

Ordinance 868

An ordinance amending Clallam County Code 21.01, Building and Construction Code, to update references pertaining to the International Code Council standards

BE IT ORDAINED BY THE BOARD OF CLALLAM COUNTY COMMISSIONERS:

The Board of Commissioners makes the following findings:

1. Clallam County has adopted the most current construction codes as the State Building Code pursuant to Chapter 19.27 RCW.
2. Chapter 19.27 RCW mandates that the State Building Code be administered and enforced by counties and cities, and grants counties and cities limited authority to amend the code as it applies within their jurisdictions.
3. Clallam County believes it is necessary to take action to adopt updates consistent with recent amendments to the State Building Code and to clarify administrative procedures.
4. The Board of Commissioners held a public hearing on November 30, 2010 to consider the entire record and hear public testimony on the adoption of these proposed changes under this Ordinance.

The Board of Commissioners makes the following conclusions:

1. This ordinance is consistent with the most current edition of the State Building Code.
2. Adoption of the proposed appellate process amendments does not result in less restrictive performance standards or objectives than those in the State Building Code.
3. This ordinance is required to implement the State Building Code Act, not the Growth Management Act, and therefore does not adopt development regulations under Clallam County Code Titles 26 through 35. Pursuant to Clallam County Code 26.01, Planning Commission review is not required.
4. Environmental review under the State Environmental Policy Act is not required pursuant to WAC 197-11-800(20).
5. Clarification of administrative procedures under the codes adopted pursuant to Chapter 19.27 RCW and this ordinance is in the best interest of Clallam County and will promote the health, safety, and welfare of the occupants or users of buildings and structures and the general public.
6. Clallam County Code Chapter 21.01 is amended to read as follows:

21.01.010 Purpose

The purpose of this chapter is to adopt certain appendices of the ~~2006~~2009 International Building Code, ~~2009 International Residential Code~~, ~~2006~~2009 International Fire Code, ~~2006~~2009 International Mechanical Code, and ~~2006~~2009 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.

21.01.015 Definitions

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 International Building Code, Plumbing Code, Mechanical Code, Fire Code, or applicable regulation:

(1) “Agricultural building” means a structure designed and constructed to house farm implements, hay, grain, poultry, livestock, or other horticultural products. This structure shall not be a place of human habitation or a place of employment where agricultural products are processed, treated, or packaged nor shall it be a place used by the public.

(2) “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 International Building Code; the International Residential Code; the International Mechanical Code; the International Fire Code; the Uniform Plumbing Code; the Washington State Energy Code; ~~the Washington State Ventilation and Indoor Air Quality Code;~~ Chapter ~~43.63B~~43.22A RCW, Mobile and Manufactured Home Installation; and any other ordinance of Clallam County as enumerated in this chapter.

(23) “Board of Appeals” means the Clallam County Building Code Board of Appeals.

(34) “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.

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

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

21.01.040 International Building Code

Appendix C, Agricultural Buildings, Appendix G, Flood-Resistant Construction, and Appendix I, Patio Covers, of the ~~2006~~2009 International Building Code (IBC) are hereby adopted by reference.

21.01.045 Work Exempt From Permit

Section 105.2, Work exempt from permit, of under the International Building Code (IBC) and International Residential Code (IRC) as published by the International Code Council regarding exemptions from permit requirements shall be is adopted and amended to read as follows:

Exemptions 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.

1. The work exempt from permit under IRC Section 105.2 (1) is amended to read: One-story detached ~~accessory~~ buildings used as tool and storage sheds, ~~garages,~~ playhouses, agricultural buildings 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. The work exempt from permit under IBC Section 105.2(1) is amended to read: One-story detached accessory structures used as tool and storage sheds, playhouses, and similar uses, provided the floor area does not exceed 120 square feet.

~~2. Fences not over 6 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.~~

7.3. The work exempt from permit under IBC Section 105.2 (6) is amended to read: Platforms, Sidewalks, and driveways not more than thirty~~30~~ inches (762 mm) above adjacent grade, and not over any basement or story below and are not part of an accessible route.

~~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 R-3, as applicable in Section 101.2, and U Occupancies.~~

~~11. Prefabricated swimming pools accessory to a R-3 Occupancy, as applicable in Section 101.2, which are less than 24 inches deep, do not exceed 5,000 gallons and are installed entirely above ground.~~

~~12. Swings and other playground equipment accessory to detached one- and two-family dwellings.~~

13.4. The work exempt under IBC/IRC Sections 105.2 is amended to include the following exemption: Minor construction and alteration activities to ~~R-3 and U Occupancies~~ single-family dwellings (R-3 and IRC) and their accessory structures where the total valuation, as determined by the Building Official or as documented by the applicant to the satisfaction of the building official, does not exceed \$1,500 in any 12-month period.; ~~P~~provided that, the construction and/or alteration activity does not affect 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.

5. The work exempt under IRC Section 105.2 (10) is amended to read: Decks not more than 30 inches vertically above grade at any point measured horizontally 36 inches from the edge of the deck to adjacent grade.

Unless otherwise exempted, separate plumbing, electrical, and mechanical permits will be required for work exempt under IBC/IRC Section 105.2 and as amended in this Section 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.~~

21.0 .050 Uniform Plumbing Code

~~Appendix B, Explanatory Notes on Combination Waste and Vent Systems;~~ Appendix D, Sizing Stormwater Drainage Systems; and Appendix E, Manufactured/Mobile Home and Recreational Vehicle Parks, of the 20062009 Uniform Plumbing Code (UPC) as published by the International Association of Plumbing and Mechanical Officials are hereby adopted by reference.

21.01.060 International Mechanical Code

Appendix A, Combustion Air Openings and Chimney Connector Pass-Throughs, of the 20062009 International Mechanical Code (IMC) as published by the International Code Council is hereby adopted by reference.

21.01.070 International Fire Code

Appendix E, Hazard Categories, and Appendix F, Hazard Ranking, of the 20062009 International Fire Code (IFC) as published by the International Code Council (ICC) are hereby adopted by reference.

21.01.110 Expiration and renewal of permits

Section 105.5 of the IBC and IRC is hereby amended to read as follows:

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

(b) Building permits may be renewed for one additional one year period at 50 percent of the original permit fee.

21.0 .115 Refunds

Pursuant to Section 109.6 of the IBC and Section R108.5 of the IRC the building official will authorize refunds as follows:

- (1) Permit/application inactivity after one year will result in forfeiture of all fees,
- (2) For project withdrawal within one year of date of submission with only data entry, the refund shall be 80 percent.
- (3) Plan review fees will be forfeited if a plan review was conducted.

- (4) If after a permit is issued and a request to withdraw from the project is received within one year of the date of issuance and no work has been started, the refund shall be 80 percent.
- (5) All other fees paid to other divisions will be refunded at their respective division discretion.
- (6) A submittal of the calculated fees shall be reviewed and approved by the Building Official prior to dispersal.

Section 3. Severability. Should any section, clause or provision of this ordinance or any code adopted hereby be declared by a court to be invalid, the same shall not affect the validity of the remainder, either in whole or in part.

Section 4: Limitations. Except as otherwise proscribed above, the remainder of CCC 21.01 and the enabling ordinances thereto shall remain in full force and effect.

Section 5. Effective date. This Ordinance shall take effect in 10 days.

ADOPTED this seventh day of December 2010

BOARD OF CLALLAM COUNTY COMMISSIONERS

voted "no"

Howard V. Doherty, Jr., Chair

Stephen P. Tharinger

Stephen P. Tharinger

M.C. Chapman

Michael C. Chapman

ATTEST:

Trish Holden

Trish Holden, CMC, Clerk of the Board