

WHATCOM COUNTY COUNCIL AGENDA BILL

NO. 2007-259

CLEARANCES	Initial	Date	Date Received in Council Office	Agenda Date	Assigned to:
Originator:	Rm <i>Rm</i>	6-8-07	RECEIVED JUN 12 2007 WHATCOM COUNTY COUNCIL	6/19/07	Introduction
Division Head:	WH <i>WH</i>			7/10/07	Hearing
Dept. Head:	SamR <i>gER</i>				
Prosecutor:	<i>[Signature]</i>	6-8-07			
Purchasing/Budget:					
Executive:	<i>[Signature]</i> <i>PR</i>	6-12-07			

TITLE OF DOCUMENT:

Ordinance to Update the Building Codes to the 2006 IBCs, according to State law

ATTACHMENTS:

Cover Sheet, Ordinance and signature page

SEPA review required? () Yes () NO
 SEPA review completed? () Yes () NO

Should Clerk schedule a hearing? () Yes () NO
 Requested Date:

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE: (If this item is an ordinance or requires a public hearing, you must provide the language for use in the required public notice. Be specific and cite RCW or WCC as appropriate. Be clear in explaining the intent of the action.)

An ordinance to update the county Building and related life safety codes to the 2006 versions. In accordance with Washington state law to be effective July 1, 2007.

This ordinance adopts the current version of the IBC, IFC, IMC, UPC, accessibility and energy codes as well as Related codes and appendices. It also sets forth provisions for administering and enforcing these codes in Whatcom County

COMMITTEE ACTION:

COUNCIL ACTION:

6/19/2007: Introduced
 7/10/2007: Council Adopted 7-0
 Ord. 2007-034

Related County Contract #:

Related File Numbers:

Ordinance or Resolution Number:

Ord. 2007-034

Please Note: Once adopted and signed, ordinances and resolutions are available for viewing and printing on the County's website at: www.co.whatcom.wa.us/council.

ORDINANCE NO. 2007-034

ADOPTING THE CURRENT STATE BUILDING CODE AND REPEALING THE EXISTING TITLE 15 OF THE WHATCOM COUNTY CODE

WHEREAS, the Whatcom County Council held a public hearing on July 10, 2007, to review staff findings and recommendations, and to consider any public testimony and written correspondence regarding Whatcom County Code Title 15, Buildings and Construction; and

WHEREAS, chapter 19.27 RCW requires Whatcom County to administer and enforce the State Building Code in the unincorporated areas within its boundaries; and

WHEREAS, the purpose of these codes is to promote the health, safety and welfare of the occupants or users of buildings and structures and the general public by the provision of building codes in Whatcom County; and

WHEREAS, RCW 19.27.040 allows local jurisdictions to adopt appropriate amendments to the State Building Code; and

WHEREAS, modifications and/or amendments to the State Building Code as it applies to Whatcom County are desirable for various reasons; and

WHEREAS, the State Building Code Council requires adoption of the 2003 edition of these International Codes and the 2003 edition of the Uniform Plumbing Code and the 2003 edition of the State of Washington Energy and Air Quality Codes with further amendments by July 1, 2004.

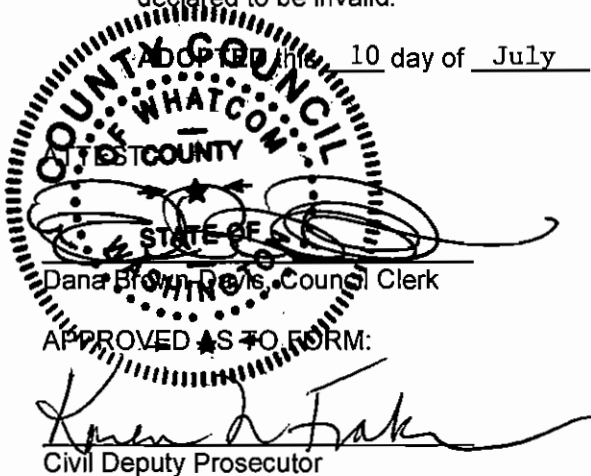
NOW, THEREFORE, BE IT HEREBY ORDAINED that:

Section 1. Title 15 of the Whatcom County Code is repealed in its entirety:

Section 2. A new Title 15 is hereby adopted as shown in Exhibit A to this ordinance.

Section 3. Adjudication of invalidity of any of the sections, clauses, or provisions of this ordinance shall not affect or impair the validity of the ordinance as a whole or any part thereof other than the part so declared to be invalid.

Adopted on the 10 day of July, 2007.



Dana Brown Deits, Council Clerk

APPROVED AS TO FORM:

Karen A. Fahn
Civil Deputy Prosecutor

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

Carl Weimer
Carl Weimer, Council Chair

() Approved () Denied

Pete Kremen
Pete Kremen, County Executive

Date: 7-11-07

Chapter 15.04 BUILDING CODES

Sections:

15.04.010 Adoption of referenced codes.

15.04.015 Department of Building Safety

15.04.020 Amendments to the International Building Code.

15.04.030 Amendments to the International Residential Code.

15.04.040 Amendments to the International Fire Code.

15.04.050 Permit expirations and violations of the above referenced codes.

15.04.010 Adoption of referenced codes.

Whatcom County hereby adopts the following codes, as amended by the Washington State Building Code Council pursuant to RCW 19.27.074 and Chapter 51-50 WAC or successor, for the purpose of establishing rules and regulations for the construction, alteration, removal, demolition, equipment, use and occupancy, location and maintenance of buildings and structures, including permits and penalties.

- A. The 2006 International Building Code, including Appendix B, except as amended per Ordinance #2007-024, Board of Appeals, and including Appendices C and E, as published by the International Code Council, hereinafter referred to as the IBC, as modified by Chapter 51-50 WAC or successor, and as amended in WCC 15.04.020 and 15.04.050 is hereby adopted by reference.
- B. The 2006 International Residential Code, including Appendix G and J, as published by the International Code Council, hereinafter referred to as the IRC, and as modified by Chapter 51-51 WAC or successor and as amended in WCC 15.04.030 and in 15.04.050, is hereby adopted by reference with the following additions, deletions and exceptions: Provided that chapters 11 and 25-42 of this code are not adopted.
- C. The 2006 International Fire Code, including Appendices A, B, C, and D and latest supplements, as published by the International Code Council, hereinafter referred to as the IFC, as modified by Chapter 51-54 WAC or successor, and as amended in WCC 15.04.040 and 15.04.050.
- D. The 2006 International Mechanical Code, as published by the International Code Council, hereinafter referred to as the IMC, as modified by Chapter 51-52 WAC and as amended by WCC 15.04.050 or successor.

- E. The standards for liquefied petroleum gas installations shall be the 2004 edition of NFPA 58 (Liquefied Petroleum Gas Code) and the 2006 edition of ANSI Z223.1/NFPA 54 (National Fuel Gas Code), adopted by reference in WAC 51-52 and as amended by WCC 15.04.050 or successor.
- F. Except as provided in RCW 19.27.170, the 2006 Uniform Plumbing Code and Uniform Plumbing Code Standards (IAPMO/ANSI UPC 1-2006), as published by the International Association of Plumbing and Mechanical Officials, hereinafter referred to as the UPC, as modified by WAC 51-56 and 51-57 and as amended by WCC 15.04.050 or successor.
- G. The rules adopted by the Washington State Building Code Council establishing standards for making buildings and facilities accessible and usable by the physically disabled or elderly persons as provided in Chapter 51-50 WAC, IBC Chapters 10 and 11, IBC Appendix E and ICC/ANSI A117.1 2003 or successor.
- H. The 2006 Washington State Energy Code, adopted by reference in WAC 51-11 or successor, hereinafter referred to as the WSEC, and the 2006 Washington State Ventilation and Indoor Air Quality Code, adopted by reference in WAC 51-13 or successor, hereinafter referred to as the VIAQ, both promulgated by the State Building Code Council.
- I. The Uniform Code for the Abatement of Dangerous Buildings, 1997 Edition, or successor. (Ord. 2004-064 § 2).

15.04.015 Department of Building Safety

Pursuant to Section 103.1 of the International Building code, the Building Services Manager of the Building Services Division of the Planning and Development Services Department is designated as the building official for Whatcom County and is authorized to enforce the provisions of this ordinance and adopted referenced codes and amendments.

Recognizing the authority and responsibility vested in the building official per Section 103.2 of the International Building Code s/he is authorized to promulgate such rules, policies and/or procedures as s/he deems necessary for the efficient operation of the permit process as administered by the Department of Building Safety, designated in IBC Section 103.1, and hereby referred to as the Building Services Division of the Whatcom County Planning & Development Services Department.

15.04.020 Amendments to the International Building Code.

A. The IBC is amended as follows:

1. Section 105.1, Required, is amended to include the following:

a. Despite any ordinance provisions to the contrary, a state contractor, or an industrial plant-doing work on premises it owns or operates, may obtain permits as required by the mechanical and plumbing codes, through mail-in applications, for work not requiring plans and specifications, State Environmental Policy Act checklist, shorelines substantial development permit and not located in a designated flood zone, by following the requirements of this chapter and with the approval of the building official.

b. Industrial plants performing work on premises it owns or operates may obtain permits, as required by the mechanical and plumbing codes, through mail-in applications for work not exceeding \$20,000; and not requiring plans and specifications, provided that the industrial plants receive prior approval of the building official; and further provided that proposed work is not in conflict with any county, state or federal zoning or environmental policies.

c. A state licensed contractor may obtain a permit, as required by the mechanical and plumbing codes, through mail-in applications for work not exceeding \$10,000 and not requiring plans and specifications and not in conflict with state or local zoning and environmental policies and with the prior approval of the building official.

d. The applicant shall fill out in full the forms furnished for that purpose, and attach thereto the full amount of moneys that are required for fees as required in the respective codes. The application shall contain all information necessary to the lawful enforcement of the provisions of the respective codes. The applicant shall file all forms with fees.

e. No person or industrial plant shall perform work as provided herein until such time as they receive verification of approval of their application by the county building official and have been given written notice of same.

f. Any violation of this chapter shall be cause for the building official to revoke the mail-in applications privilege of the violator. Upon written notice of revocation, all provisions of the mechanical and plumbing codes superseded by this chapter shall resume in full force and effect as to the person or industrial plant whose application has been revoked.

2. Section 105.2, Work exempt from permit, is amended to read as follows:

a. One-story detached, non-occupied accessory structures without basements, used as tool and storage sheds, playhouses and similar uses, provided that 1.) the floor area does not exceed 120 sq. ft. 2.) accessory structures maintain a minimum separation of 6 (six) feet between exterior walls, and a minimum separation of 4 (four) feet between eaves of adjacent buildings on the same property and 3.) provided that accessory structures meet all applicable setback requirements.

b. Fences not over 6 feet high.

c. Oil derricks.

d. Retaining walls which are not over 4 feet in height measured from the bottom of the footing to the top of the wall, unless supporting surcharge or impounding Class I, II, or III-A liquids.

e. Water tanks supported directly on grade if the capacity does not exceed 5,000 gallons. And the ratio of height to diameter or width does not exceed 2 to 1.

f. Sidewalks and driveways not more than 30 inches above grade and not over any basement or story below and which are not part of an accessible route.

g. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.

h. Temporary motion picture, television and theater sets and scenery.

i. Prefabricated swimming pools installed entirely above-ground, accessory to a Group R-3.

j. Shade cloth structures constructed for nursery or agricultural purposes and not including service systems.

k. Swings and other playground equipment.

l. Window awnings supported by an exterior wall which do not project more than 54 inches from the exterior wall and do not require additional support of group R-3, as applicable in Section 101.2, and Group U occupancies.

m. Nonfixed and movable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches in height.

n. Bridges, box culverts and similar passageway structures built over depressions or obstacles, herein after referred to as bridges, are structures and therefore not exempt per IBC Section 105.2, except as interpreted and quantified in Building Services Division Code Interpretation #2002-05. Bridges shall be designed and constructed per the current adopted Whatcom County Development Standards (WCDS), Chapter 5, Road Standards, Section 513, Bridges and Associated Retaining Walls. Bridges constructed as a requirement or condition of subdivision or short subdivision approval, per Whatcom County Land Division Regulations, Title 21, and which receive final approval from the Public Works Technical Administrator, shall be deemed by the Building Official to have met the permit requirements per IBC Section 105. The Technical Administrator is designated as the County Engineer, per WCDS, Chapter 5, Road Standards, Section 502.

B. Appendix J, Grading.

1. IBC Section 104.1 is amended with an additional paragraph to read as follows:

The Land Use / Natural Resources (LUNR) Division Manager is hereby authorized and directed, by the Building Official, to enforce the provisions of IBC Appendix J, Grading, including as amended in WCC, Chapter 15, Section 15.04.020. The LUNR Division Manager shall have the authority to render interpretations of this amended Appendix and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be in compliance with the intent and purpose of amended Appendix J. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in amended Appendix J.

2. The following definitions are added to Section J102.1:

- a. EARTH MATERIAL: Any rock, natural soil or any combination thereof.

- b. CRITICAL AREAS: The following areas as regulated under WCC 16.16 shall be regarded as critical areas along with associated buffers identified under WCC 16.16:

- i. Geologically hazardous areas.
 - ii. Frequently flooded areas.
 - iii. Critical aquifer recharge areas.
 - iv. Wetlands.
 - v. Fish and wildlife habitat conservation areas.
- c. ORDINARY HIGH WATER MARK: The mark on all lakes, rivers, streams and tidal water that will be found by examining the beds and banks and ascertaining where the presence and action of waters are so common and usual and so long continued in all ordinary years, as to mark upon the soil a character distinct from that of the abutting upland in respect to vegetation.

3. The following exemptions are added to Section J103.2:

- a. Grading in an isolated, self-contained area, provided there is no danger to the public, and that such grading will not adversely affect adjoining properties or critical areas and further provided that the activity occurs outside of the jurisdiction of the Whatcom County Shoreline Management Program (WCC Title 23) and fill does not exceed 250 cubic yards and is associated with a residence authorized by a valid building permit.
- b. Excavation for construction of a structure permitted under this code provided that said construction has been duly reviewed for compliance with the Whatcom County Shoreline Management Program (WCC Title 23) and the Whatcom County Critical Areas Ordinance (WCC 16.16).
- c. Refuse disposal sites controlled by and appropriately permitted in accordance with other regulations.
- d. Excavations for wells or trenches for utilities, provided the activity occurs outside of the jurisdiction of the Whatcom County Shoreline Management Program (WCC Title 23) and there are no adverse impacts to critical areas.
- e. Mining, quarrying, excavating, processing or stockpiling rock, sand, gravel, aggregate or clay controlled by other regulations, provided the activity occurs outside of the jurisdiction of the Whatcom County Shoreline Management Program (WCC Title 23) and such operations do not affect

the lateral support of, or significantly increase stresses in soil on adjoining properties, or adversely impact critical areas.

f. Exploratory excavations performed under the direction of a registered design professional provided that said excavations have been duly reviewed for compliance with the Whatcom County Shoreline Management Program (WCC Title 23) or critical areas ordinance.

g. A fill less than 1 foot in depth and placed on natural terrain with a slope flatter than 1 unit vertical in 5 units horizontal (20% slope) or less than 3 feet in depth, not intended to support structures, that does not exceed 50 cubic yards on any one lot and does not obstruct a drainage course or otherwise impact critical areas provided the activity occurs outside of the jurisdiction of the Whatcom County Shoreline Management Program.

4. The following site plan requirements are added to J104.2:

a. In addition to the provisions of Section 106, a grading plan shall show the existing grade and finished grade in contour intervals of sufficient clarity to indicate the nature and extent of the work and show in detail that it complies with the requirements of this code.

b. The plans shall show the existing grade on adjoining properties in sufficient detail to identify how grade changes will conform to the requirements of this code.

c. The plans shall show erosion control types and locations, natural features (slopes, streams, wetlands, ponds, etc.), forested or treed areas, ditches, culverts, wet areas, flow directions, critical area boundaries, the Ordinary High Water Mark (OHWM) of any water body regulated by the Whatcom County Shoreline Management Program and any other information deemed necessary by the Building Official.

5. The following soils report requirement is added to J104.3:

a. A soils report prepared by a licensed geotechnical engineer or licensed engineering geologist for excavations and fills greater than 1,000 cubic yards when intended to support structures, shall be provided which shall identify the nature and distribution of existing soils; conclusions and recommendations for grading procedures, soil design criteria for any structures or embankments required to accomplish the proposed grading; and, where necessary, slope stability

studies, and recommendations and conclusions regarding site geology.

(Ord. 2004-064 § 2).

15.04.030 Amendments to the International Residential Code.

A. Section R105.2, Work exempt from permit, is amended to read as follows:

1. One-story detached, non-occupied, accessory structures without basements, used as tool and storage sheds, playhouses and similar uses, provided that 1.) the floor area does not exceed 120 sq. ft. 2.) accessory structures maintain a minimum separation of 6 (six) feet between exterior walls, and a minimum separation of 4 (four) feet between eaves of adjacent buildings on the same property and 3.) provided that accessory structures meet all applicable setback requirements.
2. Fences not over 6 feet high.
3. Retaining walls that are not over 4 feet in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge.
4. Water tanks supported directly on grade if the capacity does not exceed 5,000 gallons. And the ratio of height to diameter or width does not exceed 2 to 1.
5. Sidewalks, decks and driveways not more than 30 inches above grade and not over any basement or story below.
6. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
7. Above ground pre-fabricated pools.
8. Swings and other playground equipment.
9. Window awnings supported by an exterior wall which do not project more than 54 inches from the exterior wall and do not require additional support.

B. Table R301.2 (1) Design Data for Whatcom County shall read as follows:

1. GROUND SNOW LOAD TABLE, JANUARY 1997, Table R301.2(1).

<u>Whatcom County</u>	Approx. Average Elevation	Revised Ground Snow Load	Revised Roof Snow Load
Acme	310	22	25
Bellingham	100	15	25
Blaine	45	16	25
Deming	210	24	25
Diablo	910	100	100
Ferndale	60	20	25
Glacier	900	74	74
Lawrence	145	24	25
Lynden	103	24	25
Maple Falls	643	77	77
Mt. Baker Ski Area	4200	588	588
Newhalem	510	129	129
Nooksack	84	24	25
Sumas	36	24	25
Wickersham	310	28	28
Kendall	460		50
Paradise	460		50
Pt. Roberts	120		25

Footnotes:

Any proposal can challenge the above design load with engineer or architect stamped and signed calculations and criteria.

Buildings where the roof snow load exceeds 30 psf may require architect or engineer review.

Recommendations are valid for the recognized central area of each regional designation. Building Services reserves the right to adjust the roof snow load based on building location and/or criteria per the 2006 IBC and/or the Snow Load Analysis for Washington.

2. Wind Speed (mph): 85 mph
3. Seismic Design Category: IRC=D1; IBC=D
4. Subject to Damage From Weathering: Moderate
5. Frost Line Depth: 18"
6. Termite: None
7. Decay: Moderate

8. Winter Design Temp: 22 ° F
9. Ice Shield Underlayment Req.: No
10. Air Freezing Index: 260
11. Mean Annual Temperature: 48° F

C. Appendix E, Manufactured Homes, is amended to read as follows:

This chapter is enacted as an exercise of the police power of the county for the benefit of the public at large. It is not intended to create a special relationship with any individual, or individuals, nor to identify and protect any particular class of persons.

The purpose of this chapter is to provide minimum standards to safeguard life or limb, health or property, and public welfare, by regulating and controlling the installation of manufactured homes on building sites within the county.

It is not the intent of this chapter to impose liability upon the county for failure to perform any discretionary act. Rather, it is the intent of this chapter to place the obligation of complying with its requirements upon the installer. Nothing contained in this chapter shall be construed to relieve from or to lessen the responsibility or liability of any person for injury or damage to persons or property caused by or resulting from any defect of any nature in any manufactured home installation work performed by said person or in any manufactured home installation equipment owned, controlled, operated or used by him; nor shall Whatcom County, or any officer, agent, or employee thereof, incur or be held as assuming any liability by reason or in consequence of any permission, certificate of inspection, inspection or approval authorized herein, or issued or given as herein provided, or by reasons or consequence of any things done or acts performed pursuant to the provisions of this chapter.

1) SCOPE

This chapter sets forth rules and regulations to regulate and control the installation of manufactured homes on building sites, establishes an administrative procedure for the issuance of permits, and provides for the inspection of manufactured home installations.

2) DEFINITIONS

a. ADMINISTRATIVE AUTHORITY is the Department of Planning & Development Services, the Building Services Division, and the Whatcom County Building Official.

b. BUILDING OFFICIAL is the Building Services Division Manager.

c. BUILDING SITE is any site proposed for the location of a manufactured home including sites within mobile home parks.

d. HUD is the Federal Department of Housing and Urban Development.

e. INSTALLER shall either be the owner or a State licensed mobile home installer.

f. MANUFACTURED HOME means a structure designed and built to comply with the Washington State Department of Labor and Industry's rules and regulations for MANUFACTURED homes and commercial coaches.

g. MOBILE HOME is a transportable, factory-built dwelling unit constructed prior to June 15, 1976 (prior to enactment of National Manufactured Housing Construction & Safety Standards [NMHCSS] Act of 1974).

h. PERMANENT FOUNDATION means concrete blocks on a concrete footing or slab, or other approved engineered foundation systems.

3) GENERAL INSTALLATION REQUIREMENTS

a. Manufactured homes installed on building sites shall be installed in accordance with the provisions of this chapter and all applicable local, state, and federal codes, ordinances, and statutes.

b. Manufactured homes shall be installed in compliance with the manufacturer's installation recommendations or according to NCSBCS/ANSI A225.1-1994; permanent foundation requirements. The manufacturer or dealer shall send two copies of its approved installation recommendations to the purchaser of the manufactured home. Two copies shall be submitted with the building permit application.

c. No person, firm, partnership, corporation, or other entity may install a manufactured home unless he/she owns the manufactured home, or is a licensed manufactured home installer.

d. All manufactured home installations shall comply with the requirements of the IRC Section R403.1.7.3, Foundation Elevation, and with the following; On graded sites, the top of any exterior foundation shall extend above the elevation of the street gutter at point of discharge or the inlet of an approved drainage device a minimum of 12 inches plus 2 percent. The Building Official may approve alternate elevations, provided it can be demonstrated that required drainage to the point of discharge and away from the structure is provided at all locations on the site. The following provisions shall be made to prevent standing water under and around a building or structure prior to the final

inspection. The finished grade and elevation under the building shall be above- the ground drainage flow of the land around the building to prevent surface or sub-surface water from draining to the space under the building, provided that other approved alternates such as drain tile, exterior grading to a point lower than the interior drainage of the building or an approved sump pump may be used, and provided further that the alternate method to be used shall be shown on the building plans. An approved sump pump system shall in no case be connected to the sanitary sewer system. In all instances where a drainage or sump pump system is installed under the structure there shall be provided, in the foundation wall, an access crawl hole which shall be no more than 20 feet from the main drain cleanout. To facilitate the drainage of water, the building site shall have at least a 2% gradient towards approved drainage facilities from building pads. However, this may be waived by the building official provided that the permittee can demonstrate that due to the nature of the site this would be impractical and that an approved alternate will be used. If water appears under the building within a period of 12 months after the final inspection of the building or structure, the builder shall be responsible for providing the drainage of the same, and provided further that the builder has not complied with the requirements of Section 1804.7 herein, concerning drainage. Thereafter, the owner of the building shall be responsible for providing drainage of the same, except where owner and builder agree otherwise.

e. In those areas that are recognized as floodplains by the Washington State Department of Ecology or the Federal Emergency Management Agency, or hazardous because of the probability of earthquakes, ground slides, avalanches, or high winds, the building official may set requirements that are necessary to lessen the hazards. Manufactured homes in a floodplain must be installed per FEMA recommendations as outlined in GUIDELINES FOR THE INSTALLATION & ANCHORING OF MANUFACTURED HOUSING IN WASHINGTON STATE, (Sept. 20, 1996.) Used mobile homes older than 1976, require a fire/life safety inspection by the State Dept. of Labor & Industries prior to building permit submittal. Manufactured homes installed on sites that are sloping or have poor drainage shall be installed in accordance with installation recommendations, provided by a professional engineer or architect licensed in the state of Washington.

4) PERMITS REQUIRED

No person, firm, or corporation shall install or cause to be installed any manufactured home on a building site without having first obtained a building permit and a manufactured home dealer shall not deliver a manufactured home to a building site until that dealer has verified that the installer has obtained the necessary building permits.

5) APPLICATION REQUIREMENTS

In addition to the building permit application and issuance regulations, the following shall apply to manufactured home installations: separate application shall be required for each manufactured home installation. The application shall be made upon forms provided by the administrative authority and shall be accompanied by the permit fee established herein.

- a. A separate application shall be required for each manufactured home installation. The application shall be made upon forms provided by the administrative authority and shall be accompanied by the permit fee established herein.
- b. Each application shall be accompanied by a plot plan drawn to scale with detail sufficient to show that the installation will meet siting requirements of all applicable state and local regulations.
- c. Applications for manufactured homes to be installed on building sites or sites within a mobile home park shall be accompanied by two sets of foundation plans for a permanent foundation.

6) INSPECTION

Approved installation specifications shall be available at the site at the time of inspection of the installation. In the event that no approved installation specifications are available or the approved specifications as provided above do not cover all the installation requirements of this chapter, then the total installation of the portions thereof not covered by the approved specifications shall comply with the appropriate provisions of this code.

- a. On building sites other than those in mobile home parks, the installer of the manufactured/mobile home shall request a footing inspection after the placement of the footing forms and rebar and prior to pouring or placing the footings, a tie-down inspection and a final inspection after all aspects of the installation have been completed. For mobile home park installations, the installer shall request a final inspection after all aspects of the installation have been completed. All requests for inspection shall be made one working day before such inspection is desired.
- b. The manufactured/mobile home may be occupied once the installation has passed final inspection for compliance with the requirements of this chapter and any conditions placed upon the issued permit.
- c. If the installation does not comply with the installation requirements of this chapter and the conditions of the installation permit, the local enforcement agency shall provide the installer with a list of corrections that the installer must make. The list of corrections shall state a date by which the corrections must be completed. If the items that require correction do not endanger the

health or safety of the occupants, or substantially affect the habitability of the manufactured/mobile home, the local enforcement agency may permit the owner of the home to occupy it.

7) BUILDING SITE PREPARATION

A manufactured home may not be installed on a building site unless the ground at the site has adequate compaction and load-bearing ability to meet the support requirements of (3)(d) or, if the building site is in a mobile home park, the park owner must insure that the ground on which the mobile home is to be installed has been improved as necessary to provide a proper base for the mobile home and that the area beneath the mobile home has adequate drainage.

8) FOUNDATION SYSTEM FOOTINGS

a. Footings shall be constructed of solid concrete per the manufacturer's installation specifications or an approved alternate method.

b. Four-inch slab with thickened footings, extending 18 inches below existing grade, 16 inches diameter concrete posts eight feet o.c. with a four-inch concrete slab and Z hook for positive connection between post and slab, if in a flood plain.

c. Footings shall be:

i. Evenly bedded and level;

ii. Placed on firm, undisturbed or compacted soil that is free of organic material;

iii. Centered in a line under the main frame longitudinal members on both sides of the manufactured home;

iv. Spaced not more than eight feet apart and no more than two feet from the ends of the main frame. The building official may require a closer spacing, depending on the load bearing capacity of the soil or the specifications in the manufactured home installation manual.

d. A manufactured home with more than one section must have center line blocking at end walls and at other points of connection of the sections of the manufactured home that have ridge beam bearing support. Blocking is also required at both ends of a door opening that is six feet or more wide in an exterior wall.

e. If a manufactured home requires footings on its exterior perimeter, as specified by the installation recommendations or required by the building official, the footings shall be installed below the frost line.

f. Footings shall be constructed so that 75 percent of the area under the manufactured home has at least 18 inches clearance between the bottom of the main chassis members and the ground level. The area beneath the furnace cross-overs and fireplaces must always have at least 18 inches clearance. At no point under the manufactured home may clearance be less than 12 inches.

9) FOUNDATION SYSTEM PIERS

a. An installer must build and position piers and load-bearing supports or devices to distribute the required load evenly. An installer must use manufactured piers or load-bearing supports or devices that are listed or approved for the intended use.

b. A pier may be made of a single stack of 8-inch by 16-inch blocks if the blocks are not stacked more than three blocks high. A pier made of a single stack of blocks shall be installed at a right angle to the main frame longitudinal members and shall be capped with no more than 2-inch by 8-inch by 16-inch wood blocks or one 4-inch by 8-inch by 16-inch concrete block.

c. A pier may be made of a double stack of 8-inch by 8-inch by 10-inch blocks if the blocks are not stacked more than five blocks high. Each row of blocks in such a pier shall be stacked at right angles to the abutting rows of blocks. The pier shall be capped by with 2-inch by 8-inch by 16-inch concrete blocks. The pier shall be installed so that the joint between the cap block is at right angle to the main frame longitudinal members.

d. A pier may be made with more than five courses of blocks and not to exceed 9 (72 inches) courses of block if the stacked blocks are filled with 2,000 psi concrete or mortar, and no more than 20% of the piers exceed five courses (40"). All other systems shall be designed by a licensed Washington state engineer or architect.

e. All blocks shall be set with cores placed vertically.

10) FOUNDATION SYSTEM PLATES AND SHIMS

An installer may fill a gap between the top of a pier and the main frame with a wood plate that is not more than two inches thick and two opposing wedged shaped shims that are not more than two inches thick. Wood plates and shims must be of hemlock/fir, Douglas fir, or spruce/pine/fir. A shim shall be at least four inches wide and six inches long. The installer shall fit the shim properly and drive it tight between the wood plate or pier and the main frame to ensure that the manufactured home is level and properly supported at all load-bearing points. A block that abuts a wedge-shaped shim shall be solid.

11) FOUNDATION

A manufactured home shall have an approved skirting around its entire perimeter. The wood of the skirting shall be at least six inches from the ground unless it is pressure-treated wood. Metal fasteners shall be hot dipped galvanized, stainless steel, or other corrosive-resistant material. Ferrous metal members in contact with the earth, other than those that are galvanized or stainless steel, shall be coated with asphaltic emulsion. A manufactured home that is installed shall have ventilation openings with a net area of one square foot per 150 square feet of crawl space; except manufactured homes installed in the flood plain shall have ventilation openings with a net area of 1 square inch per 1 per square foot of crawlspace installed within 1 foot of finished grade. The openings shall be designed to provide cross ventilation on at least two approximately opposite sides of the manufactured home. The installer shall locate openings as close to the corner of the manufactured home as practical and shall cover the opening with a corrosive-resistant wire mesh. Dryer vents and hot water tank pressure release valves shall exhaust on the exterior of the perimeter skirting. The skirting for each section of the manufactured home shall have an opening of at least 18 inches by 24 inches with a cover of metal or pressure-treated wood to allow access to the crawl space. In all cases the foundation shall be installed before a final sign off can be made.

12) ANCHORING SYSTEM

The building official shall require a single section or multiple section manufactured home to have an anchoring system. Such an anchoring system shall be installed per the manufactured installation specification's or according to the design of a professional, Washington State licensed engineer or architect. Components of the anchoring system shall have a resistance to weather deterioration that is at least equal to that of a zinc coating that is not less than 0.3 inches per square foot of coated surface. Cut edges of zinc-coated strapping do not need to be coated.

a. An installer shall install, preload, and adjust a ground anchor in accordance with the anchor manufacturer's instructions. The installer must supply a copy of the instructions to the building official. Ground anchors shall be marked with the manufacturer's identification and model number in a location that is visible to the inspector after the anchor is installed. The manufacturer of a ground anchor must provide instructions with each anchor that specifies the kinds of soils for which the anchor is suitable. Analysis from a WA State licensed engineer may be required.

b. If concrete slabs or continuous footings are used to transfer the anchoring loads to the ground, the following requirements apply:

i. Steel rod cast in concrete shall be able to resist the loads and corrosion as specified for ground anchors.

ii A concrete slab may be used in place of a ground anchor if it provides holding strength equal to the required ground anchors.

iii. Analysis from a WA state licensed engineer may be required.

c. Ties shall be of cable, strapping, or other approved materials. Ties shall be fastened to the ground anchors and drawn tight with turnbuckles, yoke fasteners, or other approved tension devices. Tension devices shall end in clevis, forged, or welded eyes. Tension devices shall be designed to prevent self-disconnection if the ties become slack. Ties shall connect the ground anchors to the main frame longitudinal members. Ties must not connect to steel outrigger beams that fasten to the main frame unless the manufacturer's installation instructions specifically approve the connection. Diagonal ties must lie at least 45 degrees from the vertical.

d. The installer shall space the ties as evenly as practical and shall locate a tie within eight feet of each end of the manufactured home. The installer shall install vertical ties at each detached corner of a clerestory roof and added-on sections of expandable manufactured homes., the installer shall install the following number of ties for each I-beam or other main frame longitudinal member: according to the manufacturer's specifications or per NCSBCS/ANSI A225.1-1994, as indicated in the following chart:

Length of home in feet (excluding hitch)	Number of vertical ties per detached corner of add-ons	Number of diagonal ties
32 – 54	1	5
55 – 73	1	6

13) ASSEMBLY

The water pipe connection to the manufactured home shall have a main shutoff valve in compliance with the 2003 Uniform Plumbing Code, Section 605, adopted as of July 1, 2004. Exterior water lines and ducting under the manufactured home shall be insulated. In all other respects, utility connections to the manufactured home, including water, sewer, electricity, and gas shall comply with the applicable county codes. Accessory structures attached to or located next to a home, such as awnings, carports, garages, porches, or steps shall be constructed in conformance with applicable county codes and structurally independent of the manufactured home unless pre-approved by manufacturer. (Ord. 2004-064 § 2).

15.04.040 Amendments to the International Fire Code.

A. The International Fire Code is amended as follows:

1. Section 102.2, Administrative, operational and maintenance provision, is amended to read as follows:

To provide a reasonable degree of safety to persons occupying existing buildings, there shall be a fire code inspection, at times to be determined by the Whatcom County Fire Marshal, for all Group A, B, E, F, H, I, M, R, S and U occupancies. R-3 Occupancies only containing the following shall be subject to fire code inspections: Adult care facilities, childcare facilities and congregate living facilities as defined in the state amendments.

2. Section 102.6, Referenced code and standards, is amended to read as follows:

The codes and standards referenced in this code shall be those listed in Chapter 45 of this code such codes and standards shall be considered part of the requirements of this code to the prescribed extent of each such reference as determined or modified by the fire code official. Where differences occur between the provisions of this code and the referenced standard, the provisions of this code shall apply as determined or modified by the fire code official.

3. Section 103.1 is amended to read as follows:

103.1 General. The Department of Fire Prevention, herein after referred to as the Fire Marshal's Office, is established within the jurisdiction under the direction of the Fire Code Official, herein after referred to as the Fire Marshal. The function of the department shall be the implementation, administration and enforcement of the provisions of this code. Recognizing the authority and responsibility vested in the Fire Marshal by the International Fire Code, the Fire Marshal is authorized to promulgate such rules, policies and/or procedures as he/she deems necessary for the efficient operation of fire prevention and investigations

4. Section 103.2 is amended to read as follows:

103.2 Appointment. The Fire Marshal shall be not less than a supervisor within the Building Services Division of the Whatcom County Planning & Development Services Department, as designated by the Building Official. The Fire Marshal for Whatcom County is authorized to enforce the provisions of this ordinance and adopted referenced codes and amendments.

5. Section 104.10, Fire investigation, is amended to read as follows:

The Whatcom County Sheriffs Office shall have the authority to investigate the cause, origin and circumstances of any fire, explosion or other hazardous conditions. Information that could be related to trade secrets or processes shall not be made part of the public record except as directed by a court of law.

6. Section 104.10.1 is amended to read as follows:

a) The Whatcom County Fire Marshal shall have the authority to render necessary assistance in the investigation of fires. The Whatcom County Fire Marshal and designated, assigned staff members shall have the powers of a limited authority Washington peace officer as defined in chapter 10.93 RCW. They shall be commissioned by the Whatcom County Sheriff as specially commissioned Washington peace officers, as defined in chapter 10.93 RCW, upon satisfaction of the training and other requirements prescribed or approved by the Washington criminal justice training commission, for the purpose of administering this code.

7. Section 108.1, Board of appeals, is amended to read as follows:

In order to hear and decide appeals of orders, decisions or determinations made by the Fire Marshal relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. Whatcom County Ordinance No. 2007-024 shall be the Fire Code appeals board. The Appeals Board shall be the same board for all codes appeals.

8. Section 202 is amended to read as follows:

- a. **Fire Chief.** Whenever the term fire chief is referenced in this code it shall mean Whatcom County Fire Marshal (Fire Code Official) or his/her designee, as identified in IFC Section 103.
- b. **Fire Code Official.** Whenever the term fire code official is referenced in this code it shall mean Whatcom County Fire Marshal or his/her designee, as identified in IFC Section 103.2.

9. Appendix D, Apparatus access roads, is amended to read as follows:

a. 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.

b. 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 feet (150') from fire apparatus access.

c. Section D103 Minimum Road Specifications.

1) Driveways serving one (1) or two (2) residential lots, where building location is less than one hundred fifty feet (150') from approved access roads, have no specific requirement.

2) Driveways over one hundred fifty feet (150') long serving one (1) lot:

i. Width – twelve foot (12') driving surface with turnouts every six hundred feet (600') when required by the fire marshal. To create a turnout, the road shall be widened to twenty feet (20') in the direction of travel for a distance of one hundred feet (100') to allow vehicles to pull over and allow emergency vehicles to proceed. Turnout shall be located approximately midpoint for driveways over six hundred feet (600') but less than one thousand two hundred feet (1200').

ii. Vertical clearance – thirteen foot - six inch (13'-6") unobstructed head clearance.

iii. Surface – Whatcom County Development Standards (WCDS), Chapter 5, Road Standards.

iv. Turning radius – 35 foot radii.

v. Turnarounds – 20 feet wide 60 feet deep or WCDS, Chapter 5, Road Standards.

vi. Bridges - Bridges, box culverts or similar passageway structures built over depressions or obstacles shall be herein after referred to as bridges. When a bridge is required to be used as part of a driveway access road, it shall be designed and constructed per the current adopted edition of the WCDS,

Chapter 5, Road Standards, Section 513, Bridges and Associated Retaining Walls. Vehicle load limits shall be posted at both entrances to bridges when required by the Fire Marshal.

vii. Grade – per WCDS, Chapter 5, Road Standards.

3) Fire Department Vehicle Access Roads – Access serving other than Two (2) residential units shall meet the following:

i. Current adopted Whatcom County Development Standards (WCDS), Chapter 5, Road Standards.

NOTE: These standards apply to existing legal lots of record and are for building permits only. These standards are in no way intended to eliminate the need for full compliance with land division requirements.

ii. The Fire Marshal may make modifications in these standards if the road is not build-able because of topography, waterways, nonnegotiable grades, or similar conditions. These modifications are based on:

a) The building being protected by NFPA 13D Automatic Sprinkler System.

b) Additional fire protection features as required by the Fire Marshal.

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.

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

(Ord. 2004-064 § 2).

15.04.050 Permit expirations and violations of the above referenced codes.

A. Expiration.

1. Sections 105.5 of the IBC, R105.5 of the IRC and 105 of the IFC are amended as follows:

Every permit issued under the provisions of this code, according to IBC Section 105.5 and IRC Section R105.5, shall expire and become null and void, if the work authorized by such permit is not commenced within 180 days from the date of issuance of such permit, or if the work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of 180 days. The building official is authorized to grant, in writing, one or more extensions of time, for a period not more than 180 days each. The extension shall be requested in writing and justifiable causes demonstrated. In the event of permit expiration, before such work can recommence, a new permit shall be first obtained to do so, and the fee therefore shall be one-half the amount required for a new permit for such work, provided no changes have been made, or will be made in the original plans and specifications for such work; and provided, further, that such suspension or abandonment has not exceeded one year. These permits are only transferable with the prior approval of the Building Official and any change in occupancy, operation, tenancy, or ownership shall require that a new permit be issued.

Every permit issued under the provisions of this code, according to IFC Section 105, shall expire and become null and void, if the work authorized by such permit is not commenced within 180 days from the date of issuance of such permit, or if the work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of 180 days. The fire code official (designated as the fire marshal) is authorized to grant, in writing, one or more extensions of time for a period not more than 180 days each, except that expiration and extension shall not apply to open burning permits. The extension shall be requested in writing and justifiable causes demonstrated. In the event of permit expiration, before such work can recommence, a new permit shall be first obtained to do so, and the fee therefore shall be one-half the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work; and provided further that such suspension or abandonment has not exceeded one year. An operational permit under the IFC shall remain in effect until reissued, renewed, or revoked or for such a period of time as specified in the permit. These permits are not transferable and any change in occupancy, operation, tenancy, or ownership shall require that a new permit be issued.

B. Construction Without Permit.

1. The following paragraph shall be added to Sections 113.1 of the IBC, R113.1 of the IRC and 113.1 of the IFC:

When construction and/or development has occurred on a site without a valid permit as required by this chapter, any and all permits or approvals issued by the county may be denied for that site until the issue has been resolved. In addition, prompt restoration of the site to its original condition will be required. The issuance or granting of a permit or approval of plans and specifications shall not be deemed or construed to be a permit for, or an approval of, any violation of any of the provisions of this code. No permit presuming to give authority to violate or cancel the provisions of this code shall be valid, except insofar as the work or use for which it authorizes is lawful. The issuance or granting of a permit or approval of plans shall not prevent the Director of Planning & Development Services, the Building Official, the Fire Code Official, or any administrator who has been granted authority by the Director from thereafter requiring the correction of errors in said plans and specifications or from preventing construction operations being carried on thereunder when in violation of this code or of any other ordinance or from revoking any certificate of approval when issued in error.

C. Stop Work Orders.

1. Sections 114.3 of the IBC, R114.3 of the IRC and 114.3 of the IFC are amended as follows:

In the event any person, firm or corporation violates any provision of this ordinance or any code adopted by this ordinance, the County may issue a correction notice or order to correct, to be delivered to the owner, operator, or their agent, or to be conspicuously posted at the site. In a non-emergency situation, such notice may include notice of the intent to issue a stop work order no less than 10 calendar days following the receipt of the notice, and provide for an administrative predeprivation hearing within 10 calendar days of notice/order. In an emergency situation where there is a significant threat to public safety or the environment, the County may issue a stop work order. The stop work order shall include, in writing, the right to request an administrative post-deprivation hearing within 72 hours following receipt of the stop work

order. Failure to comply with the stop work order shall be a gross misdemeanor punishable upon conviction by a minimum fine of \$500.00 up to a maximum fine of \$1000.00 or one year in jail, or both. Under no circumstance may the court defer or suspend any portion of the minimum \$500.00 fine for any conviction under this section. Each day or part thereof of noncompliance with said order to stop work shall constitute a separate offense.

D. Violation Deemed Misdemeanor.

1. Sections 114.3 of the IBC, R114.3 of the IRC and 114.3 of the IFC are amended as follows:

Any violation of the provisions of the International Building, Fire, Residential or other related codes as herein adopted is a misdemeanor. Any person, firm or corporation violating any of the provisions of this code or failing to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents, directives or conditions of the Building Official or the Fire Code Official or the Director of Planning and Development Services or of a permit or certification used under provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than \$1000.00 dollars or by imprisonment not exceeding 90 days, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

a. EXCEPTION: The International Fire Code Section 307 Open Burning and Recreational Fires shall constitute Class 1 civil infractions pursuant to RCW 7.80.120. The maximum penalty and the default amount for such violations shall be consistent with Chapter 7.80 RCW. All violations shall be heard and determined in accordance with the system established in Chapter 7.80 RCW. After having been found to have committed two successive infractions for violations of the same provision of this title on the same property, any person, firm, or corporation who continues to violate this title in the same manner on the same property shall be guilty of a misdemeanor, punishable by a fine of not more than \$1000.00 or by imprisonment not exceeding 90 days, or both such fines and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

E. Notice of Violations.

1. Section 109.2 of the IFC is amended as follows:

When the fire code official finds a building, premises, vehicle, storage facility or outdoor area that is in violation of this code, the fire code official is authorized to prepare a written notice of violation describing the conditions deemed unsafe. When immediate compliance is not possible, a time shall be specified for re-inspection. In special situations citations could be issued to individuals violating this code.

F. Civil Penalty.

1. 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 \$1,000 for each offense. The penalty provided in the above section shall be imposed by a notice in writing from the building official or the fire

code official or the director of planning and development services; either by certified service, to the person, firm or corporation incurring the same from the Whatcom County department of planning and development services. The notice shall include the amount of the penalty imposed and shall describe the violation with reasonable particularity in ordering the act(s) constituting the violation(s) to cease and desist or, in appropriate cases, requiring necessary corrective action to be taken within a specific and reasonable time.

2. Within 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 application, said department may remit or mitigate the penalty upon whatever terms the department in its discretion deems proper. The final decision of the building official, fire code official or the director of planning and development services on mitigation or revision shall be reviewed by the county council, if the person being penalized files a written appeal therewith of said decision, within 10 days of its issuance. The decision of the county council regarding the penalty imposed shall be final.

In addition to the civil penalties described above, the prosecuting attorney may in his discretion bring such injunctive, declaratory or other actions as deemed necessary to ensure that violations of this chapter are prevented or cease, and to otherwise enforce the provisions of this chapter. (Ord. 2004-064 § 2).