

CLEARANCES	Initial	Date	Date Received in Council Office:	Agenda date	Assigned to:
Originator: Council			RECEIVED JUL 22 1992 WHATCOM COUNTY COUNCIL	7/28/92	Council/Intro
Division Head: J.R.T.		7/21		8/11/92	P&D/Council
Dept. Head: P.F.R.	<i>MC</i>	7/21		9/1/92	Hearing
Prosecutor: R.J.W.		7/21			
Purchasing/Budget:					
Executive:					

SUBJECT:

ORDINANCE AMENDING WHATCOM COUNTY CODE CHAPTER 15.20 AND ADOPTING BY REFERENCE THE 1991 EDITION OF UNIFORM PLUMBING CODE, PERMANENT RULES 91-16-117, 1991 EDITION OF THE UNIFORM SWIMMING POOL, SPA, AND HOT TUB CODE AND CERTAIN APPENDICES THERETO EXCEPT AS HEREIN MODIFIED.

ATTACHMENTS:

Ordinance

SUMMARY STATEMENT: **Please complete sections of box as appropriate & explain the item below.**

Related County contract #:	Should Clerk schedule a hearing? NO /X / YES / / Requested date:
Amount budgeted for this item/project: \$	Is it (or will it be) within budget? YES / / NO / /
Budget line item number(s):	

State law requires Counties to enforce the Uniform Codes. This Ordinance is to adopt the 1991 Uniform Plumbing Code Permanent Rules 91-16-117, 1991 edition of the Uniform Swimming Pool, Spa, and Hot Tub Code and certain appendices except as modified.

ORIGINATOR'S RECOMMENDED ACTION:

Approval by County Council

COMMITTEE ACTION TAKEN:

COUNCIL ACTION TAKEN:

- 7/28/92: Intro.
- 8/11/92: Hearing to be scheduled
- 9/1/92: Council adopted the ordinance with amendments. 4-2 with Imhof and Brenner against.

INTRODUCED BY: Consent

PROPOSED BY: Public Works

DATE INTRODUCED: July 28, 1992

ORDINANCE NO. 92-056

AN ORDINANCE AMENDING WHATCOM COUNTY CODE CHAPTER 15.20 AND ADOPTING, BY REFERENCE, THE 1991 EDITION OF THE UNIFORM PLUMBING CODE PERMANENT RULES 91-16-117, 1991 EDITION OF THE UNIFORM SWIMMING POOL, SPA, AND HOT TUB CODE AND CERTAIN APPENDICES THERETO EXCEPT AS HEREIN MODIFIED

WHEREAS, R.C.W. 19.27 requires counties to enforce the State Building Code; and

WHEREAS, the State Building Code Council, pursuant to the authority granted by Chapter 360, Laws of 1991, has amended the State Building Code by adopting by reference the 1991 Edition of the Uniform Plumbing Code; and

WHEREAS, the local adoption of the above codes will promote the health, safety and welfare of the general public;

NOW, THEREFORE, THE WHATCOM COUNTY COUNCIL DOES ORDAIN:

Ordinance Section 1. Chapter 15.20 W.C.C. Amended Whatcom County Code Chapter 15.20 is hereby amended to read as follows:

Chapter 15.20

UNIFORM PLUMBING CODE

Sections:

15.20.010 Purpose--Code adopted.

15.20.020 Copy on file.

15.20.030 Section 20.1 amended--Administrative authority.

15.20.040 Section 20.3 amended--Violation and penalties.

15.20.050 Section 20.7 amended--Cost of permit. Part 1

Table 3-A U.P.C.

~~15.20.060 Section 20.15 added--Definitions.~~

~~15.20.060 Section 20.14 amended--Board of Appeals.~~

15.20.070 Section 20.16 added--Connection to public sewer.

~~15.20.080 Table A amended--Nonmetallic piping.~~

1 ~~15.20.080 Section 102(c) amended--Definitions-Administrative authority.~~
2 ~~15.20.090 Subsections 1005(b) and (f) amended--Fullway valve.~~
3 ~~15.20.100 Subsection 1008(f) added--Water Service pipes.~~
4 ~~15.20.110 Deletions.~~
5 ~~15.20.120 Section 20.14 amended--Board of appeals.~~

6 ~~15.20.010 Purpose-Code Adopted.~~ This Chapter is enacted as an exercise of the police
7 power of the County for the benefit of the public at large. It is not intended to create a special
8 relationship with any individual, or individuals, nor to identify and protect any particular class of
9 persons. The purpose of this Chapter is to provide minimum standards to safeguard life or limb, health
10 or property, and public welfare, by regulating and controlling building construction and related work
11 thereto. It is not the intent of this Chapter to impose liability upon the County for failure to perform
12 any discretionary act. Rather, it is the intent of this Chapter to place the obligation of complying with
13 its requirements upon the owner and/or contractor. Nothing contained in this Chapter shall be
14 construed to relieve from or to lessen the responsibility or liability of any person or persons for injury
15 or damage to persons or property caused by or resulting from any defect of any nature in any
16 construction work performed by said person or any construction equipment owned, controlled,
17 operated or used by the contractor; nor shall Whatcom County, or
18 any officer, agent, or employee thereof incur or be held as
19 assuming any liability by reason or in consequence of any permission, certificate of inspection,
20 inspection or approval authorized herein, or issued or given as herein provided, or by reasons or
21 consequence of any things done or acts performed pursuant to the provisions of this Chapter.

22 ~~The Uniform Plumbing Code, 1982 Edition, Installation Standards, and certain appendices,~~
23 ~~except as modified herein, shall be in full force in Whatcom County, upon adoption of this ordinance.~~

24 ~~The Uniform Plumbing Code, permanent rules 91-16-117 and appendices, 1991 Edition, and~~
25 ~~the Uniform Swimming Pool, Spa, and Hot Tub Code, as published by the International Association of~~
26 ~~Plumbing and Mechanical Officials, except as herein modified and including the Plumbing Code~~
27 ~~Standards, are hereby adopted by reference provided, that the following Chapters and Sections are~~
28 ~~hereby specifically not adopted:~~

- a) Chapter 11 - all
- b) Chapter 12 - all
- c) Appendix E - Section E-52, E-54, E-57, E-58 and E-72
- d) Appendix I - Section I-1 through I-10 & Tables I-1 through I-5

15.20.020 Copy on File Pursuant to R.C.W. 36.32.120(7) one copy of the code adopted by reference in this Chapter shall be filed for use and examination by the public in the office of the Whatcom County Auditor prior to the effective date of this ordinance.

15.20.030 Section 20.1 amended--Administrative Authority.

Section 20.1 of the Uniform Plumbing Code, ~~1982~~ 1991 Edition, is hereby amended to read as follows:

Section 20.1 The Building Official is hereby authorized and directed to enforce all provisions of this code. For such purpose, he shall have the powers of a law enforcement officer. Whenever the term Administrative Authority is used in this code, it shall be construed to mean the County Building Official/Director of Public Works.

15.20.040 Section 20.3 amended--Violations and Penalties.

Section 20.3 of the Uniform Plumbing Code, ~~1982~~ 1991 Edition, is hereby amended to read as follows:

Section 20.3 Any person, firm or corporation violating any of the provisions of this Chapter, or of the Codes adopted by reference by this Chapter, shall be deemed guilty of a civil offense and each day during which such violation is continued or committed shall constitute a separate offense, and shall be fined not more than One Thousand Dollars (\$1,000.00) for each offense.

The penalty provided in the above section shall be imposed by a notice in writing from the Building Official; either by certified mail with return receipt requested or by personal service, to the person, firm, or corporation incurring the same from the Whatcom County Public Works Department, Division of Buildings and Code. The notice shall include the amount of the penalty imposed and shall describe the violation with reasonable particularity in ordering the acts or acts constituting the violation or violations to cease and desist or, in appropriate cases, requiring necessary corrective action to be taken within a specific and reasonable time.

Within thirty (30) days after the notice is received, the person incurring the penalty may apply in writing to the Building Official for remission or mitigation of such penalty. Upon receipt of the

1 application, said department may remit or mitigate the penalty upon whatever terms the department
2 in its discretion deems proper. The Building Official's final decision on mitigation or revision shall be
3 reviewed by the County Council if the person being penalized files a written appeal therewith of said
4 decision within ten (10) days of its issuance. The decision of the County Council regarding the penalty
5 imposed shall be final.

6 In addition to civil penalties described above, the Prosecuting Attorney may in his discretion
7 bring such injunctive, declaratory or other actions as deemed necessary to ensure that violations of
8 this ordinance are prevented or cease, and to otherwise enforce the provisions of this ordinance.

9 If construction has occurred on a site without a valid permit as required by this ordinance, any
10 and all permits or approvals issued by the County may be denied for that site until the issue has been
11 resolved. In addition, prompt restoration of the site to its original condition will be required.

12 In the event any person, firm or corporation violates any of the provisions of this ordinance,
13 the Building Official shall cause a notice of violation to be delivered to a person of suitable age at the
14 site and order all work to cease until authorized to proceed. Failure to comply with the order to stop
15 work shall be a gross misdemeanor punishable upon conviction by a minimum fine of Five Hundred
16 Dollars (\$500.00) up to a maximum fine of One Thousand Dollars (\$1,000.00) or one (1) year in jail,
17 or both. Under no circumstances may the court defer or suspend any portion of the minimum Five
18 Hundred Dollar (\$500.00) fine for any conviction under this section. Each day or part thereof of
19 noncompliance with said order to stop work shall constitute a separate offense.

20 The issuance or granting of a permit or approval of plans and specifications shall not be deemed
21 or construed to be a permit for, or an approval of, any violation of any of the provisions of this code.
22 No permit presuming to give authority to violate or cancel the provisions of this code shall be valid,
23 except insofar as the work or use which it authorizes is lawful.

24 The issuance or granting of a permit or approval of plans shall not prevent the Building
25 Official/Director of Public Works from thereafter requiring the correction of errors in said plans and
26 specifications or from preventing construction operations being carried on thereunder when in violation

1 of this code or of any other ordinance or from revoking any certificate of approval when issued in error
2 Every permit issued by the Building Official under the provisions of this code shall expire by
3 limitation and become null and void, if the work authorized by such permit is not commenced within
4 180 days from the date of issuance of such permit, or if the work authorized by such permit is
5 suspended or abandoned at any time after the work is commenced for a period of 180 days. Before
6 such work can be recommenced, a new permit shall be first obtained to do so, and the fee therefor
7 shall be one-half the amount required for a new permit for such work, provided no changes have been
8 made, or will be made in the original plans and specifications for such work, and provided, further that
9 such suspension or abandonment has not exceeded one year.

10 ~~15.20.050 Section 20.7 amended--Cost of Permits.~~ Section 20.7 of the Uniform Building
11 Code, ~~1982~~ 1991 Edition, is hereby amended to read as follows:

12 ~~Section 20.7~~ Cost of Permit. Every applicant for a permit to do work regulated by this
13 Code shall state in writing, on the application form provided for that purpose, the character of
14 work proposed to be done and the amount and kind in connection therewith, together with
15 such information, pertinent thereto, as may be required.

16 Such applicant shall pay for such permit, at the time of issuance, a fee in accordance
17 with the following schedule, and at the rate provided for each classification shown herein.

18 Any person who shall commence any work for which a permit is required by this Code,
19 without first having obtained a permit therefor, shall, if subsequently permitted to obtain a
20 permit, pay double the permit fee fixed by this section for such work in order to cover addi-
21 tional administrative expenses incurred therefore; provided, however, that this provision shall
22 not apply to emergency work when it shall be proved to the satisfaction of the Administrative
23 Authority that such work was urgently necessary and that it was not practical to obtain a
24 permit therefor before commencement of the work. In all such cases, a permit must be
25 obtained as soon as it is practical to do so, and if there be an unreasonable delay in obtaining
26 such permit a double fee as herein provided shall be charged.

1 For the purpose of this section, a sanitary plumbing outlet on or to which a plumbing
 2 fixture or appliance may be set or attached shall be construed to be a fixture. Fees for
 3 reconnection and retest of plumbing systems in relocated buildings shall be based on the
 4 number of plumbing fixtures, gas systems, water heaters, or similar fixtures, systems, or
 5 appliances involved.

6 When interceptor traps or mobile home site traps are installed at the same time as a
 7 building sewer on any lot, no sewer permit shall be required for the connection of any such
 8 trap to an appropriate inlet fitting provided in the building sewer by the permittees constructing
 9 such sewer.

10 When a permit has been obtained to connect an existing building or existing work to
 11 the public sewer or to connect to a new private disposal facility, backfilling of private sewage
 12 disposal facilities abandoned consequent to such connection is included in the permit.

13 Permit Fees

14 Fees shall be based upon Table 3A, Section 1, Page XXIV of the Uniform Plumbing Code.

15 **Table No. 3-A -- PLUMBING PERMIT FEES**

16 **Permit Issuance**

17	1.	For issuing each permit	\$20.00
18	2.	For issuing each supplemental permit	\$10.00
19	Unit Fee Schedule (in addition to Items 1 and 2 above)		
20	1.	For each plumbing fixture on one trap or a set of fixtures on	
21		one trap (including water, drainage piping and backflow	
22		protection therefore).....	\$7.00
23	2.	For each building sewer and each trailer park sewer	\$15.00
24	3.	Rainwater systems -- per drain (inside building)	\$7.00
25	4.	For each cesspool (where permitted)	\$25.00
26	5.	For each private sewage disposal system	\$40.00
27	6.	For each water heater and/or vent	\$7.00
28	7.	For each gas-piping system of one to five outlets	\$5.00
29	8.	For each additional gas piping system outlet, per outlet	\$1.00
30	9.	For each industrial waste pretreatment interceptor	
31		including its trap and vent, excepting kitchen-type grease	
32		interceptors functioning as fixture traps	\$7.00
33	10.	For each installation, alteration or repair of water piping	
34		and/or water treating equipment, each	\$7.00
35	11.	For each repair or alteration of drainage or vent piping,	
36		each fixture	\$7.00

1	12.	For each lawn sprinkler system on any one meter including backflow protection devices therefor	\$7.00
2			
3	13.	For atmospheric-type vacuum breakers not included in item 12:	
4		1 to 5	\$5.00
5		over 5, each	\$1.00
6	14.	For each backflow protective device other than atmospheric type vacuum breakers:	
7		2 inch diameter and smaller	\$7.00
8		over 2 inch diameter	\$15.00
9			
10		Other Inspections and Fees	
11	1.	Inspections outside of normal business hours	\$30.00
12	2.	Reinspection fee	\$30.00
13	3.	Inspections for which no fee is specifically indicated	\$30.00
14	4.	Additional plan review required by changes, additions or revisions to approved plans, (minimum charge - one-half hour)	\$30.00
15			

16 *'Or the total hourly cost to the jurisdiction, whichever is greater. This cost shall*
 17 *include supervision, overhead, equipment, hourly wages and fringe benefits of all the*
 18 *employees involved.*

19 15.20.060 Section 20.14 amended--Board of Appeals. Section 20.14 of the Uniform
 20 Plumbing Code, 1991 Edition, is hereby amended to read as follows:

21 Section 20.14. Whenever the term Board of Appeals appears in this code it shall be
 22 construed to mean the Whatcom County Appeals Board.

23 15.20.070 Section 20.15 added--Connection to public sewer. The Uniform Plumbing Code,
 24 ~~1982~~ 1991 Edition, is hereby amended by adding thereto a new Section 20.15 to read as follows:

25 Section 20.15. The public sewer may be considered as not being available when such
 26 building or any exterior drainage facility connected thereto is located more than 300 feet from
 27 any proposed building or exterior drainage facility on any lot of premises which abuts and is
 28 served by such public sewer.

29 It shall be the duty of the District Health Officer to enforce connections to available
 30 public sewer. In no event shall a building sewer be less than 4 inches in diameter. Building
 31 sewer or drainage pipe shall not be run or laid in the same trench with water service pipes or
 32 any underground water pipes unless both of the following requirements are met: The bottom
 33 of the water pipe at all points shall be at least 12 inches above the top of the sewer line. The
 34 water pipe shall be placed on a solid shelf excavated on one side of the common trench.
 35 Bituminized fiber sewer pip and fittings shall not be allowed for building sewers.

36 15.20.080 Section 102(c) amended--Definitions-Administrative Authority. Section 102(c) of

1 the Uniform Plumbing Code, 1991 Edition, is hereby amended to read as follows:

2 (c) Administrative Authority-Administrative authority shall mean The Building
3 Official of Whatcom County.

4 15.20.090 Subsection 1005(b) and (f) amended-Fullway valve.

5 Subsections 1005(b) and (f) of the ~~1982~~ 1991 Edition of the Uniform Plumbing Code are hereby
6 amended to read as follows:

7 1005(b). A readily accessible fullway valve controlling all outlets shall be installed on
8 the discharge side of each water meter and on each unmetered water supply. Water piping
9 supplying more than one premises shall be equipped with a separate readily accessible fullway
10 valve to each building, so arranged that the water supply can be turned on or off to any
11 individual or separate building; provided, however, that supply piping to a single family
12 residence and building accessory thereto, may be controlled on one valve. Such shut-off
13 valves shall be readily accessible at all times. Accessible shall mean that the shut-off valve
14 shall be located no farther than two feet away from the crawl space opening, or shall be
15 located in the occupied part of the premises or by a fullway 'O' ring seal shut-off valve located
16 no farther than two feet from the outside of the foundation line. A fullway valve shall be
17 installed on the discharge piping from water supply tanks at or near the tank. A fullway valve
18 shall be installed for each apartment or dwelling of more than one (1) family. In addition to the
19 main supply shut-off in each apartment, individual shut-off valves shall be provided at each
20 fixture.

21 15.20.095 Uniform Swimming Pool, Spa, and Hot Tub Code, 1988 edition as published by
22 International Association of Plumbing and Mechanical Officials accept as herein modified are
23 herein adopted by reference except Chapter 5, all.

24 Add Chapter 3 Section 320 - Fencing all Private and Public Pools and Spas shall be
25 provided with suitable protective enclosures. Enclosures can be by means of fencing with locking
26 gates or secure buildings. Fences surrounding pools shall be a minimum of 6' 0" high and may be

1 constructed using metal, masonry, or wood of such construction which would prevent or discourage
2 climbing by children.

3 **Ordinance Section 2. Severability.** If any section, subsection, sentence, clause, phrase, or
4 portion of this code or ordinance adopted herein is for any reason held to be invalid or unconstitutional
5 by decision of a court of competent jurisdiction, such decision shall not affect the validity of the
6 remaining portions of this ordinance or the code.

ADOPTED this 1st day of September, 1992.


WHATCOM COUNTY

COUNCIL

WHATCOM COUNTY,

WASHINGTON

ATTEST:


Ramona Reeves, Council Clerk

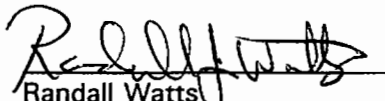

Dan Warner, Chairperson

Approved Denied


Shirley Van Zanten, County Executive

Date: 9-2-92

APPROVED AS TO FORM:


Randall Watts
Civil Deputy Prosecutor