

**WHATCOM COUNTY COUNCIL AGENDA BILL**

NO. 92-321

CLEARANCES	Initial	Date	Date Received in Council Office:	Agenda date	Assigned to:
Originator: Council			<b>RECEIVED</b>  <b>JUL 22 1992</b>  <b>WHATCOM COUNTY COUNCIL</b>	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 15.04 AND ADOPTING BY REFERENCE 1991 EDITION OF UNIFORM BUILDING CODE, PERMANENT RULES 91-20-175 AND CERTAIN APPENDICES AND STANDARDS THERETO, EXCEPT AS HEREIN MODIFIED, THE UNIFORM HOUSING CODE, THE UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS AND CERTAIN OTHER STANDARDS AOPTED BY THE STATE.

**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 / / (Please explain below)
Budget line item number(s):	

State law requires Counties to enforce the Uniform Codes. This Ordinance is to adopt the 1991 Uniform Building Code Permanent Rules 91-20-175 and certain appendices except as modified; the Uniform Housing Code, the Uniform Code for the Abatement of Dangerous Buildings and other state standards.

**ORIGINATOR'S RECOMMENDED ACTION:**

Approval by County Council

**COMMITTEE ACTION TAKEN:****COUNCIL ACTION TAKEN:**

7/28/92: Introduced  
8/11/92: Hearing to be scheduled  
9/1/92: Council adopted the ordinance. 6-0. (Laidlaw absent)

**Related File Numbers:****Ordinance or Resolution Number (this item only):** 092-057

1 Introduced by: Consent  
2 Proposed by: Buildings & Code  
3 Date: July 28, 1992

4 ORDINANCE NO. 92-057

5 AN ORDINANCE AMENDING WHATCOM COUNTY CODE CHAPTER 15.04 AND  
6 ADOPTING, BY REFERENCE, THE 1991 EDITION OF THE UNIFORM BUILDING CODE  
7 PERMANENT RULES 91-20-175, AND CERTAIN APPENDICES AND STANDARDS  
8 THERETO, EXCEPT AS HEREIN MODIFIED, THE UNIFORM HOUSING CODE, THE UNIFORM  
9 CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS AND CERTAIN OTHER  
10 STANDARDS ADOPTED BY THE STATE.

11 WHEREAS, R.C.W. 19.17 requires counties to enforce the State Building Code; and

12 WHEREAS, the State Building Code Council pursuant to the authority granted by  
13 Chapter ~~360 Laws of 1985~~ has amended ~~19-27 R.C.W.~~ the State Building Code by  
14 adopting by reference the ~~1988~~ 1991 Edition of the Uniform Building Code and standards  
15 thereto; and

16 WHEREAS, local adoption of the above referenced code as well as adoption of the  
17 latest Edition of the Uniform Housing Code, Uniform Code for the Abatement of Dangerous  
18 Buildings, the State Energy Code 51-11, 51-13 and Ventilation and Indoor Air Quality Act  
19 and the State Barrier Free Standards will promote the health, safety and welfare of the  
20 general public;

21 NOW, THEREFORE, THE WHATCOM COUNTY COUNCIL DOES ORDAIN:

22 Ordinance Section 1. Chapter 15.04 W.C.C. amended. Whatcom County Code  
23 Chapter 15.04 is hereby amended to read as follows:

24 Chapter 15.04

25 UNIFORM BUILDING CODES

26 Sections:

27 ARTICLE I. UNIFORM BUILDING CODE

28 15.04.010 Chapter purpose--Building codes adopted.  
29 ~~15.04.020 Subsection 104(e) amended--Moved buildings and temporary buildings.~~  
0 15.04.030 Subsection 201 amended--Enforcement agency.



1 owner and/or contractor. Nothing contained in this Chapter shall be construed to relieve from  
2 or to lessen the responsibility or liability of any person or persons for injury or damage to  
3 persons or property caused by or resulting from any defect of any nature in any construction  
4 work performed by said person or any construction equipment owned, controlled, operated or  
5 used by the contractor; nor shall the County of Whatcom or any officer, agent, or employee  
6 thereof incur or be held as assuming any liability by reason or in consequence of any  
7 permission, certificate of inspection, inspection or approval authorized herein, or issued or  
8 given as herein provided, or by reasons or consequence of any things done or acts performed  
9 pursuant to the provisions of this Chapter. Except as otherwise provided in this Chapter, the  
10 following codes are hereby adopted by reference:

- 11 (a) The Uniform Building Code and permanent rules 91-20-175, ~~1988~~1991  
12 Edition, Parts I through XI and Appendix Chapters Numbers ~~e. 1 Div 1 (Life~~  
13 ~~Safety in Existing Buildings Other Than High Rise) 11 (Agricultural~~  
14 ~~Buildings), No. 32 (Roofing), No. 55 (Membrane Structures) AND No. 70~~  
15 ~~(Excavation and Grading).~~

16 Chapter 1; Divisions 1 & 2  
17 Chapter 7;  
18 Chapter 10;  
19 Chapter 12; Divisions 1, 2 & 3  
20 Chapter 23; Divisions 1, 2, 3 & 4  
21 Chapter 24;  
22 Chapter 25; subject to discretion of Building Official  
23 Chapter 26;  
24 Chapter 29;  
25 Chapter 31; as amended (exempt SFR)  
26 Chapter 55;  
27 Chapter 70; as amended

- 28 (b) The Uniform Housing Code, ~~1988~~1991 Edition.  
29 (c) The Uniform Code for the Abatement of Dangerous Buildings, ~~1988~~1991  
30 Edition.  
31 (d) Washington State Energy Code WAC ~~51-1251-11~~.  
32 (e) Ventilation and indoor air quality act (WAC 51-13)

1           ~~In addition to the above, the Washington State Regulations for Barrier Free Facilities,~~  
2           ~~WAC 51-10, are hereby adopted by reference as a supplement to the Uniform Building Code~~  
3           ~~as adopted above.~~

4           ~~15.04.020 Subsection 104(c) amended Moved buildings and temporary buildings.~~  
5           ~~Section 104(c) of the Uniform Building Code, 1988 Edition, is hereby amended to read as~~  
6           ~~follows:~~

7                     ~~(a) Moved Buildings and Temporary Buildings: Buildings or structures moved~~  
8                     ~~into or within the County shall comply with the provisions of this code for new buildings~~  
9                     ~~or structures and all other pertinent County codes and regulations.~~

10                    ~~Temporary structures such as review stands and other miscellaneous~~  
11                    ~~structures, sheds, canopies or fences used for the protection of the public around and~~  
12                    ~~in conjunction with construction work may be erected by special permit from the~~  
13                    ~~Building Official for a limited period of time. Such buildings or structures need not~~  
14                    ~~comply with the type of construction or fire resistance time periods required by this~~  
15                    ~~code. The Building Official may require along with a building permit application for a~~  
16                    ~~temporary structure, those plans, drawings and/or specifications that he deems~~  
17                    ~~necessary to demonstrate that the public safety is protected. Temporary structures shall~~  
18                    ~~be completely removed upon the expiration of the time limit stated in the permit.~~

19                    ~~No person or persons shall move any building into or within the county~~  
20                    ~~unless, prior to moving, said building has had a pre-move inspection by the County and~~  
21                    ~~has a valid permit issued by the Building Official. The cost of said inspection fee shall~~  
22                    ~~be payable in advance and shall not be refundable. The inspection fee shall be based~~  
23                    ~~upon the following schedule:~~

24                             ~~When located inside the county fee \$50.00~~

25                             ~~When located outside the County of Whatcom fee: \$50.00 plus mileage.~~

26           ~~15.04.030 Section 201 amended--Enforcement Agency. Section 201 of the Uniform~~  
27           ~~Building Code, 1988~~1991~~ Edition, is hereby amended to read as follows:~~

1 The BureauDivision of Buildings and Code Administration is hereby established as the  
2 enforcement agency for the purposes of this code. The BureauDivision shall be under the  
3 administration and operational control of the Building Official.

4 ~~15.04.050 Subsection 202(e) amended--Occupancy violations. Subsection 202(e) of~~  
5 ~~the Uniform Building Code, 1988 Edition, is hereby amended to read as follows:~~

6 ~~(e) --Occupancy Violations. Whenever any building or structure or equipment~~  
7 ~~is being used contrary to the provisions of this Chapter the Building Official may order~~  
8 ~~such use discontinued and the structure or portions thereof vacated, by serving notice~~  
9 ~~on any person causing or allowing the unlawful use to continue. The use shall be~~  
10 ~~discontinued within the time prescribed by the Building Official in the notice; or the use~~  
11 ~~shall be made lawful within the time set by the Building Official on the notice provided,~~  
12 ~~however, that if the structure is unsafe, Section 203 of this code shall apply.~~

13 ~~15.04.060 Section 204(a) amended--Appeals. Section 204 of the Uniform Building~~  
14 ~~Code, 1988 Edition, is hereby amended to read as follows:~~

15 ~~Section 204(a) Appeals. Appeals of rulings made by the Building Official on the~~  
16 ~~suitability of alternate materials and methods of construction may be brought before the~~  
17 ~~Whatcom County Appeals Board for consideration consistent with the authority granted~~  
18 ~~the Board by the County ordinance and in the manner set forth therein. Whenever the~~  
19 ~~term Board of Appeals is used in this ordinance it shall be construed to mean the County~~  
20 ~~Board of Appeals.~~

21 ~~15.04.070 Section 205 amended--Violations and penalties. Section 205 of the Uniform~~  
22 ~~Building Code, 1991 Edition, is hereby amended to read as follows:~~

23 ~~Section 205. Violations and Penalties. Any person, firm or corporation violating~~  
24 ~~any of the provisions of this Chapter, or of the Codes adopted by reference by this~~  
25 ~~Chapter, shall be deemed guilty of a civil offense and each day during which such~~  
26 ~~violation is continued or committed shall constitute a separate offense, and shall be~~  
27 ~~fined not more than One Thousand Dollars (\$1,000.00) for each offense.~~

1            15.04.080 Section 301 amended--Parking facilities. There is hereby added to the  
2 Uniform Building Code, ~~1985~~1991 Edition, a new Subsection ~~301(e)~~301(d) to read as follows:

3            (c) No parking facility, parking lot or alterations or repairs thereto shall be made  
4 unless a permit has first been obtained from the Building Official, provided that parking  
5 facilities, parking lots, alterations and repairs thereto which are a part of or accessory  
6 to a building or structure for which a valid building permit has been obtained and which  
7 are being constructed along with the building or structure shall not require a separate  
8 permit but shall be included in and made a part of the permit for the structure at the  
9 time of issuance.

10           15.04.090 Subsection 303(a) amended--Issuance of permit. Subsection 303(a) of the  
11 Uniform Building Code, ~~1988~~1991 Edition, is hereby amended to read as follows:

12           (a) Issuance. The applications, plans and specifications and other data and  
13 pertinent materials as may be required by the Building Official filed by an applicant for  
14 permit shall be reviewed by the Building Official. Said plans and other data may be  
15 reviewed by other departments of the County to check compliance with the laws and  
16 ordinances under their jurisdiction. If the Building Official is satisfied that the work  
17 described in an application for a permit and the plans and specifications and other data  
18 filed therewith conform to the requirements of this code and other pertinent codes, laws  
19 and ordinances of the County, and that the fees specified in Section 304 of this code  
20 and other fees and charges have been paid as required by other County codes and  
21 ordinances, he shall issue a permit therefor to the applicant. Provided, that when  
22 installation of a sewage disposal system ~~or water system~~ shall be necessary, no permit  
23 shall be issued until such system ~~design~~ has been approved by the Health Department;  
24 or, if the applicant intends to connect to any sanitary disposal system, no permit shall  
25 be issued until approval ~~therefore~~ has been obtained. ~~If the applicant is to obtain~~  
26 ~~domestic water supply from any city, water district or water association, written prior~~  
27 ~~approval shall be obtained before issuance of a permit. When ~~issuing a permit~~ the~~

1 Building Official ~~issues the permit he~~ shall endorse in writing or stamp on both sets of  
2 plans and specifications "Approved." Such approved plans and specifications shall not  
3 be changed, modified, or altered without authorization from the Building Official, and all  
4 work shall be done in accordance with the approved plans and specifications and  
5 conditions placed thereupon.

6 The Building Official may issue a permit for the construction of part of a building  
7 or structure before the entire plans and specifications for the whole building or structure  
8 or property have been submitted or approved, provided adequate information and other  
9 detailed statements have been filed complying with all pertinent requirements of this  
10 code and all other pertinent County codes and ordinances. The holder of such permit  
11 shall proceed at his own risk without assurance that the permit for the entire building,  
12 structure or project will be granted, provided, however, that no final building permits  
13 shall be issued for any such project until all other applicable permits have been applied  
14 for and issued. The Building Official shall, however, have the authority to waive prior  
15 approval of such other permits when strict compliance would create an undue hardship.

16 The Building Official shall determine that the plans submitted indicate that  
17 the proposed structure or building is to be constructed upon a lot of record prior to  
18 issuing a permit. A legal lot of record is a lot which is described by final plat, short plat  
19 or metes and bounds, and is established pursuant to applicable local and state  
20 regulations and a legal instrument creating the lot is recorded with the Whatcom County  
21 Auditor's Office.

22 15.04.100 Subsection 304(b), (c) and Table 3A amended--Permit and plan review fees.

23 Subsections 304(b), (c) and Table 3A of the Uniform Building Code, 1991 Edition, are hereby  
24 amended to read as follows:

25 (b) Permit Fees. The fees for each permit shall be set forth in Table No. 3A.

26 The determination of value or valuation under any of the provisions of this code shall be  
27 made by the Building Official. The value to be used in computing the permit fees for

1 building, demolishing, and renovation, shall be the total value of all construction work  
2 or destruction work for which the permit is issued which shall include, ~~but not be limited~~  
3 ~~to the value of all of the finished work,~~ painting, roofing, electrical, plumbing, heating,  
4 ~~air conditioning, elevators, fire extinguishers,~~ Landscaping, parking facilities, parking lots  
5 and other pertinent equipment. ~~shall be included as finished work.~~

6 (c) Plan Review Fees. When a plan or other data is required to be submitted  
7 by Subsection (b) of Section 302, or other sections of this ordinance, or other pertinent  
8 County ordinances or codes a plan review fee shall be paid by the applicant at the time  
9 of submitting plans and specifications for review, provided that the Building Official may  
10 authorize payment by the applicant of the plan review fee at a later date in accordance  
11 with written policy. ~~The applicant shall be responsible for paying the plan review fees~~  
12 ~~at the time the building permit is issued and in no case longer than 180 days from the~~  
13 ~~date of application.~~ Said plan review fee, ~~if required by the Building Official,~~ shall  
14 include structural plans, structural calculations, demolition, parking and landscaping.  
15 Said plan review fee shall be 65% of the building permit fee. ~~as shown in Table 3A.~~  
16 When plans are incomplete or changed so as to require additional plan review, an  
17 additional plan review fee shall be charged at the rate shown in Table 3A or other  
18 applicable ordinance or code.

1

TABLE NO. 3-1 BUILDING PERMIT FEES

2

TOTAL VALUATION FEE

3

\$1 to \$500 \$15.00

4

\$501 to \$2,000 \$15.00 for the \$500 plus \$2.00 for each additional \$100 or fraction thereof, to and including \$2,000

5

6

\$2,001 to \$25,000 \$45.00 for the first \$2,000 plus \$9.00 for each additional \$1,000 or fraction thereof, to and including \$25,000

7

8

\$25,001 to \$50,000 \$252.00 for the first \$25,000 plus \$6.50 for each additional \$1,000 or fraction thereof, to and including \$50,000

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\$50,001 to \$100,000 \$414.50 for the first \$50,000 plus \$4.50 for each additional \$1,000 or fraction thereof, to and including \$100,000

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12

\$100,001 to \$500,000 \$639.50 for the first \$100,000 plus \$3.50 for each additional \$1,000 or fraction thereof up to and including \$500,000

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\$500,001 to \$1,000,000 \$2,039.50 for the first \$500,000 plus \$3.00 for each additional \$1,000 or fraction thereof, to and including \$1,000,000

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\$1,000,001 and up \$3,539.50 for the first \$1,000,000 plus \$2.00 for each additional \$1,000 or fraction thereof

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19

INSPECTIONS AND FEES

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Inspections outside of normal business hours \$30.00 per hour\*

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22

Reinspection fees assessed under provisions of Section 304(g) \$30.00 per hour\*

23

Inspections for which no fee is specifically indicated \$30.00 per hour\*

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25

Additional plan review required by changes, additions or revisions to approved plans \$30.00 per hour\*

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27

\*Or the total hourly cost to the jurisdiction, whichever is greatest. The cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.

1                   ~~15.04.110 Subsection 307(c) amended—Certificate issued.~~ Subsection 307(c) of the  
2 Uniform Building Code, 1988 Edition, is hereby amended to read as follows:

3                   ~~(c) Certificate Issued.~~ Pursuant to the provisions of 307(a), the Building Official  
4 shall issue a Certificate of Occupancy after the building or structure has satisfactorily  
5 passed its final inspection, and is in compliance with the applicable provisions of:

- 6                   1. ~~This Code;~~
- 7                   2. ~~The Uniform Mechanical Code;~~
- 8                   3. ~~The Uniform Plumbing Code;~~
- 9                   4. ~~The Uniform Fire Code;~~
- 10                  5. ~~The Zoning Ordinance;~~
- 11                  6. ~~The Shoreline Management Act;~~
- 12                  7. ~~The Environmental Policy Act and County ordinances adopted pursuant thereto;~~
- 13                  8. ~~Other pertinent County codes and ordinances.~~

14                  The Certificate of Occupancy shall contain the following: ~~The use classification,~~  
15 ~~the building permit number, the group, the type of construction, the use zone, the name~~  
16 ~~and address of the owner of the building, the address of the building or structure and~~  
17 ~~the signatures of the Building Official and Fire Marshal.~~

18                   ~~15.04.130 Subsection 1202(b) amended—Special provisions.~~ Subsection 1202(b) of the  
19 Uniform Building Code, 1988 Edition, is hereby amended to read as follows:

20                  ~~(b) Special Provisions.~~ Group R, Division 1 Occupancies more than two stories  
21 in height or having more than 3000 square feet of floor area above the first story shall  
22 be not less than one hour fire resistive construction throughout except as provided in  
23 Section 1705(b)2. All residential structures shall be provided with one hour fire resistive  
24 occupancy separations between units. ~~Between units shall include ceiling.~~

1                   ~~Storage or laundry rooms that are within Group R, Division 1 Occupancies that~~  
2                   ~~are used in common by tenants shall be separated from the rest of the building by not~~  
3                   ~~less than one hour fire resistive occupancy separations.~~

4                   15.04.135 Subsection 2903(c) added--Debris, rubbish and other materials. There is  
5 hereby added to the Uniform Building Code, ~~1989~~1991 Edition, a new Subsection 2903(c) to  
6 read as follows:

7                   (c) No person shall deposit debris, rubbish, trees, stumps, or other excavation  
8 materials on or over public or private property or in existing drainage corridors unless  
9 such activity has been authorized by permit. Channels, creeks and rights-of-way shall  
10 be kept free of all debris and foreign material at all times.

11                   15.04.140 Subsection 2907(d)5 amended--Foundation Elevations. Subsection 2907(d)5  
12 of the Uniform Building Code, 1991 Edition, is hereby amended to read as follows:

13                   5. Foundation elevation. On graded sites, the top of any exterior foundation  
14 shall extend above the elevation of the street gutter at point of discharge or the inlet of  
15 an approved drainage device a minimum of 12 inches plus 2 percent. The Building  
16 Official may approve alternate elevations, provided it can be demonstrated that required  
17 drainage to the point of discharge and away from the structure is provided at all  
18 locations on the site. The following provisions shall be made to prevent standing water  
19 under and around a building or structure prior to the final inspection. The finished grade  
20 and elevation under the building shall be above the ground drainage flow of the land  
21 around the building to prevent surface or sub-surface water from draining to the space  
22 under the building, provided that other approved alternates such as drain tile, exterior  
23 grading to a point lower than the interior drainage of the building or an approved sump  
24 pump may be used, and provided further that the alternate method to be used shall be  
25 shown on the building plans. An approved sump pump system shall in no case be  
26 connected to the sanitary sewer system. In all instances where a drainage or sump  
27 pump system is installed under the structure there shall be provided, in the foundation

1 wall, an access crawl hole which shall be no more than 20 3 feet from the main drain  
2 clean out. To facilitate the drainage of water, the building site shall have at least a 2%  
3 gradient towards approved drainage facilities from building pads. However, this may be  
4 waived by the Building Official provided that the permittee can demonstrate that due to  
5 the nature of the site this would be impractical and that an approved alternate will be  
6 used. If water appears under the building within a period of 12 months after the final  
7 inspection of the building or structure, the builder shall be responsible for providing the  
8 drainage of the same, and provided further that the builder has not complied with the  
9 requirements of Section 1-F herein, concerning drainage. Thereafter, the owner of the  
10 building shall be responsible for providing drainage of the same, except where owner  
11 and builder agree otherwise and where the requirements have been waived by the  
12 Building Official.

13 15.04.160 Subsection 3207(e) amended--Drainage. Subsection 3207(e) of the Uniform  
14 Building Code, 19881991 Edition, is hereby amended to read as follows:

15 (e) Drainage Prohibited Over Public or Private Property. Roof drainage water  
16 from a building or structure shall not be permitted to flow over public property nor shall  
17 roof drainage be permitted to flood over adjoining property without the consent of the  
18 adjoining property owner. All drainage shall be disposed of in a manner consistent with  
19 County regulations.

20 15.04.160 Section Appendix Section 3210 amended--Reroofing inspections. Section  
21 3210 of the Uniform Building Code, 19881991 Edition, is hereby amended to read as follows:

22 Section 3210. New roof coverings shall not be applied without first obtaining an  
23 inspection and approval from the building official. A final inspection and approval shall  
24 be obtained from the building official when the re-roofing is complete; PROVIDED, that  
25 ~~no inspection shall be required~~ ~~may be waived~~ under this Chapter for re-roofing of  
26 dwelling as defined by this code. ~~Notwithstanding any other provisions of this code, the~~  
27 ~~building permit fee for re-roofing of dwellings shall be \$11.00.~~

1                    15.04.170 Subsection 7006(b) amended--Application. Subsection 7006(b) of the  
2 Uniform Building Code, 1991 Edition, is hereby amended to read as follows:

3                    (b) Application. The provisions of Section 302(a) are applicable to grading and  
4 in addition the application shall state the estimated quantities of work involved and  
5 location of disposal or fill. Where surface water discharge from the property to be filled,  
6 excavated or graded is altered or concentrated, the Building Official may require the  
7 property owner or his authorized representative to submit calculations of the expected  
8 peak runoff for existing conditions and for conditions temporarily or as a part of the final  
9 plan of the site development, flow and use of flow hydrographs may be required for up  
10 to 10 years for residential uses, and up to 50 years for commercial uses, showing the  
11 impounded volume on site and maximum discharge rate from the site. A drainage  
12 release from the downstream property owner(s) may be required should the proposed  
13 storm water discharge vary in location, volume or velocity from that which previously  
14 existed.

15                    15.04.180 Tables 70-A and 70-B amended--Plan review and grading permit fees. Tables  
16 70-A and 70-B of the Uniform Building Code, 1991 Edition, are hereby amended to read as  
17 follows:

**TABLE 70-A GRADING PLAN REVIEW FEES**

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50 cubic yards or less	No fee
51 to 100 cubic yards	\$15.00
101 to 1000 cubic yards	\$22.50
1001 to 10,000 cubic yards	\$30.00
10,001 to 100,000 cubic yards	\$30.00 for the first 10,000 cubic yards, plus \$15.00 for each additional 10,000 cubic yards or fraction thereof
100,001 to 200,000 cubic yards	\$165.00 for the first 100,000 cubic yards, plus \$9.00 for each additional 10,000 cubic yards or fraction thereof
200,001 cubic yards or more	\$255.00 for the first 200,000 cubic yards, plus \$4.50 for each additional 10,000 cubic yards or fraction thereof

**OTHER FEES**

Additional plan review required by changes, additions, or revisions to approved plans	\$30.00 per hour* (minimum charge - 1/2 hour)
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\*Or the total hourly cost to the jurisdiction, whichever is the greatest. The cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.

**TABLE NO. 70-B GRADING PERMIT FEES\***

50 cubic yards or less	\$15.00
51 to 100 cubic yards	\$22.50
101 to 1,000 cubic yards	\$22.50 for the first 100 cubic yards plus \$10.50 for each additional 100 cubic yards or fraction thereof
1,001 to 10,000 cubic yards	\$117.000 for the first 1,000 cubic yards, plus \$9.00 for each additional 1,000 cubic yards or fraction thereof
10,001 to 100,000 cubic yards	\$198.00 for the first 10,000 cubic yards, plus \$40.50 for each additional 10,000 cubic yards or fraction thereof

1 100,001 cubic yards or more \$582.50 for the first 100,000 cubic yards, plus  
2 \$22.50 for each additional 10,000 cubic yards or  
3 fraction thereof

4 **Other Inspections and Fees:**

- 5 1. Inspections outside of  
6 normal business hours \$30.00 per hour\*\*
- 7 2. Reinspection fees assessed  
8 under provisions of  
9 Section 305(g) \$30.00 per hour\*\*
- 10 3. Inspections for which no fee  
11 is specifically indicated \$30.00 per hour\*\*  
(minimum charge - 1/2 hour)

12 \*The fee for a grading permit authorizing additional work to that under a valid permit shall be  
13 the difference between the fee paid for the original permit and the fee shown for the entire  
14 project.

15 \*\*Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include  
16 supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.

17 15.05.190 Subsection 7013(a) and (b) amended--Erosion control. Subsections 7013(a)  
18 and (b) of the Uniform Building Code, 1988-1991 Edition, are hereby amended to read as  
19 follows:

20 (a) General. Erosion control is generally subject to other ordinances of the  
21 County which regulate drainage, construction in flood plains and establish standards for  
22 development; however, to the extent that there is not a conflict with those ordinances,  
23 and unless otherwise indicated on the approved grading plan, erosion control shall be  
24 provided as follows:

25 The faces of cut and fill slopes shall be prepared and maintained to control  
26 erosion. The protection for the slopes shall be installed as soon as practicable and prior  
27 to calling for final approval. Where such slopes are not subject to erosion due to the  
28 erosion-resistant character of the materials, such protection may be eliminated if  
29 approved by the Building Official.

1 (b) Devices. Erosion control devices may include, but are not limited to the  
2 following: plantings, check dams, cribbing, or riprap. Such devices shall be approved  
3 by the Building Official or his designee.

4 **ARTICLE II. UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS**

5 15.04.210 Section 201(a) amended--Definitions. Subsection 201(a) of the Uniform  
6 Code for the Abatement of Dangerous Buildings, 1991 Edition, is hereby amended to read as  
7 follows:

8 (a) Administration. Whenever the term "Building Official" is used in this code  
9 it shall be construed to mean the Deputy Administrator of Buildings and Code.  
10 Whenever the term "Housing Advisory" or "Appeals Board" is used in this code, it shall  
11 be construed to mean the Whatcom County Appeals and Code Review Board.  
12 Whenever the term "City Clerk" or "City Treasurer" are used in this code, it shall be  
13 construed to mean the County Auditor and County Treasurer, respectively.

14 **ARTICLE III. UNIFORM HOUSING CODE**

15 15.04.230 Section 201 amended--Definitions. Section 201 of the Uniform Housing  
16 Code, 1991 Edition, is hereby amended to read as follows:

17 201. Whenever the term "Building Official" is used in this code it shall be  
18 construed to mean the Deputy Administrator of Buildings and Code. Whenever the term  
19 "Housing Advisory and Appeals Board" is used in this code it shall be construed to mean  
20 the Whatcom County Appeals and Code Review Board. Whenever the terms "City  
21 Clerk" or "City Treasurer" are used in this code it shall be construed to mean the County  
22 Auditor or County Treasurer, respectively.

23 **ARTICLE IV. VIOLATIONS**

24 15.04.240 Penalty designated. ~~Any person, firm or corporation violating any of the~~  
25 ~~provisions of this Chapter, or of the Codes adopted by reference by this Chapter, shall be~~  
26 ~~deemed guilty of a civil offense and each day during which such violation is continued or~~

1 committed shall constitute a separate offense, and shall be fined not more than One Thousand  
2 Dollars (\$1,000.00) for each offense.

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

10 Within thirty (30) days after the notice is received, the person incurring the penalty may  
11 apply in writing to the Building Official for remission or mitigation of such penalty. Upon  
12 receipt of the application, said department may remit or mitigate the penalty upon whatever  
13 terms the department in its discretion deems proper. The Building Official's final decision on  
14 mitigation or revision shall be reviewed by the County Council if the person being penalized  
15 files a written appeal therewith of said decision within ten (10) days of its issuance. The  
16 decision of the County Council regarding the penalty imposed shall be final.

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

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

25 In the event any person, firm or corporation violates any of the provisions of this  
26 ordinance, the Building Official shall cause a notice of violation to be delivered to a person of  
27 suitable age at the site and order all work to cease until authorized to proceed. Failure to

1 comply with the order to stop work shall be a gross misdemeanor punishable upon conviction  
2 by a minimum fine of Five Hundred Dollars (\$500.00) up to a maximum fine of One Thousand  
3 Dollars (\$1,000.00) or one (1) year in jail, or both. Under no circumstances may the court  
4 defer or suspend any portion of the minimum Five Hundred Dollar (\$500.00) fine for any  
5 conviction under this section. Each day or part thereof of noncompliance with said order to  
6 stop work shall constitute a separate offense.

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

12 The issuance or granting of a permit or approval of plans shall not prevent the Building  
13 Official/Director of Public Works from thereafter requiring the correction of errors in said plans  
14 and specifications or from preventing construction operations being carried on thereunder when  
15 in violation of this code or of any other ordinance or from revoking any certificate of approval  
16 when issued in error.

17 Every permit issued by the Building Official under the provisions of this code shall expire  
18 by limitation and become null and void, if the work authorized by such permit is not  
19 commenced within 180 days from the date of issuance of such permit, or if the work  
20 authorized by such permit is suspended or abandoned at any time after the work is commenced  
21 for a period of 180 days. Before such work can be recommenced, a new permit shall be first  
22 obtained to do so, and the fee therefor shall be one-half the amount required for a new permit  
23 for such work, provided no changes have been made, or will be made in the original plans and  
24 specifications for such work, and provided, further that such suspension or abandonment has  
25 not exceeded one year.

26 Ordinance Section 2: Severability. If any section, subsection, sentence, clause, phrase,  
27 or portion of this code or ordinance adopted herein is for any reason held to be invalid or


1 unconstitutional by the decision of a court of competent jurisdiction, such decision shall not  
2 affect the validity of the remaining portions of this ordinance or the codes therein.

3 ADOPTED this 1st day of September, 1992.

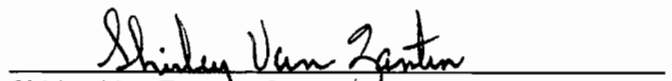
4 WHATCOM COUNTY COUNCIL  
5 WHATCOM COUNTY, WASHINGTON

6 ATTEST:

7   
8 Ramona Reeves, Council Clerk


  
Dan Warner, Chairperson

9  Approved  Denied

10   
11 Shirley Van Zanten, County Executive

12 Date: 9-2-92

13 APPROVED AS TO FORM:

14   
15 Randall Watts  
16 Civil Deputy Prosecutor

17  
18  
19  
20  
21

22