

CITY OF BINGEN, WASHINGTON

ORDINANCE NO. 2024-07-756

**AN ORDINANCE AMENDING BINGEN MUNICIPAL CODE CHAPTER 15.04
BUILDING CODES**

WHEREAS, the Bingen City Council has reviewed Bingen Municipal Code Chapter 15.04 Building Codes and finds that it is outdated,

NOW, THEREFORE, the City Council of the City of Bingen do ordain as follows:

Section 1. Chapter 15.04 of the Bingen Municipal Code (BMC) is incorporated here by reference and by such reference set forth at full length.

Section 2. Chapter 15.04 as currently written is repealed and hereafter shall read as follows:

Sections:

15.04.010	Adopted.
15.04.020	General requirements for all referenced codes.
15.04.021	Conflict between codes.
15.04.022	Design requirements.
15.04.023	Professional preparation of plans.
15.04.024	Construction plans.
15.04.025	Permits.
15.04.026	Referenced codes.
15.04.027	Fees.
15.04.028	Appeals.
15.04.030	Amendments to the referenced codes.
15.04.031	2021 International Building Code.
15.04.033	2021 International Residential Code.
15.04.034	2021 International Mechanical Code.
15.04.035	2021 International Fire Code.
15.04.036	1997 Uniform Code for the Abatement of Dangerous Buildings.
15.04.040	Severability.

15.04.010 Adopted.

The City of Bingen hereby adopts the following codes, as amended by the Washington State Building Code Council pursuant to RCW 19.27.074 for the purpose of establishing rules and regulations for the construction, alteration, removal, demolition, equipment, use and occupancy, location and maintenance of buildings and structures, including permits and penalties. These references are automatically updated by reference with the adoption.

- A. 1. The 2021 International Building Code (IBC) published by the International Code Council, Inc. as amended as set forth in Chapter 51-50 of the Washington Administrative Code, and adopted by the State Building Code Council including Chapters 1 through Chapter 35. The following Appendices are specifically adopted:

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- a. Appendix E, Supplementary Accessibility Requirements
 - b. Appendix H, Signs
 - c. Appendix I, Patio Covers
 - d. Appendix J, Grading
2. The 2021 International Residential Code (IRC) for One and Two family Dwellings published by the International Code Council, Inc. and as amended as set forth in Chapter 51-51 of the Washington Administrative Code, and adopted by the State Building Code Council including Chapters 1 through Chapter 44. The following Appendices are specifically adopted:
 - a. Appendix G, Swimming Pool, Spas, and Hot Tubs
 - b. Appendix AH, Patio Covers
- B. The 2021 International Mechanical Code (IMC) published by the International Code Council, Inc. as amended and as set forth in Chapter 51-52 of the Washington Administrative Code and adopted by the State Building Code Council, including Chapters 1 through 15.
- C. The 2021 International Fire Code (IFC), published by the International Code Council, Inc. and as amended as set forth in Chapter 51-54A of the Washington Administrative Code, and adopted by the State Building Code Council, including Chapters 1 through Chapter 657 and Chapter 80, and including those standards of the National Fire Protection Association specifically referenced in the International Fire Code: PROVIDED, that, notwithstanding any wording in this code, participants in religious ceremonies shall not be precluded from carrying hand-held candles. The following Appendices are specifically adopted:
 - a. Appendix F, Hazard Ranking
 - b. Appendix G, Cryogenic Fluids – Weight and Volume Equivalents
- D. Except as provided in RCW 19.27.170, the 2018 Uniform Plumbing Code (UPC) and Uniform Plumbing Code Standards, published by the International Association of Plumbing and Mechanical Officials and as amended as set forth in Chapters 51-56 of the Washington Administrative Code, and adopted by the State Building Code Council, including Chapters 1 through 17, and

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

In case of conflict among the codes enumerated in subsections 1, 2, 3, and 4 of this section, the first named code shall govern over those following.
- E. The 2021 International Fuel Gas Code (IFGC) as published by the International Code Council, Inc.

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- F. The 2018, Second Edition, Washington State Energy Code Chapter 51-11C and 51-11R WAC.
- G. The 1997 Edition of the Uniform Code for the Abatement of Dangerous Buildings published by the International Conference of Building Officials, Whittier California.
- H. The 2015 International Existing Building Code, sixth version, to be used as an alternative approach to remodel, repair or alteration of existing buildings subject to approval by the building official.
- I. Washington Administrative Code (WAC) Chapter 51-50, 51-51, 51-52, 51-54A, 51-55, and 51-56 are adopted herein by City of Bingen Title 15.04. This adoption is pursuant to authority found in the Revised Code of Washington (RCW), Chapter 19.27, as adopted and amended by the Washington State Building Code Council.

(Ord. 501 §2, 2004; Ord. 626 §2, 2013; Ord. 663 §2, 2016; Ord. 734 §2, 2023; Ord. 756 §2, 2024)

15.04.020 General Requirements for all Referenced Codes.

15.04.021 Conflict Between Codes.

Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable. Where, in any specific case, different sections of this code specify different materials, methods of construction or other requirements, the most restrictive shall govern. (Ord. 501 §2, 2004; Ord. 626 §2, 2013)

15.04.022 Design Requirements.

Roof/ Ground Snow Load	Wind Speed (Gust)	Seismic Design Category	Weathering	Frost Line Depth	Termites	Decay	Winter Design Temp	Ice Shield Underlay	Flood Hazards	Air Freeze Index
50 lbs/ft ² /@72 lbs/ft ²	<110 Mph @3 sec. gust	D-1	Severe	18	Slight to Moderate	Slight to Moderate	23°	Yes	Yes	538

(Ord. 501 §2, 2004; Ord. 626 §2, 2013; Ord. 663 §2, 2016)

15.04.023 Professional Preparation of Plans.

The City of Bingen shall require a Washington licensed design professional, licensed under the provisions of RCW 18.08, WAC 308-12 or RCW 18.43 to prepare or oversee the preparation of plans for any building or structure containing five or more residential dwelling units or doing design work including preparing construction contract documents and administering the contract for construction, erection, enlargement, alteration, or repairs of or to a building of any occupancy over four thousand square feet of construction. (Ord. 501 §2, 2004; Ord. 626 §2, 2013).

15.04.024 Construction Plans.

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All submitted construction documents shall be no smaller than 11" x 17" in size. Site plans shall use a scale of one inch (1") equal to ten feet (10'). Architectural plans shall use a scale of one-quarter inch (1/4"). Construction documents must be of sufficient detail to show the entire project with emphasis on the following:

- Structural integrity
- Fire and life safety information
- Compliance with State of Washington Accessibility requirements
- Compliance with all State and local codes and requirements having jurisdiction
- A detailed Scope of Work
- Special inspection requirements and protocols
- Deferred submittal schedule

In general, the amount of detail required will vary, depending on the nature and complexity of the project. (Ord. 501 §2, 2004; Ord. 626 §2, 2013; Ord. 734 §2, 2023)

15.04.025 Permits.

- A. Ownership. The ownership of a Bingen Building Permit is the responsibility of the property owner. The Permit Applicant is, by definition, an agent of the property owner if not the property owner themselves.
- B. Expiration of Permits. All permits shall be consistent with the requirements under IBC Section 105.5, Expiration, and may be extended by the Building Official consistent with this section.

15.04.026 Referenced Codes.

All referenced codes are available at the City of Bingen. (Ord. 501 §2, 2004; Ord. 626 §2, 2013)

15.04.027 Fees.

- A. All Bingen Permit fees are adopted as a separate schedule consistent with IBC Section 109. All building permit valuations shall include total value of the work for which a permit is being issued, such as electrical, gas, mechanical, plumbing, equipment, and other permanent systems, including materials and labor. Construction valuations for new square footage shall be calculated according to IBC building areas.

15.04.030 Amendments to the Referenced Codes.

15.04.031 2021 International Building Code.

- A. Amend Section 105.2 Work Exempt from Permit. Building: 1. Add "not to exceed 10 feet in over all height."

(Ord. 756 §2, 2024).

15.04.033 2021 International Residential Code.

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- A. Add Section R 310.1.5 Replacement of Emergency Escape and Rescue Openings. If emergency escape and rescue openings are replaced or renewed, except for glazing replacement or renewal, the opening sizes shall be as required for new construction.

(Ord. 501 §2, 2004; Ord. 626 §2, 2013; Ord. 663 §2, 2016; Ord. 734 §2, 2023; Ord. 756 §2, 2024)

15.04.034 2021 International Mechanical Code.

(Ord. 501 §2, 2004; Ord. 626 §2, 2013; Ord. 663 §2, 2016; Ord. 734 §2, 2023; Ord. 756 §2, 2024)

15.04.035 2021 International Fire Code.

(Ord. 501 §2, 2004; Ord. 626 §2, 2013; Ord. 663 §2, 2016; Ord. 734 §2, 2023; Ord. 756 §2, 2024)

15.04.036 1997 Uniform Code for the Abatement of Dangerous Buildings.

Add additional definitions of a dangerous building:

19. Drug Properties and Structures. It is hereby declared that any building, structure and/or associated property, identified by the Bingen-White Salmon Police Department Chief of Police, wherein or upon which the manufacture, distribution, production or storage of illegal drugs or the precursors to create illegal drugs has taken place in a manner which could endanger the public, such building, structure and/or associated property is not only a dangerous property as defined by the City of Bingen but is also a classification of property calling for the special procedures set forth in this section. The Building Official is authorized to abate such dangerous buildings, structures, and/or associated properties in accordance with the dangerous building procedures set forth in this code and Washington statute, RCW 64.44.010, with the following modifications:
 - 19.1 Due to public safety hazard in drug production facilities, the utilities shall be disconnected;
 - 19.2 Building(s) and structure shall be inspected to determine compliance with all city ordinances and codes;
 - 19.3 Building(s) and entry gates to the property shall be secured against entry in the manner set forth in this code;
 - 19.4 No reconnection of utilities or occupancy of the building(s), structures or property shall be allowed until all violations have been successfully addressed, all dangerous conditions abated and a notice of release for re-occupancy has been received from the Klickitat County Health Department and the Bingen-White Salmon Police Department (Ord. 756 §2, 2024); and
 - 19.5 If dangerous conditions cannot be abated, occupancy shall be prohibited. Resolution of said property shall be in conformance with RCW 35.80A.010, Condemnation of Blighted Property.

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20. Blighted Property. In conformance with RCW 35.80A.010, the City of Bingen may acquire by condemnation, in accordance with the notice requirements and other procedures for condemnation provided in Title 8 RCW, any property, dwelling, building, or structure which constitutes a blight on the surrounding neighborhood. A “blight on the surrounding neighborhood” is any property, dwelling, building or structure that meets any two of the following factors:
- 20.1 If a dwelling, building, or structure exists on the property, the dwelling, building, or structure has not been lawfully occupied for a period of one year or more;
 - 20.2 the property, dwelling, building, or structure constitutes a threat to the public health, safety, or welfare as determined by the executive authority of the City of Bingen or the designee of the executive authority; or
 - 20.3 the property, dwelling, building, or structure is or has been associated with illegal drug activity during the previous twelve months.

Prior to such condemnation, the City of Bingen City Council shall adopt a resolution declaring that the acquisition of the real property described therein is necessary to eliminate neighborhood blight. Condemnation of property, dwellings, buildings, and structures for the purposes described in this chapter is declared to be for a public use. (Ord. 501 §2, 2004; Ord. 626 §2, 2013)

15.04.040 Severability.

In any section, sentence, clause or phrase of this ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phase of this ordinance.

(Ord. 501 §2, 2004; Ord. 626 §2, 2013)

Building Code – Building Valuation Data

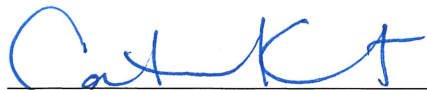
Building valuation is handled per the International Code Council (ICC)’s Building Valuation Data process.

PASSED BY THE CITY COUNCIL OF THE CITY OF BINGEN, and effective five

(5) days after the first date of posting or publication.

DATED this 7th day of May, 2024.

ATTEST:



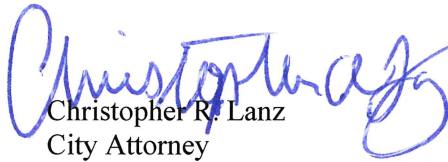
Mayor Catherine Kiewit



Krista Loney, City Administrator

Approved as to form only:

CITY OF BINGEN, WASHINGTON


Christopher R. Lanz
City Attorney

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Sections:

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- B. Expiration of Permits. All permits shall be consistent with the requirements under IBC Section 105.5, Expiration, and may be extended by the Building Official consistent with this section.

15.04.026 Referenced Codes.

All referenced codes are available at the City of Bingen. (Ord. 501 §2, 2004; Ord. 626 §2, 2013)

15.04.027 Fees.

- A. All Bingen Permit fees are adopted as a separate schedule consistent with IBC Section 109. All building permit valuations shall include total value of the work for which a permit is being issued, such as electrical, gas, mechanical, plumbing, equipment, and other permanent systems, including materials and labor. Construction valuations for new square footage shall be calculated according to IBC building areas.

15.04.030 Amendments to the Referenced Codes.

15.04.031 2018 International Building Code.

- A. Amend Section 105.2 Work Exempt from Permit. Building: 1. Add "not to exceed 10 feet in over all height."

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- A. Add Section R 310.1.5 Replacement of Emergency Escape and Rescue Openings. If emergency escape and rescue openings are replaced or renewed, except for glazing replacement or renewal, the opening sizes shall be as required for new construction.

(Ord. 501 §2, 2004; Ord. 626 §2, 2013; Ord. 663 §2, 2016; Ord. 734 §2, 2023)

15.04.033 2018 International Mechanical Code.

(Ord. 501 §2, 2004; Ord. 626 §2, 2013; Ord. 663 §2, 2016; Ord. 734 §2, 2023)

15.04.034 2018 International Fire Code.

(Ord. 501 §2, 2004; Ord. 626 §2, 2013; Ord. 663 §2, 2016; Ord. 734 §2, 2023)

15.04.035 1997 Uniform Code for the Abatement of Dangerous Buildings.

Add additional definitions of a dangerous building:

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- 19.1 Due to public safety hazard in drug production facilities, the utilities shall be disconnected;
- 19.2 Building(s) and structure shall be inspected to determine compliance with all city ordinances and codes;
- 19.3 Building(s) and entry gates to the property shall be secured against entry in the manner set forth in this code;
- 19.4 No reconnection of utilities or occupancy of the building(s), structures or property shall be allowed until all violations have been successfully addressed, all dangerous conditions abated and a notice of release for re-occupancy has been received from the Klickitat County Health Department and the Bingen-White Salmon Police Department; and

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- 19.5 If dangerous conditions cannot be abated, occupancy shall be prohibited. Resolution of said property shall be in conformance with RCW 35.80A.010, Condemnation of Blighted Property.
20. Blighted Property. In conformance with RCW 35.80A.010, the City of Bingen may acquire by condemnation, in accordance with the notice requirements and other procedures for condemnation provided in Title 8 RCW, any property, dwelling, building, or structure which constitutes a blight on the surrounding neighborhood. A “blight on the surrounding neighborhood” is any property, dwelling, building or structure that meets any two of the following factors:
- 20.1 If a dwelling, building, or structure exists on the property, the dwelling, building, or structure has not been lawfully occupied for a period of one year or more;
- 20.2 the property, dwelling, building, or structure constitutes a threat to the public health, safety, or welfare as determined by the executive authority of the City of Bingen or the designee of the executive authority; or
- 20.3 the property, dwelling, building, or structure is or has been associated with illegal drug activity during the previous twelve months.

Prior to such condemnation, the City of Bingen City Council shall adopt a resolution declaring that the acquisition of the real property described therein is necessary to eliminate neighborhood blight. Condemnation of property, dwellings, buildings, and structures for the purposes described in this chapter is declared to be for a public use. (Ord. 501 §2, 2004; Ord. 626 §2, 2013)

15.04.040 Severability.

In any section, sentence, clause or phrase of this ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phase of this ordinance.

(Ord. 501 §2, 2004; Ord. 626 §2, 2013)

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Building Code – Building Valuation Data

Building valuation is handled per the International Code Council (ICC)'s Building Valuation Data process.