

An Ordinance Amending Skagit County Code 15.04.020, 15.04.030, and 15.16.010 Relating to Adoption of Current Editions of International Building, Residential, and Other Codes and Amending Certain Sections

Whereas RCW Chapter 19.27 requires Skagit County to administer and enforce the State Building Code in the unincorporated areas within its boundaries;

Whereas the Washington State Building Code Council requires adoption of the 2015 editions of the International Building Code, the International Residential Code, the International Fire Code, the International Mechanical Code, the International Fuel Gas Code, and the Uniform Plumbing Code;

Whereas the purpose of these codes are to promote the health, safety and welfare of the occupants and users of the buildings and structures and the general public in Skagit County;

Whereas modifications and amendments to these codes are desirable to fit local conditions and circumstances;

Whereas, on June 2, 2016, Skagit County published notice of the proposed ordinance and a public hearing;

Whereas, on June 21, 2016, the Board of County Commissioners held a public hearing on the proposed revisions to Skagit County Code;

Whereas the Board of County Commissioners deliberated on the proposed ordinance and the public comments;

Now Therefore, Be It Ordained by the Board of County Commissioners that:

Skagit County Code 15.04.020, 15.04.030, and 15.16.010 are amended to read as shown in Attachment A.

Witness Our Hands and the Official Seal of Our Office this __ day of _____, 2016.

**Board of County Commissioners
Skagit County, Washington**

Lisa Janicki, Chair

Ron Wesen, Commissioner

Kenneth A. Dahlstedt, Commissioner

ATTEST:

Clerk of the Board

RECOMMENDED:

Dale Pernula, Director
Planning & Development Services

APPROVED AS TO FORM:

Civil Deputy Prosecuting Attorney

Attachment A

15.04.020 International and Uniform Codes adopted.

The following International and Uniform Codes are hereby adopted subject to modifications and/or amendments hereinafter set forth in this Chapter:

- (1) International Building Code, ~~2012~~-2015 Edition, published by the International Code Council, together with supplements and amendments thereto, including the ~~2012~~-2015 International Existing Building Code, per Chapter 51-50 WAC; International Building Code Appendix E and ICC A117.1-2009 (Washington State amendments); International Building Code Appendix B, Appendix C, Appendix E, Appendix G, and Appendix J; International Existing Building Code Appendix A (Washington State amendment).
- (2) International Residential Code, ~~2012~~-2015 Edition, except Chapters 11 and 25 through 43, published by the International Code Council, together with supplements and amendments thereto per Chapter 51-51 WAC; International Residential Code Appendices F, G and R (Washington State amendments).
- (3) International Mechanical Code, ~~2012~~-2015 Edition, published by the International Code Council, together with supplements and amendments thereto; mandated State amendments and Chapter 51-52 WAC, including the 2012 International Fuel Gas Code, the 2011 NFPA 58, and the 2012 NFPA 54.
- (4) Uniform Plumbing Code, ~~2012~~-2015 Edition, published by the International Association of Plumbing and Mechanical Officials, together with supplements and amendments thereto; mandated State amendments per Chapters 51-56 and 51-57 WAC, Appendices Chapter A, Chapter B, and Chapter I; 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 fire appliances as found in Chapter 5 and those portions of the Code addressing building sewers are not adopted.
- (5) International Fire Code, ~~2012~~-2015 Edition; Appendices A, B, C, D and K; including the ~~2012~~-2015 International Wildland-Urban Interface Code, published by the International Code Council; together with supplements and amendments thereto, per Chapter 51-54 WAC.
- (6) International Energy Conservation Code, ~~2012~~-2015 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.
- (7) Installation of factory-built housing and commercial structures, RCW 43.22.460, together with WAC 296-150C-0540, 296-150F-0540 and the installation of manufactured and mobile homes, RCW 43.22.440 and WAC 296-150M-0650.

(7) Uniform Green Plumbing & Mechanical Code Supplement 2012, only Appendix B for Potable Rainwater Catchment Systems.

(8) International Property Maintenance Code, 2015 Edition, published by the International Code Council, except not section 302 and 303.

In case of conflict among the codes numerated in Subsections (1) through (7) of this Section, the first named code shall govern over those following.

15.04.030 Specific amendments to codes.

Pursuant to authority granted by the Revised Code of the State of Washington under the State Building Code Act, the following amendments to the International Codes are hereby adopted and apply within this jurisdiction.

(1) Amendments to the International Building Code (IBC) and the International Residential Code (IRC):

(a) Section 105.2, Work Exempt from Permit. IBC Section 105.2, exception 1, and IRC Section R105.2, exception 1, are amended as follows:

1. One story detached buildings 200 square feet or smaller, ~~provided~~ if all of the following are true: that this exemption does not apply to signs, and provided further that:

a. The building is not used for sleeping purposes, ~~and;~~

b. ~~Provided that~~ The building is not placed within a defined critical area or its buffer, unless critical areas review has been provided-completed and the location has been approved, ~~and;~~

c. ~~Provided that~~ Only one such exempt building is allowed for each 5 acres of any parcel-property up to a maximum of 4 exempt buildings, ~~and;~~

d. ~~Provided that~~ The building is not located in a designated floodway, ~~and;~~

e. ~~Provided~~ The building meets the setback requirements of Skagit County Code (SCC) 14.16 and the specific requirements of SCC 14.16.810;

f. The building contains no plumbing.

(b) Section 105.2, Work Exempt from Permit. IBC Section 105.2 and IRC Section R105.2 are amended to include:

14./11. Membrane structures as defined in the International Building Code; ~~provided~~ if all of the following are true:

(a) The structure is used exclusively for the protection or propagation of plants other than marijuana, that are not on display for public viewing or sales.

(b) The structure is located a minimum of twenty feet (20') from any property line or other structure and that it meets the setback requirements of SCC 14.16 and the specific requirements of SCC 14.16.810.

(c) Multiple membrane structures located on the same lot and having an aggregate floor area exceeding twelve thousand (12,000') square feet shall maintain a minimum of sixty (60') foot clear yards on all sides.

(d) The membrane material is less than 20 mil (0.5 mm) in thickness.

~~(d)~~ (e) A site plan is submitted to Skagit County Planning & Development Services, which shows compliance with this section.

15./12. Work located primarily in a public way including but not limited to grading, trenching, vaults and walls, installation and maintenance of public utility towers and poles, installation and maintenance of mechanical equipment not specifically regulated in this code, underground utilities, and hydraulic flood control structures.

16./13. Any project, other than signs, mechanical equipment, or plumbing equipment, that has a valuation of less than \$2,500 as calculated using the method currently adopted by Skagit County.

17./14. Uncovered decks with walking surface(s) no more than 30" above grade.

(c) Section 105.5, Expiration.

Every building permit issued by the Building Official under the provisions of this code shall expire by limitation and become null and void if the building or work authorized by such permit is not completed in accordance with the permitted requirements within three (3) years of the date of issuance. Any permittee holding an unexpired permit may apply for a six month extension in order to complete the authorized work for no additional cost. The Building Official may grant the extension on written request from the permittee showing

that circumstances beyond the control of the permittee have prevented the authorized work from being completed. No permit may be thus extended more than once.

To renew a permit for an additional 3-year period, prior to expiration or within 6 months of expiration, of the current permit, the permittee shall pay the renewal fee as determined on the currently adopted fee schedule. No permit may be thus renewed more than once. A new permit will be required where expiration is more than six months.

(d) Section 109.2 of the International Building Code and Section 108.2 of the International Residential Code shall read as follows:

General Fees shall be as set forth in the fee schedule for ~~the~~ Skagit County Planning & Development Services, adopted under separate resolution by the Skagit County Board of Commissioners.

(e) Section 903.2.7, item 4, is amended to exempt display and sales areas of upholstered furniture where the aggregate floor area used for display and sales is three hundred fifty (350) square feet or less.

(f) Sections 1608.1 and 1608.2 of the International Building Code and Map 301.2(5) of the International Residential Code for snow loads are amended as follows:

Buildings and structures that are located in the designated "CS" zone, as shown in the ~~2012~~ International Building Code, ~~shall~~ must have their snow loads determined by engineered analysis in accordance with the requirements of the International Building Code, ~~2012 edition,~~ or ~~shall~~ must comply with the roof snow loads as shown on the adopted snow load map for Skagit County.

Under authority granted to local jurisdictions through WAC [296-150M-0600](#), the Skagit County Building Official has determined and mapped the anticipated snow loads for Skagit County. The snow loads and the snow load map of Skagit County have been reviewed by local structural and civil engineers for methodology and conformance with the 1995 Snow Load Analysis published by the Structural Engineers Association of Washington and have been found to be conforming.

(g) IBC Section 3002.4 is amended as follows:

Stretcher Requirements. In all structures two or more stories in height in Group A, E, B, I, R1 and LC occupancies where elevator cars are installed, at least one elevator

shall be provided with a minimum clear distance between walls or between walls and door including return panels, of not less than 86 inches by 54 inches (2184 mm x 1372 mm) and a minimum distance from wall to return panel of not less than 51 inches (1295 mm) with a 42 inch (1067 mm) side slide door, unless otherwise designed to accommodate an ambulance-type stretcher 86 inches by 26 inches (2184 mm x 660 mm).

In buildings where one elevator does not serve all floors, two or more elevators may be used. The elevators shall be identified by the international symbol for emergency medical services (Star of Life). The symbol shall not be less than 3 inches (76 mm) and placed inside on both sides of the hoistway door frame. The symbol shall be placed no lower than 78 inches (1981 mm) from the floor level or higher than 84 inches (2134 mm) from the floor level.

(h) Appendix J, Section J103.2, Exemptions, is amended as follows:

1. Exemption #1 regarding isolated areas is not adopted.

2. through 7: No change.

8. An excavation not within a defined critical area or its buffers, unless there has been critical areas review of the project and the location has been approved, and:

a. does not obstruct natural drainage and is less than 2 feet in depth, and

b. does not create a cut slope greater than 5 feet in height and steeper than 1.5:1, and

c. does not exceed 100 cubic yards of excavated material.

9. A fill that:

a. is not within a defined critical area or its buffers, unless there has been critical areas review of the project and the location has been approved, and:

b. does not obstruct natural drainage and is less than 1 foot in depth and placed on natural terrain with a slope less than 12%, or

c. is not within a defined critical area or its buffers unless there has been critical areas review of the project and the location has been approved, and is

less than 3 feet in depth and is not intended to support structures and that does not exceed 100 cubic yard on any one lot.

10. Agricultural projects such as tilling, planting, and fertilizing.

11. Work located primarily in a public way per Section 105.2.

(i) Chapter 34, Existing Structures.

3401 GENERAL.

Buildings, whether previously legally permitted or not, in existence at the time of the adoption of this code may have their existing use or occupancy continued if such use or occupancy existed prior to July 1, 1989 and provided such use or occupancy is not dangerous to life. Buildings legally permitted and approved for occupancy before or after such date are considered legal at the time of the adoption of this edition of this code.

(2) Amendments to International Fire Code (IFC):

(a) IFC Section 102.2 is amended as follows:

3. To help assure that this section is properly administered and to help provide for a reasonable degree of safety to persons occupying existing buildings, there shall be a fire code inspection, at times determined by the Skagit County Fire Marshal, for all Group A, B, E, F, H, I, M and S occupancies.

(b) IFC Section 202 is amended as follows:

Definitions.

Fire Chief. Shall mean the Skagit County Fire Marshal as it relates to the implementation of this code.

Fire Code Official. Shall mean the Skagit County Fire Marshal as it relates to the implementation of this code.

(c) IFC Appendix A, Section A101, is amended as follows:

In order to determine the suitability of materials and type of construction and to provide for reasonable interpretations of the provisions of this code, there shall be hereby created a Board of Appeals. This Board shall consist of the same membership as the Building Code Board of Appeals. The Fire Marshal and the Building Official shall be Ex-Officio members. The Board shall adopt rules and regulations for conducting its investigations and shall render all decisions in writing to the Fire Marshal and Building Official with a duplicate copy to the applicant.

(d) IFC Appendix B, Section 103, Modifications, is amended as follows:

Section 103.1 Decreases.

Fire flow requirements may be modified downward by the Skagit County Fire Marshal for isolated buildings or a group of buildings in rural areas or small communities where development of full fire flow requirements is impractical. The Fire Marshal may be guided by written procedures entitled "Skagit County Fire Marshal Procedures Concerning Fire Flow and Placement of Fire Hydrants" in making this determination.

Section 103.2 Increases.

Fire Flow requirements may be increased by the Skagit County Fire Marshal where conditions indicate an unusual susceptibility to group fires or conflagrations. An increase shall not be more than twice the required for the building under consideration.

Section 103.3 Buildings That May Not Require Fire Flow.

When, in the opinion of the Fire Marshal, a proposed building meets the criteria stated in "Skagit County Fire Marshal Procedures Concerning Fire Flow and Placement of Fire Hydrants," a permit may be issued without meeting the requirements for fire flow for the following:

(i) Single family residences and accessory [buildings, such as](#) garages and carports.

(ii) Agricultural [storage](#) buildings in agricultural resource lands as identified on currently adopted zoning maps.

(iii) [Other buildings that comply with all of the following:](#) ~~Buildings exempt by Board of Appeals Precedent. When in the opinion of the Fire Marshal, a~~

~~building meets the intent of the Board of Appeals precedent requiring that building be:~~

- (1) ~~Are~~ Less than 4000 sq. ft. in area.
- (2) ~~Are~~ Not an 'H' or R occupancy group.
- (3) ~~Having~~ Have 40-foot clear yards on all sides.
- (4) ~~In~~ Are in a rural area where fire flow is not practical.

(e) IFC Appendix C, Fire Hydrant Locations and Distribution, is amended as follows:

Footnote b:

3. Where new water mains are upgraded or extended along streets or roads where hydrants are not otherwise required, hydrants shall be installed for filling tanker trucks at major roadway intersections wherever practical, and the distance between hydrants shall not exceed one mile.

(f) IFC Appendix D is amended as follows:

Section D101.1 Scope: Fire apparatus access roads shall be in accordance with this chapter and all other applicable requirements of the International Fire Code as required by the Fire Marshal.

Section D102.1 Required Access: 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 when the facility is in excess of one hundred fifty (150) feet from fire apparatus access.

Section D103.1 Driveways: Roads serving one (1) or two (2) residential lots is amended as follows:

a. Driveways where a building is less than ~~one hundred fifty (150)~~ feet from an approved access road meeting Section D103.2 of this code have no specific requirements.

b. Driveways that are ~~one hundred fifty (150)~~ feet or more in length and serve one or two residential lots shall meet the following standards:

(i) Width: 12 feet of driving surface with turnouts located every 300 feet, when required by the Fire Marshal. To create a turnout, the road shall be widened to 20 feet in the direction of travel for a distance of not less than 30 feet to allow vehicles to pull over and emergency vehicles to proceed.

(ii) Vertical clearance: A minimum of 13 feet, 6 inches of unobstructed head clearance is required.

(iii) Surface: Skagit County Road Standard for Private Roads as required by the Skagit County Public Works Department or as approved by the Skagit County Fire Marshal.

(iv) Turning radius for turns along the length of driveway: A minimum of 20 feet of inside radius and 50 feet of outside radius is required. (Note: This is not a cul-de-sac standard).

(v) An acceptable means of turning around a fire apparatus must be provided. This does not necessarily require a cul-de-sac for a driveway serving 1 or 2 residential lots. Means of turning apparatus must be acceptable to the Fire Marshal.

(vi) Bridges must meet Skagit County Road Standards as required by the Skagit County Public Works Department.

~~(vii) Driveway grades 12% gravel or 14% hard surface as approved by Skagit County Fire Marshal.~~

(vii) Where grades are 12% or under, the driving surface must be gravel or equivalent or may be concrete, asphalt, or equivalent.

(viii) Where grades are over 12% to 14%, the driving surface must be concrete, asphalt, or equivalent.

(ix) Where grades are over 14% to 16%, any residence must have a NFPA 13D fire suppression system is required and the driveway must be gravel or equivalent or may be concrete, asphalt, or equivalent.

(x) Where grades exceed 16%, fire vehicle access is impaired thus an NFPA 13D fire suppression system and a 10,000 gallon water storage tank with a dry hydrant is required. The driveway must be gravel or equivalent and may be concrete, asphalt, or equivalent.

Section D103.2 Fire Department Vehicle Access Roads—Roads serving other than 1 or 2 residential lots is amended as follows:

- a. Width: 20 feet of driving surface.
- b. Vertical clearance: 13 feet, 6 inches of unobstructed overhead clearance.
- c. Surface: 6 inches of gravel.
- d. Turning radius: 50 feet of outside radius.
- e. Turnarounds: 70-foot cul-de-sac standards or as approved by the Fire Marshal.
- f. Bridges must meet Skagit County Road Standards as required by the Skagit County Public Works Department.
- g. ~~Grade: 12% gravel or 14% hard surfaced as approved by the Skagit County Fire Marshal.~~

1. (vii) Where grades are 12% or under, the driving surface must be gravel or equivalent or may be concrete, asphalt, or equivalent.

2. Where grades are over 12% to 14%, the driving surface must be concrete, asphalt, or equivalent.

3. Where grades are over 14% to 16%, any residence must have a NFPA 13D fire suppression system is required and the driveway must be gravel or equivalent or may be concrete, asphalt, or equivalent.

4. Where grades exceed 16%, fire vehicle access is impaired thus an NFPA 13D fire suppression system and a 10,000 gallon water storage tank with a dry hydrant is required. The driveway must be gravel or equivalent and may be concrete, asphalt, or equivalent.

h. Public roads that are part of a ~~Where a land division is involved the road must meet~~ comply with Skagit County Road Standards as required ~~and be~~ approved by the Skagit County Public Works Department.

NOTE:

1. These standards apply to all building permits and are the minimum for building permit purposes. County platting standards may exceed these standards, and these standards are in no way intended to eliminate the need for full compliance with land division requirements.

2. The Fire Marshal may make modifications to these standards if the road is not buildable because of topography, waterways, non-negotiable grades, or similar conditions. These modifications are based on:

- a. The building being protected by NFPA 13D Automatic Sprinkler Systems.
- b. Additional fire protection as required by the Fire Marshal.
- c. Exceptions may be made for minor additions or small accessory buildings to existing dwellings when in the opinion of the Fire Marshal the addition or accessory building will not create significantly more dangerous situations.

3. For roads accepted or platted by Skagit County prior to June 11, 1990, these standards may be modified by the Fire Marshal provided that, in the Fire Marshal's opinion, ~~fire fighting~~ firefighting or rescue operations would still be possible.

4. On lots not in a fire district and accessible only by water, the access road requirement may be waived if the project meets all of the other requirements of Skagit County Unified Development Code to qualify for a building permit.

5. Emergency vehicle access roads or driveways shall not be obstructed in any manner, including the parking of vehicles. Width and clearance requirements consistent with these standards shall be maintained at all times.

(g) Section 308, Open Flames:

308.1.5.1 Sky Lanterns: The use or discharge of sky lanterns shall be prohibited in unincorporated areas of Skagit County.

1. "Sky Lantern" means any sky candles, fire balloons and other airborne lanterns made of paper or other combustible material with a wood frame containing a candle, fuel cell composed of waxy flammable material or other open flame which serves as a heat source to heat the air inside the device to cause it to lift into the air.

(h) Section 503.6, Security gates:

The installation of security gates across fire apparatus access roads shall be approved by the Skagit County Fire Marshal. Where security gates are installed, they shall have an approved means of emergency operation. The security gate and 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 requirements of ASTM F2200.

(i) IFC Appendix K, International Wildland-Urban Interface Code, is amended as follows: Section K402.2.1, Access, is deleted.

15.04.040 Administration.

The Skagit County Board of Commissioners has provided in resolution that Skagit County Planning and Development Services shall administer and enforce the State Building Code within its jurisdictional boundaries. Such administration and enforcement of the State Building Code by Skagit County Planning and Development Services shall include all codes comprising the State Building Code as enumerated in SCC [15.04.020](#).

15.04.050 Violation.

SCC Title [15](#) is enforced per SCC Chapter [14.44](#).

15.04.060 Civil penalty.

Repealed by Ord. O20140004.

15.04.070 Repeal.

All prior versions of Chapter [15.04](#) SCC are hereby repealed; provided, however, that vesting of existing permits and applications will be in accordance with SCC [14.02.050](#)(1).

15.04.080 Severability.

Should any section, paragraph, sentence or word of this Chapter of the Code hereby adopted be declared for any reason to be invalid, it is the intent of the Board of County Commissioners that it would have passed all

other portions of this Chapter and of the Code hereby adopted independent of that word determined to be invalid and accordingly such declaration of invalidity shall not affect the validity of this Chapter as a whole nor any part hereof other than the part so declared to be invalid.

SCC 15.16.010 Authorization.

The Board of Skagit County Commissioners does hereby elect to continue to operate under the provisions of the latest revised edition of the International Building Codes to include, but not be limited to, Section [204-113](#) which requires a Board of Appeals ~~as established in Resolution No. 4861. The Building Section which shall be under the jurisdiction of the Building Official, shall continue to operate under the authority of the Assistant Public Works Director for Community Development as established in Resolution No. 7929.~~ The Building Official is hereby authorized and directed to enforce all provisions of the International Building Codes.