adopted locally. However, it's recommended that cities adopt the State Building Code in a local ordinance.

In addition to mandating that the State Building Code will be in effect in every town, city and county, the State Legislature also created an agency called the State Building Code Council. The Building Code Council adopts and maintains the state building codes and approves local amendments. Earlier last year the Building Code Council voted to adopt the 2009 editions of the international model codes, with some amendment changes. The State Building Code Council also adopted changes to the Washington State Energy Code and eliminated the Ventilation and Indoor Air Quality Code, because they are now addressed in another adopted code.

DISCUSSION:

The following discussion is provided by City Attorney Margaret King:

The model codes are revised about every three years. Part of the revision process allows the City to consider/adopt certain code appendices that can augment the model codes. Cities and Towns are also allowed to adopt or augment their own construction administrative rules and do not have to accept the general provisions of the model codes. In addition, other codes (e.g. dangerous building codes, housing maintenance codes) may be adopted if they are found to be beneficial to the City, provided they do not conflict with the required State Code adoption.

The City should review the changes and speak with Safebuilt and make decisions regarding whether it wants to adopt all of the changes and what appendices it wants to adopt.

Significant Code Changes:

As is the case with each new adoption, the 2009 State Building Code contains several changes from the 2006 edition. Changes to codes are common and typically are the result of new construction techniques, changes to materials, safer construction practices or policy changes.

The two items that probably relate closest financially to the construction of a new home center on fire sprinklers and the energy code. The most noteworthy change to the 2009 State Building Code relates to how fire sprinkler systems are addressed in the International Residential Code (IRC). The IRC is currently code used to construct homes in Sultan. As you may recall, there was an issue over the IRC and what was required with respect to the International Fire Code (IFC).

We have the option of adopting either Appendix R or Appendix S to clarify sprinkler requirements within the city. Appendix R provides a detailed, prescriptive design approach to the voluntary installation of automatic fire sprinklers. This approach is both a less restrictive and a less complicated one than may be required under the International Building Code or International Fire Code. As an example, Appendix R does not require that attics, crawlspaces, closets, soffits or garages have sprinklers.

Appendix S requires the installation of fire sprinklers in all cases.

AS107.1 Fire Sprinklers states: An approved automatic fire sprinkler system shall be installed in new one-family and two-family dwellings and townhouses in accordance with Appendix R."

The approach being taken by most Towns and Cities that I represent is to use the approach in Appendix R. The principle around this policy is that if technical constraints such as low water pressure or difficult access require the installation of a sprinkler system then one must be part of a new or substantially remodeled home. However, when there are no technical justifications for the sprinklers, then none are required.

Most of the cities/towns have adopted the same approach, with Medina and Lake Forest Park being the exception. Sprinkler systems cost in those Cities run about \$7,500 to \$15,000 for a typical home. Of course, it would most likely be less for smaller homes in Sultan.

The other significant change to the State Building Code relates to the Washington State Energy Code. Not all states have developed and adopted an energy code. Washington has had this code for many years. More recently, the Governor asked the Building Code Council to develop and adopt code regulations that would increase energy efficiency in Washington State by 30%. This was done in the current edition of the Energy Code, probably making it the most restrictive/progressive energy code in the nation.

ANALYSIS:

The building codes are adopted by the City in SMC 15.01. The most recent adoption was Ordinance 856-04 on July 14, 2004. The Codes themselves are not reproduced in the SMC, as they are too large. SMC 15.01 adopts the codes by reference so the code language only lists the codes to be adopted, and does not reproduce the code language itself.

The adopting ordinance also lists the exceptions or modifications that the City is choosing to enact that are different than the standard state adoption. The City can only adopt exceptions that are authorized by the state, as in the alternative fire sprinkler option discussed above. The City cannot choose to exclude mandatory portions of the state-adopted code.

Attachment A (nine pages) presents the highlights of changes to the 2009 IBC and related codes.

ALTERNATIVES:**Adopt by new ordinance or accept state adoption as sufficient:**

SMC 15.01.030 A. reads as follows:

Except as otherwise provided in this chapter, there shall be in effect in the city of Sultan the building code which shall consist of the following codes which are hereby adopted by reference as amended by the Washington State Building Code Council: (emphasis added)

The “as amended” clause in this language was apparently employed in the 2006 update cycle, as no new ordinance was adopted at that time to affirm Sultan’s adoption of the Washington State Building Code. **Attachment B** is a copy of Ordinance 856-04 used to adopt the City’s initial conversion to the International Building Codes (2003 version).

As presented above, the City Attorney advises that the City affirmatively adopt the 2009 update through adoption of an ordinance although the “as amended” clause will cover the issue if the Council determines not to adopt a new ordinance for the 2009 cycle.

Adopt Sprinkler-Mandatory option or Sprinkler-Optional variation:

The Washington State adoption allowed local jurisdictions to choose either mandatory or optional standards for fire sprinkler systems in single-family and two-family residences. As discussed by the City Attorney above, most local jurisdictions are adopting the sprinkler-optional standard which only requires sprinklers in residences where technical constraints prevent acceptable fire suppression standards from being delivered by normal emergency response systems.

The Council can choose Appendix R which describes how sprinkler systems are to be designed, but does not require them to be installed except in circumstances described above. Appendix S requires sprinkler systems to be installed in all new and substantially remodeled single-family and two-family residences.

Energy Code Adoption:

Adoption of the Energy (Conservation) Code upgrade is, at this time, on hold by the State in an effort to temporarily delay implementation of the increased construction costs associated with meeting code standards. Local governments are awaiting state level action on this code upgrade.

STAFF RECOMMENDATION:

Staff recommends that Council consider options for adoption of the 2009 Amendments to the Washington State Building Code, as adopted by Sultan Municipal Code (SMC) Title 15, and provide Staff direction on desired course of action.

ATTACHMENTS:

Attachment A: Highlights of changes to the 2009 IBC and related Codes.

Attachment B: Ordinance 856-04

**2009 IBC, IRC, IFC
Code Change Highlights:**

IRC	
R105.2 Work Exempt from Permit	Accessory structures and detached decks that are 200 square feet or less are exempt from permits – if deck is over 30 inches above grade or if it serves the main exit door it will need permit.
R202 Definitions	Added definition of “Attic, Habitable” (70 square feet minimum and headroom heights as per section R305) and added live load, emergency escape and rescue, smoke alarm, and vertical egress requirements for these areas.
R202 Definitions	Added the word “plane” to “Story above grade” since RB2 06/07 changed the scope of IRC to 3 stories above grade plane. This now matches the IBC.
R202 Definitions	Definition of townhouse was changed from open space on two or more sides to yard or public way on two or more sides since yard and public way both have definitions.
R202 Definitions	Definitions of Stair (one or more risers) and Stairway (one or more flights of stairs, interior or exterior, including landings and platforms) were added and now match what is in the IBC.
Section R302 Fire Resistive Construction	This section now has all of the fire resistive construction requirements for exterior walls, projections, penetrations, party walls, and new table for separation between house and garage. No technical changes except one hour fire rated party wall allowed in townhouses with fire sprinkler systems, and fire separation requirements do not apply to two separate accessory structures located on same lot.
R308.4 Hazardous Locations	Glazing within 24” of either vertical edge of a door and lower than 60” above floor needs safety glazing. Exception was added for glazing that is adjacent to the fixed panel of sliding patio doors.
R311.3 Floors & Landings at	Added exception for exterior balconies that are 60 square feet or less and only

Doors	accessible from that door – do not need the 36” landing in the direction of travel.
R311.7.4 Stair Treads and Risers	Added scoping language to require all tolerance requirements (+ or – 3/8” on treads and risers) to be measured exclusive of carpets, rugs or runners.
R312 Guards	Guards are required when surface is located more than 30 inches above floor or grade below at any point within 36 inches horizontally to the edge of the open side and the guard needs to be 36” minimum high above adjacent fixed seating (benches).
R313 and P2904 Sprinkler Protection *NOT ADOPTED*	Added new sections that will require fire sprinklers in all new townhouses upon adoption and fire sprinklers in all new single family homes as of January 1, 2011 and P2904 gives details on how to design and install multipurpose sprinkler piping systems.
R314 Smoke Alarms	New exception was added so that adding smoke alarms for installation, alterations, or repairs of plumbing or mechanical systems is not required but will still be required for all other interior work that requires permit.
R315 Carbon Monoxide Alarms	Added requirements for carbon monoxide alarms in new dwellings when there is a fuel fired appliance or an attached garage – includes requirements to add alarms for all permits to interior when there is a fuel fired appliance or an attached garage.
R502.2.2.1 Deck Ledger Connections	This is a new section that gives prescriptive requirements for attaching deck ledgers to the house rim boards. Primarily requires lag bolts or through bolts.
R602.10 Wall Bracing	This section has been completely rewritten to provide technical accuracy and clarity. Code no longer differentiates between exterior and interior braced walls.
R612.3 Window Fall Prevention Devices	This section now requires window fall prevention devices (when bottom edge of opening is less than 24” above floor and is more than 72” above exterior grade) to meet ASTM F 2090 which will meet emergency escape release mechanism requirements.
R613 Structural Insulated Panel Wall Construction	This section was added and gives all requirements for SIP wall construction but does not apply to floor or roof panels.
R806.1 Attic Ventilation	The minimum size of ventilation openings has been reduced from 1/8” to 1/16” to guard against entry of insects. Potential problem with this smaller size if you paint over and seal up smaller holes.
Table 905.2.4.1 and IBC Table 1507.2.7 Asphalt Roof Shingles	These tables were added and include ASTM D 7158 D, G, or H as alternate approved test standard for wind load testing for shingles.

<p>AG 106 and IBC 3109.5 Swimming Pool Entrapment</p>	<p>These sections in the IRC and IBC have both been changed for swimming pool entrapment avoidance to match the recently passed Virginia Graeme Baker Pool and Safety Act.</p>
<p>IFC Changes:</p>	<p>The new exception clarifies that the IFC does not apply to the interior of single family dwellings built under the IRC but does apply to the exterior of structure including premises identification, fire apparatus access and water supplies.</p>
<p>IFC 102.1 Construction & Design Provisions</p>	<p>This section was added which will require an approved Emergency Responder Radio Coverage system in all new and EXISTING buildings – no time frame for existing buildings.</p>
<p>IFC 511 Emergency Responder Radio Coverage</p>	<p>This section was added and will require fire sprinklers in all existing Group I-2 occupancies (child care, detox, hospitals, mental hospitals, nursing homes). This is only located within the IFC and not the IBC and no timetable.</p>
<p>IFC 903.6.2 Group I-2</p>	<p>ENERGY, MECHANICAL, PLUMBING, FUEL GAS CODE CHANGES</p>
<p>IRC ENERGY: See WA Building Code Council (www.sbcc.wa.gov) / Washington Energy Code</p>	<p>Approximately 15% more restrictive: R-20 in exterior walls above grade Programmable thermostats – at least one 50% of light bulbs to be high efficacy Blower door test or visual inspection for air leakage Checking for duct leakage Heated swimming pools and snow melt systems</p>

INTERNATIONAL ENERGY CONSERVATION CODE

	<p>Approximately 15% more restrictive: R-20 in exterior walls above grade Programmable thermostats – at least one 50% of light bulbs to be high efficacy Blower door test or visual inspection for air leakage Checking for duct leakage Heated swimming pools and snow melt systems</p>
<p>IRC M1411.6 IMC 1101.10</p>	<p>Locking access caps required for refrigerant circuit access ports that are located on exterior – applies to air conditioning condensers – also applies to commercial installations.</p>
<p>IRC M1503.4 IMC 505.2</p>	<p>Exhaust hood systems capable of exhausting in excess of 400 cfm will require makeup air to match – needs to have means of closure and also automatically controlled to start and operate at same time as the exhaust – no requirement for make up air to be conditioned.</p>
<p>IRC Table M1502.4.4.1 IMC Table 504.6.4.1</p>	<p>There is a new table that gives equivalent lengths of dryer exhaust duct fittings which you use when determining allowable length of dryer exhaust ducts but you can still use manufacturer’s instructions to determine length.</p>
<p>IRC M1502.4.5 IMC 504.6.5</p>	<p>Where the clothes dryer exhaust duct is concealed within building construction, the equivalent length shall be identified on permanent tag and be within 6 feet of the duct connection.</p>
<p>IRC M1502.5 IMC 504.6.7</p>	<p>Protective shield plates will now be required for clothes dryer exhaust ducts that are closer than 1 ¼” to surface of framing.</p>
<p>IRC M1602.2 IRC M2103.2 IMC 1209.5</p>	<p>Outdoor and return air cannot be taken from unconditioned attics or boiler rooms. Thermal barriers are now required for all radiant floor heating systems – this will apply to either slab on grade (minimum R-5) or suspended floors (minimum R-11) and thermal breaks required where heated slabs meet foundation walls.</p>

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<p>IRC G2411.1 IFGC 310.1.1</p>	<p>CSST gas piping systems shall be bonded to the electrical service grounding electrode system at the point where the gas service enters the building and bonding jumper needs to be at least 6 AWG copper wire or equivalent or check manufacturer's installation requirements.</p>
<p>IRC G2415.4 IFGC 404.4</p>	<p>Gas piping shall not penetrate building foundation walls at any point below grade.</p>
<p>IRC P2503.6 IPC 312.9</p>	<p>Shower liner tests are now required and specific requirements are listed.</p>
<p>IRC P2904</p>	<p>Section 2904 was added and gives design and installation requirements for dwelling unit fire sprinkler systems and is an equivalent to an NFPA 13D fire sprinkler system – the design drawings will need to be provided before permit issuance.</p>
<p>IPC Table 403.1 Required Plumbing Fixtures</p>	<p>Footnote f was added to Table 403.1 which gives exception for when you have 15 or fewer occupants then you are not required to have two drinking fountains.</p>
<p>IMC Section 403 Mechanical Ventilation</p>	<p>Section 403 was substantially revised and alters the airflow requirements along with the way they are calculated. It also references "breathing zones." This will bring these in line with the ASHRAE 62.1-2004 requirements. This also helps in energy efficiency.</p>
<p>IBC Changes</p>	
<p>202 Definitions</p>	<p>The definition for "Labeled" has been added to reflect how approved testing labs, inspection agencies, or other agencies that do product evaluations do the labeling for products.</p>
<p>304.1 Business Group B</p>	<p>Ambulatory health care facilities were added along with new section 422 for specific requirements – fire sprinklers, fire alarms, smoke compartments. Ambulatory health care facilities are medical, surgical, psychiatric, nursing or similar care – less than 24 hours – incapable of self preservation (24 hours or more still I-2).</p>
<p>308.5.1 I-4 Adult Care Facility</p>	<p>Adult care facilities provide accommodations for less than 24 hours for more than five unrelated adults and provide supervision and personal care. Changed the exception from A-3 to R-3. If the occupants are capable of responding to emergency without assistance then it can be classified as R-3.</p>
<p>310.1 Residential Group R</p>	<p>Will allow a R-1 transient congregate living facility with occupant load of 10 or less to be</p>

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	classified as R-3. Condos in ski towns.
402.6.1 Reduced Open Space	This section was added and will allow reduced open space (40') for unlimited area malls. This will match reduced open space for regular buildings.
403.6.1 Fire Service Elevator	This section was added and will require a fire service access elevator for all buildings with an occupied floor more than 120 feet above the fire department vehicle access and refers to new Section 3007 for requirements – this does not require separate elevator.
Table 403.2.4 Minimum Bond Strength	This table was added and gives higher SFRM minimum bond strengths for high rise buildings – 430 psf for building 75' to 420' and 1,000 psf for buildings over 420'. Higher bond strength means better cohesion to steel members.
403.5.2 Additional Exit Stairway	This section was added and will require an additional exit stair for all buildings (other than R-2) with an occupied floor more than 420 feet above fire department vehicle access – not required when elevator complying with section 3008 (Occupant Evacuation Elevator) is installed – more restrictive than Fire Service Access Elevator.
403.5.5 Egress Path Markings	This section was added and will require luminous egress path markings for high rise buildings and refers to new section 1024 for details. IFC Section 4604.23 requires these egress path markings to be added to all existing high rise buildings – no timetable.
419 Live Work Units	This section was added and gives requirements for Live Work occupancies. Possible amendments: <ul style="list-style-type: none"> • Refer to IBC Chapter 29 for plumbing fixture requirements • Refer to IBC Chapter 10 for exit system requirements
Table 503 Allowable Height and Building Areas	B, M S-1, and S-2 allowable stories were all reduced for Type IIB and IIB construction – B went from 4 to 3, M went from 4 to 2, S-1 went from 3 to 2, and S-2 went from 4 to 3. Attempted to reduce R from 4 to 3 but was defeated since all R occupancies require sprinklers.
508.2 Accessory Occupancies	This section was completely changed with emphasis on clarifying that incidental use areas are a subset of accessory occupancies. Storage and parking garages were also deleted from Table 508.2.5.
509.2 Horizontal Building Separation Allowance	This section has been modified to allow R occupancies on the level below the 3 hour rated horizontal separation – now will allow B, M, R, multiple A (with occupant load

	under 300) and incidental uses (storage areas, mechanical areas, lobbies)
509.5 and 509.6	Both sections have added R-1 to allowable occupancies in buildings of Type IIIA and IIA that can have increased height and stories -- now will be R-1 and R-2.
509.9 Multiple Buildings Above Parking Garages	Section 509.9 (Multiple buildings above an enclosed or open Group S-2 parking garage) This section was added to provide clarity that if there are two properly separated buildings above an S-2 garage and built in accordance with sections 509.2 or 509.3, they shall be regarded as separate and distinct buildings.
Chapter 7	UL 1479 was added as an alternate test to ASTM E814 (F and T ratings) and UL 263 was added as an alternate test to ASTM E 119 (fire resistance rating of building elements, components or assemblies)
703.6 Marking and Identification	This section was added and will require all fire and smoke rated walls to be permanently identified with signs or stenciling -- only exception is R-2's that do not have removable decorative ceiling allowing access -- problems might be rated exterior walls and other occupancies with hard ceilings.
704.1.1 Primary Structural Frame	This section has added bracing members that are essential to the vertical stability of the primary structural frame under gravity loads to be considered part of the primary structural frame -- this relates to fire protection requirements in Table 601.
706.5.1 Fire Walls	This section has added wording that requires using an imaginary lot line to extend out from the intersection of a fire wall at exterior wall in order to verify requirements for exterior wall and opening protection.
706.8 Openings	This section was changed so that the allowable size of fire rated openings in fire walls went from 120 square feet to 156 square feet -- still cannot have openings in party walls and still can have any size openings when building has NFPA 13 sprinkler system.
708.2 Shaft Enclosure Required	Exception 14 was added and will exempt elevators in open and enclosed parking garages that only serve the parking garage. Exception 15 was added and will exempt mechanical shafts in parking garages.
708.14.1 Elevator Lobby	Elevator lobbies are now required in Group I-2 occupancies (detox, child care, hospital, nursing home) and exception 7 was added which exempts elevators serving only open parking garages from needing an elevator lobby.

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7.14.1 Exception 5 Joints	This section has added wording that exempts joints in fire resistive walls, ramps, and floors within enclosed parking garages – matches open parking garages.
903.2.2 Group E	The threshold for requiring a fire sprinkler in E occupancies was reduced from 20,000 square feet down to 12,000 square feet.
903.2.6 Group M	Group M occupancies which are used primarily for the display and sale of upholstered furniture will require fire sprinklers – furniture that has padded inserts – not mattresses and box springs as per CPSC. THIS DOES NOT HAVE ANY SIZE THRESHOLD.
903.2.9 Group S-2	This section now requires a sprinkler system when the fire area of enclosed parking garages exceeds 12,000 s.f. or exceeds three stories above grade plane, or total fire areas exceed 24,000 s.f., or fire area exceeds 5,000 s.f. for storage of commercial trucks.
Table 1005.1 Egress Width	Table 1005.1 was deleted along with the sprinkler exception to reduce exit widths -- .3 inch per occupant for stairs and .2 inch for all other egress components is to be used for any building and space – potential problem may be existing building – use section 3412.
1007.3 and 1007.4 Exit Stairs and Elevators	Both sections have exception added back for a fire sprinkler system in lieu of the required areas of refuge but new section 1007.8 was added and two way communication systems are now required at all elevator landings even if building has approved sprinkler system.
1007.6.2 Required Separation of Areas of Refuge	Areas of refuge are required to be separated by a smoke barrier. The word vertical was deleted from the exception. Areas of refuge can be located within an exit enclosure which could include an exit passageway.
1007.8 Two Way Communication	This section was modified and gives specific requirements for two way communication systems for areas of refuge and at elevator landings.
1008.1.2 Door Swing	Exception 9 was added and allows manually operated horizontal sliding doors from spaces with occupant load of 10 or less – similar to exception 1.

B.A

1009.4.1 Dimension Reference Surfaces	This section was added and requires that stair treads and risers need to meet the required dimensions exclusive of carpets, rugs or runners.
1009.4.5 Profile	Exception 2 now allows open risers in F, H, and S occupancies where not accessible to the public.
1009.12 Handrails	Handrails are only required on 4 or more risers within R-2 and R-3 occupancies – previously required for 2 or more – now matches the IRC – now only difference between IBC and IRC is guard needs to be 42" high in IBC dwelling units.
1009.13 Guards	Guards will be required when surface is located more than 30 inches measured vertically to the floor or grade below at any point within 36 inches horizontally to the edge of the open side.
1014.3 Common Path of Egress Travel	Exception 4 now allows 125 foot maximum travel distance in R-2 occupancy when you have 13R system – previously just for 13 system.
1021.2 and Table 1021.2 Single Exits	Section 1021.2 and Table 1021.2 have been modified by changing the word building to stories for the requirements for only allowing a single exit.
1507.16 Roof Gardens and Landscaped Roofs	This section was added and refers you to sections 1607.11.2.2 and 1607.11.2.3 for design requirements.
2009 CODE CHANGES	You can go to the ICC website, www.iccsafe.org to get more specific information about all previous code changes.

**CITY OF SULTAN
Sultan, Washington**

Ordinance 856-04

AN ORDINANCE OF THE CITY OF SULTAN, WASHINGTON REPEALING CHAPTER 15.01 UNIFORM CODES SULTAN MUNICIPAL CODE, CHAPTER 15.03 BUILDING CODE SULTAN MUNICIPAL CODE, CHAPTER 1504 MECHANICAL CODE SULTAN MUNICIPAL CODE, 15.05 FIRE CODE SULTAN MUNICIPAL CODE AND ENACTING A NEW CHAPTER 15.01

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SULTAN DO ORDAIN AS FOLLOWS:

Section 1 Sultan Municipal Code Chapter 15.01, Chapter 15.03, Chapter 1504, and Chapter 15.05 are hereby repealed and a new Chapter 15.01 (1a) International Building Code, (1b) International Residential Code, (2) International Mechanical Code, (3) International Fire Code, (4) Uniform Plumbing Code, and the standards for making buildings and facilities accessible as established by the Washington State Building Code Council are hereby enacted reading as follows:

Chapter 15.01 Building Codes

Sections	Purposes – Objectives - Standards
15.01.010	Purposes – Objectives - Standards
15.01.020	Definitions
15.01.030	Adoption of International and other Codes
15.01.040	Limitations on Amendment

15.01.010 Purposes -- Objectives -- Standards.

The purpose of this chapter is to promote the health, safety and welfare of the occupants or users of buildings and structures and the general public by the provision of building codes. Accordingly, this chapter is designed to effectuate the following purposes, objectives, and standards:

- (1) To require minimum performance standards and requirements for construction and construction materials, consistent with accepted standards of engineering, fire and life safety.
- (2) To require standards and requirements in terms of performance and nationally accepted standards.
- (3) To permit the use of modern technical methods, devices and improvements.

Attachment B-1

(4) To eliminate restrictive, obsolete, conflicting, duplicating and unnecessary regulations and requirements which could unnecessarily increase construction costs or retard the use of new materials and methods of installation or provide unwarranted preferential treatment to types or classes of materials or products or methods of construction.

(5) To provide for standards and specifications for making buildings and facilities accessible to and usable by physically disabled persons.

(6) To consolidate within each authorized enforcement jurisdiction, the administration and enforcement of building codes.

(7) The City of Sultan shall keep on file in the office of the clerk/treasurer one copy of the hereinafter referenced codes as herein adopted together with the amendments and supplements thereto herein make a part of this chapter.

(8) The building department is hereby created and the official in charge thereof shall be known as the Building Official. The City of Sultan hereby creates the position of Building Official. The Mayor per section 3.02 of the personnel policy manual shall appoint said building official. The Building Official shall perform such duties as are identified throughout this Municipal Code.

The building official also shall fulfill the following duties:

1. Serve as plans examiner;
2. Provide supervision and guidance for the building department.
3. Carry out such other duties as the mayor may designate.

15.01.020 Definitions. As used in this chapter:

(1) "City" means city of Sultan;

(2) "Multifamily residential building" means common wall residential buildings that consist of four or fewer units, that do not exceed two stories in height, that are less than five thousand square feet in area, and that have a one-hour fire-resistive occupancy separation between units; and

(3) "Temporary growing structure" means a structure that has the sides and roof covered with polyethylene, polyvinyl, or similar flexible synthetic material and is used to provide plants with either frost protection or increased heat retention.

15.01.030 Adoption of International and other Codes. Except as otherwise provided in this chapter, there shall be in effect in the City of Sultan the Building Code which shall consist of the following codes which are hereby adopted by reference as amended by the Washington State Building Code Council:

(1)(a) The International Building Code, published by the International Code Council, Inc.;

(1)(b) The International Residential Code, published by the International Code Council, Inc.;

(2) The International Mechanical Code, published by the International Code Council, Inc., except that the standards for liquified petroleum gas installations shall be NFPA 58 (Storage and Handling of Liquified Petroleum Gases) and ANSI Z223.1/NFPA 54 (National Fuel Gas Code);

(3) The International Fire Code, published by the International Code Council, Inc., including those standards of the National Fire Protection Association specifically referenced in the International Fire Code: PROVIDED, that, notwithstanding any wording in this code, participants in religious ceremonies shall not be precluded from carrying hand-held candles;

(4) Except as provided in RCW 19.27.170, the Uniform Plumbing Code and Uniform Plumbing Code Standards, published by the International Association of Plumbing and Mechanical Officials: PROVIDED, that any provisions of such code affecting sewers or fuel gas piping are not adopted; and

(5) The rules adopted by the Washington State Building Code council establishing standards for making buildings and facilities accessible to and usable by the physically disabled or elderly persons as provided in RCW 70.92.100 through 70.92.160.

In case of conflict among the codes enumerated in subsections (1), (2), (3), and (4) of this section, the first named code shall govern over those following.

Intent -(1) The intent of the adoption of the International Building Code by the City of Sultan is to remain consistent with state laws regulating construction, including electrical, plumbing, and energy codes established in Chapters 19.27, 19.27A, and 19.28 RCW. The International Building Code references the International Residential Code for provisions related to the construction of single and multiple-family dwellings. No portion of the International Residential Code shall supersede or take precedent over provisions in Chapter 19.28 RCW, regulating the electrical code; nor provisions in RCW 19.27.031(4), regulating the plumbing code; nor provisions in Chapter 19.27A RCW, regulating the energy code.

(2) In accordance with RCW 19.27.020, the City shall promote fire and life safety in buildings consistent with accepted standards.

(3) The City of Sultan finds that building codes are an integral component of affordable housing.

15.01.040 Limitations on Amendment. The city is authorized to amend the state building code as it applies within the jurisdiction of the city. The minimum performance standards of the codes and the objectives enumerated in RCW 19.27.020 shall not be diminished by any amendments.

(1) No provision of the uniform fire code concerning roadways shall be part of the state building code: PROVIDED, that this subsection shall not limit the authority of a county or city to adopt street, road, or access standards.

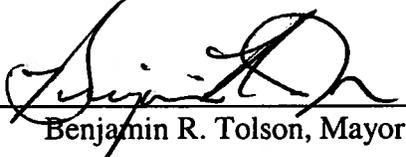
(2) The city may adopt an ordinance or resolution to exempt from permit requirements certain construction or alteration of either Group R, Division 3, or Group M, Division 1 occupancies, or both, as defined in the uniform building code, 1988 edition, for which the total cost of fair market value of the construction or alteration does not exceed fifteen hundred dollars. The permit exemption shall not otherwise exempt the construction or alteration from the substantive standards of the codes enumerated in RCW 19.27.031, as amended and maintained by the state building code council under RCW 19.27.070.

Section 2. Severability – if any provisions of this ordinance or its application to any person or circumstance are held invalid, the remainder of the ordinance or applications of the provisions of the ordinance to other person or circumstances is not affected.

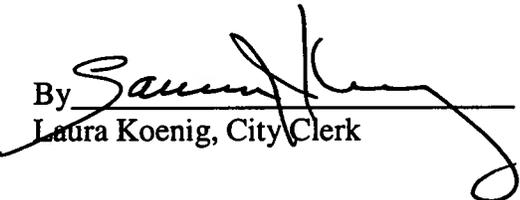
Section 3. Effective Date; Applicability.: This Ordinance shall be in full force and effective five (5) days after publications as required by law. Where a complete application for a permit required under the Codes adopted by this ordinance was on file with the City on the effective date, the applicant shall have the option to proceed under the codes repealed by this ordinance or to proceed under the codes adopted by this ordinance.

Regularly adopted by the Sultan City Council this 14th day of July, 2004.

CITY OF SULTAN

By 
Benjamin R. Tolson, Mayor

Attest:

By 
Laura Koenig, City Clerk

Approved as to form

By 
Thom H. Graafstra, City Attorney

Published 7/17/04

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