

ORDINANCE NO. 2205

ORDINANCE AMENDING CHAPTER 6.75, "CODE ENFORCEMENT", OF THE SELAH MUNICIPAL CODE; PROVIDING FOR SEVERABILITY; AUTHORIZING CORRECTIONS, AND DIRECTING PUBLICATION AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, RCW Chapters 35A.11, 35A.12 and 36.43 authorize municipalities to: (1) adopt municipal codes, including standard building codes; (2) provide for administration and enforcement of such codes; (3) amend or limit the applicability of such codes as authorized by law; (4) set fees within the codes; and (5) provide that any violation of such codes as adopted shall warrant imposition of a penalty, including potentially a misdemeanor criminal charge; and

WHEREAS, the City has previously adopted the International Property Maintenance Code 2018 Edition by incorporating it within Selah Municipal Code (SMC) Chapter 11.14; and

WHEREAS, said International Property Maintenance Code 2018 Edition constitutes the City's property maintenance code for regulation and governing of the conditions and maintenance of all property, buildings and structures, by providing the standards for supplied utilities and facilities and other physical things and conditions that are essential to ensure that structures are safe, sanitary and fit for occupation and use, and also the standards for demolition of existing structures; and

WHEREAS, the City has identified that numerous discrepancies exist within and between said International Property Maintenance Code 2018 Edition and the City's currently-existing municipal code sections that pertain to the topics of graffiti, nuisances, code enforcement, property maintenance, and fire code regulations, and such discrepancies needlessly lessen clarity for the public and frustrate the City's code enforcement efforts; and

WHEREAS, the City desires to resolve such discrepancies by, among other things, amending SMC Code Chapter 6.75 labeled "Code Enforcement" in a comprehensive way so as to address the topics of graffiti, nuisances, code enforcement, property maintenance, and fire code regulations;

NOW THEREFORE THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON, does hereby ordain as follows:

Section 1. Amendment of SMC Chapter 6.75. That Chapter 6.75 labeled "Code Enforcement" of the SMC be and is hereby amended so as to henceforth read as set forth in "Exhibit A" appended hereto, a portion of which is set forth in a two-column format that utilizes numbering established by the 2019 International Property Maintenance Code and that also includes editing marks showing express deletions via strikethrough text.

Section 2. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be preempted by state or federal law or regulation, such decision or preemption shall not affect the validity of the remaining

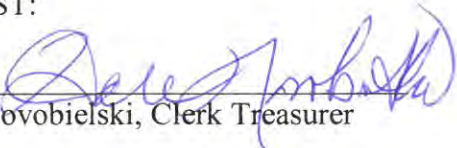
portions of this Ordinance or its application to other persons or circumstances.

Section 3. Corrections. The City Attorney and the codifiers of the SMC are authorized to make any necessary or desirable clerical or formatting changes – including but not limited to correcting scrivener errors; changing formatting; eliminating bold, italic and underscore emphasis; changing numbering; and correcting references – when publishing or republishing the official text of any section(s), Chapter(s), title(s) or other portion(s) of the SMC due to any amendment, addition, alteration, change, impact or enactment effectuated by this Ordinance. However, the codifiers are asked to retain and show – to the extent possible – each of the editing marks that show the express deletions via strikethrough text when the official text is published, so that City staff and members of the public will be able to easily pinpoint the express deletions that the City has made.


Section 4. Publishing & Effective Date. Consistent with RCW 35A.12.130 (3rd ¶) and .160 (1st and 2nd ¶¶), this Ordinance or a summary of it shall be published at least once in the City’s official newspaper prior to the Ordinance taking effect and this Ordinance shall then take effect and be in full force five (5) days after the date of such publication.

PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON this 12th day of September, 2023.

ATTEST:

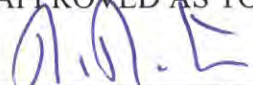


Dale Novobielski, Clerk Treasurer



Sherry Raymond, Mayor

APPROVED AS TO FORM:



Rob Case, City Attorney

“Exhibit A”

Chapter 6.75 - CODE ENFORCEMENT

Sections:

- 6.75.010 Purpose.**
- 6.75.020 Scope.**
- 6.75.030 City of Selah property maintenance code.**
- 6.75.040 Schedule of fees adopted.**
- 6.75.050 Property Maintenance Code (Chapter 8 referenced standards).**
- 6.75.060 Nuisances not associated with property maintenance.**
- 6.75.070 Graffiti and related vandalism.**

6.75.010 Purpose.

The purpose of this chapter is to establish an efficient process for enforcement of code violations, including but not limited to those that constitute nuisances and graffiti.

6.75.020 Scope.

The procedures set forth in this chapter shall be utilized to enforce violations of any aspect of the Selah Municipal Code, including but not limited to violations described within this chapter. The remedies found in this chapter are cumulative to and are in addition to any other remedy already specified within any section the Selah Municipal Code.

6.75.030 City of Selah property maintenance code.

The property maintenance code of the city shall be comprised of the following texts in their presently-existing forms and, also, each and every future form of such texts following any amendment, addition, deletion or recodification that the publishing bodies enact or effectuate, but in all instances subject to the express amendments, additions, deletions and exceptions specifically set forth in this chapter: The 2018 Edition of the International Property Maintenance Code, including its Appendix A (Boarding Standards), as published by the International Code Council, Inc. Said 2018 Edition is hereby fully incorporated in this chapter by reference, subject to the express amendments, additions, deletions and exceptions set forth in this chapter. One or more copies of the texts that comprise the property maintenance code of the city shall be maintained on file in the office of the Building Official.

6.75.040 Schedule of fees adopted.

The City Council shall adopt a schedule of fees applicable to this chapter, which schedule shall be codified under Title 20 labeled “Unified Fee Schedule” of the Selah Municipal Code.

6.75.050 Property Maintenance Code (Chapter 8 Referenced Standards).

Chapter 8 of the 2018 Edition of the International Property Maintenance Code provides a list of referenced standards that are used throughout said 2018 Edition. Whenever said 2018 Edition or any express amendment, addition, deletion or exception set forth in this chapter references the International Plumbing Code, each and all such references shall mean and refer to the Uniform Plumbing Code. Whenever said 2018 Edition or any express amendment, addition, deletion or exception set forth in this chapter references the International Zoning Code, each and all such references shall mean and refer to the Zoning Ordinance of the City of Selah. References to other codes shall apply.

CHAPTER 1

SCOPE AND ADMINISTRATION

User note:

About this chapter: Chapter 1 establishes the limits of applicability of the code and describes how the code is to be applied and enforced. Chapter 1 is in two parts: Part 1—Scope and Application (Sections 101 and 102) and Part 2—Administration and Enforcement (Sections 103 – 112). Section 101 identifies which buildings and structures come under its purview and references other I-Codes as applicable.

This code is intended to be adopted as a legally enforceable document and it cannot be effective without adequate provisions for its administration and enforcement. The provisions of Chapter 1 establish the authority and duties of the code official appointed by the authority having jurisdiction and also establish the rights and privileges of the property owner and building occupants.

PART 1 — SCOPE AND APPLICATION

SECTION 101 GENERAL

~~[A] 101.1 Title. These regulations shall be known as the International Property Maintenance Code of [NAME OF JURISDICTION], hereinafter referred to as “this code.”~~

These regulations shall be known as the Property Maintenance Code of the City of Selah, hereinafter referred to as “this code.”

[A] 101.2 **Scope.** The provisions of this code shall apply to all existing residential and nonresidential structures and all existing *premises* and constitute minimum requirements and standards for *premises*, structures, equipment and facilities for light, ventilation, space, heating, sanitation, protection from the elements, a reasonable level of safety from fire and other hazards, and for a reasonable level of sanitary maintenance; the responsibility of *owners*, an owner’s authorized agent, *operators* and *occupants*; the *occupancy* of existing structures and *premises*, and for administration, enforcement and penalties.

[A] 101.3 **Intent.** This code shall be construed to secure its expressed intent, which is to ensure public health, safety and welfare insofar as they are affected by the continued *occupancy* and maintenance of structures and *premises*. Existing structures and *premises* that do not comply with these provisions shall be altered or repaired to provide a minimum level of health and safety as required herein.

[A] 101.4 **Severability.** If a section, subsection, sentence, clause or phrase of this code is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this code.

SECTION 102 APPLICABILITY

[A] 102.1 **General.** Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall govern. Where differences occur between provisions of this code and the referenced standards, the provisions of this code shall apply. Where, in a specific case, different sections of this code specify different requirements, the most restrictive shall govern.

102.2 **Maintenance.** Equipment, systems, devices and safeguards required by this code or a previous regulation or code under which the structure or *premises* was constructed, altered or repaired shall be maintained in good working order. An *owner*, owner’s authorized agent, *operator* or *occupant* shall not cause any service, facility, equipment or utility that is required under this section to be removed from, shut off from or discontinued for any occupied dwelling, except for such temporary interruption as necessary while repairs or alterations are in progress. The requirements of this code are not intended to provide the basis for removal or abrogation of fire protection and safety systems and devices in existing structures. Except as otherwise specified herein, the *owner* or the *owner’s* authorized agent shall be responsible for the maintenance of buildings, structures and *premises*.

[A] 102.3 **Application of other codes.** Repairs, additions or alterations to a structure, or changes of *occupancy*, shall be done in accordance with the procedures and provisions of the *International Building Code*, *International Existing Building Code*, *International Energy Conservation Code*, *International Fire Code*, *International Fuel Gas Code*, *International Mechanical Code*, *International Residential Code*, ~~*International Plumbing Code* and NFPA 70.~~ Nothing in this code shall be construed to ~~cancel, modify or set aside any provision of the *International Zoning Code*.~~ Uniform Plumbing Code, and NFPA 70, including Washington State

amendments to all referenced codes. Nothing in this code shall be construed to cancel, modify or set aside any provision of the zoning ordinances of the city of Selah.

[A] **102.4 Existing remedies.** The provisions in this code shall not be construed to abolish or impair existing remedies of the jurisdiction or its officers or agencies relating to the removal or demolition of any structure that is dangerous, unsafe and insanitary.

[A] **102.5 Workmanship.** Repairs, maintenance work, alterations or installations that are caused directly or indirectly by the enforcement of this code shall be executed and installed in a *workmanlike* manner and installed in accordance with the manufacturer's instructions.

[A] **102.6 Historic buildings.** The provisions of this code shall not be mandatory for existing buildings or structures designated as historic buildings where such buildings or structures are judged by the *code official* to be safe and in the public interest of health, safety and welfare.

[A] **102.7 Referenced codes and standards.** The codes and standards referenced in this code shall be those that are listed in Chapter 8 and considered part of the requirements of this code to the prescribed extent of each such reference and as further regulated in Sections 102.7.1 and 102.7.2.

Exception: Where enforcement of a code provision would violate the conditions of the listing of the equipment or appliance, the conditions of the listing shall apply.

[A] **102.7.1 Conflicts.** Where conflicts occur between provisions of this code and the referenced standards, the provisions of this code shall apply.

[A] **102.7.2 Provisions in referenced codes and standards.** Where the extent of the reference to a referenced code or standard includes subject matter that is within the scope of this code, the provisions of this code, as applicable, shall take precedence over the provisions in the referenced code or standard.

[A] **102.8 Requirements not covered by code.** Requirements necessary for the strength, stability or proper operation of an existing fixture, structure or equipment, or for the public safety, health and general welfare, not specifically covered by this code, shall be determined by the *code official*.

[A] **102.9 Application of references.** References to chapter or section numbers, or to provisions not

specifically identified by number, shall be construed to refer to such chapter, section or provision of this code.

[A] **102.10 Other laws.** The provisions of this code shall not be deemed to nullify any provisions of local, state or federal law.

PART 2 — ADMINISTRATION AND ENFORCEMENT

SECTION 103 DEPARTMENT OF PROPERTY MAINTENANCE INSPECTION

[A] **103.1 General.** ~~The department of property maintenance inspection is hereby created and the executive official in charge thereof shall be known as the code official.~~ The Community Development division is responsible for carrying out the provisions of this code. The Building Official, or his or her designee shall be known as the code official.

[A] **103.2 Appointment.** The *code official* shall be appointed by the chief appointing authority of the jurisdiction.

[A] **103.3 Deputies.** In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the appointing authority, the *code official* shall have the authority to appoint a deputy(s). Such employees shall have powers as delegated by the *code official*.

[A] **103.4 Liability.** The *code official*, member of the board of appeals or employee charged with the enforcement of this code, while acting for the jurisdiction, in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered civilly or criminally liable personally, and is hereby relieved from all personal liability for any damage accruing to persons or property as a result of an act or by reason of an act or omission in the discharge of official duties.

[A] **103.4.1 Legal defense.** Any suit or criminal complaint instituted against any officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by the legal representative of the jurisdiction until the final termination of the proceedings. The code official or any subordinate shall not be liable for costs in an action, suit or proceeding that is instituted in pursuance of the provisions of this code.

~~[A] 103.5 Fees. The fees for activities and services performed by the department in carrying out its responsibilities under this code shall be as indicated in the following schedule. [JURISDICTION TO INSERT APPROPRIATE SCHEDULE.]~~

The fees incurred by the City for activities and services performed by the department in carrying out its responsibilities under this code, including but not limited to recording fees and title search fees, shall be paid by any person or owner violating this code.

SECTION 104 DUTIES AND POWERS OF THE CODE OFFICIAL

[A] 104.1 **General.** The *code official* is hereby authorized and directed to enforce the provisions of this code. The *code official* shall have the authority to render interpretations of this code and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be in compliance with the intent and purpose of this code. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this code.

[A] 104.2 **Inspections.** The *code official* shall make all of the required inspections, or shall accept reports of inspection by *approved* agencies or individuals. Reports of such inspections shall be in writing and be certified by a responsible officer of such *approved* agency or by the responsible individual. The *code official* is authorized to engage such expert opinion as deemed necessary to report on unusual technical issues that arise, subject to the approval of the appointing authority.

[A] 104.3 **Right of entry.** Where it is necessary to make an inspection to enforce the provisions of this code, or whenever the *code official* has reasonable cause to believe that there exists in a *structure* or upon a *premises* a condition in violation of this code, the *code official* is authorized to enter the *structure* or *premises* at reasonable times to inspect or perform the duties imposed by this code, provided that if such *structure* or *premises* is occupied the *code official* shall present credentials to the *occupant* and request entry. If such *structure* or *premises* is unoccupied, the *code official* shall first make a reasonable effort to locate the *owner*, *owner's* authorized agent or other person having charge or control of the *structure* or *premises* and request entry. If entry is refused, the *code official* shall have recourse to the remedies provided by law to secure entry.

[A] 104.4 **Identification.** The *code official* shall carry proper identification when inspecting *structures* or *premises* in the performance of duties under this code.

[A] 104.5 **Notices and orders.** The *code official* shall issue all necessary notices or orders to ensure compliance with this code.

[A] 104.6 **Department records.** The *code official* shall keep official records of all business and activities of the department specified in the provisions of this code. Such records shall be retained in the official records for the period required for retention of public records.

SECTION 105 APPROVAL

[A] 105.1 **Modifications.** Whenever there are practical difficulties involved in carrying out the provisions of this code, the *code official* shall have the authority to grant modifications for individual cases upon application of the *owner* or *owner's* authorized agent, provided that the *code official* shall first find that special individual reason makes the strict letter of this code impractical, the modification is in compliance with the intent and purpose of this code and that such modification does not lessen health, life and fire safety requirements. The details of action granting modifications shall be recorded and entered in the department files.

[A] 105.2 **Alternative materials, design and methods of construction and equipment.** The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided that any such alternative has been *approved*. An alternative material, design or method of construction shall be *approved* where the *code official* finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, not less than the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability and safety. Where the alternative material, design or method of construction is not *approved*, the *code official* shall respond in writing, stating the reasons why the alternative was not *approved*.

[A] 105.3 **Required testing.** Whenever there is insufficient evidence of compliance with the provisions of this code or evidence that a material or method does not conform to the requirements of this code, or in order to substantiate claims for alternative

materials or methods, the *code official* shall have the authority to require tests to be made as evidence of compliance without expense to the jurisdiction.

[A] **105.3.1 Test methods.** Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the *code official* shall be permitted to approve appropriate testing procedures performed by an *approved agency*.

[A] **105.3.2 Test reports.** Reports of tests shall be retained by the *code official* for the period required for retention of public records.

[A] **105.4 Used material and equipment.** Materials that are reused shall comply with the requirements of this code for new materials. Materials, equipment and devices shall not be reused unless such elements are in good repair or have been reconditioned and tested where necessary, placed in good and proper working condition and *approved* by the *code official*.

[A] **105.5 Approved materials and equipment.** Materials, equipment and devices *approved* by the *code official* shall be constructed and installed in accordance with such approval.

[A] **105.6 Research reports.** Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in this code, shall consist of valid research reports from *approved* sources.

SECTION 106 VIOLATIONS

[A] **106.1 Unlawful acts.** It shall be unlawful for a person, firm or corporation to be in conflict with or in violation of any of the provisions of this code.

[A] **106.2 Notice of violation.** The *code official* shall serve a notice of violation or order in accordance with Section 107.

[A] **106.3 Prosecution of violation.** Any person failing to comply with a notice of violation or order served in accordance with Section 107 shall be deemed guilty of a misdemeanor or civil infraction as determined by the local municipality, and the violation shall be deemed a *strict liability offense*. If the notice of violation is not complied with, the *code official* shall institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful *occupancy* of the structure in violation of the provisions of this code or of the order or

direction made pursuant thereto. Any action taken by the authority having jurisdiction on such *premises* shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

~~[A] **106.4 Violation penalties.** Any person who shall violate a provision of this code, or fail to comply therewith, or with any of the requirements thereof, shall be prosecuted within the limits provided by state or local laws. Each day that a violation continues after due notice has been served shall be deemed a separate offense.~~

106.4 Violation penalties. Any person or owner who shall violate a provision of this code, or fail to comply therewith, or with any of the requirements thereof, shall be prosecuted within the limits provided by state or local laws. The penalties for those found to be in violation of this code shall be as indicated in the following schedule:

Code Compliance Penalties 1 2

Violation	Amount
No Abatement After Notice of Noncompliance Deadline	\$250
1st Offense as a Repeat Offender	\$500
2nd Offense as a Repeat Offender	\$750
3rd Offense as a Repeat Offender	\$1000

1 See definition of Repeat Offender.

2 Other fees or costs may apply.

In addition to the penalty listed in the chart above, there is a Fifty Dollar (\$50.00) penalty for each day thereafter the violation or failure to comply continues. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

[A] 106.5 Abatement of violation. The imposition of the penalties herein prescribed shall not preclude the legal officer of the jurisdiction from instituting appropriate action to restrain, correct or abate a violation, or to prevent illegal *occupancy* of a building, structure or *premises*, or to stop an illegal act, conduct, business or utilization of the building, structure or *premises*.

106.6 Liens. The amount of costs and penalties (including any interest) associated with a violation of this code shall constitute a lien on the property on which the violation occurred, and, upon certification by the City, the county treasurer shall enter the amount of such costs and penalties upon the tax rolls against the property for the current year and the same shall become a part of the general taxes for that year to be collected at the same time and when collected remitted to the City.

SECTION 107 NOTICES AND ORDERS

107.1 Notice to person responsible. Whenever the *code official* determines that there has been a violation of this code or has grounds to believe that a violation has occurred, notice shall be given in the manner prescribed in Sections 107.2 and 107.3 to the person responsible for the violation as specified in this code. Notices for condemnation procedures shall comply with Section 108.3.

107.2 Form. ~~Such notice prescribed in Section 107.1 shall be in accordance with all of the following:~~

- ~~1. Be in writing.~~
- ~~2. Include a description of the real estate sufficient for identification.~~
- ~~3. Include a statement of the violation or violations and why the notice is being issued.~~
- ~~4. Include a correction order allowing a reasonable time to make the repairs and improvements required to bring the *dwelling unit* or structure into compliance with the provisions of this code.~~
- ~~5. Inform the property *owner* or *owner's* authorized agent of the right to appeal.~~
- ~~6. Include a statement of the right to file a lien in accordance with Section 106.3.~~

107.2 Form. Such notice prescribed in Section 107.1 shall be in accordance with all of the following:

1. Be in writing.
2. Include a description of the real estate sufficient for identification. At a minimum

the description shall include the legal description of the property found on the Yakima County Assessor's website, the Assessor's Tax Parcel Identification number, and the street address of the property.

3. Include a statement of the violation or violations and why the notice is being issued.

4. Include a correction order indicating what must be done to correct each violation, allowing a reasonable time to make the repairs and improvements required to bring the dwelling unit, structure, and/or property into compliance with the provisions of this code.

5. Include the costs and penalties that may be charged as a consequence of the violations, including, but not limited to, costs associated with a title report, recording fees, and penalties. If the exact amounts are not known, estimates should be provided with an indication that they are estimates.

6. Inform the property owner and owner's authorized agent, and any other interested parties, of the right to appeal.

7. Include a statement of the right of the City to file a lien in accordance with Section 106.3 and 106.6.

107.3 Method of service. Such notice shall be deemed to be properly served if a copy thereof is: delivered personally, or sent by certified or first-class mail addressed to the last known address. If the notice is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice.

107.4 Unauthorized tampering. Signs, tags or seals posted or affixed by the *code official* shall not be mutilated, destroyed or tampered with, or removed without authorization from the *code official*.

107.5 Penalties. Penalties for noncompliance with orders and notices shall be as set forth in Section 106.4.

107.6 Transfer of ownership. ~~It shall be unlawful for the *owner* of any *dwelling unit* or structure who has received a compliance order or upon whom a notice of violation has been served to sell, transfer, mortgage, lease or otherwise dispose of such *dwelling unit* or structure to another until the provisions of the compliance order or notice of violation have been complied with, or until such~~

~~owner or the owner's authorized agent shall first furnish the grantee, transferee, mortgagee or lessee a true copy of any compliance order or notice of violation issued by the code official and shall furnish to the code official a signed and notarized statement from the grantee, transferee, mortgagee or lessee, acknowledging the receipt of such compliance order or notice of violation and fully accepting the responsibility without condition for making the corrections or repairs required by such compliance order or notice of violation.~~

It shall be unlawful for the owner of any dwelling unit, structure or property who has received a compliance order or upon whom a notice of violation has been served to sell, transfer, mortgage, lease or otherwise dispose of such dwelling unit, structure or property to another until the provisions of the compliance order or notice of violation have been complied with, or until such owner or the owner's authorized agent shall first furnish the grantee, transferee, mortgagee, or lessee a true copy of any compliance order or notice of violation issued by the code official and shall furnish to the code official a signed and notarized statement from the grantee, transferee, mortgagee or lessee, acknowledging the receipt of such compliance order or notice of violation and fully accepting the responsibility without condition for making the corrections or repairs required by such compliance or der or notice of violation.

SECTION 108 UNSAFE STRUCTURES AND EQUIPMENT

108.1 General. When a structure or equipment is found by the *code official* to be unsafe, or when a structure is found unfit for human *occupancy*, or is found unlawful, such structure shall be *condemned* pursuant to the provisions of this code.

108.1.1 Unsafe structures. An unsafe structure is one that is found to be dangerous to the life, health, property or safety of the public or the *occupants* of the structure by not providing minimum safeguards to protect or warn *occupants* in the event of fire, or because such structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation, that partial or complete collapse is possible.

108.1.2 Unsafe equipment. Unsafe equipment includes any boiler, heating equipment, elevator, moving stairway, electrical wiring or device, flammable liquid containers or other equipment on the *premises* or within the structure that is in such

disrepair or condition that such equipment is a hazard to life, health, property or safety of the public or *occupants* of the *premises* or structure.

108.1.3 Structure unfit for human occupancy. A structure is unfit for human *occupancy* whenever the *code official* finds that such structure is unsafe, unlawful or, because of the degree to which the structure is in disrepair or lacks maintenance, is insanitary, vermin or rat infested, contains filth and contamination, or lacks *ventilation*, illumination, sanitary or heating facilities or other essential equipment required by this code, or because the location of the structure constitutes a hazard to the *occupants* of the structure or to the public.

108.1.4 Unlawful structure. An unlawful structure is one found in whole or in part to be occupied by more persons than permitted under this code, or was erected, altered or occupied contrary to law.

108.1.5 Dangerous structure or premises. For the purpose of this code, any structure or *premises* that has any or all of the conditions or defects described as follows shall be considered to be dangerous:

1. Any door, aisle, passageway, stairway, exit or other means of egress that does not conform to the *approved* building or fire code of the jurisdiction as related to the requirements for existing buildings.
2. The walking surface of any aisle, passageway, stairway, exit or other means of egress is so warped, worn loose, torn or otherwise unsafe as to not provide safe and adequate means of egress.
3. Any portion of a building, structure or appurtenance that has been damaged by fire, earthquake, wind, flood, *deterioration*, *neglect*, abandonment, vandalism or by any other cause to such an extent that it is likely to partially or completely collapse, or to become *detached* or dislodged.
4. Any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof that is not of sufficient strength or stability, or is not so *anchored*, attached or fastened in place so as to be capable of resisting natural or artificial loads of one and one-half the original designed value.
5. The building or structure, or part of the building or structure, because of dilapidation, *deterioration*, decay, faulty construction, the removal or movement of some portion of the ground necessary for the support, or for any other reason, is likely to partially or completely collapse, or some portion of the foundation or underpinning of the building or structure is likely to fail or give way.
6. The building or structure, or any portion thereof, is clearly unsafe for its use and *occupancy*.

7. The building or structure is *neglected*, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children who might play in the building or structure to their danger, becomes a harbor for vagrants, criminals or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful act.

8. Any building or structure has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building or structure provided by the *approved* building or fire code of the jurisdiction, or of any law or ordinance to such an extent as to present either a substantial risk of fire, building collapse or any other threat to life and safety.

9. A building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, *ventilation*, mechanical or plumbing system, or otherwise, is determined by the *code official* to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease.

10. Any building or structure, because of a lack of sufficient or proper fire-resistance-rated construction, fire protection systems, electrical system, fuel connections, mechanical system, plumbing system or other cause, is determined by the *code official* to be a threat to life or health.

11. Any portion of a building remains on a site after the demolition or destruction of the building or structure or whenever any building or structure is abandoned so as to constitute such building or portion thereof as an attractive nuisance or hazard to the public.

108.2 Closing of vacant structures. If the structure is vacant and unfit for human habitation and *occupancy*, and is not in danger of structural collapse, the *code official* is authorized to post a placard of condemnation on the *premises* and order the structure closed up so as not to be an attractive nuisance. Upon failure of the *owner* or owner's authorized agent to close up the *premises* within the time specified in the order, the *code official* shall cause the *premises* to be closed and secured through any available public agency or by contract or arrangement by private persons and the cost thereof shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate and shall be collected by any other legal resource.

108.2.1 Authority to disconnect service utilities. The *code official* shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code and the

referenced codes and standards set forth in Section 102.7 in case of emergency where necessary to eliminate an immediate hazard to life or property or where such utility connection has been made without approval. The *code official* shall notify the serving utility and, whenever possible, the *owner* or owner's authorized agent and *occupant* of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnection the *owner*, owner's authorized agent or *occupant* of the building structure or service system shall be notified in writing as soon as practical thereafter.

108.3 Notice. Whenever the *code official* has condemned a structure or equipment under the provisions of this section, notice shall be posted in a conspicuous place in or about the structure affected by such notice and served on the *owner*, owner's authorized agent or the person or persons responsible for the structure or equipment in accordance with Section 107.3. If the notice pertains to equipment, it shall be placed on the condemned equipment. The notice shall be in the form prescribed in Section 107.2.

108.4 Placarding. Upon failure of the *owner*, owner's authorized agent or person responsible to comply with the notice provisions within the time given, the *code official* shall post on the *premises* or on defective equipment a placard bearing the word "Condemned" and a statement of the penalties provided for occupying the *premises*, operating the equipment or removing the placard.

108.4.1 Placard removal. The *code official* shall remove the condemnation placard whenever the defect or defects upon which the condemnation and placarding action were based have been eliminated. Any person who defaces or removes a condemnation placard without the approval of the *code official* shall be subject to the penalties provided by this code.

108.5 Prohibited occupancy. Any occupied structure condemned and placarded by the *code official* shall be vacated as ordered by the *code official*. Any person who shall occupy a placarded *premises* or shall operate placarded equipment, and any *owner*, owner's authorized agent or person responsible for the *premises* who shall let anyone occupy a placarded *premises* or operate placarded equipment shall be liable for the penalties provided by this code.

108.6 Abatement methods. The *owner*, owner's authorized agent, *operator* or *occupant* of a building,

premises or equipment deemed unsafe by the *code official* shall abate or cause to be abated or corrected such unsafe conditions either by repair, rehabilitation, demolition or other *approved* corrective action.

108.7 Record. The *code official* shall cause a report to be filed on an unsafe condition. The report shall state the *occupancy* of the structure and the nature of the unsafe condition.

SECTION 109 EMERGENCY MEASURES

~~109.1 Imminent danger. When, in the opinion of the code official, there is imminent danger of failure or collapse of a building or structure that endangers life, or when any structure or part of a structure has fallen and life is endangered by the occupation of the structure, or when there is actual or potential danger to the building occupants or those in the proximity of any structure because of explosives, explosive fumes or vapors or the presence of toxic fumes, gases or materials, or operation of defective or dangerous equipment, the code official is hereby authorized and empowered to order and require the occupants to vacate the premises forthwith. The code official shall cause to be posted at each entrance to such structure a notice reading as follows: "This Structure Is Unsafe and Its Occupancy Has Been Prohibited by the Code Official." It shall be unlawful for any person to enter such structure except for the purpose of securing the structure, making the required repairs, removing the hazardous condition or of demolishing the same.~~

109.1 Imminent danger. When, in the opinion of the code official, there is an imminent danger of failure or collapse of a building or structure that endangers life or threatens adjacent properties or persons, or where there is a dangerous condition of potential entrapment or other physical harm, or when any structure or part of a structure has fallen and life is endangered by the occupation of the structure, or when there is actual or potential danger to the building occupants or those in the proximity of any structure because of potential or actual collapse, explosives, explosive fumes or vapors or the presence of toxic fumes, gases or materials, or operation of defective or dangerous equipment, the code official is hereby authorized and empowered to order and require the occupants to vacate the premises forthwith. The code official shall cause to be posted at each entrance to such structure a notice reading as follows: "This Structure is Unsafe and Its Occupancy Has Been Prohibited by the Code Official." It shall be unlawful for any person to enter such structure except for the purpose of

securing the structure, making the required repairs, removing the hazardous condition, or of demolishing the same.

109.2 Temporary safeguards. Notwithstanding other provisions of this code, whenever, in the opinion of the *code official*, there is *imminent danger* due to an unsafe condition, the *code official* shall order the necessary work to be done, including the boarding up of openings, to render such structure temporarily safe whether or not the legal procedure herein described has been instituted; and shall cause such other action to be taken as the *code official* deems necessary to meet such emergency.

109.3 Closing streets. When necessary for public safety, the *code official* shall temporarily close structures and close, or order the authority having jurisdiction to close, sidewalks, streets, *public ways* and places adjacent to unsafe structures, and prohibit the same from being utilized.

109.4 Emergency repairs. For the purposes of this section, the *code official* shall employ the necessary labor and materials to perform the required work as expeditiously as possible.

~~109.5 Costs of emergency repairs. Costs incurred in the performance of emergency work shall be paid by the jurisdiction. The legal counsel of the jurisdiction shall institute appropriate action against the owner of the premises or owner's authorized agent where the unsafe structure is or was located for the recovery of such costs.~~

109.5 Costs of emergency repairs. Costs incurred at the performance of emergency work shall be initially paid by the jurisdiction. Costs are ultimately the responsibility of the owner of the property or structure. The code official shall institute appropriate action against the owner of the premises where the unsafe structure is or was located for the recovery of such costs. If costs are not paid after notice and an opportunity for a hearing pursuant to 109.6, and thirty (30) days have passed, said costs shall become a lien on the property and may be collected as a special assessment pursuant to RCW 35.21.955 and/or RCW 84.56.035.

109.6 Hearing. Any person ordered to take emergency measures shall comply with such order forthwith. Any affected person shall thereafter, upon petition directed to the appeals board, be afforded a hearing as described in this code.

SECTION 110

DEMOLITION

110.1 General. The *code official* shall order the *owner* or owner's authorized agent of any *premises* upon which is located any structure, which in the *code official's* or owner's authorized agent judgment after review is so deteriorated or dilapidated or has become so out of repair as to be dangerous, unsafe, insanitary or otherwise unfit for human habitation or occupancy, and such that it is unreasonable to repair the structure, to demolish and remove such structure; or if such structure is capable of being made safe by repairs, to repair and make safe and sanitary, or to board up and hold for future repair or to demolish and remove at the *owner's* option; or where there has been a cessation of normal construction of any structure for a period of more than two years, the *code official* shall order the *owner* or owner's authorized agent to demolish and remove such structure, or board up until future repair. Boarding the building up for future repair shall not extend beyond one year, unless *approved* by the building official.

110.2 Notices and orders. Notices and orders shall comply with Section 107.

110.3 Failure to comply. If the *owner* of a *premises* or owner's authorized agent fails to comply with a demolition order within the time prescribed, the *code official* shall cause the structure to be demolished and removed, either through an available public agency or by contract or arrangement with private persons, and the cost of such demolition and removal shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

110.4 Salvage materials. Where any structure has been ordered demolished and removed, the governing body or other designated officer under said contract or arrangement aforesaid shall have the right to sell the salvage and valuable materials. The net proceeds of such sale, after deducting the expenses of such demolition and removal, shall be promptly remitted with a report of such sale or transaction, including the items of expense and the amounts deducted, for the person who is entitled thereto, subject to any order of a court. If such a surplus does not remain to be turned over, the report shall so state.

SECTION 111 MEANS OF APPEAL

~~[A] 111.1 Application for appeal.~~ Any person directly affected by a decision of the *code official* or a notice or order issued under this code shall have the

~~right to appeal to the board of appeals, provided that a written application for appeal is filed within 20 days after the day the decision, notice or order was served. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or the requirements of this code are adequately satisfied by other means.~~

111.1 Application for appeal. Any person directly affected by a decision of the code official or a notice or order issued under this code shall have the right to appeal to the city council, provided that a written application for appeal is filed within 10 days after the day the decision, notice or order was served. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or the requirements of this code are adequately satisfied by other means.

~~[A] 111.2 Membership of board.~~ The board of appeals shall consist of not less than three members who are qualified by experience and training to pass on matters pertaining to property maintenance and who are not employees of the jurisdiction. The *code official* shall be an ex officio member but shall not vote on any matter before the board. The board shall be appointed by the chief appointing authority, and shall serve staggered and overlapping terms.

~~[A] 111.2.1 Alternate members.~~ The chief appointing authority shall appoint not less than two alternate members who shall be called by the board chairman to hear appeals during the absence or disqualification of a member. Alternate members shall possess the qualifications required for board membership.

~~[A] 111.2.2 Chairman.~~ The board shall annually select one of its members to serve as chairman.

~~[A] 111.2.3 Disqualification of member.~~ A member shall not hear an appeal in which that member has a personal, professional or financial interest.

~~[A] 111.2.4 Secretary.~~ The chief administrative officer shall designate a qualified person to serve as secretary to the board. The secretary shall file a detailed record of all proceedings in the office of the chief administrative officer.

~~[A] 111.2.5 Compensation of members.~~ Compensation of members shall be determined by law.

~~{A} 111.3 Notice of meeting.~~ The board shall meet upon notice from the chairman, within 20 days of the filing of an appeal, or at stated periodic meetings.

111.3 Open hearing. Hearings before the city council shall be open to the public. The appellant, the appellant's representative, the code official and any person whose interests are affected shall be given an opportunity to be heard.

~~{A} 111.4 Open hearing.~~ Hearings before the board shall be open to the public. The appellant, the appellant's representative, the code official and any person whose interests are affected shall be given an opportunity to be heard. A quorum shall consist of not less than two-thirds of the board membership.

~~{A} 111.4.1 Procedure.~~ The board shall adopt and make available to the public through the secretary procedures under which a hearing will be conducted. The procedures shall not require compliance with strict rules of evidence, but shall mandate that only relevant information be received.

111.4 Procedure. An aggrieved person who desires to file an appeal of the code official's action must do so pursuant to the provisions set forth in this section. The appeal process set forth in this section replaces an appeal to the board of appeals provided for in each of the International Codes, which the city of Selah has adopted by reference under Section 11.02.010 of the Selah Municipal Code. The appellant shall file a written appeal to the code official within 10 days and shall pay a filing fee of fifty dollars. The written appeal shall contain the following information:

- (1) The names of all appellants participating in the appeal;
- (2) A brief statement of the specific code enforcement officer's action protested, together with any material facts claimed to support the contentions of the appellant;
- (3) A brief statement of the relief sought, and the reason why it is claimed the protested code

official's action should be reversed, modified, or otherwise set aside;

(4) The signatures of all parties named as appellants and their mailing addresses; and

(5) The verification (by declaration under penalty of perjury) of at least one appellant as to the truth of the matters stated in the appeal.

(b) Upon the receipt of the appeal and the filing fee, the code official shall schedule an appeal hearing before the city council and give due notice thereof to the appellants and general public.

(c) At or after the appeal hearing, the city council may affirm, reverse, or modify the code officials action or continue the hearing to a date certain for receipt of additional information.

~~{A} 111.5 Postponed hearing.~~ When the full board is not present to hear an appeal, either the appellant or the appellant's representative shall have the right to request a postponement of the hearing.

111.5 Decision, Records and copies. The city council shall issue a written decision within thirty days after the hearing and shall cause copies thereof to be sent to the code official and appellants.

111.5.1 Administration. The code official shall take immediate action in accordance with the decision of the council.

~~{A} 111.6 Board decision.~~ The board shall modify or reverse the decision of the code official only by a concurring vote of a majority of the total number of appointed board members.

~~{A} 111.6.1 Records and copies.~~ The decision of the board shall be recorded. Copies shall be furnished to the appellant and to the code official.

~~{A} 111.6.2 Administration.~~ The code official shall take immediate action in accordance with the decision of the board.

111.6 Court review. Any party to the appeal shall have the right to appeal the council's decision to the appropriate court. Application for review shall be made in the manner and time required by law following the filing of the decision in the office of the chief administrative officer.

~~[A] 111.7 Court review. Any person, whether or not a previous party of the appeal, shall have the right to apply to the appropriate court for a writ of certiorari to correct errors of law. Application for review shall be made in the manner and time required by law following the filing of the decision in the office of the chief administrative officer.~~

[A] 111.8 Stays of enforcement. Appeals of notice and orders (other than *Imminent Danger* notices) shall stay the enforcement of the notice and order until the appeal is heard by the appeals board city council.

SECTION 112 STOP WORK ORDER

[A] 112.1 Authority. Whenever the *code official* finds any work regulated by this code being performed in a manner contrary to the provisions of this code or in a dangerous or unsafe manner, the *code official* is authorized to issue a stop work order.

[A] 112.2 Issuance. A stop work order shall be in writing and shall be given to the *owner* of the property, to the *owner's* authorized agent, or to the person doing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order and the conditions under which the cited work is authorized to resume. [A] 112.3 Emergencies. Where an emergency exists, the *code official* shall not be required to give a written notice prior to stopping the work.

~~[A] 112.4 Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation of unsafe condition, shall be liable to a fine of not less than [AMOUNT] dollars or more than [AMOUNT] dollars.~~

112.4 Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation of unsafe conditions, shall pay a fine of Two Hundred Fifty dollars (\$250.00) for the first day, and Fifty dollars (\$50.00) each day thereafter, for work that continues in violation of the stop work order.

CHAPTER 2 DEFINITIONS

User note:

About this chapter: Codes, by their very nature, are technical documents. Every word, term and punctuation mark can add to or change the meaning of a technical requirement. It is necessary to maintain a consensus on the specific meaning of each term contained in the code.

Chapter 2 performs this function by stating clearly what specific terms mean for the purpose of the code.

SECTION 201 GENERAL

201.1 Scope. Unless otherwise expressly stated, the following terms shall, for the purposes of this code, have the meanings shown in this chapter.

201.2 Interchangeability. Words stated in the present tense include the future; words stated in the masculine gender include the feminine and neuter; the singular number includes the plural and the plural, the singular.

~~**201.3 Terms defined in other codes.** Where terms are not defined in this code and are defined in the *International Building Code*, *International Existing Building Code*, *International Fire Code*, *International Fuel Gas Code*, *International Mechanical Code*, *International Plumbing Code*, *International Residential Code*, *International Zoning Code* or NFPA 70, such terms shall have the meanings ascribed to them as stated in those codes.~~

201.3 Terms defined in other codes. Where terms are not defined in this code and are defined in the International Building Code, International Existing Building Code, International Fire Code, International Fuel Gas Code, International Mechanical Code, Uniform Plumbing Code, International Residential Code, Selah Zoning Ordinance, or NFPA 70, such terms shall have the meanings ascribed to them as stated in those codes.

201.4 Terms not defined. Where terms are not defined through the methods authorized by this section, such terms shall have ordinarily accepted meanings such as the context implies.

201.5 Parts. Whenever the words “*dwelling unit*,” “*dwelling*,” “*premises*,” “*building*,” “*rooming house*,” “*rooming unit*,” “*housekeeping unit*” or “*story*” are stated in this code, they shall be construed

as though they were followed by the words “or any part thereof.”

SECTION 202 GENERAL DEFINITIONS

ANCHORED. Secured in a manner that provides positive connection.

[A] **APPROVED.** Acceptable to the *code official*.

ATTRACTIVE NUISANCE. A nuisance which whether in or on a building, a building premises or an unoccupied lot, and whether realty, fixture, or chattel, which might reasonably be expected to attract children of tender years and constitute a danger to them, including, but not limited to: broken or missing windows and doors; unsecured buildings or structures; abandoned wells; ice boxes or refrigerators with doors and latches; shafts; basements or other excavations; abandoned or inoperable vehicles or other equipment; structurally unsound fences or other fixtures; lumber; vegetation; or other debris.

BASEMENT. That portion of a building that is partly or completely below grade.

BATHROOM. A room containing plumbing fixtures including a bathtub or shower.

BEDROOM. Any room or space used or intended to be used for sleeping purposes in either a dwelling or *sleeping unit*.

[A] **CODE OFFICIAL.** The official who is charged with the administration and enforcement of this code, or any duly authorized representative.

CONDEMN. To adjudge unfit for *occupancy*.

COST OF SUCH DEMOLITION OR EMERGENCY REPAIRS. The costs shall include

the actual costs of the demolition or repair of the structure less revenues obtained if salvage was conducted prior to demolition or repair. Costs shall include, but not be limited to, expenses incurred or necessitated related to demolition or emergency repairs, such as asbestos survey and abatement if necessary; costs of inspectors, testing agencies or experts retained relative to the demolition or emergency repairs; costs of testing; surveys for other materials that are controlled or regulated from being dumped in a landfill; title searches; mailing(s); postings; recording; and attorney fees expended for recovering of the cost of emergency repairs or to obtain or enforce an order of demolition made by a *code official*, the governing body or board of appeals.

DETACHED. When a structural element is physically disconnected from another and that connection is necessary to provide a positive connection.

DETERIORATION. To weaken, disintegrate, corrode, rust or decay and lose effectiveness.

DUMPING AREAS. All places used or maintained as junkyards or dumping grounds; or for the wrecking, disassembling, repair or rebuilding of automobiles, trucks, tractors or machinery of any kind; or for the storing or leaving of worn out, wrecked, or abandoned automobiles, trucks, tractors, or machinery of any kind or of any of the parts thereof; or for the storing or leaving of any machinery or equipment used by contractors or builders or by other persons; are declared to be nuisances.

[A] DWELLING UNIT. A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

[Z] EASEMENT. That portion of land or property reserved for present or future use by a person or agency other than the legal fee *owner(s)* of the property. The *easement* shall be permitted to be for use under, on or above said lot or lots.

EQUIPMENT SUPPORT. Those structural members or assemblies of members or manufactured elements, including braces, frames, lugs, snuggers, hangers and saddles, that transmit gravity load, lateral load and operating load between the equipment and the structure.

EXTERIOR PROPERTY. The open space on the *premises* and on adjoining property under the control of *owners* or *operators* of such *premises*.

GARBAGE. The animal or vegetable waste resulting from the handling, preparation, cooking and consumption of food.

[BE] GUARD. A building component or a system of building components located at or near the open sides of elevated walking surfaces that minimizes the possibility of a fall from the walking surface to a lower level.

[BG] HABITABLE SPACE. Space in a structure for living, sleeping, eating or cooking. *Bathrooms, toilet rooms, closets, halls, storage or utility spaces, and similar areas* are not considered *habitable spaces*.

HAZARDOUS VEGETATION. Vegetation that is dry and combustible exceeding twenty four inches in height which may cause a fire hazard to the immediate and surrounding areas. Hazardous vegetation can include, but is not limited to, trees, shrubs, grass, weeds, bushes, vines and other plant materials, including but not limited to clippings, fallen leaves or branches.

HEALTH OFFICER. The head of the Yakima Health District or their authorized deputies or representatives.

[A] HISTORIC BUILDING. Any building or structure that is one or more of the following: 1. Listed or certified as eligible for listing, by the State Historic Preservation Officer or the Keeper of the National Register of Historic Places, in the National Register of Historic Places. 2. Designated as historic under an applicable state or local law. 3. Certified as a contributing resource within a National Register or state or locally designated historic district.

HOUSEKEEPING UNIT. A room or group of rooms forming a single *habitable space* equipped and intended to be used for living, sleeping, cooking and eating that does not contain, within such a unit, a toilet, lavatory and bathtub or shower.

IMMINENT DANGER. A condition that could cause serious or life-threatening injury or death at any time.

INFESTATION. The presence, within or contiguous to, a structure or *premises* of insects, rodents, vermin or other pests.

INOPERABLE MOTOR VEHICLE. A vehicle that cannot be driven upon the public streets for reason including but not limited to being unlicensed,

wrecked, abandoned, in a state of disrepair, or incapable of being moved under its own power.

JUNK MOTOR VEHICLE. A vehicle that meets at least three of the four following requirements: (1) is three years old or older; (2) is extensively damaged, such damage including, but not limited to, any of the following: a broken window or windshield, or missing wheels, tires, motor or transmission; (3) is apparently inoperable; or (4) has a fair market value equal only to the value of the scrap in it.

[A] LABELED. Equipment, materials or products to which have been affixed a label, seal, symbol or other identifying mark of a nationally recognized testing laboratory, *approved* agency or other organization concerned with product evaluation that maintains periodic inspection of the production of the above-labeled items and whose labeling indicates either that the equipment, material or product meets identified standards or has been tested and found suitable for a specified purpose.

LACK OF LANDSCAPE MAINTENANCE. Failure to maintain landscaping, including, but not limited to, lawns, shrubs, trees and other plantings, whether of native growth or domestic vegetation constitutes a nuisance.

LET FOR OCCUPANCY or LET. To permit, provide or offer possession or *occupancy* of a dwelling, *dwelling unit*, *rooming unit*, building, premise or structure by a person who is or is not the legal *owner* of record thereof, pursuant to a written or unwritten lease, agreement or license, or pursuant to a recorded or unrecorded agreement of contract for the sale of land.

NEGLECT. The lack of proper maintenance for a building or *structure*.

NUISANCE. A nuisance is: (1) a nuisance defined by statute or ordinance; (2) a nuisance at common law, either public or private; (3) an attractive nuisance; (4) hazardous vegetation such as Poison Oak, Poison Ivy, and Deadly Nightshade; (5) lack of landscape maintenance; (6) growth or debris which obstructs public ways; (7) uncleanness, unsanitary conditions, or whatever is dangerous to human life or detrimental to health; (8) animal manure in any quantity that is not securely protected from flies and the elements; (9) dumping areas; (10) substances or debris which have been rendered useless or unmerchantable by reason of any fire; (11) overcrowding; (12) abandonment or vacancy; (13) Places which occasion annoyances; or (14) any

violation of this code.

[A] OCCUPANCY. The purpose for which a building or portion thereof is utilized or occupied.

OCCUPANT. Any individual living or sleeping in a building, or having possession of a space within a building.

OPENABLE AREA. That part of a window, skylight or door which is available for unobstructed *ventilation* and which opens directly to the outdoors.

OPERATOR. Any person who has charge, care or control of a structure or *premises* that is let or offered for *occupancy*.

[A] OWNER. Any person, agent, *operator*, firm or corporation having legal or equitable interest in the property; or recorded in the official records of the state, county or municipality as holding title to the property; or otherwise having control of the property, including the guardian of the estate of any such person, and the executor or administrator of the estate of such person if ordered to take possession of real property by a court.

[A] PERSON. An individual, corporation, partnership or any other group acting as a unit.

PEST ELIMINATION. The control and elimination of insects, rodents or other pests by eliminating their harborage places; by removing or making inaccessible materials that serve as their food or water; by other *approved pest elimination* methods.

PLACES WHICH OCCASION ANNOYANCES. The erection, continuance or use of any building, room or other place in the city for the exercise of any trade, employment or manufacture that emits noxious exhalations, offensive odors or other annoyances is declared to be a nuisance.

[A] PREMISES. A lot, plot or parcel of land, *easement* or *public way*, including any structures thereon.

[A] PUBLIC WAY. Any street, alley or other parcel of land that: is open to the outside air; leads to a street; has been deeded, dedicated or otherwise permanently appropriated to the public for public use; and has a clear width and height of not less than 10 feet (3048 mm).

REPEAT OFFENDER. An owner or tenant who has committed the same code violation more than one

time in a 24-month period. The repeat violation occurs after the person has corrected an earlier violation of this code, the case has been abated and closed, and the person is found to have committed the same violation again.

ROOMING HOUSE. A building arranged or occupied for lodging, with or without meals, for compensation and not occupied as a one- or two-family dwelling.

ROOMING UNIT. Any room or group of rooms forming a single habitable unit occupied or intended to be occupied for sleeping or living, but not for cooking purposes.

~~**RUBBISH.** Combustible and noncombustible waste materials, except garbage; the term shall include the residue from the burning of wood, coal, coke and other combustible materials, paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral matter, glass, crockery and dust and other similar materials.~~

RUBBISH. Combustible and noncombustible waste materials, except garbage. The term shall include, but is not limited to: the residue from the burning of wood, coal, coke and other combustible materials; paper; rags; cartons; boxes; wood; excelsior; rubber; leather; tree branches; yard trimmings; tin cans; metals; mineral matter; glass; old rope; old iron, copper, tin and lead; empty bottles; sacks; parts of machinery; parts of stoves and other appliances; scrap metal of all kinds; abandoned or inoperable vehicles and other equipment; parts of vehicles; furniture items and parts of furniture and appliance items, and parts or appliances intended for use inside a structure; and other similar materials.

Exception: Firewood that is stored and stacked in an approved manner.

[A] SLEEPING UNIT. A room or space in which people sleep, which can also include permanent provisions for living, eating and either sanitation or kitchen facilities, but not both. Such rooms and spaces that are also part of a *dwelling unit* are not *sleeping units*.

STRICT LIABILITY OFFENSE. An offense in which the prosecution in a legal proceeding is not required to prove criminal intent as a part of its case. It is enough to prove that the defendant either did an act which was prohibited, or failed to do an act which the defendant was legally required to do.

[A] STRUCTURE. That which is built or constructed.

TENANT. A person, corporation, partnership or group, whether or not the legal *owner* of record, occupying a building or portion thereof as a unit.

TOILET ROOM. A room containing a water closet or urinal but not a bathtub or shower.

ULTIMATE DEFORMATION. The deformation at which failure occurs and that shall be deemed to occur if the sustainable load reduces to 80 percent or less of the maximum strength.

[M] VENTILATION. The natural or mechanical process of supplying conditioned or unconditioned air to, or removing such air from, any space.

WORKMANLIKE. Executed in a skilled manner; e.g., generally plumb, level, square, in line, undamaged and without marring adjacent work.

[Z] YARD. An open space on the same lot with a structure.

CHAPTER 3

GENERAL REQUIREMENTS

User note:

About this chapter: Chapter 3 is broad in scope and includes a variety of requirements for the maintenance of exterior property areas, as well as the interior and exterior elements of the structure, that are intended to maintain a minimum level of safety and sanitation for both the general public and the occupants of a structure, and to maintain a building's structural and weather-resistance performance. Specifically, Chapter 3 contains criteria for the maintenance of building components; vacant structures and land; the safety, sanitation and appearance of the interior and exterior of structures and all exterior property areas; accessory structures; extermination of insects and rodents; access barriers to swimming pools, spas and hot tubs; vehicle storage and owner/occupant responsibilities.

SECTION 301 GENERAL

301.1 Scope. The provisions of this chapter shall govern the minimum conditions and the responsibilities of persons for maintenance of structures, equipment and *exterior property*.

301.2 Responsibility. The *owner* of the *premises* shall maintain the structures and *exterior property* in compliance with these requirements, except as otherwise provided for in this code. A person shall not occupy as owner-occupant or permit another person to occupy *premises* that are not in a sanitary and safe condition and that do not comply with the requirements of this chapter. *Occupants* of a *dwelling unit, rooming unit* or *housekeeping unit* are responsible for keeping in a clean, sanitary and safe condition that part of the *dwelling unit, rooming unit, housekeeping unit* or *premises* they occupy and control.

~~**301.3 Vacant structures and land.** Vacant structures and *premises* thereof or vacant land shall be maintained in a clean, safe, secure and sanitary condition as provided herein so as not to cause a blighting problem or adversely affect the public health or safety.~~

301.3 Vacant structures and land. Vacant structures and premises thereof or vacant land shall be maintained in a clean, safe, secure and sanitary condition as provided herein so as not to cause a blighting problem, a nuisance, or adversely affect the public health or safety.

SECTION 302 EXTERIOR PROPERTY AREAS

~~**302.1 Sanitation.** *Exterior property* and *premises* shall be maintained in a clean, safe and sanitary condition. The *occupant* shall keep that part of the *exterior property* that such *occupant* occupies or controls in a clean and sanitary condition.~~

302.1 Sanitation. Exterior property and premises shall be maintained in a clean, safe and sanitary condition and shall not constitute a nuisance. The occupant shall keep that part of the exterior property that such occupant occupies or controls in a clean and sanitary condition, so as not to constitute a nuisance, or contain rubbish or garbage in violation of this code.

~~**302.2 Grading and drainage.** *Premises* shall be graded and maintained to prevent the erosion of soil and to prevent the accumulation of stagnant water thereon, or within any structure located thereon.~~

~~**Exception:** *Approved retention areas and reservoirs.*~~

302.2 Grading and drainage. Premises shall be graded and maintained to prevent accumulation of stagnant water within any structures located thereon. Any grading or drainage conducted without a permit shall constitute a nuisance, and a stop work order shall be issued.

~~**302.3 Sidewalks and driveways.** Sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be kept in a proper state of repair, and maintained free from hazardous conditions.~~

302.3 Sidewalks and driveways. Sidewalks, walkways, stairs, driveways, parking spaces, and similar areas shall be kept in a proper state of repair and maintained free from hazardous conditions in accordance with the codes and ordinances of the City of Selah.

~~**302.4 Weeds.** *Premises* and *exterior property* shall be maintained free from weeds or plant growth in excess of [JURISDICTION TO INSERT HEIGHT IN INCHES]. Noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens. Upon failure of the *owner* or agent having charge of a property to cut and destroy weeds after service of a notice of violation, they shall~~

~~be subject to prosecution in accordance with Section 106.3 and as prescribed by the authority having jurisdiction. Upon failure to comply with the notice of violation, any duly authorized employee of the jurisdiction or contractor hired by the jurisdiction shall be authorized to enter upon the property in violation and cut and destroy the weeds growing thereon, and the costs of such removal shall be paid by the owner or agent responsible for the property.~~

302.4 Weeds. Premises and exterior property shall be maintained free from hazardous vegetation in excess of 24 inches in height. Upon failure of the owner or agent having charge of a property to cut and destroy such vegetation after service of a notice of violation, they shall be subject to prosecution in accordance with section 106.3 and as prescribed by the authority having jurisdiction. Upon failure to comply with the notice of violation, and after proper notification has been given to the owners (unless the conditions constitute an imminent danger), any duly authorized employee of the jurisdiction or contractor hired by the jurisdiction shall be authorized to enter upon the property in violation and cut and destroy the weeds growing thereon, and the costs of such removal shall be paid by the owner or agent responsible for the property.

302.4A Growth or debris which obstructs public way. Trees, plants, shrubs, or vegetation that overhang any sidewalk or street or are growing in such manner as to obstruct or impair the free and full use of the sidewalk or street by the public are nuisances. As such the property owner shall abate the nuisances by destroying, removing or trimming the growth or debris as required.

302.5 Rodent/pest harborage. Structures and exterior property shall be kept free from rodents and pests harborage and infestation. Where rodents or pests are found, they shall be promptly exterminated by approved processes that will not be injurious to human health. After rodent/pest elimination, proper precautions shall be taken to eliminate rodent/pest harborage and prevent reinfestation.

302.6 Exhaust vents. Pipes, ducts, conductors, fans or blowers shall not discharge gases, steam, vapor, hot air, grease, smoke, odors or other gaseous or particulate wastes directly on abutting or adjacent public or private property or that of another tenant.

302.7 Accessory structures. Accessory structures, including detached garages, fences and walls, shall be maintained structurally sound and in good repair.

302.8 Motor vehicles. Except as provided for in other regulations, inoperative or unlicensed motor vehicles shall not be parked, kept or stored on any premises, and vehicles shall not at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. Painting of vehicles is prohibited unless conducted inside an approved spray booth.

Exception: A vehicle of any type is permitted to undergo major overhaul, including body work, provided that such work is performed inside a structure or similarly enclosed area designed and approved for such purposes.

302.9 Defacement of property. A person shall not willfully or wantonly damage, mutilate or deface any exterior surface of any structure or building on any private or public property by placing thereon any marking, carving or graffiti. It shall be the responsibility of the owner to restore said surface to an approved state of maintenance and repair.

302.10 Graffiti abatement program.

A. Graffiti and other defacement of public and private property, including walls, rocks, bridges, fences, gates and other structures, trees and other real and personal property within the city, constitutes a nuisance. The city council finds that graffiti is also associated with criminal street gang activity pursuant to RCW 9A.48.105, and that proliferation of graffiti promotes criminal street gangs and criminal street gang activity. Such activity constitutes an immediate threat to the life, health, safety and property of residents of the city. Procedures herein requiring abatement, following notice and opportunity to appeal, are necessary and will preserve and protect the life, health, safety and property of residents of the city.

B. Although it is appropriate, where possible, to request that the courts require people who are convicted of acts of defacement and vandalism involving application of graffiti to public or private property to restore the property so defaced, damaged or destroyed, apprehension of persons who commit such acts is difficult because the offenses involved can be committed quickly and surreptitiously so that witnesses to the acts are frequently nonexistent.

C. Although the public should be encouraged to cooperate in the elimination of graffiti by reporting the same to the proper authorities, it is also

important to eliminate the presence of graffiti from the community so that the product of the illegal acts of those involved in application of graffiti is not visible and the property on which the graffiti is located and surrounding properties do not suffer diminution of value.

302.10.1 City abatement program—Request for assistance. Subject to availability of funding and personnel, the city makes available a graffiti abatement program. Owners of property within the city, and any owner who receives a notice issued pursuant to Chapter 6.75, and Section 302.10.2 to abate graffiti may request assistance from the city's graffiti abatement program to abate graffiti placed on their property. Participation in such graffiti abatement program shall include the following:

302.10.2 Release from liability. Applicant shall sign a consent and release from liability form approved by the city authorizing city personnel and/or its contractors to enter upon the owner's property for the purpose of abating the graffiti. Upon execution, such consent and release shall be in effect pursuant to the terms and conditions of the document. Any consent and release may be revoked in writing by the owner and/or property manager and/or tenant at any time.

302.10.3 Abatement by City. The city, its contractors, or volunteers may abate the graffiti. Graffiti abated by the city shall be only by application of paint provided by the city or contractor. Matching paint is not guaranteed. The city will only paint over graffiti and will not remove it through sand blasting or other means.

302.10.4 Acceptance into program. For applicants who have received a notice issued pursuant to Section 107 to abate graffiti, acceptance into the city's graffiti abatement program shall stay the compliance requirement, or such other compliance deadline established in such notice by the code official unless otherwise notified by the city.

302.10.5 Limitations. The city, its contractors, or volunteers shall not authorize nor undertake to provide for the painting of any more extensive area than the area where the graffiti is located.

302.10.6 Program modifications. The city reserves the right to establish, modify and amend its graffiti abatement program, and to define by rule or policy standards of eligibility for participation, methods of abatement and scheduling of abatement activities.

302.10.7 City abatement program—Priorities. There may not always be adequate funding or personnel for the city abatement program outlined in SMC 6.75. When funding and/or personnel is limited, the following priority may be established for service to those property owners who have entered the program:

- (1) Residential, Single Family zoned properties and city property;
- (2) Business, General zoned properties;
- (3) Business, Professional zoned properties;
- (4) Residential, Two-family zoned properties;
- (3) Multifamily residential zoned properties;
- (6) Manufacturing zoned properties.

Entry into the graffiti abatement program is not a guarantee of service. If adequate funding or personnel is not available, the property owner/property manager and tenant (if applicable) will be notified that they are responsible for the abatement of graffiti on the property.

SECTION 303

SWIMMING POOLS, SPAS AND HOT TUBS

303.1 Swimming pools. Swimming pools shall be maintained in a clean and sanitary condition, and in good repair.

303.2 Enclosures. Private swimming pools, hot tubs and spas, containing water more than 24 inches (610 mm) in depth shall be completely surrounded by a fence or barrier not less than 48 inches (1219 mm) in height above the finished ground level measured on the side of the barrier away from the pool. Gates and doors in such barriers shall be self-closing and self-latching. Where the self-latching device is less than 54 inches (1372 mm) above the bottom of the gate, the release mechanism shall be located on the pool side of the gate. Self-closing and self-latching gates shall be maintained such that the gate will positively close and latch when released from an

~~open position of 6 inches (152 mm) from the gatepost. An existing pool enclosure shall not be removed, replaced or changed in a manner that reduces its effectiveness as a safety barrier.~~

~~**Exception:** Spas or hot tubs with a safety cover that complies with ASTM F1346 shall be exempt from the provisions of this section.~~

303.2 Enclosures. Private swimming pools, hot tubs and spas, containing water more than 24 inches (610mm) in depth shall be completely surrounded by a fence or barrier not less than 48 inches (1219mm) in height above the finished ground level measured on the side of the barrier away from the pool. Gates and doors in such barriers shall be self-closing and self-latching. Where the self-latching device is less than 54 inches (1372 mm) above the bottom of the gate, the release mechanism shall be located on the pool side of the gate. Self-closing and self-latching gates shall be maintained such that the gate will positively close and latch when released from an open position of 6 inches (152 mm) from the gatepost. An existing pool enclosure or safety cover shall not be removed, replaced or changed in a manner that reduces its effectiveness as a safety barrier or device.

Exception: Pools, spas or hot tubs with a safety cover that complies with ASTM F1346 shall be exempt from the provisions of this section.

SECTION 304 EXTERIOR STRUCTURE

304.1 General. The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare.

304.1.1 Unsafe conditions. The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the *International Building Code* or the *International Existing Building Code* as required for existing buildings:

1. The nominal strength of any structural member is exceeded by nominal loads, the load effects or the required strength.
2. The *anchorage* of the floor or roof to walls or columns, and of walls and columns to foundations is not capable of resisting all nominal loads or load effects.
3. Structures or components thereof that have reached their limit state.
4. Siding and masonry joints including joints between the building envelope and the perimeter of windows,

doors and skylights are not maintained, weather resistant or water tight.

5. Structural members that have evidence of *deterioration* or that are not capable of safely supporting all nominal loads and load effects.

6. Foundation systems that are not firmly supported by footings, are not plumb and free from open cracks and breaks, are not properly *anchored* or are not capable of supporting all nominal loads and resisting all load effects.

7. Exterior walls that are not *anchored* to supporting and supported elements or are not plumb and free of holes, cracks or breaks and loose or rotting materials, are not properly *anchored* or are not capable of supporting all nominal loads and resisting all load effects.

8. Roofing or roofing components that have defects that admit rain, roof surfaces with inadequate drainage, or any portion of the roof framing that is not in good repair with signs of *deterioration*, fatigue or without proper anchorage and incapable of supporting all nominal loads and resisting all load effects.

9. Flooring and flooring components with defects that affect serviceability or flooring components that show signs of *deterioration* or fatigue, are not properly *anchored* or are incapable of supporting all nominal loads and resisting all load effects.

10. Veneer, cornices, belt courses, corbels, trim, wall facings and similar decorative features not properly anchored or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects.

11. Overhang extensions or projections including, but not limited to, trash chutes, canopies, marquees, signs, awnings, fire escapes, standpipes and exhaust ducts not properly *anchored* or that are *anchored* with connections not capable of supporting all nominal loads and resisting all load effects.

12. Exterior stairs, decks, porches, balconies and all similar appurtenances attached thereto, including *guards* and handrails, are not structurally sound, not properly *anchored* or that are *anchored* with connections not capable of supporting all nominal loads and resisting all load effects.

13. Chimneys, cooling towers, smokestacks and similar appurtenances not structurally sound or not properly *anchored*, or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects.

Exceptions: 1. Where substantiated otherwise by an *approved* method. 2. Demolition of unsafe conditions shall be permitted where *approved* by the *code official*.

~~304.2 Protective treatment.~~ Exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks and fences, shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted. Siding and masonry joints, as well as those between the building envelope and the perimeter of windows, doors and skylights, shall be maintained weather-resistant and water-tight. Metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion, and surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement.

304.2 Protective Treatment. Exterior surfaces, including but not limited to doors, door and window frames, cornices, porches, trim, balconies, decks and fences, shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Excessive peeling, flaking or chipped paint shall be eliminated and surfaces repainted. Siding and masonry joints as well as those between the building envelope and the perimeter of windows, doors and skylights, shall be maintained weather-resistant and water-tight.

[F] **304.3 Premises identification.** Buildings shall have *approved* address numbers placed in a position to be plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be not less than 4 inches (102 mm) in height with a minimum stroke width of 0.5 inch (12.7 mm).

304.4 Structural members. Structural members shall be maintained free from *deterioration*, and shall be capable of safely supporting the imposed dead and live loads.

304.5 Foundation walls. Foundation walls shall be maintained plumb and free from open cracks and breaks and shall be kept in such condition so as to prevent the entry of rodents and other pests.

304.6 Exterior walls. Exterior walls shall be free from holes, breaks, and loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent *deterioration*.

304.7 Roofs and drainage. The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or *deterioration* in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.

304.8 Decorative features. Cornices, belt courses, corbels, terra cotta trim, wall facings and similar decorative features shall be maintained in good repair with proper anchorage and in a safe condition.

304.9 Overhang extensions. Overhang extensions including, but not limited to, canopies, marquees, signs, metal awnings, fire escapes, standpipes and exhaust ducts shall be maintained in good repair and be properly *anchored* so as to be kept in a sound condition. Where required, all exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.

304.10 Stairways, decks, porches and balconies. Every exterior stairway, deck, porch and balcony, and all appurtenances attached thereto, shall be maintained structurally sound, in good repair, with proper anchorage and capable of supporting the imposed loads.

304.11 Chimneys and towers. Chimneys, cooling towers, smoke stacks, and similar appurtenances shall be maintained structurally safe and sound, and in good repair. Exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weathercoating materials, such as paint or similar surface treatment.

304.12 Handrails and guards. Every handrail and *guard* shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

304.13 Window, skylight and door frames. Every window, skylight, door and frame shall be kept in sound condition, good repair and weather-tight.

304.13.1 Glazing. Glazing materials shall be maintained free from cracks and holes.

~~304.13.2 Openable windows.~~ Every window, other than a fixed window, shall be easily openable and capable of being held in position by window hardware.

304.13.2 Openable windows. Every required window, other than a fixed window, shall be easily openable and capable of being held in position by window hardware.

304.14 Insect screens. ~~During the period from [DATE] to [DATE],~~ Every door, window and other outside opening required for *ventilation* of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored shall be supplied with *approved* tightly fitting screens of minimum 16 mesh per inch (16 mesh per 25 mm), and every screen door used for insect control shall have a self-closing device in good working condition.

Exception: Screens shall not be required where other *approved* means, such as air curtains or insect repellent fans, are employed.

304.15 Doors. Exterior doors, door assemblies, operator systems if provided, and hardware shall be maintained in good condition. Locks at all entrances to dwelling units and sleeping units shall tightly secure the door. Locks on means of egress doors shall be in accordance with Section 702.3.

304.16 Basement hatchways. Every *basement* hatchway shall be maintained to prevent the entrance of rodents, rain and surface drainage water.

~~**304.17 Guards for basement windows.** Every *basement* window that is openable shall be supplied with rodent shields, storm windows or other *approved* protection against the entry of rodents.~~

304.18 Building security. Doors, windows or hatchways for *dwelling units*, room units or *housekeeping units* shall be provided with devices designed to provide security for the *occupants* and property within.

~~**304.18.1 Doors.** Doors providing access to a *dwelling unit*, *rooming unit* or *housekeeping unit* that is rented, leased or let shall be equipped with a deadbolt lock designed to be readily openable from the side from which egress is to be made without the need for keys, special knowledge or effort and shall have a minimum lock throw of 1 inch (25 mm). Such deadbolt locks shall be installed according to the manufacturer's specifications and maintained in good working order. For the purpose of this section, a sliding bolt shall not be considered an acceptable deadbolt lock.~~

304.18.1 Doors. Doors providing access to a

dwelling unit, rooming unit or housekeeping unit that is rented, leased or let shall be equipped with a deadbolt lock designed to be readily openable from the side from which egress is to be made without the need for keys, special knowledge or effort. Such deadbolt locks shall be installed according to the manufacturer's specifications and maintained in good working order.

304.18.2 Windows. Operable windows located in whole or in part within 6 feet (1828 mm) above ground level or a walking surface below that provide access to a *dwelling unit*, *rooming unit* or *housekeeping unit* that is rented, leased or let shall be equipped with a window sash locking device.

304.18.3 Basement hatchways. *Basement* hatchways that provide access to a *dwelling unit*, *rooming unit* or *housekeeping unit* that is rented, leased or let shall be equipped with devices that secure the units from unauthorized entry.

304.19 Gates. Exterior gates, gate assemblies, operator systems if provided, and hardware shall be maintained in good condition. Latches at all entrances shall tightly secure the gates.

SECTION 305 INTERIOR STRUCTURE

305.1 General. The interior of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition. *Occupants* shall keep that part of the structure that they occupy or control in a clean and sanitary condition. Every *owner* of a structure containing a *rooming house*, *housekeeping units*, a hotel, a dormitory, two or more *dwelling units* or two or more nonresidential occupancies, shall maintain, in a clean and sanitary condition, the shared or public areas of the structure and *exterior property*.

305.1.1 Unsafe conditions. The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the *International Building Code* or the *International Existing Building Code* as required for existing buildings:

1. The nominal strength of any structural member is exceeded by nominal loads, the load effects or the required strength.
2. The anchorage of the floor or roof to walls or columns, and of walls and columns to foundations is not capable of resisting all nominal loads or load effects.
3. Structures or components thereof that have reached their limit state.

4. Structural members are incapable of supporting nominal loads and load effects.

5. Stairs, landings, balconies and all similar walking surfaces, including *guards* and handrails, are not structurally sound, not properly *anchored* or are *anchored* with connections not capable of supporting all nominal loads and resisting all load effects.

6. Foundation systems that are not firmly supported by footings are not plumb and free from open cracks and breaks, are not properly *anchored* or are not capable of supporting all nominal loads and resisting all load effects.

Exceptions:

1. Where substantiated otherwise by an *approved* method.

2. Demolition of unsafe conditions shall be permitted where *approved* by the *code official*.

305.2 Structural members. Structural members shall be maintained structurally sound, and be capable of supporting the imposed loads.

305.3 Interior surfaces. Interior surfaces, including windows and doors, shall be maintained in good, clean and sanitary condition. Peeling, chipping, flaking or abraded paint shall be repaired, removed or covered. Cracked or loose plaster, decayed wood and other defective surface conditions shall be corrected.

305.4 Stairs and walking surfaces. Every stair, ramp, landing, balcony, porch, deck or other walking surface shall be maintained in sound condition and good repair.

305.5 Handrails and guards. Every handrail and *guard* shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

305.6 Interior doors. Every interior door shall fit reasonably well within its frame and shall be capable of being opened and closed by being properly and securely attached to jambs, headers or tracks as intended by the manufacturer of the attachment hardware.

**SECTION 306
COMPONENT SERVICEABILITY**

306.1 General. The components of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition.

306.1.1 Unsafe conditions. Where any of the following conditions cause the component or system to be beyond its limit state, the component or system

shall be determined as unsafe and shall be repaired or replaced to comply with the *International Building Code* or the *International Existing Building Code* as required for existing buildings:

1. Soils that have been subjected to any of the following conditions:

1.1. Collapse of footing or foundation system.

1.2. Damage to footing, foundation, concrete or other structural element due to soil expansion.

1.3. Adverse effects to the design strength of footing, foundation, concrete or other structural element due to a chemical reaction from the soil.

1.4. Inadequate soil as determined by a geotechnical investigation.

1.5. Where the allowable bearing capacity of the soil is in doubt.

1.6. Adverse effects to the footing, foundation, concrete or other structural element due to the ground water table.

2. Concrete that has been subjected to any of the following conditions:

2.1. *Deterioration*.

2.2. *Ultimate deformation*.

2.3. Fractures.

2.4. Fissures.

2.5. Spalling.

2.6. Exposed reinforcement.

2.7. *Detached*, dislodged or failing connections.

3. Aluminum that has been subjected to any of the following conditions:

3.1. *Deterioration*.

3.2. Corrosion.

3.3. Elastic deformation.

3.4. *Ultimate deformation*.

3.5. Stress or strain cracks.

3.6. Joint fatigue.

3.7. *Detached*, dislodged or failing connections.

4. Masonry that has been subjected to any of the following conditions:

4.1. *Deterioration*.

4.2. *Ultimate deformation*.

4.3. Fractures in masonry or mortar joints.

4.4. Fissures in masonry or mortar joints.

4.5. Spalling.

4.6. Exposed reinforcement.

4.7. *Detached*, dislodged or failing connections.

5. Steel that has been subjected to any of the following conditions:

5.1. *Deterioration*.

5.2. Elastic deformation.

5.3. *Ultimate deformation.*

5.4. *Metal fatigue.*

5.5. *Detached, dislodged or failing connections.*

6. Wood that has been subjected to any of the following conditions:

6.1. *Ultimate deformation.*

6.2. *Deterioration.*

6.3. *Damage from insects, rodents and other vermin.*

6.4. *Fire damage beyond charring.*

6.5. *Significant splits and checks.*

6.6. *Horizontal shear cracks.*

6.7. *Vertical shear cracks.*

6.8. *Inadequate support.*

6.9. *Detached, dislodged or failing connections.*

6.10. *Excessive cutting and notching.*

Exceptions:

1. Where substantiated otherwise by an *approved method.*

2. Demolition of unsafe conditions shall be permitted where *approved* by the *code official.*

SECTION 307 HANDRAILS AND GUARDRAILS

307.1 General. Every exterior and interior flight of stairs having more than four risers shall have a handrail on one side of the stair and every open portion of a stair, landing, balcony, porch, deck, ramp or other walking surface that is more than 30 inches (762 mm) above the floor or grade below shall have guards. Handrails shall be not less than 30 inches (762 mm) in height or more than 42 inches (1067 mm) in height measured vertically above the nosing of the tread or above the finished floor of the landing or walking surfaces. Guards shall be not less than 30 inches (762 mm) in height above the floor of the landing, balcony, porch, deck, or ramp or other walking surface.

Exception: *Guards shall not be required where exempted by the adopted building code.*

307.1 General. Every exterior and interior flight of stairs having more than four risers shall have a handrail on one side of the stair and every open portion of a stair, landing, balcony, porch, deck, ramp or other walking surface that is more than 30 inches (762 mm) above the floor or grade below shall have guards. Handrails shall be not less than 30 inches (762 mm) in height or more than 42 inches (1067 mm) in height measured vertically above the nosing of the tread or above the finished floor of the landing or walking surfaces. Guards shall be not less than

30 inches (762 mm) in height above the floor of the landing, balcony, porch, deck, or ramp or other walking surface.

Exceptions:

1. Guards shall not be required where exempted by the adopted building code.
2. Guards and handrails constructed in accordance with the adopted building code at the time of construction shall be maintained to original required specifications.

SECTION 308 RUBBISH AND GARBAGE

308.1 Accumulation of rubbish or garbage. *Exterior property and premises, and the interior of every structure, shall be free from any accumulation of rubbish or garbage.*

308.2 Disposal of rubbish. Every *occupant* of a structure shall dispose of all *rubbish* in a clean and sanitary manner by placing such *rubbish* in *approved* containers.

~~**308.2.1 Rubbish storage facilities.** The *owner of every occupied premises* shall supply *approved covered containers* for *rubbish*, and the *owner of the premises* shall be responsible for the removal of *rubbish*.~~

308.2.1 Rubbish storage facilities. The owner of every occupied premises shall supply approved covered containers for rubbish, and the owner of the premises shall be responsible for the removal of rubbish to an approved disposal site.

308.2.2 Refrigerators. Refrigerators and similar equipment not in operation shall not be discarded, abandoned or stored on *premises* without first removing the doors.

308.3 Disposal of garbage. Every *occupant* of a structure shall dispose of garbage in a clean and sanitary manner by placing such garbage in an *approved* garbage disposal facility or *approved* garbage containers.

~~**308.3.1 Garbage facilities.** The *owner of every dwelling* shall supply one of the following: an *approved mechanical food waste grinder* in each *dwelling unit*; an *approved incinerator unit* in the structure available to the *occupants* in each *dwelling unit*; or an *approved leakproof, covered, outside garbage container*.~~

308.3.1 Disposal of garbage. Every

occupant of a structure shall dispose of garbage in a clean and sanitary manner by placing such garbage in an approved garbage disposal facility or approved garbage containers. Such garbage shall be removed from the premises in an approved manner in accordance with the ordinances of the City of Selah.

308.3.2 Containers. The *operator* of every establishment producing garbage shall provide, and at all times cause to be utilized, *approved* leakproof containers provided with close-fitting covers for the storage of such materials until removed from the *premises* for disposal.

SECTION 309 PEST ELIMINATION

309.1 Infestation. Structures shall be kept free from insect and rodent *infestation*. Structures in which insects or rodents are found shall be promptly exterminated by *approved* processes that will not be injurious to human health. After pest elimination, proper precautions shall be taken to prevent reinfestation.

309.1.1 Verification of infestation. The City of Selah does not inspect or verify the existence of infestation. The code official may utilize the health officer to verify an infestation, or may require the utilization of

a pest control professional for such verification, at no expense to the City of Selah.

~~309.2 Owner. The owner of any structure shall be responsible for pest elimination within the structure prior to renting or leasing the structure.~~

309.2 Owner. The owner of any structure shall be responsible for pest elimination within the structure, regardless of whether the structure is owner-occupied or leased.

309.3 Single occupant. The *occupant* of a one-family dwelling or of a single-tenant nonresidential structure shall be responsible for pest elimination on the *premises*.

~~309.4 Multiple occupancy. The owner of a structure containing two or more dwelling units, a multiple occupancy, a rooming house or a nonresidential structure shall be responsible for pest elimination in the public or shared areas of the structure and exterior property. If infestation is caused by failure of an occupant to prevent such infestation in the area occupied, the occupant and owner shall be responsible for pest elimination.~~

~~309.5 Occupant. The occupant of any structure shall be responsible for the continued rodent and pest free condition of the structure.~~

~~Exception: Where the infestations are caused by defects in the structure, the owner shall be responsible for pest elimination.~~

CHAPTER 4

LIGHT, VENTILATION AND OCCUPANCY LIMITATIONS

User note:

About this chapter: Chapter 4 sets forth requirements to establish the minimum environment for occupiable and habitable buildings by establishing the minimum criteria for light and ventilation and identifying occupancy limitations including minimum room width and area, minimum ceiling height and restrictions to prevent overcrowding.

SECTION 401 GENERAL

401.1 Scope. The provisions of this chapter shall govern the minimum conditions and standards for light, *ventilation* and space for occupying a structure.

401.2 Responsibility. The *owner* of the structure shall provide and maintain light, *ventilation* and space conditions in compliance with these requirements. A person shall not occupy as *owner-occupant*, or permit another person to occupy, any *premises* that do not comply with the requirements of this chapter.

401.3 Alternative devices. In lieu of the means for natural light and *ventilation* herein prescribed, artificial light or mechanical *ventilation* complying with the *International Building Code* shall be permitted.

SECTION 402 LIGHT

402.1 Habitable spaces. Every *habitable space* shall have not less than one window of *approved* size facing directly to the outdoors or to a court. The minimum total glazed area for every *habitable space* shall be 8 percent of the floor area of such room. Wherever walls or other portions of a structure face a window of any room and such obstructions are located less than 3 feet (914 mm) from the window and extend to a level above that of the ceiling of the room, such window shall not be deemed to face directly to the outdoors nor to a court and shall not be included as contributing to the required minimum total window area for the room.

Exception: Where natural light for rooms or spaces without exterior glazing areas is provided through an adjoining room, the unobstructed opening to the adjoining room shall be not less than 8 percent of the floor area of the interior room or space, or not less than 25 square feet (2.33 m²), whichever is

greater. The exterior glazing area shall be based on the total floor area being served.

~~**402.2 Common halls and stairways.** Every common hall and stairway in residential occupancies, other than in one and two-family dwellings, shall be lighted at all times with not less than a 60-watt standard incandescent light bulb for each 200 square feet (19 m²) of floor area or equivalent illumination, provided that the spacing between lights shall not be greater than 30 feet (9144 mm). In other than residential occupancies, interior and exterior means of egress, stairways shall be illuminated at all times the building space served by the means of egress is occupied with not less than 1 foot-candle (11 lux) at floors, landings and treads.~~

402.2 Common halls and stairways. Every common hall, interior and exterior stairway, other than in one and two-family dwellings, shall be lighted at all times with not less than 1 foot-candle (11 lux) at floors, landings and treads.

402.3 Other spaces. Other spaces shall be provided with natural or artificial light sufficient to permit the maintenance of sanitary conditions, and the safe *occupancy* of the space and utilization of the appliances, equipment and fixtures.

SECTION 403 VENTILATION

403.1 Habitable spaces. Every *habitable space* shall have not less than one openable window. The total openable area of the window in every room shall be equal to not less than 45 percent of the minimum glazed area required in Section 402.1.

Exception: Where rooms and spaces without openings to the outdoors are ventilated through an adjoining room, the unobstructed opening to the adjoining room shall be not less than 8 percent of the floor area of the interior room or space, but not less than 25 square feet (2.33 m²). The *ventilation* openings to the outdoors shall be based on a total floor area being ventilated.

403.2 Bathrooms and toilet rooms. Every *bathroom* and *toilet room* shall comply with the *ventilation* requirements for *habitable spaces* as required by Section 403.1, except that a window shall not be required in such spaces equipped with a mechanical *ventilation* system. Air exhausted by a mechanical *ventilation* system from a *bathroom* or *toilet room* shall discharge to the outdoors and shall not be recirculated.

403.3 Cooking facilities. Unless *approved* through the certificate of *occupancy*, cooking shall not be permitted in any *rooming unit* or dormitory unit, and a cooking facility or appliance shall not be permitted to be present in the *rooming unit* or dormitory unit.

Exceptions:

1. Where specifically *approved* in writing by the *code official*.
2. Devices such as coffee pots and microwave ovens shall not be considered cooking appliances.

403.4 Process ventilation. Where injurious, toxic, irritating or noxious fumes, gases, dusts or mists are generated, a local exhaust *ventilation* system shall be provided to remove the contaminating agent at the source. Air shall be exhausted to the exterior and not be recirculated to any space.

403.5 Clothes dryer exhaust. Clothes dryer exhaust systems shall be independent of all other systems and shall be exhausted outside the structure in accordance with the manufacturer's instructions.

Exception: Listed and *labeled* condensing (ductless) clothes dryers.

SECTION 404 OCCUPANCY LIMITATIONS

404.1 Privacy. *Dwelling units*, hotel units, *housekeeping units*, *rooming units* and dormitory units shall be arranged to provide privacy and be separate from other adjoining spaces.

404.2 Minimum room widths. A habitable room, other than a kitchen, shall be not less than 7 feet (2134 mm) in any plan dimension. Kitchens shall have a minimum clear passageway of 3 feet (914 mm) between counterfronts and appliances or counterfronts and walls.

404.3 Minimum ceiling heights. *Habitable spaces*, hallways, corridors, laundry areas, *bathrooms*, *toilet rooms* and habitable *basement* areas shall have a minimum clear ceiling height of 7 feet (2134 mm).

Exceptions:

1. In one- and two-family dwellings, beams or girders spaced not less than 4 feet (1219 mm) on center and projecting not greater than 6 inches (152 mm) below the required ceiling height.

2. *Basement* rooms in one- and two-family dwellings occupied exclusively for laundry, study or recreation purposes, having a minimum ceiling height of 6 feet 8 inches (2033 mm) with a minimum clear height of 6 feet 4 inches (1932 mm) under beams, girders, ducts and similar obstructions.

3. Rooms occupied exclusively for sleeping, study or similar purposes and having a sloped ceiling over all or part of the room, with a minimum clear ceiling height of 7 feet (2134 mm) over not less than one-third of the required minimum floor area. In calculating the floor area of such rooms, only those portions of the floor area with a minimum clear ceiling height of 5 feet (1524 mm) shall be included.

404.4 Bedroom and living room requirements. Every *bedroom* and living room shall comply with the requirements of Sections 404.4.1 through 404.4.5.

404.4.1 Room area. Every living room shall contain not less than 120 square feet (11.2 m²) and every bedroom shall contain not less than 70 square feet (6.5 m²) and every bedroom occupied by more than one person shall contain not less than 50 square feet (4.6 m²) of floor area for each occupant thereof.

404.4.2 Access from bedrooms. *Bedrooms* shall not constitute the only means of access to other *bedrooms* or *habitable spaces* and shall not serve as the only means of egress from other *habitable spaces*.

Exception: Units that contain fewer than two *bedrooms*.

404.4.3 Water closet accessibility. Every *bedroom* shall have access to not less than one water closet and one lavatory without passing through another *bedroom*. Every *bedroom* in a *dwelling unit* shall have access to not less than one water closet and lavatory located in the same story as the *bedroom* or an adjacent story.

404.4.4 Prohibited occupancy. Kitchens and nonhabitable spaces shall not be used for sleeping purposes.

404.4.5 Other requirements. *Bedrooms* shall comply with the applicable provisions of this code including, but not limited to, the light, *ventilation*,

room area, ceiling height and room width requirements of this chapter; the plumbing facilities and water-heating facilities requirements of Chapter 5; the heating facilities and electrical receptacle requirements of Chapter 6; and the smoke detector and emergency escape requirements of Chapter 7.

404.5 Overcrowding. Dwelling units shall not be occupied by more occupants than permitted by the minimum area requirements of Table 404.5.

**TABLE 404.5
MINIMUM AREA REQUIREMENTS**

SPACE	MINIMUM AREA IN SQUARE FEET		
	1-2 occupants	3-5 occupants	6 or more occupants
Living room ^{a, b}	120	120	150
Dining room ^{a, b}	No requirement	80	100
Bedrooms	Shall comply with Section 404.4.1		

For SI: 1 square foot = 0.0929 m².

a. See Section 404.5.2 for combined living room/dining room spaces.

b. See Section 404.5.1 for limitations on determining the minimum occupancy area for sleeping purposes.

404.5.1 Sleeping area. The minimum occupancy area required by Table 404.5 shall not be included as a sleeping area in determining the minimum occupancy area for sleeping purposes. Sleeping areas shall comply with Section 404.4.

404.5.2 Combined spaces. Combined living room and dining room spaces shall comply with the requirements of Table 404.5 if the total area is equal to that required for separate rooms and if the space is located so as to function as a combination living room/dining room.

404.6 Efficiency unit. Nothing in this section shall prohibit an efficiency living unit from meeting the following requirements:

1. A unit occupied by not more than one occupant shall have a minimum clear floor area of 120 square feet (11.2 m²). A unit occupied by not more than two *occupants* shall have a minimum clear floor area of 220 square feet (20.4 m²). A unit occupied by three *occupants* shall have a minimum clear floor area of 320 square feet (29.7 m²). These required areas shall be exclusive of the areas required by Items 2 and 3.
2. The unit shall be provided with a kitchen sink, cooking appliance and refrigeration facilities, each having a minimum clear working space of 30 inches (762 mm) in front. Light and *ventilation* conforming to this code shall be provided.
3. The unit shall be provided with a separate *bathroom* containing a water closet, lavatory and bathtub or shower.
4. The maximum number of *occupants* shall be three.

Efficiency units shall not exist independently, but must be part of a single structure or planned development.

404.7 Food preparation. Spaces to be occupied for food preparation purposes shall contain suitable space and equipment to store, prepare and serve foods in a sanitary manner. There shall be adequate facilities and services for the sanitary disposal of food wastes and refuse, including facilities for temporary storage.

CHAPTER 5

PLUMBING FACILITIES AND FIXTURE REQUIREMENTS

User note:

About this chapter: Chapter 5 establishes minimum sanitary and clean conditions in occupied buildings by containing requirements for the installation, maintenance and location of plumbing systems and facilities, including the water supply system, water heating appliances, sewage disposal systems and related plumbing fixtures. Chapter 5 includes requirements for providing potable water to a building and the basic fixtures to effectively utilize and dispose of that water.

SECTION 501 GENERAL

501.1 Scope. The provisions of this chapter shall govern the minimum plumbing systems, facilities and plumbing fixtures to be provided.

501.2 Responsibility. The *owner* of the structure shall provide and maintain such plumbing facilities and plumbing fixtures in compliance with these requirements. A person shall not occupy as *owner-occupant* or permit another person to occupy any structure or *premises* that does not comply with the requirements of this chapter.

SECTION 502 REQUIRED FACILITIES

[P] 502.1 Dwelling units. Every *dwelling unit* shall contain its own bathtub or shower, lavatory, water closet and kitchen sink that shall be maintained in a sanitary, safe working condition. The lavatory shall be placed in the same room as the water closet or located in close proximity to the door leading directly into the room in which such water closet is located. A kitchen sink shall not be used as a substitute for the required lavatory.

[P] 502.2 Rooming houses. Not less than one water closet, lavatory and bathtub or shower shall be supplied for each four *rooming units*.

[P] 502.3 Hotels. Where private water closets, lavatories and baths are not provided, one water closet, one lavatory and one bathtub or shower having access from a public hallway shall be provided for each 10 *occupants*.

[P] 502.4 Employees' facilities. Not less than one water closet, one lavatory and one drinking facility shall be available to employees.

[P] 502.4.1 Drinking facilities. Drinking facilities shall be a drinking fountain, water cooler, bottled water cooler or disposable cups next to a sink or

water dispenser. Drinking facilities shall not be located in *toilet rooms* or *bathrooms*.

~~**[P] 502.5 Public toilet facilities.** Public toilet facilities shall be maintained in a safe, sanitary and working condition in accordance with the *International Plumbing Code*. Except for periodic maintenance or cleaning, public access and use shall be provided to the toilet facilities at all times during occupancy of the premises.~~

502.5 Public toilet facilities. Public toilet facilities shall be maintained in a safe, sanitary and working condition in accordance with the Uniform Plumbing Code. Except for periodic maintenance and repairs or cleaning, public access and use shall be provided to the required toilet facilities at all times during occupancy of the premises.

SECTION 503 TOILET ROOMS

[P] 503.1 Privacy. *Toilet rooms* and *bathrooms* shall provide privacy and shall not constitute the only passageway to a hall or other space, or to the exterior. A door and interior locking device shall be provided for all common or shared *bathrooms* and *toilet rooms* in a multiple dwelling.

[P] 503.2 Location. *Toilet rooms* and *bathrooms* serving hotel units, *rooming units* or dormitory units or *housekeeping units*, shall have access by traversing not more than one flight of stairs and shall have access from a common hall or passageway.

[P] 503.3 Location of employee toilet facilities. Toilet facilities shall have access from within the employees' working area. The required toilet facilities shall be located not more than one story above or below the employees' working area and the path of travel to such facilities shall not exceed a distance of 500 feet (152 m). Employee facilities shall either be separate facilities or combined employee and public facilities.

Exception: Facilities that are required for employees in storage structures or kiosks, which are located in adjacent structures

under the same ownership, lease or control, shall not exceed a travel distance of 500 feet (152 m) from the employees' regular working area to the facilities.

[P] 503.4 Floor surface. In other than *dwelling units*, every *toilet room* floor shall be maintained to be a smooth, hard, nonabsorbent surface to permit such floor to be easily kept in a clean and sanitary condition.

SECTION 504 PLUMBING SYSTEMS AND FIXTURES

[P] 504.1 General. Plumbing fixtures shall be properly installed and maintained in working order, and shall be kept free from obstructions, leaks and defects and be capable of performing the function for which such plumbing fixtures are designed. Plumbing fixtures shall be maintained in a safe, sanitary and functional condition.

[P] 504.2 Fixture clearances. Plumbing fixtures shall have adequate clearances for usage and cleaning.

[P] 504.3 Plumbing system hazards. Where it is found that a plumbing system in a structure constitutes a hazard to the *occupants* or the structure by reason of inadequate service, inadequate venting, cross connection, backsiphonage, improper installation, *deterioration* or damage or for similar reasons, the *code official* shall require the defects to be corrected to eliminate the hazard.

SECTION 505 WATER SYSTEM

~~**[P] 505.1 General.** Every sink, lavatory, bathtub or shower, drinking fountain, water closet or other plumbing fixture shall be properly connected to either a public water system or to an approved private water system. Kitchen sinks, lavatories, laundry facilities, bathtubs and showers shall be supplied with hot or tempered and cold running water in accordance with the *International Plumbing Code*.~~

505.1 General. Every sink, lavatory, bathtub or shower, drinking fountain, water closet or other plumbing fixture shall be properly connected to either a public water system or to an approved private water system. Kitchen sinks, lavatories, laundry facilities, bathtubs and showers shall be supplied with hot or tempered and cold running water in accordance with the Uniform Plumbing Code.

[P] 505.2 Contamination. The water supply shall be maintained free from contamination, and all water inlets for plumbing fixtures shall be located above the flood-level rim of the fixture. Shampoo basin faucets, janitor sink faucets and other hose bibs or faucets to which hoses are attached and left in place, shall be protected by an approved atmospheric-type vacuum breaker or an approved permanently attached hose connection vacuum breaker.

[P] 505.3 Supply. The water supply system shall be installed and maintained to provide a supply of water to plumbing fixtures, devices and appurtenances in sufficient volume and at pressures adequate to enable the fixtures to function properly, safely, and free from defects and leaks.

[P] 505.4 Water heating facilities. Water heating facilities shall be properly installed, maintained and capable of providing an adequate amount of water to be drawn at every required sink, lavatory, bathtub, shower and laundry facility at a temperature not less than 110°F (43°C). A gas-burning water heater shall not be located in any *bathroom, toilet room, bedroom* or other occupied room normally kept closed, unless adequate combustion air is provided. An *approved* combination temperature and pressure-relief valve and relief valve discharge pipe shall be properly installed and maintained on water heaters.

[P] 505.5 Nonpotable water reuse systems. Nonpotable water reuse systems and rainwater collection and conveyance systems shall be maintained in a safe and sanitary condition. Where such systems are not properly maintained, the systems shall be repaired to provide for safe and sanitary conditions, or the system shall be abandoned in accordance with Section 505.5.1.

[P] 505.5.1 Abandonment of systems. Where a nonpotable water reuse system or a rainwater collection and distribution system is not maintained or the owner ceases use of the system, the system shall be abandoned in accordance with Section 1301.10 of the *International Plumbing Code*.

SECTION 506 SANITARY DRAINAGE SYSTEM

[P] 506.1 General. Plumbing fixtures shall be properly connected to either a public sewer system or to an *approved* private sewage disposal system.

[P] 506.2 Maintenance. Every plumbing stack, vent, waste and sewer line shall function properly and be kept free from obstructions, leaks and defects.

[P] 506.3 Grease interceptors. Grease interceptors and automatic grease removal devices shall be maintained in accordance with this code and the manufacturer's installation instructions. Grease interceptors and automatic grease removal devices shall be regularly serviced and cleaned to prevent the discharge of oil, grease, and other substances harmful or hazardous to the building drainage system, the public sewer, the private sewage disposal system or the sewage treatment plant or processes. Records of

maintenance, cleaning and repairs shall be available for inspection by the *code official*.

SECTION 507 STORM DRAINAGE

[P] 507.1 General. Drainage of roofs and paved areas, *yards* and courts, and other open areas on the *premises* shall not be discharged in a manner that creates a public nuisance.

CHAPTER 6

MECHANICAL AND ELECTRICAL REQUIREMENTS

User note:

About this chapter: Chapter 6 establishes minimum performance requirements for heating, electrical and mechanical facilities serving existing structures, such as heating and air-conditioning equipment, appliances and their supporting systems; water heating equipment, appliances and systems; cooking equipment and appliances; ventilation and exhaust equipment; gas and liquid fuel distribution piping and components; fireplaces and solid fuel-burning appliances; chimneys and vents; electrical services; lighting fixtures; electrical receptacle outlets; electrical distribution system equipment, devices and wiring; and elevators, escalators and dumbwaiters.

SECTION 601 GENERAL

601.1 Scope. The provisions of this chapter shall govern the minimum mechanical and electrical facilities and equipment to be provided.

601.2 Responsibility. The *owner* of the structure shall provide and maintain mechanical and electrical facilities and equipment in compliance with these requirements. A person shall not occupy as *owner-occupant* or permit another person to occupy any *premises* that does not comply with the requirements of this chapter.

SECTION 602 HEATING FACILITIES

602.1 Facilities required. Heating facilities shall be provided in structures as required by this section.

~~**602.2 Residential occupancies.** Dwellings shall be provided with heating facilities capable of maintaining a room temperature of 68°F (20°C) in all habitable rooms, *bathrooms* and *toilet rooms* based on the winter outdoor design temperature for the locality indicated in Appendix D of the *International Plumbing Code*. Cooking appliances shall not be used, nor shall portable unvented fuel-burning space heaters be used, as a means to provide required heating.~~

~~**Exception:** In areas where the average monthly temperature is above 30°F (1°C), a minimum temperature of 65°F (18°C) shall be maintained.~~

602.2 Residential occupancies. Dwellings shall be provided with heating facilities capable of maintaining a room temperature of 65° F (18° C) in all habitable rooms, bathrooms, and toilet rooms during cold weather periods. Cooking appliances shall not be used, nor shall portable unvented

fuel-burning or portable electric space heaters be used as a means to provide required heating.

~~**602.3 Heat supply.** Every *owner* and *operator* of any building who rents, leases or lets one or more *dwelling units* or *sleeping units* on terms, either expressed or implied, to furnish heat to the *occupants* thereof shall supply heat during the period from [DATE] to [DATE] to maintain a minimum temperature of 68°F (20°C) in all habitable rooms, *bathrooms* and *toilet rooms*.~~

~~Exceptions:~~

~~1. When the outdoor temperature is below the winter outdoor design temperature for the locality, maintenance of the minimum room temperature shall not be required provided that the heating system is operating at its full design capacity. The winter outdoor design temperature for the locality shall be as indicated in Appendix D of the *International Plumbing Code*.~~

~~2. In areas where the average monthly temperature is above 30°F (1°C), a minimum temperature of 65°F (18°C) shall be maintained.~~

602.3 Heat supply. Every owner and operator of any building who rents, leases, or lets one or more dwelling units or sleeping units on terms, whether expressed or implied, is required to furnish heat to the occupants thereof with an approved heat source during cold weather periods that will maintain a minimum temperature of 65° F (18° C) in all habitable rooms, bathrooms and toilet rooms.

~~**602.4 Occupiable work spaces.** Indoor occupiable work spaces shall be supplied with heat during the period from [DATE] to [DATE] to maintain a minimum temperature of 65°F (18°C) during the period the spaces are occupied.~~

~~Exceptions:~~

~~1. Processing, storage and operation areas that require cooling or special temperature conditions.~~

~~2. Areas in which persons are primarily engaged in vigorous physical activities.~~

602.4 Occupiable work spaces. Indoor occupiable work spaces shall be supplied with an approved heat source that will maintain a minimum temperature of 65° F (18° C) during the period the spaces are occupied.

Exceptions:

1. Processing, storage and operation areas that require cooling or special temperature conditions.
2. Areas in which persons are primarily engaged in vigorous physical activities.

602.5 Room temperature measurement. The required room temperatures shall be measured 3 feet (914 mm) above the floor near the center of the room and 2 feet (610 mm) inward from the center of each exterior wall.

SECTION 603 MECHANICAL EQUIPMENT

603.1 Mechanical equipment and appliances. Mechanical equipment, appliances, fireplaces, solid fuel-burning appliances, cooking appliances and water heating appliances shall be properly installed and maintained in a safe working condition, and shall be capable of performing the intended function.

603.2 Removal of combustion products. Fuel-burning equipment and appliances shall be connected to an *approved* chimney or vent.

Exception: Fuel-burning equipment and appliances that are *labeled* for unvented operation.

603.3 Clearances. Required clearances to combustible materials shall be maintained.

603.4 Safety controls. Safety controls for fuel-burning equipment shall be maintained in effective operation.

603.5 Combustion air. A supply of air for complete combustion of the fuel and for *ventilation* of the space containing the fuel-burning equipment shall be provided for the fuel-burning equipment.

603.6 Energy conservation devices. Devices intended to reduce fuel consumption by attachment to a fuel-burning appliance, to the fuel supply line thereto, or to the vent outlet or vent piping therefrom,

shall not be installed unless *labeled* for such purpose and the installation is specifically *approved*.

SECTION 604 ELECTRICAL FACILITIES

~~**604.1 Facilities required.** Every occupied building shall be provided with an electrical system in compliance with the requirements of this section and Section 605.~~

604.1 Facilities required. Every occupied building shall be provided with an electrical system that is supplied by a commercially available source in compliance with the requirements of this section and Section 605.

604.2 Service. The size and usage of appliances and equipment shall serve as a basis for determining the need for additional facilities in accordance with NFPA 70. *Dwelling units* shall be served by a three-wire, 120/240-volt, single-phase electrical service having a minimum rating of 60 amperes.

604.3 Electrical system hazards. Where it is found that the electrical system in a structure constitutes a hazard to the *occupants* or the structure by reason of inadequate service, improper fusing, insufficient receptacle and lighting outlets, improper wiring or installation, *deterioration* or damage, or for similar reasons, the *code official* shall require the defects to be corrected to eliminate the hazard.

604.3.1 Abatement of electrical hazards associated with water exposure. The provisions of this section shall govern the repair and replacement of electrical systems and equipment that have been exposed to water.

604.3.1.1 Electrical equipment. Electrical distribution equipment, motor circuits, power equipment, transformers, wire, cable, flexible cords, wiring devices, ground fault circuit interrupters, surge protectors, molded case circuit breakers, low-voltage fuses, luminaires, ballasts, motors and electronic control, signaling and communication equipment that have been exposed to water shall be replaced in accordance with the provisions of the *International Building Code*.

Exception: The following equipment shall be allowed to be repaired where an inspection report from the equipment manufacturer or *approved* manufacturer's representative indicates that the equipment has not sustained damage that requires replacement:

1. Enclosed switches, rated not more than 600 volts or less.
2. Busway, rated not more than 600 volts.
3. Panelboards, rated not more than 600 volts.
4. Switchboards, rated not more than 600 volts.
5. Fire pump controllers, rated not more than 600 volts.
6. Manual and magnetic motor controllers.
7. Motor control centers.
8. Alternating current high-voltage circuit breakers.
9. Low-voltage power circuit breakers.
10. Protective relays, meters and current transformers.
11. Low- and medium-voltage switchgear.
12. Liquid-filled transformers.
13. Cast-resin transformers.
14. Wire or cable that is suitable for wet locations and whose ends have not been exposed to water.
15. Wire or cable, not containing fillers, that is suitable for wet locations and whose ends have not been exposed to water.
16. Luminaires that are listed as submersible.
17. Motors.
18. Electronic control, signaling and communication equipment.

604.3.2 Abatement of electrical hazards associated with fire exposure. The provisions of this section shall govern the repair and replacement of electrical systems and equipment that have been exposed to fire.

604.3.2.1 Electrical equipment. Electrical switches, receptacles and fixtures, including furnace, water heating, security system and power distribution circuits, that have been exposed to fire, shall be replaced in accordance with the provisions of the *International Building Code*.

Exception: Electrical switches, receptacles and fixtures that shall be allowed to be repaired where an inspection report from the equipment manufacturer or *approved* manufacturer's representative indicates that the equipment has not sustained damage that requires replacement.

SECTION 605 ELECTRICAL EQUIPMENT

605.1 Installation. Electrical equipment, wiring and appliances shall be properly installed and maintained in a safe and *approved* manner.

605.2 Receptacles. Every *habitable space* in a dwelling shall contain not less than two separate and remote receptacle outlets. Every laundry area shall contain not less than one grounding-type receptacle or a receptacle with a ground fault circuit interrupter. Every *bathroom* shall contain not less than one receptacle. Any new *bathroom* receptacle outlet shall have ground fault circuit interrupter protection. All receptacle outlets shall have the appropriate faceplate cover for the location.

605.3 Luminaires. Every public hall, interior stairway, *toilet room*, kitchen, *bathroom*, laundry room, boiler room and furnace room shall contain not less than one electric luminaire. Pool and spa luminaires over 15 V shall have ground fault circuit interrupter protection.

605.4 Wiring. Flexible cords shall not be used for permanent wiring, or for running through doors, windows, or cabinets, or concealed within walls, floors, or ceilings.

SECTION 606 ELEVATORS, ESCALATORS AND DUMBWAITERS

606.1 General. Elevators, dumbwaiters and escalators shall be maintained in compliance with ASME A17.1. The most current certificate of inspection shall be on display at all times within the elevator or attached to the escalator or dumbwaiter, be available for public inspection in the office of the building *operator* or be posted in a publicly conspicuous location *approved* by the *code official*. The inspection and tests shall be performed at not less than the periodic intervals listed in ASME A17.1, Appendix N, except where otherwise specified by the authority having jurisdiction.

606.2 Elevators. In buildings equipped with passenger elevators, not less than one elevator shall be maintained in operation at all times when the building is occupied.

Exception: Buildings equipped with only one elevator shall be permitted to have the elevator temporarily out of service for testing or servicing.

SECTION 607 DUCT SYSTEMS

607.1 General. Duct systems shall be maintained free of obstructions and shall be capable of performing the required function.

CHAPTER 7

FIRE SAFETY REQUIREMENTS

User note:

About this chapter: Chapter 7 establishes fire safety requirements for existing structures by containing requirements for means of egress, including path of travel, required egress width, means of egress doors and emergency escape openings, and for the maintenance of fire-resistance-rated assemblies, fire protection systems, and carbon monoxide alarm and detection systems.

SECTION 701 GENERAL

701.1 Scope. The provisions of this chapter shall govern the minimum conditions and standards for fire safety relating to structures and exterior *premises*, including fire safety facilities and equipment to be provided.

701.2 Responsibility. The *owner* of the *premises* shall provide and maintain such fire safety facilities and equipment in compliance with these requirements. A person shall not occupy as *owner-occupant* or permit another person to occupy any *premises* that do not comply with the requirements of this chapter.

SECTION 702 MEANS OF EGRESS

[F] **702.1 General.** A safe, continuous and unobstructed path of travel shall be provided from any point in a building or structure to the *public way*. Means of egress shall comply with the *International Fire Code*.

[F] **702.2 Aisles.** The required width of aisles in accordance with the *International Fire Code* shall be unobstructed.

[F] **702.3 Locked doors.** Means of egress doors shall be readily openable from the side from which egress is to be made without the need for keys, special knowledge or effort, except where the door hardware conforms to that permitted by the *International Building Code*.

[F] **702.4 Emergency escape openings.** Required emergency escape openings shall be maintained in accordance with the code in effect at the time of construction, and the following. Required emergency escape and rescue openings shall be operational from the inside of the room without the use of keys or tools. Bars, grilles, grates or similar devices are permitted to be placed over emergency escape and rescue openings provided that the minimum net clear opening size complies with the code that was in

effect at the time of construction and such devices shall be releasable or removable from the inside without the use of a key, tool or force greater than that which is required for normal operation of the escape and rescue opening.

SECTION 703 FIRE-RESISTANCE RATINGS

[F] **703.1 Fire-resistance-rated assemblies.** The provisions of this chapter shall govern maintenance of the materials, systems and assemblies used for structural fire resistance and fire-resistance-rated construction separation of adjacent spaces to safeguard against the spread of fire and smoke within a building and the spread of fire to or from buildings.

[F] **703.2 Unsafe conditions.** Where any components are not maintained and do not function as intended or do not have the fire resistance required by the code under which the building was constructed or altered, such components or portions thereof shall be deemed unsafe conditions in accordance with Section 111.1.1 of the *International Fire Code*. Components or portions thereof determined to be unsafe shall be repaired or replaced to conform to that code under which the building was constructed or altered. Where the condition of components is such that any building, structure or portion thereof presents an imminent danger to the occupants of the building, structure or portion thereof, the fire code official shall act in accordance with Section 111.2 of the *International Fire Code*.

[F] **703.3 Maintenance.** The required fire-resistance rating of fire-resistance-rated construction, including walls, firestops, shaft enclosures, partitions, smoke barriers, floors, fire-resistive coatings and sprayed fire-resistant materials applied to structural members and joint systems, shall be maintained. Such elements shall be visually inspected annually by the owner and repaired, restored or replaced where damaged, altered, breached or penetrated. Records of inspections and repairs shall be maintained. Where concealed, such elements shall not be required to be visually inspected by the owner unless the concealed

space is accessible by the removal or movement of a panel, access door, ceiling tile or entry to the space. Openings made therein for the passage of pipes, electrical conduit, wires, ducts, air transfer and any other reason shall be protected with approved methods capable of resisting the passage of smoke and fire. Openings through fire-resistance-rated assemblies shall be protected by self- or automatic-closing doors of approved construction meeting the fire protection requirements for the assembly.

[F] 703.3.1 Fire blocking and draft stopping. Required fire blocking and draft stopping in combustible concealed spaces shall be maintained to provide continuity and integrity of the construction.

[F] 703.3.2 Smoke barriers and smoke partitions. Required smoke barriers and smoke partitions shall be maintained to prevent the passage of smoke. Openings protected with approved smoke barrier doors or smoke dampers shall be maintained in accordance with NFPA 105.

[F] 703.3.3 Fire walls, fire barriers, and fire partitions. Required fire walls, fire barriers and fire partitions shall be maintained to prevent the passage of fire. Openings protected with approved doors or fire dampers shall be maintained in accordance with NFPA 80.

[F] 703.4 Opening protectives. Opening protectives shall be maintained in an operative condition in accordance with NFPA 80. The application of field-applied labels associated with the maintenance of opening protectives shall follow the requirements of the approved third-party certification organization accredited for listing the opening protective. Fire doors and smoke barrier doors shall not be blocked or obstructed, or otherwise made inoperable. Fusible links shall be replaced whenever fused or damaged. Fire door assemblies shall not be modified.

[F] 703.4.1 Signs. Where required by the code official, a sign shall be permanently displayed on or near each fire door in letters not less than 1 inch (25 mm) high to read as follows:

1. For doors designed to be kept normally open: FIRE DOOR – DO NOT BLOCK.
2. For doors designed to be kept normally closed: FIRE DOOR – KEEP CLOSED.

[F] 703.4.2 Hold-open devices and closers. Hold-open devices and automatic door closers shall be maintained. During the period that such a device is

out of service for repairs, the door it operates shall remain in the closed position.

[F] 703.4.3 Door operation. Swinging fire doors shall close from the full-open position and latch automatically. The door closer shall exert enough force to close and latch the door from any partially open position.

[F] 703.5 Ceilings. The hanging and displaying of salable goods and other decorative materials from acoustical ceiling systems that are part of a fire-resistance-rated horizontal assembly shall be prohibited.

[F] 703.6 Testing. Horizontal and vertical sliding and rolling fire doors shall be inspected and tested annually to confirm operation and full closure. Records of inspections and testing shall be maintained.

[F] 703.7 Vertical shafts. Interior vertical shafts, including stairways, elevator hoistways and service and utility shafts, which connect two or more stories of a building shall be enclosed or protected as required in Chapter 11 of the *International Fire Code*. New floor openings in existing buildings shall comply with the *International Building Code*.

[F] 703.8 Opening protective closers. Where openings are required to be protected, opening protectives shall be maintained self-closing or automatic-closing by smoke detection. Existing fusible-link-type automatic door-closing devices shall be replaced if the fusible link rating exceeds 135°F (57°C).

SECTION 704 FIRE PROTECTION SYSTEMS

[F] 704.1 Inspection, testing and maintenance. Fire detection, alarm and extinguishing systems, mechanical smoke exhaust systems, and smoke and heat vents shall be maintained in accordance with the *International Fire Code* in an operative condition at all times, and shall be replaced or repaired where defective.

[F] 704.1.1 Installation. Fire protection systems shall be maintained in accordance with the original installation standards for that system. Required systems shall be extended, altered or augmented as necessary to maintain and continue protection where the building is altered or enlarged. Alterations to fire protection systems shall be done in accordance with applicable standards.

[F] 704.1.2 Required fire protection systems. Fire protection systems required by this code, the *International Fire Code* or the *International Building Code* shall be installed, repaired, operated, tested and maintained in accordance with this code. A fire protection system for which a design option, exception or reduction to the provisions of this code, the *International Fire Code* or the *International Building Code* has been granted shall be considered to be a required system.

[F] 704.1.3 Fire protection systems. Fire protection systems shall be inspected, maintained and tested in accordance with the following *International Fire Code* requirements.

1. Automatic sprinkler systems, see Section 903.5.
2. Automatic fire-extinguishing systems protecting commercial cooking systems, see Section 904.12.5.
3. Automatic water mist extinguishing systems, see Section 904.11.
4. Carbon dioxide extinguishing systems, see Section 904.8.
5. Carbon monoxide alarms and carbon monoxide detection systems, see Section 915.6.
6. Clean-agent extinguishing systems, see Section 904.10.
7. Dry-chemical extinguishing systems, see Section 904.6.
8. Fire alarm and fire detection systems, see Section 907.8.
9. Fire department connections, see Sections 912.4 and 912.7.
10. Fire pumps, see Section 913.5.
11. Foam extinguishing systems, see Section 904.7.
12. Halon extinguishing systems, see Section 904.9.
13. Single- and multiple-station smoke alarms, see Section 907.10.
14. Smoke and heat vents and mechanical smoke removal systems, see Section 910.5.
15. Smoke control systems, see Section 909.20.
16. Wet-chemical extinguishing systems, see Section 904.5.

[F] 704.2 Standards. Fire protection systems shall be inspected, tested and maintained in accordance with the referenced standards listed in Table 704.2 and as required in this section.

**TABLE 704.2
FIRE PROTECTION SYSTEM MAINTENANCE STANDARDS**

SYSTEM	STANDARD
Portable fire extinguishers	NFPA 10
Carbon dioxide fire-extinguishing system	NFPA 12
Halon 1301 fire-extinguishing systems	NFPA 12A
Dry-chemical extinguishing systems	NFPA 17
Wet-chemical extinguishing systems	NFPA 17A
Water-based fire protection systems	NFPA 25
Fire alarm systems	NFPA 72
Smoke and heat vents	NFPA 204
Water-mist systems	NFPA 750
Clean-agent extinguishing systems	NFPA 2001

[F] 704.2.1 Records. Records shall be maintained of all system inspections, tests and maintenance required by the referenced standards.

[F] 704.2.2 Records information. Initial records shall include the: name of the installation contractor; type of components installed; manufacturer of the components; location and number of components installed per floor; and manufacturers' operation and maintenance instruction manuals. Such records shall be maintained for the life of the installation.

[F] 704.3 Systems out of service. Where a required fire protection system is out of service, the fire department and the fire code official shall be notified immediately and, where required by the fire code official, either the building shall be evacuated or an approved fire watch shall be provided for all occupants left unprotected by the shutdown until the fire protection system has been returned to service. Where utilized, fire watches shall be provided with not less than one approved means for notification of the fire department and shall not have duties beyond performing constant patrols of the protected premises and keeping watch for fires. Actions shall be taken in accordance with Section 901 of the *International Fire Code* to bring the systems back in service.

[F] 704.3.1 Emergency impairments. Where unplanned impairments of fire protection systems occur, appropriate emergency action shall be taken to minimize potential injury and damage. The impairment coordinator shall implement the steps outlined in Section 901.7.4 of the *International Fire Code*.

[F] 704.4 Removal of or tampering with equipment. It shall be unlawful for any person to remove, tamper with or otherwise disturb any fire hydrant, fire detection and alarm system, fire suppression system or other fire appliance required

by this code except for the purposes of extinguishing fire, training, recharging or making necessary repairs.

[F] 704.4.1 Removal of or tampering with appurtenances. Locks, gates, doors, barricades, chains, enclosures, signs, tags and seals that have been installed by or at the direction of the fire code official shall not be removed, unlocked, destroyed or tampered with in any manner.

[F] 704.4.2 Removal of existing occupant-use hose lines. The fire code official is authorized to permit the removal of existing occupant-use hose lines where all of the following apply:

1. The installation is not required by the *International Fire Code* or the *International Building Code*.
2. The hose line would not be utilized by trained personnel or the fire department.
3. The remaining outlets are compatible with local fire department fittings.

[F] 704.4.3 Termination of monitoring service. For fire alarm systems required to be monitored by the *International Fire Code*, notice shall be made to the fire code official whenever alarm monitoring services are terminated. Notice shall be made in writing by the provider of the monitoring service being terminated.

[F] 704.5 Fire department connection. Where the fire department connection is not visible to approaching fire apparatus, the fire department connection shall be indicated by an *approved* sign mounted on the street front or on the side of the building. Such sign shall have the letters "FDC" not less than 6 inches (152 mm) high and words in letters not less than 2 inches (51 mm) high or an arrow to indicate the location. Such signs shall be subject to the approval of the fire code official.

[F] 704.5.1 Fire department connection access. Ready access to fire department connections shall be maintained at all times and without obstruction by fences, bushes, trees, walls or any other fixed or movable object. Access to fire department connections shall be approved by the fire chief.

Exception: Fences, where provided with an access gate equipped with a sign complying with the legend requirements of Section 912.5 of the *International Fire Code* and a means of emergency operation. The gate and the means of emergency operation shall be approved by the fire chief and maintained operational at all times.

[F] 704.5.2 Clear space around connections. A working space of not less than 36 inches (914 mm) in

width, 36 inches (914 mm) in depth and 78 inches (1981 mm) in height shall be provided and maintained in front of and to the sides of wall-mounted fire department connections and around the circumference of free-standing fire department connections.

[F] 704.6 Single- and multiple-station smoke alarms. Single- and multiple-station smoke alarms shall be installed in existing Group I-1 and R occupancies in accordance with Sections 704.6.1 through 704.6.3.

[F] 704.6.1 Where required. Existing Group I-1 and R occupancies shall be provided with single-station smoke alarms in accordance with Sections 704.6.1.1 through 704.6.1.4. Interconnection and power sources shall be in accordance with Sections 704.6.2 and 704.6.3.

Exceptions:

1. Where the code that was in effect at the time of construction required smoke alarms and smoke alarms complying with those requirements are already provided.
2. Where smoke alarms have been installed in occupancies and dwellings that were not required to have them at the time of construction, additional smoke alarms shall not be required provided that the existing smoke alarms comply with requirements that were in effect at the time of installation.
3. Where smoke detectors connected to a fire alarm system have been installed as a substitute for smoke alarms.

[F] 704.6.1.1 Group R-1. Single- or multiple-station smoke alarms shall be installed in all of the following locations in Group R-1:

1. In sleeping areas.
2. In every room in the path of the *means of egress* from the sleeping area to the door leading from the *sleeping unit*.
3. In each story within the *sleeping unit*, including basements. For *sleeping units* with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level.

[F] 704.6.1.2 Groups R-2, R-3, R-4 and I-1. Single or multiple-station smoke alarms shall be installed and maintained in Groups R-2, R-3, R-4 and I-1 regardless of *occupant load* at all of the following locations:

1. On the ceiling or wall outside of each separate sleeping area in the immediate vicinity of bedrooms.

2. In each room used for sleeping purposes.

3. In each story within a *dwelling unit*, including *basements* but not including crawl spaces and uninhabitable attics. In *dwellings* or *dwelling units* with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level.

[F] 704.6.1.3 Installation near cooking appliances. Smoke alarms shall not be installed in the following locations unless this would prevent placement of a smoke alarm in a location required by Section 704.6.1.1 or 704.6.1.2.

1. Ionization smoke alarms shall not be installed less than 20 feet (6096 mm) horizontally from a permanently installed cooking appliance.

2. Ionization smoke alarms with an alarm-silencing switch shall not be installed less than 10 feet (3048 mm) horizontally from a permanently installed cooking appliance.

3. Photoelectric smoke alarms shall not be installed less than 6 feet (1829 mm) horizontally from a permanently installed cooking appliance.

[F] 704.6.1.4 Installation near bathrooms. Smoke alarms shall be installed not less than 3 feet (914 mm) horizontally from the door or opening of a bathroom that contains a bathtub or shower unless this would prevent placement of a smoke alarm required by Section 704.6.1.1 or 704.6.1.2.

[F] 704.6.2 Interconnection. Where more than one smoke alarm is required to be installed within an individual *dwelling* or *sleeping unit*, the smoke alarms shall be interconnected in such a manner that the activation of one alarm will activate all of the alarms in the individual unit. Physical interconnection of smoke alarms shall not be required where listed wireless alarms are installed and all alarms sound upon activation of one alarm. The alarm shall be clearly audible in all bedrooms over background noise levels with all intervening doors closed.

Exceptions:

1. Interconnection is not required in buildings that are not undergoing *alterations*, repairs or construction of any kind.

2. Smoke alarms in existing areas are not required to be interconnected where *alterations* or repairs do not result in the removal of interior wall or ceiling finishes exposing the structure, unless there is an attic, crawl space or basement available that could provide access for interconnection without the removal of interior finishes.

[F] 704.6.3 Power source. Single-station smoke alarms shall receive their primary power from the building wiring provided that such wiring is served from a commercial source and shall be equipped with a battery backup. Smoke alarms with integral strobes that are not equipped with battery backup shall be connected to an emergency electrical system. Smoke alarms shall emit a signal when the batteries are low. Wiring shall be permanent and without a disconnecting switch other than as required for overcurrent protection.

Exceptions:

1. Smoke alarms are permitted to be solely battery operated in existing buildings where construction is not taking place.

2. Smoke alarms are permitted to be solely battery operated in buildings that are not served from a commercial power source.

3. Smoke alarms are permitted to be solely battery operated in existing areas of buildings undergoing *alterations* or repairs that do not result in the removal of interior walls or ceiling finishes exposing the structure, unless there is an attic, crawl space or *basement* available that could provide access for building wiring without the removal of interior finishes.

[F] 704.6.4 Smoke detection system. Smoke detectors listed in accordance with UL 268 and provided as part of the building's fire alarm system shall be an acceptable alternative to single- and multiple-station smoke alarms and shall comply with the following:

1. The fire alarm system shall comply with all applicable requirements in Section 907 of the *International Fire Code*.

2. Activation of a smoke detector in a dwelling or sleeping unit shall initiate alarm notification in the *dwelling* or *sleeping unit* in accordance with Section 907.5.2 of the *International Fire Code*.

3. Activation of a smoke detector in a *dwelling* or *sleeping unit* shall not activate alarm notification appliances outside of the *dwelling* or *sleeping unit*, provided that a supervisory signal is

generated and monitored in accordance with Section 907.6.6 of the *International Fire Code*.

[F] 704.7 Single- and multiple-station smoke alarms. Single- and multiple-station smoke alarms shall be tested and maintained in accordance with the manufacturer's instructions. Smoke alarms that do not function shall be replaced. Smoke alarms installed in one- and two-family dwellings shall be replaced not more than 10 years from the date of manufacture marked on the unit, or shall be replaced if the date of manufacture cannot be determined.

SECTION 705

CARBON MONOXIDE ALARMS AND DETECTION

[F] 705.1 General. Carbon monoxide alarms shall be installed in dwellings in accordance with Section 1103.9 of the *International Fire Code*, except that alarms in dwellings covered by the *International Residential Code* shall be installed in accordance with Section R315 of that code.

[F] 705.2 Carbon monoxide alarms and detectors. Carbon monoxide alarms and carbon monoxide detection systems shall be maintained in accordance with NFPA 720. Carbon monoxide alarms and carbon monoxide detectors that become inoperable or begin producing end-of-life signals shall be replaced.

CHAPTER 8 REFERENCED STANDARDS

User note:

About this chapter: *This code contains numerous references to standards promulgated by other organizations that are used to provide requirements for materials and methods of construction. Chapter 8 contains a comprehensive list of all standards that are referenced in this code. These standards, in essence, are part of this code to the extent of the reference to the standard. This chapter lists the standards that are referenced in various sections of this document. The standards are listed herein by the promulgating agency of the standard, the standard identification, the effective date and title and the section or sections of this document that reference the standard. The application of the referenced standards shall be as specified in Section 102.7.*

Chapter 8 of the International Property Maintenance Code provides a list of referenced standards used throughout the International Property Maintenance Code. Whenever the International Property Maintenance Code, or the amendments or additions found in this ordinance references the International Plumbing Code, it shall mean the Uniform Plumbing Code. Whenever the International Property Maintenance Code, or the amendments or additions found in this ordinance references the International Zoning Code, it shall mean the City of Selah Zoning Ordinance. References to other codes shall apply.

ASME American Society of Mechanical Engineers

Two Park Avenue

New York, NY 10016-5990

ASME A17.1—2016/CSA B44—16: Safety Code for Elevators and Escalators

606.1

ASTM ASTM International

100 Barr Harbor Drive, P.O. Box C700

West Conshohocken, PA 19428-2959

F1346—91 (2010): Performance Specifications for Safety Covers and Labeling Requirements for All Covers for Swimming Pools, Spas and Hot Tubs

303.2

ICC International Code Council

500 New Jersey Avenue, NW

6th Floor

Washington, DC 20001

IBC—18: International Building Code®

102.3, 201.3, 304.1.1, 305.1.1, 306.1.1, 401.3, 604.3.1.1, 604.3.2.1, 702.3, 704.4.2

IECC—18: International Energy Conservation Code®

102.3

IEBC—18: International Existing Building Code®

102.3, 201.3, 304.1.1, 305.1.1, 306.1.1

IFC—18: International Fire Code®

102.3, 201.3, 604.3.1.1, 702.1, 702.2, 704.1, 704.1.2, 704.1.3, 704.3, 704.3.1,

704.4.2, 704.4.3, 704.5.1, 704.6.4, 705.1

IFGC—18: International Fuel Gas Code®

102.3, 201.3

IMC—18: International Mechanical Code®

102.3, 201.3

IPC—18: International Plumbing Code®

102.3, 201.3, 502.5, 505.1, 505.5.1, 602.2, 602.3

IRC—18: International Residential Code®

102.3, 201.3

IZC—18: International Zoning Code®

102.3, 201.3

NFPA National Fire Protection Association

1 Batterymarch Park
Quincy, MA 02169-7471

10—17: Standard for Portable Fire Extinguishers

Table 704.2

12—15: Standard on Carbon Dioxide Extinguishing Systems

Table 704.2

12A—15: Standard on Halon 1301 Fire Extinguishing Systems

Table 704.2

17—17: Standard for Dry Chemical Extinguishing Systems

Table 704.2

17A—17: Standard for Wet Chemical Extinguishing Systems

Table 704.2

25—17: Standard for the Inspection, Testing and Maintenance of Water-Based Fire Protection Systems

Table 704.2

70—17: National Electrical Code

102.3, 201.3, 604.2

72—16: National Fire Alarm and Signaling Code

Table 704.2

80—16: Standard for Fire Doors and Other Opening Protectives

703.3.3, 703.4

105—16: Standard for Smoke Door Assemblies and Other Opening Protectives

703.3.2

204—15: Standard for Smoke and Heat Venting

Table 704.2

720—15: Standard for the Installation of Carbon Monoxide (CO) Detection and Warning Equipment

[F] 705.2

750—14: Standard on Water Mist Fire Protection Systems

Table 704.2

2001—15: Standard on Clean Agent Fire Extinguishing Systems

Table 704.2

UL Underwriters Laboratories, LLC

333 Pfingsten Road
Northbrook, IL 60062

268—09: Smoke Detectors for Fire Alarm Systems

704.6.4

INDEX

A

ACCESS

Emergency egress	702
From bedrooms	404.4.2
Plumbing fixtures, access for cleaning	504.2
To public way	702.1
Toilet room as passageway	503.1
Water closet	404.4.3

ADJACENT

Privacy (hotel units, rooming units)	404.1
--------------------------------------	-------

ADMINISTRATION

Scope	101.2
-------	-------

AGENT (See also OPERATOR, OWNER)

Definition	202
------------	-----

AIR

Combustion air	603.5
----------------	-------

AISLES

Minimum width	702.2
---------------	-------

ALTERATION

Applicability of other codes	102.3
Inspection	104.2
Prosecution	106.3
Unlawful acts	106.1

ANCHOR

Anchored, definition	202
Architectural trim	304.8
Signs, marquees and awnings	304.9
Unsafe conditions	304.1.1

APPEAL

Application	111.1
Board decision	111.6
Board of appeals	111.2
Court review	111.7
Disqualification	111.2.3
Financial interest	111.2.3
Hearing, emergency orders	109.6
Membership	111.2
Notice of	111.1
Postponed hearing	111.5
Records	104.6
Right to appeal	111.1
Vote	111.6

APPLIANCE

Cooking	403.3, 602.2
Mechanical	603.1

APPLICABILITY

Application of references	102.9
General	102.1
Other laws	102.10
Referenced codes and standards	102.7

APPROVAL

Alternatives	105.2
Authority	104.1, 105.2
Modifications	105.1
Research reports	105.6
Used material and equipment	105.4

APPROVED

Alternative materials, methods and equipment	105.2
Definition	202
Energy conservation devices	603.6
Garbage storage facilities	308.3.1
Modifications	105.1
Used materials and equipment	105.4

ARTIFICIAL

Lighting of habitable rooms	401.3
Lighting of other spaces	402.3

AUTOMOBILE

Motor vehicles	302.8
----------------	-------

AWNING

Signs, marquees and awnings	304.9
-----------------------------	-------

B

BALCONY

Handrails and guardrails	304.12
--------------------------	--------

BASEMENT

Definition	202
Hatchways	304.16
Windows	304.17

BATHROOM

Common bathrooms	502.3, 503.1
Hotels	502.3
Lighting	605.3
Locks	503.1
Outlets required	605.2
Privacy	503.1
Ventilation	403.2

BATHTUB

Dwelling units	502.1
Rooming houses	502.2
Sewage system	506.1
Water-heating facilities	505.4
Water system	505.1

BOARDING

Boarding standard	Appendix A
-------------------	------------

BOILER

Unsafe equipment	108.1.2
------------------	---------

C

CAPACITY

Heating facilities	602.2, 602.3, 602.4
--------------------	---------------------

CAR (See AUTOMOBILE)

CARBON MONOXIDE ALARMS AND DETECTION

Installation	705.1
Maintenance	705.2
CEILING	
Basement rooms	404.3
Fire-resistance ratings	703.1
Interior surfaces	305.3
Minimum height	404.3
Sleeping rooms	404.3
CHANGE, MODIFY	
Application of other codes	102.3
CHIMNEY	
Exterior structure	304.11
Flue	603.2, 603.3
CLEANING	
Access for cleaning	504.2
Disposal of garbage	308.3
Disposal of rubbish	308.2
Interior and exterior sanitation	308.1
Interior surfaces	305.3
Plumbing facilities, maintained	504.1
Required plumbing facilities	502
Responsibility of persons	305.1
Trash containers	308.3.2
Vacant structures and land	301.3
CLEARANCE	
Heating facilities	603.3
Plumbing fixtures	504.2
CLOSING	
Streets	109.3
Vacant structures	108.2
CLOTHES DRYER	
Exhaust	403.5
CODE OFFICIAL	
Condemnation	108.1
Demolition	110
Duties	104
Emergency order	109
Enforcement authority	104.1
Failure to comply with demolition order	110.3
Identification	104.3
Inspections	104.2
Liability, relief of personal	103.4
Membership of board of appeals	111.2
Notice of violation	104.5, 107
Notices and orders	107
Official records	104.6
Personal liability	103.4
Placarding	108.4
Prosecution	106.3
Removal of placard	108.4.1
Right of entry	104.3
Transfer of ownership	107.6
Vacant structures	108.2
Voting of appeals board	111.2, 111.6
COMBUSTION	
Combustion air	603.5

COMPONENT SERVICEABILITY

Unsafe conditions	306.1.1
CONDEMNATION	
Closing of vacant structures	108.2
Failure to comply	110.3
General	108.1
Notices and orders	108.2, 108.3
Placarding	108.4
Removal of placard	108.4.1
CONFLICT	
Conflict of interest	111.2.3
Violations	106.1
CONNECTION	
Sewage system	506.1
Water heating	505.4
Water system	505.1
CONSTRUCTION	
Existing structures	101.2
CONTAINER	
Garbage	308.3.2
Rubbish storage	308.2.1
CONTINUOUS	
Unobstructed egress	702.1
CONTROL	
Rodent control	302.5, 304.5
Safety controls	603.4
Weed	302.4
COOLING	
Cooling towers	304.11
CORRIDOR	
Accumulation of rubbish	308.1
Light	402.2
Lighting fixtures	605.3
Obstructions	702.1, 702.2
Ratings maintained	703
D	
DAMP, DAMPNES	
Roofs	304.7
Window, door frames	304.13
DANGEROUS, HAZARDOUS	
Condemnation	108.1
Demolition	110
Electrical hazards	604.3, 604.3.1
Existing remedies	102.4
Imminent danger	202
Unsafe equipment	108.1.2
Unsafe structures or premises	108.1.5
DECKS	
Handrails and guardrails	304.12
Maintenance	304.2, 304.10
DEMOLITION	
Existing remedies	102.4
Failure to comply	110.3
General	110
Order	110.2

Salvage materials	110.4	Abatement of hazards, fire exposure	604.3.2
DETECTORS		Abatement of hazards, water exposure	604.3.1
Smoke	704	Condemnation	108.1
DETERIORATION		Electrical equipment	604.3.1.1
Components of systems	306.1.1	Facilities required	604.1
Definition	202	Hazards	604.3
Exterior structure	304.1.1	Installation	605.1
Exterior walls	304.6	Lighting fixtures	605.3
DIRECT		Receptacles	604.3, 605.2
Egress	702.1	Responsibility	601.2
DISPOSAL		Service	604.2
Disposal of garbage	308.3	ELEVATOR, ESCALATORS, DUMBWAITERS	
Disposal of rubbish	308.2	Condemnation	108.1
DOOR		General	606.1
Exit doors	702.3	Maintenance	606.1, 606.2
Fire	703.2	EMERGENCY	
Hardware	304.15	Emergency escape openings	702.4
Insect screens	304.14	Emergency measures	109
Interior surfaces	305.3	Emergency orders	109.1
Locks	304.15, 702.3	ENFORCEMENT	
Maintenance	304.13, 304.15	Duties and powers	104
Weather tight	304.13	Scope	101.2
Window and door frames	304.13	EQUIPMENT	
DORMITORY (ROOMING HOUSE, HOTEL, MOTEL)		Alternative	105.2
Locked doors	702.3	Combustion air	603.5
Privacy	503.1, 503.2	Condemnation	108.1.2, 108.3
DRAFT STOPPING		Electrical installation	605.1
Maintenance	703.3.1	Emergency order	109.1
DRAIN, DRAINAGE		Energy conservation devices	603.6
Basement hatchways	304.16	Installation	603.1
Plumbing connections	506	Interior structure	305.1
Storm drainage	507	Placarding	108.4, 108.5
DUCT		Prohibited use	108.5
Exhaust duct	304.9	Responsibility	601.2
Duct systems	607	Safety controls	603.4
DUST		Scope	101.2
Process ventilation	403.4	Scope, mechanical and electrical	601.1
DWELLING		Support, definition	202
Cleanliness	305.1, 308.1	Unsafe	108.1.2
Definition	202	Used	105.4
Electrical	604.1	EXHAUST	
Heating facilities	602	Clothes dryer	403.5
Required facilities	502	Exhaust ducts	304.9
E		Process ventilation	403.4
EGRESS		EXISTING	
Aisles	702.2	Remedies	102.4
Emergency escape	702.4	Scope	101.2
General	702.1	Structural members	304.1.1, 304.4
Lighting	402.2	Structures	101.3
Locked doors	702.3	EXTERIOR	
Obstructions prohibited	702.1	Decorative features	304.8
Stairs, porches and railing	304.10, 305.4, 305.5, 307.1	Exterior structure	304
ELECTRIC, ELECTRICAL EQUIPMENT		Exterior walls	304.6
		Painting	304.2, 304.6
		Rodent harborage	302.5, 304.5
		Sanitation	304.1

Scope 301.1
 Stair 304.10
 Street numbers 304.3
 Unsafe conditions 304.1.1
 Weather tight 304.13

F

FAN

Exhaust vents 302.6

FEES, EXPENSES, COST

Closing vacant structures 108.2
 Demolition 110.1, 110.3, 110.4
 Extermination 309.2, 309.3, 309.4, 309.5
 General 103.5
 Relief from personal liability 103.4

FENCE

Accessory 302.7
 Maintenance 304.2

FIRE

Blocking Maintenance 703.3.1

FIRE DEPARTMENT

Connection access 704.5.1, 704.5.2
 Connections 704.5

FIRE PROTECTION SYSTEMS

Emergency impairments 704.3.1
 Equipment 704.4, 704.4.1, 704.4.2
 Inspection 704.1, 704.1.3, 704.2
 Installation 704.1.1
 Maintenance 704.1, 704.1.3, 704.2
 Out of service 704.3
 Records of maintenance 704.2.1
 Required systems 704.1.2, 704.2.2
 Smoke alarms 704.6
 Smoke detections systems 704.6.4
 Termination of service 704.4.3
 Testing 704.1, 704.1.3, 704.2

FIRE-RESISTANCE RATINGS

Ceilings 703.5
 Draft stopping 703.3.1
 Fire barriers 703.3.3
 Fire blocking 703.3.1
 Fire partitions 703.3.3
 Fire walls 703.3.3
 Maintenance 703.3
 Opening protective 703.4
 Shafts 703.7
 Smoke barriers 703.3.2
 Smoke partitions 703.3.2
 Unsafe conditions 703.2

FLAMMABLE LIQUID

Containers 108.1.2

FLOOR, FLOORING

Area for sleeping purposes 404.4.1
 Fire-resistance ratings 703.1
 Interior surfaces 305.1, 305.3
 Space requirements 404.4.1, 404.6

FOOD PREPARATION

Cooking equipment 403.3
 Sanitary condition 305.1, 404.7
 Ventilation 403.4

FOUNDATION

Condemnation 108.1.1
 Foundation walls 304.5
 Unsafe conditions 304.1.1, 305.1.1

FRAME

Window and door frames 304.13

G

GAS

Energy conservation devices 603.6
 Exhaust vents 302.6

GLAZING

Materials 304.13.1

GRADE

Drainage 302.2, 507

GUARD

Anchorage and maintenance 304.12
 Basement windows 304.18.2
 Definition 202

H

HABITABLE

Definition 202
 Light 402
 Minimum ceiling height 404.3
 Minimum room width 404.2
 Required plumbing facilities 502
 Residential heating facilities 602.2, 602.3
 Space requirements 404.4.1
 Ventilation 403

HANDRAILS AND GUARDRAILS

Handrails 304.12, 305.5, 307.1
 Stairs and porches 304.10

HARDWARE

Door hardware 304.15, 702.3
 Openable windows 304.13.2

HAZARDOUS (See DANGEROUS, HAZARDOUS)

HEAT, HEATING

Energy conservation devices 603.6
 Fireplaces 603.1
 Heating 603.1
 Mechanical equipment 603.1
 Required capabilities 602
 Residential heating 602.2, 602.3
 Supply 602.3
 Water heating facilities 505.4
 Water system 505

HEIGHT

Minimum ceiling height 404.3

HOT (See HEAT, HEATING)

HOTELS, ROOMING HOUSES AND DORMITORY UNITS, MOTELS

Definition	202	Water system	505
Locked doors	702.3	LEASE (SELL, RENT)	
Required facilities	502	Heat supplied	602.3
Toilet rooms	503	Salvage materials	110.4
HOUSEKEEPING UNIT		Transfer of ownership	107.6
Definition	202	LIEN	
I		Closing of vacant structures	108.2
IDENTIFICATION		Demolition	110.3
Code official	104.4	Failure to comply	110.3
INFESTATION		LIGHT, LIGHTING	
Condemnation	108.1.3	Common halls and stairways	402.2, 605.3
Definition	202	General	402
Insect and rodent	302.5, 304.14, 309.1	Habitable rooms	402.1
INSECTS		Kitchen	605.3
Infestation	309.1	Laundry rooms	605.3
Insect screens	304.14	Luminaires	605.3
Pest elimination	309	Other spaces	402.3
INSPECTIONS		Responsibility	401.2
General	104.2	Scope	101.2
Right of entry	104.3	Toilet rooms	605.3
INSPECTOR		LIVING ROOM	
Identification	104.4	Room area	404.4.1
Inspections	104.2	LOAD, LOADING	
Records	104.6	Elevators, escalators and dumbwaiters	606.1
INTENT		Handrails and guardrails	304.12, 305.5
Code	101.3	Live load	304.4, 305.2
INTERIOR		Stairs and porches	304.10, 305.2
Interior structure	305	Structural members	304.4, 305.2
Interior surfaces	305.3	M	
Means of egress	702	MAINTENANCE	
Sanitation	305.1	Required	102.2
Unsafe conditions	305.1.1	MATERIAL	
J		Alternative	105.2
JURISDICTION		Salvage	110.4
Title	101.1	Used	105.4
K		MEANS OF EGRESS (See EGRESS)	
KITCHEN		MECHANICAL	
Electrical outlets required	605.2	Installation	603.1
Minimum width	404.2	Responsibility	601.2
Prohibited use	404.4.4	Scope	601.1
Room lighting	605.3	Ventilation, general	403
Water heating facilities	505.4	Ventilation, toilet rooms	403.2
L		MINIMUM	
LANDING		Ceiling height	404.3
Handrails and guards	304.12, 305.5, 306.1	Room area	404.4.1
Maintenance	304.10, 305.4	Room width	404.2
LAUNDRY		MODIFICATION	
Room lighting	605.3	Approval	105.1
Water-heating facilities	505.4	MOTEL (See HOTELS)	
LAVATORY		MOTOR VEHICLES	
Hotels	502.3	Inoperative	302.8
Required facilities	502	Painting	302.8
Rooming houses	502.2	N	
Sanitary drainage system	506	NATURAL	
Water-heating facilities	505.4		

Lighting	401.3, 402		
Ventilation	401.3, 403		
NOTICES AND ORDERS			
Appeal	111.1		
Form	107.2		
Method of service	107.3		
Orders	107		
Owner, responsible person	107.1		
Penalties	107.5		
Placarding of structure	108.4		
Transfer of ownership	107.6		
Unauthorized tampering	107.4		
Vacating structure	108.2		
NOXIOUS			
Process ventilation	403.4		
Weeds	302.4		
NUISANCE			
Closing of vacant structures	108.2		
O			
OBSTRUCTION			
Light	402.1		
Right of entry	104.3		
OCCUPANCY (See USE)			
OPENABLE			
Locked doors	702.3		
Windows	304.13.2, 403.1		
OPENING PROTECTIVES			
Closers	703.8		
Door operation	703.4.3		
Hold-open devices	703.4.2		
Maintenance	703.4		
Signs	703.4.1		
Testing	703.6		
OPERATOR			
Definition	202		
ORDER (See NOTICE)			
ORDINANCE, RULE			
Applicability	102		
Application for appeal	111.1		
OUTLET			
Electrical	605.2		
OWNER			
Closing of vacant structures	108.2		
Definition	202		
Demolition	110		
Failure to comply	110.3		
Insect and rat control	302.5, 309.2, 309.4		
Notice	107.1, 108.3		
Pest elimination	309.2		
Placarding of structure	108.4		
Responsibility	301.2		
Responsibility, fire safety	701.2		
Responsibility, light, ventilation	401.2		
Responsibility, mechanical and electrical	601.2		
Responsibility, plumbing facilities	501.2		
Right of entry	104.3		
Rubbish storage		308.2.1	
Scope		101.2	
Transfer of ownership		107.6	
P			
PASSAGEWAY			
Common hall and stairway		402.2	
Interior surfaces		305.3	
Toilet rooms, direct access		503.1	
PENALTY			
Notices and orders		107.5	
Placarding of structure		108.4	
Prohibited occupancy		108.5	
Removal of placard		108.4.1	
Scope		101.2	
Violations		106.4	
PEST ELIMINATION			
Condemnation		108.1	
Definition		202	
Insect and rodent control	302.5, 304.5,		
	304.14, 309.1		
Pest elimination		309.1	
Responsibility of owner	301.2, 309.2		
Responsibility of tenant-occupant...	309.3, 309.4,		
	309.5		
PLACARD, POST			
Closing		108.2	
Condemnation		108.1	
Demolition		110	
Emergency, notice		109.1	
Notice to owner	107.1, 108.3		
Placarding of structure		108.4	
Prohibited use		108.5	
Removal		108.4.1	
PLUMBING			
Clean and sanitary		504.1	
Clearance		504.2	
Connections		505.1	
Contamination		505.2	
Employee's facilities		503.3	
Fixtures		504.1	
Required facilities		502	
Responsibility		501.2	
Sanitary drainage system		506	
Scope		501.1	
Storm drainage		507	
Supply		505.3	
Water heating facilities		505.4	
PORCH			
Handrails		304.12	
Structurally sound		304.10	
PORTABLE (TEMPORARY)			
Cooking equipment		603.1	
PRESSURE			
Water supply		505.3	
PRIVATE, PRIVACY			

Bathtub or shower	503.1	Weather tight	304.13
Occupancy limitations	404.1	Workmanship	102.5
Required plumbing facilities	502	REPORTS	
Sewage system	506.1	Test reports	105.3.2
Water closet and lavatory	503.1	RESIDENTIAL	
Water system	505.1	Pest elimination	309
PROPERTY, PREMISES		Residential heating	602.2
Cleanliness	304.1, 308.1	Scope	101.2
Condemnation	108	RESPONSIBILITY	
Definition	202	Pest elimination	309
Demolition	110	Fire safety	701.2
Emergency measures	109	Garbage disposal	308.3
Exterior areas	302	General	301.2
Failure to comply	110.3	Mechanical and electrical	601.2
Grading and drainage	302.2	Persons	301.1
Pest elimination, multiple occupancy	302.5,	Placarding of structure	108.4
309.4		Plumbing facilities	501.2
Pest elimination, single occupancy	302.5,	Rubbish storage	308.2.1
309.3		Scope	101.2, 301.1
Responsibility	301.2	REVOKE, REMOVE	
Scope	301.1	Demolition	110
Storm drainage	507	Existing remedies	102.4
Vacant structures and land	301.3	Removal of placard	108.4.1
PROTECTION		Rubbish removal	308.2.1
Basement windows	304.17	RIGHT OF ENTRY	
Fire protection systems	704	Duties and powers of code official	104.3
Signs, marquees and awnings	304.9	Inspections	104.2
PUBLIC		RODENTS	
Cleanliness	304.1, 305.1	Basement hatchways	304.16
Egress	702.1	Condemnation	108
Hallway	502.3	Foundations	304.5
Sewage system	506.1	Guards for basement windows	304.17
Toilet facilities	502.5, 503	Harborage	302.5
Vacant structures and land	301.3	Insect and rodent control	309.1
Water system	505	Pest elimination	302.5, 309
PUBLIC WAY		ROOF	
Definition	202	Exterior structure	304.1
R		Roofs	304.7
RAIN (PREVENTION OF ENTRY INTO BUILDING EXTERIOR ENVELOPE)		Storm drainage	507
Basement hatchways	304.16	ROOM	
Exterior walls	304.6	Bedroom and living room	404.4
Grading and drainage	302.2	Cooking facilities	403.3
Roofs	304.7	Direct access	503.2
Window and door frames	304.13	Habitable	402.1
RECORD		Heating facilities	602
Official records	104.6	Light	402
REPAIR		Minimum ceiling heights	404.3
Application of other codes	102.3	Minimum width	404.2
Chimneys	304.11	Overcrowding	404.5
Demolition	110.1	Prohibited use	404.4.4
Exterior surfaces	304.1	Temperature	602.5
Intent	101.3	Toilet	503
Maintenance	102.2	Ventilation	403
Signs, marquees and awnings	304.9	ROOMING HOUSES (See DORMITORY)	
Stairs and porches	304.10	RUBBISH	
		Accumulation	308.1

Definition	202	Sewage system	506
Disposal	308.2	Water supply	505.3
Garbage facilities	308.3.1	SIZE	
Rubbish storage	308.2.1	Efficiency unit	404.6
S		Habitable room, light	402
SAFETY, SAFE		Habitable room, ventilation	403
Fire safety requirements	701, 702, 703, 704	Room area	404.4.1
Safety controls	603.4	SMOKE ALARMS	
SANITARY		Group R-1	704.6.1.1
Cleanliness	304.1, 305.1	Groups R-2, R-3, R-4 and I-1	704.6.1.2
Disposal of garbage	308.3	Installation near bathrooms	704.6.1.4
Disposal of rubbish	308.2	Installation near cooking appliances	704.6.1.3
Exterior property areas	302.1	Interconnection	704.6.2
Exterior structure	304.1	Power source	704.6.3
Food preparation	404.7	Testing	704.7
Furnished by occupant	302.1	Where required	704.6.1
Grease interceptors	506.3	SPACE	
Interior surfaces	305.3	General, light	402
Plumbing fixtures	504.1	General, ventilation	403
Required plumbing facilities	502	Occupancy limitations	404
Scope	101.2	Privacy	404.1
SCREENS		Scope	401.1
Insect screens	304.14	STACK	
SECURITY		Smoke	304.11
Basement hatchways	304.18.3	STAIRS	
Building	304.18	Common halls and stairways, light	402.2
Doors	304.18.1	Exit facilities	305.4
Vacant structures and land	301.3	Exterior property areas	302.3
Windows	304.18.2	Handrails	304.12, 305.5
SELF-CLOSING SCREEN DOORS		Lighting	605.3
Insect screens	304.14	Stairs and porches	304.10
SEPARATION		STANDARD	
Fire-resistance ratings	703	Referenced	102.7
Privacy	404.1	STOP WORK ORDER	
Separation of units	404.1	Authority	112.1
SERVICE		Emergencies	112.3
Electrical	604.2	Failure to comply	112.4
Method	107.3	Issuance	112.2
Notices and orders	107.1, 108.3	STORAGE	
Service on occupant	108.3	Food preparation	404.7
SEWER		Garbage storage facilities	308.3
General	506.1	Rubbish storage facilities	308.2.1
Maintenance	506.2	Sanitation	308.1
SHOWER		STRUCTURE	
Bathtub or shower	502.1	Accessory structures	302.7
Rooming houses	502.2	Closing of vacant structures	108.2
Water-heating facilities	505.4	Definition	202
Water system	505	Emergency measures	109
SIGN		General, condemnation	110
Fire door signs	703.4.1	General, exterior	304.1
Signs, marquees and awnings	304.9	General, interior structure	305.1
Unauthorized tampering	107.4	Placarding of structure	108.4
SINGLE-FAMILY DWELLING		Scope	301.1
Extermination	309	Structural members	304.4, 305.2
SINK		Vacant structures and land	301.3
Kitchen sink	502.1		

SUPPLY				
Combustion air		603.5		
Public water system		505.1		
Water-heating facilities		505.4		
Water supply		505.3		
Water system		505		
SURFACE				
Exterior surfaces	304.2,	304.6		
Interior surfaces		305.3		
SWIMMING				
Enclosure		303.2		
Safety covers		303.2		
Swimming pools		303.1		
T				
TEMPERATURE				
Nonresidential structures		602.4		
Residential buildings		602.2		
Water-heating facilities		505.4		
TENANT				
Scope		101.2		
TEST, TESTING				
Agency		105.3.1		
Methods		105.3.1		
Reports		105.3.2		
Required		105.3		
TOXIC				
Process ventilation		403.4		
TRASH				
Rubbish and garbage		308		
U				
UNOBSTRUCTED				
Access to public way		702.1		
General, egress		702.1		
UNSAFE STRUCTURES AND EQUIPMENT				
Abatement methods		108.6		
Dangerous structure or premises		108.1.5		
Equipment		108.1.2		
Existing remedies		102.4		
General, condemnation		108, 110		
General, demolition		110		
Notices and orders	107,	108.3		
Record		108.7		
Structures		108.1.1		
USE				
Application of other codes		102.3		
General, demolition		110		
UTILITIES				
Authority to disconnect		108.2.1		
V				
VACANT				
Abatement methods		108.6		
Authority to disconnect service utilities	108.2.1			
Closing of vacant structures		108.2		
Emergency measure		109		
Method of service	107.3,	108.3		
				Notice to owner or to person responsible
				107, 108.3
				Placarding of structure
				108.4
				Record
				108.7
				Vacant structures and land
				301.3
				VAPOR
				Exhaust vents
				302.6
				VEHICLES
				Inoperative
				302.8
				Painting
				302.8
				VENT
				Plumbing hazard
				504.3
				Exhaust vents
				302.6
				Flue
				603.2
				VENTILATION
				Clothes dryer exhaust
				403.5
				Combustion air
				603.5
				Definition
				202
				General, ventilation
				403
				Habitable rooms
				403.1
				Process ventilation
				403.4
				Recirculation
				403.2, 403.4
				Toilet rooms
				403.2
				VERMIN
				Condemnation
				108
				Insect and rodent control
				302.5, 309
				VERTICAL SHAFTS
				Required enclosure
				703.7
				VIOLATION
				Condemnation
				108
				Enforcement
				106.2
				General
				106
				Notice
				107, 108.3
				Separate offenses
				106.4
				Placarding of structure
				108.4
				Prosecution
				106.3
				Strict liability offense
				106.3, 202
				Transfer of ownership
				107.6
				W
				WALK
				Sidewalks
				302.3
				WALL
				Accessory structures
				302.7
				Exterior surfaces
				304.2, 304.6
				Exterior walls
				304.6
				Foundation walls
				304.5
				General, fire-resistance rating
				703.1
				Interior surfaces
				305.3
				Outlets required
				605.2
				Temperature measurement
				602.5
				WASTE
				Disposal of garbage
				308.3
				Disposal of rubbish
				308.2
				Garbage storage facilities
				308.3.1
				WATER

Basement hatchways	304.16
Connections	506.1
Contamination	505.2
General, sewage	506
General, storm drainage	507
General, water system	505
Heating	505.4
Hotels	502.3
Kitchen sink	502.1
Nonpotable water reuse	505.5, 505.5.1
Required facilities	502
Rooming houses	502.2
Supply	505.3
System	505
Toilet rooms	503
Water-heating facilities	505.4
WEATHER, CLIMATE	
Heating facilities	602
WEEDS Noxious weeds	302.4
WIDTH	
Minimum	404.2
WINDOW	
Emergency escape	702.4
Glazing	304.13.1
Guards for basement windows	304.17
Habitable rooms	402.1
Insect screens	304.14
Interior surface	305.3
Light	402
Openable windows	304.13.2
Toilet rooms	403.2
Ventilation	403
Weather tight	304.13
Window and door frames	304.13
WORKMANSHIP	
General	102

6.75.060 Nuisances not associated with property maintenance.

A. Disorderly houses. All disorderly houses, houses of prostitution or houses or premises kept or resorted to for the purposes of prostitution or lewdness, and all houses, premises, rooms, booths or other structures used as places where people are employed for the purpose of prostitution, or in which people solicit, practice or carry on the business of prostitution, or in which the illegal solicitation of drinks of intoxicating liquors or reputed intoxicants by patrons or employees for their own consumption is regularly and customarily permitted, or in which any drugs are being illegally kept, illegally sold, or illegally consumed are declared to be nuisances.

B. Places where disturbances of the peace occur. Any premises, place or business establishment where drunkenness, fighting or breaches of the peace are carried on or permitted or tolerated, or where loud noises are carried on or permitted in such a way as to disturb the peace and tranquility of the neighborhood is declared a nuisance.

C. Place where liquor used illegally. Any building, room or rooms, place or places in the city kept or maintained in which intoxicating liquors are sold or given away contrary to law, or in which such liquors are kept or harbored for the evident purpose of selling or giving away the same contrary to law, or where persons are permitted to resort for the purpose of drinking intoxicating liquors, or where intoxicating liquors are kept for the purpose of inducing people to resort to buy or receive intoxicating liquors in violation of law is declared to be a nuisance.

D. Storage or parking of motor vehicles – Residential areas. All motor vehicles parked or stored at residential single-family dwellings and duplexes must be in a garage, in a carport, or on a driveway designed and used for the parking of motor vehicles. Driveways designed and used for the parking for motor vehicles are driveways that are separate and apart from yards, driveways consisting of an improved surface (i.e. asphalt, or paving) and driveways having direct access to a public roadway. Motor vehicles parked or stored in violation of this provision are a nuisance.

E. Parking of motor vehicles for sale. No property owner may park or allow to be parked on his or her property more than one motor vehicle with signage indicating that the motor vehicle is for sale. Private or public parking of more than one motor vehicle with signage indicating that the motor vehicle is for sale is considered to be a land use consistent with the operation of a car sales lot and is a nuisance unless such land use complies fully with the requirements of the city's zoning code and the city's business licensing provisions.

6.75.070 Graffiti and related vandalism.

A. Purpose and intent. It is the purpose and intent of section 6.75.070 to prevent graffiti and to promote its eradication, and to prevent related vandalism, as graffiti and related vandalism damages or destroys property, both public and private. It is the further intent of this section to fight against blight, to preserve the value of property, both public and private, and to promote the security of the community, all of which are threatened and damaged by graffiti and graffiti related vandalism. The existence of graffiti on any public or private property within the City of Selah is expressly found and declared to be a public nuisance. The city council expressly

does not intend for this chapter to conflict with any existing anti-graffiti state laws or local ordinances and the provisions of this chapter are cumulative to such existing provisions.

B. Definitions. For the purposes of this section, the following words shall have the meanings respectively ascribed to them in this chapter, except where the context clearly indicates a different meaning:

"Aerosol paint container" means any aerosol container that is adapted or made for the purpose of applying paint or pigment that is not water-soluble.

"Broad-tipped marker" means any felt tip indelible marker or similar implement with a flat or angled writing surface that, at its broadest width, is greater than one-fourth of an inch, containing ink or other pigment that is not water-soluble.

"Graffiti" means any unauthorized inscription, figure, etching or mark of any type that is written, marked, etched, scratched, sprayed, drawn, painted, or engraved on or otherwise affixed to any surface of public or private property.

"Graffiti implement" means an aerosol paint container, a broad-tipped marker, gum label, paint stick or graffiti stick, etching equipment or paintbrush.

"Paint stick" or "graffiti stick" means any device containing a solid form of paint, epoxy, or other similar substance that is not water-soluble and is capable of being applied to a surface by pressure and leaving a mark.

"Unauthorized" means not expressly permitted by the owner or legal occupant of the property.

C. Violation-Prohibited Acts.

- 1) **Graffiti.** It is unlawful for any person to commit any overt act in or attempting to result in application of graffiti utilizing a graffiti implement or etching equipment on any surface, including but not limited to, trees, signs, poles, fixtures, utility boxes, walls, paths, streets, bridges, trestles, buildings or any other structure surface without the express permission of the owner situated on property whether public or private within the City where the graffiti is unauthorized.
- 2) **Possession of graffiti implements.** It is unlawful for any person to possess any graffiti implement while on public property, or on private property without the express consent of the owner of such property, in a manner that warrants a justifiable and reasonable alarm or immediate concern for the safety of the property in the vicinity. Among the circumstances which may be considered by the enforcement officer in determining whether such alarm or immediate concern is warranted is the fact that the person takes flight upon appearance of an enforcement officer, refuses to identify themselves, or manifestly endeavors to conceal themselves or the graffiti implement. Prior to any citation being issued to a person for a violation of this section, such person shall be afforded an opportunity by the enforcement officer to dispel any alarm or immediate concern which could otherwise be warranted by requesting such person to identify themselves and explain their presence and conduct. Violation of

this section is a misdemeanor crime and punishable by imprisonment of up to ninety (90) days and/or a fine up to one thousand dollars (\$1,000.00) for each violation.

3) Accessibility to Graffiti Implements.

- a) Furnishing to minors prohibited. It shall be unlawful for a person, other than a parent or legal guardian to sell, exchange, give, loan, or otherwise furnish, or permit any person under the age of 18 to possess any aerosol paint container, broad-tipped marker, paint stick or etching equipment.
- b) Display and Storage.
 - i) Every person who owns, conducts, operate or manages a retail commercial establishment selling aerosol paint containers, paint sticks, broad-tipped markers or etching equipment shall store the containers, sticks, markers or etching equipment in an area continuously observable, through direct visual observation or surveillance equipment, by employees of the retail establishment during the regular course of business.
 - ii) In the event that a commercial retail establishment is unable to store the aerosol paint containers, paint sticks, broad tipped markers or etching equipment in an area as provided in this section, the establishment shall store the aerosol paint containers, paint sticks, broad tipped markers or etching equipment in an area not accessible to the public during the regular course of business without employee assistance.
 - iii) Every person who operates a retail or commercial establishment selling aerosol paint, broad tipped markers, paint sticks, or etching equipment shall place a sign in clear public view stating.

Graffiti is against the law. Any person who defaces real or personal property with paint or any other liquid or device is guilty of a misdemeanor crime and is punishable by imprisonment of up to ninety (90)days and/or a fine up to one thousand dollars (\$1,000.00) for each violation.

- c) Each violation shall be a separate and distinct offence.
- d) It shall be defense to a violation of this subsection, that the person who sold, gave or furnished any aerosol paint containers, paint sticks, broad-tipped markers or etching equipment reasonable relied on an officially issued identification that shows the purchaser's age and bears their signature and photograph. As used in the section "officially issued identification" shall include driver's license, instruction permit, or identification card of a state or providence of Canada; or identity card issued by the Washington State Department of Licensing under RCW Chapter 46.20 RCW "passport"; or merchant marine identification issued by the United States Coast Guard.

- e) Any person who wrongfully sells, displays or stores graffiti implements shall be guilty of a civil infraction and is subject to punishment by a fine of up to two hundred fifty dollars (\$250.00) for an initial violation. For a second violation or any subsequent violation, the person is subject to punishment by a fine of up to five hundred dollars (\$500.00) for each violation.

D. Civil and Criminal Penalties. Any person violating any of the provisions of or failing to comply with any of the mandatory requirements of any ordinance of the City shall be guilty of a misdemeanor. Except in cases where a different punishment is prescribed by any ordinance of the City, any person convicted of a misdemeanor shall be punished by a fine not exceeding one thousand dollars (\$1,000.00) or by imprisonment for not more than ninety (90) days, or by both such fine and imprisonment, but the punishment provided for violation of any criminal ordinance shall be the same as the punishment provided in state law for the same crime. The provisions of this section shall take priority over any ordinance not consistent herewith, and those portion of all ordinances in conflict herewith are repealed.

- 1) **Classification of offenses.** Unless otherwise specifically provided for, any person who is convicted of violating or failure to comply with any of the criminal provisions of this title shall be subject to the following penalties:
 - a) **Gross Misdemeanor.** The penalty provided by state law as now existing or hereafter amended for the same violation or type (degree) of violation, but not to exceed a five thousand dollar (\$5,000.00) fine or three hundred sixty four days (364 days) in jail, or both. If no state law provides for such penalty, then the penalty shall not exceed a five thousand dollar (\$5,000.00) fine or three hundred sixty four days (364 days) in jail, or both.
 - b) **Misdemeanor.** The penalty provided by state law as now existing or hereafter amended for the same violation or type (degree) of violation, but not to exceed a one thousand dollar (\$1,000.00) fine or ninety (90) days in jail, or both. If not state law provides for such penalty, then the penalty shall not exceed a one thousand dollar (\$1,000.00) fine or ninety (90) days in jail, or both.
 - c) Any criminal violation not specifically designated as a gross misdemeanor shall be a misdemeanor.

E. Penalty Cumulative. The civil penalty imposed under this chapter is cumulative to and does not affect the imposition of any other penalty whether criminal or civil under any other provisions of state or local law.

F. Parental Civil Liability. Any parent, legal guardian, or other adult person authorized by said parent or guardian to have the care, custody, and responsibility of a minor who violates any provision of this chapter, is responsible for the payment of any civil penalty and the cost of restoration imposed under this chapter.

G. Graffiti Removal.

- 1) **Removal by the Perpetrator:** A person, and in the case of a minor, the parent or legal guardian, violating this chapter shall, in addition to all other penalties provided under this chapter, remove or cause removal of the graffiti at their sole expense and at the direction and under the supervision of the property owner. If the person, including a minor and the minor's parent or legal guardian, fails to remove the graffiti, the property owner may cause the graffiti to be removed and charge the person responsible for doing so for the removal expenses incurred, to including filing a lawsuit or action in a court of competent jurisdiction to recover such expenses.

- 2) **Removal by the City:** Graffiti on any public or private property visible from any public right-of-way, including but not limited to any street, sidewalk, walkway, alley, or road, may be removed and abated by the City's enforcement officers. In such cases, the City will notify the owner or occupant of the property, by posting notice on the subject property or by other means, that the graffiti must be removed by the owner or occupant within seventy two (72) hours, or such will be removed or painted over by the City, and the cost thereof billed to the owner and/or occupant and assessed as a lien against such property if not paid. The Code Enforcement Officer may extend the period of time for the owner or occupant to remove the graffiti in circumstances and for reasons deemed appropriate by the Code Enforcement Officer. Notwithstanding the above requirement for prior notification to the property owner or occupant, if the surface of a structure marked with graffiti is immediately adjacent to and visible from any public right-of-way, the Code Enforcement Officer may immediately remove or paint over the graffiti and notify the property owner and/or occupant of such action by posting or other appropriate means.

- 3) **Removal through City Graffiti Abatement Program.** Subject to Section 302.10, and the availability of funding and personnel, the city makes available a graffiti abatement program. Owners of property within the city, and any owner who receives a notice issued pursuant to Chapter 6.75, and Section 302.10.2 to abate graffiti may request assistance from the city's graffiti abatement program to abate graffiti placed on their property.

H. Community Service. Any person violating SMC Chapter 6.75 shall perform community service, including graffiti removal service, of not less than twenty (20) hours, in addition to all other fines, penalties and restoration work. If the violator is a minor, at least one parent or legal guardian shall be present at the community service site for at least one-half of the community service hours required of the minor.