ORDINANCE NO. 2114

ORDINANCE AMENDING TITLE 11 OF THE SELAH MUNICIPAL CODE RELATING TO THE REGULATION OF BUILDING CODES AND STANDARDS, SO AS TO ADOPT THE 2018 INTERNATIONAL CODE UPDATES

WHEREAS, RCW Chapters 35A.11, 35A.12, and 36.43 authorize municipalities within the State of Washington to: (1) adopt 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 such codes; and (5) provide that any violation of such codes as adopted shall constitute a misdemeanor;

WHEREAS, the International Code Council has released its 2018 International Codes, which include revisions to the following building codes and standards: International Building; Residential; Energy; Mechanical; Existing Building; Property Maintenance; Uniform Plumbing; Fire; Fuel Gas; and Swimming Pool and Spa. These building codes and standards are founded on principals intended to establish provisions that are consistent with the scope of a building code that adequately protects the public health, safety and welfare; provides provisions that do not unnecessarily increase construction costs; and provides for provisions that do not give preferential treatment to particular types or classes of materials, products or methods of construction;

WHEREAS, the City of Selah Community Development and Planning Department has identified that the City of Selah has not updated its building codes and standards since 2017, and therefore recommends adoption of the 2018 International Codes to ensure that the City can continue to provide plan review, building inspection, and code enforcement that protects the public's health, safety and welfare;

WHEREAS, the City Council of the City of Selah has examined and understands the scope and purpose of the building codes and standards to-be-adopted under this Ordinance and the amendments and additions thereto, and deems it to be in the public interest and for the general health, safety and welfare of the citizens of the City that such be adopted as the law of the City of Selah: and

WHEREAS, pursuant to RCW 35A.12.140, a public hearing was held regarding the consideration and potential adoption of this Ordinance and that one (1) copy of each code and standard adopted hereunder together with one (1) copy of this Ordinance specifying amendments and additions thereto were filed in the Office of the Clerk-Treasurer ten (10) days prior to the public hearing; and all persons desiring to speak for and against the adoption of this Ordinance and the amendments and supplements thereto have been heard as required by law;

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

Section 1. Title 11 Building Codes, are hereby amended as set forth in Exhibit "A".

Section 2. This Ordinance, and all adopted building codes and standards identified herein and hereunder, shall become effective five (5) days following legal publication of this Ordinance or of a summary of this Ordinance.

Done this 8th day of December 2020.

Sherry Raymond

Sherry Raymond, Mayor

ATTEST:

Dale E. Novobielski, Clerk-Treasurer

APPROVED AS TO FORM:

Rob Case, City Attorney

Ordinance No. 2114

Title 11
BUILDING CODES

11.02.010 International Codes adopted – Terminology and standards, 2018 Edition.

Except as amended by other chapters of this title, the following International Codes are adopted by the city:

(1) The International Building Code, 2018 Edition, published by the International Code Council as adopted and amended by the state of Washington or as may be hereafter amended.

(2) The International Residential Code, 2018 Edition, published by the International Code Council as adopted and amended by the state of Washington or as may be hereafter amended.

(3) The Washington State Energy Code, 2018 Edition, as adopted and amended by the state of Washington or as may be hereafter amended.

(4) The International Mechanical Code, 2018 Edition, published by the International Code Council as adopted and amended by the state of Washington or as may be hereafter amended.

(5) The International Existing Building Code, 2018 Edition, published by the International Code Council as adopted and amended by the state of Washington or as may be hereafter amended.

(6) The International Property Maintenance Code, 2018 Edition, published by the International Code Council as adopted and amended by the state of Washington or as may be hereafter amended.

(7) The Uniform Plumbing Code, 2018 Edition, published by the International Association of Plumbing and Mechanical Officials as adopted and amended by the state of Washington or as may be hereafter amended.

(8) The International Fire Code, 2018 Edition, published by the International Code Council as adopted and amended by the state of Washington or as may be hereafter amended.

(9) The International Fuel Gas Code, 2018 Edition, published by the International Code Council as adopted and amended by the state of Washington or as may be hereafter amended.

(10) The International Swimming Pool and Spa, 2018 Edition, published by the International Code Council as adopted and amended by the state of Washington or as may be hereafter amended.

(11) The Accessible and Usable Buildings and Facilities, ICC A117.1-2009 Edition, published by the International Code Council as adopted and amended by the state of Washington or as may be hereafter amended.

11.04.040 Board of appeals.

Section 113 of the International Building Code, 2018 Edition, is amended to read as follows:

Section 113.3 Qualifications. The board of appeals shall consist of five (5) members who are qualified by experience and training to pass on matters pertaining to building construction and who are not employees of the jurisdiction. The Building Official shall be an ex officio member of and shall act as secretary to said Board but shall have no vote on any matter before the Board. The Board of Appeals shall be appointed by the Mayor and shall hold office at the Mayor's pleasure. The term of appointment of Board members shall be concurrent with the effective dates of this ordinance. The Board shall adopt rules of procedure for conducting its business, and shall render all decisions and findings in writing to the appellant with a duplicate copy to the Building Official. The appellant shall cause to be made at his own expense any tests or research required by the Board to substantiate claims.

11.05.010 Adoption of International Building Code, 2018 Edition.

The International Building Code, 2018 Edition, including Appendices J, and G, as published by the International Code Council, and as amended by the State Building Code Council and adopted by the state of Washington, of which there is no less than one copy on file with the office of the city clerk, is adopted as the city's building code for the regulation and governing of the conditions and maintenance of all property, buildings and structures; by providing for the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures that are unfit for human occupancy and use and the demolition of such structures; providing for the issuance of permits and collection of fees therefor; and each and all regulations, provisions, penalties,

conditions and terms of the building code on file with the office of the city clerk are referred to, adopted, and made a part hereof, as if fully set forth in this chapter.

11.05.020 Adoption of International Residential Code, 2018 Edition.

The International Residential Code, 2015 Edition, including its Appendix Chapter F, L, and Q as published by the International Code Council and as amended by the State Building Code Council and adopted by the state of Washington, of which there is no less than one copy on file with the office of the city clerk, is adopted as the city's residential code for the regulation and governing of construction, alteration, movement, enlargement, replacement, repair, equipment, location, removal and demolition of detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories in height with separate means of egress; providing for the issuance of permits and collection of fees therefor; and each and all regulations, provisions, penalties, conditions and terms of the residential code on file with the office of the city clerk are referred to, adopted, and made a part hereof, as if fully set forth in this chapter.

11.07.010 Adoption of International Mechanical Code, 2018 Edition.

The International Mechanical Code, 2018 Edition, including its Appendix Chapters, as published by the International Code Council and as adopted and maintained by the State Building Code Council in Chapter 51-52 WAC, and adopted by the state of Washington, of which there is no less than one copy on file with the office of the city clerk, is adopted as the city's mechanical code for the regulation and governing of the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of mechanical systems; providing for the issuance of permits and collection of fees therefor, and each and all regulations, provisions, penalties, conditions and terms of the mechanical code on file with the office of the city clerk are referred to, adopted, and made a part hereof, as if fully set forth in this chapter.

11.08.010 Adoption of the International Fuel Gas Code, 2018 Edition.

The International Fuel Gas Code, 2018 Edition, as published by the International Code Council, Inc., and as adopted and maintained by the State Building Code Council in WAC 51-52-21000, of which there is no less than one copy on file with the office of the city clerk, is adopted as the city of Selah's fuel gas code for the regulation and governing of the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use of maintenance of fuel gas piping systems, providing for the issuance of permits and collection of fees therefor, and each and all regulations, provisions, penalties, conditions and terms of said fuel gas code on file with the office of the city clerk are hereby referred to, adopted and made a part hereof, as if fully set forth in this chapter.

11.09.010 Adoption of Uniform Plumbing Code, 2018 Edition.

The Uniform Plumbing Code, 2018 Edition, of the International Association of Plumbing and Mechanical Officials, excluding Chapters 12 and 14, but including IAPMO installation standards and appendices thereto, consisting of Appendix A, "Rules for Sizing the Water Systems," Appendix B, "Combination Waste and Vent Systems," and Appendix I, "Installation Standards," as adopted by the state of Washington in Chapter 51-56 WAC, of which there is no less than one copy on file with the office of the city clerk, is adopted as the city of Selah's plumbing code for the regulation and governing of the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of plumbing systems, providing for the issuance of permits and collection of fees therefor, and each and all regulations, provisions, penalties, conditions and terms of said plumbing code on file with the office of the city clerk are hereby referred to, adopted and made a part hereof, as if fully set forth in this chapter.

11.09.030 Adoption of appendices.

The following appendices and standards of the 2018 Edition of the Uniform Plumbing Code are specifically adopted:

Appendix A – Rules for Sizing Water Systems;

Appendix B – Combination Waste and Vent Systems;

Appendix I – Installation Standards.

11.09.040 Fees.

Table No. 1-1 Plumbing Permit Fees of the Uniform Plumbing Code, 2018 Edition, is amended as established in Chapter 20.24. Except for the schedule of fees as established in Chapter 20.24, Section 104.5 of the Uniform Plumbing Code, 2018 Edition, shall remain in full force and effect.

11.10.010 Adoption of International Fire Code, 2018 Edition.

The International Fire Code, 2018 Edition, including Appendix Chapters A, B, C, D, and I, as published by the International Code Council, and as amended by the State Building Code Council and adopted by the state of Washington in Chapter 51-54 WAC, of which there is no less than one copy on file with the office of the city clerk, is adopted as the city of Selah's fire code. Each and all regulations, provisions, penalties, conditions and terms of said fire code on file with the office of the city clerk are hereby referred to, adopted, and made a part hereof, as if fully set forth in this chapter.

11.10.020 Terminology/amended definitions.

Notwithstanding the definitions contained in the International Fire Code adopted by reference in this title and except as otherwise provided in this chapter, all references in the provisions of such code to the "jurisdiction" shall be construed as the city of Selah, references to the "administrator" shall be construed as the city of Selah city council, references to the "fire department" shall mean the Selah fire department of the city of Selah, references to the "chief" shall be construed as the fire chief for the Selah fire department, references to the "fire code official" shall be construed as the "department of fire prevention" which is actively assigned duties of administering and enforcing the provisions of the International Fire Code adopted by this chapter.

For purposes of the enforcement by the county and its personnel of Section 1001.6 of the International Fire Code, 2018 Edition, the term "fire department" shall also mean the fire protection district with jurisdiction, and the word "chief" shall also mean the appropriate official of such district.

11.10.040 Amendment to International Fire Code.

(a) Section 104, General, of the International Fire Code, 2018 Edition, is hereby amended to add Section 104.1.2, Authority of Fire Code Officials to Exercise Powers of Police Officers, to read as follows:

> 104.1.2. Authority of Fire Code Officials to Exercise Powers of Police Officers. The Chief of the Fire Department and Fire Code Official or authorized representatives, shall have the powers of a police officer in performing their respective duties under this code.

Section 104, General, of the International Fire Code, 2018 Edition, is hereby amended to add Section 104.1.3, Authority and Duty of Police Personnel to Assist in Enforcing This Code, to read as follows:

> 104.1.3. Authority and Duty of Police Personnel to Assist in Enforcing this Code. Whenever requested to do so by the Chief of the Fire Department or Fire Code Official or one of their authorized representatives, the Chief of Police shall assign such available police officers as in his discretion may be necessary to assist the Fire Department in enforcing the provisions of this Code.

Section 104.10, Fire investigations, of the International Fire Code, 2018 Edition, is hereby amended to read as follows:

> 104.10 Fire investigations. The Fire Chief, the fire department or other responsible authority shall have the authority to investigate the cause, origin and circumstances of any fire, explosion or other hazardous condition. Information that could be related to trade secrets or processes shall be subject to the procedures and provisions of the Public Records Act, Chapter 42.56.270 RCW. The Fire Department shall investigate promptly the cause, origin and circumstances of each and every fire occurring in the municipality involving loss of life or injury to person or destruction or damage to property, and if it appears to the Chief of the Fire Department or his authorized representatives making the investigation that such fire is of suspicious origin, he shall then take immediate charge of all physical evidence relating to the cause of the fire and shall pursue the investigation to its conclusion. The Chief of the Fire Department or his authorized representatives shall make a report in writing of all facts and findings relative to each investigation. The Police Department shall assist the Fire Department in its investigations whenever requested to do so, unless otherwise directed by the Chief of Police.

(b) Section 106.1, Inspection authority, of the International Fire Code, 2018 Edition, is hereby amended to read as follows:

106.1 Inspection authority. The fire code official is authorized to enter and examine any building, structure, marine vessel, vehicle or premises in accordance with Section 104.3 for the purpose of enforcing this code. Subject to the availability of sufficient budgeted funds and/or personnel, the fire prevention bureau or person authorized representatives may inspect annually, or as often as may be practicable, all buildings and premises, including such other hazards or appliances, as the fire prevention bureau or any authorized representatives may designate for the purpose of ascertaining and causing to be corrected any conditions which would reasonably tend to cause fire or contribute to its spread, or any violation of the purpose or provisions of this Code and of any other law or standard affecting fire safety.

(c) Section 503, Fire Department Access, of the International Fire Code, 2018 Edition, is hereby amended to read as follows:

503.2.1 Dimensions: Fire apparatus access ways can be narrowed to 15 feet wide for access to no more than 6 living units, that are single story in height and not more than 150 feet from an approved City street.

503.2.7 Grade: The gradient for a fire apparatus access shall not exceed 14% after the first 50 feet.

(d) Section 507, Fire Protection Water Supplies, of the International Fire Code, 2018 Edition, is hereby amended to read as follows:

507.5.1 Required: shall comport with Selah Municipal Code Chapter 11.30 Fire Hydrants. In the event of conflict in any provision of Section 507.5.1 with Selah Municipal Code Chapter 11.30, the provisions of Chapter 11.30 shall apply.

(e) *Amendment to Section 315.3, Outside Storage.* Section 315.3 shall comport with Selah Municipal Code Chapter 2.04, Storage of Fruit and Vegetable Containers. In the event of conflict in any provision of Section 315.3 with Chapter 2.04, the provisions of Chapter 2.04 shall apply.

11.12.010 International Existing Buildings Code, 2018 Edition.

The International Existing Building Code, 2018 Edition, as published by the International Code Council, and as amended by the State Building Code Council and adopted by the state of Washington in Chapter 51-50 WAC, Section 51-50-480000 et seq., of which there is no less than one copy on file with the office of the city clerk, is adopted as the city's building code for the regulation

and governing the repair, alteration, change of occupancy, addition, and relocation of existing buildings, including historic buildings; providing for the issuance of permits and collection of fees therefor; and each and all regulations, provisions, penalties, conditions and terms of the existing building code on file with the office of the city clerk are referred to, adopted, and made a part hereof, as if fully set forth in this chapter.

11.13.010 Adoption of Washington State Energy Code, 2018 Edition.

The International Energy Conservation Code, 2018 Edition, including its Appendix Chapters, as published by the International Code Council and as amended by the State Building Code Council and adopted by the state of Washington as its "Washington State Energy Code" in Chapter 51-11R WAC, Section 51-11R-10000 et seq., of which there is no less than one copy on file with the office of the city clerk, is adopted as the city's energy conservation code for the regulation and governing of energy efficient building envelopes and installation of energy efficient mechanical, lighting and power systems; providing for the issuance of permits and collection of fees therefor; and each and all regulations, provisions, penalties, conditions and terms of the energy conservation code on file with the office of the city clerk are referred to, adopted, and made a part hereof, as if fully set forth in this chapter.

11.14.010 Adoption of International Property Maintenance Code, 2018 Edition.

The International Property Maintenance Code, 2018 Edition, as published by the International Code Council, of which there is no less than one copy on file with the office of the city clerk, is adopted as the city's property maintenance code for the 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 essential to ensure that structures are safe, sanitary and fit for occupation and use, and the demolition of existing structures; providing for the issuance of permits and collection of fees therefor; and each and all regulations, provisions, penalties, conditions and terms of the property maintenance code on file with the office of the city clerk are referred to, adopted, and made a part hereof, as if fully set forth in this chapter.

11.30.010 Statement of purpose.

This chapter is enacted to provide minimum requirements for installation of fire hydrants designated or approved by the approving authority of the city of Selah in the exercise of his or her duties pursuant to Section 10.301 of the In or similar referenced section in the future editions of the Uniform Fire Code as adopted by the city.