

**CITY OF SULTAN  
WASHINGTON  
ORDINANCE NO. 1319-20**

**AN ORDINANCE OF THE CITY OF SULTAN, WASHINGTON, AMENDING  
SULTAN MUNICIPAL CODE SECTIONS 15.01 BUILDING CODE, 15.06  
PLUMBING CODES, AND 15.22 ENERGY CODES; PROVIDING FOR  
SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE**

**WHEREAS**, the Washington State Building Code has been updated: and

**WHEREAS**, the Building Official has identified outdated references in the City's adopted Municipal Code: and

**WHEREAS**, the City believes that harmonizing the Municipal Code with the Washington State Building Code is beneficial to staff and our citizens: and

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

**Section 1. Sultan Municipal Code (SMC) 15.04 is hereby amended to read as follows:**

**Chapter 15.01  
BUILDING CODES**

Sections:

**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:

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

D. 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.

E. To provide for standards and specifications for making buildings and facilities accessible to and usable by physically challenged persons.

F. To consolidate within each authorized enforcement jurisdiction, the administration and enforcement of building codes.

G. 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.

3.02 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:

A. "City" means city of Sultan;

B. "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 5,000 square feet in area, and that have a one-hour fire-resistive occupancy separation between units; and "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.**

A. 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 except for Appendix Q – Dwelling Unit Fire Sprinkler Systems:

1. a. The 2015 International Building Code, published by the International Code

Council, Inc., with statewide amendments and as amended within this document;

b. The 2015 International Residential Code, published by the International Code Council, Inc., with statewide amendments, except Section P2904, Dwelling Unit Fire Sprinkler Systems;

2. The 2015 International Mechanical Code, published by the International Code Council, Inc., except that the standards for liquefied petroleum gas installations shall be NFPA 58 (Storage and Handling of Liquefied Petroleum Gases) and ANSI Z223.1/NFPA 54 (National Fuel Gas Code);

3. The 2015 Liquefied Petroleum Gas Code (NFPA 58) without exception; as adopted by SBCC.

4. The 2015 National Fuel Gas Code (NFPA 54) without exception; as adopted by SBCC.

5. The 2015 International Fire Code, published by the International Code Council, Inc., with statewide amendments without exception, including those standards of the National Fire Protection Association specifically referenced in the International Fire Code;

6. The 2015 Uniform Plumbing Code with statewide amendments without exception;

7. The 2015 Washington State Energy Code without exception;

8. The 2017 National Electrical Code (NFPA 70). Please see the Department of Labor and Industries for information on the adoption and amendment of the National Electrical Code without exception;

9. The IC/ANSI A117.1-09, Accessible and Usable Buildings and Facilities, with statewide amendments without exception;

10. The rules adopted by the Washington State Building Code Council establishing standards for making buildings and facilities accessible to and usable by the physically challenged or elderly persons as provided in RCW 70.92.100 through 70.92.160;

11. In case of conflict among the codes enumerated in subsections (A)(1), (2), (5), and (6) of this section, the first named code shall govern over those following.

#### B. 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 one- and two-family dwellings and townhomes as defined. No portion of the International Residential Code shall supersede or take precedence 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. 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.

A. No provision of the International 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.

**Section 2. Sultan Municipal Code (SMC) 15.06 is hereby amended to read as follows:**

**Chapter 15.06  
PLUMBING CODE**

Sections:

**15.06.010 Plumbing code adopted.**

**15.06.020 Definitions.**

**15.06.30 Cross-connection declared unlawful.**

**15.06.31 Backflow prevention devices to be installed.**

**15.06.32 Regulation of private water supplies.**

**15.06.33 Adoption of state regulation.**

**15.06.34 Abatement of unlawful cross-connections and installation of backflow prevention devices – Procedures.**

**15.06.040 Penalties.**

**15.06.010 Plumbing code adopted.**

The Uniform Plumbing Code, issued by the International Association of Plumbing and Mechanical Officials, Edition, together with amendments and/or additions thereto, is adopted, in part, as listed herein by this reference as part of the plumbing code. Nothing in this code shall apply to the installation of any gas piping or vents for water heaters.

**15.06.020 Definitions.**

As used in this chapter, the following definitions apply:

A. "Backflow" means a flow other than the intended direction of flow, or any foreign liquids, gases or substances into the distribution system of a public water supply.

B. "Backflow prevention device" means a device approved by the state of Washington, Department of Social and Health Services or such other state department that shall have jurisdiction over the subject matter, and by the American Water Works Association, used to

counteract back pressure or prevent back siphonage into the distribution system of a public water supply.

C. "Cross-connection" means any physical arrangement whereby a public water supply is connected, directly or indirectly, with any other water supply system, sewer, drain, conduit, pool, storage reservoir, plumbing fixture, or other device which contains or may contain contaminated water, sewage, or other wastes or liquids of unknown or unsafe quality, which may be capable of imparting contamination to a public water supply as a result of backflow.

**15.06.30 Cross-connection declared unlawful.**

The installation or maintenance of a cross-connection which, in the opinion of the utility superintendent or building official, or any staff member that he or she shall designate who is qualified in protection of municipal water quality, will endanger the water quality of the potable water supply of the city, is declared to be unlawful.

**15.06.31 Backflow prevention devices to be installed.**

Backflow prevention devices, when required to be installed in the opinion of the utility superintendent, building official or his designated representative, shall be installed and maintained by the service customer on any service connection to the city water supply system where said backflow prevention devices are necessary for the protection of the city water supply.

**15.06.040 Penalties.**

In addition to the remedies set forth in this chapter, any person found guilty of violating any of the provisions of this chapter shall be subject to the penalties as set forth in SMC 1.10.

Section 3. Sultan Municipal Code (SMC) 15.22 is hereby amended to read as follows:

**Chapter 15.22**

**ENERGY CODES**

Sections:

- |                  |                          |
|------------------|--------------------------|
| <b>15.22.010</b> | <b>Adoption of code.</b> |
| <b>15.22.015</b> | <b>Fees.</b>             |
| <b>15.22.020</b> | <b>Conflict.</b>         |

**15.22.010 Adoption of code.**

This chapter adopts the 2015 Washington State Energy Code, as written by the Washington State Building Code Council and filed as Chapter 51-11c WAC

**15.22.020 Conflict.**

Whenever any conflict occurs between any section of this chapter and the codes referred to in this chapter, the current edition of the Washington State Energy Codes shall prevail.

Section 4 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 5 Effective Date: This ordinance shall be in full force and effect five days after publication as required by law.

REGULARLY ADOPTED this 9th day of January 2020.

  
\_\_\_\_\_  
Russell Wiita, Mayor

Attest:

  
\_\_\_\_\_  
Tam Pevey, City Clerk

Approved as to form:

  
\_\_\_\_\_  
Hillary Evans Graber, City Attorney

Published: January 13, 2020

Effective: January 18, 2020