

## ORDINANCE NO. 1317

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**AN ORDINANCE ADOPTING CHAPTERS, 51-11, 51-50, 51-51, 51-52, 51-54, 51-56 AND 51-57 OF THE WASHINGTON ADMINISTRATIVE CODE AND AMENDING KMC SECTION 14.04.02 REGULATING AND GOVERNING 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 CONDEMNATION OF BUILDINGS AND STRUCTURES UNFIT FOR HUMAN OCCUPANCY AND USE AND THE DEMOLITION OF SUCH STRUCTURES IN THE CITY OF KALAMA; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFORE; AND PROVIDING THAT THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER.**

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WHEREAS, the Legislature of the State of Washington has enacted RCW chapter 19.27 which adopted the International Building Code, the International Residential Code, the International Fire Code, the International Mechanical Code, and the Uniform Plumbing Code and Uniform Plumbing Code Standards, and provided that such codes shall be applicable throughout the State of Washington, and all counties and cities, in substitution and replacement of all prior codes; and

WHEREAS, the Washington State Building Codes Council had adopted, in the Washington State Administrative Code, chapters 51-11 (2012 Washington State Energy Code), 51-50 (2009 International Building Code), 51-54 (2012 International Fire Code), and 51-56 and 51-57 (2012 Uniform Plumbing Code and Uniform Plumbing Code Standards); and

WHEREAS, by reason of such enactment, it is necessary that the City of Kalama adopt such codes; and

WHEREAS, the Council has previously adopted International Codes under Ordinance 1276, which had specific exceptions under the codes, which were necessary to address specific issues unique to the City of Kalama;

NOW, THEREFORE, The City Council of the City of Kalama, Washington, do ordain as follows:

Section 1. The Title 14 of the Kalama Municipal Code shall be and is hereby amended to read as follows; provided manifest and numbering errors shall be corrected prior to publication:

#### 14.04.020 Adoption of International Building Codes.

That Washington State Administrative Code Chapters 51-11 (2012 Washington State Energy Code), 51-50 (2009 International Building Code) including the Appendix Chapters E as further amended by WAC 51-50, I and J, 51-50 (2012 International Mechanical Code), 51-54 (2012 International Fire Code) including the Appendix B, C, D, and 51-56 and 51-57 (2012 Uniform Plumbing Code and Uniform Plumbing Code Standards), together with amendments thereof and additions thereto, one (1) copy of each of which is on file in the office of the City Clerk of the City of Kalama, shall be and is hereby adopted as the Building Code of the City of Kalama regulating and governing 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 condemnation of buildings and structures unfit for human occupancy and use and demolition of such structures are herein provided; providing for the regulations, provisions, penalties, conditions and terms of said Building Code on file in the office of the City Clerk of the City of Kalama and hereby referred to, adopted, and made a part hereof, as if fully set out in the Ordinance, with additions, insertions, deletions and changes, if any, prescribed in this chapter.

#### Administrative provisions:

For the purpose of providing administrative provisions for the Building Code of Kalama, including WAC chapters 51-11, 51-50, 51-51, 51-52, 51-54, 51-56 and 51-57, Subchapter 1 of WAC chapter 51-50 in hereby amended to read as follows:

Section 101.1 These regulations shall be known as the *Building code* of the City of Kalama, Washington, sometimes hereinafter referred to in this chapter as “this code.”

#### Section 101.4.3 Plumbing, is amended to read as follows:

The provisions of the Uniform Plumbing Code as amended by WAC 51-56 and 51-57 as adopted herein shall apply to the installation, alteration, repair and replacement of plumbing systems, including equipment, appliances, fixtures, fittings, and appurtenances, and where connected to water or sewage system and all aspects of a medical gas system. The provisions of the State of Washington requirements for private sewage disposal shall apply to private sewage disposal systems.

#### Section 101.4.4 Property Maintenance, is amended to read as follows:

The provisions of the *International Property Maintenance Code* and Kalama Code Chapter (Unfit Dwellings and Structures) shall apply to all structures and premises; all equipment and facilities; all light, ventilation, space heating, sanitation, life and fire safety hazards; the responsibilities of owners, operators and occupants; and the occupancy of existing premises and structures.

Section 101.4.5 Fire prevention, is amended to read as follows:

The provisions of the 2012 International Fire Code shall apply to matters affecting or relating to structures, processes and premises from the hazard of fire and explosion arising from the storage, handling or use of structures, materials or devices; from conditions hazardous to life, property or public welfare in the occupancy of structures or premises; and from the construction, extension, repair, alteration or removal of fire suppression and alarm systems or fire hazards in the structure or on the premises from occupancy or operation. The adoptions of Appendix's B, C, and D.

Additional definitions.

(1) Whenever the word "fire chief" is used in this chapter (fire code), or in Appendices B, C, and D, it shall mean the Code official.

Section 101.4.6 Energy, is amended to read as follows:

The provisions of the State of Washington Energy code as set forth in WAC 51-11 shall apply to all matters governing the design and construction of buildings for energy efficiency.

Section 103.3 Deputies is amended to read:

In accordance with the prescribed procedures of the City of Kalama and with the concurrence of the appointing authority, the building official shall have the authority to appoint a deputy building official, the related technical officers, inspectors, plan examiners and other employees. Such employees shall have powers as delegated by the Building official.

Section 104.1 General, is amended to read:

The building official is hereby authorized and directed to enforce the provisions of this Code, including any requirements or regulations imposed on a project as a condition of a land use approval process, as those conditions relate to permit issuance as required in Section 105.3.1 and issuance of a certificate of occupancy as required in Section 110.2.1. The building 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.

Section 105.2 Work exempt from permit, is amended as follows:

Subsections 1, 2, 4, 6, and 12 Section 105.2 are deleted.

Subsection 11 of section 105.2 is amended to read as follows;

Swings and other playground equipment.

Section 109.2 Schedule Permit fees, is amended as follows:

On buildings, annual building inspections, structures, fire safety, electrical, gas, mechanical, and plumbing systems or alteration requiring a permit, fee for each permit shall be charged and paid in accordance with the established fee schedules, as adopted by resolution of the City Council

Section 109.6 is hereby added, reading as follows:

#### Section 109.6 Fee Refunds

The Building Official may authorize the refunding of fees as follows:

1. The full amount of any fee paid hereunder which was erroneously paid or collected.
2. Not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.
3. Not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review effort has been expended.

The building official shall not authorize the refunding of any fee paid, except upon written application filed by the original permittee no later than 180 days after the date of fee payment.

Section 113, Board of Appeals, is amended to read as follows:

Section 113.1 General – Appeal Board of Adjustment. In order to hear and decide appeals of orders, decisions or determinations made by the building official relative of the application and interpretation of this code. The Appeal Board of Adjustment, as established by KMC chapter 19.12, shall have jurisdiction as provided in said chapter 19.12

Section 114 Violations, is amended to read as follows:

Section 114.1 Unlawful acts. It shall be a misdemeanor for any person, firm or corporation to erect, construct, alter, extend, repair, move, remove, demolish or occupy any building, structure or equipment regulated by this code, or cause same to be done in conflict with or in violation of any of the provisions of this code.

#### 14.04 Additions, insertions, deletions and changes to WAC chapter 51-51

The following sections of the *International Residential Code* as set forth in Washington Administrative Code chapter 51-51 are hereby amended to read as follows:

Chapter 1 of WAC 51-51 is deleted in its entirety.

Table R301.2 (1) Climatic and Geographic Design Criteria established:

Ground Snow Load:	25psf at 400 feet or less in elevation 35psf at higher elevations
Wind Speed (mph):	85
Seismic Design Category	D1
Subject to Damage from Weathering:	Moderate
Frost Line Depth:	12 Inches
Termite:	Slight to Moderate
Decay:	Slight to Moderate
Winter Design Temp:	20 Degrees F
Ice Shield Underlayment Req:	No
Flood Hazards:	Adopted current Federal Flood Map
Air Freezing Index:	N/A
Mean Annual Temperature:	50 Degrees F

Sec.1014.0 Grease Interceptors, is amended read as follows:

When, in the judgment of the Administrative Authority, waste pretreatment is required, an approved type grease trap complying with the provisions of the sections shall be installed and at all times kept in proper working order in the waste line leading from sinks, drains, and other fixtures or equipment in the following establishments: Restaurants, cafes, lunch counters, cafeterias, bars and clubs, hotels, hospitals, sanitariums, factory or school kitchens, or other establishments where grease may be introduced into the drainage or sewer-age system in quantities that can effect line stoppage or hinder sewage treatment or private sewage disposal. A grease interceptor is not required of individual dwelling units or for any private living quarters. Plans shall be submitted to and approval obtained from the Administrative Authority prior to the installation of any waste pretreatment facilities in any food establishment set forth in this section.

Section 2. That if any section, subsection, sentence, clause or phrase of this ordinance is for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance and the same remain in full force and effect. The City of Kalama hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 3. That nothing in this Ordinance shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance. The International Codes shall be construed to supplement the remedies for code enforcement afforded the City of Kalama under the Kalama Municipal Code. To the extent the International Codes conflict with specific Kalama Municipal Code, the provision affording the City broader remedies for code enforcement shall control.

Section 4. That the City of Kalama City clerk is hereby ordered and directed to cause this Ordinance to be published.

Section 5. Any act consistent with the authority and prior to the effective date of the Ordinance is hereby ratified and affirmed.

Section 6. This Ordinance shall be in full force and effect from and after November 6, 2013 which occurs after at least thirty (30) days from the date of its passage and publication as provide by law.

Approved by \_\_\_\_ votes of the City Council this 2<sup>nd</sup> day of October, 2013.

Approved by the Mayor of this 2nd day of October, 2013.

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APPROVED AS TO FORM:

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
City Attorney

ATTEST:

\_\_\_\_\_  
City Clerk