

Ordinance 790

An ordinance amending Clallam County Code, Chapter 21.01, Building and Construction Code, to formally recognize the 2003 International Codes as adopted by the State of Washington

BE IT ORDAINED BY THE BOARD OF CLALLAM COUNTY COMMISSIONERS:

Section 1. Section .010, Purpose, is amended to read:

The purpose of this chapter is to adopt certain appendices of the [1997-2003 Uniform International Building Code](#), [1997-2003 Uniform International Fire Code](#), [1997-2003 Uniform International Mechanical Code](#), and [1997-2003 Uniform Plumbing Code](#), adopt the 1997 Abatement of Dangerous Buildings Code, and adopt certain bluff setback standards. This chapter provides for minimum construction standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location and maintenance of all buildings and structures within Clallam County and certain equipment specifically regulated herein.

Section 2. Section .015, Definitions, is amended to read:

For the purpose of this chapter, certain terms or words herein shall be interpreted as specifically defined in this chapter. All other words in this chapter shall carry the meanings as specified in the [Uniform International Building Code](#), [Plumbing Code](#), [Mechanical Code](#), [Fire Code](#), or applicable regulation:

(1) “Building code” means the Clallam County building code, consisting of the following codes: the Washington State Building Code, which includes the codes amended and enumerated in RCW 19.27.031; the [Uniform International Building Code](#); the [Uniform International Building Residential Code Standards](#); the [Uniform International Mechanical Code](#); the [Uniform International Fire Code](#); ~~the Uniform Fire Code Standards~~; the Uniform Plumbing Code; the Washington State Energy Code; the Washington State Ventilation and Indoor Air Quality Code; Chapter 43.63B RCW, Mobile and Manufactured Home Installation; and any other ordinance of Clallam County as enumerated in this chapter.

(2) “Building Official/Fire Marshal” means the officer or other designated authority charged with the administration and enforcement of the Clallam County building code, or a duly authorized representative.

(3) “Department” means the Clallam County Department of Community Development.

(4) “Director” means the Director of the Clallam County Department of Community Development.

Section 3. Section .030, Public health and sanitation, is amended to read:

(1) It shall be required, prior to approval of a building permit for any structure containing or requiring on-site sewage disposal facilities, unless ~~said-the~~ structure is attached to an approved sewage disposal facility, that the applicant receive written approval of the Environmental Health Division of the Clallam County Department of [Community Development Health and Human Services](#) for such on-site sewage disposal facilities as may be necessary.

(2) It shall be required, prior to approval of a building permit for any structure containing or requiring potable water, that the applicant provides proof of potable water pursuant to RCW 19.27.097.

Section 4. Section .040, Uniform International Building Code, is amended to read:

Appendix ~~Chapter 3, Division II~~C, Agricultural Buildings, Appendix G, Flood-Resistant Construction and ~~Chapter 31, Division II, Membrane Structures~~ and ~~Division III~~Appendix I, Patio Covers, of the ~~1997-2003 Uniform International Building Code (UBCIBC)~~ are hereby adopted by reference. ~~Appendix Chapter 31, Division I, Flood-Resistant Construction, is adopted by reference and shall be amended to read as follows:~~

Section 5. Section .045, Exemptions, is changed to read:

Section ~~106.2105.2~~ of the Uniform International Building Code (UBCIBC) as published by the International Code Conference Council of Building Officials and regarding exemptions from permit requirements shall be amended to read as follows:

1. One-story detached accessory buildings used as tool and storage sheds, playhouses, and similar uses and classified as U Occupancies, provided that such buildings are for private use only and are accessory to single family dwellings and provided the floor area does not exceed 400 square feet. Eaves may project not more than 24 inches beyond the wall line.
2. Fences not over ~~six-6~~ six feet high.
3. Oil derricks.
4. Movable cases, counters, and partitions not over five feet nine inches high.
5. Retaining walls which are not over four 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 III-A liquids.
6. Water tanks supported directly upon grade if the capacity does not exceed five thousand gallons and the ratio of height to diameter or width does not exceed two to one.
7. Platforms, walks, and driveways not more than thirty inches above grade and not over any basement or story below.
8. Painting, papering, tiling, carpeting, cabinets, countertops and similar finish work.
9. Temporary motion picture, television, and theater stage sets and scenery.
10. Window awnings supported by an exterior wall which does not project more than 54 inches from the exterior wall and do not require additional support of Group-R, Division 3, as applicable in Section 101.2, and Group MU, Division 4 Occupancies, when projecting not more than fifty-four 54 inches.
11. Prefabricated swimming pools accessory to a Group-R, Division 3 Occupancy, as applicable in Section 101.2, which are less than 24 inches deep, do in which the pool walls are entirely above the adjacent grade and if the capacity does not exceed five thousand 5,000 gallons and are installed entirely above ground.
12. Swings and other playground equipment accessory to detached one- and two-family dwellings.
13. Minor construction and alteration activities to Group-R, Division 3 and Group-U, Division 4 Occupancies, as determined by the Building Official, which where the total valuation, as determined ~~in Section 304(b) by the Building Official~~ or as documented by the applicant to the satisfaction of the building official, does not exceed ~~one thousand five hundred dollars \$1,500~~ in any ~~twelve~~ 12-month period. Provided that the construction and/or alteration activity does not ~~ea~~ffect any structural components or reduce existing egress, light, air, and ventilation conditions. This exemption does not include electrical, plumbing, or mechanical activities. The permit exemption shall not otherwise exempt the construction or alteration from the substantive standards of the codes

enumerated in Section 19.27.031 RCW, as amended and maintained by the state building code council under Section 19.27.070 RCW.

Unless otherwise exempted, separate plumbing, electrical, and mechanical permits will be required for the above exempted items.

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 Clallam County.

Section 6. Section .050, Uniform Plumbing Code, is amended to read:

~~Appendix A, Recommended Rules for Sizing Water Supply Systems;~~ Appendix B, Explanatory Notes on Combination Waste and Vent Systems; ~~Appendix C, Additional Referenced Standards;~~ Appendix D, Sizing Stormwater Drainage Systems; Appendix E, Manufactured/Mobile Home and Recreational Vehicle Parks; Appendix H, Recommended Procedures for Design, Construction and Installation of Commercial Kitchen Grease Interceptors; ~~and the Installation Standards~~ of the ~~1997 2003~~ Uniform Plumbing Code (UPC) as published by the International Association of Plumbing and Mechanical Officials are hereby adopted by reference.

Section 7. Section .060, Uniform-International Mechanical Code, is amended to read:

Appendix A, ~~Combustion Air Openings and Chimney Connector Pass-Throughs and C~~ of the ~~1997-2003 Uniform-International~~ Mechanical Code (UMCIMC) as published by the International ~~Conference Code Council of Building Officials~~ is hereby adopted by reference.

Section 8. Section .070, Uniform-International Fire Code, is amended to read:

~~Appendixes II-BE, Protection of Flammable and Combustible Liquid Tanks in Locations Subject to Flooding Hazard Categories and Appendix F, Hazard Ranking; II-C, Marinas; II-D, Rifle Ranges; III-A, Fire Flow Requirements for Buildings; III-B, Fire Hydrant Locations and Distribution; III-C, Inspection, Testing and Maintenance of Water Based Fire Protection Systems as specified in UFC Appendix Standard A-III-C-1; V-A, Nationally Recognized Standards of Good Practice; and VI-A, Hazardous Materials Classifications,~~ of the ~~1997-2003 Uniform-International~~ Fire Code (UFCIFC) as ~~jointly~~ published by the International ~~Conference of Building Officials Code Council (ICBOICC) and the International Fire Code Institute (IFCI)~~ are hereby adopted by reference.

Section 9. Section .110, Expiration and renewal of permits, is amended to read:

Section ~~106.4.4105.5~~ of the ~~UBCIBC~~, ~~Section 114.4.1 of the UMC and Section 103.3.4 of the UPC are~~ hereby amended to read as follows:

(a) Building permits shall expire upon completion of the work authorized by the permit or after ~~two (2)~~ years from the date of permit issuance, whichever shall occur first.

(b) Building permits may be renewed ~~within the 60 day period immediately following the expiration date~~ for ~~an one~~ additional ~~two (2) one~~ year period ~~at 50 percent of the original permit fee~~. ~~Subsequent renewals shall be for two 2 year periods provided at least 25% of work permitted has been completed, inspected and approved during the prior permit timeframe.~~

Section 10. Section .130, Other requirements, is amended to read:

(1) Construction permits approved pursuant to this chapter shall comply with all other Clallam County codes, ordinances, and regulations.

- (2) A complete building permit application shall include the following:
- (a) A complete application worksheet;
 - (b) An accurate plot plan;
 - (c) Three sets of structural drawings, if applicable pursuant to Section 106-~~3.2~~ of the Uniform International Building Code; except that ~~two (2)~~ sets of plans may be submitted for residential projects;
 - (d) The plan check fee, if applicable pursuant to ~~Section 107 of the Uniform Building Code~~ CCC 5.100;
 - (e) A complete application for an on-site sewage disposal system submitted to the Department of Health and Human Services, Environmental Health Division pursuant to CCC 21.01.030(1);
 - (f) Proof of potable water pursuant to RCW 19.27.097;
 - (g) A complete drainage worksheet submitted to the Clallam County ~~Road~~ Department of Public Works, if applicable pursuant to CCC 3.31.020;
 - (h) A complete road approach application submitted to the Clallam County ~~Road~~ Department of Public Works, if applicable pursuant to CCC 3.31.020;
 - (i) A complete application for any land use permit required pursuant to applicable County land use regulations.

Section 11. Section .140, Appeals, is amended to read:

- (1) Appealable Issues. This section shall govern appeals of orders, decisions, or determinations made by the Building Official/Fire Marshal or ~~a designer~~designee relative to the application and interpretation of the building code.
- (2) Appeals of issues set forth in ~~Chapter 26.10~~ CCC 26.10, shall be heard by the Clallam County Hearing Examiner as specified in CCC Chapter 26.04 of the Clallam County Code and in the rules of procedure for proceedings before the Hearing Examiner of Clallam County, Washington.
- (3) Limitations of Authority. The Clallam County Hearing Examiner shall have no authority relative to interpretation of the administrative provisions of the building code nor shall the Clallam County Hearing Examiner or any other person be empowered to waive requirements of said code.
- (4) Filing of Appeals. An appeal may be filed with the Clallam County Hearing Examiner by any person having legal standing or a legal interest in the building or land involved in the appealable issue. Such appeal shall be filed in writing with the Building Official within thirty (30) days from the date that notice of any appealable action is served by either personal delivery or by deposit in the United States mail, except where other service is specifically provided in the construction codes. The filing fee shall be \$100. The filed appeal shall contain:
 - (a) A heading in the words: "Before the Clallam County Hearing Examiner";
 - (b) A caption reading: "Appeal of _____," giving the names of all appellants participating in the appeal;
 - (c) A brief statement setting forth the legal standing, or legal interest in the building or land involved in the notice and order of each of the appellants;
 - (d) A brief statement in ordinary and concise language of the specific order, decision, or determination appealed, together with any material facts claimed to support the contentions of the appellant;
 - (e) A brief statement in ordinary and concise language of the relief sought and the reasons why it is claimed that the appealed order, decision, or determination should be reversed, modified, or otherwise set aside;

(f) The signatures of all parties named as appellants and their official mailing addresses;
(g) The verification, by declaration under penalty of perjury, by at least one appellant as to the truth of the matters stated in the appeal.

(5) Scheduling and Noticing Appeal for Hearing. As soon as practicable after receiving a written appeal, a date, time, and place for the hearing of the appeal by the Clallam County Hearing Examiner shall be established. Such date shall not be less than ~~ten~~(10) days nor more than ~~sixty~~(60) days from the date that the appeal was filed with the Building Official. Written notice of the time and place of the hearing shall be given at least ~~ten~~(10) days prior to the date of the hearing to each appellant either by personal delivery or by deposit in the United States mail.

(6) Scope of Hearing Examiner's Review. In rendering a decision, the Hearing Examiner may, in conformity with the applicable building code, reverse or affirm, wholly or in part, or may modify, the order, decision, or determination appealed from, and may make such other order, decision, or determination as the Hearing Examiner deems necessary and proper.

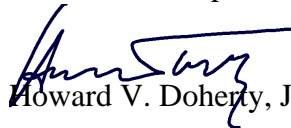
(7) Judicial Review. The decision of the Hearing Examiner shall be final and conclusive unless within fifteen (15) days from the date of service by either personal delivery or deposit in the United States mail the appellant files a petition for writ of certiorari to the Superior Court of the State of Washington for Clallam County. The proper and timely filing of such petition shall stay the enforcement of the decision of the Hearing Examiner during the pendency of the Superior Court litigation, except when a stay of the decision presents an exigent danger to the health and safety of persons and property.

ADOPTED this 20th day of December 2005

BOARD OF CLALLAM COUNTY COMMISSIONERS



Michael C. Chapman, Chair



Howard V. Doherty, Jr.

ATTEST:



Penelope Linterman
Deputy Clerk of the Board

Excused

Stephen P. Tharinger