

[City Council meeting minutes of June 21 2004](#)

ORDINANCE NO. 347

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD, WASHINGTON, ADOPTING NEW BUILDING AND CONSTRUCTION CODES, CODIFIED AS TITLE 15A OF THE LAKEWOOD MUNICIPAL CODE

WHEREAS, the City of Lakewood incorporated on February 28, 1996; and,

WHEREAS, the City of Lakewood adopted the Uniform Building and Construction Codes; and,

WHEREAS, in 2003 the Washington State Legislature passed SHB 1734, updating the state building code by replacing uniform building, mechanical, and fire codes and standards published by the International Conference of Building Officials with the international building, residential, mechanical, and fire codes published by the International Code Council, Inc; and,

WHEREAS, as stated by the Washington State Legislature, the purpose for adopting International Codes is to promote fire and life safety, to consider provisions for fire fighting safety, and to facilitate the availability of safe and affordable housing; and,

WHEREAS, Governor Locke signed the bill into law on May 14, 2003; and,

WHEREAS, the international building, residential, mechanical, and fire codes published by the International Code Council, Inc., shall become effective on July 1, 2004; and,

WHEREAS, the State of Washington previously developed an energy conservation code and a code for the elimination of physical barriers to promote accessibility; and,

WHEREAS, the Washington State Energy Code is a stand alone code while the accessibility provisions reside as a state amendment to the International Building Code; and,

WHEREAS, pursuant to the provisions of Chapter 19.27 of the revised Code of Washington, cities in the State of Washington are responsible for enforcement of the uniform construction codes as adopted by state statute; and,

WHEREAS, state statutes provides that cities may amend the state building code with certain limitations, and further provides that if no amendments are adopted by the legislature body of the cities, the state building code shall be in force and effect; and,

WHEREAS, in keeping with the responsibility imposed by state law, it is appropriate for the Lakewood City Council to adopt the uniform provisions of the state building code as the building and construction codes of the City with amendments.

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

SECTION 1: That Title 15 is hereby repealed and replaced with a new Title 15A of the Lakewood Municipal Code.

SECTION 2: Add new title as follows:

Title 15A ICC Performance Code for Buildings and Facilities

SECTION 3: Add new chapter, as follows:

15A.08.000 – International Building Code

Chapter 15A.08
International Building Code

Sections:

15A.08.010	Adoption of the International Building Code.
15A.08.020	Copy on File.
15A.08.030	Additional Provisions to the International Building Code.

15A.08.010 – Adoption of the International Building Code

The 2003 Edition of the International Building Code, published by the International Code Council and as amended by Washington Administrative Code Chapter 51-50, are adopted by reference and incorporated herein as if fully set forth, including:

Appendix C, Group U – Agricultural Buildings;
Appendix G, Flood resistant construction.;
Appendix H, Signs;
Appendix J, Grading;
Appendix K, Sound Transmission of the International Residential Code if located in the CZ, AC1, and/or AC2 zoning districts.

15A.08.020 – Copy on File

At least one copy of the Editions(s) of the International Building Code identified in Section 15A.08.010 of this Chapter shall be on file in the Office of the City Clerk

15A.08.030 - Additional Provisions to the International Building Code

In addition to the provisions of the International Building Code adopted pursuant to Chapter 15A.08 of the City Code, the following provisions shall be a part of the City's International Building Code:

- A. Work exempt from Permit Amended. Section 105.2 of the International Building Code, 2003 Edition, is hereby amended by deleting the following item:
 - 1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet.
- B. Definitions Amended. Section 502 of the International Building Code, 2003 Edition, is hereby amended by adding the following:

HEIGHT, BUILDING. The vertical distance from grade plane to the average height of the highest roof surface. This measurement shall be compared to LMC section 18A.50.130 and the most restrictive shall apply.

- C. Required Inspections Amended. Section 109.3.1 of the International Building Code, 2003 Edition, is hereby amended by adding the following:

Footing and Foundation Inspection. Footing and foundation inspections shall be made after excavations for footings are complete and any required reinforcing steel is in place. For concrete foundations, any required forms shall be in place prior to inspection. Materials for the foundation shall be on the job, except where concrete is ready mixed in accordance with ASTM C94, the concrete need not be on the job. The building official or his designee shall have no duty to verify or establish lot lines or setback lines. No such duty is created by this chapter, and none shall be implied. The location of lot lines and/or setback lines at a development and construction related thereto shall be the responsibility of the applicant/owner.

SECTION 4: Add new chapter as follows:

Chapter 15A.10.000 – International Residential Code

Chapter 15A.10
International Residential Code

Sections:

15A.10.010	Adoption of the International Residential Code Code.
15A.10.020	Copy on File.
15A.10.030	Additional Provisions to the International Residential Code.

15A.10.010 – Adoption of the International Residential Code

The 2003 Edition of the International Residential Code, published by the International Code Council and as amended by Washington Administrative Code Chapter 51-51, is adopted by reference and incorporated herein as if fully set forth, including:

Appendix A (IFGC), Sizing and Capacities of Gas Piping;
Appendix B (IFGC), Sizing of Venting Systems Serving Appliances Equipped with Draft Hoods, Category I Appliances and Appliances Listed for Use and Type B vents;
Appendix C, Exit Terminals of Mechanical Draft and Direct-Vent Venting Systems;
Appendix G, Swimming Pools and Hot Tubs
Appendix J, Existing Buildings and Structures; and
Appendix K, Sound Transmission of the International Residential Code if located in the CZ, AC1, and/or AC2 zoning districts.

15A.10.020 – Copy on File

At least one copy of the Editions(s) of the International Residential Code identified in Section 15A.10.010 of this Chapter shall be on file in the Office of the City Clerk

15A.10.030 - Additional Provisions to the International Residential Code

In addition to the provisions of the International Residential Code adopted pursuant to Chapter 15A.10 of the City Code, the following provisions shall be a part of the City's International Residential Code:

A. The title to Section R110, Certificate of Occupancy is deleted and replaced with, Final Inspection.

B. Section 110 of the International Residential Code, 2003 Edition, is hereby deleted and replaced with the following:

R110.1 Use and Occupancy. No building or structure shall be used or occupied, and no change in the existing occupancy classification of a building or structure or portion thereof shall be made until the building official has performed and approved a final inspection. A final inspection for occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Final inspections presuming to give authority to violate or cancel the provisions of this code or other ordinances of the jurisdiction shall not be valid.

C. Section R110.3, Certificate issued, is hereby deleted in its entirety.

D. Section 110.4, Temporary occupancy, of the International Residential Code, 2003 Edition, is hereby deleted and replaced with the following:

R110.4 Temporary occupancy. The building official is authorized to approve a temporary occupancy before the completion of the entire work covered by the permit, provided that such portion or portions shall be occupied safely. The building official shall set a time period during which the temporary occupancy is valid.

E. Section 110.5, Revocation, of the International Residential Code, 2003 Edition, is hereby deleted and replaced with the following:

R110.5 Revocation. The building official shall, in writing, suspend or revoke a final inspection and occupancy under the provisions of this code wherever the final inspection and/or occupancy is in error, or on the basis of incorrect information supplied, or where it is determined that the building or structure or portion thereof is in violation of any ordinance or regulation or any of the provisions of this code.

F. Delete Part IV – Energy Conservation in its entirety. References to chapters in Part IV shall be made instead to the appropriate sections of WAC 51-11.

G. Delete Part VII – Plumbing in its entirety. References to chapters in Part VII shall be made instead to the appropriate sections of the 2003 Uniform Plumbing Code published by IAPMO.

- H. Delete Part VIII – Electrical in its entirety. References to chapters in Part VIII shall be made instead to the National Electrical Code published by the NFPA and enforced in the City of Lakewood by the state of Washington Department of Labor and Industries.
- I. Work Exempt form Permit Amended. Section R105.2.1 of the International Residential Code, 2003 Edition, is hereby deleted and replaced with the following:
 - 1. One-story detached accessory structures, provided the floor area does not exceed 120 square feet.

SECTION 5: Add new chapter as follows:

Chapter 15A.12
International Mechanical Code

Chapter 15A.12.000 – International Mechanical Code

Sections:

- | | |
|------------|---|
| 15A.12.010 | Adoption of the International Mechanical Code. |
| 15A.12.020 | Copy on File. |
| 15A.12.030 | Additional Provisions to the International Mechanical Code. |

15A.12.010 – Adoption of the International Mechanical Code

The 2003 Edition of the International Mechanical Code, published by the International Code Council, as amended by Washington Administrative Code Chapter 51-52, is adopted by reference and incorporated herein as if fully set forth, 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).

15A.12.020 – Copy on File

At least one copy of the Editions(s) of the International Mechanical Code, NFPA 58 and ANSI Z223.1/NFPA 54 identified in Section 15A.12.010 of this Chapter shall be on file in the Office of the City Clerk

15A.12.030 - Additional Provisions to the International Mechanical Code

In addition to the provisions of the International Mechanical Code adopted pursuant to Chapter 15A.10 of the City Code, the following provisions shall be a part of the City's International Mechanical Code:

- A. NFPA 58 Storage Within Residential Buildings Amended. Section 5.3.4 of the NFPA 58, 2001 Edition, is hereby amended by adding the following:

Storage of cylinders within a residential building, excluding the basement and any storage area in a common basement storage area in multiple-family buildings, shall be limited to cylinders each with a maximum water capacity of 2.7 lb and shall not exceed 5.4 lb aggregate water capacity for smaller

cylinders per each living space unit. Each cylinder shall meet DOT specifications.

SECTION 6: Add a new chapter as follows:

Chapter 15A.14.000 – International Fire Code

Chapter 15A.14
International Fire Code

Sections:

15A.14.010	Adoption of the International Fire Code.
15A.14.020	Copy on File.
15A.14.030	Additional Provisions to the International Fire Code.

15A.14.010 – Adoption of the International Fire Code

The 2003 Edition of the International Fire Code, published by the International Code Council, and as amended by the Washington Administrative Code Chapter 51-54, is adopted by reference and incorporated herein as if fully set forth: PROVIDED, That, notwithstanding any wording in this code, participants in religious ceremonies shall not be precluded from carrying hand-held candles. The following Appendices are specifically adopted:

Appendix B, Fire Flow for Buildings;
Appendix C, Fire Hydrant Locations and Distribution;
Appendix D, Fire Apparatus Access Roads;
Appendix E, Hazard Categories;
Appendix F, Hazard Ranking; and
Appendix G, Cryogenic Fluids-Weight and Volume Equivalents.

15A.14.020 – Copy on File

At least one copy of the Editions(s) of the International Fire Code identified in Section 15A.14.010 of this Chapter shall be on file in the Office of the City Clerk.

15A.14.030 - Additional Provisions to the International Fire Code

In addition to the provisions of the International Fire pursuant to Chapter 15A.14 of the City Code, the following provisions shall be a part of the City's International Fire Code:

A. Amend 101.1 Title to read:

These regulations shall be known as the Fire Code of the City of Lakewood, hereinafter referred to as "this code".

B. Delete Section 103.1 and replace with the following:

General. There is hereby established a Fire Prevention Division with the Fire Department, under the direction of the Fire Chief. The function of the Fire Prevention Division shall be to assist the Fire Chief in the implementation,

administration and enforcement of the provisions of the Lakewood Fire Code. The Fire Chief shall appoint an authorized representative shall be known as the Fire Marshal. The Fire Marshal shall be appointed and discharged by the Fire Chief with the approval of the Fire Commissioners. Selection of the Fire Marshal shall be on the basis of proper qualification.

C. Add Section 104.1.2 to read:

Coordination with other departments. When requested and authorized to do so by the fire code official, the chief of police may assign such available police officers and the code compliance supervisor may assign such available code compliance officers as may be necessary to assist the community development department and/or the fire department in enforcing provisions of this code.

D. Add Section 104.1.3 to read:

Inspection authority. The fire code official and members of the fire prevention bureau have limited police powers for the purpose of enforcing the International Fire Code. Such powers shall include the ability to issue verbal and written notices of violation, to determine appropriate times within which violations shall be removed or repaired, to issue infraction and criminal citations for violations of the International Fire Code and all applicable state and local fire regulations, and to enter, as necessary, buildings and premises for the purposes of inspection as necessary to and as described within the International Fire Code.

E. Add Section 104.1.4 Special limited commissions to read:

Special limited commission. The scope of the special limited commission herein shall not grant the fire code official or any member of the fire prevention bureau any power of arrest, and this special limited commission shall not grant any member of the fire prevention bureau authority to carry firearms or other weapons while conducting activities related to enforcement of the International Fire Code. Fire prevention personnel shall, however, be authorized to carry and use chemical defensive weapons.

F. Delete Section 104.6 Official records and replace with the following:

Official records. The fire code official, as authorized, shall maintain official records as required by this section for a minimum period of time as required by the laws of the state of Washington.

G. Delete Section 105.1.1 Permits required and replace with the following:

Permits required. Permits required by this code shall be obtained from the fire code official. Permit fees, if any, shall be paid at the time of application for permit. Permits are not issued until the fire code official has approved the permit and a copy of the permit and approved plans are in the possession of the person or company applying for said permit. Issued permits and approved plans shall be kept on the premises designated therein at all times and shall be readily available for inspection.

H. Delete Item No. 2, Section 105.1.2 – construction permit.

I. Add Section 105.1.4 to read:

Working without a permit. Any person working without a permit shall be liable to a fee of two (2) times the appropriate amount as identified and set forth in the City's Master Fee Schedule. Working without a permit shall include not having plans approved by the fire department on site or not having a copy of the permit regulating such trade on site.

J. Add Section 105.1.5 as follows:

Non-profit organizations. Operational permits submitted by non-profit organizations will be charged fifty percent of fees. Non-profit organizations are organizations that have established a non-profit exemption from the Internal Revenue Service.

K. Delete Section 105.4 and replace with the following:

Construction documents. Construction documents for fire protection systems shall be in accordance with this section.

L. Delete Section 105.4.1 and replace with the following:

Submittals. Submittals are required for the following fire protection systems:

1. Fire sprinkler systems with 10 or more sprinklers installed or a tenant improvement.
2. Fire alarm systems with five or more devices installed or a tenant improvement.
3. Underground fire mains for all installations except where underground piping that serves both fire and domestic purposes (such as to an apartment building sprinkling system) and does not have a fire department connection attached.
4. Gaseous suppression systems with one or more nozzles installed.
5. Standpipe systems with one or more risers installed.

M Delete Section 105.6.13.

N. Delete Section 105.6.16.

O. Add Section 105.6.48 to read:

105.6.48 Special operational permit. The fire code official is authorized to require and issue a special operational permit for any operation not listed elsewhere in this section if it is determined by the fire code official that an operation has the potential for presenting a hazardous condition and should continue only with the ability to track and monitor the situation that a permit will provide.

P. Delete Section 105.7 and replace with the following:

105.7 Required construction permits. The fire code official is authorized to issue permits for work as set forth in Sections 105.7.1 through 105.7.12. It shall be unlawful for any person, firm, or corporation to perform installation or tenant finish of any fire protection system without first having obtained a permit from the fire department. Permits shall not be required for maintenance.

Exceptions:

1. Permits shall not be required for installation of tenant finish or fire protection when:
 - 1.1 Not more than ten (10) sprinklers are installed or relocated.
 - 1.2 Special agent systems are self-contained and do not require auxiliary controls or piping to operate
2. Underground fire main that serves both fire and domestic purposes (such as to an apartment building sprinkler system) and does not have a fire department connection or fire hydrant(s).

Q. Add Section 105.8 Fees to read:

105.8 General. Upon application for a construction permit in accordance with Section 105 for fire protection systems, the applicant shall be required to pay all fees associated with the installation or tenant finish work as identified and set forth in the adopted City fee schedule.

105.8.1.1 Pre-engineered extinguishing systems. Construction permit fees for these systems shall be one half of the fees designated in the adopted fee schedule for "Other Suppression Systems."

105.8.2 Penalty. Fees specified in the adopted fee schedule will be doubled if a contractor starts installation or tenant finish work without a valid permit.

105.8.3 Additional plan review. Three (3) sets of original plans shall be submitted for review. An additional plan review fee of \$100 shall be charged to the fire protection system contractor for each additional plan review conducted.

105.8.4.1 Permit re-inspection fees. All fees must be paid prior to scheduling of re-inspection(s).

R. Add Section 106.2.1 to read:

106.2.1 Inspection request. It shall be the duty of the person doing the work authorized by permit to notify the fire department that such work is ready for inspection. The fire code official is authorized to require that every request for inspection be filled not less than two (2) working days before such inspection is desired. It shall be the duty of the person requesting any inspection to provide access to and means for proper inspection of such work.

106.2.2 Partial inspections. The Fire Department shall not perform inspection on partial systems unless approved by the fire code official.

S. Delete Section 202 False Alarm and replace with:

202 False alarm. A false alarm is defined as an alarm which causes the emergency response by the fire department and which is initiated by one of the following:

1. A fire alarm system malfunction.
2. Improper maintenance of a fire alarm or an automatic fire suppression system.
3. Improper use or misuse of a fire alarm system or an automatic fire suppression system.
4. Damage to a fire alarm system or automatic fire suppression system due to carelessness while performing other procedure in the building.
5. The initiation of a fire alarm system during construction, painting, or other procedure in which care should have been taken to protect initiating devices from sending a false signal.

T. Add Section 401.3.1.1 to read:

401.3.1.1 False alarm complaints. False alarm complaints will be filed with the Fire Prevention Bureau by either the responding fire companies or by Fire Communication Center whenever it is noticed that more than two false alarms have occurred at the same address during any twelve month period. The complaint should include incident number, date, time, and nature of each call to the address being referenced.

401.3.2.2 Notification. Upon receiving a false alarm complaint, a member of the Fire Prevention Bureau will verify the validity of the complaint. The owner or manager of the premises in question will then be issued a written notice to take measures to correct any problem that may be causing the false alarms. The notice will state that future false alarms at the referenced address, which occur within twelve months of the original complaint, will cause the owner or manager of the establishment to be invoiced in accordance with Section 401.3.1.4, Fees.

401.3.1.3 Invoice for false alarms. A member of the Fire Prevention Bureau will deliver an invoice to any establishment for all reported false alarms which occur after the written notification in accordance with Section 401.3.1.2 is issued, and which occur before a period of twelve months has passed since the written notification. The invoice will be accordance with Section 401.3.1.4, Fees.

401.3.1.4 Fees. A fee will be assessed for each false alarm reported to the Fire Prevention Bureau after written notification is issued in accordance with Section 401.3.1.2. The amount of the fee shall be set forth in the City's Fee Schedule.

U. Add Section 408.2.3 to read:

408.2.3 Crowd management. All assembly occupancies exceeding 150 occupants shall have a personnel trained in accordance with 406.3 assigned as crowd control managers. The ratio of one crowd managers shall be one manager for every 150 occupants.

- V. Delete Section 408.3.2 and replace with:

408.3.2 Documentation. The operator of premises housing an educational occupancy shall maintain a written report of each fire drill in the office of the operator of the premises and, when requested, provide the fire code official with a copy of the written report of each drill.

- W. Add Section 408.3.5 to read:

408.3.5 Matter of drill. The operator of the premises housing an educational occupancy shall conduct fire drills in the matter that will affect all students to immediately leave the structure upon hearing the fire drill signal. A roll call by class shall be conducted outside the structure and doors are to be closed as each area is evacuated.

- X. Add Section 503.1.2.1 to read:

Buildings more than 55 feet in height. A building which is more than fifty-five (55) feet in height shall be accessible by a dedicated street or fire apparatus access road that is not less than fifteen (15) feet nor more than twenty-five (25) feet from the inside curb to the building face along at least one-half of the length of two sides of the building.

- Y. Change Section 503.3 to read:

503.3 Marking. Approved striping and signs shall be provided and maintained for fire apparatus roads to identify such roads and prohibit the obstruction thereof. Signs and striping shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility.

1. Striping. Painted lines of red traffic paint shall mark fire apparatus access six (6) inches in width to show the boundaries of the lane. The words "NO PARKING FIRE LANE" shall appear in four (4) inches of white letters at 25 feet intervals on the red boarder markings along both sides of the fire lanes. Where a curb is available, the striping shall be on the vertical face of the curb.
2. Signs. Shall read "NO PARKING FIRE LANE" and shall be twelve (12) inches wide and eighteen (18) inches high. The signs shall have letters and background of contrasting colors, readily legible from a 50-foot distance. Signs shall be permanently affixed to a stationery post and bottom of the sign shall be six feet, six inches (6'6") above finished grade. Signs shall be spaced not more than fifty (50) feet apart. Signs may be installed on permanent buildings or walls or as approved by the code official.

- Z. Delete Section 505.1 and replace with the following:

Address Numbers. Approved numbers or addresses shall be placed on all new and existing buildings and private driveways or roadways leading to buildings in such a position as to be plainly visible and legible from the public street or road fronting the property. Numbers shall contrast with their background and

be of sufficient size to be seen by emergency responders from the public street where a private driveway or building access is located. Street signs shall conform to city engineering standards and be provided at all public and private roads as designated by the fire code official. When required the fire code official, premises identification shall also be placed on the rear access to a structure or unit. Numbers shall be a minimum of four (4) inches high with a minimum stroke width of 0.5 inches.

AA. Delete Section 508.5.1 and replace with the following:

Required installations. All fire hydrants shall be accessible to the fire department apparatus by roadways meeting the requirements of Section 503.

Fire hydrants shall be installed in accordance with the following criteria:

1. For all R-3, R-4 and Group U Occupancies, fire hydrants shall be installed such that there is not more than 700 feet (350 foot radius) of space between hydrants along a direct horizontal line.
2. For all R-1 and R-2 Occupancies, fire hydrants shall be installed such that there is not more than 700 feet (350 foot radius) of space between hydrants along a direct horizontal line. No point on a building shall exceed a 500-foot hose lay distance using the route of access that fire department personnel would travel between the hydrant and the building.
3. For all other land uses (except occupancies mentioned above), hydrant distribution shall be as listed in Appendix C, Table C105.1.
4. A fire hydrant shall be installed no more than 100 feet from fire department connections for a standpipe system, and 100 feet from fire department connections for a sprinkler system and/or combined system.
5. All fire hydrants shall be installed at least two (2) feet, but not more than nine (9) feet, from the curb face of a paved street or edge of a designated approved fire access roadway.
6. All hydrant threads must be compatible with those in use by the Lakewood Fire Department and Lakewood Water District. All hydrants shall have a five (5) inch quick release adapter (Storz fitting) installed.
7. Fire hydrants on private property shall be accessible to the fire department at all times.
8. All fire hydrants placed on private property shall be adequately protected by either curb stops or concrete post or other approved methods. Such stops shall be the responsibility of the landowner on which the fire hydrant is installed.
9. Fire hydrants shall be not closer than fifty (50) feet of a structure or one and one half (1 ½) times the height of the structure.
10. An approved blue, two-sided reflector shall be utilized to identify each hydrant location. The reflector shall be affixed to the centerline of each roadway or fire access lane.

BB. Add a second exception to Section 804.1.1 as follows:

2. Trees shall not be prohibited inside private dwelling units of Group R-2 Occupancies.

CC. Add Section 804.1.4 to read:

804.1.4 Tags. Trees shall bear a tag stating date of placement in public building, type of flame retardant treatment used, name of the person who applied the flame retardant, name of the person affixing the tag and of designated person making the daily test for dryness.

DD. Delete Section 901.7 and replace with the following:

901.7 Systems out of service. Where a required fire protection system is out of service or in the event of an excessive number of accidental activations, the fire code official shall be notified immediately and, where required by the fire code official, the building shall either be evacuated or an approved fire watch shall be provided for all occupants left unprotected by the shut down until the fire protection system has been returned to service.

Where utilized, fire watches shall be provided with at least one approved means for notification of the fire department and their only duty shall be to perform constant patrols of the protected premises and keep watch for fires.

EE. Delete Section 903.2.1 and replace with the following:

903.2.1 Group A. An automatic sprinkler system shall be provided throughout buildings and portions thereof. For group A-5 occupancies, the automatic sprinkler system shall be provided in the spaces indicated in Section 903.2.1.5.

FF. Delete Section 903.2.1.1 and replace with the following:

903.2.1 Group A-1. An automatic sprinkler system shall be provided for Group A-1 where one of the following conditions exists:

1. The building exceeds 5,000 square feet;
2. The building has an occupant load of 300 or more;
3. The building contains a multi-theater complex.

GG. Delete Section 903.2.1.2 and replace with the following:

903.2.1.2 Group A-2. An automatic sprinkler system shall be provided for Group A-2 occupancies where one of the following conditions exists:

1. The building exceeds 5,000 square feet;
2. The building has an occupant load of 100 or more.

HH. Delete Section 903.2.1.3 and replace with the following:

903.2.1.3 Group A-3. An automatic sprinkler system shall be provided for Group A-3 occupancies where one of the following conditions exists:

1. The building exceeds 5,000 square feet;
2. The building has an occupant load of 300 or more.

II. Delete Section 903.2.1.4 and replace with the following:

903.2.1.4 Group A-4. An automatic sprinkler system shall be provided for Group A-4 occupancies where one of the following conditions exists:

1. The building exceeds 5,000 square feet;
2. The building has an occupancy load of 300 or more.

JJ. Add Section 903.2.1.6 to read:

903.2.1.6 Group B. An automatic sprinkler system shall be provided for Group B occupancies as follows:

1. The building exceeds 5,000 square feet.

KK. Delete Section 903.2.2 and replace with the following:

903.2.2 Group E. An automatic sprinkler system shall be provided for Group E occupancies as follows:

1. The building exceeds 5,000 square feet;
2. Throughout every portion of educational buildings below the level of exit discharge.

LL. Delete Section 903.2.3 and replace with the following:

903.2.3 Group F. An automatic sprinkler system shall be provided throughout all buildings containing a Group F occupancy where one of the following conditions exists:

1. The building exceeds 5,000 square feet.

Exception: Buildings containing Group F-2 occupancies and with the construction Type IA/IB, Type IIA/IIB, Type IV/V-A or Type IIB/IIIB; the building exceeds 12,000 square feet.

2. Where the Group F occupancy is located more than three stories above grade.

MM. Delete Section 903.2.6 and replace with the following:

903.2.6 Group M. An automatic sprinkler system shall be provided throughout buildings containing a Group M occupancy where one of the following conditions exists:

1. The building exceeds 5,000 square feet;
2. Where the Group M is located more than three stories above grade.

NN. Add Section 903.2.7.1 as follows:

Licensed Care Group LC. An automatic sprinkler system installing accordance with Section 903.3 shall be provided throughout all buildings with a Group LC occupancy.

EXCEPTION: An automatic sprinkler system need not be installed if the license care facility is licensed for six or fewer clients.

OO. Delete Section 903.2.8 and replace with the following:

903.2.8 Group S. An automatic sprinkler system shall be provided throughout all buildings containing a Group S occupancy where one of the following conditions exist:

1. The building exceeds 5,000 square feet.

Exception: Buildings containing Group S-2 occupancies and with the construction Type IA/IB, Type IIA/IIB, Type IV/V-A or Type IIB/IIIB; the building exceeds 12,000 square feet, except as provided in Section 903.2.9.

2. Where a Group S area is located more than three stories above grade.

PP. Delete Section 903.2.8.1 and replace with the following:

903.2.8.1 Repair garages. An automatic sprinkler system shall be provided throughout all buildings used as repair garages in accordance with International Building Code, as follows:

1. Building exceeds 5,000 square feet.
2. Buildings with a repair garage servicing vehicles parked in the basement.

QQ. Add Section 903.2.12.3 to read:

903.2.12.3 Spray booths and rooms. New and existing spray booths and spraying rooms shall be protected by an approved automatic fire-extinguishing system.

RR Delete Section 903.3.1.1.1 and replace with the following:

903.3.1.1.1 Exempt locations. Sprinklers shall not be omitted from any room merely because it is damp, of fire-resistance rated construction or contains electrical equipment.

1. Any room where the application of water, or flame and water, constitutes a serious life or fire hazard.
2. Any room or space where sprinklers are considered undesirable because of the nature of the contents, when approved by the fire code official.
3. Generator and transformer rooms separated from the remainder of the building by walls and floor/ceiling or roof/ceiling assemblies having a fire-resistance rating of not less than 2 hours.

SS. Delete Section 903.3.1.2 and replace with following:

903.3.1.2 NFPA 13R sprinkler systems. Where allowed, all buildings with more than four units or more than 5,000 square feet of floor area, automatic sprinkler systems shall be installed throughout in accordance with NFPA 13R.

TT. Delete Section 903.3.1.3 and replace with the following:

903.3.1.3 NFPA 13D sprinkler systems. Where allowed, automatic sprinkler systems installed in one and two family dwellings over 5,000 square feet shall be installed throughout in accordance with NFPA 13D.

UU. Add Section 907.1.3 to read:

907.1.3 Fire alarm control panel. Information provided by the fire alarm control panel when a signal(s) is/are received from a device or other system equipment shall include the location of the signal(s) in a manner as specific as the fire alarm system allows. The location description of the signal(s) shall be distinct English, not code, providing the location of the device to fire department personnel.

VV. Add Section 907.1.4 to read:

907.1.4 Design standards. All alarm systems, new or replacement, serving 50 or more alarm actuating devices, shall be addressable fire detection systems. Alarm systems serving more than 75 smoke detectors or more than 200 total alarm activating devices shall be analog intelligent fire detection systems.

Exceptions;

1. Existing systems need not comply unless the total system remodel or expansion initiated after adoption of this code exceeds 30% of the building.
2. When building remodel or expansion exceeds 50%, the building must comply within 18 months of permit application.

WW. Delete Section 912.1 and replace with the following:

912.1 Installation. Fire department connections shall be installed in accordance with the NFPA and Lakewood Fire Department standards applicable to the system design.

XX . Delete Section 912.2 and replace with the following:

912.2 Location. With respect to hydrants, driveways, buildings and landscaping, fire department connections shall be so located that fire apparatus and hose connected to supply the system will not obstruct access to the buildings for other fire apparatus. The fire department connection shall not be closer than 50 feet from a structure or 1 ½ times the height of the structure.

SECTION 7: Add a new chapter as follows:

Chapter 15A.16.000 – Uniform Plumbing Code and Uniform Plumbing Code Standards

Chapter 15A.16
Uniform Plumbing Code and Uniform Plumbing Code Standards

Sections:

15A.16.010	Adoption of the Uniform Plumbing Code and Uniform Plumbing Code Standards
15A.16.020	Copy on File.
15A.16.030	Additional Provisions to the Uniform Plumbing Code and Uniform Plumbing Code Standards

15A.16.010 – Adoption of Uniform Plumbing Code and Uniform Plumbing Code Standards

Except as provided in RCW 19.27.170, the 2003 Uniform Plumbing Code (UPC) and Uniform Plumbing Code Standards, published by the International Association of Plumbing and Mechanical Officials, is adopted by reference and incorporated herein as if fully set forth: PROVIDED, That as amended by the State Building Code Council (SBCC) in WAC 51-56 and 51-57, any provisions of such code affecting sewers or fuel gas piping or venting and combustion air of fuel fired appliances, are not adopted: and further PROVIDED, That the following appendices are included:

Appendix A, Pipe Sizing;
Appendix B, Notes on Combination Waste/Venting;
Appendix I, Installation Standards.

15A.16.020 – Copy on File

At least one copy of the Editions(s) of the International Fire Code identified in Section 15A.16.010 of this Chapter shall be on file in the Office of the City Clerk.

15A.16.030 - Additional Provisions to the Uniform Plumbing Code and Uniform Plumbing Code Standards

Reserved.

SECTION 8: Add a new chapter as follows:

Chapter 15A.20.000 – International Fuel Gas Code

Chapter 15A.20
International Fuel Gas Code

Sections:

15A.20.010	Adoption of International Fuel Gas Code.
15A.20.020	Copy on File.
15A.20.030	Additional Provisions to the International Fuel Gas Code.

15A.20.010 – Adoption of the International Fuel Gas Code

The 2003 Edition of the International Fuel Gas Code, published by the International Code Council, is adopted by reference and incorporated herein as if fully set forth.

15A.20.020 – Copy on File

At least one copy of the International Fuel Gas Code identified in Section 15A.20.010 of this Chapter shall be on file in the Office of the City Clerk.

15A.20.030 - Additional Provisions to the of International Fuel Gas Code

Reserved.

SECTION 9: Add new chapter as follows:

Chapter 15A.22.000 – Washington State Energy Code

Chapter 15A.22
Washington State Energy Code

Sections:

- | | |
|------------|---|
| 15A.22.010 | Adoption of Washington State Energy Code. |
| 15A.22.020 | Copy on File. |

15A.22.010 – Adoption of the Washington Energy Code

The 2001, Second Edition, of the Washington State Energy Code, as amended by Washington Administrative Code Chapter 51-11 is adopted by reference and incorporated herein as if fully set forth.

15A.22.020 – Copy on File

At least one copy of the Editions(s) of the Washington Energy Code identified in Section 15A.22.010 of this Chapter shall be on file in the Office of the City Clerk.

SECTION 10: Add new chapter as follows:

Chapter 15A.24.000 – Uniform Code for the Abatement of Dangerous Buildings

Chapter 15A.24
Uniform Code for the Abatement of Dangerous Buildings

Sections:

- | | |
|------------|--|
| 15A.24.010 | Adoption of Uniform Code for the Abatement of Dangerous Buildings. |
| 15A.24.020 | Copy on File. |

15A.24.030

Additional Provisions to the Uniform Code for the Abatement of Dangerous Buildings.

5A.24.010 – Adoption of the Uniform Code for the Abatement of Dangerous Buildings

The 1997 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.

15A.24.020 – Copy on File

At least one copy of the Uniform Code for the Abatement of Dangerous Buildings Editions(s) identified in Section 15A.24.010 of this Chapter shall be on file in the Office of the City Clerk.

15A.24.030 - Additional Provisions to the Uniform Code for the Abatement of Dangerous Buildings.

In addition to the provisions of the Uniform Code for the Abatement of Dangerous Buildings pursuant to Chapter 15A.24 of the City Code, the following provisions shall be a part of the City's Uniform Code for the Abatement of Dangerous Buildings:

A. Add additional definitions to Section 302 as follows:

19. Drug properties and structures. It is hereby declared that any building, structure and/or associated property, identified by the Lakewood Police Chief, wherein or upon which the manufacture, distribution, production or storage of illegal drugs or the precursors to create illegal drugs has taken place in a manner which could endanger the public, such building, structure and/or associated property is not only a dangerous property as defined by the City of Lakewood but is also a classification of property calling for the special procedures set forth in this section. The Building Official is authorized to abate such dangerous buildings, structures, and/or associated properties in accordance with the dangerous building procedures set forth in this code and Washington Statue, RCW Chapter 64.44, with the following modifications:
 - 19.1 Due to public safety hazard in drug production facilities, the utilities shall be disconnected;
 - 19.2 Building(s) and structures shall be inspected to determine compliance with all city ordinances and codes;
 - 19.3 Building(s) and any entry gates to the property shall be secured against entry in the manner set forth in this code;
 - 19.4 No reconnection of utilities or occupancy of the building(s), structures or property shall be allowed until all violations have been successfully addressed, all dangerous conditions abated and a notice of release for re-occupancy has been received from the health department and the police department's office.

- 19.5 If dangerous conditions cannot be abated, occupancy shall be prohibited. Resolution of said property shall be in conformance with RCW Chapter 35.80A, condemnation of blighted property.
20. Blighted property. In conformance with RCW 35.80A.010, the City of Lakewood may acquire by condemnation, in accordance with the notice requirements and other procedures for condemnation provided in Title 8 RCW, any property, dwelling, building, or structure which constitutes a blight on the surrounding neighborhood. A "blight on the surrounding neighborhood" is any property, dwelling, building, or structure that meets any two of the following conditions:
- 20.1 If a dwelling, building, or structure exists on the property, the dwelling, building, or structure has not been lawfully occupied for a period of one year or more;
- 20.2 The property, dwelling, building, or structure constitutes a threat to the public health, safety, or welfare as determined by the City Manager of the City of Lakewood or the designee of the City Manager; or
- 20.3 The property, dwelling, building, or structure is or has been associated with illegal drug activity during the previous twelve (12) months.

Prior to such condemnation, the City of Lakewood City Council shall adopt a resolution that the acquisition of the real property described therein is necessary to eliminate neighborhood blight. Condemnation of property, dwellings, and structures for the purposes described in this chapter is declared to be a public use.

SECTION 11: Add new chapter as follows:

Chapter 15A.25
Electrical Code

Chapter 15A.25.000 – Electrical Code

Sections:

- | | |
|------------|--|
| 15A.25.010 | Adoption of National Electrical Code. |
| 15A.25.020 | Copy on File. |
| 15A.25.030 | Electricians and Electrical Installations. |
| 15A.25.040 | Copy of W.A.C. on File. |

15A.25.010 - Adoption of National Electrical Code

The 2002 edition of the National Electrical Code (NFPA 70 - 2002) and any subsequent amended versions adopted by the Department of Labor Industries, including Annex A, B, and C, but excluding Article 80; the 1999 edition of Centrifugal Fire Pumps (NFPA 20 - 1999); the 2002 edition of Emergency and Standby Power Systems (NFPA 110 - 2002); Commercial Building Telecommunications Cabling Standard (ANSI/TIA/EIA 568-B.1-May 2001 including Annex 1 through 5); Commercial Building Standard for Telecommunications Pathway and Spaces (ANSI/TIA/EIA 569-A-December 2001 including Annex 1 through 4); Commercial

Building Grounding and Bonding Requirements for Telecommunications (ANSI/TIA/EIA 607 - 1994); Residential Telecommunications Cable Standard (ANSI/TIA/EIA 570-A-1999); and the National Electrical Safety Code (NESC C2-2002 excluding Appendixes A and B) are hereby adopted by reference as part of this chapter.

The requirements of this chapter will be observed where there is any conflict between this chapter and the National Electrical Code (NFPA 70), Centrifugal Fire Pumps (NFPA 20), the Emergency and Standby Power Systems (NFPA 110), ANSI/TIA/EIA 568-A, ANSI/TIA/EIA 569-A, ANSI/TIA/EIA 607, ANSI/TIA/EIA 570, or the NESC C2-2002.

The National Electrical Code will be followed where there is any conflict between Centrifugal Fire Pumps (NFPA 20), Emergency and Standby Power Systems (NFPA 110), ANSI/TIA/EIA 568-A, ANSI/TIA/EIA 569-A, ANSI/TIA/EIA 607, ANSI/TIA/EIA 570, or the NESC C2-2002 and the National Electrical Code (NFPA 70).

15A.25.020 - 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.

15A.25.030 - 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 either the State Department of Labor and Industries, or Tacoma Public Utilities depending geographic service area located within Lakewood's city limits.

15A.25.040 - Copy of WAC 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.

SECTION 12: Add new chapter as follows:

Chapter 15A.26.000 - Washington State Ventilation and Indoor Air Quality Code

Chapter 15A.26
Washington State Ventilation and Indoor Air Quality Code

Sections:

- | | |
|------------|--|
| 15A.26.010 | Adoption of Washington State Ventilation and Indoor Air Quality Code |
| 15A.26.020 | Copy on File. |

15A.26.010 - 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.

15A.26.020 - Copy on File At least one copy of the Washington State Ventilation and Indoor Air Quality Code identified in Section 11 of this Chapter shall be on file in the Office of the City Clerk.

SECTION 13: Add new chapter as follows:

Chapter 15A.28.000 – International Existing Building Code

Chapter 15A.28
International Existing Building Code

Sections:

15A.28.010	Adoption of the International Existing Building Code
15A.28.020	Copy on File.
15A.28.030	Additional Provisions to the International Existing Building Code.

15A.28.010 - Adoption of the International Existing Building Code

The 2003 Edition of the International Existing Building Code (i.e., repair, alteration, change of occupancy, addition, and relocation of existing buildings), published by the International Code Council, is adopted by reference and incorporated herein as if fully set forth.

15A.28.020 - Copy on File

At least one copy of the International Existing Building Code identified in section 15A.30.010 of this Chapter shall be on file in the Office of the City Clerk.

15A.28.030 - Additional Provisions to the International Existing Building Code

Reserved.

SECTION 14: Add a new chapter as follows;

Chapter 15A.30.000 – International Property Maintenance Code

Chapter 15A.30
International Property Maintenance Code

Sections:

15A.30.010	Adoption of the International Property Maintenance Code.
15A.30.020	Copy on File.
15A.30.030	Additional Provisions to the International Property Maintenance Code.

15A.30.010 - Adoption of the International Property Maintenance Code.

The 2003 Edition of the International Property Maintenance Code (i.e., repair, alteration, change of occupancy, addition, and relocation of existing buildings), published by the International Code Council, is adopted by reference and incorporated herein as if fully set forth

15A.30.020 - Copy on File

At least one copy of the International Existing Building Code identified in section 15A.30.010 of this Chapter shall be on file in the Office of the City Clerk.

15A.30.030 - Additional Provisions to the International Property Maintenance Code

Reserved.

SECTION 15: Add a new chapter as follows:

Chapter 15A.32.000 – General Requirements for all Referenced Codes

Chapter 15A.32
General Requirements for all Referenced Codes

Sections:

15A.32.010	Priority of International Codes.
15A.32.020	Climatic and Geographic Design Requirements.
15A.32.030	Professional Preparation of Plans.
15A.32.040	Construction Plans.
15A.32.050	Permits.
15A.32.051	Authority for Enforcement.
15A.32.052	Penalties.
15A.32.053	Declaration of Public Nuisance.
15A.32.054	Statutes Incorporated by Reference.
15A.32.060	Appeals.
15A.32.070	Floodplain Development.

15A.32.010 – Priority of International Codes

In cases of conflict between and among the international codes adopted by reference and incorporated into and comprising the building and construction codes of the City, the International Building Code shall take precedence over other codes. The International Mechanical Code shall take precedence over other codes except the International Building Code. The International Fire Code Standards shall take precedence over other codes except the International Building Code and the International Mechanical Code. The Uniform Plumbing Code shall take precedence over the other codes except the International Building Code, the International Mechanical Code and the International Fire Code.

15A.32.020 – Climatic and Geographic Design Requirements

Ground Snow Load:	25 pounds per square foot
Wind Speed (gusts):	85 exposure "C" = gust
Seismic Design Category:	D1
Subject to Damage From	
Weathering:	Moderate
Frost Line Depth:	12 inches
Termite:	Slight to moderate
Decay:	Slight to moderate
Winter Design Temperature:	26 degrees Fahrenheit
Ice Shield Underlayment Requirement	No
Flood Hazards	1987 Flood Insurance Rate Maps(s)
Air Freezing Index:	Not Applicable
Mean Annual Temperature:	50 degrees Fahrenheit

15A.32.030 – Professional Preparation of Plans

The City of Lakewood shall require a Washington licensed design professional, licensed under the provisions of RCW 18.08, WAC 308-12 or RCW 18.43 to prepare or oversee the preparation of plans for any building or structure containing five or more residential dwelling units or doing design work including preparing construction contract documents and administering the contract for construction, erection, enlargement, alteration, or repairs of or to a building of any occupancy over four thousand (4,000) square feet of construction.

15A.32.040 – Construction Plans

- A. All submitted construction documents must be of sufficient detail to show the entire project with emphasis on the following: Structural Integrity; Life Safety; Architectural Barriers (ADA disability compliance); Compliance with all Codes having Jurisdiction; Scope of Work; and/or Deferred Submittal Schedule.
- B. In general, the amount of detail required will vary, depending on the nature and complexity of the project.

15A.32.050 – Permits

- A. Permit Application Forms. The Building Official is authorized and empowered to create and develop all permit application forms incorporating the standards provided in this Title and may, from time-to-time, modify, and amend those forms, as appropriate, to reflect current development standards.
- B. Forms and Supportive Documentation. The Building Official shall create and use administrative guidelines, policies, applications, maps, charts, reference materials, forms, brochures, handouts, electronic media, and other tools to aid the public, applicants, staff, and decision-makers in interpreting and administering this Title.
- C. Ownership. The ownership of a City of Lakewood Building Permit inure to the property owner. The Permit Applicant is, by definition, an agent of the property owner if not the property owner.

- D. Expiration of Permits. All permits shall expire by limitation and be declared void if: a) work is not started within 180 days of obtaining a permit, or b) work is abandoned for 180 days or more after beginning work, or c) after two years from the date of permit issuance, regardless of whether the work is finished. If a permit is expired for time, a new permit may be obtained for one-half (1/2) the permit fee for the value of the remainder of the work to finish the original permit.
- E. Fees. All City of Lakewood Building Permit Fees shall be established by a Master Fee Schedule and adopted by a City of Lakewood Resolution
- F. Energy/Indoor Air Quality Code (Chapters 51-11 and 51-13 WAC) Fees. In addition to the fees established in the Master Fee Schedule, a fee will be levied and collected by the City to defray costs of plan review and inspection related to those State codes. This fee is payable whenever a plan review fee is required by the Lakewood Building Code for proposed construction of new buildings, additions, and alterations, other than those structures or areas which are neither heated, cooled, nor supplied with artificially illuminated floor space. This fee is \$30 for each permit and is due at issuance. Fees collected under this section shall go into a dedicated account and be administered at the discretion of the Building Official.
- G. Temporary Certificate of Occupancy. A temporary certificate of occupancy may be issued at the discretion of the Building Official for a time certain set by the Building Official, not to exceed 180 days when, in his or her opinion, work has progressed sufficiently to allow occupancy of a structure, but where a final certificate of occupancy cannot be issued. Temporary certificates of occupancy may be extended by the Building Official for a time certain, not to exceed 180 days. Application for such extension must be made in writing to the Building Official prior to expiration of the previous temporary certificate of occupancy. A fee shall be charged for each extension of temporary certificate of occupancy; the amount of the fee is set forth in the Master Fee Schedule. In the event that a temporary certificate of occupancy is allowed to expire prior to issuance of a final certificate of occupancy, a penalty fee shall be assessed prior to the issuance of either a final certificate of occupancy or the issuance of a new temporary certificate of occupancy; the penalty fee is set forth in the Master Fee Schedule.
- H. Investigation Fees: Work without a Permit.
- a. Investigation. Whenever any work for which a permit is required by this Code has been commenced without first obtaining a permit, a special investigation shall be made before a permit may be issued for such work.
- b. Fee. An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee required by this Code. The minimum investigation fee shall be the same as the minimum fee set forth in the adopted Master fee Schedule. Payment of the investigation fee does not vest the illegal work with any legitimacy, nor does it establish any right to a City of Lakewood Permit for continued development of that project. If the

work done remains illegal for ninety (90) days after service of the Stop Work Order, it shall be considered hazardous and abated per UCDB provisions.

- c. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this Code nor from any penalty prescribed by law.

I. Fee Refunds.

- a. The Building official may authorize the refunding of: one hundred percent (100%) of any fee erroneously paid or collected; up to eighty percent (80%) of the permit fee paid when no work has been done under a permit issued in accordance with this Code; and/or up to eighty percent (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 plan reviewing is done.
- b. The Building Official shall not authorize refunding of any fee paid except on written application filed by the original permittee not later than one hundred and eighty (180) days after the date of fee payment.

15A.32.051 – Authority for Enforcement.

The City Manager, or the designee thereof, shall have authority to enforce the provisions of the International Building Code, International Fire Code, International Mechanical Code, International Residential Code, International Fuel Gas Code, International Existing Building Code, International Property Maintenance Code, Uniform Plumbing Code and the 1997 edition of the Uniform Code for the Abatement of Dangerous Buildings.

15A.32.052 – Penalties.

- A. Any violation of the provisions of the International Building Code, International Fire Code, International Mechanical Code, International Residential Code, International Fuel Gas Code, International Existing Building Code, or International Property Maintenance Code is a misdemeanor, punishable by imprisonment in jail for a term of up to ninety (90) days, by a fine of up to one thousand dollars (\$1,000), or by both such imprisonment and fine.
- B. Any violation of the International Property Maintenance Code shall be punishable as a civil infraction with a penalty of up to two hundred and fifty dollars (\$250), provided that the penalty for a second or subsequent violation within a two year period to the same individual shall be a civil penalty of up to five hundred dollars (\$500).

15A.32.053 – Declaration of Public Nuisance.

- A. Any building, structure or premises changed, altered, constructed or repaired without the issuance of all necessary permits is a public nuisance and subject to abatement as provided for in the 1997 edition of the Uniform Code for the

Abatement of Dangerous Buildings, LMC chapter 8.16, RCW chapter 35.80 or the procedures specific to the International Building Code, International Fire Code, International Mechanical Code, International Residential Code, International Fuel Gas Code, International Existing Building Code, or International Property Maintenance Code.

- B. Property, buildings or premises found to exist in violation of the provisions of the International Building Code, International Fire Code, International Mechanical Code, International Residential Code, International Fuel Gas Code, International Existing Building Code, International Property Maintenance Code or the 1997 edition of the Uniform Code for the Abatement of Dangerous Buildings are a public nuisance and subject to abatement when, in the determination of the City Manager or designee, such conditions are contrary to the public health, safety or welfare.
- C. Upon notification of a violation or violations under the International Building Code, International Fire Code, International Mechanical Code, International Residential Code, International Fuel Gas Code, International Existing Building Code, International Property Maintenance Code or the 1997 edition of the Uniform Code for the Abatement of Dangerous Buildings, the property owner, occupant or person responsible for the property shall act to repair the described violation(s) within the time proscribed in the notice. Any person who owns a building or property, or who is responsible for a building or property, who fails to timely correct a violation after being properly notified of the existence of a violation shall be guilty of a misdemeanor, punishable by imprisonment in jail for a term of up to ninety (90) days, by a fine of up to one thousand dollars (\$1,000), or by both such imprisonment and fine.
- D. The authority for enforcement provided herein specifically allows the City to use criminal and civil penalties, and prosecution of one remedy does not foreclose the City from pursuing all other remedies, whether criminal or civil, available under the law.

15A.32.054 – Statutes Incorporated by Reference.

The following statutes are incorporated in this Ordinance by reference:

- RCW 9.66.010 (Public Nuisance).
- RCW 9.66.020 (Unequal Damages).
- RCW 9.66.030 (Maintaining or Permitting Nuisance).
- RCW 9.66.040 (Abatement of Nuisance).

15A.32.060 – Appeals

- A. Authority and Limitations. Wherever in the International 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 International 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 International 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. Hearing Examiner shall have no authority relative to the interpretation of the administrative provisions contained in Chapter 1 of the International Building Code, Chapter 1, of the International Residential Code, Chapter 1 of the International 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 Hearing Examiner be empowered to waive requirements of the building and construction codes adopted by this Ordinance.

- 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 Hearing Examiner by filing a notice of appeal, together with a non-refundable fee, with the City Clerk within twenty calendar days of the written decision or order being appealed. The appeal fee shall be the amount set forth in the adopted Master fee Schedule.
- C. The 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 Hearing Examiner. The Hearing Examiner shall render its decision on the appeal within thirty (30) days after the hearing. The Hearing Examiner shall adopt reasonable rules of procedure for conducting its hearings if procedures provided in the City Code are not adequate to address International Code appeals. Copies of all decisions of the Hearing Examiner shall be provided to the appealing party and to the City Clerk, the Building Official and the City Attorney.
- D. Further Appeal to Superior Court. When any party to a Hearing Examiner hearing feels aggrieved by any final order of the Hearing Examiner stemming from an appeal to the Hearing Examiner, as provided for hereinabove, the party may bring an action appealing or challenging the decision of the Hearing Examiner to the Superior Court of Pierce County within twenty (20) days of the written decision of the Hearing Examiner.

15A.32.070 – Floodplain Development

All development within a designated floodplain located in the City of Lakewood jurisdiction shall comply with Title 14, Chapter 15.158 of the Lakewood Municipal Code and the construction specifications detailed in the 2003 IRC Section R323 Flood-Resistant Construction as amended.

SECTION 16. 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 validity or unconstitutionality shall not affect the validity or unconstitutionality of any other section, sentence, clause or phrase of this ordinance.

SECTION 17. EFFECTIVE DATE. This ordinance shall be in full force and effect five (5) days after publication of this ordinance of a summary thereof in the official newspaper of the City as provided by law.

ADOPTED by the City Council this 21st day of June, 2004.

Douglas G. Richardson, Mayor

Attest:

Alice. M. Bush, City Clerk

Michael McKenzie, Assistant City Attorney