

ORDINANCE NO. 2016-10

AN ORDINANCE OF THE CITY OF POULSBO, WASHINGTON ADOPTING THE CURRENT EDITION OF THE INTERNATIONAL BUILDING CODE; AMENDING CHAPTERS 13.06, 15.04, 15.07, 15.12, 15.16, 15.18, and 16.04, OF THE POULSBO MUNICIPAL CODE TO AMEND THE INTERNATIONAL BUILDING CODE PROVISIONS AND REFERENCES THEREIN; PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, RCW 19.27.031 requires that all cities enforce the latest edition of certain international and uniform codes adopted by the Washington State Building Code Council; and

WHEREAS, the Washington State Building Code Council adopts current editions of the International Building Code, International Residential Code, International Fire Code, International Mechanical Code, Uniform Plumbing Code with state amendments thereto, and Washington State Energy Code, and

WHEREAS, the City Council desires to amend related chapters of the Poulsbo Municipal Code to adopt these latest versions of the International and Uniform codes and to amend any provisions and related references therein;

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

Section 1. Chapter 13.06 Amended – Water and Sewer Code. The following sections of Chapter 13.06 of the Poulsbo Municipal Code are hereby amended to read as follows:

13.06.330 Future Development

No parcel of land within the city of Poulsbo may be developed and have constructed

upon it any building or structure for human occupancy or for use for any other purpose which would necessitate sewage disposal, including remodel or rezone, without having provided for the disposal of sewage generated on the property into the Poulsbo sanitary sewer system. This section shall not apply to the construction of a single-family residence located on property more than two hundred feet from an existing sewer line, or to any property granted a variance from this section by the city council of the city of Poulsbo. Failure to comply with the requirements of this section will be a basis for denying or revoking a certificate of occupancy issued by the city pursuant to the International Building Code. Any person feeling that the provisions of this section create a hardship as to that particular person's property may request a variance from this code. The city council may, after determining that it is in the best interest of the health, welfare and public safety of the city to do so, grant a variance from this section on such terms and conditions as the city council may impose. No short plat shall be approved which would result, when the property is developed, in operating to avoid the provisions of this section.

13.06.335 Replacement units – Vesting of sewer capacity.

B. Nothing herein shall be interpreted to obligate the city to issue a building permit or to provide a sewer hook-up if adequate sewer capacity does not exist downstream at the date of application for a building permit. For example, and by way of illustration and not limitation, the city may be obligated to deny permits in accordance with the Uniform Plumbing Code or in the event an act of God or failure of equipment and facilities reduces the capacity of the city's sewage transmission facilities, the enactment of a moratorium pursuant to the provisions of RCW 70.05.160 which prohibits further sewage connections, the order of a court or state or federal agency of competent jurisdiction, or a finding by the city council on the recommendation of the mayor and city engineer that all or part of the sewer facilities exceed current transmission capacity. In such cases, the city will endeavor to provide additional capacity in accordance with its permitting obligations by the repair, reconstruction or construction of sewage facilities in accordance with state or federal law. Upon construction of adequate sewage facilities, permits shall be issued to vested applicants in the chronological order in which they

vested. In the event of conflict between the vesting rights of any owner or applicant for a building permit for a new housing unit with the vesting rights created pursuant to this section for a replacement unit, the replacement unit shall be given priority.

13.06.370 Shoreside facilities.

All property owners providing temporary or permanent boat moorage shall provide onshore toilet facilities with showers in sufficient numbers to service the facility. The toilet facilities shall be approved by the city engineer with respect to number, arrangement and conformance with the state of Washington Uniform Plumbing Code or any other applicable codes or amendments by the state of Washington, and with this code.

Section 2. Chapter 15.04 City Construction Code. The following sections of

Chapter 15.04 of the Poulsbo Municipal Code are hereby amended to read as follows:

15.04.020 State Building Code adopted.

1. The current edition of the International Building Code, as published by the International Code Council (ICC), as adopted by the Washington State Building Code Council in Chapter 51-50 WAC; provided, that Section 104.4 and 112 of the International Building Code are expressly not adopted;
2. The current edition of the International Residential Code, as published by the ICC, as adopted by the Washington State Building Code Council in Chapter 51-51 WAC;
3. The current edition of the International Mechanical Code, as published by the ICC, as adopted by the Washington State Building Code Council in Chapter 51-52 WAC;
4. The current edition of the International Fire Code, as published by the ICC, as adopted by the Washington State Building Code Council in Chapter 51-54A WAC including appendices B and D; provided, that the amendment made in WAC 51-54A-0503 to delete the fire apparatus access road standards contained in the International Fire Code is expressly not adopted and Section 503 of the International Fire Code regarding fire apparatus access roads is hereby expressly adopted by the city;

5. The current edition of the Uniform Plumbing Code, as published by the International Association of Plumbing and Mechanical Officials, as adopted by the Washington State Building Code Council in Chapter 51-56 WAC;
6. The current edition of the International Energy Conservation Code, Commercial, as published by the ICC, as adopted by the Washington State Building Code Council in Chapter 51-11C WAC;
7. The current edition of the International Energy Conservation Code, Residential, as published by the ICC, as adopted by the Washington State Building Code Council in Chapter 51-11R WAC;
8. The current edition of the International Existing Building Code, Commercial, as published by the ICC, as adopted by the Washington State Building Code Council in Chapter 51-50 WAC;
9. The current edition of the International Property Maintenance Code, as published by the ICC; and
10. The current edition of the International Fuel Gas Code, as published by the ICC, as adopted by the Washington State Building Code Council in Chapter 51-52 WAC.

15.04.035 Fee schedule – Building code.

The permit and inspection fees that shall apply to permits and inspections required under the International Building Code shall be established by:

Resolution of the Poulsbo city council establishing such fees pursuant to Section 3.12.020, as referenced in the current edition of the International Building Code, as published by the International Code Council.

15.04.040 International codes-Copies on file.

15.04.050 Interpretation-Definitions.

D. "Enforcement officer" means the fire chief or fire marshal when enforcement relates to the International Fire Code or any fire-related provision of this chapter, and the

building official or his designee, when enforcement relates to any other code or nonfire-related provision.

15.04.160 Sign permit fee schedule.

A sign permit is required for the erection, construction, enlargement or structural alteration of all signs located within the city limits of Poulsbo regardless of the value of the sign, except those signs specifically exempted by Chapter 18.64 of the Poulsbo Municipal Code. The sign permit, sign variance and sign plan checking fees shall be as set forth in the International Building Code, as adopted by Section 15.04.035 of the Poulsbo Municipal Code.

15.04.240 Enforcement.

B. Penalty for Certain Fire Code Violations. Any person, firm or corporation who shall commit any violation of Sections 109.3.4, 901.8, 901.8.1, 1003.6 or 1010 of the International Fire Code by criminal negligence as defined in RCW 9A.08.010(1)(d) and 9A.08.010(2) as those statutes now exist or may hereafter be amended, shall be guilty of a gross misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than five thousand dollars or imprisonment for a period not to exceed one year, or by both such fine and imprisonment. In addition, each day or portion thereof during which any such violation is committed or permitted to exist shall constitute a separate offense.

Section 3. Chapter 15.07 Moving Buildings. The following sections or subsections of Chapter 15.07 of the Poulsbo Municipal Code is hereby amended to read as follows:

15.07.040 Building official to issue permit-Criteria for issuance.

3. The building or structure sought to be moved must meet the requirements as set forth by the State of Washington, and/or the International Building Code (whichever is most restrictive), and has been approved for construction by the building official for the new, proposed location;

Section 4. Chapter 15.12 Fire Protection Systems in Buildings. The following

sections or subsections of Chapter 15.12 of the Poulsbo Municipal Code is hereby amended to read as follows:

15.12.020 Automatic fire-extinguishing systems-Buildings in excess of ten thousand square feet and other than Group R, Division 1.

Except for Group R, Division 1 occupancies, an automatic fire-extinguishing system designed, installed and tested in accordance with Chapter 9 of the most recently adopted editions of the International Building Code, International Fire Code, and NFPA Standard No. 13 shall be installed in all new buildings in excess of ten thousand square feet total floor area.

15.12.040 Automatic fire-extinguishing systems-Group R, Division 1 occupancies.

C. For the purpose of this section, fire walls as noted in Chapter 7 of the International Building Code shall not define separate buildings.

15.12.060 Exceptions.

Any exceptions to items covered by this chapter shall be made by the chief of the fire department or the fire marshal as provided in Section 103 of the most recently adopted edition of the International Fire Code. Such exceptions must be in writing.

15.12.070 More restrictive provisions to apply.

Where this chapter conflicts with the International Building Code, the International Fire Code and/or other ordinance or law, as adopted by the city of Poulsbo or the state of Washington, the more stringent (greatest protection) shall apply.

Section 5. Chapter 15.16 Fire Alarm Requirements. The following sections of

subsections of Chapter 15.16 of the Poulsbo Municipal Code is hereby amended to read as follows:

15.16.020 Definitions.

B. "Floor area" means the area contained within the surrounding exterior walls of a building. The floor area of a building not provided with surrounding exterior walls shall

be the usable area under the horizontal projection of the roof or floor above. Fire walls as noted in Chapter 7 of the International Building Code shall not be used to define floor area for the purpose of fire alarm systems required under this chapter.

15.16.030 Requirements of fire alarm installations.

B. Fire alarm systems required under this chapter shall meet or exceed all other requirements of the International Fire Code and the applicable N.F.P.A. standard with respect to design and installation.

Section 6. Chapter 15.18 Fire Safety Requirements-Existing Multifamily

Residential Buildings. The following sections or subsections of Chapter 15.18 of the Poulsbo Municipal Code is hereby amended to read as follows:

15.18.010 Definitions.

3. "Dwelling unit" means any building or portion thereof which contains living facilities, including provisions for sleeping, eating, cooking and sanitation as defined by the International Residential Code as further amended by the State of Washington.

Section 7. Chapter 16.04 Environmental Policy Guidelines. The following sections of Chapter 16.04 of the Poulsbo Municipal Code are hereby amended to read as follows:

16.04.240 Policies and goals adopted.

B. The city adopts by reference the policies in the following city codes, ordinances, resolutions and plans, as now existing or hereinafter amended:

1. Comprehensive plan;
2. Zoning ordinance;
3. Shoreline Master Program;
4. Subdivision ordinance;
5. Comprehensive park and open space plan;
6. SEPA implementing ordinance;
7. Water system plan;

8. Sewer system plan;
9. Storm sewer plan;
10. Standards ordinance;
11. International Building code;
12. International Fire Code;
13. Uniform Plumbing Code;
14. International Mechanical Code;
15. International Property Maintenance Code;
16. Thermal efficiency standards;
17. Floodplain management;
18. Any other policy of the city which has been incorporated into any ordinance, resolution, regulation, plan or code and which provides a reasonable basis for attaching conditions to the approval, denial or conditioning of a proposal in order to mitigate adverse environmental impacts.

Section 8. 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 or any code section adopted or amended hereby.

Section 9. Effective Date. This ordinance shall take effect on July 1, 2016. The City Clerk is directed to publish the attached summary which is hereby approved.

APPROVED:



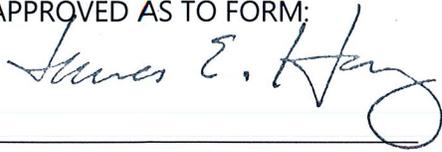
Rebecca Erickson, Mayor

ATTEST/AUTHENTICATED:



Rhiannon Fernandez, CMC, City Clerk

APPROVED AS TO FORM:



James E. Haney, City Attorney

FILED WITH THE CITY CLERK: 06/09/2016
PASSED BY THE CITY COUNCIL: 06/15/2016
PUBLISHED: 06/24/2016
EFFECTIVE DATE: 06/29/2016
ORDINANCE NO. 2016-10

SUMMARY OF ORDINANCE NO. 2016-10

of the City of Poulsbo, Washington

On the 15th day of June, 2016, the City Council of the City of Poulsbo, passed Ordinance No. 2016-10. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY OF POULSBO, WASHINGTON ADOPTING THE CURRENT EDITION OF THE INTERNATIONAL BUILDING CODE; AMENDING CHAPTERS 13.06, 15.04, 15.07, 15.12, 15.16, 15.18, and 16.04, OF THE POULSBO MUNICIPAL CODE TO AMEND THE INTERNATIONAL BUILDING CODE PROVISIONS AND REFERENCES THEREIN; PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

The full text of this Ordinance will be mailed upon request.

DATED this 15th day of June, 2016.



Rhiannon Fernandez, CMC, City Clerk