

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE: Adopt Ordinance No. 353 Adopting the State Building Codes, and Implementing Plumbing Permit Services and Plumbing Fees.
DEPARTMENT: PADS
PRESENTED BY: Tim Stewart, Director PADS Bridget Smith, Building Official

PROBLEM/ISSUE STATEMENT:

The two issues before Council are:

- (1) the adoption of the state mandated codes; and
- (2) whether the City should provide plumbing permit services by adopting the Uniform Plumbing Code with state and local amendments.

State Mandated Codes

In 2003, the Washington State legislature adopted new state building codes that will become effective July 1, 2004. As detailed in Substitute House Bill 1734 and RCW chapters 19.27, 19.27A, and 19.28, the state building codes consist of many of the 2003 International Codes, the Uniform Plumbing Code and the State Energy Code. The current Shoreline Municipal Code ("SMC") has adopted by reference Title 16 and 17 of the King County Code, which adopted the old state building codes. Since the new state mandated codes become effective on July 1, 2004, Shoreline should repeal the old codes and adopt the new building codes in order to be consistent with state law.

Uniform Plumbing Code

King County currently provides plumbing permit services, including plumbing plan check, permit issuance and inspection services, for the City of Shoreline. Most other Washington cities and counties provide plumbing permit services directly to their citizens, without involvement of outside agencies. Adoption of the Uniform Plumbing Code allows the City to take over the responsibility of plumbing permit services. The transfer of responsibility will allow the City to consolidate building permit services, allowing the customer to obtain most relevant building permits directly from the City. This transfer also means the City's fee listed in SMC 3.01.010, must be amended to provide for plumbing permit fees.

Staff will be returning to a Council workshop in early June to discuss additional potential amendments to the International Codes, including the Fire Code amendments and the potential addition of the optional Property Maintenance Code.

FINANCIAL IMPACT:

The financial impact of adopting the new state codes and adding plumbing permit services is expected to be revenue neutral for the City of Shoreline and our customers.

RECOMMENDATION

The City recommends the adoption of Ordinance No. 353 adopting the state building codes, and implementing plumbing permit services and permit fees.

Approved By:

City Manager 

City Attorney 

INTRODUCTION

In the past, there have been three different code groups in the United States: the Uniform Building Code (UBC), the National Building Code (BOCA), and the Standard Building Code (SBCCI). The differences in the three codes, including the variations in building and engineering designs and obtaining product approvals, resulted in additional time and expense to the building industry. At the request of the building industry organizations and the federal government, the three code groups merged into a single organization, the International Code Council (ICC). The ICC was established with the goal of developing one comprehensive and coordinated set of model construction codes for the U.S. and beyond. The Washington State Building Code Council, after an involved public process, reviewed and approved the International Codes with amendments, the Uniform Plumbing Code (UPC) published by the International Association of Plumbing and Mechanical Officials (IAPMO), and the State Energy Code. This set of codes has been adopted through RCW 19.27, 19.27A, and 19.28. The proposed Ordinance 353 will adopt the codes locally.

BACKGROUND

The Council held a workshop on October 6, 2003 discussing the addition of plumbing permit services to the City of Shoreline. The Council directed staff to continue the process of implementing these services. There has been no previous discussion on the state-mandated codes.

Staff has been preparing for the implementation of plumbing permit services by working on the following, which will be completed prior to July 1, 2004:

- Training on the current 2003 edition of the Uniform Plumbing Code.
- Creation of internal and external checklists and permit cards.
- Revising our tracking system to accommodate plumbing permits.
- Notifying the public once the proposed ordinance is adopted.
- Hiring a consultant to be used for any overflow of workload that cannot be completed with our current staff.

The final step in completing implementation of the plumbing permit services is the adoption of the Uniform Plumbing Code and amendment of the Planning and Development Services fee schedule to provide for plumbing permit fees. If the UPC is adopted, the City will notify King County that the City is prepared to take over responsibility of the plumbing permit services as of July 1, 2004, the effective date of the new 2003 edition of the Uniform Plumbing Code.

DISCUSSION

A. REPEAL

SMC Title 15, Building and Construction, currently adopts by reference Title 16 and 17 of the King County Code ("KCC"). KCC titles 16 and 17 adopt the old state building

codes, which will soon be outdated. Repealing the old state building codes allows for the adoption of the new state mandated codes.

B. STATE-MANDATED CODES

State law requires adoption of the following building codes.

- The 2003 International Building Code (IBC)
- The 2003 International Residential Code (IRC)
- The 2003 International Mechanical Code (IMC)
- The 2003 International Fuel Gas Code (IFGC) (Natural Gas)
- The 2003 National Fuel Gas Code 58 (Propane)
- The 2003 Uniform Plumbing Code (UPC), with Appendices A, B, and I
- The 2001 Second Edition, Washington State Energy Code
- The 2003 International Fire Code (IFC)

1. ADOPTION OF APPENDICES

The codes require that appendices be specifically adopted in order to be used by the City. The City recommends adoption of the following appendices in addition to the Appendices adopted by the state:

- **International Fuel Gas Code:**
Appendix A, Sizing and Capacities of Gas Piping

Appendix A provides the tables and methods for sizing piping in gas piping systems. The gas pipe sizing is in the body of the currently adopted code. By adopting this appendix, we will maintain consistency with current practice.

- **Uniform Plumbing Code:**
Appendix D - Sizing Storm Water Drainage Systems

The Storm Water Drainage Systems Appendix provides tables and methods of sizing drainage from roofs. This regulation supplements the King County drainage manual and there are no conflicts with our current regulations. Appendix D was adopted by King County and is currently in use. By including this appendix we would maintain consistency for our customers.

Appendix H - Recommended Procedures for Design, Construction, and Installation of Commercial Kitchen Grease Interceptors

Appendix H provides the information necessary to regulate grease interceptors.

2. AMENDMENTS TO STATE-MANDATED CODES

i) Processes Specific to the City

The International Codes do not take into account processes that are specific to the City of Shoreline. The staff therefore proposes all the codes have the following amendments:

- Whenever the word "jurisdiction" is used, it shall mean the City of Shoreline.
- Whenever the words "Board of Appeals" are used, it shall mean "hearing examiner".
- Whenever the words "notice of violation" are used, it shall mean "Notice and Order to Correct".
- Whenever the words "building official" or "code official" are used they shall mean "city manager or their designee".
- The inspection and appeal process shall be those set forth in the Shoreline Municipal Code.
- Whenever the words "Department of Building Safety", "Department of Mechanical Inspection", "Department of Inspection" "Department of Property Maintenance Inspection" are used, they shall mean "the City of Shoreline".

ii) Fee Refunds

The state-mandated codes state that the jurisdiction is authorized to establish a refund policy. To maintain consistency for the customer, the City has included the process and percentages previously used by the City under the Uniform Codes.

C. AMENDMENTS TO THE UNIFORM PLUMBING CODE

Generally, the UPC provides the City with minimum requirements and standards for the protection of the public health, safety and welfare. The scope of the UPC includes the erection, installation, replacement, addition to, use, or maintenance of plumbing systems within this jurisdiction. The City should adopt the UPC in its entirety, along with the specific appendices and amendments discussed.

RCW 19.27.040 authorizes cities and counties to amend the state building code under certain limited situations. Staff is prepared to present amendments for the Uniform Plumbing Code. Amendments for the other codes will be ready before the July 1, 2004 implementation date.

FEES

Staff proposes amending the City of Shoreline Planning and Development Services fee schedule under the Shoreline Municipal Code Chapter 3.01.010 in order to provide for the plumbing permit fees.

It is important for Shoreline to adopt similar fees as King County to maintain consistency for the customer. The revenue received from the plumbing fees is necessary in order to cover costs of providing this service. The table below compares King County's fees with the recommended fees for Shoreline.

By using a 1-hour minimum as a base, we maintain consistency with the City's other permitting services.

Fee Comparison Table

	King County	Shoreline
Base fee for plumbing (including 4 fixtures) \$10 per fixture over 4	\$125	Hourly rate, 1-hour minimum (\$122)
Base fee for gas piping (including 4 outlets) \$10 per outlet over 4	\$125	Hourly rate, 1-hour minimum (\$122)
Base fee for backflow prevention (including 4 devices) \$10 per device over 4	\$125	Hourly rate, 1-hour min (\$122)

RECOMMENDATION

The City recommends the adoption of Ordinance No. 353 adopting the state building codes, and implementing plumbing permit services and permit fees.

ORDINANCE NO. 353

AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON, ADOPTING THE STATE BUILDING CODE, THE STATE ENERGY CODE AND IMPLEMENTING PLUMBING PERMIT SERVICES IN FURTHERANCE THEREOF; REPEALING CHAPTERS 15.05, 15.10 AND 15.15 OF THE SHORELINE MUNICIPAL CODE; AND AMENDING SECTION 3.01.010 OF THE SHORELINE MUNICIPAL CODE

WHEREAS, pursuant to RCW 19.27.031 all jurisdictions in the state of Washington are required to adopt and enforce the State Building Code, and

WHEREAS, the State Building Code consists of the 2003 International Building Code, The 2003 International Residential Code, the 2003 International Mechanical Code and the 2003 International Fire Code, published by the International Code Council (ICC), the 2003 Uniform Plumbing Code published by the International Association of Plumbing and Mechanical Officials and the National Electrical Code, published by the National Fire Protection Association; and

WHEREAS, RCW 19.27A.025 requires all jurisdictions in the state to adopt the Washington State Energy Code, 2002, 2nd edition, and

WHEREAS, the Washington Association of Building Officials passed resolution 2003-02 that, in part, promotes the local adoption of the International Codes and Uniform Plumbing Code with as few local amendments as possible;

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

Section 1. Repeal Chapters and Add New Chapter. Shoreline Municipal Code Chapters 15.05, 15.10, and 15.15 are hereby repealed and a new Chapter 15.05 is adopted to read as follows:

15.05. State Building Codes

15.05.010 Adoption of Referenced Codes

The city of Shoreline hereby adopts the following codes, as amended by the Washington State Building Code Council pursuant to RCW 19.27.074, 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 Current Edition of the International Building Code published by the International Code Council, Inc. (IBC).

B. The Current Edition of the International Residential Code published by the International Code Council, Inc. (IRC).

C. The Current Edition of the International Mechanical Code published by the International Code Council, Inc. (IMC) except that the standards for liquefied petroleum gas installations shall be NFPA 58 (Storage and Handling of Liquefied Petroleum Gases) and ANSI Z223.1/NFPA 54 (National Fuel Gas Code).

D. The Current Edition of the International Fuel Gas Code as published by the International Code Council, Inc. (IFC). The following Appendix is specifically adopted:

Appendix A, Sizing and Capacities of Gas Piping

E. The Current Edition of the International Fire Code, published by the International Code Council, Inc. (IFC), including those standards of the National Fire Protection Association specifically referenced in the International Fire Code: PROVIDED, That, notwithstanding any wording in this code, participants in religious ceremonies shall not be precluded from carrying hand-held candles.

F. Except as provided in RCW 19.27.170, the Current Edition of the Uniform Plumbing Code (UPC) and Uniform Plumbing Code Standards, published by the International Association of Plumbing and Mechanical Officials: PROVIDED, that any provisions of such code affecting sewers or fuel gas piping are not adopted. The following Appendices are specifically adopted:

Appendix A, Recommended Rules for Sizing the Water Supply System
Appendix B, Explanatory Notes on Combination Waste and Vent Systems.
Appendix D, Sizing Storm Water Drainage Systems
Appendix H, Recommended Procedures for Design, Construction,
and Installation of Commercial Kitchen Grease Interceptors
Appendix I, Installation Standards.

G. The rules adopted by the Washington State Building Code Council establishing standards for making buildings and facilities accessible to and usable by the physically disabled or elderly persons as provided in RCW 70.92.100 through 70.92.160.

H. The Current Edition of the Second Edition, Washington State Energy Code, Chapter 51-11 WAC.

15.05.020. General Requirements for all Referenced Codes:

A. Fees. All city of Shoreline permit fees shall be established by Shoreline Municipal Code Chapter 3.01.

B. Fee Refunds.

The city manager or designee may authorize the refunding of:

1. 100% of any fee erroneously paid or collected.
2. Up to 80% of the permit fee paid when no work has been done under a permit issued in accordance with this code.
3. Up to 80% of the plan review fee paid when an application for a permit for which a

plan review fee has been paid is withdrawn or canceled before any plan reviewing is done. The city manager or designee shall not authorize refunding of any fee paid except on written application filed by the original permittee not later than 180 days after the date of fee payment.

15.05.030 Amendments Applicable to all Adopted International Codes

- A. Unless the context requires otherwise, any reference to “jurisdiction, “Department of Building Safety,” “Department of Mechanical Inspection,” “Department of Inspection,” “Department of Property Maintenance Inspection,” shall refer to the “city of Shoreline”.
- B. Unless the context requires otherwise, any reference to “building official” or “code official shall refer to the city manager or designee.
- C. Unless the context requires otherwise, any reference to “notice of violation” shall refer to “Notice and Order to Correct.”
- D. Unless the context requires otherwise, any reference to “Board of Appeals” shall refer to “hearing examiner.”

Section 2. Amendment. Shoreline Municipal Code section 3.01.010 is amended to read as follows:

3.01.010 Planning and development services.

Type of Permit Application	Fee (based on \$122.00 per hour)
Appeals	\$373.00
Accessory Dwelling Unit	Hourly rate, 1-hour minimum (\$122.00)
Adult Family Home	Hourly rate, 2-1/2-hour minimum (\$305.00)
Building Permit	Table 1-A of Current Edition of the Uniform Building Code adopted in the State Building Code, Chapter 19.27 RCW
Plan Review	65% of the Building Permit Fee
All Other Plan Reviews or Work	Hourly rate, 1-hour minimum (\$122.00)
Building Permit Fee for Work Commenced Without a Building Permit	Twice the Applicable Building Permit Fee
Continuation and/or Minor Alteration of Nonconforming Use	Hourly rate, 1-hour minimum (\$122.00)
Grading Permit	Hourly rate, 3-hour minimum (\$366.00)
Home Occupation	Hourly rate, 1-hour minimum (\$122.00)
Interpretation of Development Code	Hourly rate, 1-hour minimum (\$122.00)
Mechanical:	
Residential Furnace	Hourly rate, 1-hour minimum (\$122.00)
Residential Fireplace (up to two)	Hourly rate, 1-hour minimum (\$122.00)

Commercial Mechanical	Hourly rate, 3-hour minimum (\$366.00)
All Other Mechanical (Residential and Commercial)	Hourly rate, 1-hour minimum (\$122.00)
Plumbing:	
Plumbing Systems Base (including 4 fixtures), \$10 per fixture over 4	Hourly rate, 1-hour minimum (\$122.00)
Gas Piping Systems Base (including 4 outlets), \$10 per outlet over 4	Hourly rate, 1-hour minimum (\$122.00)
Backflow Prevention Base (including 4 devices), \$10 per device over 4	Hourly rate, 1-hour minimum (\$122.00)
Right-of-Way: All Work	Hourly rate, 1-hour minimum (\$122.00)
Sign Permit	Hourly rate, 2-hour minimum (\$244.00)
Conditional Use Permit	Hourly rate, 30-hour minimum (\$3,660) plus public hearing if required (\$1,867)
Critical Area Permit	Hourly rate, 8-hour minimum (\$976.00)
Environmental Review:	
Environmental Checklist (SEPA):	
Single-Family	Hourly rate, 10-hour minimum (\$1,220)
Multifamily/ Commercial	Hourly rate, 15-hour minimum (\$1,830)
Environmental Impact Statement Review	Hourly rate, 35-hour minimum (\$4,270)
Rezone	Hourly rate, 60-hour minimum (\$7,320) plus public hearing (\$1,867)
Pre-Application for Rezone	Hourly rate, 1-hour minimum (\$122.00)
Shoreline Substantial Development:	
Shoreline Exemption	Hourly rate, 2-hour minimum (\$244.00)
Substantial Development Permit (based on valuation)	
up to \$10,000	Hourly rate, 15-hour minimum (\$1,830)
\$10,000 to \$500,000	Hourly rate, 34-hour minimum (\$4,148)
over \$500,000	Hourly rate, 60-hour minimum (\$7,320)
Shoreline Variance	Hourly rate, 30-hour minimum (\$3,660), plus public hearing if required (\$1,867)
Special Use Permit	Hourly rate, 50-hour minimum (\$6,100) plus public hearing (\$1,867)
Street Vacation	Hourly rate, 40-hour minimum (\$4,880) plus public hearing (\$1,867)
Subdivisions:	
Binding Site Plan	Hourly rate, 6-hour minimum (\$732.00)

Lot Line Adjustment	Hourly rate, 5-hour minimum (\$610.00)
Preliminary Short Plat	Hourly rate, 30-hour minimum (\$3,660) for two-lot short plat Hourly rate, 3-hour minimum (\$366.00) for each additional lot plus public hearing if required (\$1,867)
Final Short Plat	Hourly rate, 8-hour minimum (\$976.00)
Site Development (Engineering Plans Review and Inspections)	Hourly rate, 12-hour minimum (\$1,464)
Short Plat Change	Hourly rate, 12-hour minimum (\$1,464)
Preliminary Subdivision	Hourly rate, 38-hour minimum (\$4,636), plus \$32.00/lot, plus public hearing (\$1,867)
Final Subdivision	Hourly rate, 30-hour minimum (\$3,660), plus \$20.00/lot
Variances	Hourly rate, 30-hour minimum (\$3,660) plus public hearing if required (\$1,867)
All Other Work:	
All Other Fees Per Hour	Hourly rate, 1-hour minimum (\$122.00)

Section 3. Severability. If any section, sentence, clause or phrase of this ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 4. Effective date. This ordinance shall be in full force and effect July 1, 2004.

PASSED BY THE CITY COUNCIL ON MAY 24, 2004.

Ronald B. Hansen, Mayor

ATTEST:

Sharon Mattioli, City Clerk

Approved as to form:

Ian Sievers, City Attorney

Date of publication: May 27, 2004

Effective date: July 1, 2004