

**ORDINANCE NO. 4073**

**AN ORDINANCE AMENDING ANACORTES MUNICIPAL CODE CHAPTER 19.14, BUILDING CODE, RELATING TO THE ADOPTION OF CURRENT EDITIONS OF INTERNATIONAL BUILDING, RESIDENTIAL, AND OTHER CODES AND AMENDING CERTAIN SECTIONS.**

**WHEREAS**, the Washington State Legislature adopted the International Building Code, the International Residential Code, the International Mechanical Code, the International Property Maintenance Code, the International Wildland Urban Interface Code, the Uniform Plumbing Code, the standards for manufactured home installation, the International Energy Efficiency Code and the International Fire Code, and directed that the State Building Code Council to review and recommend amendments to these codes for the Legislature to adopt; and

**WHEREAS**, the State Building Code Council recommended that the Legislature adopt the 2021 editions of such codes with amendments; and

**WHEREAS**, the Legislature requires that cities and counties, including the City of Anacortes, adopt the 2021 editions of such codes with the state amendments; and

**WHEREAS**, the City Council has determined that adoption of the 2021 code editions with certain local amendments is in the public interest;

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

**Section 1.** The City Council hereby adopts Attachment A amending Anacortes Municipal Code Sections, 19.14.025, 19.14.030, 19.14.035, 19.14.040, 19.14.050, 19.14.060, 19.14.070, 19.14.085, 19.14.090, 19.14.110, 19.14.130, and creating a new Section 19.14.065.

**Section 2.** Severability. If any section, sentence, clause or phrase of this ordinance should 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 phrase of this ordinance.

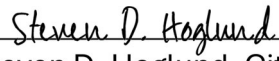
**Section 3.** Effective Date. A summary of this Ordinance consisting of its title shall be published in the official newspaper of the City, and the ordinance shall take effect and be in full force five days after the date of publication.

**PASSED AND APPROVED** by the Anacortes City Council this 4<sup>th</sup> day of March 2024.

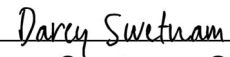
CITY OF ANACORTES, WASHINGTON

By   
Matt Miller, Mayor

ATTEST:

  
Steven D. Hoglund, City Clerk/Treasurer

APPROVED AS TO FORM:

  
Darcy Swetnam, City Attorney

## Attachment A

### (Ordinance No. 4073)

#### 19.14.025 Adoption.

The following codes are hereby adopted by reference, subject to modifications and/or amendments hereinafter set forth in this chapter.

- A. International Building Code, ~~2018~~ 2021 Edition, published by the International Code Council, together with all supplements thereto, including the ~~2018~~ 2021 International Existing Building Code, International Building Code Appendix E and ICC A117.1-2019 (Washington State Amendments); International Building Code ~~Appendix B, Appendix C, Appendix E, Appendix G and Appendix J~~; International Existing Building Code Appendix A; mandated state amendments and subject to the modifications set forth by the state of Washington in Chapter 51-50 WAC;
- B. International Residential Code, ~~2018~~ 2021 Edition, published by the International Code Council, together with all supplements thereto, International Residential Code Appendices F, Q,U and T and subject to the modifications set forth by the state of Washington in chapter 51-51 WAC;
- C. International Fire Code, ~~2018~~ 2021 Edition; Appendices B, C, D, and ~~K J~~ and subject to the modifications set forth by the state of Washington in chapter 51-54A WAC.
- D. International Mechanical Code, ~~2018~~ 2021 edition, published by the International Code Council, together with all supplements thereto; and subject to the modifications set forth by the state of Washington in Chapter 51-52 WAC;
- E. International Wildland-Urban Interface Code, 2018 2021 Edition, published by the International Code Council.
- ~~E~~ F Uniform Plumbing Code, ~~2018~~ 2021 Edition, published by the International Association of Plumbing and Mechanical Officials, together with all supplements and amendments thereto, and subject to the modifications set forth by the state of Washington in Chapters 51-56, Appendices Chapter A , Chapter B and Chapter M; provided, that Chapters 12 and 15 are not adopted; provided further, that those requirements of the Uniform Plumbing Code relating to venting and combustion air of fuel fired appliances as found in Chapter 5 and those portions addressing building sewers are not adopted.
- ~~F~~ G International Fuel Gas Code, ~~2018~~ 2021 Edition, published by the International code Council, together with standards NFPA 58 and NFPA 54;
- ~~G~~ H International Property Maintenance Code, ~~2018~~ 2021 Edition; published by the International Code Council, is adopted by reference;
- ~~H~~ I International Energy Conservation Code, ~~2018~~ 2021 Edition, for residential and commercial, published by the International Code Council: together with supplements and amendments thereto, per Chapters 51-11R and 51-11C WAC.
- ~~I~~ J Installation of factory built housing and commercial structures, RCW 43.22.460, together with WAC 296-150C-0540, and the installation of manufactured and mobile homes, RCW 43.22.440 and WAC 296-150M-0650;
- ~~J~~ K In case of conflict among the codes numerated in subsections A through ~~H~~ I of this section, the first named code shall govern over those following.
- ~~K~~ L Fire District. Within that area north of the north line of 22nd Street lying between the east line of O Avenue and the west line of Q Avenue, any new building or portion of a building hereafter subject to alteration or repair shall be of Type V-A (1-hour fire-resistive) construction minimum.

- ~~1~~ ~~M~~ For the purpose of determining valuation for issuance of building permits and charging building permit fees, the current building valuation data published in the Building Safety Journal by International Code Council shall be utilized.
- ~~M~~ ~~————~~ ~~Prior to submitting building plans for a single-family residence, a deposit of two hundred dollars shall be paid to the city building department which deposit is nonrefundable.~~

**19.14.030 Adoption of International Building Code:**

The International Building Code, published by the International Code Council, as adopted by the state of Washington 51-50 WAC, together with any supplements thereto, ~~2018~~ 2021 Edition, ~~be and they~~ are adopted by reference with the following amendments:

Section 101.1. Insert City of Anacortes.

Section 103.1. Insert Building Division.

Section 105.2 is amended to read as follows:

**105.2 Work exempt from permit.**

**Building:**

Permits shall not be required for the following. Exemption from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. This section will be amended as follows:

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor ~~area is not greater than 120 square feet (11 m<sup>2</sup>)~~ does not exceed 144 square feet and the height is less than 12’.
- ~~2. Fences not over 7 feet in height.~~
- ~~3.~~ 2. Retaining walls that are not over 4 feet in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or IIIA liquids.
- ~~4.~~ 3. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons and the ratio of height to diameter or width does not exceed 2 to 1.
- ~~5.~~ 4. Sidewalks and driveways not more than 30 inches (762 mm) above adjacent grade, and not over any basement or story below and are not part of an accessible route.
- ~~6.~~ 5. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
- ~~7.~~ 6. Temporary motion picture, television and theater stage sets and scenery.
- ~~8.~~ 7. Prefabricated swimming pools accessory to a Group R-3 occupancy that are less than 24 inches deep, are not greater than 5,000 gallons and are installed entirely above ground.
- ~~9.~~ 8. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.
- ~~10.~~ 9. Swings and other playground equipment accessory to detached one and two family dwellings.
- ~~11.~~ 10. Window awnings in Group R-3 and U occupancies, supported by an exterior wall that do not project more than 54 inches from the exterior wall and do not require additional support.
- ~~12.~~ 11. Non-fixed and movable fixtures, cases and racks, counters and partitions not over 5 feet 9 inches in height.

**Electrical:**

- ~~1. Repairs and maintenance: Minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles.~~

~~2. Radio and television transmitting stations: The provisions of this code shall not apply to electrical equipment used for radio and television transmissions, but do apply to equipment and wiring for a power supply and the installations of towers and antennas.~~

~~3. Temporary testing systems: A permit shall not be required for the installation of any temporary system required for the testing or servicing of electrical equipment or apparatus.~~

**Gas:**

1. Portable heating appliance.
2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.

**Mechanical:**

1. Portable heating appliance.
2. Portable ventilation equipment.
3. Portable cooling unit.
4. Steam, hot or chilled water piping within any heating or cooling equipment regulated by this code.
5. Replacement of any part that does not alter its approval or make it unsafe.
6. Portable evaporative cooler.
7. Self-contained refrigeration system containing 10 pounds (4.54 kg) or less of refrigerant and actuated by motors of 1 horsepower (0.75 kW) or less.

**Plumbing:**

1. The stopping of leaks in drains, water, soil, waste or vent pipe, provided, however, that if any concealed trap, drain pipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work and a permit shall be obtained and inspection made as provided in this code.
2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures and the removal and reinstallation of water closets, provided that such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.

Section 105.5 is amended to read as follows:

**105.5 Expiration.**

Every permit issued shall become invalid unless the work authorized by such permit is commenced within 180 days after its issuance ~~or after commencement of work if more than 180 days pass between inspections.~~

If the work described in any building permit has not been substantially completed within 24 months of the date of issuance thereof, said permit shall expire. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated. Work on the project shall not proceed unless a permit renewal fee has been paid. The renewal fee is half of the original building permit fee amount.

Section 109.2 is amended to read as follows:

**109.2 Schedule of permit fees.** On buildings, structures, gas, mechanical and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with:

**109.2.1** Table B building permit fees for other than single-family dwellings codified in chapter 19.14.150.

**109.2.2 Plan Review Fees.**

**109.2.2.1** When submittal documents are required, a plan review fee shall be paid. Such plan review fee shall be sixty-five percent of the building permit fee as shown in Tables B and G-1.

**109.2.2.2** The plan review fees specified in this section are separate fees from the permit fees specified in this section and are in addition to the permit fees.

**109.2.2.3** When submittal documents are incomplete or change so as to require additional plan review or when the project involves phased approval, an additional plan review fee shall be charged at the rate shown in Table G-1 or B.

**109.2.3. Table G-1 grading permit fees codified in chapter 19.14.160**

**109.2.4 Manufactured home.** A building permit will be required before any manufactured home shall be permitted in the city. A fee of one hundred and seventy five dollars shall be charged for mobile homes placed in mobile home parks, two hundred and sixty-eight for single wide manufactured homes, four hundred and twenty three for double or triple wide manufactured homes placed outside of established manufactured home parks.

Section 109.4 is amended to read as follows:

**109.4 Work commencing before permit issuance.** Any person who commences any work on a building, structure, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to a fee ~~established by the building official~~ equal to the amount of the permit fee required by this chapter and said fee shall be in addition to the required permit fees. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this code nor from any penalty prescribed by law.

Section 109.6 is amended to read as follows:

**109.6 Refunds.** The building official is authorized to establish a refund policy.

The building official may authorize refunding of any fee paid hereunder which was erroneously paid or collected.

The building official may authorize refunding of 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.

The building official may authorize refunding of 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 reviewing is done.

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

Section 113.1 is amended to read as follows:

**Sections 113.2-113.4 are not adopted.**

**113.1 General.** In order to determine the suitability of alternate materials and methods of construction ~~hear and decide appeals of orders, decisions or determinations made by the~~

building official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The board of appeals shall be appointed by the applicable governing authority and shall hold office at its pleasure. 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 and in order to provide for final interpretation of the provisions of this code and to hear appeals provided for hereunder, appeals follow the process under AMC table 19.20.030 and appeals 19.20.180.

**113.2 Limitations on authority:**

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 an equivalent or better form of construction is proposed. The board shall not have authority to waive requirements of this code or interpret the administration of this code.

**113.3 Qualifications:**

The board of appeals shall consist of members who are qualified by experience and training to pass on matters pertaining to building construction and are not employees of the jurisdiction.

**113.4 Administration:**

The building official shall take immediate action in accordance with the decision of the board.

## **19.14.035 Adoption of the International Residential Code.**

The International Residential Code, published by the International Code Council, as adopted by the state of Washington 51-51 WAC, together with any supplements thereto, ~~2018~~ 2021 Edition, be and they are adopted by reference with the following amendments.

Section R105.2 is amended to read as follows:

**R105.2 Work exempt from permit.** Permits shall not be required for the following. Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction.

Building:

1. Other than storm shelters, one-story detached accessory structures, provided the floor area does not exceed ~~200~~ 144 square feet.
2. ~~Fences not over 7 feet high.~~
3. 2. Retaining walls that are not over 4 feet in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge.
4. 3. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons and the ratio of height to diameter or width does not exceed 2 to 1.
5. 4. Sidewalks and driveways not more than 30 inches above adjacent grade and not over any basement or story below.
6. 5 Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
7. 6. Prefabricated swimming pools that are less than 24 inches deep.
8. 7. Swings and other playground equipment.
9. 8. Window awnings supported by an exterior wall which do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support.

10. Decks not exceeding 200 square feet (18.58 m<sup>2</sup>) in area, that are not more than 30 inches (762 mm) above grade at any point, are not attached to a dwelling and do not serve the exit door required by Section R311.4.

**Electrical:**

1. Listed cord-and-plug connected temporary decorative lighting.
2. Reinstallation of attachment plug receptacles but not the outlets therefor.
3. Replacement of branch circuit overcurrent devices of the required capacity in the same location.
4. Electrical wiring, devices, appliances, apparatus or equipment operating at less than 25 volts and not capable of supplying more than 50 watts of energy.
5. Minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles.

**Gas:**

1. Portable heating, cooking or clothes drying appliances.
2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.
3. Portable-fuel-cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.

**Mechanical:**

1. Portable heating appliances.
2. Portable ventilation appliances.
3. Portable cooling units.
4. Steam, hot- or chilled-water piping within any heating or cooling equipment regulated by this code.
5. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.
6. Portable evaporative coolers.
7. Self-contained refrigeration systems containing 10 pounds (4.54 kg) or less of refrigerant or that are actuated by motors of 1 horsepower (746 W) or less.
8. Portable-fuel-cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.

**Plumbing:**

1. The stopping of leaks in drains, water, soil, waste or vent pipe; provided, however, that if any concealed trap, drainpipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work and a permit shall be obtained and inspection made as provided in this code.
2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures, and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.

Section R105.5 is amended to read as follows:

**R105.5 Expiration.**

Every permit issued shall become invalid unless the work authorized by such permit is commenced within 180 days after its issuance ~~or after commencement of work if more than 180 days pass between inspections.~~

If the work described in any building permit has not been substantially completed within 24 months of the date of issuance thereof, said permit shall expire. The building official is



authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated. Work on the project shall not proceed unless a permit renewal fee has been paid. The renewal fee is half of the original building permit fee amount.

**R106.3.3 Phased approval.**

The building official is authorized to issue a permit for the construction of foundations or any other part of a building or structure ~~before~~ after the construction documents for the whole building or structure have been submitted, provided that adequate information and detailed statements have been filed complying with pertinent requirements of this code. The holder of such permit for the foundation or other parts of a building or structure shall proceed at the holder's own risk with the building operation and without assurance that a permit for the entire structure will be granted.

Section R108 is amended to read as follows:

**Section R108. Fees.**

**R108.1 Payment of fees.** 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.

**R108.2 Schedule of permit fees.** On buildings, structures, gas, mechanical and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the schedule as established by the applicable governing authority.

**R108.2.1 Building permit fee.** Building permit fees for single family residential permit shall be as specified in Table B codified in chapter 19.14.150.

**R108.2.2 Mechanical permit fees.** The fees for mechanical work and gas piping shall be as specified in Table M-1 codified in chapter 19.14.170.

**R108.2.3 Plumbing permit fees.** The fees for plumbing work shall be as specified in Table P-1 codified in chapter 19.14.180.

**R108.2.4 Plan review fees.**

1. When submittal documents are required by section R106.1, a plan review fee shall be paid. Such plan review fee shall be sixty-five (65) percent of the building permit fee as specified in Table B.
2. The plan review fees specified in this section are separate fees from the permit fees specified in this section and are in addition to the permit fees.
3. When submittal documents are incomplete or change so as to require additional plan review or when the project involves phased approval as defined in section R106.3.3, an additional plan review fee shall be charged at the rate shown in Table B.

**R108.3 Building permit valuations.** Building permit valuation shall be based on the current Building Valuation Data Sheet issued by the International Code Council. Building permit valuation 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.

**R108.4 Related fees.** The payment of the fee for the construction, alteration, removal or demolition for work done in connection with the work authorized by a building permit shall not relieve the applicant or holder of the permit from the payment of other fees that are prescribed by law.

Section R108.5 is amended to read as follows:

**R108.5 Refunds.** The building official is authorized to establish a refund policy. The building official may authorize refunding of any fee paid hereunder which was erroneously paid or collected.  
The building official may authorize refunding of 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.  
The building official may authorize refunding of 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 reviewing is done.  
The building official shall not authorize refunding of any fee paid except on written application filed by the original permittee no later than 180 days after the date of fee payment.

Section R108.6 is amended to read as follows:

**R108.6 Work commencing before permit issuance.**

Any person who commences work requiring a permit on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to a fee established by the applicable governing authority equal to the amount of the permit fee required by this chapter and said fee shall ~~that shall~~ be in addition to the required permit fees.

Section R112 is amended to read as follows:

R112.1 General.

In order to determine the suitability of alternate materials and methods of construction and to provide for reasonable interpretations of this code, and to hear any appeals hereunder ~~hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The building official shall be an ex officio member of said board but shall not have a vote on any matter before the board. The board of appeals shall be appointed by the governing body and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business, and shall render decisions and findings in writing to the appellant with a duplicate copy to the building official: and in order to provide for final interpretation of the provisions of this code and to hear appeals provided for hereunder, appeals follow the process under AMC table 19.20.030 and appeals 19.20.180.~~

R112.2 Limitations on authority:

~~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 an equally good or better form of construction is proposed. The board shall not have authority to waive requirements of this code.~~

R112.3 Qualifications:

The board of appeals shall consist of members who are qualified by experience and training to pass judgment on matters pertaining to building construction and are not employees of the jurisdiction.

**R112.4 Administration:**

The building official shall take immediate action in accordance with the decision of the board.

Section R301 is amended as follows.

**Table R301.2(1)** The local values shall be as follows.

**TABLE R301.2(1)  
CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA**

GROUND SNOW LOAD	WIND SPEED (mph)	SEISMIC DESIGN CATEGORY	SUBJECT TO DAMAGE FROM				WINTER DESIGN TEMP	ICE SHIELD UNDERLAYMENT REQUIRED	FLOOD HAZARDS	AIR FREEZING INDEX	MEAN ANNUAL TEMP
			Weathering	Frost line depth	Termite	Decay					
20	115	D1	Moderate	12	N-S	S-M	24	No	9/17/03	154	50

**19.14.040 Adoption of International Mechanical Code.**

The International Mechanical Code, ~~2018~~ 2021 Edition with amendments as adopted by the state of Washington as Chapter 51-52 WAC be and it is adopted by reference.

Section 103.1. Insert Building Division:

Section 109.2 is amended to read as follows:

**109.2 Schedule of permit fees.**

Where work requires a permit, a fee for each permit shall be paid as required, in accordance with the schedule as established by the applicable governing authority: Table M-1 codified in chapter 19.14.170.

113 is amended to read as follows:

**113.1 General.**

In order to hear and decide appeals of orders, decisions or determinations made by the code official relative to the application and interpretation of this code; ~~and in order to provide for final interpretation of the provisions of this code, appeals follow the process under AMC table 19.20.030 and appeals 19.20.180, there shall be and is hereby created a board of appeals. The board of appeals shall be appointed by the applicable governing authority and shall hold office at its pleasure. 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 code official.~~

**113.2 Limitations on authority:**

~~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 an equivalent or better form of construction is proposed. The board shall not have the authority to waive requirements of this code or interpret the administration of this code.~~

~~113.3 Qualifications.~~

~~The board of appeals shall consist of members who are qualified by experience and training and are not employees of the jurisdiction.~~

~~113.4 Administration.~~

~~The code official shall take immediate action in accordance with the decision of the board.~~

Section 114 is not adopted.

**SECTION 114  
BOARD OF APPEALS**

~~[A] 114.1 Membership of board.~~

~~The board of appeals shall consist of five members appointed by the chief appointing authority as follows: one for 5 years; one for 4 years; one for 3 years; one for 2 years; and one for 1 year. Thereafter, each new member shall serve for 5 years or until a successor has been appointed.~~

Section 115.4 is amended to read as follows.

**115.4 Violation penalties.**

Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair mechanical work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be ~~guilty of a [SPECIFY OFFENSE], punishable by a fine of not more than [AMOUNT] dollars or by imprisonment not exceeding [NUMBER OF DAYS], or both such fine and imprisonment assessed a civil fine of not more than five hundred dollars (\$500.00) for each violation.~~ Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Section 116.4 is amended to read as follows:

**116.4 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 or unsafe condition, ~~shall be subject to fines established by the code official, shall be liable for a fine of not less than five hundred dollars (\$500).~~ Each day that a violation continues after due notice has been served shall be deemed a separate offense.

**19.14.050 Adoption of International Code Property Maintenance Code.**

The International Property Maintenance Code, ~~2018~~ 2021 Edition published by the International Code Council is adopted by reference.

Section 103.1. Insert Building Division

Sections 107 and 108 are amended to read as follows:

~~107.1 General:~~

~~In order to hear and decide appeals of orders, decisions or determinations made by the code official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The board of appeals shall be appointed by the applicable governing authority and shall hold office at its pleasure. 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 code official.~~

~~[A] 107.2 Limitations of authority:~~

~~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 an equivalent or better form of construction is proposed. The board shall not have authority to waive requirements of this code or interpret the administration of this code.~~

~~107.3 Qualifications:~~

~~The board of appeals shall consist of members who are qualified by experience and training and are not employees of the jurisdiction.~~

~~107.4 Administration:~~

~~The code official shall take immediate action in accordance with the decision of the board.~~

107 Appeal Process. In order to provide for final interpretation of the provisions of this code and to hear appeals provided for hereunder, appeals follow the process under AMC table 19.20.030 and appeals 19.20.180.

Section 108 as written in the 2021 IPMC is not adopted.

~~SECTION 108  
BOARD OF APPEALS~~

~~[A] 108.1 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.~~

Section 108 as written in the 2021 IPMC is not adopted.

Section 302.4 is amended to complete the blank follows:

302.4 Weeds.

Premises and exterior property shall be maintained free from weeds or plant growth in excess of 9". 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 108.3 and as prescribed by the authority having jurisdiction per AMC 19.14.030. 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.

Section 602.3 is amended to read as follows:

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.

Section 602.4 is amended to read as follows:

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.

### **19.14.060 Adoption of International Fire Code.**

The International Fire Code ~~2018~~ 2021 Edition, as adopted by the state of Washington as Chapters 51-54A including Appendices B, C, and only Sections D101, D102, D103.5, D103.6, D105, of Appendix D and Appendix J, is adopted by reference with the following amendments:

Section 103.1. Insert Building Division

Section 111 is amended to read as follows:

~~111.1 Board of appeals established:~~

~~In order to hear and decide appeals of orders, decisions or determinations made by the fire code official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The board of appeals shall be appointed by the applicable governing authority and shall hold office at its pleasure. 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 fire code official.~~

~~111.2 Limitations on authority:~~

~~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 an equivalent or better form of construction is proposed. The board shall not have authority to waive requirements of this code or interpret the administration of this code.~~

~~111.3 Qualifications:~~

~~The board of appeals shall consist of members who are qualified by experience and training to pass on matters pertaining to hazards of fire, explosions, hazardous conditions or fire protection systems, and are not employees of the jurisdiction.~~

~~111.4 Administration:~~

~~The fire code official shall take immediate action in accordance with the decision of the board.~~

111 In order to determine the suitability of alternate materials and type of construction and in order to provide for final interpretation of the provisions of this code and to hear appeals provided for hereunder, appeals follow the process under AMC table 19.20.030 and appeals 19.20.180.

Section 112.4 is amended to read as follows.

112.4 Violation Penalties

Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of a [SPECIFY OFFENSE], punishable by a fine of not more than [AMOUNT] dollars or by imprisonment not exceeding

~~[NUMBER OF DAYS], or both such fine and imprisonment be liable to a fine of not less than \$500. Each day that a violation continues after due notice has been served shall be deemed a separate offense.~~

Section 503.1 is amended to read as follows.

~~503.1 Fire access roads per community standards~~

~~Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet (45 720 mm) of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.~~

**Exceptions:**

1. ~~The fire code official is authorized to increase the dimension of 150 feet (45 720 mm) where any of the following conditions occur:~~
  - 1.1 ~~The building is equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3.~~
  - 1.2 ~~Fire apparatus access roads cannot be installed because of location on property, topography, waterways, nonnegotiable grades or other similar conditions, and an approved alternative means of fire protection is provided.~~
  - 1.3 ~~There are not more than two Group R-3 or Group U occupancies.~~

Section 503.2.2 is amended to read as follows.

503.2.2 Authority

The fire code official shall have the authority to require or permit modifications to the required access widths where they are inadequate for fire or rescue operations or where they can be met by other means as approved by the fire code official as necessary to meet the public safety objectives of the jurisdiction.

Section 503.6 amended to read as follows.

503.6 Security gates.

The installation of security gates across a fire apparatus access road shall be approved by the fire code official. Where security gates are installed, they shall have an approved means of emergency operation. The security gates and the emergency operation shall be maintained operational at all times. Electric gate operators, where provided, shall be listed in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F2200. Security gates that hinder or prevent access to Fire Department or EMS agencies in any commercial occupancy, or property serving four (4) or more residential occupancies shall require an approved automatic opener activated by opticom and a secondary means to manually open the gate in the event of power failure.

Section 5704.2.14 is amended to read as follows.

5704.2.14 Removal and disposal of tanks.

Removal and disposal of tanks shall comply with Sections 5704.2.14.1 and 5704.2.14.2.

5704.2.14.1 Removal.

Removal of above-ground and underground tanks shall be in accordance with all of the following:



1. Flammable and combustible liquids shall be removed from the tank and connected piping.
2. Piping at tank openings that is not to be used further shall be disconnected.
3. Piping shall be removed from the ground.  
 Exception: Piping is allowed to be abandoned in place where the fire code official determines that removal is not practical.  
 Abandoned piping shall be capped and safeguarded as required by the fire code official.
4. Tank openings shall be capped or plugged, leaving a 1/8-inch to 1/4-inch-diameter (3.2 mm to 6.4 mm) opening for pressure equalization.
5. Tanks shall be purged of vapor and inerted prior to removal.
6. All exterior above-grade fill and vent piping shall be permanently removed.  
 Exception: Piping associated with bulk plants, terminal facilities and refineries.

5704.2.14.2 Disposal.

Tanks shall be disposed of in accordance with federal, state and local regulations.

**Section 5704.2.14.3** The removal of underground storage tanks must be performed by, or directly supervised, by an individual certified by the International Code Council as an Underground Storage Tank Decommissioner or other approved certification.

**19.14.065 Adoption of International Wildland Urban Interface Code**

The 2021 edition of the International Wildland Urban Interface Code, published by the International Code Council, as adopted by the state of Washington, including section 801 Fire Hazard Severity Form, is hereby adopted by reference.

Section 103.1. Insert Building Division

Table 603.2 is amended to read as follows:

**TABLE 603.2 REQUIRED DEFENSIBLE SPACE**

WILDLAND-URBAN INTERFACE AREA	FUEL MODIFICATION DISTANCE (feet) <sup>a</sup>
Moderate hazard	30
High hazard	50
Extreme hazard	100

For SI: 1 foot = 304.8 mm.

- a. Distances are allowed to be increased due to site-specific analysis based on local conditions and the fire protection plan.
- b. Space within improved right of ways may contribute towards required defensible space.

**19.14.070 Adoption of Uniform Plumbing Code and Uniform Plumbing Code Standards.**

The Uniform Plumbing Code and Uniform Plumbing Code Standards, ~~2018~~ 2021 Edition, as adopted by the state of Washington as Chapters 51-56 WAC, be and they are adopted.

Section 104.5 shall be amended as follows:

**103.4 Permit Fees.** Fees shall be assessed in accordance with the provisions of this section and as set forth in the fee schedule Table P-1 codified in chapter 19.14.180.

Section 104.3.2 shall be amended as follows:

**104.3.2 Plan review Fees.** When a plan or other data is required to be submitted by 104.3.1, a plan review fee shall be paid at the time of submitting plans and specifications for review. The plan review fees for plumbing work shall be 65 percent of the Plumbing Permit fees as shown in Table P-1.

The plan review fees specified in this subsection are separate fees from the permit fees specified in section 104.5 and are in addition to the permit fees.

When plans are incomplete or changed so as to require additional review, a fee shall be charged at the rate shown in Table P-1.

#### **19.14.085 Adoption of standards for manufactured home installation.**

Installation of factory built housing and commercial structures, RCW 43.22.460, together with WAC 296-150C-0540, and the installation of manufactured and mobile homes, RCW 43.22.440 and WAC 296-150M-0650 are hereby adopted by reference.

#### **19.14.090 International Energy Conservation Code**

The International Energy Conservation Code, ~~2018~~ 2021 Edition, for residential and commercial, published by the International Code Council, together with supplements and amendments thereto, per Chapters 51-11R and 51-11C WAC are hereby adopted by reference.

#### **19.14.110 Administrative authority.**

The building code of the city shall be administered and enforced by the building official of the city. The building official of the city or his designee shall be deemed to be the authority charged with enforcement as defined in Section 104 of the International Building Code, Section ~~103~~ 104 of the International Mechanical Code, Section ~~103~~ 104 of the International Fuel Gas Code and section 104 of the International Wildland -Urban Interface Code. The building official or his designee shall also be deemed the "authority having jurisdiction," as such term is defined in Section ~~102~~ 103 of the Uniform Plumbing Code, for the purpose of enforcing and administering the provisions of the Uniform Plumbing Code.

#### **19.14.130 Violation—Penalty.**

Notwithstanding the provisions of Section 114 of the International Building Code, Section 113 of the International Residential Code, Section ~~108~~ 115 of the International Mechanical Code, Section ~~110~~ 115 of the International Fuel Gas Code, Section 112 of the International Fire Code, Part I, Section 106.3 of the Uniform Plumbing Code, any person, firm or corporation violating any of the provisions of this chapter shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this chapter is committed, continued, or permitted and upon conviction of any such violation such persons shall be punishable by a fine of not more than \$500.00.

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