

BOARD OF COUNTY COMMISSIONERS
Grant County, Washington

**ORDINANCE AMENDING GRANT
COUNTY CODE TITLE 14, CH. 14.01 -
BUILDINGS AND CONSTRUCTION,
RELATING TO DEFINING A
RESIDENTIAL DETACHED GARAGE**

ORDINANCE No. 22- 076 -CC

RECITALS:

WHEREAS, the Board of County Commissioner for Grant County enacted Ordinance No. -CC to allow Accessory uses/structures not exceeding 1,500 square feet to be permitted prior to the construction of a primary use; and,

WHEREAS, the Board of County Commissioners for Grant County enacted Ordinance No. 21-012-CC on February 16, 2021 adopting the WA State Residential Code by reference, which is required by RCW 19.27.031; and,

WHEREAS, the WA State Residential Code Section R101.2 Scope applies to detached one-and two-family dwellings and townhouses not more than three stories above grade plane in height with separate means of egress and their accessory structures; and,

WHEREAS, the definition of Accessory Structure in Section 202 of the WA State Residential Code states that the accessory structure must be accessory to and incidental to that of the dwelling that is located on the same lot; and,

WHEREAS, the WA State Residential Code Commentary states that accessory structures include residential garages, which are incidental to the primary use, which is the dwelling unit. The activities that take place in accessory structures occur as a result of the primary structure and their use is secondary or minor in importance to the primary residence; and,

WHEREAS, the accessory structure cannot be permitted until the dwelling exists or the accessory structure (garage) would be considered the primary structure and would be regulated by the WA State Building Code; and,

WHEREAS, the WA State Building Code regulates private garages and limits their size to not greater than 1,000 square feet per Section 406.3.1; and,

WHEREAS, it is not the intent of the WA State Residential Code to limit the size of detached residential dwellings or residential garages as their accessory structures, however, accessory structures include garages and can only be permitted after the dwelling exists unless garages are specifically defined as being separate from the inclusion as an accessory structure; and,

WHEREAS, RCW 19.27.060 allows the county to make amendments to the code as long as the amendment does not result in a code that is less than the minimum performance standards and objectives contained in the state building code; and,

WHEREAS, Customers of the county should not be penalized by having their residential garage limited to 1,000 square feet due to the dwelling not existing when the Unified Development Code allows residential garages up to 1,500 square feet prior to the dwelling; and,

WHEREAS, A definition of a residential garage can serve to align the building and unified development code and allow a 1,500 square feet garage prior to the dwelling existing on the parcel; and,

WHEREAS, the Board of County Commissioners for Grant County duly advertised and conducted an open record public hearing to consider this amendment to Title 14 on Tuesday August 2nd 2022.

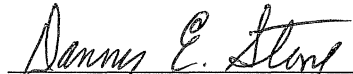
NOW, THEREFORE, BE IT HEREBY ORDAINED THAT the Grant County Board of Commissioners approved this amendment that adds the definition of a "Garage, Detached Residential" to the code amendments enumerated in Title 14, Chapter 14.04, Section 14.04.050.

DATED this 2nd day of August, 2022.

**BOARD OF COUNTY
COMMISSIONERS
GRANT COUNTY, WASHINGTON**

Yea Nay Abstain

☒ ☐ ☐


Danny E. Stone, Chair

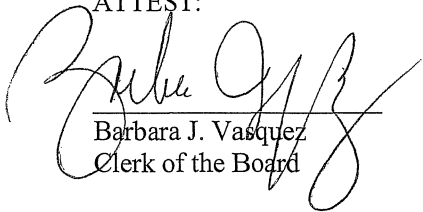
☐ ☐ ☐


Rob Jones, Vice-Chair

☒ ☐ ☐


Cindy Carter, Member

ATTEST:


Barbara J. Vasquez
Clerk of the Board

ATTACHEMENT A

Title 14 - BUILDINGS AND CONSTRUCTION^[1]

Chapter 14.01 - GENERAL PROVISIONS

14.01.010 - Authority.

Chapter 36.32 RCW authorizes counties to adopt building regulations to promote public health, safety, and general welfare.

14.01.020 - Purpose.

This title is adopted to implement building regulations that promote public health, safety, and welfare. This title shall be administered for the benefit of the health, safety and welfare of the general public and shall not be construed to establish any duties to protect or benefit any particular person or class of persons.

14.01.030 - Severability.

If any provision of this title is held to be unconstitutional or otherwise invalid by a court of competent jurisdiction, the validity of all remaining provisions shall not be affected.

14.01.040 - Definitions.

Words, terms and phrases used in this title are defined within the International Codes and in Grant County Code Chapter 25.08 and/or within the specific code adopted by reference herein.

Chapter 14.04 - UNIFORM CODES

14.04.010 - Repealer and reenactment.

Chapters 14.04 and 14.08 of the Grant County Code, adopted by Ordinance No. 14-007-CC. and all other ordinances and parts of the ordinances in conflict therewith are hereby repealed in their entirety and a replaced to read as follows.

14.04.020 - Declaration of policy.

It is hereby declared to be the policy of Grant County, (the "county") and in the public interest, and for the protection of the public health, safety, welfare and property of the residents of Grant County to regulate the building industry in the unincorporated areas of Grant County and regulate same, pursuant to its police powers.

14.04.030 - Adoption by reference.

There is hereby adopted by the Board of County Commissioners of Grant County, Washington, in conformance with the State Building Code Act, except as otherwise provided in this chapter, there shall be in effect in all unincorporated areas of the county the Grant County Building Code which shall consist of the Washington State Building Code which is hereby adopted by reference and shall consist of the following codes:

1. The International Building Code, published by the International Code Council with appendices C, H, and J set forth in Chapter 51-50 WAC as the same now exists or may hereafter be amended; and
2. The International Residential Code, published by the International Code Council with appendices set forth in Chapter 51-51 WAC as the same now exists or may hereafter be amended; and
3. The International Mechanical Code, published by the International Code Council set forth in Chapter 51-52 WAC as the same now exists or may hereafter be amended, except that the standards for liquefied petroleum gas installations shall be NFPA 58 (Storage and Handling of Liquefied Petroleum Gases) and ANSI Z223.1/NFPA 54 (National Fuel Gas Code); and
4. The International Fire Code, published by the International Code Council with appendices B, C, D, E, F, G, H, I, J, K, L, M, N set forth in Chapter 51-54A WAC as the same now exists or may hereafter be amended, 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;
5. Except as provided in RCW 19.27.170, the Uniform Plumbing Code and Uniform Plumbing Code Standards, published by the International Association of Plumbing and Mechanical Officials: PROVIDED that any provisions of such code affecting sewers or fuel gas piping are not adopted;
6. The Washington State Energy Code;

7. All Washington State Building Code amendments pursuant to the administrative authority of this jurisdiction;

8. The Uniform Code for the Abatement of Dangerous Buildings most current edition as published by The International Conference of Building Officials, and

Precedence: In the event of conflicting provisions among the code adopted in sections 1, 2, 3, and 5 of the above-referenced codes, the standards in the first named code shall govern over those following.

Accessibility: The County shall maintain on file not less than one copy of the adopted codes in this chapter. Codes will be maintained for public viewing at the Grant County Development Services Department.

14.04.040 - Code amendments—Generally.

Amendments to the state codes adopted herein are listed according to code reference, chapter, and section to provide for special provisions, alteration, clarification or deletions to certain sections of the adopted codes to meet local conditions.

14.04.050 - Amendments to the International Building Code and the International Residential Code.

The following sections of the International Building Code and the International Residential Code shall be modified to read as follows:

CHAPTER I ADMINISTRATION

1. [A] 105.1.1 Annual Permit. In lieu of an individual permit for each alteration to an already approved electrical, gas, mechanical or plumbing installation or for the placement of common temporary structures, the building official is authorized to issue an annual permit upon application therefore to any person, firm or corporation regularly employing one or more qualified tradespersons in the building structure or on the premises owned or operated by the applicant for the permit.

2. [A] 105.2 Building: 1. One story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the area does not exceed 200 square feet (11.15 m²). measured from the outside corners of the supporting structure and provided overhangs and appurtenances do not exceed eighteen inches.

3. [A] and R 105.3 Application for Permit. Subparagraph 5. Not applicable.

4. [A] and R 105.5 Expiration. Every permit shall expire unless the work authorized by such permit is completed within three years of its issuance date.

5. [A] and R 105.7 Placement of Permit. The building permit or copy shall be kept on site of the work until the completion of the project, along with all other documents as required in the permit package.

6. [A] 109.1 and R 108.1 Payment of fees.

1. A permit shall not be valid until the fees prescribed by law have been paid. Nor shall an amendment to a permit be released until the additional fee, if any, has been paid.

2. Unusual Structures or Conditions. Where an unusual structure or condition exists for which no fee is specifically mentioned, the Building Official may determine fees based on the type of construction and occupancy which most closely resembles the unusual structure or condition.

3. An application may not be deemed complete until either the permit fee and all associated fees or the required deposit is paid.

7. [A] 109.3 and R 108.3 Building permit valuations. For building permit purposes, the Building Official shall make the determination of value or valuation under any of the provisions of this code. The value to be used in computing the building permit and building plan review fees shall be the total value of all construction work, including any and all materials, labor, and process or permanent equipment deemed necessary for the operation of the building. Valuation shall be based on ICC Building Valuation Data publication. The calculation of fees based on these valuations may be annually updated by the Department at the end of each calendar year.

8. [A] 109.6 and R 108.5 Refunds. The Director or their designee may authorize refunding of any fee paid hereunder which was erroneously paid or collected;

1. All other refunds shall be per the Fee Schedule adopted by Resolution of the Board of County Commissioners.

9. [A] 113 and R 112 Appeals.

112.1 General. To hear and decide appeals of orders, decisions or determinations made by the Building Official relative to the application and interpretation of the Washington State Building Code, there shall be and is hereby created an appeals process.

1. Appeals. Any person, firm or corporation that feels they have been the recipient of an order, decision or determination by the Building Official that is in error may appeal that decision.

2. The appeal process shall follow the process as outlined in the Grant County Unified Development Code Section 25.04 and are appealable to Grant County Superior Court.

10. 117 Moved Buildings.

[A] and R 117.1 Moved buildings. No person shall move any existing building or structure inclusive of but not limited to the following; Site built structures of any kind, over-the-road container vessels, off site built storage buildings or retail purchased storage structures/kits within or into the County without first obtaining from the Building Department a building permit.

117.2 Terms and Conditions of Issuance: In granting a moved building permit, the Building Official may impose such terms and conditions as are necessary, in the opinion of the Building Official, to ensure that its relocation will not be materially detrimental or injurious to the public safety or welfare or to the property or improvements in the district to which the building is to be moved, including, but not limited to, changes, alterations, additions or repairs to the building or structure.

[A] and R 117.3 Fees. Building Permit. The fees for a moved building permit and plan review shall be based upon the total value of the work required at its relocated site, using the same valuation formula as used for new construction.

11. 118 Demolition Permits.

118.1 No person shall effect any demolition of any building or structure or any part thereof which is not exempted by Section 105.2 of the International Building Code without first obtaining from the Building Department a demolition permit.

12. 119 Factory Assembled Structures.

119.1 Permits. No person, firm or corporation as the owner, buyer, or vendor of a Factory Assembled Structure or as manufactured home park management shall cause or permit any Factory Assembled Structure to be located, placed or set within the County without having first obtained the proper permits.

119.2 Factory Assembled Structures, which are not new title sales, shall comply with the original manufacturers set up specifications or ANSI Standard A225.

119.3 All manufactured homes built prior to HUD standards, (June 16th 1976), shall have a Fire and Life Safety Inspection performed by Washington State Department of Labor and Industries prior to the permit being issued and the manufactured home being moved.

119.4 All defects or deficiencies noted in a Fire and Life Safety inspections by L & I shall be corrected prior to the permit being issued and the manufactured home being moved.

119.5 Fees. Fees for Factory Assembled Structures shall be per the Fee Schedule adopted by Resolution of the Board of County Commissioners.

CHAPTER 2 DEFINITIONS

13. 202 Definitions. Add to definitions: Factory Assembled Structures. Shall be as defined by Washington State Law.

14. R202 Definitions. Garage, Detached Residential. A one-story structure constructed on a residential lot prior to the dwelling unit existing that is used for housing a motor vehicle or vehicles and or the storage of household items. This definition does not include motor vehicle or other repair shops used for commercial purposes and cannot be used as habitable space as defined by the residential code.

14.04.060 - Reserved.

14.04.070 - Enforcement procedures.

The procedures for issuance of notices of violation, citations, hearings, assessments, and payment of monetary penalties shall be in accordance with the provisions of Chapter 1.32 Grant County Code.