

October 30, 1996

Introduced By:

Christopher Vance

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Proposed No.:

96-065

ORDINANCE NO. **12560**

AN ORDINANCE adopting Uniform Codes for King County, in accordance with R.C.W. 19.27; adopting supplemental amendments, additions and deletions to the Code necessary for its application in King County including provisions for use of administrative rules in accordance with K.C.C. Section 2.98; amending Ordinance 3647, Section 2, as amended, and K.C.C. 16.04.010; Ordinance 3647, Section 3 and K.C.C. 16.04.020; Ordinance 3647, Section 5, as amended, and K.C.C. 16.04.040; Ordinance 10608, Section 3 and K.C.C. 16.04.050; Ordinance 11622, Section 3 and K.C.C. 16.04.052; Ordinance 7853, as amended, and K.C.C. 16.04.098; Ordinance 2097, Section 1, as amended, and K.C.C. 17.04.010; and Section 2 and K.C.C. 17.04.020; Ordinance 6328, Section 4, and K.C.C. 17.04.030; Ordinance 8726, and K.C.C. 17.04.040; and repealing Ordinance 6325, Sections 1 through 14 and K.C.C. 17.06.010 through 17.06.140, and WAC 51-34-7902, WAC 51-34-7904, and WAC 51-34-8001.

PREAMBLE:

The Washington state building code consists of the Uniform Building Code and Uniform Building Code Standards; the Uniform Mechanical Code; the Uniform Fire Code and Uniform Fire Code Standards; the Uniform Plumbing Code and Uniform Plumbing Code Standards; and the rules and regulations adopted by the council establishing standards for making buildings and facilities accessible to and usable by the physically handicapped or elderly persons as provided in the 1994 Revised Code of Washington (RCW) 70.92.100.

The 1994 editions of the Uniform Building Code and Uniform Building Code Standards; the Uniform Mechanical Code; the Uniform Fire Code and Uniform Fire Code Standards were adopted by the State of Washington on November 18, 1994, and have been in effect throughout Washington state since July 1, 1995. The state has maintained the 1991 edition of the Uniform Plumbing Code and Uniform Plumbing Code Standards.

RCW 19.27.040 authorizes the governing body of each county or city to amend the state building code as it applies within the jurisdiction of the county or city. King County amendments to the state building code have previously been contained in attachments to the adopting ordinance. King County has determined that codifying the amendments to the state building code in King County Code (K.C.C.) Title 16, Building and Construction Standards, and Title 17, Fire Code would make the King County amendments more accessible to the public, and facilitate implementation of the state building code.

The King County amendments to the state building code contained in this ordinance do not require approval by the State Building Code Council, and are basically the same as those adopted for the 1991 Uniform Codes.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 3647, Section 2, as amended and K.C.C. 16.04.010 are each hereby amended to read as follows:

Adoption. The following volumes, as published by or jointly with the International Conference of Building Officials, together with amendments, additions and deletions hereinafter adopted by reference, together with the state building code, and together with King County modifications ((attached to Ordinance 10608 and referred to as Attachment A, and with modifications attached to Ordinance 11700 and referred to as Attachment A,)) which shall be adopted and codified in this chapter are adopted as the building codes of King County and hereinafter referred to as "the code":

A. The Uniform Building Code, Volumes I, II, and III ((including Chapter 41 Uniform Building Security Code, 1991)) 1994 Edition, with Appendi((ces))x Chapter 3, Division II; Chapter 4, Division I and II; Chapter 10; Chapter 12, Division II; and Chapter 31, Div II and III, ((and the Uniform Building Code Standards, 1991)) 1994 Edition as amended in ((WAC 51-20 and 51-21 on November 8, 1991)) WAC 51-30 effective June 30, 1995;

B. The Uniform Mechanical Code, ((1991))1994 Edition, with Appendices and with the Uniform Mechanical Code Standards, as amended in ((WAC 51-22 on November 8, 1991))WAC 51-32 effective June 30, 1995;

C. The Uniform Housing Code, ((1991))1994 Edition;

D. The Uniform Code for the Abatement of Dangerous Buildings, ((1991))1994 Edition;

E. The Uniform Building Security Code, 1994 Edition.

This code also may be further clarified and implemented with administrative rules adopted in accordance with K.C.C. 2.98.

SECTION 2. Ordinance 3647, Section 3, and K.C.C. 16.04.020 are each hereby amended to read as follows:

Term amendments. Whenever the following words appear in the code, they are to be changed as follows:

- A. City to county;
- B. Cities to county;
- C. City limits to ~~((county confines))~~ unincorporated King County;
- D. City of to King County;
- E. City council to ~~((county council))~~ Metropolitan King County Council;
- F. City treasurer to ~~((county comptroller))~~ Chief Financial Officer;
- G. Mayor to county executive;
- H. Building official to ~~((manager, building and land development division, department of planning and community development))~~ director, department of development and environmental services.

SECTION 3. Ordinance 3647, Section 5, as amended, and K.C.C. 16.04.040 are each hereby amended to read as follows:

Modifications to the code. The county council hereby declares that amendments, additions, deletions, and administrative rules are necessary to modify and clarify the code for its application in King County. Such modifications and administrative rules shall be prepared by the ~~((manager, building and land development division,))~~ director, and, in the case of modifications, adopted by the council, they shall be codified within this chapter or in the case of administrative rules, as specified in K.C.C. 2.98. These codes, modifications, and administrative rules constitute county regulation for any activity subject to the code. The ~~((manager))~~ director shall make the adopted modifications and administrative rules readily available at reasonable cost to persons performing any activity subject to the code.

SECTION 4. Ordinance 10608, Section 3, and K.C.C. 16.04.050 are each hereby amended to read as follows:

Modifications adopted. WAC 51-11, the 1994 Washington State Energy Code, Second Edition effective ((July 1, 1991))June 30, 1995, and WAC 51-13, the 1991 Washington State Ventilation and Indoor Air Quality Code, Third Edition amended November 18, 1994 and effective ((July 1, 1991, as amended November 8, 1991))June 30, 1995 and the King County modifications to the((1991))1994 editions of the Uniform Building Code, Uniform Mechanical Code, Uniform Housing Code, Uniform Code for the Abatement of Dangerous Buildings and the Uniform Building Security Code are adopted as part of the code.

SECTION 5. Ordinance 7853, as amended, and K.C.C. 16.04.098 are each hereby amended to read as follows:

Inspection and enforcement. A. Enforcement. The ((~~manager of the division of building and land development~~))director is authorized to enforce the provisions of this chapter and any rules and regulations promulgated thereunder, pursuant to the enforcement and penalty provisions of Title 23 of the King County code.

EXCEPTION: The director of the department of public health is authorized to enforce Uniform Building Code Section 2902 and Table 29-A (WAC 51-30).

B. General. All construction or work for which a permit is required shall be subject to inspection by the ((~~manager of the division of building and land development~~))director.

C. Authority. The ((~~manager of the division of building and land development~~))director is authorized and directed to enforce this chapter. The((~~manager of the division of building and land development~~))director is authorized to promulgate, adopt, and issue those rules and regulations necessary to the effective and efficient administration of this chapter, such rules and regulations to be adopted and maintained in accordance with the provisions for the rules of county agencies, K.C.C. 2.98.

D. Plan reviews and inspections. All buildings constructed under the provisions of this chapter are subject to a final inspection for compliance with this chapter. The ((~~manager of the division of building and land development~~)) director has the authority to

establish rules and procedures for accepting at his/her~~((the))~~ option ~~((of the applicant))~~ an affidavit of substantial compliance with this chapter in lieu of plan reviews and/or inspections.

NEW SECTION. SECTION 6. Section 104.2.1 of the Uniform Building Code is hereby repealed, and the following is substituted:

UBC 104.2.1 General. The building official is hereby authorized and directed to enforce all the provisions of this code, with the exception of Uniform Building Code Section 2902.1 and Table 29-A UBC. The director of public health is authorized to enforce the provisions of Section 2902.1 and Table 29-A (WAC 51-30). For such purposes, the building official and the director of public health shall have the powers of a law enforcement officer.

The building official shall have the power to render interpretations of this code and to adopt and enforce rules and supplemental regulations in order to clarify the application of its provisions. Such interpretations, rules and regulations shall be in conformance with the intent and purpose of this code.

NEW SECTION. SECTION 7. Section 104.2.3 of the Uniform Building Code is hereby repealed, and the following is substituted:

UBC 104.2.3 Right of entry. The right of entry shall be in accordance with the procedures specified in Title 23 of the King County Code.

NEW SECTION. SECTION 8. Section 104.2.4 of the Uniform Building Code is hereby repealed, and the following is substituted:

UBC 104.2.4 Stop orders and correction notice. Whenever any work is being done contrary to the provisions of this code, the building official may order the work stopped by notice in writing served on any persons engaged in the doing or causing such work to be done, or by posting such notice in a conspicuous place on the premises where the violation is occurring, and any such persons shall forthwith stop such work until authorized by the building official to proceed with the work.

Whenever any work is being done contrary to the provisions of this code, the building official may order the violations corrected without ordering all work stopped by issuing a correction notice which identifies the violation. The correction notice may require reinspection prior to further construction or at the time of the next required inspection. The correction notice shall be served or posted in the same manner as a stop work order.

These remedies are in addition to those authorized elsewhere in the code.

NEW SECTION. SECTION 9. Section 105.1 of the Uniform Building Code is hereby repealed, and the following is substituted:

UBC 105.1 General. In order to hear and discuss appeals of decisions or determinations made by the building official on this code as it applies to alternative materials and methods of construction, there shall be and is hereby created a building code board of appeals. The board shall consist of thirteen members who are qualified by experience and training to pass upon matters pertaining to building construction. The building official shall be an ex-officio member and he/she, or a designated appointee, shall act as secretary of the board. The board of appeals members shall be appointed by the County Executive, confirmed by the County Council, and shall serve for not more than two four-year terms or until their successor is appointed and qualified. The Board shall adopt reasonable rules of procedure for conducting its business, and shall render all decisions and findings in writing to the appellant with a duplicate copy to the building official, which shall be advisory unless otherwise specified in this Code. The board may also recommend to the Council new legislation regarding the subject matter of this Code.

NEW SECTION. SECTION 10. Section 106.2 of the Uniform Building Code is hereby repealed, and the following is substituted:

UBC 106.2 Work exempt from permit. A building permit shall not be required for the following:

1. One-story detached R-3 and U accessory buildings used as tool and storage sheds, playhouses and similar uses, provided the projected roof area does not exceed 120 square feet (11.15 m²).

2. Fences not over 6 feet (1.829 m) high.

3. Oil derricks.

4. Movable cases, counters and partitions not over 5 feet 9 inches (228.6 m) high.

5. Retaining walls which are not over 4 feet (1.219 m) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or III-A liquids.

6. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons (18,927 L) and the ratio of height to diameter or width does not exceed 2 to 1.

7. Platforms, walks and driveways not more than 30 inches (.762 m) above grade and not over any basement or story below.

8. Painting, papering and similar finish work.

9. Temporary motion picture, television and theater stage sets and scenery.

10. Window awnings supported by an exterior wall of Group R, Division 3, and Group U Occupancies when projecting not more than 54 inches (1.372 m).

11. Prefabricated swimming pools accessory to a Group R, Division 3 Occupancy in which the pool walls are entirely above the adjacent grade and if the capacity does not exceed 5,000 gallons (18927 L).

12. Re-roofing of existing buildings.

Unless otherwise exempted, separate plumbing, electrical and mechanical permits will be required for the above-exempted items.

Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction.

NEW SECTION. SECTION 11. Section 106.3.1 of the Uniform Building Code is hereby repealed, and substituted with Ordinance 11622, Section 3 and K.C.C. 16.04.052 hereby amended to read as follows:

UBC 106.3.1 Applications - Complete applications. A. For the purposes of determining the application of time periods and procedures adopted by ~~((this chapter))~~ "K.C.C. Title 20", applications for permits authorized by Chapter 16.04 shall be considered complete as of the date of submittal upon determination by the department that the materials submitted contain the following(~~(;~~

~~1. Application forms provided by the department and completed by the applicant.))~~ "in addition to the complete application requirements of Section 11 of Ordinance 12196." Every application shall:

~~((a.) Identify and describe the work to be covered by the permit for which application is made.~~

~~(b.) Describe the land on which the proposed work is to be done by legal description, street address or similar description that will readily identify and definitely locate the proposed building or work.~~

~~(c.) Indicate the use or occupancy for which the proposed work is intended.~~

~~(d.) Be accompanied by plans, diagrams, computations and specifications and other data as required in UBC Section 106.3.2.~~

~~(e.) State the valuation of any new building or structure or any addition, remodeling or alteration to an existing building.~~

~~(f.) Be signed by the applicant, or the applicant's authorized agent.~~

~~(g.) Designate who the applicant is, on a form prescribed by the department. If this form is not provided at the time of complete application and if the applicant is a public agency or a public or private utility, the applicant shall include in the complete application an affidavit declaring that notice of the pending application has been given to all owners of property to which the application applies, on a form provided by the department.~~

~~(h.) Give such other data and information as may be required by the building official;~~

~~2. As applicable, certificates of sewer and water availability from the appropriate purveyors, where sewer and/or water service is proposed to be obtained from a purveyor, confirming that the proposed water supply and/or sewage disposal are adequate to serve the development in compliance with adopted state and local system design and operating guidelines. If septic system is used, design shall be based on the maximum number of bedrooms or criteria established by the King County department of health;~~

~~3. Certificate of transportation concurrency from the department of public works;~~

~~4. Certificate of future connection from the appropriate purveyor for lots located within the Urban Growth area which are proposed to be served by onsite or community sewage system and/or Group B water systems or private well;~~

~~5. Receipt signed by the fire district verifying application submittal pursuant to K.C.C. 17.10.020E, if applicable;~~

~~6. Identification on the site plan of all easements, deed restrictions, or other encumbrances restricting the use of the property, if applicable;~~

~~7. Proof that the lot or lots are recognized as separate lots pursuant to the provisions of K.C.C. 19.04;~~

~~8. A sensitive area affidavit as provided by K.C.C. 21A.24;~~

~~9. A completed environmental checklist, if required by K.C.C. 20.44, County Environmental Procedures;~~

~~10. Payment of any development permit review fees, excluding impact fees collectible pursuant to K.C.C. Title 27, Development Permit Fees and impact fees (mitigation payment system) collectible pursuant to K.C.C. Title 14; and~~

~~11. Copies of approved permits that are required to be obtained prior to the proposed application.~~

~~((12. All structural/mechanical plans consistent with uniform code requirements adopted by this title.))~~

~~B. Within 20 days following receipt of an application for a permit referenced in 16.82.056A, the department shall mail or provide written notice to the applicant that the application is either complete or incomplete. If the application is incomplete, the notice shall state what is necessary to make the application complete. To that extent known by the department, the notice shall identify other agencies of local, state or federal governments that may have jurisdiction over some aspect of the application. This initial screening by the department is intended to determine completeness solely for purposes of applying the time periods established in this title.~~

~~C. The director may waive specific submittal requirements determined to be unnecessary for review of an application.))~~

“1. Identify and describe the work to be covered by the permit for which application is made.

2. Indicate the use or occupancy for which the proposed work is intended.

3. Be accompanied by plans, diagrams, computations and specifications and other data as required in UBC Section 106.3.2.

4. State the valuation of any new building or structure or any addition, remodeling or alteration to an existing building.

5. Give such other data and information as may be required by the building official.

6. Identify the site plan of all easements, deed restrictions, or other encumbrances restricting the use of the property.”

NEW SECTION. SECTION 12. Section 106.3.3 of the Uniform Building Code is hereby repealed, and the following is substituted:

UBC 106.3.3 Information on plans and specifications. Plans and specifications shall be drawn to scale upon substantial paper and 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 all relevant laws, ordinances, rules and regulations. Schedule and detail books shall not be used as a substitute for full size plans.

