ORDINANCE NO. 1467

CITY OF LACEY

AN ORDINANCE OF THE CITY OF LACEY, WASHINGTON, RELATED TO BUILDING AND CONSTRUCTION CODES, AMENDING CHAPTERS 14.03.010, 14.04.015, 14.04.016, 14.05.010, 14.06.010, 14.07.010, 14.07.015, 14.09.010, 14.13.030, 14.13.040. 14.15.010, 14.16.010, 14.16.015, AND 14.16.016 OF THE LACEY MUNICIPAL CODE, AND APPROVING A SUMMARY FOR PUBLICATION.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LACEY, WASHINGTON, as follows:

Section 1. Chapter 14.03.010 of the Lacey Municipal Code is hereby amended to read as follows:

14.03.010 Adopted.

There is adopted and by this reference made a part of Chapter 14.03 LMC as though fully set forth herein, at length, that certain code known as the International Code Council Performance Code for Buildings and Facilities, 2012~~09~~ Edition, published by the International Code Council, as the performance code for the city, regulating and governing the performance-based design, construction, and quality of materials.

Section 2. Chapter 14.04.010 of the Lacey Municipal Code is hereby amended to read as follows:

14.04.010 Adopted.

There is adopted and by this reference made a part of this chapter as though fully set forth herein, at length, that certain code, known as the International Building Code, 2012~~09~~ Edition, as amended by Chapter 51-50 WAC, including the Appendix Chapters E, G, I, and J therein, and the International Residential Code, 2012~~09~~ Edition, as amended by Chapter 51-51 WAC, including Appendix G and Appendix R as the Building Code and Standards of the city; provided that those sections of the International Building Code set forth in LMC 14.04.015 and those sections of the International Residential Code set forth in LMC 14.04.016 are amended to read as set forth in said sections.

Section 3. Chapter 14.04.015 of the Lacey Municipal Code is hereby amended to read as follows:

14.04.015 Amendments—Addition.

The following sections of the International Building Code as adopted in LMC 14.04.010 are amended to read as follows:

Section 101.1 These regulations shall be known as the Building Code of the City of Lacey, Washington, hereinafter referred to as "this code."

~~Section 101.4.1 Electrical.~~

~~The provisions of the City of Lacey Electrical Code as adopted in Lacey Municipal Code Chapter 14.13 shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto.~~

Section 101.4.34 Plumbing.

The provisions of the City of Lacey Plumbing Code as adopted by Lacey Municipal Code Chapter 14.06 shall apply to the installation, alteration, repair and replacement of plumbing systems, including equipment, appliances, fixtures, fittings and appurtenances, and where connected to a water or sewage system and all aspects of a medical gas system. The provisions of the State of Washington requirements for private sewage disposal shall apply to private sewage disposal systems.

Section 101.4.45 Property Maintenance.

The provisions of the City of Lacey Property Maintenance Code adopted by Lacey Municipal Code Chapter 14.16 shall apply to existing structures and premises; equipment and facilities; light, ventilation, space heating, sanitation, life and fire safety hazards, responsibilities of owners, operators and occupants; and occupancy of existing premises and structures.

Section 101.4.67 Energy.

The provisions of the State of Washington Energy Code adopted by Lacey Municipal Code Chapter 14.09 ~~and the State of Washington Ventilation and Indoor Air Quality Code adopted by Lacey Municipal Code Chapter 14.08~~ shall apply to all matters governing the design and construction of buildings for energy efficiency.

Section 101.4.7 Electrical.

The provisions of the City of Lacey Electrical Code as adopted in Lacey Municipal Code Chapter 14.13 shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto.

Section 104.1 General, is amended to read:

The building official is hereby authorized and directed to enforce the provisions of this code, including any requirements or regulations imposed on a project as a condition of a land use approval process, as those conditions relate to permit issuance as required in Section 105.3~~.1.1~~ and issuance of a certificate of occupancy as required in Section 11~~0~~.2~~.1~~. The building official shall have the authority to render interpretations of this code and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be in compliance with the intent and purpose of this code. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this code.

Enforcement.

Recognizing the authority and responsibility vested in the building official under the codes adopted by this title, the building official is authorized to promulgate such rules, policies and/or procedures as deemed necessary to carry out the intent of this title and provide for the efficient operation of the permit process as it may be administered by the building official and staff. The building official is also authorized to enforce the provisions of this title. As part of such enforcement activities, the building official may, from time to time, record with the county auditor's office notices of building permit for land use violations or notices and orders as specified within the city's dangerous buildings code where said site has not been brought into compliance despite reasonable efforts included by the city.

Section 105.2, item 2 is amended to read:

Fences not over 76 feet (21341829 mm) high, except fencing regulated by Section 419, subsection 3, Fencing.

Section 105.2, item 4 is amended to read:

Retaining walls which are not over 4 feet (1219mm) in height measured from the bottom of the footing to the top of the wall, provided the wall is set back from any adjacent property lines or structures a distance at least equal to the height of the wall and the material retained slopes 1 vertical to 2 horizontal (or less) up and away from the wall unless supporting a surcharge or impounding Class I, II or IIIA liquids.

Section 105.2, item 11 is amended to read:

Swings and other playground equipment (accessory to detached one and two-family dwellings).

105.3.1 Action on application, amended to read:

The building official shall examine or cause to be examined applications for permits and amendments thereto within a reasonable time after filing.

If the application or the construction documents do not conform to the requirements of pertinent laws, the building official shall reject such application in writing, stating the reasons therefor. If the building official is satisfied that the proposed work conforms to the requirements of this code and laws and ordinances applicable thereto as required in Section 105.3.1.1 and that the fees specified have been paid, the building official shall issue a permit therefor as soon as practicable.

105.3.1.1 Prerequisites for issuance of permit:

The building official shall determine whether the following requirements have been met prior to issuance of a permit:

1. Any requirements or regulations imposed on a project as a condition of a land use approval process;

2. The Site Plan Review Committee has approved the site plan;

3. The landscaping plans have been approved;

4. The required fire apparatus access roads are installed and approved;

5. Water supplies for fire protection are installed and made serviceable;

6. Address(es) are assigned in accordance with LMC 12.04;

7. Plans for the construction of sidewalks; or sidewalks, curbs and gutters have been submitted to the department of public works;

8. Public works construction improvements are completed, or a performance bond is posted with the city;

9. If direct traffic mitigation is required, approved financial security is posted with the city;

10. Any transportation mitigation fees are paid;

11. Approval of design review as required by Lacey Municipal Code Chapter 14.23;

12. Compliance with the state environmental policy act, as adopted by Lacey Municipal Code Chapter 14.24;

13. Compliance with the flood management requirements as adopted by Lacey Municipal Code Chapter 14.34;

14. Compliance with the geologically sensitive areas protection requirements as required by Lacey Municipal Code Chapter 14.37;

15. Compliance with all requirements for final plat as required by Lacey Municipal Code Chapters 15.16.060(C), and 15.28.050;

16. In Planned Residential Developments, construction of at least 50% of the residences in the PRD have been built before any permits can be issued for any commercial uses;

17. For wireless communication facilities (towers), approval of a lease agreement that (a) allows the landholder to enter into leases with other providers and, (b) specifies that if the provider fails to remove the facility upon eighteen months of its discontinued use, the responsibility for removal falls with the landholder;

Section 1076.1 shall have a new sentence added to the end of the paragraph as follows:

All plans for construction, erection, enlargement, alteration or repairs of building or structures 4,000 square feet or over shall be designed, prepared and stamped by an architect licensed by the state of Washington. Plans that are not designed to prescriptive structural methods shall require a design, prepared and stamped by an engineer licensed by the State of Washington.

Section 1098.3 shall have a new sentence added to the end of the paragraph as follows:

The value for commonly built structures shall be determined by using the valuation table adopted by the building official by policy.

Section 1110.2 Certificate issued, is amended to read as follows:

When the building and project site are completed as required in Sections 110.3.6~~109.3.10~~ and 111~~110.2.1~~, the permittee or authorized agent shall request a final inspection and issuance of the certificate of occupancy. This request shall be on a form provided by the building official. The form shall state that the building owner, building contractor, and where applicable, the building developer certify that "for the benefit of all users and occupants of this building, the building or portion for which this certificate of occupancy request applies meets all applicable codes and regulations of the City of Lacey. Such inspection request form, when submitted to the city, shall include the signatures of both the building owner and building contractor. After the building official inspects the building or structure and project site and finds no violations of the provisions of this code or other laws which are enforced by the code enforcement agency, including any other development regulation adopted by and contained within the Lacey Municipal Code either in whole or by reference, the building official shall issue a certificate of occupancy which shall contain the following:

1. The building permit number.
2. The address of the structure.

3. The name and address of the owner.

4. A description of that portion of the structure for which the certificate is issued.

5. A statement that the described portion of the structure has been inspected for compliance with the requirements of this code for the occupancy and division of occupancy and the use for which the proposed occupancy is classified.

6. The name of the building official.

7. The edition of the code under which the permit was issued.

8. The use and occupancy, in accordance with the provisions of Chapter 3.

9. The type of construction as defined in Chapter 6.

10 The design occupant load.

11. If an automatic sprinkler system is provided, whether the sprinkler system is required.

12. Any special stipulations and conditions of the building permit.

Add new Section 11~~1~~0.2~~.1~~ Prerequisites for issuance of certificate of occupancy:

The building official shall determine whether the following requirements have been met, as verified by the appropriate department director or designee, prior to issuance of a certificate of occupancy:

1. All provisions of the codes as noted in Section 11~~1~~0.2~~.1~~

2. In multifamily developments, all street signs for all interior streets, whether public or private, complying with city standards, have been installed;

3. All improvements required in Lacey Municipal Code Sections 12.24.010 and 12.24.020, for sidewalk, curb and gutter construction are completed or an instrument of financial security acceptable to the City has been posted with the City;

4. If a property containing five or more dwelling units within the same complex, the property is registered in the Residential Building Rental Registration Program as detailed in Lacey Municipal Code Chapter 14.02;

5. All public works improvements are completed and approved, unless otherwise allowed by the director of public works;

6. All required landscaping improvements are completed or an acceptable instrument of financial security has been posted with the city;

7. If the permitted work is a townhouse development regulated by Lacey Municipal Code Chapter 16.61, final plat or final short plat approval has been completed;

8. All specific project conditions have been completed in accordance with the land use approval.

New Section 11~~0~~.2.1.1~~.1.1~~ Financial Security.

Financial Security means a method of providing surety of financial performance and may include provision of a bond, assignment of savings, letter of credit or other financial guarantee acceptable to the City. The financial security shall be in the amount equal to 150 percent of the estimated costs for completion of the work covered by the security. All such secured work shall be completed within six months of the date of the issuance of the certificate of occupancy. One six-month extension may be granted by the enforcing officer if necessary to complete the work.

11~~0~~.6 Violation of requirements for certificate of occupancy.

The City Council affirms that the issuance of any certificate of occupancy is of vital importance in the safeguarding of life safety, property safety and health of occupants of any structure; and further, that the enforcement of all city development regulations is of vital importance to the city's economic vitality and the public good. Any person allowing a building to be occupied without a certificate of occupancy first being issued as required by this Chapter shall be subject to the civil penalty provisions of Section 11~~0~~.6 and is subject to be ordered abated in accordance with the abatement

procedures specified in Lacey Municipal Code Chapter 14, including posting to prevent occupancy.

11~~0~~.6.1 Notice of civil penalty--certificate of occupancy violation.

11~~0~~.6.1.1. Issuance.

1. When the building official determines that a violation of the certificate of occupancy requirements specified in Chapter 14.03, LMC has occurred or is occurring, the building official shall issue a Notice of Civil Violation to the person responsible for the violation. The "person responsible" can be the property owner, project developer, project superintendent, business owner, corporate owner, an agent of any of those persons, or any other person responsible for the control of the building or structure. Any one or combination of those persons may be cited, either separately or jointly.

11~~0~~.6.1.2. Content.

The Notice of Civil Violation shall include the following information:

1. The name and address of the person responsible for the violation; and

2. The street address or a description sufficient for identification of the building, structure, premises, or land upon or within which the violation has occurred or is occurring; and

3. A description of the violation and a reference to Section 11~~0~~ as amended herein; and

4. The required date and time by which the conditions preventing the issuance of a certificate of occupancy must be completed after which the city may order the building or structure vacated in accordance with the abatement procedure specified in Chapter 14.16, Lacey Municipal Code; and

5. A statement that the costs and expenses of abatement incurred by the city pursuant to Section 14.40.060(D) and a monetary penalty in an amount per day for each violation as specified in Section 11~~0~~.6.1.5 may be assessed against the person to whom the Notice of Civil Violation is directed as specified and ordered by the building official.

11~~0~~.6.1.3. Service of Notice.

The building official shall serve the Notice of Civil Violation upon the person to whom it is directed, either personally or by mailing a copy of the Notice of Civil Violation to such person at their last known address. If the person to whom it is directed cannot after due diligence be personally served within Thurston County and if an address for mailed service cannot after due diligence be ascertained, notice shall be served by posting a copy of the Notice of Civil Violation conspicuously on the affected property or structure. Proof of service shall be made by a written declaration under penalty of perjury executed by the person effecting the service, declaring the time and date of service, the manner by which the service was made, and if by posting the facts showing that due diligence was used in attempting to serve the person personally or by mail.

11~~0~~.6.1.4. Extension.

No extension of the time specified in the Notice of Civil Violation for correction of the violation may be granted, except by order of the hearings examiner.

11~~0~~.6.1.5. Monetary Penalty.

The monetary penalty for each separate violation shall be 1% of the permit value of the building or structure, with a minimum of $500.00.

11~~0~~.6.1.6. Continued Duty to Correct.

Payment of the monetary penalty does not relieve the person to whom the Notice of Civil Violation was issued of the duty to correct the violation.

11~~0~~.6.1.7. Collection of Monetary Penalty.

1. The monetary penalty constitutes a personal obligation of the person to whom the Notice of Civil Violation is directed. Any monetary penalty assessed must be paid to the city of Lacey at the department of community development within ten calendar days from the date of notice from the city that penalties are due.

2. The city shall contract with a collection agency in order to collect monetary penalties from individuals who do not pay within ten calendar days as specified above, or within ten days of the appeal hearing, if such hearing is held.

1110.6.1.8. Civil penalties imposed under this chapter shall be paid to the city for deposit in the abatement fund established by LMC Chapter 14.16.

1110.6.1.9. The notice of the civil penalty shall be a final order of the city unless, within five days after the notice is received, the person incurring the penalty appeals the penalty by filing a notice of appeal with the department of community development. If a notice of appeal is filed in a timely manner, a hearing shall be conducted by the hearings examiner. Such hearing shall be conducted in accordance with chapters 34.05 and 34.12 RCW, and Section 1D.010 of the Development Guidelines and Public Works Standards. At the conclusion of the hearing, the Hearings Examiner shall determine whether the penalty should be affirmed, reduced, or not imposed and shall issue a final order setting forth the civil penalty assessed, if any. The order issued by the Hearings Examiner may be appealed to superior court.

1110.6.1.10. Failure to Appear.

If the person to whom the Notice of Civil Penalty was issued fails to appear at the scheduled hearing, the examiner will enter an order finding that the violation occurred and assessing the appropriate monetary penalty. The city will carry out the hearings examiner's order and recover all related expenses, plus the cost of the hearing and any monetary penalty from that person.

1110.6.1.11. Appeal to Superior Court.

An appeal of the hearings examiner's decision must be filed with the Thurston County Superior Court within twenty calendar days from the date the final appeal decision was mailed to the person to whom the Notice of Civil Penalty was directed, or is thereafter barred.

~~Section 310. R-4 Residential Care/Assisted Living facilities is adopted within the City of Lacey. The provisions of Chapters 10 and 11 for accessibility shall apply to these occupancies.~~

Section 424. In all rental unit complexes consisting of five or more dwelling units, each unit shall be provided with the following crime prevention devices and design considerations:

1. Security locking devices:

    a. Single-cylinder deadbolt locks on all exterior hinged doors;

    b. A reinforced 4-inch strike-plate attached to the wood framing by not less than two No. 8 by 3-inch screws;

    c. A door viewer having a field of vision of not less than 180 degrees;

    d. Secondary security locking device on all sliding doors in addition to the factory-provided door locking device;

    e. Secondary security locking device on all sliding windows in addition to the factory-installed sash-type lock;

    f. Secondary security locking device on all crank-type or jalousie windows separate from the factory-installed crank device.

    All secondary security locks must meet the requirements of Section 310.4, to be openable without keys, any special knowledge or effort.

2. Lighting:

    a. All walkways, hallways, stairwells and entry areas shall be provided with lighting that provides a minimum illumination at floor/ground level of one foot-candle.

    b. All entrance foyers and entryway areas shall be provided with lighting that provides a minimum illumination of three foot-candles at the floor level.

    c. All parking lot lighting shall be provided with timers or photo-electric switching that turns the lighting on automatically at dusk.

3. Fences:

    All fences constructed must be constructed to provide through-visibility. Sight-obscuring fencing is not permitted. Fences in Group R, Division 2 Occupancies are not exempt from building permit requirements.

4. Signs:

a. Address numbers shall be provided for all buildings in such a position as to be plainly visible and legible from the street or road fronting the property.

b. One sign, located at an approved location at the entrance to the property shall be provided for a map of the entire complex. This site map shall include the roadway layout, building locations, building addresses.

c. Warning Signs: Each complex shall install a sign, located at an approved location at the entrance to the property containing the words: "No Trespassing On This Property. LMC 9.28.080 - .090."

Section 706~~5~~.5. ~~Section 705.5.~~ Exterior walls shall be fire-resistance rated in accordance with Tables 601 and 602 and this section. Nothing in this section shall be construed as eliminating or reducing the fire-resistance of exterior walls based on Type of Construction requirements.

The required fire-resistance rating of exterior walls with a fire separation distance of greater than 10 feet shall be rated for exposure to fire from the inside only, if both sides are not required due to type of construction classification. The required fire-resistance rating of exterior walls with a fire separation distance of less than or equal to 10 feet shall be rated for exposure to fire from both sides.

Section 1007.2.1.

Elevators Required. In buildings where a required accessible floor is four or more stories above grade plane, at least one required accessible means of egress shall be an elevator complying with Section 1007.4. (Exceptions remain as published.)

Section 1007.8.1 amended as follows:

Two-way communication.

A telephone with controlled access to the fire alarm control system for two-way communications shall be provided between each area of refuge and the fire alarm monitoring center. The telephone or other two-way communication system shall be

located with the reach ranges as specified in the Washington State Building Code requirements for accessibility by persons with disabilities. The emergency communication system must be visible when the telephone is activated. This non-verbal means must enable the fire alarm monitoring center to determine the area or areas of refuge.

Section 4. Chapter 14.04.016 of the Lacey Municipal Code is hereby amended to read as follows:

14.04.016 Amendments—Additions.

The following sections of the International Residential Code as adopted in LMC 14.04.010 are amended to read as follows:

R 105.2 Work exempt from permit:

Building, Item #1 amended. One story detached accessory structures used as tool and storage sheds, playhouses, and similar uses provided the floor area does not exceed two hundred square feet.

Table R301.2(1a), Climatic and Geographic Design Criteria, to be filled-in as follows:

Ground Snow Load: 25 psf

Wind Speed (mph): 85

Seismic Design Category: D1

Subject to Damage From

Weathering: Moderate

Frost Line Depth: 12"

Termite: Slight to Moderate

Decay: Slight to Moderate

Winter Design Temp.: 17° F

Ice Shield Underlayment Req.: No

Air Freezing Index: N/A

Mean Annual Temperature: 50° F

Section 5. Chapter 14.05.010 of the Lacey Municipal Code is hereby amended to read as follows:

14.05.010 Adopted.

There is adopted by this reference and made a part of this chapter as though fully set forth herein, at length, that certain code, known as the International Mechanical Code, 201209 Edition, published by the International Code Council, as amended by Chapter 51-52 WAC and the International Fuel Gas Code, 201209 Edition, as the mechanical code of the city; provided that those sections of the International Mechanical Code set forth in LMC 14.05.015 are amended or deleted as set forth in said section.

Section 6. Chapter 14.06.010 of the Lacey Municipal Code is hereby amended to read as follows:

14.06.010 Adopted.

The Uniform Plumbing Code, 201209 Edition, published by the International Association of Plumbing and Mechanical Officials, as amended by Chapters 51-56 ~~and 51-57~~ WAC, PROVIDED, that any provisions of such code affecting fuel gas piping are not adopted, is adopted as the plumbing code for the city. All requirements of the Uniform Plumbing Code relating to building sewers are adopted.

Section 7. Chapter 14.07.010 of the Lacey Municipal Code is hereby amended to read as follows:

14.07.010 Adopted.

There is adopted, except as amended in this chapter, that certain code known as the International Fire Code, 201209 Edition, as amended by Chapter 51-54 WAC: PROVIDED, that, notwithstanding any wording in this code, participants in religious ceremonies shall not be precluded from carrying hand-held candles. Section 503 Fire Apparatus Access Roads, as amended herein, is also adopted. Finally, such adoption shall include Appendices B, C, D, E, F, G.

Section 8. Chapter 14.07.015 of the Lacey Municipal Code is hereby amended to read as follows:

14.07.015 Amendments – Additions.

Section 101.1 Title.

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

A. Wherever the word "jurisdiction" is used in the International Fire Code, it means the City of Lacey.

B. Wherever the term "corporate counsel" is used in the International Fire Code, it means the attorney for the city.

C. "Fire Department" means Lacey Fire District No. 3 ~~Thurston County Fire Protection District No. 3~~, a municipal corporation, which agency is under contract to provide related services to the city.

D. "Fire Chief", for the purpose of Section 104.11 means the fire chief of Lacey Fire District No. 3 ~~Thurston County Fire Protection District No. 3~~. For all other purposes in the code, "fire chief" means the fire code official.

Section 103.1 General. [Amended section]

The department of fire prevention, also known as the Fire Marshal Office, is established within the jurisdiction under the direction of the fire code official. The function of the department shall be the implementation, administration and enforcement of the provisions of this code.

Section 105.4.1 Submittals. [Amend section]

Construction documents shall be submitted in one or more sets and in such form and detail as required by the fire code official. More specifically, for fire alarm systems three sets are required and for automatic sprinkler systems four sets are required. The construction documents shall be prepared by a registered design professional where required by the statutes of the jurisdiction in which the project is to be constructed and have licenses and credentials as required by the state

of Washington. All companies installing fire protection systems within the city of Lacey shall have a city of Lacey business license.

In addition to the requirements of this section fire alarm equipment shall be installed and maintained by individuals who are in compliance with the Revised Code of Washington 19.28 and the Washington Administrative Code 296-401-060 as approved by the electrical authority having jurisdiction. All companies installing fire alarm systems shall have a state electrical contractor's license.

Section 105.7.64 Fire alarm and detection systems and related equipment. [amend section]

A construction permit is required for installation of or modification to fire alarm and detection systems and related equipment.

EXCEPTIONS:

Household fire warning equipment installed in Group Use R-3 occupancies.

Maintenance performed in accordance with this code is not considered a modification and does not require a permit.

Section 202 General Definitions. [Add the following definition:]

~~FIRE APPARATUS. See Section 502.1.~~

FIRE CODE OFFICIAL. The designated authority charged with the administration of the code, or a duly authorized representative.

Section 501.4 Timing of Installation. [Amended section] When fire apparatus access roads or a water supply for fire protection is required to be installed, such protection shall be installed and made serviceable prior to issuance of any building permit for the project, except grading permits, and during the time of construction except when approved alternative methods of protection are provided. Temporary street signs

shall be installed at each street intersection when construction of new roadways allows passage by vehicles in accordance with Section 505.2.

Section 502.1 Definitions. [Add the following definition:]

FIRE APPARATUS. Fire apparatus is a vehicle such as a fire engine ~~pumper~~, aerial ladder truck, fire tender, elevated platform, rescue squad, fire ground support vehicle or similar firefighting or reserve equipment, including emergency medical response vehicles.

Section 503.1.1 Buildings and facilities. [Amend section] Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet (45.72 m) of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.

EXCEPTIONS:

The fire code official is authorized to increase the dimensions of 150 feet (45.72 m) where:

1. The building is equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1.

2. Fire apparatus access roads cannot be installed because of location on property, topography, waterways, nonnegotiable grades or other similar conditions, and an approved alternative means of fire protection is provided.

3. There are not more than two Group R-3 or Group U occupancies. This exception does not apply to Adult Family Homes.

In addition to the provision of Exception "3" of this section, adult family homes shall be served by fire apparatus access roads as if new construction.

Section 503.1.4 Obstruction prohibited. [Add new section]

Parking of motor vehicles or otherwise obstructing marked fire lanes is prohibited and the violation of the prohibition constitutes a misdemeanor.

Section 503.2 Specifications.

Fire apparatus access roads shall be installed and arranged in accordance with sections 503.2.1 through 503.2.8. See 503.2.1, Exception, for fire apparatus access roads which are public rights of way.

Section 503.2.1. Dimensions.

Fire apparatus access roads shall have an unobstructed width of not less than twenty feet (6,096 mm), exclusive of shoulders, except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than thirteen feet six inches (4,115 mm).

EXCEPTIONS:

1. All fire apparatus access roadways which are also public rights of way shall comply with the City of Lacey Public Street Standards as set forth in the Development Guidelines and Public Works Standards and shall be considered as approved fire apparatus access roads. Such roads shall be constructed with a minimum of sixteen feet of unobstructed travel lanes.

2. Any development complying with the Lacey Municipal Code Chapter 14.31, Zero Effect Drainage Discharge, in order to meet the intent of Subsection 14.31.030.C, shall have roads complying with this section or the development or structures constructed within that development shall be provided with fire protection systems as approved by the fire code official

to mitigate any public safety risk created by the installation of streets not meeting the requirements of this section.

Section 503.2.4 Turning Radius.

The required turning radius of a fire apparatus access road shall be as shown in the Figures in Appendix D, or as determined by the fire code official due to local conditions.

Section 503.2.6. Bridges, elevated surfaces and underground vaults. Where a bridge, elevated surface or vault is part of or under a fire apparatus access road, the bridge, elevated surface or underground vault shall be constructed and maintained in accordance with AASHTO HB-25, (Remainder of section remains as published).

Section 503.2.98 Distance from Structures. [Add new section]

Fire apparatus access roadways except public rights of way shall be a minimum of ten feet away from the exterior wall of structures, or as otherwise required due to construction type.

Section 503.6 Security gates. [Amend section]

The installation of security gates across a fire apparatus access road shall be approved by the code official. Where security gates are installed, they shall have an approved means of emergency operation:

The main entry gate of all residential, commercial, or industrial developments which are to be constructed with their access points containing locking gates shall be constructed in a manner which includes the installation of an emergency vehicle preemption system to open all such gates to allow for immediate entry of emergency vehicles into the development. Such system shall be a priority control system that employs data-encoded infrared communication to identify the emergency response vehicle. The type of system to be installed must be compatible with the traffic signal priority control system used

by the city of Lacey. The design and final installation of the system must be approved by the city of Lacey. Further, such system must be maintained in proper working order by the owners of the development or the proper homeowners or business owners association, whichever shall be the case. Other gates, as approved by the fire code official, may be provided with locks or other approved devices.

The security gates and the emergency operation shall be maintained operational at all times.

Section 503.7 Enforcement. [Add new section]

Enforcement of Section 503.1.4 of the International Fire Code shall be the responsibility of the city police department which shall have the authority to impound or otherwise cause such obstruction to be removed, and said remedies shall be in addition to the criminal penalties provided by the Lacey Municipal Code.

Section 507.5.1 Where required.

Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 400 feet (122 m) from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the fire code official.

EXCEPTIONS:

1. For Group R-3 and Group U occupancies, the distance requirement shall be 600 feet. (183 m) and need only provide water supply in accordance with this section when required as a condition of a modification or installation of a public water system, or a condition of platting and/or other land use approval.

2. For buildings equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2 the distance requirement shall be 600 feet (183 m).

Adult family homes shall be provided with fire flow as if new construction for a Group R-3 occupancy.

Section 507~~.5.7~~ Fire hydrant locations and distribution. [Add new section]

~~Public and private fire hydrants shall be provided as required in Sections 508.5.7.1 through 507.5.7.8~~. Fire hydrants shall be placed in locations approved by the code official and along fire apparatus access roads and adjacent public streets.

507.5.7.1 Spacing on public and private roads.

Fire hydrants shall be placed on public and private roads every 330 feet when serving all occupancies other than Group Use R-3 and U. For Group Use R-3 and U occupancies fire hydrants shall be placed every 660 feet.

507.5.7.2 At intersections.

Fire hydrants shall be placed at all intersections of public and private roads.

EXCEPTION:

A fire hydrant may be omitted at the discretion of the code official from an intersection where there is an adjacent intersection with a hydrant that is separated by not more than one residential lot.

507.5.7.3 Minimum number of hydrants.

There shall never be less than two fire hydrants available for any occupancy other than Group R-3 and U occupancies, larger than five

hundred square feet of ground floor area. Where water supply for fire protection is required the minimum number of fire hydrants shall be determined by a ratio of one fire hydrant per each 1,000-gpm water flow or fraction thereof.

507.5.7.4 Fire Department Connections.

A fire hydrant shall be located within 40 feet of a fire department connection.

507.5.7.5 Distance from buildings.

Fire hydrants shall be placed no closer than 40 feet from the building or structure protected.

507.5.7.6 On-site hydrants.

Buildings or structures having a water flow requirement of 2,500 gpm or more shall be protected by hydrants spaced an average of 300 feet and supplied by looped 8 inch or larger water mains around the building.

507.5.7.7 Arterial Roads.

In no case shall hydrants which are located across any roadway designated as an arterial by the Department of Public Works be considered available.

507.5.7.8 Existing fire hydrants.

Existing fire hydrants on public streets are allowed to be considered as available. Existing fire hydrants on adjacent properties shall not be considered available unless fire apparatus access roads extend between properties and easements are established to prevent obstruction of such roads.

Section 903.2 Where required.

Approved automatic sprinkler systems in new buildings and structures shall be provided in the locations described in this section.

EXCEPTION:

Spaces or areas in telecommunications buildings used exclusively for telecommunications equipment, associated electrical power distribution equipment, batteries and standby engines, provided those spaces or areas are equipped throughout with an automatic fire alarm system and are separated from the remainder of the building by a wall with a fire-resistance rating of not less than 1 hour and a floor/ceiling assembly with a fire-resistance rating of not less than 2 hours.

Notwithstanding any less restrictive provision of this section, this code, or any other adopted code, standard automatic sprinkler systems shall be installed throughout all buildings thirty-five or more feet in height, or seven thousand five hundred (7,500) or more square feet in gross floor area, provided, that one four-hour fire resistive fire wall without openings as defined in Section B104.2 of Appendix B may be used to maintain the maximum gross floor area stated herein.

Section 903.3.7 Fire department connections.

The location of fire department connections shall be approved by the fire code official. A fire department connection shall be located within 40 feet of a fire hydrant.

Section 903.4 Sprinkler system monitoring and alarms.

All valves controlling the water supply for automatic sprinkler systems, pumps, tanks, water levels and temperatures, critical air pressures, and water-flow switches on all sprinkler systems shall be electrically supervised.

EXCEPTIONS:

1. Automatic sprinkler systems protecting one and two-family dwellings.

2. Limited area systems serving fewer than twenty sprinklers.

3. Automatic sprinkler systems installed in accordance with NFPA13R where a common supply main is used to supply both domestic water and the automatic sprinkler system, and a separate shutoff valve for the automatic sprinkler system is not provided.

4. Jockey pump control valves that are sealed or locked in the open position.

5. Control valves to commercial kitchen hoods, paint spray booths or dip tanks that are sealed or locked in the open position.

6. Valves controlling the fuel supply to fire pump engines that are sealed or locked in the open position.

7. Trim valves to pressure switches in dry, preaction and deluge sprinkler systems that are sealed or locked in the open position.

> In buildings that have floors located above or below the lowest level of fire department vehicle access that are occupied for human occupancy, a separate zone by floor shall be provided by sprinkler water flow devices connected to and monitored by the fire alarm system.
>
> Section 903.4.1 Signals.
>
> Alarm, supervisory and trouble signals, shall be distinctly different and shall be automatically transmitted to an approved central station, with central station service as defined NFPA 72.
>
> EXCEPTIONS:

1. Underground key or hub valves in roadway boxes provided by the municipality or public utility are not required to be monitored.

2. Backflow prevention device test valves, located in limited area sprinkler system supply piping, shall be locked in the open position. In occupancies required to be equipped with a fire

alarm system, the backflow preventer valves shall be electrically supervised by a tamper switch installed in accordance with NFPA 72 and separately annunciated.

Section 903.4.3 Floor Control Valves.

Approved supervised indicating control valves shall be provided at the point of connection to the riser on each floor level.

Section 905.3 Required installations. [Amend section]

Standpipe systems shall be installed where required by Sections 905.3.1 through 905.3.8~~6~~ and in the locations indicated in Sections 905.4, 905.5 and 905.6. Standpipe systems shall be combined with automatic sprinkler systems and each standpipe connection or station shall be provided with the greater of the flow requirements as stipulated in NFPA 13 and NFPA 14.

EXCEPTION:

Standpipe systems are not required in Group R-3 Occupancies.

Section 906.2 General requirements. [Amend section]

Fire extinguishers shall be selected, installed, and maintained in accordance with this section and NFPA 10.

EXCEPTIONS:

1. The travel distance to reach an extinguisher shall not apply to the spectator seating portions of Group A-5 Occupancies.

2. In addition to the maintenance requirements of NFPA 10, all portable fire extinguishers shall be subject to internal maintenance at least annually and at such additional times as shall be indicated by an inspection. However, internal maintenance is not required on portable CO2 fire extinguishers provided that they are maintained per the NFPA 10.

Section 907.1.3 Equipment.

Systems and their components shall be listed and approved for the purpose for which they are installed.

The fire alarm control panel, remote annunciator panel and access keys to locked fire alarm equipment shall be installed and maintained in locations approved by the fire code official.

Section 907.2 Where required - new buildings and structures.

An approved manual, automatic, or manual and automatic fire alarm system shall be provided in new buildings and structures in accordance with Sections 907.2.1 through 907.2.23.

Fire alarm systems required by Sections 907.2.1 through 907.2.23 shall be of an addressable type.

Where automatic sprinkler protection is installed in accordance with Section 903.3.1.1 or 903.3.1.2 is provided and connected to the building fire alarm system, automatic heat detection required by this section shall not be required. Automatic sprinkler protection installed in accordance with Section 903.1.1 or 903.3.1.2 shall be monitored by central station, with central station service as defined in NFPA 72.

In addition to the requirements of this section an approved addressable fire alarm system shall be provided in all buildings containing 7,500 square feet of gross floor area or greater. For the purposes of this requirement, fire walls shall not define separate buildings.

EXCEPTION: Group U Occupancies.

An approved automatic fire detection system shall be installed in accordance with the provisions of this code and NFPA 72. Devices, combinations of devices, appliances and equipment shall comply with Section 907.1.2. The automatic fire detectors shall be smoke detectors, except that an approved alternative type of detector shall be installed in spaces such as boiler rooms where, during normal operation,

products of combustion are present in sufficient quantity to actuate a smoke detector.

[The remainder of this section is as printed in the International Fire Code and as amended by Chapter 14.07 of the Lacey Municipal Code.]

Section 907.2.1<u>1</u>~~0.1~~.2 Groups R-2, R-3, R-4, I-1 and Adult Family Homes. [Amend section]

Single or multiple-station smoke alarms shall be installed and maintained in Groups R-2, R-3, R-4, I-1 and Adult Family Homes regardless of occupant load at all of the following locations:

1. On the ceiling or wall outside of each separate sleeping area in the immediate vicinity of bedrooms.

2. In each room used for sleeping purposes.

3. In each story within a dwelling unit, including basements but not including crawl spaces and uninhabitable attics. In dwelling units with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level.

In addition to the above requirements Adult Family Home alarms shall be installed in such a manner so that the fire warning may be audible in all parts of the dwelling upon activation of a single device.

Section 907.<u>9</u>~~3~~ Where required - retroactive in existing buildings and structures. [Amend section]

Buildings with fire alarm systems that were required by previously adopted editions of the Lacey Fire Alarm Code shall continue to operate and maintain such fire alarm systems in accordance with the authorized Lacey Fire Alarm Code edition, this code, NFPA 72 and nationally recognized standards.

An approved automatic fire detection system shall be installed in accordance with the provisions of this code and NFPA 72. Devices, combinations of devices, appliances and equipment shall be approved. The automatic fire detectors shall be smoke detectors, except an approved alternative type of detector shall be installed in spaces such as boiler rooms where, during normal operation, products of combustion are present in sufficient quantity to actuate a smoke detector.

Automatic sprinkler protection shall be monitored by central station, with central station service as defined in NFPA 72.

[The remainder of this section is as printed in the International Fire Code.]

Section 907.6~~7~~.5~~3.2~~ Separate Zones.

In buildings that have floors located above or below the lowest level of fire department vehicle access that are occupied for human occupancy, a separate zone by floor shall be provided for all of the following types of alarm-initiating devices where provided:

1. Smoke detectors.
2. Sprinkler water-flow devices.
3. Manual fire alarm boxes.
4. Other approved types of automatic fire detection devices or suppression systems.

Section 907.7.5 Monitoring.

Where required by this chapter or by the International Building Code, an approved central station, with central station monitoring in accordance with NFPA 72 shall monitor fire alarm systems.

EXCEPTION: Supervisory service is not required for:

1. Single and multiple-station smoke alarms required by Section 907.2.11.

2. Smoke detectors in Group I-3 Occupancies.

3. Automatic sprinkler systems in one and two-family dwellings.

A copy of the monitoring contact agreement between companies that provide central or remote supervising services and the protected premise, shall be provided to the fire code official prior to the issuance of a Certificate of Occupancy. Any change in the service agreement shall be provided to the fire code official within 10 working days.

Section 907.8~~9.5~~ Maintenance, inspection and testing. [Amend section]

The building owner shall be responsible for insuring that the fire and life safety systems are maintained in an operable condition at all times. Service personnel shall meet the qualification requirements of NFPA 72 for maintaining, inspecting and testing such systems. A written record shall be maintained and shall be submitted, within two weeks, to the fire code official.

New and existing fire alarm systems in the city of Lacey shall have a maintenance contract in effect with a fire alarm company or qualified person(s) approved by the fire code official. Maintenance contracts shall specify all required inspections/tests and shall specify that fire alarm repairs be made within 24 hours of a notification trouble signal. A copy of the maintenance contract and testing agreement, signed by the building owner, shall be on record with the fire code official prior to scheduling of final acceptance testing.

Section 907.10 False alarms.

For any fire alarm system having two false alarms occurring within and one calendar year starting January 1st and ending December 31st, a response fee of $50.00 (fifty dollars) shall be charged for the second

false alarm. With the invoice of the response fee for the second false alarm, the fire code official shall notify the responsible party in writing that they will be held responsible for the actual fire department response cost for any subsequent false alarms occurring within that same calendar year. The cost to respond shall be based on the fee schedule established by Lacey Fire District No. 3~~Three~~. All fees shall be payable to the responding fire department authority.

Section 907.11 Areas of refuge.

A telephone with controlled access to the fire alarm control system for two-way communications shall be provided between each area of refuge and the fire alarm monitoring center. The telephone or other two-way communication system shall be located within the reach ranges as specified in the Washington State Building Code requirements for accessibility by persons with disabilities. The emergency communication system must be visible when the telephone is activated. This non-verbal means must enable the fire alarm monitoring center to determine the area or areas of refuge.

Section 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 building for other fire apparatus. The location of the fire department connection shall be approved and shall not be greater than 40 feet from a fire hydrant.

[The remainder of this section is as printed in the International Fire Code.]

Section 5704.2.9.6.1~~3404.2.9.6.1~~ Locations where above-ground tanks are prohibited. [Clarification of section]

The limits referred to in Section 5704.2.9.6.1~~3404.2.9.6.1~~ of the International Fire Code in which storage of Class I and Class II liquids outside in above-ground storage tanks is prohibited are established as all areas of the city, except for tanks that comply with Section 5704.2.8~~3404.2.8~~ Vaults.

Section 3404.3.4.5 R-2 Licensed Care Occupancies.

In Group R-2 Occupancies licensed for more than six clients, the storage, use and handling of flammable and combustible liquids shall be in accordance with the this code. In such facilities, doors leading into rooms in which Class I flammable liquids are stored or used shall be protected by a fire assembly having a one-hour fire protection rating. Such fire assembly shall be self-closing and shall be posted with a sign on each side of the door in 1-inch (25.4 mm) block letters stating: FIRE DOOR - KEEP CLOSED.

Section 6104.2~~3804.2~~ Maximum capacity within established limits. [Clarification of section]

The limits referred to in Section 6104.2~~3804.2~~ of the International Fire Code in which liquefied petroleum gas is restricted are established as all areas of the city with the zoning designation other than that of light industrial when referring to above-ground containers.

Section B105.1 One and two-family dwellings. [Amend section]

The minimum fire-flow requirements for one and two-family dwellings having a fire-flow calculation area which does not exceed 3,600 square feet (344.5 M2) shall be 750 gallons per minute for each hydrant providing fire flow. Fire-flow and flow duration for dwellings having a fire-flow calculation area in excess of 3,600 (344.5 M2) square feet shall not be less than that specified in Table B105.1.

Section B105.2 Buildings other than one and two-family dwellings. [Amend section]

The minimum fire-flow and flow duration for buildings other than one and two-family dwellings shall be as specified in Table B105.1 of the International Fire Code.

EXCEPTION:

1. A reduction in required fire-flow of up to 50 percent, as approved, is allowed when the building is provided with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2 of the International Fire Code. Where buildings are also of Type I or II construction and are a light-hazard occupancy as defined by NFPA 13, or where buildings are also provided with quick response sprinkler heads throughout, the reduction may be up to 75 percent. The resulting fire-flow shall not be less than 1,500 gallon per minute (5,678 l/min) for the prescribed duration as specified in Table B105.1 of the International Fire Code.

Section D103.6 amended as follows:

Signs.

Where required by the fire code official, fire apparatus access roads shall be marked with permanent NO PARKING - FIRE LANE-TOW AWAY ZONE signs complying with Figure D 103.6, with the additional words "Tow Away Zone." [Remainder of section unchanged.]

Section D103 amended by adding a new Section D103.7 Curbs and Striping, as follows:

Where required by the fire code official, curbs along fire apparatus access roads shall be painted red, with the words "No Parking-Fire Lane-Tow Away Zone" stenciled in 4-inch tall letters in white on the vertical side of the curb. Such curb painting shall be provided at the beginning and end of the fire lane as determined by the fire code official. Where no curb is provided, the traffic surface may be painted with high-visibility red diagonal striping of not less than 4-inches in width with an unpainted clear space of 12-inches between the painted stripes. High visibility white painted words indicating "No Parking-

Fire Lane-Tow Away Zone" shall be painted within the striped area as determined by the fire code official.

Section D107.1 is amended as follows:

D107.1 One or two-family dwelling residential developments.

Developments of one or two-family dwellings where the number of dwelling units exceeds 30 shall be provided with separate and approved fire apparatus access roads, and shall meet the requirements of Section D104.3.

EXCEPTIONS:

1. The number of dwelling units on a single fire apparatus access road shall not be increased unless fire apparatus access roads will connect with future development, as determined by the fire code official.

Section 9. Chapter 14.09.010 of the Lacey Municipal Code is hereby amended to read as follows:

14.09.010 Adoption.

There is adopted and by this reference made a part hereof as though fully set forth in this chapter at length, that certain code known as the Washington State Energy Code, as written by the Washington State Building Code Council and filed as Chapter 51-11C and 51-11R WAC.

Section 10. Chapter 14.13.030 of the Lacey Municipal Code is hereby amended to read as follows:

14.13.030 Organization and Enforcement.

A. Creation of enforcement agency. The division of electrical inspection is hereby created and the official in charge thereof shall be known as the code official. The function of the division shall be to assist the code official in the administration and enforcement of the provisions of this code.

1. Appointment. The code official shall be appointed by the chief appointing authority of the jurisdiction. The code official shall appoint an electrical inspector

and such assistant inspectors as shall be deemed necessary, all meeting the qualifications set forth in RCW 19.28.070, and upon such appointment being made, the inspector or inspectors shall have the full power and authority to issue permits and make such inspections as are called for in this chapter and the codes and standards adopted by this chapter.

B. Duties and Powers of the Code Official.

1. The code official is hereby authorized and directed to enforce the provisions of this code. The code official shall have the authority to render interpretations of this code, and to adopt policies, procedures, rules and regulations in order to clarify the application of its provisions. Such interpretations, policies, procedures, rules and regulations shall be in compliance with the intent and purpose of this code. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this code.

2. Rule-making authority. The code official shall have authority as necessary in the interest of public health, safety and general welfare, to adopt and promulgate rules and regulations and to designate requirements applicable because of local climatic or other conditions. Such rules shall not have the effect of waiving requirements specifically provided for in this code, or of violating accepted engineering methods involving public safety.

3. Applications and permits. The code official is authorized to receive applications, review construction documents and issue permits for the installation of electrical systems and equipment, inspect the premises for which such permits have been issued, and enforce compliance with the provisions of this code.

a. Permit-Issuance to Owner. The inspector may issue a permit to the owner of any building used and occupied by him, for which a permit is required by this chapter. Nothing in this section shall be construed to restrict the right of any homeowner to assist or receive assistance from a friend, neighbor, relative, or other person when none of the individuals doing such electrical installation hold themselves out as engaged in the trade or business of electrical installations; provided, however, that no permit shall be issued to the owner of

any building not otherwise qualified, to do the owner's own electrical wiring if the building for which the permit is required is used as a place of business, apartment house, rental unit or is a new dwelling to be offered for sale within six months from the date of completion.

4. Notices and Orders. The code official is authorized to issue all necessary notices or orders ~~in accordance with LMC Title 10 as~~ are required to effect compliance with this code.

5. Inspections. The code official shall make all of the inspections necessary to determine compliance with the provisions of this code in accordance with LMC 14.13.070.

6. Identification. The code official shall carry proper identification as required by LMC 14.13.070(B)(4)(a).

7. Right of entry. The code official is authorized to enter the structure or premises at reasonable times to inspect or perform the duties imposed by this code in accordance with LMC 14.13.070(B)(4).

C. Certificate of Occupancy

1. Use and occupancy. No building or structure shall be used or occupied until a certificate of occupancy has been provided in accordance with the International Building Code.

Section 11. Chapter 14.13.040 of the Lacey Municipal Code is hereby amended to read as follows:

14.13.040 Permits and Fees.

A. Permits required. Permits required by this code shall be obtained from the code official. Permit fees, if any, shall be paid prior to issuance of the permit. Issued permits shall be kept on the premises designated therein at all times and shall be readily available for inspection by the code official.

1. Types of permits. An owner, authorized agent or contractor who desires to construct, enlarge, alter, repair, move, demolish or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace electrical systems or equipment, the installation of which is regulated by this code, or to cause such work to be done, shall first make application to the code official and obtain the required permit for the work.

EXCEPTION:

Where repair or replacement of electrical systems or equipment must be performed in an emergency situation, the permit application shall be submitted within the next working business day of the department of electrical inspection.

2. Work exempt from permit. The following work shall be exempt from the requirement for a permit:

a. Listed cord and plug connected temporary decorative lighting.

b. Reinstallation of attachment plug receptacles, but not the outlets therefore.

c. Repair or replacement of branch circuit overcurrent devices of the required capacity in the same location.

d. Temporary wiring for experimental purposes in suitable experimental laboratories.

e. Electrical wiring, devices, appliances, apparatus or equipment operating at less than 25 volts and not capable of supplying more than 50 watts of energy.

Exemption from the permit requirements of this code shall not be deemed to grant authorization for work to be done in violation of the provisions of this code or other laws or ordinances of this jurisdiction.

B. Application

1. General. The code official is authorized to receive applications for and issue permits as required by this code.

2. Application. Application for a permit required by this code shall be made to the code official in such form and detail as prescribed by the code official. Applications for permits shall be accompanied by such plans as prescribed by the code official.

3. Action on application. The code official shall examine or cause to be examined applications for permits and amendments thereto within a reasonable time after filing. If the application or the construction documents do not conform to the requirements of pertinent laws, the code official shall reject such application in writing, stating the reasons therefore. If the code official is satisfied that the proposed work conforms to the requirements of this code and laws and ordinances applicable thereto, the code official shall issue a permit therefore as soon as practicable.

4. Inspection required. Before a permit is issued, the code official is authorized to inspect and approve the systems, equipment, buildings, devices, premises, and spaces or areas to be used.

5. Time limitation of application. An application for a permit for any proposed work or operation shall be deemed to have been abandoned 180 days after the date of filing, unless such application has been pursued in good faith or a permit has been issued; except that the code official is authorized to grant one or more extensions of time for additional periods not exceeding 90 days each. The extension shall be requested in writing and justifiable cause demonstrated.

C. Conditions

1. Conditions of a permit. A permit shall constitute permission to conduct work as set forth in this code in accordance with the provisions of this code. Such permission shall not be construed as authority to violate, cancel or set aside any of the provisions of this code or other applicable regulations or laws of the jurisdiction.

2. Posting the permit. Issued permits shall be kept on the premises designated therein at all times and shall be readily available for inspection by the code official.

3. Validity. The issuance or granting of a permit shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or of any other ordinance of the jurisdiction. Permits presuming to give authority to violate or cancel the provisions of this code or other ordinances of the jurisdiction shall not be valid. The issuance of a permit based on construction documents and other data shall not prevent the code official from requiring the correction of errors in the construction documents and other data. The code official is also authorized to prevent occupancy or use of a structure where in violation of this code or of any other ordinances of this jurisdiction.

4. Information on the permit. The code official shall issue all permits required by this code on an approved form furnished for that purpose. The permit shall contain a general description of the operation or occupancy and its location and any other information required by the code official.

5. Suspension or revocation. The code official is authorized to suspend or revoke a permit issued under the provisions of this code wherever the permit is issued in error, on the basis of incorrect, inaccurate or incomplete information; in violation of any ordinance, regulation or any of the provisions of this code; or if any one of the following conditions exist:

a. The permit is used for a location or establishment other than that for which it was issued.

b. The permit is used for a condition or activity other than that listed in the permit.

c. Conditions and limitations set forth in the permit have been violated.

d. There have been any false statements or misrepresentations as to the material fact in the application for permit or plans submitted or a condition of the permit.

e. The permit is used by a different person or firm than the name for which it was issued.

f. The permittee failed, refused or neglected to comply with orders or notices duly served in accordance with the provisions of this code within the time provided therein.

g. The permit was issued in error or in violation of an ordinance, regulation or this code.

D. Fees

1. Payment of fees. A permit shall not be valid until the fees prescribed by law have been paid. Nor shall an amendment to a permit be released until the additional fee, if any, has been paid.

2. Schedule of permit fees. A fee for each permit shall be paid as required, in accordance with the schedule as established by the applicable governing authority. The fees for electrical work shall be as indicated in the fee resolution adopted by the City Council.

3. Work commencing before permit issuance. Any person who commences any work before obtaining the necessary permits shall be subject to a civil penalty established by LMC 14.17~~13~~.080~~100~~(C), which shall be in addition to the required permit fees.

4. Related fees. The payment of the fee for the construction, alteration, removal or demolition for work done in connection with, or concurrently with, the work authorized by a permit shall not relieve the applicant or holder of the permit from the payment of other fees that are prescribed by law.

Section 12. Chapter 14.15.010 of the Lacey Municipal Code is hereby amended to read as follows:

14.15.010 Adopted.

There is adopted and by its reference made a part of this chapter as though fully set forth herein, at length, that certain code known as the International Existing Building Code, 2012~~09~~ Edition, as amended by Chapter 51~~0~~-50 WAC, published by the International Code Council.

Section 13. Chapter 14.16.010 of the Lacey Municipal Code is hereby amended to read as follows:

14.16.010 Adopted.

There is adopted and by its reference made a part of this chapter as though fully set forth herein, at length, that certain code, known as the International Property Maintenance Code, 2012~~09~~ Edition, published by the International Code Council, as amended in LMC 14.16.016.

Section 14. Chapter 14.16.015 of the Lacey Municipal Code is hereby amended to read as follows:

14.16.015 City performance of work of demolition~~demotion~~ or repair, and recovery of costs.

If the owner or party in interest following exhaustion of the rights to appeal, fails to comply with the final order to repair, alter, improve, vacate, close, remove, or demolish the dwelling, building, structure, or premises, the building official may direct or cause such dwelling, building, structure, or premises to be repaired, altered, improved, vacated, and closed, removed, or demolished.

The amount of the cost of such repairs, alterations or improvements; or vacating and closing; or removal or demolition by the building official, shall be assessed against the real property upon which such cost was incurred unless such amount is previously paid. Upon certification by the city of the city of the assessment amount being due and owing, the county treasurer shall enter the amount of such assessment upon the tax rolls against the property for the current year and the same shall become a part of the general taxes for that year to be collected at the same time and with interest at such rates and in such manner as provided for in RCW 84.56.020, as now or hereafter amended, for delinquent taxes, and when collected to be deposited to the credit of the general fund of the city. If the dwelling, building, structure, or premises is removed or demolished by the building official, the building official shall, if possible, sell the materials of such dwelling, building, structure, [or] premises, and shall credit the proceeds of such sale against the cost of the removal or demolition and if there by any balance remaining, it shall be

paid to the parties entitled thereto, as determined by the building official, after deducting the costs incident thereto.

The assessment shall constitute a lien against the property which shall be of equal rank with state, county and municipal taxes.

Section 15. Chapter 14.16.016 of the Lacey Municipal Code is hereby amended to read as follows:

14.16.016 Amendments, deletions, and additions.

The following sections of the International Property Maintenance Code as adopted in LMC 14.16.010 are amended to read as follows:

101.1 Title

These regulations shall be known as the Property Maintenance Code of the City of Lacey, hereinafter referred to as "this code."

102.3 Application of other codes.

Repairs, additions or alterations to a structure, or changes of occupancy shall be done in accordance with the procedures and provisions of the International Existing Building Code. Nothing in this code shall be construed to cancel, modify or set aside any provision of the City of Lacey Zoning Code.

103.4 Section 103.4 is hereby deleted from the International Property Maintenance Code as adopted.

103.5 Fees.

The fees for activities and services performed by the department in carrying out its responsibilities under this code shall be as indicated in the City of Lacey Fee Resolution adopted by the city council.

104.3.1. A new subsection 104.3.1 is hereby added to the International Property Maintenance Code adopted to read as follows:

104.3.1. Initial Inspection and Enforcement. An initial enforcement determination shall be undertaken against buildings or properties whenever the building official has reason to believe that a violation of this code exists; or a complaint is filed with the department by any person, provided that where complaints have been filed by tenants, the tenant first exhaust all remedies provided through the Washington State Landlord Tenant Act, unless circumstances exist that give evidence of an immediate life safety or health condition that warrants an immediate response by the department.

105.2 Alternative materials, methods and equipment. The provisions of this code are not intended to prevent the installation of any material or to prohibit any method of construction not specifically prescribed by this code, provided that any such alternative has been approved and complies with all other codes adopted by the city of Lacey. An alternative material or method of construction shall be approved where the code official finds that the proposed design is satisfactory and complies with all other codes adopted by the city of Lacey and the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability and safety.

106.3 Prosecution of violation. Any person failing to comply with a notice of violation or order served in accordance with Section 107 shall be deemed guilty of a misdemeanor. If the notice of violation is not complied with, the code official shall institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require removal or termination of the unlawful occupancy of the structure in violation of the provisions of this code or of the order or direction made pursuant thereto. Any action taken by the city of Lacey on such premises shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

107.3 Method of service. Such notice shall be deemed to be properly served if a copy thereof is:

1. Delivered personally;

2. Sent by certified mail with return receipt requested, addressed to the last known address; or

3. If the notice is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice.

If the whereabouts of any of such persons is unknown and the same cannot be ascertained by the code official in the exercise of reasonable diligence, and the code official makes an affidavit to that effect, then the serving of such complaint or order upon such persons may be made either by personal service or by mailing a copy of the complaint and order by certified mail, postage prepaid, return receipt requested, to each such person at the address of the building involved in the proceedings, and mailing a copy of the complaint and order by first class mail to any address of each such person in the records of the county assessor or the county auditor for the county where the property is located.

Such complaint shall contain a notice that a hearing will be held before the code official, at a place therein fixed, not less than ten days nor more than thirty days after the serving of said complaint; and that all parties in interest shall be given the right to file an answer to the complaint, to appear in person, or otherwise, and to give testimony at the time and place in the complaint. The rules of evidence prevailing in courts of law or equity shall not be controlling in hearings before the code official.

A copy of such complaint shall also be filed with the auditor of the county in which the dwelling, building, structure, or premise [premises] is located, and such filing of the complaint or order shall

have the same force and effect as other lis pendens notices provided by law.

108.2 Closing of vacant structures. If the structure is vacant and unfit for human habitation and occupancy, and is not in danger of structural collapse, the code official is authorized to post a placard of condemnation on the premises and order the structure closed up so as not to be an attractive nuisance. Upon failure of the owner to close up the premises within the time specified in the order, the code official shall cause the premises to be closed and secured through any available public agency or by contract or arrangement by private persons and the cost thereof shall be charged against the real estate upon which the structure is located and such costs will be recoverable pursuant to the Lacey Municipal Code Section 14.16.015.

108.2.1 Standards for securing buildings.

To secure a building, all doors, window openings, or other openings on floors accessible from grade shall be closed and locked, or shuttered to prevent third party entry. If openings are damaged so they cannot be secured using normal building amenities, they shall be secured by covering with 7/16 inch minimum thickness structural panel cut to fit over the building opening and secured with #10 wood screws with fender washers. The screws shall penetrate the wood framing by a minimum of 1-1/4 inches and the screws shall be spaced around the perimeter of the opening at no more than 12 inches on center.

109.5 Costs of emergency repairs. Costs incurred in the performance of emergency work shall be paid by the jurisdiction. The legal counsel of the jurisdiction shall institute appropriate action against the owner of the premises where the unsafe structure is or was located for the recovery of such costs. Cost recovery shall be pursuant to the Lacey Municipal Code Section 14.16.015.

Section 111 of the International Property Maintenance ~~Building~~ Code is deleted from the code adopted by the City of Lacey and a new Section 111 is hereby adopted to read as follows:

Section 111 Means of Appeal:

111.1 Application for appeal. Any person directly affected by a decision of the code official or a notice or order issued under this code shall have the right to appeal to the hearings examiner pursuant to the Lacey Municipal Code Chapter 14.18.030. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted hereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or the requirements of this code are adequately satisfied by other means.

302.4 Vegetation. All premises and exterior property shall be maintained pursuant to the Lacey Municipal Code Chapter 9.52.

Upon failure of the owner or agent having charge of a property to cut and destroy weeds after service of a notice violation, they shall be subject to prosecution in accordance with Section 106.3 and as prescribed by the authority having jurisdiction. Upon failure to comply with the notice of violation, any duly authorized employee of the jurisdiction or contractor hired by the jurisdiction shall be authorized to enter upon the property in violation and cut and destroy the weeds growing thereon, and the costs of such removal shall be paid by the owner or agent responsible for the property.

302.8 Vehicles. Except as provided for in other regulations, no inoperative or unlicensed vehicle shall be parked, kept or stored on any premises, and no vehicle shall at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. Painting of vehicles is prohibited unless conducted inside an approved spray booth. This section applies to any vehicle as defined in the Revised Code of Washington Section 46.04.670.

EXCEPTION:

A vehicle of any type is permitted to undergo major overhaul, including body work, provided that such work is performed inside a structure or similarly enclosed area designed and approved for such purposes.

302.10 A new subsection 302.10 is hereby added to the International Property Maintenance Code as adopted to read as follows: Recreational vehicles or other vehicles. No recreational vehicle as defined by the Lacey Municipal Code Chapter 16.06 or other vehicles shall be used for the purpose of living, sleeping, cooking or any similar use while parked on public or private property.

302.11 A new subsection 302.11 is hereby added to the International Property Maintenance Code as adopted to read as follows: Cargo containers and semi trailers.

302.11.1 Cargo containers, except as permitted by city of Lacey land use regulatory code, shall not be permitted to be used as storage buildings.

Cargo containers which are permitted by the land use regulatory code to be used as storage buildings shall be provided with a foundation system that provides adequate clearance from the ground to prevent deterioration and shall be provided with an anchorage system to prevent sliding or overturning by wind or seismic forces prescribed by the building code.

302.11.2 Semi trailers shall not be used as storage buildings.

~~303. Section 303 is hereby deleted from the International Property Maintenance Code as adopted.~~

304.14. Subsection 304.14 is hereby deleted from the International Property Maintenance Code as adopted.

306.1 General. Every exterior and interior flight of stairs having more than four risers shall have a handrail on one side of the stair and every open portion of a stair, landing, balcony, porch, deck, ramp or other walking surface which is more than thirty inches (762 mm) above the floor or grade below shall have guards. Handrails shall not be less than thirty-four inches high or more than thirty-eight inches high measured vertically above the nosing of the tread or above the finished floor of the landing or walking surfaces. Guards shall not be less than thirty-six inches high above the floor of the landing, balcony, porch, deck, or ramp or other walking surface.

EXCEPTION:

Guards shall not be required where exempted by the adopted building code.

602.3 Heat supply. Every owner and operator of any building who rents, leases or lets one or more dwelling unit, rooming unit, dormitory or guestroom on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat to maintain a temperature of not less than 68°F (20°C) in all habitable rooms, bathrooms, and toilet rooms.

EXCEPTIONS:

1. When the outdoor temperature is below the winter outdoor design temperature for the locality, maintenance of the minimum room temperature shall not be required provided that the heating system is operating at its full design capacity. The winter outdoor design temperature for the locality shall be as indicated in Appendix D of the International Plumbing Code.

2. In areas where the average monthly temperature is above 30°F (-1°C) a minimum temperature of 65°F (18°C) shall be maintained.

602.4 Occupiable work spaces. Indoor occupiable work spaces shall be supplied with heat to maintain a temperature of not less than 65°F (18°C) during the period the spaces are occupied.

EXCEPTIONS:

1. Processing, storage and operation areas that require cooling or special temperature conditions.

2. Areas in which persons are primarily engaged in vigorous physical activity.

Section 16. SEVERABILITY. If any section, sentence, clause or phrase of this ordinance should be held to be invalid by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 17. CORRECTIONS. The City Clerk and the codifiers of this ordinance are authorized to make corrections to this ordinance including, but not limited to, the corrections of scrivener's/clerical errors, references, ordinance numbering, section/subsection number and any references thereto.

PASSED BY THE CITY COUNCIL OF THE CITY OF LACEY, WASHINGTON, at a regularly-called meeting thereof, held this 28 day of May, 2015.

CITY COUNCIL

By: _____
Mayor

Approved as to form:

_____
City Attorney

Attest:

.

Carol Litten

City Clerk

SUMMARY FOR PUBLIC ATION
ORDINANCE NO 1467
CITY OF LACEY

The City Council of Lacey, Washington passed on May 28, 2015, Ordinance No. 1467, entitled "AN ORDINANCE OF THE CITY OF LACEY, WASHINGTON, RELATED TO BUILDING AND CONSTRUCTION CODES, AMENDING CHAPTERS 14.03.010, 14.04.015, 14.04.016, 14.05.010, 14.06.010, 14.07.010, 14.07.015, 14.09.010, 14.13.030, 14.13.040. 14.15.010, 14.16.010, 14.16.015, AND 14.16.016 OF THE LACEY MUNICIPAL CODE, AND APPROVING A SUMMARY FOR PUBLICATION."

The main points of the Ordinance are described as follows:

1. The Ordinance updates the numbering and definitions of building and construction codes contained in Chapter 14 of the Lacey Municipal Code.

2. The Ordinance approves this summary for Publication.

A copy of the full text of this Ordinance will be mailed without charge to any person requesting the same from the City of Lacey.

Published: June 1, 2015.