

Ordinance No. 00081

[Council Minutes 96/06/03](#)

ORDINANCE NO. 81

ORDINANCE NO.

AN ORDINANCE of the City Council of the City of Lakewood, Washington, codifying the provisions of Ordinance No. 29 as Title 15, including amending Sections 15.08.010 and 15.20.010 and 15.52.010 of the Lakewood Municipal Code relating to Uniform Building Codes adopted by reference

WHEREAS, in connection with the City of Lakewood=s responsibilities for enforcement of building codes, pursuant to the requirements of Chapter 19.27 of the Revised Code of Washington, the City Council adopted the current versions of the Uniform Building Code, Uniform Plumbing Code, Uniform Mechanical Code, Uniform Fire Code, and a number of other uniform codes published by the International Conference of Building Officials and is adopted as a part of the State Building Code; and, WHEREAS, with the City=s adoption of the Uniform Building Code and Building Code Standards, certain appendices, not initially included in the adoption by reference have been identified by the City=s Building Official as being valuable resources for enforcement of the building codes within the City of Lakewood; and, WHEREAS, also in connection with the City

=s adoption of the Uniform Building Code and Building Code Standards, certain appendices, not initially included in the adoption by reference have been identified by the City=s Building Official as being valuable resources for enforcement of the building codes within the City of Lakewood; and, WHEREAS, also in connection with the City=s adoption of the Uniform Plumbing Code, adopted by reference in Ordinance No. 29, even though the 1994 addition of the Uniform Plumbing Code has been published by the International Conference of Building Officials, the State Building Council has recommended that jurisdictions adopt and enforce the earlier 1991 addition because of its preference for some of the terms that were subsequently changed in the 1994 addition; and, WHEREAS, in order to take advantage of those Uniform Building Code and Building Code Standard appendices which would assist the City=s Building Department to address some more complicated and specific building code issues, and in order to conform to the request by the State Building Council, it is appropriate that Sections 15.08.010 and 15.20.010 of the Lakewood Municipal Code be amended accordingly; and, WHEREAS, in addition to the other issues and concerns involving the Uniform Codes adopted by the City, various references in those Codes refer to the establishment of a Board of Appeals to hear and decide appeals of orders, decisions or determinations made by the Building Official relative to the application and interpretation of the Uniform Codes; and,

WHEREAS, in order to take advantage of the current hearing examiner system in place in the City of Lakewood, it would be appropriate to designate the hearing examiner as having responsibilities to hear and decide issues that, would otherwise, be heard by a Board of Appeals established pursuant to the Uniform Codes; and,

WHEREAS, along with the efforts of the City to codify the provisions of its ordinances, it is appropriate to provide for a numerical codification of the provisions of Ordinance No. 29.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKEWOOD, WASHINGTON, DO ORDAIN as Follows:

Section 1. That the provisions of Ordinance No. 29, adopting Uniform Building and Construction Codes shall be codified as set forth below, together with amendments to Sections 15.08.010, 15.20.010 and 15.52.010, to read as follows:

TITLE 15

BUILDING AND CONSTRUCTION

Chapter 15.04

Priority of Codes

Sections:

15.04.010 Priority of Uniform Codes.

15.04.010 Priority of Uniform Codes.

In cases of conflict between and among the uniform codes adopted by reference and incorporated into and comprising the building and construction codes of the City, the Uniform Building Code and Uniform Building Code Standards shall take precedence over other codes. The Uniform Mechanical Code shall take precedence over other codes except the Uniform Building Code and Uniform Building Code Standards. The Uniform Fire Code and Uniform Fire Code Standards shall take precedence over other codes except the Uniform Building Code and Uniform Building Code Standards and the Uniform Mechanical Code. The Uniform Plumbing Code shall take precedence over the other codes except the Uniform Building Code and Uniform Building Code Standards, the Uniform Mechanical Code and the Uniform Fire Code and Uniform Fire Code Standards. (Ord. 29 ' 1, 1995.)

Chapter 15.08

Building Code

Sections:

15.08.010 Adoption of Uniform Building Code and Uniform Building Code Standards.

15.08.020 Copy on File.

15.08.010 Adoption of Uniform Building Code and Uniform Building Code Standards.

The 1994 Edition of the Uniform Building Code and the Uniform Building Code Standards, published by the International Conference of Building Officials and as adopted as a part of the state building code are adopted by reference and incorporated herein as if fully set forth, including appendix Chapter 3, Divisions 1, 2 & 4; Chapter 4, Division 3; Chapter 9; Chapter 12, Division 2; Chapter 15; Chapter 18; Chapter 19; Chapter 21; Chapter 23; Chapter 31, Divisions 1, 2 & 3; Chapter 33; and Chapter 34. (Ord. 29 ' 2, 1995.)

15.08.020 Copy on File.

At least one copy of the Edition(s) of the Uniform Building Code and Uniform Building Code Standards identified in Section 15.08.010 of this Chapter shall be on file in the Office of the City Clerk. (Ord. 29 ' 3, 1995.)

Chapter 15.12

Mechanical Code

Sections:

15.12.010 Adoption of Uniform Mechanical Code.

15.12.020 Copy on File.

15.12.010 Adoption of Uniform Mechanical Code.

The 1994 Edition of the Uniform Mechanical Code, including Chapter 22, Fuel Gas Piping, Appendix B, published by the International Conference of Building Officials and as adopted as a part of the state building code is adopted by reference and incorporated herein as if fully set forth. (Ord. 29 ' 4, 1995.)

15.12.020 Copy on File.

At least one copy of the Edition(s) of the Uniform Mechanical Code identified in Section 15.12.010 of this Chapter shall be on file in the Office of the City Clerk. (Ord. 29 ' 5, 1995.)

Chapter 15.16

Fire Code

Sections:

15.16.010 Adoption of Uniform Fire Code and Uniform Fire Code Standards.

15.16.020 Copy on File.

15.16.010 Adoption of Uniform Fire Code and Fire Code Standards.

The 1994 Edition of the Uniform Fire Code and the Uniform Fire Code Standards, published by the Western Fire Chief=s Association and as adopted as a part of the state uniform codes are adopted by reference and incorporated herein as if fully set forth: Provided that notwithstanding any wording in the code, participants in religious ceremonies or functions approved by the Fire Marshal shall not be precluded from carrying hand-held candles. (Ord. 29 ' 6, 1995.)

15.16.020 Copy on File.

At least one copy of the Edition(s) of the Uniform Fire Code and Uniform Fire Code Standards identified in Section 15.16.010 of this Chapter shall be on file in the Office of the City Clerk. (Ord. 29 ' 7, 1995.)

Chapter 15.20

Plumbing Code

Sections:

15.20.010 Adoption of Uniform Plumbing Code.

15.20.020 Copy on File.

15.20.010 Adoption of the Uniform Plumbing Code.

The ~~1994~~ 1991 Edition of the Uniform Plumbing Code, published by the International Conference of Building Officials and as adopted as a part of the state building code is adopted by reference and incorporated herein as if fully set forth. (Ord. 29 ' 8, 1995.)

15.20.020 Copy on File.

At least one copy of the Edition(s) of the Uniform Plumbing Code identified in Section 15.20.010 of this Chapter shall be on file in the Office of the City Clerk. (Ord. 29 ' 9, 1995.)

Chapter 15.24

Energy Code

Sections:

15.24.010 Adoption of Washington State Energy Code.

15.24.020 Copy on File.

15.24.010 Adoption of Washington State Energy Code .

The provisions of the Washington State Energy Code currently adopted by the Washington State Code Council as Chapter 51.11 of the Washington Administrative Code is adopted by reference and incorporated herein as fully set forth. (Ord. 29 ' 10,

1995.)

15.24.020 Copy on File.

At least one copy of the Washington State Energy Code identified in Section 15.24.010 of this Chapter shall be on file in the Office of the City Clerk. (Ord. 29 ' 11, 1995.)

Chapter 15.28

Ventilation and Indoor Air Quality Code

Sections:

15.28.010 Adoption of the Washington State Ventilation and Indoor Air Quality Code.

15.28.020 Copy on File.

15.28.010 Adoption of the Washington State Ventilation and Indoor Air Quality Code.

The provisions of the Washington State Ventilation and Indoor Air Quality Code currently adopted by the Washington State Code Council as Chapter 51.13 of the Washington Administrative Code is adopted by reference and incorporated herein as fully set forth. (Ord. 29 ' 12, 1995.)

15.28.020 Copy on File.

At least one copy of the Washington State Ventilation and Indoor Air Quality Code identified in Section 12 of this Chapter shall be on file in the Office of the City Clerk. (Ord. 29 ' 13, 1995.)

Chapter 15.32

Abatement of Dangerous Buildings Code

Sections:

15.32.010 Adoption of Uniform Code for the Abatement of Dangerous Buildings.

15.32.020 Copy on File.

15.32.010 Adoption of the Uniform Code for the Abatement of Dangerous Buildings..

The 1994 Edition of the Uniform Code for the Abatement of Dangerous Buildings, published by the International Conference of Building Officials is adopted by reference and incorporated herein as if fully set forth. (Ord. 29 ' 14, 1995.)

15.32.020 Copy on File.

At least one copy of the Edition of the Uniform Code for the Abatement of Dangerous Buildings identified in Section 15.32.010 of this Chapter shall be on file in the Office of the City Clerk. (Ord. 29 ' 15, 1995.)

Chapter 15.36

Electrical Code

Sections:

15.36.010 Adoption of National Electrical Code.

15.36.020 Copy on File.

15.36.030 Electricians and Electrical Installations.

15.36.040 Copy of W.A.C. on File.

15.36.010 Adoption of the National Electrical Code.

The 1993 Edition of the National Electrical Code, published by the National Fire Protection Association and WAC 296-46 are adopted by reference and incorporated herein as if fully set forth. (Ord. 29 ' 16, 1995.)

15.36.020 Copy on File.

At least one copy of the Edition of the National Electrical Code and WAC 296-46 identified in Section 15.36.010 of this Chapter shall be on file in the Office of the City Clerk. (Ord. 29 ' 17, 1995.)

15.36.030 Electricians and Electrical Installations.

The following sections of chapter 19.28 RCW as now in effect, and as may subsequently be amended, are adopted by reference to establish regulations pertaining to electricians and electrical installations, except that "Department" shall mean the City Department of Public Works:

19.28.005 Definitions.

19.28.010 Electrical wiring requirements -General -Exceptions.

19.28.060 Rules, regulations, and standards.

19.28.070 Enforcement -State electrical inspectors -Qualifications -Salaries and expenses.

19.28.120 License required -General or specialty licenses -Fees -Application -Bond -Cash deposit in lieu of bond.

19.28.125 Electrical contractors -Designee of firm to take administrator's examination -Certificate duration, renewal, nontransferable -Administrator's duties.

19.28.180 Licensee's bond -Action on -Priorities -Cash deposit, payment from.

19.28.190 Actions -Local permits -Proof of insurance.

19.28.200 Licensing -Exemptions.

19.28.210 Inspections -Notice to repair and change -Disconnection -Entry -Concealment -Connection to utility -Permits, fees.

19.28.250 Inspection reports.

19.28.260 Nonconforming installations -Disputes -Reference to board.

19.28.300 Board -Request for rulings -Fee -Costs.

19.28.310 Revocation or suspension of license -Grounds -Appeal to board -Fee -Costs.

19.28.340 Liability for injury or damage.

19.28.350 Violations of RCW 19.28.010 through 19.28.360 -Schedule of penalties -Appeal.

19.28.360 RCW 19.28.210 inapplicable in certain cities and towns, electricity supply agency service areas, and rights of way of state highways.

19.28.370 RCW 19.28.010 through 19.28.380 inapplicable to telegraph or telephone companies exercising certain functions.

19.28.390 Devices for diagnosis or treatment of disease or injury -Compliance with chapter.

19.28.510 Certificate of competency required -Electrical training certificate -Fee.

19.28.600 Powers and duties of director -Administration of RCW 19.28.510 through 19.28.620 by the department.

19.28.610 Exemptions from RCW 19.28.510 through 19.28.620.

19.28.620 Violations of RCW 19.28.510 through 19.28.620 -Schedule of penalties -Appeal.

(Ord. 29 ' 18, 1995.)

15.36.040 Copy of W.A.C. on File.

At least one copy of the sections of Chapter 19.28 RCW set forth in Section 15.36.030 shall be on file with the Office of the City Clerk. (Ord. 29 ' 19, 1995.)

Chapter 15.40

Administrative Code

Sections:

15.40.010 Adoption of Uniform Administrative Code.

15.40.020 Copy on File.

15.40.010 Uniform Administrative Code.

The 1994 Edition of the Uniform Administrative Code as published by the International Conference of Building Officials is adopted by reference and incorporated herein as if fully set forth. (Ord. 29 ' 20, 1995.)

15.40.020 Copy on File.

At least one copy of the Edition of the Uniform Administrative Code identified in Section 15.40.010 of this Chapter shall be on file in the Office of the City Clerk. (Ord. 29 ' 21, 1995.)

Chapter 15.44

Housing Code

Sections:

15.44.010 Adoption of Uniform Housing Code.

15.44.020 Copy on File.

15.44.010 Uniform Housing Code.

The 1994 Edition of the Uniform Housing Code as published by the International Conference of Building Officials is adopted by reference and incorporated herein as if fully set forth. (Ord. 29 ' 22, 1995.)

15.44.020 Copy on File.

At least one copy of the Edition of the Uniform Housing Code identified in Section 15.44.010 of this Chapter shall be on file in the Office of the City Clerk. (Ord. 29 ' 23, 1995.)

Chapter 15.48

Swimming Pool Code

Sections:

15.48.010 Adoption of Uniform Swimming Pool, Spa and Hot Tub Code.

15.48.020 Copy on File.

15.48.030 Swimming Pool Fences.

15.48.010 Uniform Swimming Pool, Spa and Hot Tub Code.

The 1994 Edition of the Uniform Swimming Pool, Spa and Hot Tub Code, as published by the International Conference of Building Officials, the Western Fire Chiefs Association and the International Association of Plumbing and Mechanical Officials is adopted. (Ord. 29 ' 24, 1995.)

15.48.020 Copy on File.

At least one copy of the adopted Edition of the Uniform Swimming Pool, Spa and Hot Tub Code identified in Section 15.48.010 of this Chapter shall be on file in the office of the City Clerk. (Ord. 29 ' 25, 1995.)

15.48.030 Swimming Pool Fences.

Every swimming pool, public or private, constructed under the provisions of this code shall have a fence installed around the perimeter that complies with the following standards:

A. Fences shall be not less than five (5) feet in height with no opening thereon, other than doors or gates, larger than four (4) square inches. The fence around the pool area and may include yard areas so long as the fence, together with any buildings or other structures to which the fence abuts prevent unauthorized access to the pool area except through doors or gates.

B. All gates or doors opening through such fence enclosure shall be equipped with a self-closing and self-latching device designed to keep and capable of keeping such doors and gates securely closed at all times when not in use. All self-closing and self-latching devices shall be installed at a height on the door or gate not less than 4-1/2 feet above the ground level at such door or gate, or secured from the outside by a locking mechanism; provided that the door of a single family residence that is part of the required enclosure need not be equipped with self-closing and self-latching devices if all other provisions of this Section have been met.

C. For the purposes hereof, a swimming pool shall mean any structure, basin, chamber or tank containing water used for swimming, diving, relaxing or recreational bathing, and having a depth of two feet or more at any point and containing or being able to contain 5,000 gallons of water or more.

D. Swimming pools located within a courtyard shall be fenced as required herein. (Ord. 29 ' 26, 1995.)

Chapter 15.52

Board of Appeals

Sections:

15.52.010 ~~Building and Fire Code~~ Designation of Hearing Examiner as Board of Appeals.

15.52.010 ~~Building and Fire Code~~ Designation of Hearing Examiner as Board of Appeals.

A. Authority and Limitations. ~~In order to determine the suitability of alternative materials and types of construction, and to provide for reasonable interpretations under the provisions of the building and construction codes adopted by this Ordinance, the City of Lakewood Building and Fire Code Board of Appeals is hereby established. Wherever in the Uniform Codes adopted by reference in this title reference is made to the Board of Appeals, it shall refer, instead, to the City=s Hearing Examiner. The Hearing Examiner shall be authorized to hear and decide appeals of orders, decisions or determinations made by the Building Official relative to the application and interpretation of the Uniform Codes and the other codes adopted in this title. The Hearing Examiner shall have no authority relative to interpretation of the administrative provisions of the Uniform Codes and other codes adopted in this title, nor shall the Hearing Examiner be empowered to waive requirements of these codes. The rules of procedure otherwise applicable to the Hearing Examiner shall apply to issues coming before the Hearing Examiner by reason of this authorization. The Building and Fire Codes Board of Appeals Hearing Examiner shall have no authority relative to the interpretation of the administrative provisions contained in Chapter 1 of the Uniform Building Code and Uniform Mechanical Code, Part 1 of the Uniform Plumbing Code, Chapter 1 and 11 of Washington State Energy Code and Chapter 1 of the Ventilation and Indoor Air Quality Code. Nor shall the Board Hearing Examiner be empowered to waive requirements of the building and construction codes adopted by this Ordinance.~~s Hearing Examiner. The Hearing Examiner shall be authorized to hear and decide appeals of orders, decisions or determinations made by the Building Official relative to the application and interpretation of the Uniform Codes and the other codes adopted in this title. The Hearing Examiner shall have no authority relative to interpretation of the administrative provisions of the Uniform Codes and other codes adopted in this title, nor shall the Hearing Examiner be empowered to waive requirements of these codes. The rules of procedure otherwise applicable to the Hearing Examiner shall apply to issues coming before the Hearing Examiner by reason of this authorization. ~~The Building and Fire Codes Board of Appeals~~ Hearing Examiner shall have no authority relative to the interpretation of the administrative provisions contained in Chapter 1 of the Uniform Building Code and Uniform Mechanical Code, Part 1 of the Uniform Plumbing Code, Chapter 1 and 11 of Washington State Energy Code and Chapter 1 of the Ventilation and Indoor Air Quality Code. Nor shall the Board Hearing Examiner be empowered to waive requirements of the building and construction codes adopted by this Ordinance.

B. Board Membership. ~~The Building and Fire Code Board of Appeals shall consist of twelve (12) members which include five (5) regular members and seven (7) alternate members who shall be selected by the Mayor, subject to confirmation by the City Council, with the selection intended to include individuals who have professional and career training, experience and/or education involving the building and construction trades. Members of the Board shall serve at the pleasure of the City Council and without compensation. The City Manager or designee shall serve as an ex-officio non-voting member of the Board. A quorum of the Board, exclusive of the City Manager or designee shall be four members. The alternate members shall be called, as needed, to combine with available regular members to constitute a quorum, and whenever regular members are unable to serve because of a conflict.~~

~~C. B. Appeal process. Any person or party directly aggrieved by a decision or order of the person designated as the Building Official for the City of Lakewood, in such person=s application of the codes adopted by this Ordinance, may appeal to the Board Hearing Examiner by filing a notice of appeal, together with a non-refundable fee of One Hundred Fifty Dollars (\$150.00), with the City Clerk within twenty calendar days of the written decision or order being appealed. The Board Hearing Examiner shall thereafter schedule a hearing on the appeal within ninety (90) days of the notice of appeal. It is provided, however, that continuances may be granted to the appellant or to any other party in interest in the discretion of the Board Hearing Examiner. The Board Hearing Examiner shall render its decision on the appeal within thirty (30) days after the hearing. The Board Hearing Examiner shall adopt reasonable rules of procedure for conducting its hearings if procedures provided in the City Code are not adequate to address Uniform Code appeals. Copies of all decisions of the Board of Appeals Hearing Examiner shall be provided to the appealing party and to the City Clerk, the Building Official and the City Attorney. C. Further Appeal to Superior Court. When any party to a Board of Appeals Hearing Examiner hearing feels aggrieved by any final order of the Board Hearing Examiner stemming from an appeal to the Board Hearing Examiner, as provided for hereinabove, the party may bring an action appealing or challenging the decision of the Board of Appeals Hearing Examiner to the Superior Court of Pierce County within twenty (20) days of the written decision of the Board of Appeals Hearing Examiner.~~ (Ord. 29

B. Appeal process. Any person or party directly aggrieved by a decision or order of the person designated as the Building Official for the City of Lakewood, in such person=s application of the codes adopted by this Ordinance, may appeal to the Board Hearing Examiner by filing a notice of appeal, together with a non-refundable fee of One Hundred Fifty Dollars (\$150.00), with the City Clerk within twenty calendar days of the written decision or order being appealed. The Board Hearing

Examiner shall thereafter schedule a hearing on the appeal within ninety (90) days of the notice of appeal. It is provided, however, that continuances may be granted to the appellant or to any other party in interest in the discretion of the Board Hearing Examiner. The Board Hearing Examiner shall render its decision on the appeal within thirty (30) days after the hearing. The Board Hearing Examiner shall adopt reasonable rules of procedure for conducting its hearings if procedures provided in the City Code are not adequate to address Uniform Code appeals. Copies of all decisions of the Board of Appeals Hearing Examiner shall be provided to the appealing party and to the City Clerk, the Building Official and the City Attorney. C. Further Appeal to Superior Court. When any party to a Board of Appeals Hearing Examiner hearing feels aggrieved by any final order of the Board Hearing Examiner stemming from an appeal to the Board Hearing Examiner, as provided for hereinabove, the party may bring an action appealing or challenging the decision of the Board of Appeals Hearing Examiner to the Superior Court of Pierce County within twenty (20) days of the written decision of the Board of Appeals Hearing Examiner. (Ord. 29 ' 27, 1995.)

Section 2. Severability. If any portion of this Ordinance or its application to any person or circumstances is held invalid, the remainder of the Ordinance or the application of the provision to other persons or circumstances shall not be affected.

Section 3. Effective Date. That this Ordinance shall be in full force and effect five (5) days after publication of the Ordinance Summary.

ADOPTED by the City Council this 3rd day of June, 1996.

CITY OF LAKEWOOD

/S/

Bill Harrison, Mayor

Attest:

/S/

Alice M. Bush, CMC, City Clerk

Approved as to Form:

/S/

Daniel B. Heid, City Attorney

=s responsibilities for enforcement of building codes, pursuant to the requirements of Chapter 19.27 of the Revised Code of Washington, the City Council adopted the current versions of the Uniform Building Code, Uniform Plumbing Code, Uniform Mechanical Code, Uniform Fire Code, and a number of other uniform codes published by the International Conference of Building Officials and is adopted as a part of the State Building Code; and, WHEREAS, with the City=s adoption of the Uniform Building Code and Building Code Standards, certain appendices, not initially included in the adoption by reference have been identified by the City=s Building Official as being valuable resources

for enforcement of the building codes within the City of Lakewood; and, WHEREAS, also in connection with the City

=s adoption of the Uniform Building Code and Building Code Standards, certain appendices, not initially included in the adoption by reference have been identified by the City=s Building Official as being valuable resources for enforcement of the building codes within the City of Lakewood; and, WHEREAS, also in connection with the City=s adoption of the Uniform Plumbing Code, adopted by reference in Ordinance No. 29, even though the 1994 addition of the Uniform Plumbing Code has been published by the International Conference of Building Officials, the State Building Council has recommended that jurisdictions adopt and enforce the earlier 1991 addition because of its preference for some of the terms that were subsequently changed in the 1994 addition; and, WHEREAS, in order to take advantage of those Uniform Building Code and Building Code Standard appendices which would assist the City=s Building Department to address some more complicated and specific building code issues, and in order to conform to the request by the State Building Council, it is appropriate that Sections 15.08.010 and 15.20.010 of the Lakewood Municipal Code be amended accordingly; and, WHEREAS, in addition to the other issues and concerns involving the Uniform Codes adopted by the City, various references in those Codes refer to the establishment of a Board of Appeals to hear and decide appeals of orders, decisions or determinations made by the Building Official relative to the application and interpretation of the Uniform Codes; and,

WHEREAS, in order to take advantage of the current hearing examiner system in place in the City of Lakewood, it would be appropriate to designate the hearing examiner as having responsibilities to hear and decide issues that, would otherwise, be heard by a Board of Appeals established pursuant to the Uniform Codes; and,

WHEREAS, along with the efforts of the City to codify the provisions of its ordinances, it is appropriate to provide for a numerical codification of the provisions of Ordinance No. 29.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKEWOOD, WASHINGTON, DO ORDAIN as Follows:

Section 1. That the provisions of Ordinance No. 29, adopting Uniform Building and Construction Codes shall be codified as set forth below, together with amendments to Sections 15.08.010, 15.20.010 and 15.52.010, to read as follows:

TITLE 15

BUILDING AND CONSTRUCTION

Chapter 15.04

Priority of Codes

Sections:

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Chapter 15.08

Building Code

Sections:

15.08.010 Adoption of Uniform Building Code and Uniform Building Code Standards.

15.08.020 Copy on File.

15.08.010 Adoption of Uniform Building Code and Uniform Building Code Standards.

The 1994 Edition of the Uniform Building Code and the Uniform Building Code Standards, published by the International Conference of Building Officials and as adopted as a part of the state building code are adopted by reference and incorporated herein as if fully set forth, including appendix Chapter 3, Divisions 1, 2 & 4; Chapter 4, Division 3; Chapter 9; Chapter 12, Division 2; Chapter 15; Chapter 18; Chapter 19; Chapter 21; Chapter 23; Chapter 31, Divisions 1, 2 & 3; Chapter 33; and Chapter 34. (Ord. 29 ' 2, 1995.)

15.08.020 Copy on File.

At least one copy of the Edition(s) of the Uniform Building Code and Uniform Building Code Standards identified in Section 15.08.010 of this Chapter shall be on file in the Office of the City Clerk. (Ord. 29 ' 3, 1995.)

Chapter 15.12

Mechanical Code

Sections:

15.12.010 Adoption of Uniform Mechanical Code.

15.12.020 Copy on File.

15.12.010 Adoption of Uniform Mechanical Code.

The 1994 Edition of the Uniform Mechanical Code, including Chapter 22, Fuel Gas Piping, Appendix B, published by the International Conference of Building Officials and as adopted as a part of the state building code is adopted by reference and incorporated herein as if fully set forth. (Ord. 29 ' 4, 1995.)

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At least one copy of the Edition(s) of the Uniform Mechanical Code identified in Section 15.12.010 of this Chapter shall be on file in the Office of the City Clerk. (Ord. 29 ' 5, 1995.)

Chapter 15.16

Fire Code

Sections:

15.16.010 Adoption of Uniform Fire Code and Uniform Fire Code Standards.

15.16.020 Copy on File.

15.16.010 Adoption of Uniform Fire Code and Fire Code Standards.

The 1994 Edition of the Uniform Fire Code and the Uniform Fire Code Standards, published by the Western Fire Chiefs Association and as adopted as a part of the state uniform codes are adopted by reference and incorporated herein as if fully set forth: Provided that notwithstanding any wording in the code, participants in religious ceremonies or functions approved by the Fire Marshal shall not be precluded from carrying hand-held candles. (Ord. 29 ' 6, 1995.)

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At least one copy of the Edition(s) of the Uniform Fire Code and Uniform Fire Code Standards identified in Section 15.16.010 of this Chapter shall be on file in the Office of the City Clerk. (Ord. 29 ' 7, 1995.)

Chapter 15.20

Plumbing Code

Sections:

15.20.010 Adoption of Uniform Plumbing Code.

15.20.020 Copy on File.

15.20.010 Adoption of the Uniform Plumbing Code.

The ~~1994~~ 1991 Edition of the Uniform Plumbing Code, published by the International Conference of Building Officials and as adopted as a part of the state building code is adopted by reference and incorporated herein as if fully set forth. (Ord. 29 ' 8, 1995.)

15.20.020 Copy on File.

At least one copy of the Edition(s) of the Uniform Plumbing Code identified in Section 15.20.010 of this Chapter shall be on file in the Office of the City Clerk. (Ord. 29 ' 9, 1995.)

Chapter 15.24

Energy Code

Sections:

15.24.010 Adoption of Washington State Energy Code.

15.24.020 Copy on File.

15.24.010 Adoption of Washington State Energy Code .

The provisions of the Washington State Energy Code currently adopted by the Washington State Code Council as Chapter 51.11 of the Washington Administrative Code is adopted by reference and incorporated herein as fully set forth. (Ord. 29 ' 10, 1995.)

15.24.020 Copy on File.

At least one copy of the Washington State Energy Code identified in Section 15.24.010 of this Chapter shall be on file in the Office of the City Clerk. (Ord. 29 ' 11, 1995.)

Chapter 15.28

Ventilation and Indoor Air Quality Code

Sections:

15.28.010 Adoption of the Washington State Ventilation and Indoor Air Quality Code.

15.28.020 Copy on File.

15.28.010 Adoption of the Washington State Ventilation and Indoor Air Quality Code.

The provisions of the Washington State Ventilation and Indoor Air Quality Code currently adopted by the Washington State Code Council as Chapter 51.13 of the Washington Administrative Code is adopted by reference and incorporated herein as fully set forth. (Ord. 29 ' 12, 1995.)

15.28.020 Copy on File.

At least one copy of the Washington State Ventilation and Indoor Air Quality Code identified in Section 12 of this Chapter shall be on file in the Office of the City Clerk. (Ord. 29 ' 13, 1995.)

Chapter 15.32

Abatement of Dangerous Buildings Code

Sections:

15.32.010 Adoption of Uniform Code for the Abatement of Dangerous Buildings.

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15.32.010 Adoption of the Uniform Code for the Abatement of Dangerous Buildings..

The 1994 Edition of the Uniform Code for the Abatement of Dangerous Buildings, published by the International Conference of Building Officials is adopted by reference and incorporated herein as if fully set forth. (Ord. 29 ' 14, 1995.)

15.32.020 Copy on File.

At least one copy of the Edition of the Uniform Code for the Abatement of Dangerous Buildings identified in Section 15.32.010 of this Chapter shall be on file in the Office of the City Clerk. (Ord. 29 ' 15, 1995.)

Chapter 15.36

Electrical Code

Sections:

15.36.010 Adoption of National Electrical Code.

15.36.020 Copy on File.

15.36.030 Electricians and Electrical Installations.

15.36.040 Copy of W.A.C. on File.

15.36.010 Adoption of the National Electrical Code.

The 1993 Edition of the National Electrical Code, published by the National Fire Protection Association and WAC 296-46 are adopted by reference and incorporated herein as if fully set forth. (Ord. 29 ' 16, 1995.)

15.36.020 Copy on File.

At least one copy of the Edition of the National Electrical Code and WAC 296-46 identified in Section 15.36.010 of this Chapter shall be on file in the Office of the City Clerk. (Ord. 29 ' 17, 1995.)

15.36.030 Electricians and Electrical Installations.

The following sections of chapter 19.28 RCW as now in effect, and as may subsequently be amended, are adopted by reference to establish regulations pertaining to electricians and electrical installations, except that "Department" shall mean the City Department of Public Works:

19.28.005 Definitions.

19.28.010 Electrical wiring requirements -General -Exceptions.

19.28.060 Rules, regulations, and standards.

19.28.070 Enforcement -State electrical inspectors -Qualifications -Salaries and expenses.

19.28.120 License required -General or specialty licenses -Fees -Application -Bond -Cash deposit in lieu of bond.

19.28.125 Electrical contractors -Designee of firm to take administrator's examination -Certificate duration, renewal, nontransferable -Administrator's duties.

19.28.180 Licensee's bond -Action on -Priorities -Cash deposit, payment from.

19.28.190 Actions -Local permits -Proof of insurance.

19.28.200 Licensing -Exemptions.

19.28.210 Inspections -Notice to repair and change -Disconnection -Entry -Concealment -Connection to utility -Permits, fees.

19.28.250 Inspection reports.

19.28.260 Nonconforming installations -Disputes -Reference to board.

19.28.300 Board -Request for rulings -Fee -Costs.

19.28.310 Revocation or suspension of license -Grounds -Appeal to board -Fee -Costs.

19.28.340 Liability for injury or damage.

19.28.350 Violations of RCW 19.28.010 through 19.28.360 -Schedule of penalties -Appeal.

19.28.360 RCW 19.28.210 inapplicable in certain cities and towns, electricity supply agency service areas, and rights of way of state highways.

19.28.370 RCW 19.28.010 through 19.28.380 inapplicable to telegraph or telephone companies exercising certain functions.

19.28.390 Devices for diagnosis or treatment of disease or injury -Compliance with chapter.

19.28.510 Certificate of competency required -Electrical training certificate -Fee.

19.28.600 Powers and duties of director -Administration of RCW 19.28.510 through 19.28.620 by the department.

19.28.610 Exemptions from RCW 19.28.510 through 19.28.620.

19.28.620 Violations of RCW 19.28.510 through 19.28.620 -Schedule of penalties -Appeal.

(Ord. 29 ' 18, 1995.)

15.36.040 Copy of W.A.C. on File.

At least one copy of the sections of Chapter 19.28 RCW set forth in Section 15.36.030 shall be on file with the Office of the City Clerk. (Ord. 29 ' 19, 1995.)

Chapter 15.40

Administrative Code

Sections:

15.40.010 Adoption of Uniform Administrative Code.

15.40.020 Copy on File.

15.40.010 Uniform Administrative Code.

The 1994 Edition of the Uniform Administrative Code as published by the International Conference of Building Officials is adopted by reference and incorporated herein as if fully set forth. (Ord. 29 ' 20, 1995.)

15.40.020 Copy on File.

At least one copy of the Edition of the Uniform Administrative Code identified in Section 15.40.010 of this Chapter shall be on file in the Office of the City Clerk. (Ord. 29 ' 21, 1995.)

Chapter 15.44

Housing Code

Sections:

15.44.010 Adoption of Uniform Housing Code.

15.44.020 Copy on File.

15.44.010 Uniform Housing Code.

The 1994 Edition of the Uniform Housing Code as published by the International Conference of Building Officials is adopted by reference and incorporated herein as if fully set forth. (Ord. 29 ' 22, 1995.)

15.44.020 Copy on File.

At least one copy of the Edition of the Uniform Housing Code identified in Section 15.44.010 of this Chapter shall be on file in the Office of the City Clerk. (Ord. 29 ' 23, 1995.)

Chapter 15.48

Swimming Pool Code

Sections:

15.48.010 Adoption of Uniform Swimming Pool, Spa and Hot Tub Code.

15.48.020 Copy on File.

15.48.030 Swimming Pool Fences.

15.48.010 Uniform Swimming Pool, Spa and Hot Tub Code.

The 1994 Edition of the Uniform Swimming Pool, Spa and Hot Tub Code, as published by the International Conference of Building Officials, the Western Fire Chiefs Association and the International Association of Plumbing and Mechanical Officials is adopted. (Ord. 29 ' 24, 1995.)

15.48.020 Copy on File.

At least one copy of the adopted Edition of the Uniform Swimming Pool, Spa and Hot Tub Code identified in Section 15.48.010 of this Chapter shall be on file in the office of the City Clerk. (Ord. 29 ' 25, 1995.)

15.48.030 Swimming Pool Fences.

Every swimming pool, public or private, constructed under the provisions of this code shall have a fence installed around the perimeter that complies with the following standards:

A. Fences shall be not less than five (5) feet in height with no opening thereon, other than doors or gates, larger than four (4) square inches. The fence around the pool area and may include yard areas so long as the fence, together with any buildings or other structures to which the fence abuts prevent unauthorized access to the pool area except through doors or gates.

B. All gates or doors opening through such fence enclosure shall be equipped with a self-closing and self-latching device designed to keep and capable of keeping such doors and gates securely closed at all times when not in use. All self-closing and self-latching devices shall be installed at a height on the door or gate not less than 4-1/2 feet above the ground level at such door or gate, or secured from the outside by a locking mechanism; provided that the door of a single family residence that is part of the required enclosure need not be equipped with self-closing and self-latching devices if all other provisions of this Section have been met.

C. For the purposes hereof, a swimming pool shall mean any structure, basin, chamber or tank containing water used for swimming, diving, relaxing or recreational bathing, and having a depth of two feet or more at any point and containing or being able to contain 5,000 gallons of water or more.

D. Swimming pools located within a courtyard shall be fenced as required herein. (Ord. 29 ' 26, 1995.)

Chapter 15.52

Board of Appeals

Sections:

15.52.010 ~~Building and Fire Code~~ Designation of Hearing Examiner as Board of Appeals.

15.52.010 ~~Building and Fire Code~~ Designation of Hearing Examiner as Board of Appeals.

A. Authority and Limitations. ~~In order to determine the suitability of alternative materials and types of construction, and to provide for reasonable interpretations under the provisions of the building and construction codes adopted by this Ordinance, the City of Lakewood Building and Fire Code Board of Appeals is hereby established. Wherever in the Uniform Codes adopted by reference in this title reference is made to the Board of Appeals, it shall refer, instead, to the City=s Hearing Examiner. The Hearing Examiner shall be authorized to hear and decide appeals of orders, decisions or determinations made by the Building Official relative to the application and interpretation of the Uniform Codes and the other codes adopted in this title. The Hearing Examiner shall have no authority relative to interpretation of the administrative provisions of the Uniform Codes and other codes adopted in this title, nor shall the Hearing Examiner be empowered to waive requirements of these codes. The rules of procedure otherwise applicable to the Hearing Examiner shall apply to issues coming before the Hearing Examiner by reason of this authorization. The Building and Fire Codes Board of Appeals~~ Hearing Examiner shall have no authority relative to the interpretation of the administrative provisions contained in Chapter 1 of the Uniform Building Code and Uniform Mechanical Code, Part 1 of the Uniform Plumbing Code, Chapter 1 and 11 of Washington State Energy Code and Chapter 1 of the Ventilation and Indoor Air Quality Code. Nor shall the Board ~~Hearing Examiner be empowered to waive requirements of the building and construction codes adopted by this Ordinance.~~ =s Hearing Examiner. The Hearing Examiner shall be authorized to hear and decide appeals of orders, decisions or determinations made by the Building Official relative to the application and interpretation of the Uniform Codes and the other codes adopted in this title. The Hearing Examiner shall have no authority relative to interpretation of the administrative provisions of the Uniform Codes and other codes adopted in this title, nor shall the Hearing Examiner be empowered to waive requirements of these codes. The rules of procedure otherwise applicable to the Hearing Examiner shall apply to issues coming before the Hearing Examiner by reason of this authorization. The Building and

~~Fire Codes Board of Appeals Hearing Examiner~~ shall have no authority relative to the interpretation of the administrative provisions contained in Chapter 1 of the Uniform Building Code and Uniform Mechanical Code, Part 1 of the Uniform Plumbing Code, Chapter 1 and 11 of Washington State Energy Code and Chapter 1 of the Ventilation and Indoor Air Quality Code. Nor shall the ~~Board Hearing Examiner~~ be empowered to waive requirements of the building and construction codes adopted by this Ordinance.

~~B. Board Membership. The Building and Fire Code Board of Appeals shall consist of twelve (12) members which include five (5) regular members and seven (7) alternate members who shall be selected by the Mayor, subject to confirmation by the City Council, with the selection intended to include individuals who have professional and career training, experience and/or education involving the building and construction trades. Members of the Board shall serve at the pleasure of the City Council and without compensation. The City Manager or designee shall serve as an ex-officio non-voting member of the Board. A quorum of the Board, exclusive of the City Manager or designee shall be four members. The alternate members shall be called, as needed, to combine with available regular members to constitute a quorum, and whenever regular members are unable to serve because of a conflict.~~

~~C.B. Appeal process. Any person or party directly aggrieved by a decision or order of the person designated as the Building Official for the City of Lakewood, in such person=s application of the codes adopted by this Ordinance, may appeal to the Board Hearing Examiner by filing a notice of appeal, together with a non-refundable fee of One Hundred Fifty Dollars (\$150.00), with the City Clerk within twenty calendar days of the written decision or order being appealed. The Board Hearing Examiner shall thereafter schedule a hearing on the appeal within ninety (90) days of the notice of appeal. It is provided, however, that continuances may be granted to the appellant or to any other party in interest in the discretion of the Board Hearing Examiner. The Board Hearing Examiner shall render its decision on the appeal within thirty (30) days after the hearing. The Board Hearing Examiner shall adopt reasonable rules of procedure for conducting its hearings if procedures provided in the City Code are not adequate to address Uniform Code appeals. Copies of all decisions of the Board of Appeals Hearing Examiner shall be provided to the appealing party and to the City Clerk, the Building Official and the City Attorney. C. Further Appeal to Superior Court. When any party to a Board of Appeals Hearing Examiner hearing feels aggrieved by any final order of the Board Hearing Examiner stemming from an appeal to the Board Hearing Examiner, as provided for hereinabove, the party may bring an action appealing or challenging the decision of the Board of Appeals Hearing Examiner to the Superior Court of Pierce County within twenty (20) days of the written decision of the Board of Appeals Hearing Examiner. (Ord. 29~~

~~B. Appeal process. Any person or party directly aggrieved by a decision or order of the person designated as the Building Official for the City of Lakewood, in such person=s application of the codes adopted by this Ordinance, may appeal to the Board Hearing Examiner by filing a notice of appeal, together with a non-refundable fee of One Hundred Fifty Dollars (\$150.00), with the City Clerk within twenty calendar days of the written decision or order being appealed. The Board Hearing Examiner shall thereafter schedule a hearing on the appeal within ninety (90) days of the notice of appeal. It is provided, however, that continuances may be granted to the appellant or to any other party in interest in the discretion of the Board Hearing Examiner. The Board Hearing Examiner shall render its decision on the appeal within thirty (30) days after the hearing. The Board Hearing Examiner shall adopt reasonable rules of procedure for conducting its hearings if procedures provided in the City Code are not adequate to address Uniform Code appeals. Copies of all decisions of the Board of Appeals Hearing Examiner shall be provided to the appealing party and to the City Clerk, the Building Official and the City Attorney. C. Further Appeal to Superior Court. When any party to a Board of Appeals Hearing Examiner hearing feels aggrieved by any final order of the Board Hearing Examiner stemming from an appeal to the Board Hearing Examiner, as provided for hereinabove, the party may bring an action appealing or challenging the decision of the Board of Appeals Hearing Examiner to the Superior Court of Pierce County within twenty (20) days of the written decision of the Board of Appeals Hearing Examiner. (Ord. 29 ' 27, 1995.)~~

Section 2. Severability. If any portion of this Ordinance or its application to any person or circumstances is held invalid, the remainder of the Ordinance or the application of the provision to other persons or circumstances shall not be affected.

Section 3. Effective Date. That this Ordinance shall be in full force and effect five (5) days after publication of the Ordinance Summary.

ADOPTED by the City Council this 3rd day of June, 1996.

CITY OF LAKEWOOD

/S/

Bill Harrison, Mayor

Attest:

/S/

Alice M. Bush, CMC, City Clerk

Approved as to Form:

/S/

Daniel B. Heid, City Attorney

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