Title 16
BUILDING AND CONSTRUCTION STANDARDS

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Chapter 16.02
ADMINISTRATION

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16.02.010 Relationship to comprehensive plan and growth management act. This title of the King County code is hereby enacted to be consistent with and implement the King County comprehensive plan in accordance with RCW 36.70A. (Ord. 11618 § 1 (part), 1994).

16.02.020 Notification to Tribes. The county recognizes that many actions undertaken pursuant to Title 16, as amended, may impact treaty fishing rights of federally-recognized tribes. In order to honor and prevent interference with these treaty fishing rights and to provide for water quality and habitat preservations, the county shall provide notice to any federally-recognized tribes whose treaty fishing rights would be affected by an action undertaken pursuant to this title, including but not limited to: development of wetlands, stream and river banks, lakeshore habitat of water bodies, or development directly or indirectly affecting anadromous bearing water bodies, including the promulgation of plans, rules, regulations or ordinances implementing the provisions of this title, whether or not review of such actions is required under the State Environmental Policy Act (SEPA), RCW 43.21C. (Ord. 11618 § 1 (part), 1994).

16.02.100 Application. This chapter applies to the chapters in this title regarding the International Building Code (K.C.C. chapter 16.04), the International Residential Code (K.C.C. chapter 16.05), the International Property Maintenance Code (K.C.C. chapter 16.14), the International Mechanical Code (K.C.C. chapter 16.12), and the Security Code (K.C.C. chapter 16.10). (Ord. 14914 § 2, 2004: Ord. 14111 § 3, 2001. Formerly K.C.C. 16.04.005).

16.02.110 Adoption. The International Building Code, 2006 Edition, with Appendix C, E and M, as amended in chapter 51-50 WAC, Appendix Z, as adopted by this title, and the International Residential Code for One- and Two Family Dwellings 2006 Edition, with Appendix F, G, H and K, 2006 Edition, as amended in chapter 51-51 WAC, as published by or jointly with the International Code Council, Inc., together with amendments, additions and deletions adopted in this chapter by reference, together with the State Building Code Act, chapter 19.27 RCW, and with King County modifications that are adopted and codified in this chapter are adopted as the King County building codes and may be cited as such and are referred to in this chapter as "this code."

This code also may be further clarified and implemented with administrative rules adopted in accordance with K.C.C. chapter 2.98. (Ord. 15802 § 1, 2007: Ord. 14914 § 4, 2004: Ord. 14111 § 4, 2001. Formerly K.C.C. 16.04.011).

16.02.120 Modifications to the code. The county council hereby declares that amendments, additions, deletions, and administrative rules are necessary to modify and clarify the code for its application in King County. Such modifications and administrative rules shall be prepared by the director, and, in the case of modifications, adopted by the council, they shall be codified within this chapter or in the case of administrative rules, as specified in K.C.C. 2.98. These codes, modifications, and administrative rules constitute county regulation for any activity subject to the code. The director shall make the adopted modifications and administrative rules readily available at reasonable cost to persons performing any activity subject to the code. (Ord. 12560 § 3, 1996: Ord. 8184 § 2, 1987: Ord. 3647 § 5, 1978. Formerly K.C.C. 16.04.040).

16.02.130 Modifications adopted. Chapter 51-11 WAC, the Washington State Energy Code, 2006 Edition, effective July 1, 2007, and chapter 51-13 WAC, the Washington State Ventilation and Indoor Air Quality Code, 2006 Edition, effective July 1, 2007, and the King County modifications to the 2003 editions of the International Building Code, International Residential Code for One- and Two-Family Dwellings, International Mechanical Code, International Property Maintenance Code, and the Security Code are adopted as part of the code. (Ord. 15802 § 2, 2007: Ord. 14914 § 7, 2004: Ord. 14111 § 5, 2001: Ord. 12560 § 4, 1996: Ord. 10608 § 3, 1992. Formerly K.C.C. 16.04.050).

16.02.135 International Mechanical Code - Administration. Chapter 1 of the International Mechanical Code is not adopted and Chapter 1 of the International Building Code as amended and supplemented in this chapter is substituted. (Ord. 15802 § 3, 2007).

16.02.140 International Residential Code - Administration. Chapter 1 of the International Residential Code for One- and Two-Family Dwellings is not adopted and Chapter 1 of the International Building Code as amended and supplemented in this chapter is substituted. (Ord. 14914 § 8, 2004).

16.02.150 General - Title. Section 101.1 of the International Building Code is not adopted and the following is substituted:

Title (IBC 101.1). These regulations shall be known as the Building Codes of King County. These codes are the International Building Code (IBC), the International Residential Code for One- and Two-Family Dwellings (IRC) and the International Mechanical Code (IMC). (Ord. 15802 § 4, 2007: Ord. 14914 § 9, 2004).

16.02.152 General - Scope. Section 101.2 of the International Building Code is not adopted and the following is substituted:

Scope (IBC 101.2). The provisions of this code shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures.

EXCEPTIONS:

1. The provisions of the International Residential Code for One- and Two-Family Dwellings shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, removal and demolition of detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories in height with a separate means of egress and their accessory structures, including adult family homes, foster family care homes and family day care homes licensed by the Washington state department of social and health services

2. The provisions of the International Residential Code for One- and Two-Family Dwellings shall apply to detached residential accessory structures that are used for home occupations and home industries that include offices, mercantile, food preparation for off-site consumption, personal care salons and similar uses, if the home occupation or home industry is subordinate to the primary residential use of the site and the total cumulative floor area devoted to the home occupation or home industry in all detached accessory structures on-site is less than or equal to 500 square feet (46.4m2).

3. The provisions of the International Mechanical Code shall regulate the design, installation, maintenance, alteration and inspection of mechanical systems that are permanently installed and utilized to provide control of the environmental conditions and related processes within buildings. This code shall also regulate those mechanical systems, system components, equipment and appliances specifically addressed herein. The installation of fuel gas distribution piping and equipment, fuel gas-fired appliances and fuel gas-fired appliance venting systems shall be regulated by the International Fuel Gas Code. (Ord. 15802 § 5, 2007).

16.02.160 Applicability – Referenced Codes and Standards. Section 102.4 of the International Building Code is not adopted and the following is substituted:

Referenced Codes and Standards (IBC 102.4). The codes and standards referenced in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and referenced code and standards, the provisions of this code shall apply.

EXCEPTION: Where enforcement of a code provision would violate the conditions of the listing of the equipment or appliance, the conditions of the listing and manufacturer's instructions shall apply. (Ord. 14914 § 10, 2004).

16.02.170 Applicability - Moved buildings and temporary buildings. Section 102 of the International Building Code is supplemented with the following:

Moved buildings and temporary buildings (IBC 102.7).

1. Buildings or structures moved into or within the jurisdiction shall comply with the provisions of the International Building Code, chapter 51-50 WAC, the International Residential Code for One- and Two-Family Dwellings, chapter 51-51 WAC, the International Mechanical Code, chapter 51-52 WAC, the International Fire Code, chapter 51-54 WAC, the Uniform Plumbing Code and Standards, chapter 51-56 and 51-57 WAC, the Washington State Energy Code, chapter 51-11 WAC and the Washington State Ventilation and Indoor Air Quality Code, chapter 51-13 WAC for new buildings or structures.

EXCEPTION: Group R3 buildings or structures are not required to comply if:

1. The original occupancy classification is not changed, and

2. The original building is not substantially remodeled or rehabilitated. For the purposes of this section a building shall be considered to be substantially remodeled when the costs of remodeling exceed 60 percent of the value of the building exclusive of the costs relating to preparation, construction, demolition or renovation of foundations.

No person shall move within or into the unincorporated areas of King County, or cause to be moved, any building or structure without first obtaining, in addition to the building permit, a relocation investigation permit from the building official. The purpose of this relocation investigation permit is to determine prior to relocation the deficiencies in the building. Before a structure is relocated to a proposed site, a building permit shall be obtained.

2. The building official shall not approve for moving nor issue a building permit for a building or structure which constitutes a public nuisance or endangers the public health, safety, or general welfare, and in his opinion it is physically impractical to restore such building or structure to make it comply with this code.

3. A fee shall be charged for relocation investigations and site inspection services. A building permit fee shall also be charged for all structures which are approved for relocation. Fees for permits and services provided under this section shall be paid to the department of development and environmental services as set forth in K.C.C. Title 27, Building and Constructions Fees. As a condition of securing the building permit, the owner of the building or structure shall deposit cash or its equivalent with the building official, or in an approved irrevocable escrow, in an amount up to $5000.00.

4. Relocation investigation fees do not apply to structures having acceptable current inspections, such as factory built units.

4.1 If the building official denies a building permit for the relocation of a structure, the applicant may request, within 10 days of the date of mailing or other issuance of the denial notice, that the building permit application be reviewed by the Building Code Appeals Board. The Board shall review the application and make a recommendation to the building official, who may reconsider the denial in light of the Board's recommendation. (Ord. 14914 § 12, 2004: Ord. 14111 § 66, 2001: Ord. 12560 § 55, 1996. Formerly K.C.C. 16.04.05051).

16.02.180 Applicability – Additions, alterations or repairs. Section 102 of the International Building Code is supplemented with the following:

Additions, alterations or repairs (IBC 102.8). Additions, alterations or repairs to any structure shall conform to that required for a new structure without requiring the existing structure to comply with all of the requirements of this code, unless otherwise stated. Additions, alterations or repairs shall not cause an existing structure to become unsafe or adversely affect the performance of the building. (Ord. 14914 § 13, 2004).

16.02.190 Duties and powers of building official - General. Section 104.1 of the International Building Code is not adopted and the following is substituted:

General (IBC 104.1). The building official is hereby authorized and directed to enforce all the provisions of this code, with the exception of International Building Code Section 2902.1 and Table 29-A IBC, the fuel gas piping requirements contained in the International Fuel Gas Code and Chapter 24 of the International Residential Code. The director of public health is authorized to enforce the provisions of Section 2902.1 and Table 29-A chapter 51-50 WAC, the fuel gas piping requirements contained in the International Fuel Gas Code and Chapter 24 of the International Residential Code. For such purposes, the building official and the director of public health shall have the powers of a law enforcement officer.

The building official shall have the power to render interpretations of this code and to adopt and enforce rules and supplemental regulations in order to clarify the application of its provisions. Such interpretations, rules and regulations shall be in conformance with the intent and purpose of this code. (Ord. 15802 § 6, 2007 Ord. 14914 § 15, 2004: Ord. 14111 § 6, 2001: Ord. 12560 § 6, 1996. Formerly K.C.C. 16.04.05001).

16.02.200 Duties and powers of building official – Notice and orders. Section 104.3 of the International Building Code is not adopted. (Ord. 14914 § 16, 2004).

16.02.210 Duties and powers of building official - Right of entry. Section 104.6 of the International Building Code is not adopted and the following is substituted:

Right of entry (IBC 104.6). The right of entry shall be in accordance with the procedures specified in K.C.C. Title 23. (Ord. 14914 § 18, 2004: Ord. 14111 § 7, 2001: Ord. 12560 § 7, 1996. Formerly K.C.C. 16.04.05002).

16.02.220 Duties and powers of building official – Alternative materials designs and methods of construction and equipment. Section 104.11 of the International Building Code is not adopted and the following is substituted:

Alternative materials designs and methods of construction and equipment. (IBC 104.11). The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided that any such alternative has been approved. An alternative material, design or method of construction shall be approved where the building official finds that the proposed design is satisfactory and complies with 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. Compliance with the specific performance-based provisions of the International Codes in lieu of specific requirements of this code shall also be permitted as an alternate. (Ord. 14914 § 19, 2004).

16.02.230 Annual permit and annual permit records. Sections 105.1.1 and 105.1.2 of the International Building Code are not adopted. (Ord. 14914 § 20, 2004).

16.02.240 Permits - Work exempt from permit. Section 105.2 of the International Building Code is not adopted and the following is substituted:

Work exempt from permit (IBC 105.2). A building permit shall not be required for the following:

Building:

1. One-story detached one and two family residential accessory buildings used as tool and storage sheds, playhouses, tree supported structures used for play and similar uses, not including garages or other buildings used for vehicular storage, provided the floor area does not exceed 200 square feet (11.15 m2) provided that the roof overhang does not exceed twenty-four inches measured horizontally from the exterior wall.
2. Fences not over 6 feet (1.829 m) high.
3. Oil derricks.

4. Retaining walls which are not over 4 feet (1.219 m) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or III-A liquids.

5. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons (18,927 l) and the ratio of height to diameter or width does not exceed 2 to 1.

6. Platforms, sidewalks and driveways not more than 30 inches (.762 m) above grade and not over any basement or story below and which are not part of an accessible route.

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

8. Temporary motion picture, television and theater stage sets and scenery.

9. Prefabricated swimming pools accessory to a Group R, Division 3 Occupancy as applicable in Section 101.2, which are less than 24 inches (610 mm) deep, do not exceed 5,000 gallons (18,925 l) and are installed entirely above ground.

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

11. Swings and other playground equipment.

12. Window awnings supported by an exterior wall which do not project more than 54 inches (1,372 mm) from the exterior wall and do not require additional support of Group R3, as applicable in Section 101.2, and Group U Occupancies.

13. Moveable cases, counters and partitions not over 5 feet 9 inches (228.6 m) high.

14. Re-roofing of existing buildings.

EXCEPTION: When replacement roofing adds more than 5 pounds per square foot cumulative dead load to the weight of the original roofing a permit shall be required.

15. Submerged, freestanding mechanical boat lifts associated with single-family residential piers and recreational watercraft not exceeding 25 feet in length or 15 feet in width with no portion exceeding a height of 10 feet above the ordinary high water mark as defined in K.C.C. 25.08.350.

16. Work located primarily in a public way, public utility towers and poles.

17. Mechanical equipment not specifically regulated in this code.

18. Hydraulic flood control structures.

19. Antenna and dishes that fall under FCC Antenna Rule 47 C.F.R including masts under twelve feet above the roof line and dishes up to one meter in diameter.

Gas:

1. Portable heating appliance.

2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.

Mechanical:

1. Portable heating appliance.

2. Portable ventilation appliances and equipment.

3. Portable cooling unit.

4. Steam, hot or chilled water piping within any heating or cooling equipment regulated by this code.

5. Replacement of any part which does not alter its approval or make it unsafe.

6. Portable evaporative cooler.

7. Self-contained refrigeration system containing 10 pounds (4.54 kg) or less of refrigerant and actuated by motors of one horsepower (746 W) or less.

8. Portable fuel cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.

Unless otherwise exempted, separate plumbing, electrical and mechanical permits will be required for the above-exempted items.

Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. (Ord. 15802 § 7, 2007: Ord. 14914 § 22, 2004: Ord. 14111 § 10, 2001: Ord. 12560 § 10, 1996. Formerly K.C.C. 16.04.05005).

16.02.250 Work exempt from permit - Public service agencies. Section 105.2.3 of the International Building Code is not adopted. (Ord. 14914 § 23, 2004).

16.02.260 Permits - Application for permit - Complete applications. Section 105.3 of the International Building Code is not adopted and the following is substituted:

Application for permit - Complete applications (IBC 105.3).

A. For the purposes of determining the application of time periods and procedures adopted by K.C.C. Title 20, applications for permits authorized by K.C.C. chapter 16.04 shall be considered complete as of the date of submittal upon determination by the department that the materials submitted contain the following, in addition to the complete application requirements of K.C.C. 20.20.040. Every application shall:

1. Identify and describe the work to be covered by the permit for which application is made.
2. Indicate the use or occupancy of which the proposed work is intended.
3. Be accompanied by plans, diagrams, computations and specifications and other data as required in IBC Section 106.1.
4. State the valuation of any new building or structure or any addition, remodeling or alteration to an existing building.
5. Give such other data and information as may be required by the building official.
6. Identify the site plan of all easements, deed restrictions, or other encumbrances restricting the use of the property. (Ord. 14914 § 25, 2004: Ord. 14111 § 12, 2001:Ord. 12560 § 11 (part), 1996: Ord. 12196 § 4, 1996: Ord. 11622 § 3, 1994. Formerly K.C.C. 16.04.05006; 16.04.052).

16.02.270 Permits - Application for permit - Application for basics permit or approval. Section 105.3 of the International Building Code is supplemented with the following:

Application for basics permit or approval (IBC 105.3.3). Application requirements for basics permit or approval shall be as specified in King County Administrative Public Rule. (Ord. 14914 § 27, 2004: Ord. 14111 § 24, 2001: Ord. 12560 § 23, 1996. Formerly K.C.C. 16.04.05018).

16.02.280 Application for permit - Time limitation of application - Expiration of application. Section 105.3.2 of the International Building Code is not adopted and the following is substituted:

Expiration of application (IBC 105.3.2). Plans for which no permit is issued shall be deemed canceled by the permittee if:

1. The applicant has not taken action or responded;
   1.1. within 60 days after notice of additional information required is mailed to the applicant, or
   1.2. by the deadline specified by the building official for additional information; or
2. No permit is issued;
   2.1. within 60 days after the applicant has been notified that the permit is ready, or
   2.2. by a time specified by the building official. (Ord. 14914 § 29, 2004: Ord. 14111 § 18, 2001: Ord. 12560 § 17, 1996. Formerly K.C.C. 16.04.05012).

16.02.290 Permits - Expiration. Section 105.5 of the International Building Code is not adopted and the following is substituted:

Expiration (IBC 105.5). Every permit issued by the building official under the provisions of the Code shall expire by limitation and become null and void one year from date of issue. Issued permits may be extended for one year periods subject to the following conditions:

1. An application for a permit extension together with the applicable fee is submitted to the department of development and environmental services at least seven (7), but no more than sixty (60), calendar days prior to the date the original permit becomes null and void. Once the permit extension application is submitted, work may continue past the expiration date of the original permit, provided that the extension application is not denied. If the extension application is denied, all work must stop until a valid permit is obtained.

2. If construction of a building or structure has not substantially commenced, as determined by the building official, within two years from the date of the first issued permit and the building and the structure is no longer authorized by the zoning code or other applicable law, then the permit shall not be extended.

3. An applicant may request a total of two permit extensions provided there are no substantial changes in the approved plans and specifications.

4. The building official may extend a building permit beyond the second extension only to allow completion of a building, structure or mechanical system authorized by the original permit and substantially constructed. If substantial work, as determined by the building official, has not commenced on a building and/or structure authorized in the original permit, then a new permit will be required for construction to proceed.

Exception: Until December 31, 2012, the building official may grant a third or fourth extension for building permits where substantial work has not commenced, if:

1. The applicant makes a written request to the building official for an extension of the building permit;
2. The applicant pays applicable permit extension fees; and
3. There are no substantial changes in the approved plans or specifications.

5. The staff of the department of development and environmental services may revise a permit at the permittee's request but such a revision does not constitute a renewal or otherwise extend the life of the permit. (Ord. 16934 § 2, 2010: Ord. 16515 § 1, 2009: Ord. 15802 § 8, 2007: Ord. 14914 § 31, 2004: Ord. 14111 § 19, 2001: Ord. 12560 § 18, 1996. Formerly K.C.C. 16.04.05013).

16.02.300 Permits - Suspension or revocation. Section 105.6 of the International Building Code is not adopted and the following is substituted:

Suspension or revocation (IBC 105.6). The building official is authorized to suspend, revoke or modify the permit approval for a permit issued under the provisions of this code wherever the permit is issued in error or on the basis of incorrect, inaccurate or incomplete information, or in violation of any ordinance or regulation or any of the provisions of this code. (Ord. 14914 § 32, 2004).

16.02.310 Permits - Return of plans. Section 105 of the International Building Code is supplemented with following:

Return of plans (IBC 105.8). Any plans returned pursuant to Section 105 shall be returned to the applicant. Plans returned for the purpose of making correction may be returned to a consultant named by the applicant. (Ord. 14914 § 34, 2004: Ord. 14111 § 16, 2001: Ord. 12560 § 15, 1996. Formerly K.C.C. 16.04.05010).

16.02.315 Construction documents - Submittal documents. Section 106.1 of the International Building Code is not adopted and the following is substituted:

Submittal documents (IBC 106.1) Construction documents, statement of special inspections or structural observation programs and other data shall be submitted in one or more sets with each permit application. 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. Where special conditions exist, the building official is authorized to require additional construction documents to be prepared by a registered design professional. (Ord. 15802 § 9, 2007).

16.02.320 Construction documents - Information on construction documents. Section 106.1.1 of the International Building Code is not adopted and the following is substituted:

Information on construction documents (IBC 106.1.1). Plans and specifications shall be drawn to scale upon substantial paper and shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and all relevant laws, ordinances, rules and regulations. Electronic media documents are permitted to be submitted when approved by the building official. Schedule and detail books shall not be used as a substitute for full size plans. Information in Sections 106.1.1, 106.1.2 and 106.3 shall be provided as deemed necessary by the building official.

Plans for buildings more than two stories in height of other than Group R, Division 3 and Group U Occupancies or structures built under the International Residential Code shall indicate how required structural and fire-resistive integrity will be maintained where penetrations will be made for electrical, mechanical, plumbing and communications conduits, pipes and similar systems. (Ord. 15802 § 10, 2007: Ord. 14914 § 36, 2004: Ord. 14111 § 13, 2001: Ord. 12560 § 12, 1996. Formerly K.C.C. 16.04.05007).

16.02.330 Construction documents – Submittal documents – Manufacturer's installation instructions. Section 106.1 of the International Building Code is supplemented with the following:

Manufacturer's installation instructions (IBC 106.1.4). Manufacturer's installation instructions, as required by this code, shall be available on the job site at the time of inspection. (Ord. 14914 § 37, 2004).

16.02.340 Phased approval - Pre-issuance construction authorization (PICA) - Permission to proceed. Section 106.3.3 of the International Building Code is not adopted and the following is substituted:

Pre-issuance construction authorization (PICA) - Permission to proceed (IBC 106.3.3). If the applicant for a permit or approval required by this code desires to commence work before obtaining the required permit or approval, the building official, may allow the applicant to proceed if:

1. The building official determines that the work would not endanger or harm the property; and if
2. The building official determines that allowing the work to proceed would not violate the requirements of the state environmental policy act; and if
3. The applicant first deposits cash or its equivalent with the building official, or in an irrevocable escrow approved by the building official, in an amount determined by the building official to be sufficient to restore the building and site, and to perform the corrective work described below. (Ord. 14914 § 40, 2004: Ord. 14111 § 21, 2001: Ord. 12560 § 20, 1996. Formerly K.C.C. 16.04.05015).

16.02.350 Pre-issuance construction authorization (PICA) - Removal of work not permitted and restoration. Section 106.3.3 of the International Building Code is supplemented with the following:

Pre-issuance construction authorization (PICA) - Removal of work not permitted and restoration (IBC 106.3.3.1). An applicant who commences work pursuant to Section 106.3.3.1 must, within the time specified by the building official, remove all work which does not receive the required permit or approval or which does not comply with the terms of a permit or approval which is obtained. The applicant must also restore the building and site to a condition satisfactory to the building official and perform whatever additional correction work is deemed necessary by the building official. (Ord. 14914 § 42, 2004: Ord. 14111 § 22, 2001: Ord. 12560 § 21, 1996. Formerly K.C.C. 16.04.05016).

16.02.360 Pre-issuance construction authorization (PICA) - Enforcement. Section 106.3.3 of the International Building Code is supplemented with the following:

Pre-issuance construction authorization (PICA) - Enforcement (IBC 106.3.3.2). If an applicant fails to comply with the requirements of Section 106.3.3.1, the building official may employ the code enforcement procedures set forth in K.C.C. Title 23 and may, in addition, obtain the funds on deposit and apply them towards removal of the unpermitted work, restoration of the building and site, and performance of whatever additional corrective work is deemed necessary by the building official. In the event the applicant obtains the necessary permits or approvals or performs the corrective work to the satisfaction of the building official, the funds or deposit shall be released to the applicant. (Ord. 14914 § 44, 2004: Ord. 14111 § 23, 2001: Ord. 12560 § 22, 1996. Formerly K.C.C. 16.04.05017).

16.02.370 Design professional in responsible charge - General. Section 106.3.4.1 of the International Building Code is not adopted and the following is substituted:

General (IBC 106.3.4.1). When it is required that documents be prepared by an architect or engineer, the building official may require the owner to engage and designate on the building permit application an architect or engineer who shall act as the architect or engineer of record. If the circumstances require, the owner may designate a substitute architect or engineer of record who shall perform all of the duties required of the original architect or engineer of record. The building official shall be notified in writing by the owner if the architect or engineer of record is changed or is unable to continue to perform the duties.

The architect or engineer of record shall be responsible for reviewing and coordinating all submittal documents prepared by others, including deferred submittal items, for compatibility with the design of the building.

When an engineer or architect is required by King County for the structural design of a commercial or multi-family residence building, the department will not review and approve a project which has multiple engineers or architects (or engineering firms) unless the owner employs an engineer or architect responsible for the overall structural design. This engineer or architect responsible for the overall structural design shall write a letter to the department documenting that he/she is the engineer or architect of record designated by the project owner to be responsible for the overall structural design, and that he/she has reviewed the entire structural design to ensure compliance with the International Building Code. (Ord. 14914 § 46, 2004: Ord. 14111 § 14, 2001: Ord. 12560 § 13, 1996. Formerly K.C.C. 16.04.05008).

16.02.380 Design professional in responsible charge - Inspection and observation program. Section 106.3.4 of the International Building Code is supplemented with the following:

Inspection and observation program (IBC 106.3.4.3). When special inspection is required by Section 1704, the architect or engineer of record shall prepare an inspection program which shall be submitted to the building official for approval. The inspection program shall designate the portions of the work that require special inspection and the name or names of the individuals or firms who are to perform the special inspections, and indicate the duties of the special inspectors. The special inspector shall be employed by the owner, the engineer or architect of record, or an agent of the owner, but not the contractor or any other person responsible for the work.

When structural observation is required by Section 1709, the inspection program shall name the individuals or firms who are to perform structural observation and describe the stages of construction at which structural observation is to occur.

The inspection program shall include samples of inspection reports and provide time limits for submission of reports. (Ord. 14914 § 48, 2004: Ord. 14111 § 15, 2001: Ord. 12560 § 14, 1996. Formerly K.C.C. 16.04.05009).

16.02.390 Temporary power. Section 107.3 of the International Building Code is not adopted. (Ord. 14914 § 50, 2004).

16.02.400 Fees. Section 108 and all subsections thereto of the International Building Code are not adopted and the following is substituted:

Fees (IBC 108). Fees shall be assessed according to K.C.C. Title 27. For the purposes of K.C.C. Title 27 the nationally recognized standard shall be Rate Table 1-A as published by ICBO in the 1997 Uniform Building Code and is reprinted here:

TOTAL VALUATION	FEE
$1.00 to $500.00	$23.50
$501.00 to $2,000.00	$23.50 for the first $500.00 plus $3.05 for each additional $100.00, or fraction thereof, to and including $2,000.00
$2,001.00 to $25,000.00	$69.25 for the first $2,000.00 plus $14.00 for each additional $1,000.00, or fraction thereof, to and including $25,000.00
$25,001.00 to $50,000.00	$391.75 for the first $25,000.00 plus $10.10 for each additional $1,000.00, or fraction thereof, to and including $50,000.00
$50,001.00 to $100,000.00	$643.75 for the first $50,000.00 plus $7.00 for each additional $1,000.00, or fraction thereof, to and including $100,000.00
$100,001.00 to $500,000.00	$993.75 for the first $100,000.00 plus $5.60 for each additional $1,000.00, or fraction thereof, to and including $500,000.00
$500,001.00 to $1,000,000.00	$3,233.75 for the first $500,000.00 plus $4.75 for each additional $1,000.00, or fraction thereof, to and including $1,000,000.00
$1,000,001.00 and up	$5,608.75 for the first $1,000,000.00 plus $3.65 for each additional $1,000.00, or fraction

(Ord. 15802 § 11, 2007: Ord. 14914 § 52, 2004: Ord. 14111 § 26, 2001: Ord. 12560 § 25, 1996. Formerly K.C.C. 16.04.05020).

16.02.410 Inspections - General - Inspection record card. Section 109.1 of the International Building Code is supplemented with the following:

Inspection record card (IBC 109.1.1). Work requiring a permit shall not be commenced until the permit holder or an agent of the permit holder shall have posted or otherwise made available an inspection record card in a conspicuous place on the premises and in a position such as to allow the building official to conveniently make the required entries thereon regarding inspection of the work. This card shall be maintained available in such a position by the permit holder until the Certificate of Occupancy has been issued. For R-3 and U occupancies and structures built under the International Residential Code for One- and Two-Family Dwellings, this card shall serve as the certificate of occupancy. If more than two units are located on the same lot, the Certificate of Occupancy shall be used. The validated hard copy of the building permit application given to the applicant at the time of the permit issuance shall serve as the inspection record card. This validated hard copy of the building permit application shall hereafter be referred to as the building permit. (Ord. 14914 § 54, 2004: Ord. 14111 § 27, 2001: Ord. 12560 § 26, 1996. Formerly K.C.C. 16.04.05021).

16.02.420 Required inspections – Lowest floor elevation. Section 109.3.3 of the International Building Code is not adopted and the following is substituted:

Lowest floor elevation (IBC 109.3.3). In flood hazard areas, upon placement of the lowest floor, including the basement, and prior to further vertical construction, the elevation certification required in section 1612.5 and in K.C.C. chapter 21A.24 shall be submitted to the building official. (Ord. 14914 § 55, 2004).

16.02.430 Required inspections – Frame inspection. Section 109.3.4 of the International Building Code is not adopted and the following is substituted:

Frame inspection (IBC 109.3.4). Framing inspections including all gravity and lateral load frame resisting systems shall be made after the roof deck or sheathing, all framing, fireblocking and bracing are in place and pipes, chimneys and vents to be concealed are complete and the rough electrical, plumbing, heating wires, pipes and ducts are approved. (Ord. 14914 § 56, 2004).

16.02.440 Required inspections – Energy efficiency inspections. Section 109.3.7 of the International Building Code is not adopted and the following is substituted:

Energy efficiency inspections (IBC 109.3.7). Energy efficiency inspections shall be in accordance with the Washington State Energy Code, chapter 51-11 WAC. (Ord. 14914 § 57, 2004).

16.02.450 Inspection requests - Reinspections. Section 109.5 of the International Building Code is supplemented with the following:

Reinspections (IBC 109.5.1). A reinspection fee may be assessed for each inspection or reinspection when such portion of work for which inspection is called is not complete or when corrections called for are not made.

This subsection is not to be interpreted as requiring reinspection fees the first time a job is rejected for failure to comply with the requirements of this code, but as controlling the practice of calling for inspections before the job is ready for such inspection or reinspection.

Reinspection fees may be assessed when the inspection record card is not posted or otherwise available on the work site, the approved plans are not readily available to the inspector, for failure to provide access on the date for which inspection is requested, or for deviating from plans requiring the approval of the building official.

To obtain a reinspection, the applicant must request a reinspection and pay the reinspection fee as set forth in the fee schedule adopted by K.C.C. Title 27.

In instances where reinspection fees have been assessed, no additional inspection of the work will be performed until the required fees have been paid. (Ord. 14914 § 59, 2004: Ord. 14111 § 30, 2001: Ord. 12560 § 28, 1996. Formerly K.C.C. 16.04.05024).

16.02.460 Certificate of occupancy - Use and occupancy. Section 110.1 of the International Building Code is not adopted and the following is substituted:

Use and occupancy (IBC 110.1). 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 issued a certificate of occupancy or a temporary certificate of occupancy therefore as provided herein.

Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Certificates presuming to give authority to violate or cancel the provisions of this code or other ordinances of the jurisdiction shall not be valid. (Ord. 14914 § 61, 2004: Ord. 14111 § 31, 2001: Ord. 12560 § 29, 1996. Formerly K.C.C. 16.04.05025).

16.02.470 Certificate of occupancy - Certificates issued. Section 110.2 of the International Building Code is not adopted and the following is substituted:

Certificates issued (UBC 110.2). The building official may issue either a certificate of occupancy or a certificate of shell completion. (Ord. 14914 § 63, 2004: Ord. 14111 § 32, 2001: Ord. 12560 § 30, 1996. Formerly K.C.C. 16.04.05026).

16.02.480 Certificate issued - Certificate of occupancy. Section 110.2 of the International Building Code supplemented with the following:

Certificate of occupancy (IBC 110.2.1). After final inspection, if no violations of this code or of related land use and public health ordinances, rules and regulations have been discovered, or if such violations have been discovered and corrected, the building official shall issue a certificate of occupancy which shall contain the following:

1. The building permit number.
2. The address of the building.
3. The name and address of the owner.
4. A description of that portion of the building for which the certificate is issued.
5. The name of the building official.
6. A statement that the building may be occupied.
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 stipulation and conditions of the building permit.
13. An explanation that the responsibility for the building's compliance with the provisions of the applicable King County codes and for maintenance of the building rests exclusively with the permit applicants and their agents and the building's owners. (Ord. 14914 § 65, 2004: Ord. 14111 § 33, 2001: Ord. 12560 § 31, 1996. Formerly K.C.C. 16.04.05027).

16.02.490 Certificate issued - Certificate of shell completion. Section 110.2 of the International Building Code is supplemented with the following:

Certificate issued - Certificate of shell completion (IBC 110.2.2). After final inspection of a building or structure for which the permit was issued for only the building shell, if no violations of this code or of related land use and public health ordinances, rules and regulations have been discovered, or if such violations have been discovered and have been corrected, the building official shall issue a certificate of shell completion which shall contain the following:

1. The building permit number.
2. The address of the building.
3. The name and address of the owner.
4. A description of the building or that portion of the building for which the certificate is issued.
5. The name of the building official.
6. A statement that no portion of the building shall be occupied until tenant improvement permits are obtained and occupancy is approved.
7. The edition of the code under which the permit was issued.
8. The type of construction as defined in chapter 6.
9. If an automatic sprinkler system is provided, whether the sprinkler system is required.
10. Any special stipulation and conditions of the building permit.
11. An explanation that the responsibility for the building's compliance with the provisions of the applicable King County codes and for maintenance of the building rests exclusively with the permit applicants and their agents and the building's owners. (Ord. 14914 § 67, 2004: Ord. 14111 § 34, 2001: Ord. 12560 § 32, 1996. Formerly K.C.C. 16.04.05028).

16.02.500 Certificate of occupancy - Temporary occupancy - Temporary certificates issued. Section 110.3 of the International Building Code is not adopted and the following is substituted:

Temporary certificates issued (IBC 110.3).

The building official may issue a temporary certificate of occupancy or a temporary certificate of shell completion. (Ord. 14914 § 69, 2004: Ord. 14111 § 35, 2001: Ord. 12560 § 33, 1996. Formerly K.C.C. 16.04.05029).

16.02.510 Temporary certificate issued - Temporary certificate of occupancy. Section 110.3 of the International Building Code is supplemented with the following:

Temporary certificate of occupancy (110.3.1). The building official may issue a temporary certificate of occupancy authorizing occupancy of all or part of an unfinished building or structure or a temporary structure if:

1. The building official determines that construction is substantially completed in the area to be occupied and that essential health, safety and environmental items have been adequately constructed or installed in compliance with the codes;

2. The temporary certificate of occupancy shall contain the same information as a certificate of occupancy along with a list of requirements that remain to be completed, special conditions of temporary occupancy, and dates of temporary occupancy approval and expiration. The temporary certificate of occupancy shall be valid only so long as determined by the building official, and only so long as the occupants of the building or structure strictly abide by the conditions and limitations specified in the temporary certificate of occupancy, and only so long as applicable permits are validly maintained or renewed. (Ord. 15802 § 12, 2007: Ord. 14914 § 71, 2004: Ord. 14111 § 36, 2001: Ord. 12560 § 34, 1996. Formerly K.C.C. 16.04.05030).

16.02.520 Temporary certificate issued - Temporary certificate of shell completion. Section 110.3. of the International Building Code supplemented with the following:

Temporary certificate of shell completion (IBC 110.3.2). The building official may issue a temporary certificate of shell completion authorizing occupancy for all or part of an unfinished building or structure or a temporary structure if:

1. The building official determines that construction is substantially completed and that essential health, safety and environmental items have been adequately constructed or installed in compliance with the codes;

2. The temporary certificate of shell completion shall contain the same information as the certificate of shell completion along with a list of requirements that remain to be completed, special conditions of temporary shell approval, and the dates of temporary shell approval and expiration. The temporary certificate of shell completion shall be valid only so long as those responsible for the building and structure strictly abide by the conditions and limitations specified in the temporary certificate of shell completion, and only so long as applicable permits are validly maintained or renewed. (Ord. 15802 § 13, 2007: Ord. 14914 § 73, 2004: Ord. 14111 § 37, 2001: Ord. 12560 § 35, 1996. Formerly K.C.C. 16.04.05031).

16.02.530 Certificate of occupancy - Revocation. Section 110.4 of the International Building Code is not adopted and the following is substituted:

Revocation (IBC 110.4). The building official may, in writing, suspend or revoke a certificate of occupancy and/or a certificate of shell completion issued under the provisions of this code whenever the certificate is issued in error, or on the basis of incorrect information supplied, or when 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. (Ord. 14914 § 75, 2004: Ord. 14111 § 39, 2001: Ord. 12560 § 37, 1996. Formerly K.C.C. 16.04.05033).

16.02.540 Certificate of occupancy - Posting. Section 110 of the International Building Code is supplemented with the following:

Posting (IBC 110.5). The certificate of occupancy and/or the certificate of shell completion shall be posted in a conspicuous place on the premises and shall not be removed except by the building official. (Ord. 14914 § 77, 2004: Ord. 14111 § 38, 2001: Ord. 12560 § 36, 1996. Formerly K.C.C. 16.04.05032).

16.02.550 Service Utilities. Sections 111.1 and 111.2 of the International Building Code are not adopted. (Ord. 14914 § 78, 2004).

16.02.560 Board of appeals - General. Section 112.1 of the International Building Code is not adopted and the following is substituted:

General (IBC 112.1). In order to hear and discuss appeals of decisions or determinations made by the building official on this code as it applies to alternative materials and methods of construction, there shall be and is hereby created a building code board of appeals. The board shall consist of nine members who are qualified by experience and training to pass upon matters pertaining to building construction. The building official shall be an ex-officio member and he/she, or a designated appointee, shall act as secretary of the board. The board of appeals members shall be appointed by the county executive, confirmed by the county council, and shall serve four-year terms or until their successor is appointed and confirmed. The board shall adopt reasonable rules of procedure for conducting its business, and shall render all decisions and findings in writing to the appellant with a duplicate copy to the building official, which shall be advisory unless otherwise specified in this code. The board may also recommend to the council new legislation regarding the subject matter of this code. (Ord. 15802 § 14, 2007: Ord. 14914 § 80, 2004: Ord. 14111 § 9, 2001: Ord. 12560 § 9, 1996. Formerly K.C.C. 16.04.05004).

16.02.570 Board of appeals - Qualifications. Section 112.3 of the International Building Code is not adopted. (Ord. 14914 § 81, 2004).

16.02.580 Violations – Notice of violation. Section 113.2 of the International Building Code is not adopted and the following is substituted:

Notice of violation (IBC 113.2). The building official is authorized to serve a notice of violation or order on the person responsible for the erection, construction, alteration, extension, repair, moving, equipping, removal, demolition or occupancy of a building, structure or equipment or maintaining mechanical systems or equipment in violation of the provisions of the code, or in violation of a permit or certificate issued under the provisions of this code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation in accordance with K.C.C. Title 23. (Ord. 15802 § 15, 2007: Ord. 14914 § 82, 2004).

16.02.590 Stop work order. Section 114 and all subsections thereto of the International Building Code is not adopted and the following is substituted:

Stop orders and correction notice (IBC 114.1). Whenever any work is being done contrary to the provisions of this code, the building official may order the work stopped in accordance with K.C.C. Title 23 by notice in writing served on any persons engaged in the doing or causing such work to be done, or by posting such notice in a conspicuous place on the premises where the violation is occurring, and any such persons shall forthwith stop such work until authorized by the building official to proceed with the work.

Whenever any work is being done contrary to the provisions of this code, the building official may order the violations corrected without ordering all work stopped by issuing a correction notice which identifies the violation. The correction notice may require reinspection prior to further construction or at the time of the next required inspection. The correction notice shall be served or posted in the same manner as a stop work order.

These remedies are in addition to those authorized elsewhere in the code. (Ord. 14914 § 84, 2004: Ord. 14111 § 8, 2001: Ord. 12560 § 8, 1996: Formerly K.C.C. 16.04.05003).

16.02.600 Unsafe structures and equipment. Section 115 of the International Building Code is not adopted. (Ord. 14914 § 85, 2004).

16.02.610 Liability. The express intent of the King County council is that responsibility for complete and accurate preparation of permit applications, plans and specifications, and for compliance with the provisions of the codes
adopted by this chapter shall rest exclusively with permit applicants and their agents.

This chapter and the codes adopted herein are intended to protect the health, safety and welfare of the general public and are not intended to protect any particular class of individuals or organizations.

This chapter and the codes adopted by reference herein shall not be construed as placing responsibility for code compliance or enforcement upon King County or any officer, employee or agent of King County. Permit application reviews and inspections conducted pursuant to these codes are spot checks designed to foster and encourage compliance but are not guarantees or assurances that permits or work undertaken pursuant to permits complies with all applicable codes.

The King County council expressly recognizes that there are limited public funds available for implementation and enforcement of the codes adopted by this chapter. The King County council also recognizes that permit and inspection fees must be established at levels which balance the need for enforcement of codes adopted by this chapter against the economic impact of increases in permit and inspection fees. Consequently, the fees for permits and services authorized in these codes are those which, in the judgment of the King County council, best protect the overall health, safety and welfare interests of the public. (Ord. 6328 § 6, 1983. Formerly K.C.C. 16.04.110).

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16.03
DEFINITIONS

Sections:

16.03.010 Scope of chapter.
16.03.020 International Building Code Definitions Not Adopted.
16.03.030 International Property Maintenance Code Definition Not Adopted.
16.03.040 Term amendments.
16.03.050 Abate.
16.03.060 Condominium.
16.03.070 Condominium unit.
16.03.080 Conversion condominium.
16.03.090 Declarant.
16.03.100 Damage ratio.
16.03.110 Declared an emergency.
16.03.120 Department.
16.03.130 Director.
16.03.140 Disaster.
16.03.150 Engineering evaluation.
16.03.160 Health officer.
16.03.170 Historic structure.
16.03.180 Immediately hazardous and dangerous structure.
16.03.190 Nonstructural damage.
16.03.200 Nuisance.
16.03.210 Owners association.
16.03.220 Person.
16.03.230 Public offer statement.
16.03.240 Rapid abatement plan.
16.03.250 Structural damage.
16.03.260 Tenant.

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16.03.010 Scope of chapter. This chapter contains definitions of technical and procedural terms that are used throughout the title. The definitions in this chapter supplement the definitions contained in the International codes adopted in this title. The definitions in this chapter do not apply to K.C.C. chapter 16.82. (Ord. 14914 § 89, 2004).

16.03.020 International Building Code Definitions Not Adopted. The following definitions in section 202 of the International Building Code are not adopted:

A. Base flood;
B. Design flood;
C. Dry floodproofing;
D. Existing construction;
E. Flood hazard area;
F. Flood hazard area subject to high velocity wave action;
G. Flood insurance rate map (FIRM);
H. Flood insurance study;
I. Floodway;
J. Nonbuilding structure,
K. Start of construction; and
L. Substantial improvement.

(Ord. 14914 § 90, 2004).

16.03.030 International Property Maintenance Code Definitions Not Adopted. Section 201.3 of the International Property Maintenance Code is not adopted. (Ord. 14914 § 92, 2004: Ord. 14111 § 135, 2001. Formerly K.C.C. 16.16.070).

16.03.040 Term amendments. Whenever the following words appear in the code, they are to be changed as follows:

A. Building official or code official to director, department of development and environmental services;
B. Name of jurisdiction to unincorporated King County;
C. The department of building and safety to King County department of development and environmental services;
D. Design flood elevation to base flood elevation;
E. Mobile home to manufactured home. (Ord. 15802 § 16, 2007: Ord. 14914 § 94, 2004: Ord. 12560 § 2, 1996: Ord. 3647 § 3, 1978. Formerly K.C.C. 16.04.020).

16.03.050 Abate. Abate: to take whatever steps are deemed necessary by the building official to return a property to the condition which is neither dangerous nor a nuisance, or to ensure that the property complies with the applicable requirements of this code. Abatement may include, but is not limited to, repair, rehabilitation, removal, or demolition. (Ord. 14914 § 96, 2004: 14238 § 16, 2001: Ord. 14111 § 160, 2001: Ord. 12560 § 132, 1996. Formerly K.C.C. 16.20.080; 16.04.050129).

16.03.060 Condominium. Condominium: real property, including but not limited to residential buildings and mobile home parks, portions of which are designated for separate ownership and the remainder of which is designated for common ownership solely by the owners of those portions. Real property is not a condominium unless the undivided interests in the common elements are vested in the condominium unit owners and unless a declaration and a survey map and plans have been recorded pursuant to the Horizontal Property Regimes Act, chapter 64.34 RCW, chapter 64.32 RCW or the Condominium Act, chapter 64.34 RCW. (Ord. 14914 § 98, 2004: Ord. 11923 § 1, 1995. Formerly K.C.C. 16.04.030).

16.03.070 Condominium unit. Condominium unit: a physical portion of the condominium designated for separate ownership, the boundaries of which are described in accordance with RCW 64.34.216(1)(D). (Ord. 14914 § 99, 2004).

16.03.080 Conversion condominium. Conversion condominium:

A. A condominium that:

1. At any time before its creation, was lawfully occupied, wholly or partially, by a residential tenant pursuant to a rental agreement, oral or written, express or implied; or

2. At any time before the conveyance of or acceptance of an agreement to convey any unit therein other than to a declarant or any affiliate of a declarant, was lawfully occupied, wholly or partially, by a residential tenant of a declarant or an affiliate of a declarant, and such tenant was not notified in writing prior to lawfully occupying a unit or executing a rental agreement, whichever is first, that the unit was part of condominium and subject to sale.

B. "Conversion condominium" shall not include a condominium in which, before September 3, 1990, any unit therein had been conveyed or been made subject to an agreement to convey to any transferee other than a declarant or an affiliate of a declarant. (Ord. 14914 § 100, 2004).

16.03.090 Damage ratio. Damage ratio: the ratio of the estimated cost of repairs required to restore the structural members of an immediately hazardous and dangerous structure to their pre-event condition to the estimated replacement cost of the structure. (Ord. 14914 § 102, 2004).

16.03.100 Declarant. Declarant: any person or group of persons acting in concert who executes, as declarant, the document, however denominated, that creates a condominium by setting forth the information required by chapter 64.34 RCW or who reserves or succeeds to any special declarant rights under such a document. (Ord. 14914 § 101, 2004).

16.03.110 Declared an emergency. Declared an emergency: an emergency declared in accordance with K.C.C. chapter 12.52. (Ord. 14914 § 103, 2004).

16.03.120 Department. Department: the King County department of development and environmental services or successor agency. (Ord. 14914 § 104, 2004).

16.03.130 Director. Director: the director of the department of development and environmental services, or successor agency, or the person designated by the director to act. "Director" includes "building official" and "code official." (Ord. 14914 § 105, 2004).

16.03.140 Disaster. Disaster: an event or set of circumstances of catastrophic nature arising from any cause which reaches such a dimension as to demand immediate action to preserve public health, to protect life and property or to provide relief to any stricken community overtaken by such occurrences or which warrants the declaration of a state of emergency or the execution of emergency management operations plans. (Ord. 14914 § 106, 2004).

16.03.150 Engineering evaluation. Engineering evaluation: an evaluation of structural or nonstructural damage or suspected damage to a structure performed by or under direction of an architect who is licensed in the state of Washington, or a civil or structural engineer licensed in the state of Washington. (Ord. 14914 § 107, 2004).

16.03.160 Health officer. Health officer: the legally designated head of the Seattle-King County department of health. (Ord. 14914 § 108, 2004).

16.03.170 Historic structure. Historic structure: any structure, or collection of structures and their associated sites, deemed of importance to the history, architecture or culture of an area by an appropriate local, state or federal governmental jurisdiction. "Historic structure" includes a King County landmark, King County historic resources inventory property, property listed on the national register of historic places, property listed on the Washington state register of historic places, property determined eligible for listing on the national register, and any other property deemed of historic significance by the King County historic preservation officer. (Ord. 14914 § 109, 2004).

16.03.180 Immediately hazardous and dangerous structure. Immediately hazardous and dangerous structure: a structure that has been determined by the director to constitute an immediate safety hazard because the structure, or some portion of that structure, is determined, to be subject to immediate failure, detachment, dislodgment or collapse and is likely to injure persons, damage property or cause other serious public safety problems. (Ord. 14914 § 110, 2004).

16.03.190 Nonstructural damage. Nonstructural damage: damage that has been determined through an engineering evaluation to have the potential to cause injury or death to the occupants or the public, or to have the potential to prevent occupancy due to restricted access or egress. "Nonstructural damage" includes, but is not limited to, damage to parapets, chimneys, ornamentation, cladding, masonry veneer, glazing, interior partitions, cracks in finishes, damage of equipment, furnishing and mechanical or electrical problems not directly related with fire protection or life safety, but that creates a situation where correction is required for safe operation and occupancy. (Ord. 14914 § 111, 2004).

16.03.200 Nuisance. Nuisance: any of the following acts:

A. Any public nuisance known at common law or in equity jurisprudence;

B. Any attractive nuisance that may prove detrimental to persons whether in a building, on the premises of a building or on an unoccupied lot. This includes any abandoned wells, shafts, basements or excavations; abandoned refrigerators and motor vehicles; any structurally unsound fences or structures; or any lumber, trash, fences, debris or vegetation that may prove a hazard;

C. Whatever is dangerous to human life or is detrimental to health, as determined by the health officer or building official;

D. Overcrowding a room with occupants;

E. Insufficient ventilation or illumination;

F. Inadequate or unsanitary sewage or plumbing facilities;

G. Uncleanliness, as determined by the health officer;

H. Whatever renders air, food or drink unwholesome or detrimental to the health of human beings, as determined by the health officer or building official; or

I. Civil code violations in accordance with K.C.C. Title 23.

(Ord. 14914 § 112, 2004).

16.03.210 Owners association. Owners association: the association of condominium unit owners, organized in accordance with chapter 64.34 RCW, for the purpose of managing a condominium. (Ord. 14914 § 113, 2004).

16.03.220 Person. Person: a natural person, corporation, partnership, limited partnership, trust, governmental subdivision or agency or other legal entity. (Ord. 14914 § 114, 2004).

16.03.230 Public offer statement. Public offer statement: a document offering condominium units for sale and providing descriptions and disclosures relating to the condominium pursuant to chapter 64.34 RCW. (Ord. 14914 § 115, 2004).

16.03.240 Rapid abatement plan. Rapid abatement plan: a plan prepared in accordance with K.C.C. chapter 16.14, for the abatement of an immediately hazardous and dangerous structure damaged by disaster resulting in a declared emergency. (Ord. 14914 § 116, 2004).

16.03.250 Structural damage. Structural damage: damage that has been determined through an engineering evaluation to have significantly decreased the structural integrity or the vertical and lateral load carrying capacity of the structural frame of a structure. Structural damage includes, but is not limited to, damage to roof or floor systems, columns, diaphragms, walls or vertical bracing, moment frames, framing connections, precast connections, base plate damage, weld failures or serious foundations damage. (Ord. 14914 § 117, 2004).

16.03.260 Tenant. Tenant: any person who is entitled to occupy a rental unit primarily for living or dwelling purposes under a rental or lease agreement, written or oral, express or implied. The term "tenant" also includes a subtenant who is in occupancy with the consent of the owner. (Ord. 14914 § 118, 2004).

CHAPTER 16.04
INTERNATIONAL BUILDING CODE

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16.04.200 Use or occupancy - Group LC occupancies defined. Section 313.1 of the International Building Code and WAC 51-50-313 are not adopted and the following is substituted:

Group LC occupancies defined (IBC 313.1). Group LC Occupancies shall include buildings, structures, or portions thereof, used for the business of providing licensed care to clients in one of the following categories regulated by either the Washington State Department of Health or the Department of Social and Health Services:

1. Adult residential rehabilitation facility.
2. Alcoholism intensive inpatient treatment service.
3. Alcoholism detoxification service.
4. Alcoholism long term treatment service.
5. Alcoholism recovery house service.
6. Boarding home.
7. Group care facility.
8. Group care facility for severely and multiple handicapped children.
9. Residential treatment facility for psychiatrically impaired children and youth.

EXCEPTION: Where the care provided is acute care similar to that provided in a hospital, the facility shall be classified as a Group 1-2 Occupancy. (Ord. 14914 § 120, 2004: Ord. 14111 § 44, 2001: Ord. 12560 § 40, 1996. Formerly K.C.C. 16.04.05036).

16.04.210 High-rise buildings - Scope. Section 403.1 of the International Building Code is not adopted and the following is substituted:

Scope (IBC 403.1). This section applies to buildings with an occupied floor more than 65 feet (19.812m) above the lowest level of fire department vehicle access.

EXCEPTIONS: This section does not apply to the following buildings and structures:

1. Airport traffic control towers in accordance with Section 412;
2. Open parking garages in accordance with Section 406.3;
3. Buildings with an occupancy in Group A-5 in accordance with Section 303.1;
4. Low-hazard special industrial occupancies in accordance with Section 503.1.1; and
5. Buildings with an occupancy in Group H-1, H-2 or H-3 in accordance with Section 415. (Ord. 15802 § 17, 2007: Ord. 14914 § 122, 2004: Ord. 14111 § 46, 2001: Ord. 12560 § 41, 1996. Formerly K.C.C. 16.04.05037).

16.04.250 General building heights and areas - Premises identification. Section 501.2 of the International Building Code is not adopted and the following is substituted:

Premises identification (IBC 501.2). Approved numbers or addresses shall be provided for all new buildings in such a position as to be plainly visible and legible from the street or road fronting the property as specified in King County Code 16.08. (Ord. 14914 § 132, 2004: Ord. 14111 § 48, 2001: Ord. 12560 § 43, 1996. Formerly K.C.C. 16.04.05039).

16.04.260 General height and area limitations – General – Portable classrooms – Fire hydrants and access. Section 503.1 of the International Building Code is supplemented with the following:

Portable classrooms – Fire hydrants and access (IBC 503.1.4). The location of portable classrooms on a site with existing buildings shall be approved by the Fire Protection Engineering Section with respect to hydrant locations, access roads and available water for fire fighting purposes. (Ord. 15802 § 18, 2007: Ord. 14914 § 133, 2004).

16.04.270 General height and area limitations - General - Portable classrooms - Location. Section 503.1 of the International Building Code is supplemented with the following:

Portable classrooms - Location (IBC 503.1.5). Portable classrooms located within 60 feet of any permanent buildings shall be located with a minimum clear space of 20 feet from any other portable classrooms and from the permanent buildings.

EXCEPTIONS:

1. Portable classrooms located in close proximity to each other and more than 60 feet from permanent buildings, may be considered as portions of one building with no minimum clearance or protection between them. The aggregate area of a cluster of portable classrooms considered as one building must meet the area limits specified in Section 503.

2. Portable classrooms located more than 20 feet from main buildings with exterior wall protection that is continuous through the crawlspace or skirted area may be located as follows:

2.1. When either of two portables has exterior wall protection rated for not less than one hour, with no openings or openings that comply with the area limits of Section 704.8, the minimum clear space shall be 10 feet from any other portable.

2.2. When both of two portables have exterior wall protection rated for not less than one hour with no openings, the minimum clear space shall be 5 feet from any other portable.

3. Portable classrooms may be placed within 60 feet of any building provided that the buildings comply with area limitations in Section 503 as may be modified by Section 506. Calculations substantiating compliance of existing and proposed buildings with Section 503 as modified by Section 506 will be required as part of the permit application documents. (Ord. 15802 § 19, 2007: Ord. 14914 § 135, 2004: Ord. 14111 § 49, 2001: Ord. 12560 § 44, 1996. Formerly K.C.C. 16.04.05040).

16.04.280 Special provisions - Group S-2 enclosed or open parking garage with Group A, B, M, R or S above. Section 508.2 of the International Building Code is not adopted and the following is substituted:

Group S-2 enclosed or open parking garage with Group A, B, M, R or S above (IBC 509.2). A basement or first story above grade plane of a building shall be considered as a separate and distinct building for the purpose of determining area limitations, continuity of fire walls, limitation of number of stories and type of construction, when all of the following conditions are met:

1. The buildings are separated with a horizontal assembly having a minimum 3-hour fire-resistance rating.

2. The building below the horizontal assembly is no more than one story above grade plane.

3. The building below the horizontal assembly is of Type IA construction.

4. Shaft, stairway, ramp and escalator enclosures through the horizontal assembly shall have not less than a two-hour fire-resistance rating with opening protectives in accordance with Table 715.4.

EXCEPTIONS: Where the enclosure walls below the horizontal assembly have not less than a three-hour fire-resistance rating with opening protectives in accordance with Table 715.4, the enclosure walls extending above the horizontal assembly shall be permitted to have a one-hour fire-resistance rating if:

1. The building above the horizontal assembly is not required to be of Type 1 construction;

2. The enclosure connects less than four stories; and

3. The enclosure opening protectives above the horizontal assembly have a minimum one-hour fire-protection rating.

5. The building above the horizontal assembly shall be permitted to have multiple Group A uses each, with an occupant load of less than 300, or Group B M, R or S uses; and

6. The building below the horizontal assembly is a Group S-2 enclosed or open parking garage, used for the parking and storage of private motor vehicles.

EXCEPTIONS:

1. Entry lobbies, mechanical rooms and similar uses incidental to the operation of the building shall be permitted.

2. Multiple Group A uses, each with an occupant load of less than 300, or Group B or M uses shall be permitted in addition to those uses incidental to the operation of the building (including storage areas), provided that the entire structure below the horizontal assembly is protected throughout by an approved automatic sprinkler system.

7. The maximum building height in feet shall not exceed the limits set forth in Section 503 for the building having the smaller allowable height as measured from grade plane.

8. The building above the horizontal assembly shall be considered at least a four (4) story building when any floor level containing sleeping rooms have emergency escape or rescue windows beyond the reach of a thirty-five (35) foot fire department ladder.

8.1. The emergency escape or rescue window is beyond the reach of the thirty-five (35 feet) ladder, when the window sill height is located more than 31 1/2 feet above the adjoining grade level. Adjoining grade level will be measured from a point at grade, located along a vertical plane perpendicular to and intersecting with the window sill, and ten (10) feet horizontal from the exterior wall of the building. (Ord. 15802 § 20, 2007: Ord. 14914 § 137, 2004: Ord. 14111 § 43, 2001. Formerly K.C.C. 16.04.050357).

16.04.290 Fire-protection systems - General - Scope. Section 901.1 of the International Building Code is not adopted and the following is substituted:

Scope (IBC 901.1). This chapter specifies where fire protection systems are required and applies to the design, installation and operation of fire protection systems.

1. **ADDITIONAL REQUIREMENTS.**

1.1. The Fire Marshal or designee retains the authority under section 903.2.13.1 of the International Fire Code to impose additional conditions, including but not limited to increased setbacks, use of fire retardant materials or standpipes where determined necessary to mitigate identified fire protection impacts.

1.2. This chapter applies to all buildings or structures whose county assessed value has increased by more than 50% within a five year period due to the added value of alterations and repairs. When the first permit application is submitted to alter or repair an existing building, the county assessed value of the building at the time the complete application is submitted shall be considered the base county assessed value for the following five year period.

1.3. Any additions to an existing building or structure shall be considered new construction and subject the entire structure to the provisions of this chapter.

1.4. All condominiums shall have the following wording in the recorded Declaration of Covenants and a copy of the document shall be provided to the fire code official or designee:

1.4.1 In the event that any unit should be equipped with a sprinkler system, nothing shall be hung from the sprinklers comprising a part of the system nor shall any such sprinklers be painted, covered, or otherwise changed, tampered with or altered.

1.4.2. Prior to any alteration, amendment, modification or change thereof, the owners or their agents will submit such alteration, amendment, modification or change to the fire marshal or designee for approval and agrees to comply with all applicable sprinkler requirements. (Ord. 14914 § 139, 2004: Ord. 14111 § 50, 2001: Ord. 12560 § 45, 1996. Formerly K.C.C. 16.04.05041).

16.04.300 Automatic sprinkler systems - General. Section 903.1 of the International Building Code is not adopted and the following is substituted:

General (IBC 903.1). Automatic sprinkler systems shall comply with this section. For provisions for special hazards and hazardous materials, Section 901.4.3 of the International Fire Code applies. (Ord. 14914 § 141, 2004).

16.04.305 Automatic sprinkler systems – Group E. Section 903.2.2 of the International Building Code is not adopted and the following is substituted:

Automatic sprinkler systems – Group E (IBC 903.2.2). An automatic sprinkler system shall be provided for Group E occupancies.

EXCEPTIONS:

1. Portable school classrooms, provided the aggregate area of any cluster or portion of a cluster of portable school classrooms does not exceed 5,000 square feet (1465m^2) and clusters of portable school classrooms shall be separated as required in Chapter 5 of the building code.

2. Group E Occupancies with an occupant load of 50 or less, not including daycare facilities that provide care for more than 12 children 2 1/2years of age or less. (Ord. 15802 § 21, 2007).

16.04.310 Automatic sprinkler systems - All occupancies. Section 903.2.10 of the International Building Code is not adopted and the following is substituted:

All occupancies (IBC 903.2.10). For residential units and their accessory structures built under the International Residential Code, sprinklers shall be installed in accordance with Section 903.2.10.4. For all other occupancies, an automatic sprinkler system shall be installed in locations in accordance with Sections 903.2.10.1 through 903.2.10.1.3. Sprinklers are also required in occupancies requiring 2,000 gallons per minute or more fire flow, or where the total floor area included within the surrounding exterior walls on all floor levels including basements exceeds 10,000 square feet. Fire separation walls, as noted in Section 705.1 of the International Building Code, shall not be considered to separate a building to enable deletion of the required automatic sprinkler system. (Ord. 14914 § 143, 2004: Ord. 14111 § 52, 2001: Ord. 12560 § 47, 1996. Formerly K.C.C. 16.04.05043).

16.04.320 Automatic sprinkler systems - All occupancies - Buildings over 55 feet in height. Section 903.2.10.3 of the International Building Code is not adopted and the following is substituted:

Buildings over 55 feet in height (IBC 903.2.10.3). An automatic sprinkler system shall be installed throughout buildings with a floor used for human occupation that is located 55 feet (16,764 mm) or more above the lowest level of fire department vehicle access.

EXCEPTIONS:

1. Airport control towers.
2. Open parking structures.

(Ord. 14914 § 144, 2004).

16.04.330 Automatic sprinkler systems - All occupancies. Section 903.2.10 of the International Building Code is supplemented with the following:

All occupancies (IBC 903.2.10.4). An automatic sprinkler system shall be installed in residential units and accessory structures built under the International Residential Code under these conditions:

1. Exceeding 2,500 square feet gross floor area (including attached garages) without adequate fire flow except as cited in K.C.C. 17.08.030.

2. Without approved fire department access as defined in the road standards of King County Ordinance 11187.

3. If 2,000 gallons per minute or more fire flow is required, or where the total floor area included within the surrounding exterior walls on all floor levels including basements exceeds 10,000 square feet. For townhouses each unit is considered a separate building.

EXCEPTIONS: Attached decks, exterior porches and carports open on two sides.

4. Where special hazards or unusual conditions exists in addition to the normal hazard of the space due to the design, size, volume or use of the space, the Fire Marshal is authorized to require additional safeguards suitable for the protection of the hazard or condition involved. Additional safeguards can consist of automatic fire alarm system, automatic sprinkler or water spray system, standpipe and hose, fixed or portable fire extinguishers, or other special fire-extinguishing systems. Where such systems are provided, they shall be designed and installed in accordance with the applicable Uniform Fire Code Standards. (Ord. 14914 § 148, 2004: Ord. 14111 § 55, 2001. Formerly K.C.C. 16.04.050453).

16.04.340 Fire alarm and detection systems – General. Section 907.1 of the International Building Code is not adopted and the following is substituted:

General (IBC 907.1). This section applies to the application, installation, performance and maintenance of fire alarm systems and their components in new and existing buildings and structures. Section 907.3 applies to existing buildings and structures.

All occupancies exceeding 3,000 square feet gross floor area are required to provide an approved monitored automatic fire detection system. Fire separation walls as noted in Section 705.1 shall not be considered to separate a building to enable deletion of the required fire detection system.

EXCEPTIONS:

1. Group U occupancies.
2. Residential units and accessory buildings built under the International Residential Code.
3. Heat detectors are not required in occupancies protected throughout by an approved and monitored automatic sprinkler system. (Ord. 14914 § 151, 2004).

16.04.342 Fire alarm and detection systems – Group E. Section 907.2.3 of the International Building Code is not adopted and the following is substituted:

Fire alarm and detection systems – Group E (IFC 907.2.3). A manual fire alarm system shall be installed in Group E occupancies. When automatic sprinkler systems or smoke detectors are installed, such systems or detectors shall be connected to the building fire alarm system.

EXCEPTIONS:

1. Group E occupancies providing infant daycare for children 2 1/2 years or less of age for 12 or fewer and all other Group E occupancies with an occupant load of less than 50.
2. Manual fire alarm boxes are not required in Group E occupancies where all of the following apply:
   - 2.1. Interior corridors are protected by smoke detectors with alarm verification.
   - 2.2. Auditoriums, cafeterias, gymnasiums and the like are protected by heat detectors or other approved detection devices.
   - 2.3. Shops and laboratories involving dusts or vapors are protected by heat detectors or other approved detection devices.
   - 2.4. Off-premises monitoring is provided.
   - 2.5. The capability to activate the evacuation signal from a central point is provided.
   - 2.6. In buildings where normally occupied spaces are provided with a two-way communication system between such spaces and a constantly attended receiving station from where a general evacuation alarm can be sounded, except in locations specifically designated by the fire code official.
3. Manual fire alarm boxes shall not be required in Group E occupancies where the building is equipped throughout with an approved automatic sprinkler system, the notification appliances will activate on sprinkler water flow and manual activation is provided from a normally occupied location. (Ord. 15802 § 23, 2007).

16.04.344 Doors, gates and turnstiles – Doors. Section 1008.1.3 of the International Building Code is not adopted and following is substituted:

Special Doors (IBC1008.1.3) Special doors and security grilles shall comply with the requirements of sections 1008.1.3.1 through 1008.1.3.6. (Ord. 15802 § 23, 2007).

16.04.346 Doors, gates and turnstiles – Doors. Section 1008.1.3 of the International Building Code is supplemented with the following:

Mini-storage facility storage room doors (IBC 1008.1.3.6). The access doors to storage rooms in mini-storage facilities shall meet the provisions of 1008.1.2 and 1008.1.8.

EXCEPTION: If the storage room has less than 300 square feet of floor area, the access doors are not required to meet the provisions of 1008.1.2 and 1008.1.8 under the following circumstances:

1. If the facility has any storage room with 300 square feet or less of floor area, at least one storage room shall comply with 1008.1.2 and 1008.1.8; and
2. For every 10 storage rooms with 300 square feet or less of floor area, the facility has at least one additional storage room with a door that complies with 1008.1.2 and 1008.1.8. (Ord. 15802 § 24, 2007).

16.04.348 Stairways. Section 1009.1 of the International Building Code is supplemented with:

Stairways to mechanical rooms (IBC 1009.12) Platforms and rooms, used only to attend equipment, that are less than 300 square feet in area or have less than 5' headroom are exempted from the requirement of sections 1009.1 to 1009.11. (Ord. 15802 § 25, 2007).

16.04.350 Vertical exit enclosures - smokeproof enclosure. Section 1020.1.7 of the International Building Code is not adopted and following is substituted:

Smokeproof enclosures (IBC 1020.1.7). In buildings required to comply with section 403 or 405, each of the exits of a building that serves stories where the floor surface is located more than 65 feet (19.812 m) above the lowest level of fire department vehicle access or more than 30 feet (9,144 mm) below the level of exit discharge serving such floor levels shall be a smokeproof enclosure or pressurized stairway in accordance with Section 909.20. (Ord. 15802 § 26, 2007: Ord. 14914 § 153, 2004: Ord. 14111 § 58, 2001. Formerly K.C.C. 16.04.050458).

16.04.360 Ventilation - Exceptions. Section 1203.3.2 of the International Building Code is not adopted and the following is substituted:

Exceptions (IBC 1203.3.2). The following are exceptions to section 1203.3 and 1203.3.1:

1. Where warranted by climatic conditions, ventilation openings to the outdoors are not required if ventilation openings to the interior are provided.

2. The total area of ventilation openings is permitted to be reduced to 1/1500 of the under-floor area where the ground surface is treated with an approved vapor retarder material and the required openings are placed so as to provide cross ventilation of the space.

3. Ventilation openings are not required where continuously operated mechanical ventilation is provided at a rate of one cubic foot per minute for each fifty square feet of crawl-space floor area and the ground surface is covered with an approved vapor retarder.

Ventilation openings are not required when the ground surface is covered with an approved vapor retarder, the perimeter walls are insulated and the space is conditioned in accordance with the Washington state Energy Code, chapter 51-11 WAC. (Ord. 14914 § 155, 2004).

16.04.370 Sound transmission – Sea-Tac sound reduction standards. Section 1207 of the International Building Code is supplemented with the following:

Sea-Tac sound reduction standards (IBC 1207.4). All buildings or structures constructed or placed in use for human occupancy on sites in the vicinity of Sea-Tac International Airport which have been included within or enclosed by the Port of Seattle Noise Remedy Program boundaries shall comply with the provisions in supplemental Appendix Z as adopted by King County. (Ord. 15802 § 27, 2007: Ord. 14914 § 156, 2004).

16.04.380 Performance requirements – Flood resistance. Section 1403.5 of the International Building Code is not adopted and the following is substituted:

Performance requirements – Flood resistance (IBC 1403.5). For buildings in flood hazard areas as established in K.C.C. chapter 21A.24, exterior walls extending below the base flood elevation shall comply with K.C.C. chapter 21A.24. (Ord. 15802 § 28, 2007: Ord. 14914 § 157, 2004).

16.04.390 Performance requirements – Flood resistance for high-velocity wave action areas. Section 1403.6 of the International Building Code is not adopted. (Ord. 15802 § 29, 2007: Ord. 14914 § 158, 2004).

16.04.400 Construction documents - Flood load. Section 1603.1.6 of the International Building Code is not adopted. (Ord. 14914 § 159, 2004).

16.04.410 Snow loads. Section 1608 of the International Building Code is not adopted and the following is substituted:

Snow loads (IBC 1608). Snow loads shall be determined in accordance with King County Rule "Structural Loading: Minimum Roof Snow Loads". The minimum roof design snow load shall be 25 pounds per square feet. (15802 § 30, 2007: Ord. 14914 § 161, 2004: Ord. 14111 § 60, 2001: Ord. 12560 § 50, 1996. Formerly K.C.C. 16.04.05046).

16.04.420 Flood loads - Establishment of flood hazard areas. Section 1612.3 of the International Building Code is not adopted. (Ord. 14914 § 162, 2004).

16.04.430 Flood loads - Design and construction. Section 1612.4 of the International Building Code is not adopted. (Ord. 14914 § 163, 2004).

16.04.440 Flood loads - Flood hazard documentation. Section 1612.5 of the International Building Code is not adopted and the following is substituted:

Flood hazard documentation (IBC 1612.5). For construction in flood hazard areas the applicant shall provide actual as-built elevation certification by a professional civil engineer or land surveyor licensed by the state of Washington. (Ord. 14914 § 164, 2004).

16.04.450 Excavation, grading and fill - Grading and fill in floodways. Section 1803.4 of the International Building Code is not adopted and the following is substituted:

Grading and fill in floodways (IBC 1803.4). Excavation, grading and fill in floodways shall be in accordance with K.C.C. chapter 21A.24. (Ord. 14914 § 165, 2004).

16.04.455 Footings and foundation - Foundations walls. Section 1805.5 of the International Building Code is not adopted and the following is substituted:

Foundation walls (IBC 1805.5). Concrete and masonry foundation walls shall be designed in accordance with Chapter 19 or 21, respectively. Foundation walls that are laterally supported at the top and bottom and within the parameters of Tables 1805.5(1) through 1805.5(6) are permitted to be designed and constructed in accordance with Sections 1805.5.1 through 1805.5.5. (Ord. 15802 § 31, 2007).

16.04.470 Footings and foundation - foundation walls - Table 1805.5(6) Seismic Zone D - Concrete Foundation Walls[1, 2, 3, 4, 5, 12] For Single Family and Duplex Residences. Section 1805.5 of the International Building Code is supplemented by the following table:

Table 1805.5(6) Seismic Zone D - Concrete Foundation Walls[1, 2, 3, 4, 5, 12] For Single Family And Duplex Residences. Table 1805.5(6) Foundation wall reinforcement requirements for Single Family and Duplex Residential Occupancies and Private Garage occupancies only.[12]

Minimum Wall Thickness	Maximum Wall Height (ft.)[5]	Maximum Unbalanced Backfill (ft.)[1,2]	Minimum Vertical Reinforcement [6]	Minimum Horizontal Reinforcement[6]	Anchor Bolt Spacing [10]		Wall top support[11]
					1/2"	5/8"	
6"	4'6"	3'	#4 @ 48" O.C.	#4 @ 48" O.C[7]	72"	72"	A
6"	4' 6"	4'	#4 @ 48" O.C.	#4 @ 48" O.C.[7]	42"	53"	A
8"	8'	4'	#4 @ 48" O.C.	#4 @ 48" O.C.[7]	72"	72"	A
8"	9'	4'	#4 @ 48" O.C.	#4 @ 36" O.C.[8]	72"	72"	A
8"	9'	5'	#4 @ 36"O.C.[9]	#4 @ 36"O.C.[8]	42"	48"	B
8"	9'	6'	#4 @ 20" O.C.[9]	#4 @ 36" O.C.[8]	24"	30"	B
8"	9'	7'	#4 @ 16" O.C.[9]	#4 @ 36" O.C.[8]	16"	20"	C
8"	9'	8'	#4 @ 12" O.C.[9]	#4 @ 36" O.C.[8]	10"	12"	C

Footnotes:

1. A design in accordance with accepted engineering practice shall be provided when any of the following exist:

a. Walls are subject to hydrostatic pressure from groundwater.

b. Walls supporting more than 48" of unbalanced backfill that do not have permanent lateral support at the top and bottom. Unbalanced backfill height is the difference in height of the exterior and interior finish ground levels.

2. The floor diaphragm shall be completed before backfilling or the foundation wall sufficiently braced to prevent damage by the backfill.

3. This table is designed for use in the following soil classes in accordance with the United Soil Classification system: GW, GP, SW, SP and GM (40 pcf active soil pressure.) Refer to Tables R405.1 and 1610.1.

4. This table is not intended to prevent temperature and shrinkage cracks. Reinforcing steel shall be placed on tension side of the wall and provided not less than 3/4 inch cover from the face of the wall. In concrete cast against earth reinforcing shall be placed a minimum of 3 inches from the soil.

5. Wall height is measured as the vertical distance from the top of the wall to the top of the footing.

6. Reinforcing steel used in this table is based on the use of reinforcement with a minimum yield strength of 40,000 psi.

7. All foundations shall include (1) #4 rebar at the top of the wall and (2) #4 in the bottom of the footing, continuous horizontal reinforcing.

8. Foundations with over 4 feet of unbalanced fill or with walls over 8 feet in height shall include at least (1) #4 rebar in the top 12" of the wall and (2) #4 rebar in the bottom of the footing, continuous horizontal reinforcing.

9. The distance from the face of the soil side of the wall to the center of vertical reinforcement shall be at least 5 inches in an 8-inch wall.

10. When braced wall panels are supported directly on continuous foundations, the wall sill plate shall be anchored to the foundation as follows: The wood sole plate and wood sill plate shall be anchored to the foundation with anchor bolts spaced a maximum of 6 feet (1829 mm) on center. There shall be a minimum of two bolts per plate section. Bolts shall be at least 1/2 inch (12.7 mm) in diameter and shall extend a minimum of 7 inches (178 mm) into concrete. A nut and 0.229" x 3" x 3" washer shall be tightened on each bolt to the plate (Section 2308.3 IBC; R403.1.6 International Residential Code.)

11. Prescriptive Support Requirements:

Type	Joist/blocking Attachment Requirement
A.	3 8d per joist per Table R602.3(1)
B.	1 20 gage angle clip each joist with 5 8d per leg.
C.	1 1/4 inch thick steel angle. Horizontal leg attached to sill bolt adjacent to joist/blocking, vertical leg attached to joist/blocking with 1/2 inch minimum diameter bolt and a framing anchor that will resist a reaction of 380 pounds.

12. The provisions of this table may be applied to Group R-3 and Group U occupancies, and townhouses as defined in Section 202 International Residential Code. (Ord. 15802 § 32, 2007: Ord. 14914 § 167, 2004).

16.04.472 Footings and foundations – foundation walls – Thickness based on soil loads, unbalanced backfill height and wall height. Section 1805.5.1.2 of the International Building Code is not adopted and the following is substituted:

Thickness based on soil loads, unbalanced backfill height and wall height (IBC 1805.5.1.2). The thickness of foundation walls shall comply with the requirements of Table 1805.5(5) or Table 1805.5(6) for concrete walls, Table 1805.5(1) for plain masonry walls or Table 1805.5(2), 1805.5(3) or 1805.5(4) for masonry walls with reinforcement. When using the tables, masonry shall be laid in running bond and the mortar shall be Type M or S.

Unbalanced backfill height is the difference in height between the exterior finish ground level and the lower of the top of the concrete footing that supports the foundation wall or the interior finish ground level. Where an interior concrete slab on grade is provided and is in contact with the interior surface of the foundation wall, the unbalanced backfill height is permitted to be measured from the exterior finish ground level to the top of the interior concrete slab. (Ord. 15802 § 33, 2007).

16.04.475 Footings and foundations – foundation walls – foundation wall materials. Section 1805.5.2 of the International Building Code is not adopted and the following is substituted:

Foundation wall materials (IBC 1805.5.2). Concrete foundation walls constructed in accordance with Table 1805.5(5) or Table 1805.5(6) shall comply with Section 1805.5.2.1. Masonry foundation walls constructed in accordance with Table 1805.5(1), 1805.5(2), 1805.5(3) or 1805.5(4) shall comply with Section 1805.5.2.2**.** (Ord. 15802 § 34, 2007).

16.04.478 Footings and foundations – foundation walls –concrete foundation walls. Section 1805.5.2.1 of the International Building Code is not adopted and the following is substituted:

Concrete foundation walls (IBC 1805.5.2.1). Concrete foundation walls shall comply with the following:

1. The size and spacing of vertical reinforcement shown in Table 1805.5(5) is based on the use of reinforcement with a minimum yield strength of 60,000 psi (414 MPa). Vertical reinforcement with a minimum yield strength of 40,000 psi (276 MPa) or 50,000 psi (345 MPa) is permitted, provided the same size bar is used and the spacing shown in the table is reduced by multiplying the spacing by 0.67 or 0.83, respectively. The size and spacing of vertical reinforcement shown in Table 1805.5.(6) is based on the use of reinforcement with a minimum yield strength of 40,000 psi (276MPa).

2. Vertical reinforcement, when required, shall be placed nearest the inside face of the wall a distance, d, from the outside face (soil side) of the wall. The distance, d, is equal to the wall thickness, t, minus 1.25 inches (32 mm) plus one-half the bar diameter, d b [d = t – (1.25 + d b/2)]. The reinforcement shall be placed within a tolerance of ± 3/8 inch (9.5 mm) where d is less than or equal to 8 inches (203 mm) or ± ½ inch (2.7 mm) where d is greater than 8 inches (203 mm).

3. In lieu of the reinforcement shown in Table 1805.5(5), smaller reinforcing bar sizes with closer spacings that provide an equivalent cross-sectional area of reinforcement per unit length of wall are permitted.

4. Concrete cover for reinforcement measured from the inside face of the wall shall not be less than 3/4 inch (19.1 mm). Concrete cover for reinforcement measured from the outside face of the wall shall not be less than 1.5 inches (38 mm) for No. 5 bars and smaller and not less than 2 inches (51 mm) for larger bars.

5. Concrete shall have a specified compressive strength, f c¢, of not less than 2,500 psi (17.2 MPa) at 28 days.

6. The unfactored axial load per linear foot of wall shall not exceed 1.2tf c¢, where t is the specified wall thickness in inches. (Ord. 15802 § 35, 2007).

16.04.480 Damproofing and waterproofing – Under floor space - Flood hazard areas. Section 1807.1.2.1 of the International Building Code is not adopted and the following is substituted:

Flood hazard areas (IBC 1807.1.2.1). For buildings and structures in flood hazard areas as established in K.C.C. chapter 21A.24, the finished ground level of an under-floor space such as a crawl space shall be equal to or higher than the outside finished grade level. (Ord. 14914 § 168, 2004).

16.04.490 Plumbing systems - Minimum plumbing facilities - Minimum number of fixtures. Section 2902.1 of the International Building Code, as amended by chapter 51-50 WAC, is not adopted and the following is substituted:

Minimum number of fixtures (IBC 2902.1). The number of plumbing fixtures within a building shall not be less than set forth in Section 2902. Fixtures located within unisex toilet and bathing rooms shall be included in determining the number of fixtures provided in an occupancy. The director of public health is authorized to enforce this section. (Ord. 14914 § 174, 2004: Ord. 14111 § 65, 2001: Ord. 12560 § 54, 1996. Formerly K.C.C. 16.04.05050).

16.04.500 Swimming pool enclosures and safety devices - General. Section 3109.1 of the International Building Code is not adopted and the following is substituted:

General (IBC 3109.1). Swimming pools, spas and hot tubs installed in or on the lot of a one-family, two-family or for the use of an individual townhouse shall comply with the requirements of Appendix G of the International Residential Code as amended by K.C.C. 16.05.110 and 16.05.120. For other pools, protection shall comply with the requirements of K.C.C. chapter 16.78.

For all other swimming pools the director of the Seattle-King County department of public health shall enforce regulations for pools meeting the definition of a "general use pool" or "limited use pool" as defined in chapter 246-260 WAC, and "recreational water contact facility" or "RWCF" as defined in chapter 246-262, and chapter 248-98 WAC which contains the design and construction of barriers for swimming pools, spas, wading pools, spray pools, and other water recreation facilities located in other occupancies. (Ord. 14914 § 176, 2004: Ord. 14111 § 67, 2001: Ord. 12560 § 56, 1996. Formerly K.C.C. 16.04.05052).

16.04.510 Swimming pool enclosures and safety devices. Section 3109.3 through 3109.5 of the International Building Code is not adopted. (Ord. 14914 § 177, 2004).

16.04.515 Existing structures – Definitions. Section 3402 of the International Building Code is supplemented with the following.

Definition for administration of the alternative disaster repair provisions of IBC 3411 as amended by King County (IBC 3402.2). The following term shall, for the purposes of administration of IBC 3411.5 have the following meaning:

STORY IN HEIGHT: Any story having its finished floor surface entirely above grade plane, except that a basement shall be considered a story where:

1. The finished surface of the floor above the basement is more than 6 feet above grade plane; or
2. The finished surface of the floor above the basement is more than 12 feet above the finished ground level at any point: or
3. The basement has more than 60% of the perimeter wall framing comprised of studs greater than 36 inches in length. (Ord. 15802 § 36, 2007).

16.04.520 Additions, alterations or repairs - Existing buildings or structures. Section 3403.1 and all of its subsections of the International Building Code are not adopted and the following is substituted:

Existing buildings or structures (IBC 3403.1). Additions or alterations to any building or structure shall conform with the requirements of the code for new construction. Additions or alterations shall not be made to an existing building or structure which will cause the existing building or structure to be in violation of any provisions of this code. An existing building plus additions shall comply with the height and area provisions of Chapter 5. Portions of the structure not altered and not affected by the alteration are not required to comply with the code requirements for a new structure.

EXCEPTION: Repair of buildings and structures in flood hazard areas shall comply with K.C.C. chapter 21A.24. (Ord. 15802 § 37, 2007: Ord. 14914 § 178, 2004).

16.04.530 Historic buildings - Flood hazard areas. Section 3407.2 of the International Building Code is not adopted and the following is substituted:

Flood hazard areas (IBC 3407.2). Historic buildings within flood hazard areas shall comply with K.C.C. chapter 21A.24. (Ord. 14914 § 179, 2004).

16.04.540 Existing structures - Compliance alternatives - Applicability. Section 3410.2 of the International Building Code is not adopted and the following is substituted:

Applicability (IBC 3410.2). Structures existing prior to October 22, 1971, in which there is work involving additions, alterations or changes of occupancy shall be made to conform to the requirements of this section or Sections 3403 through 3407. Sections 3410.2.1 through 3410.2.5 apply to existing occupancies that will continue to be, or are proposed to be, in Groups A, B, F, M, R, S and U. These sections shall not apply to buildings with occupancies in Group H or I. (Ord. 14914 § 185, 2004).

16.04.545 Existing structures – Compliance alternatives – Flood hazard areas. Section 3410.2.4.1 of the International Building Code is not adopted and the following is substituted:

Flood hazard areas (IBC 3410.2.4.1) Existing buildings within flood hazard areas shall comply with K.C.C. chapter 21A.24. (Ord. 15802 § 38, 2007).

16.04.550 Appendix Z, Sound transmission control - Sea-Tac sound reduction standards - Purpose. The International Building Code is supplemented by the following appendix:

Purpose (IBC AZ 101). The purpose of these sections is to safeguard life, health, property and public welfare by establishing minimum requirements regulating the design, construction, and/or setting on site of buildings for human occupancy in the vicinity of Sea-Tac International Airport as identified on the maps referenced in the April 24, 1985 Federal Register, Volume 50, No. 79. These sections are not intended to abridge any safety or health requirements required under any other applicable codes or ordinances. (Ord. 15802 § 39, 2007: Ord. 14914 § 187, 2004: Ord. 14111 § 84, 2001: Ord. 12560 § 67, 1996. Formerly K.C.C. 16.04.05064).

16.04.560 Appendix Z, Sound transmission control - Scope. The International Building Code is supplemented by the following appendix:

Scope (IBC AZ 102). The provisions of this chapter shall apply to all buildings or structures constructed or placed in use for human occupancy on sites within the vicinity of Seattle-Tacoma International Airport which have been included within or enclosed by the Port of Seattle Noise Remedy Program boundaries;

1. Structures relocated shall comply with all requirements of this chapter and,
2. Mobile homes located in mobile home parks shall be exempt from these requirements.

This chapter is intended to supplement the provisions of the International Residential Code, the International Mechanical Code, the Washington state Energy Code, and the International Building Code. In the case of conflict between the chapter and any other applicable codes the more restrictive requirements shall be met. (Ord. 15802 § 40, 2007: Ord. 14914 § 189, 2004: Ord. 14111 § 85, 2001: Ord. 12560 § 68, 1996. Formerly K.C.C. 16.04.05065).

16.04.570 Appendix Z, Sound transmission control - Application to existing buildings. The International Building Code is supplemented by the following appendix:

Application to existing buildings (IBC AZ 103). Additions may be made to existing buildings or structures without making the entire building structure comply with all the requirements of this chapter for new construction. Additions shall be made to comply in the areas being added to the extent that it is deemed practical and effective by the director of the department of development and environmental services in meeting the intent of this chapter.

Any change of use in the occupancy or use of a building previously unapproved for human occupancy to human occupancy use or one previously unused for sleeping purposes to sleeping use shall not be permitted unless the building, structure or portion of the building complies with this chapter. (Ord. 15802 § 41, 2007: Ord. 14914 § 191, 2004: Ord. 14111 § 86, 2001: Ord. 12560 § 69, 1996. Formerly K.C.C. 16.04.05066).

16.04.580 Appendix Z, Sound transmission control - Details. The International Building Code is supplemented by the following appendix:

Details (IBC AZ 104). The plans and specifications shall show in sufficient detail all pertinent data and features of the building, equipment and systems, as herein governed, including, but not limited to: exterior envelope component materials; STC rating of applicable component assemblies; R-values of applicable insulation materials; size and type of apparatus and equipment; equipment and system controls and other pertinent data to indicate conformance with the requirements herein. (Ord. 15802 § 42, 2007: Ord. 14914 § 193, 2004: Ord. 14111 § 87, 2001: Ord. 12560 § 70, 1996. Formerly K.C.C. 16.04.05067).

16.04.590 Appendix Z, Sound transmission control - Fees. The International Building Code is supplemented by the following appendix:

Fees (IBC AZ 105). The director, department of development and environmental services, is authorized to collect fees for administration, plan checking and inspection. This fee shall be known as the Sea-Tac Noise Fee. The fee shall be calculated as the sum of the fees for special plan review and supplemental inspection. (Ord. 15802 § 43, 2007: Ord. 14914 § 195, 2004: Ord. 14111 § 88, 2001: Ord. 12560 § 71, 1996. Formerly K.C.C. 16.04.05068).

16.04.600 Appendix Z, Sound Transmission - Definitions. The International Building Code is supplemented by the following appendix:

Definitions (IBC AZ 106).

NOISE REDUCTION COEFFICIENT (NRC) is the arithmetic average of the sound absorption coefficients of a material at 250, 500, 1000, and 2000 Hz.

SOUND TRANSMISSION CLASS (STC) is single-number rating for describing sound transmission loss of a wall, roof, floor, window, door, partition or other individual building components or assemblies. (Ord. 15802 § 44, 2007: Ord. 14914 § 197, 2004: Ord. 14111 § 89, 2001: Ord. 12560 § 72, 1996. Formerly K.C.C. 16.04.05069).

16.04.610 Appendix Z, Sound transmission control - Design requirements. The International Building Code is supplemented by the following appendix:

Design requirements (IBC AZ 107). The criteria of these sections establish the minimum requirements for acoustic design of the exterior envelope of buildings and for HVAC systems and its parts. These requirements shall apply to all buildings for human occupancy within the Sea-Tac Noise Program Areas. (Ord. 15802 § 45, 2007: Ord. 14914 § 199, 2004: Ord. 14111 § 90, 2001: Ord. 12560 § 73, 1996. Formerly K.C.C. 16.04.05070).

16.04.620 Appendix Z, Sound transmission control - Sea-Tac noise program area. The International Building Code is supplemented by the following appendix:

Sea-Tac noise program area (IBC AZ 108). Noise determined construction requirements detailed in this chapter shall be applied to new construction and additions of all structures, except for not normally inhabited portions of warehouses, storage buildings and similar structures as determined by the director, within the designated program areas of the Port of Seattle's Noise Remedy Program. The applicable program areas are the Neighborhood Reinforcement Area and the Cost Share Insulation Area. Specific construction requirements for these two areas are:

(a) Neighborhood Reinforcement Area:

1) Bedrooms must comply with AZ 125 which is designed to achieve a noise reduction of 35 db.

2) All other living and working areas must comply with AZ 117 which is designed to achieve a noise reduction level of 30 dB.

(b) Cost-Share Insulations Area:

1) Bedrooms must comply with AZ 117 which is designed to achieve a noise reduction of 30 dB.

2) All other living and working areas must comply with AZ 110 which is designed to achieve a noise reduction level of 25 dB. (Ord. 15802 § 46, 2007: Ord. 14914 § 201, 2004: Ord. 14111 § 91, 2001: Ord. 12560 § 74, 1996. Formerly K.C.C. 16.04.05071).

16.04.630 Appendix Z, Sound transmission control - Air leakage for all buildings. The International Building Code is supplemented by the following appendix:

Air leakage for all buildings (IBC AZ 109).

(a) The requirements of this section shall apply to the design of the exterior envelope of all buildings in the Sea-Tac Noise Program Area designed for human occupancy. The requirements of this section are not applicable to the separation of interior spaces from each other.

(b) The following limitations shall be sealed, caulked, gasketed, or weather-stripped to limit or eliminate air leakage:

1) Exterior joints around window and door frames between the window or door frame and the framing.

2) Openings between walls and foundations.

3) Between the wall sole plate and the rough flooring.

4) Opening at penetrations of utility services through walls, floor, and roofs.

5) Between wall panels at corners.

6) All other openings in the building envelope.

(c) Through the wall, floor, or roof/ceiling penetrations not specifically addressed in these sections shall be designed to limit sound transmission and shall have the same average laboratory sound transmission classification as required for doors. (Ord. 15802 § 47, 2007: Ord. 14914 § 203, 2004: Ord. 14111 § 92, 2001: Ord. 12560 § 75, 1996. Formerly K.C.C. 16.04.05072).

16.04.640 Appendix Z, Sound transmission control - Building requirements for a noise level reduction of 25 dB compliance. The International Building Code is supplemented by the following appendix:

Building requirements for a noise level reduction of 25 dB compliance (IBC AZ 110). Compliance with AZ 111 through AZ 116 shall be deemed to meet requirements for a minimum noise level reduction (NLR) of 25 decibels. (Ord. 15802 § 48, 2007: Ord. 14914 § 205, 2004: Ord. 14111 § 93, 2001: Ord. 12560 § 76, 1996. Formerly K.C.C. 16.04.05073).

16.04.650 Appendix Z, Sound transmission control - Exterior walls 25 dB compliance. The International Building Code is supplemented by the following appendix:

Exterior walls 25 dB compliance (IBC AZ 111).

(a) Exterior walls, other than as described in this section, shall have a laboratory sound transmission class rating of at least STC-30; or

(b) Masonry walls having a weight of at least 25 pounds per square feet do not require a furred (stud) interior wall. At least one surface of concrete block walls shall be plastered.

(c) Stud walls shall be at least 4 inches in nominal depth and shall be finished on the outside with solid sheathing under an approved exterior wall finish.

1. Interior surface of the exterior walls shall be of gypsum board or plaster at least 1/2 inch thick, installed on the studs.

2. Continuous composition board, plywood or gypsum board sheathing at least 1/2 inch thick shall cover the exterior side of the wall studs.

3. Sheathing panels shall be covered on the exterior with overlapping building paper.

4. Insulation material at least R-11 shall be installed continuously throughout the cavity space behind the exterior sheathing and between wall studs. Insulations shall be glass fiber or mineral wood. (Ord. 15802 § 49, 2007: Ord. 14914 § 207, 2004: Ord. 14111 § 94, 2001: Ord. 12560 § 77, 1996. Formerly K.C.C. 16.04.05074).

16.04.660 Appendix Z, Sound transmission control - Exterior windows 25 dB compliance. The International Building Code is supplemented by the following appendix:

Exterior windows 25 dB compliance (IBC AZ 112).

(a) Windows other than as described in this section shall have a laboratory sound transmission class rating at least STC-28; or

(b) Glass shall be at least 3/16" thick.

(c) All windows that open shall be weather-stripped and airtight when closed so as to conform to an air infiltration test not to exceed 0.5 cubic feet per minute per foot of crack length in accordance with ASTM E-283-65-T.

(d) Glass shall be sealed in an airtight manner with a nonhardening sealant or a soft elastomer gasket or gasket tape.

(e) The perimeter of window frames shall be sealed airtight to the exterior wall construction with a sealant conforming to one of the following Federal specifications: TT-S-00227, TT-S-00230 or TT-S-00153. (Ord. 15802 § 50, 2007: Ord. 14914 § 209, 2004: Ord. 14111 § 95, 2001: Ord. 12560 § 78, 1996. Formerly K.C.C. 16.04.05075).

16.04.670 Appendix Z, Sound transmission control - Exterior doors 25 dB compliance. The International Building Code is supplemented by the following appendix:

Exterior doors 25 dB compliance (IBC AZ 113).

(a) Doors other than as described in this section shall have a laboratory sound transmission class rating of at least STC-26; or

(b) All exterior side-hinged doors shall be solid-core wood or insulated hollow metal at least 1-3/4" thick and shall be fully weather-stripped.

(c) Exterior sliding doors shall be weather-stripped with an efficient airtight gasket system with performance that conforms to an air infiltration test not to exceed 0.5 cubic feet per minute per foot of crack length in accordance with ASTM E-283-65-T. The glass in the sliding doors shall be at least 3/16" thick.

(d) Glass in doors, over two square feet in area, shall be sealed in an airtight nonhardening sealant or in a soft elastomer gasket or glazing tape.

(e) The perimeter of door frames shall be sealed airtight to the exterior wall construction with a sealant conforming to one of the following federal specifications: TT-S-0227, TT-S-00230 or TT-S-00153. (Ord. 15802 § 51, 2007: Ord. 14914 § 211, 2004: Ord. 14111 § 96, 2001: Ord. 12560 § 79, 1996. Formerly K.C.C. 16.04.05076).

16.04.680 Appendix Z, Sound transmission control - Roofs 25 dB compliance. The International Building Code is supplemented by the following appendix:

Roofs 25 dB compliance (IBC AZ 114).

(a) Combined roof and ceiling construction other than as described in this section and AZ 115 shall have a laboratory sound transmission class rating of at least STC-39; or

(b) With an attic or rafter space at least 6" deep, and with a ceiling below, the roof shall consist of 1/2" composition board, plywood or gypsum board sheathing topped by roofing as required.

(c) Open beam roof construction shall follow the energy insulation standard method for batt insulation.

(d) Skylights shall conform to the window standard of AZ 112. (Ord. 15802 § 52, 2007: Ord. 14914 § 213, 2004: Ord. 14111 § 97, 2001: Ord. 12560 § 80, 1996. Formerly K.C.C. 16.04.05077).

16.04.690 Appendix Z, Sound transmission control - Ceilings 25 dB compliance. The International Building Code is supplemented by the following appendix:

Ceilings 25 dB compliance (IBC AZ 115).

(a) Gypsum board for plaster ceilings at least 1/2 inch thick shall be provided where required by AZ 114(b), above. Ceilings shall be substantially airtight with a minimum of penetrations.

(b) Glass fiber or mineral wood insulation at least R-19 shall be provided above the ceiling between joists. (Ord. 15802 § 53, 2007: Ord. 14914 § 215, 2004: Ord. 14111 § 98, 2001: Ord. 12560 § 81, 1996. Formerly K.C.C. 16.04.05078).

16.04.700 Appendix Z, Sound transmission control - Ventilation 25 dB compliance. The International Building Code is supplemented by the following appendix:

Ventilation 25 dB compliance (IBC AZ 116).

(a) Ventilation systems shall be installed that will provide the minimum air circulation and fresh air supply requirements for various uses in occupied rooms without the need to open any windows, doors or other openings to the exterior. The inlet and discharge openings shall be fitted with sheet metal transfer ducts of at least 26 gauge steel, which shall be insulated with R-11 sound absorbing insulation or lined with 1 inch thick coated glass fiber, and shall be at least 5 feet long with a 90 degree bend.

(b) Gravity vent openings in attics shall be as close to minimum code in number and size as practical.

(c) Bathroom, laundry and similar exhaust ducts connecting the interior space to the outdoors, shall contain at least a 5-foot length of internal sound-absorbing duct lining or external sound-absorbing duct insulation of at least R-11 thickness. Exhaust ducts less than 5 feet in length shall be fully lined and shall also meet the provisions of AZ 109(c). Each duct shall be provided with a bend in the duct such that there is no direct line-of-sight through the duct from the venting cross-section to the room-opening cross-section. Duct lining shall be coated glass fiber duct line at least 1 inch thick. In areas (i.e. shower rooms) which produce moisture, duct lining shall be made of non-absorbent material. Commercial kitchen exhaust systems and product conveying duct systems (Chapter 5 IMC) shall be exempt.

(d) Fireplaces shall be provided with well fitted dampers. (Ord. 15802 § 54, 2007: Ord. 14914 § 217, 2004: Ord. 14111 § 99, 2001: Ord. 12560 § 82, 1996. Formerly K.C.C. 16.04.05079).

16.04.710 Appendix Z, Sound transmission control - Building requirements for a noise level reduction of 30 dB compliance. The International Building Code is supplemented by the following appendix:

Building requirements for a noise level reduction of 30 dB compliance (IBC AZ 117). Compliance with AZ 118 through AZ 124 shall be deemed to meet requirements for a minimum noise level reduction (NLR) of 30 decibels. (Ord. 15802 § 55, 2007: Ord. 14914 § 219, 2004: Ord. 14111 § 100, 2001: Ord. 12560 § 83, 1996. Formerly K.C.C. 16.04.05080).

16.04.720 Appendix Z, Sound transmission control - Exterior walls 30 dB compliance. The International Building Code is supplemented by the following appendix:

Exterior walls 30 dB compliance (IBC AZ 118).

(a) Exterior walls, other than as described in this section, shall have a laboratory sound transmission class rating of at least STC-35; or

(b) Masonry walls having a weight of at least 40 pounds per square foot do not require a furred (stud) interior wall. At least one surface of concrete block walls shall be plastered.

(c) Stud walls shall be at least 4" in nominal depth and shall be finished on the outside with solid sheathing under an approved exterior wall finish.

1. Interior surface of the exterior walls shall be of gypsum board or plaster at least 1/2 inch thick, installed on the studs. The gypsum board or plaster may be fastened rigidly to the studs if the exterior is brick veneer or stucco. If the exterior is siding, the interior gypsum board or plaster must be fastened resiliently to the studs.

2. Continuous composition board, plywood, or gypsum board sheathing at least 3/4" thick shall cover the exterior side of the wall studs.

3. Sheathing panels shall be covered on the exterior with overlapping building paper.

4. Insulation material at least R-11 shall be installed continuously throughout the cavity space behind the exterior sheathing and between wall studs. Insulation shall be glass fiber or mineral wool. (Ord. 15802 § 56, 2007: Ord. 14914 § 221, 2004: Ord. 14111 § 101, 2001: Ord. 12560 § 84, 1996. Formerly K.C.C. 16.04.05081).

16.04.730 Appendix Z, Sound transmission control - Exterior windows 30 dB compliance. The International Building Code is supplemented by the following appendix:

Exterior window 30 dB compliance (IBC AZ 119).

(a) Windows other than as described in this section shall have a laboratory sound transmission class rating of at least STC-33; or

(b) Windows shall be double glazed with panes at least 1/8” thick. Panes of glass shall be separated by a minimum 1/2" airspace.

(c) Double-glazed windows shall employ fixed sash or efficiently weather-stripped, operable sash. The sash shall be rigid and weather-stripped with material that is compressed airtight when the window is closed so as to conform to an air infiltration test not to exceed 0.5 cubic foot per minute per foot of crack length in accordance with ASTM E-283-65-T.T.

(d) Glass shall be sealed in an airtight manner with a nonhardening sealant or a soft elastomer gasket or gasket tape.

(e) The perimeter of window frames shall be sealed airtight to the exterior wall construction with a sealant conforming to one of the following Federal specifications: TT-S-0027, TT-S-00230 or TT-S-00153. (Ord. 15802 § 57, 2007: Ord. 14914 § 223, 2004: Ord. 14111 § 102, 2001: Ord. 12560 § 85, 1996. Formerly K.C.C. 16.04.05082).

16.04.740 Appendix Z, Sound transmission control - Exterior doors 30 dB compliance. The International Building Code is supplemented by the following appendix:

Exterior doors 30 dB compliance (IBC AZ 120).

(a) Doors other than as described in this section shall have a laboratory sound transmission class rating of at least STC-33; or

(b) Double door construction is required for all door openings to the exterior. Openings fitted with side-hinged doors shall have one solid core of wood or be an insulated hollow metal door at least 1-3/4" thick separated by an airspace of at least 3" from another door, which can be a storm door. Both doors shall be tightly fitted and weather-stripped.

(c) The glass of double glazed sliding doors shall be separated by a minimum 1/2" airspace. Each sliding frame shall be provided with an efficiently airtight weather-stripping material as that conforms to an air infiltration test not to exceed 0.2 cubic feet per minute per foot of crack length in accordance with ASTM E-283-65-T.

(d) Glass (over two square feet in area) of all doors shall be at least 3/16" thick. Glass of double sliding doors shall not be equal in thickness.

(e) The perimeter of door frames shall be sealed airtight to the exterior wall construction (framing) with a sealant conforming to one of the following Federal specifications: TT-S-0227, TT-S-00230 or TT-S-00153.

(f) Glass in doors shall be sealed in an airtight nonhardening sealant or in a soft elastomer gasket or glazing tape. (Ord. 15802 § 58, 2007: Ord. 14914 § 225, 2004: Ord. 14111 § 102, 2001: Ord. 12560 § 86, 1996. Formerly K.C.C. 16.04.05083).

16.04.750 Appendix Z, Sound transmission control - Roofs 30 dB compliance. The International Building Code is supplemented by the following appendix:

Roofs 30 dB compliance (IBC AZ 121).

(a) Combined roof and ceiling construction other than described in this section and AZ 122 shall have a laboratory sound transmission class rating of at least STC-44; or

(b) With an attic or rafter space at least 6" deep, and with a ceiling below, the roof shall consist of 3/4" composition board, plywood or gypsum board sheathing topped by roofing as required.

(c) Open beam roof construction shall follow the energy insulation standard method for batt insulation, except use 1" plywood decking with shakes or other suitable roofing material.

(d) Window or dome skylights shall have a laboratory sound transmission class rating of at least STC-33. (Ord. 15802 § 59, 2007: Ord. 14914 § 227, 2004: Ord. 14111 § 104, 2001: Ord. 12560 § 87, 1996. Formerly K.C.C. 16.04.05084).

16.04.760 Appendix Z, Sound transmission control - Ceilings 30 dB compliance. The International Building Code is supplemented by the following appendix:

Ceilings 30 dB compliance (IBC AZ 122).

(a) Gypsum board or plaster ceilings at least 5/8" thick shall be provided where required by AZ 121(b) above. Ceilings shall be substantially airtight with a minimum of penetrations.

(b) Glass fiber or mineral wool insulation of least R-19 shall be provided above the ceiling between joists. (Ord. 15802 § 60, 2007: Ord. 14914 § 229, 2004: Ord. 14111 § 105, 2001: Ord. 12560 § 88, 1996. Formerly K.C.C. 16.04.05085).

16.04.770 Appendix Z, Sound transmission control - Floors 30 dB compliance. The International Building Code is supplemented by the following appendix:

Floors 30 dB compliance (IBC AZ 123). The floor of the lowest occupied rooms shall be slab on fill, below grade, or over a fully enclosed basement or crawl space. All door and window openings in the fully enclosed basement shall be tightly fitted.

EXCEPTION: Floors over fully enclosed garages or over carports shall have a laboratory sound transmission class rating of at least STC-35. The floor over the garage or carport shall be insulated to not less than R-19, but not less than that specified by the Washington state energy code and enclosed with one layer of 5/8" type 'X' GWB on the garage or carport side or any equivalent approved garage or dwelling separation assembly in conformance with IRC section R309.2. (Ord. 15802 § 61, 2007: Ord. 14914 § 231, 2004: Ord. 14111 § 106, 2001: Ord. 12560 § 89, 1996. Formerly K.C.C. 16.04.05086).

16.04.780 Appendix Z, Sound transmission control - Ventilation 30 dB compliance. The International Building Code is supplemented by the following appendix:

Ventilation 30 dB compliance (IBC AZ 124).

(a) A ventilation system shall be installed that would provide the minimum air circulation and fresh air supply requirements for various uses in occupied rooms without the need to open any windows, doors or other openings to the exterior. The inlet and discharge openings shall be fitted with sheet metal transfer ducts of at least 26 gauge steel, which shall be lined with 1” thick coated glass fiber or insulated with R-11 sound-absorbing duct insulation, and shall be at least 5 feet long with one 90 degree bend.

(b) Gravity vent openings in attics or crawlspaces shall be as close to minimum code in number and size, as practical. The openings shall be fitted with transfer ducts at least 3 feet in length containing internal 1” thick coated fiberglass sound-absorbing duct lining or insulated with R-11 sound-absorbing duct insulation. Each duct shall have a lined 90 degree bend in the duct such that there is no direct line-of- sight from the exterior through the duct into the attic.

(c) Bathroom, laundry, and similar exhaust ducts connecting the interior space to the outdoors, shall contain at least 10-foot length of internal sound-absorbing duct lining. Exhaust ducts less than 10 feet in length shall be fully lined and shall also be the provisions of AZ 109(c). Each duct shall be provided with a lined 90 degree bend in the duct such that there is no direct line-of-sight through the duct from the venting cross-section to the room opening cross-section. Duct lining shall be coated glass fiber duct liner at least 1” thick or insulated with R-11 sound-absorbing duct insulation. In areas (i.e. shower rooms) which produce moisture, duct lining shall be made of non-absorbent material. Commercial kitchen exhaust systems and product conveying duct systems (Chapter 5 U.M.C.) shall be exempt.

(d) Domestic range exhaust ducts connecting the interior space to the outdoors shall contain a self-closing baffle plate across the exterior termination which allows proper ventilation. The duct shall be provided with a 90 degree bend. (Ord. 15802 § 62, 2007: Ord. 14914 § 233, 2004: Ord. 14111 § 107, 2001: Ord. 12560 § 90, 1996. Formerly K.C.C. 16.04.05087).

16.04.790 Appendix Z, Sound transmission control - Building requirements for a noise level reduction of 35 dB compliance. The International Building Code is supplemented by the following appendix:

Building requirements for a noise level reduction of 35 dB compliance (IBC AZ 125). Compliance with AZ 126 through AZ 132 shall be deemed to meet requirements for a minimum noise level reduction (NLR) of 35 decibels. (Ord. 15802 § 63, 2007: Ord. 14914 § 235, 2004: Ord. 14111 § 108, 2001: Ord. 12560 § 91, 1996. Formerly K.C.C. 16.04.05088).

16.04.800 Appendix Z, Sound transmission control - Exterior walls 35 dB compliance. The International Building Code is supplemented by the following appendix:

Exterior walls 35 dB compliance (IBC AZ 126).

(a) Exterior walls, other than s described in this section shall have a laboratory sound transmission class rating of at least STC-40; or

(b) Masonry walls having a weight of at least 75 pounds per square feet do not require a furred (stud) interior wall. At least one surface of concrete block walls shall be plastered.

(c) Stud walls shall be at least 4" in nominal depth and shall be finished on the outside with solid sheathing under an approved exterior wall finish.

1. Interior surface of the exterior walls shall be of gypsum board or plaster at least 5/8" thick installed on the studs. The gypsum board or plaster may be fastened rigidly to the studs if the exterior is brick veneer or stucco. If the exterior is stucco or siding, the interior gypsum board or plaster must be fastened resiliently to the studs or double thickness must be used.

2. Continuous composition board, plywood, or gypsum board sheathing, or any combination of these materials of unequal thickness, that is at least 1″ thick shall cover the exterior side of the wall studs.

3. Sheathing panels shall be butted tightly and covered on the exterior with overlapping building paper.

4. Insulation material at least R-19 or R-19 equivalent shall be installed continuously throughout the cavity space behind the exterior sheathing and between wall studs. Insulation shall be glass fiber or mineral wool. (Ord. 15802 § 64, 2007: Ord. 14914 § 237, 2004: Ord. 14111 § 109, 2001: Ord. 12560 § 92, 1996. Formerly K.C.C. 16.04.05089).

16.04.810 Appendix Z, Sound transmission control - Exterior windows 35 dB compliance. The International Building Code is supplemented by the following appendix:

Exterior window 35 dB compliance (IBC AZ 127).

(a) Windows other than as described in this section shall have a laboratory sound transmission class rating of at least STC-38; or

(b) Windows shall be double glazed with panes at least 3/16" thick. Panes of glass shall be separated by a minimum 1/2" airspace and shall not be equal in thickness.

(c) Double-glazed windows shall employ fixed sash or efficiently weather-stripped, operable sash. The sash shall be rigid and weather-stripped with material that is compressed airtight when the window is closed so as to conform to an air infiltration test not to exceed 0.5 cubic foot per minute per foot of crack length in accordance with ASTM-E-283-65-T.

(d) Glass shall be sealed in an airtight manner with a nonhardening sealant of soft elastomer gasket or gasket tape.

(e) The perimeter of window frames shall be sealed airtight to the exterior wall construction with a sealant conforming to one of the following Federal specifications: TT-S-00227, TT-S-00230 or TT-S-00153. (Ord. 15802 § 65, 2007: Ord. 14914 § 239, 2004: Ord. 14111 § 110, 2001: Ord. 12560 § 93, 1996. Formerly K.C.C. 16.04.05090).

16.04.820 Appendix Z, Sound transmission control - Exterior doors 35 dB compliance. The International Building Code is supplemented by the following appendix:

Exterior doors 35 dB compliance (IBC AZ 128).

(a) Doors other than as described in this section shall have a laboratory sound transmission class rating of a least STC 33; or

(b) Double door construction is required for all door openings to the exterior. The doors shall be side-hinged and shall be solid core wood or insulated hollow metal door at least 1-3/4" thick, separated by a vestibule or enclosed porch at least 3 feet in length. Both doors shall be tightly fitted and weather-stripped.

(c) The glass or double glazed sliding doors shall be separated by a minimum 1/2" airspace. Each sliding door frame shall be provided with an efficiently airtight weather-stripping material that conforms to an air infiltration test not to exceed 0.5 cubic feet per minute per foot of crack length in accordance with ASTM E-283-65-T.

(d) Glass of all doors shall be at least 3/16” thick. Glass of double sliding doors shall not be equal in thickness.

(e) The perimeter of door frames shall be sealed airtight to the exterior wall construction (framing) with a sealant conforming to one of the following Federal specifications: TT-S-00227, TT-S-00230 or TT-S-00153.

(f) Glass in doors shall be sealed in an airtight nonhardening sealant or in a soft elastomer gasket of glazing tape. (Ord. 15802 § 66, 2007: Ord. 14914 § 241, 2004: Ord. 14111 § 111, 2001: Ord. 12560 § 94, 1996. Formerly K.C.C. 16.04.05091).

16.04.830 Appendix Z, sound transmission control - Roofs 35 dB compliance. The International Building Code is supplemented by the following appendix:

Roofs 35 dB compliance (IBC AZ 129).

(a) Combined roof and ceiling construction other than as described in this section and AZ 130 shall have a laboratory sound transmission class rating of at least STC-49; or

(b) With an attic or rafter space at least 6” deep, and with a ceiling below, the roof shall consist of composition board, plywood or gypsum board sheathing, or any combination of these materials of unequal thickness, that is at least 1" thick and topped by roofing as required.

(c) Open beam roof construction shall follow the energy insulation standard method for batt insulation, except use 1” plywood decking with concrete or clay tiles as roofing material. (Ord. 15802 § 67, 2007: Ord. 14914 § 243, 2004: Ord. 14111 § 112, 2001: Ord. 12560 § 95, 1996. Formerly K.C.C. 16.04.05092).

16.04.840 Appendix Z, Sound transmission control - Ceiling 35 dB compliance. The International Building Code is supplemented by the following appendix:

Ceiling 35 dB compliance (IBC AZ 130).

(a) Gypsum board or plaster ceiling at least 5/8" shall be provided where required by AZ 129, above. Ceiling shall be substantially airtight with a minimum of penetrations. The ceiling panels shall be mounted on resilient clips or channels.

(b) Glass fiber or mineral wool insulation at least R-30 shall be provided above the ceiling between joists. (Ord. 15802 § 68, 2007: Ord. 14914 § 245, 2004: Ord. 14111 § 113, 2001: Ord. 12560 § 96, 1996. Formerly K.C.C. 16.04.05093).

16.04.850 Appendix Z, Sound transmission control - Floors 35 dB compliance. The International Building Code is supplemented by the following appendix:

Floors 35 dB compliance (IBC AZ 131). The floor of the lowest occupied rooms shall be slab on fill or below grade or over a fully enclosed basement or crawl space. All door and window openings in the fully enclosed basement shall be tightly fitted.

EXCEPTION: Floors over fully enclosed garages or over carports shall have a laboratory sound transmission class rating of at least STC-40. The floor over the garage or carport shall be insulated to not less than R-19, but not less than that specified by the Washington state energy code and enclosed with two layers of 5/8" type 'X' GWB on the garage or carport side or any equivalent approved garage/dwelling separation assembly in conformance with IRC section R309.2. (Ord. 15802 § 69, 2007: Ord. 14914 § 247, 2004: Ord. 14111 § 114, 2001: Ord. 12560 § 97, 1996. Formerly K.C.C. 16.04.05094).

16.04.860 Appendix Z, Sound transmission control - Ventilation 35 dB compliance. The International Code is supplemented by the following appendix:

Ventilation 35 dB compliance (IBC AZ 132).

(a) A ventilation system shall be installed that will provide the minimum air circulation and fresh air supply requirements for various uses in occupied rooms without the need to open any windows, doors or other opening to the exterior. The inlet and discharge openings shall be fitted with sheet metal transfer ducts of at least 26 gauge steel, which shall be lined with 1″ thick coated glass fiber or insulated with R-11 sound-absorbing duct insulation, and shall be at least 10 feet long with one 90 degree bend.

(b) Gravity vent openings in attics shall be as close to minimum code in number and size, as practical. The openings shall be fitted with transfer ducts at least 6 feet in length containing internal 1" thick coated fiberglass sound-absorbing duct lining or insulated with R-11 sound-absorbing duct insulation. Each duct shall have a lined 90 degree bend in the duct that there is no direct line-of-sight from the exterior through the duct into the attic.

(c) Bathroom, laundry, and similar exhaust ducts connecting the interior space to the outdoors, shall contain at least a 10-foot length of internal sound-absorbing duct lining or insulated with R-11 sound-absorbing duct insulation. Exhaust ducts less than 10 feet in length shall be fully lined and shall also meet the provisions of AZ 109(c). Each duct shall be provided with a lined 90 degree bend in the duct such that there is no direct line-of-sight through the duct from the venting cross-section to the room-opening cross-section. Duct lining shall be coated glass fiber duct liner at least 1″ thick or R-11 sound-absorbing duct insulation. In areas such as shower rooms which produce moisture, duct lining shall be made of non-absorbent material. Commercial kitchen exhaust systems and product conveying duct systems (Chapter 51) shall be exempt.

(d) Domestic range exhaust ducts connecting the interior space to the outdoors shall contain a self-closing baffle plate across the exterior termination which allows proper ventilation. The duct shall be provided with a 90 degree bend. (Ord. 15802 § 70, 2007: Ord. 14914 § 249, 2004: Ord. 14111 § 115, 2001: Ord. 12560 § 98, 1996. Formerly K.C.C. 16.04.05095).

16.04.870 International Building and Residential Code Standards - Installation of sprinkler systems in one and two family dwellings and manufactured homes. The installation of sprinklers systems in Group R-3 Occupancies required in this code shall be in accordance with the Standard for the Installation of Sprinkler Systems in One and Two Family Dwellings and Manufactured Homes, N.F.P.A. 13 D - Installation of Sprinkler Systems in One and Two Family Dwellings and Manufactured Homes, 1994 Edition. (Ord. 14111 § 116, 2001: Ord. 12560 § 99, 1996. Formerly K.C.C. 16.04.05096).

16.04.880 Applications - Initiation of required approvals or permits. The department of development and environmental services (hereafter referred to as department) shall not commence review of any application authorized by this title until the property owner has submitted the materials and fees specified for complete applications. (Ord. 11622 § 2, 1994. Formerly K.C.C. 16.04.051).

16.04.890 Mandatory residential inspection of conversion condominium.

A. The declarant shall, at his or her expense, obtain an inspection of the premises subject to condominium conversion by the department to insure compliance with the International Property Maintenance Code and other applicable codes and regulations as adopted by King County. Inspection shall be made within forty-five days of a declarant's written request. A written residential inspection report shall be issued by the department within fourteen days following completion of the residential inspection.

B. Any public offering statement issued with respect to a conversion condominium shall include a copy of the written residential inspection report by the department.

C. Prior to the conveyance of any residential unit within a conversion condominium, the declarant shall repair all violation disclosed in the residential inspection report which are not waived by the department and shall obtain certification from the department that such have been properly made. Certification of repairs by the department shall be based upon a reinspection of the conversion condominium premises, to be performed within seven days of the declarant's written request. Certification shall be issued within seven days following reinspection if the property is then determined to be in compliance.

D. Certification by the department shall state that only those defects discovered by the residential inspection have been corrected and that the certification does not guarantee that all relevant code violations have been corrected. No declarant shall use the department's certification in any advertising nor shall a declarant indicate or imply to anyone, for the purpose of inducing a person to purchase a condominium unit, that King County or any of its departments has "approved" the premises or any unit for sale. (15802 § 71, 2007: Ord. 11923 § 2, 1995. Formerly K.C.C. 16.04.055).

16.04.900 Conversion condominium warranty of repairs and escrow fund.

A. The repairs required to be made in K.C.C. 16.04.900 shall be warranted by the declarant against defects due to workmanship or materials for a period of one year following the completion of such repairs.

B. Prior to conveyance of any residential unit within a conversion condominium, the declarant shall establish and maintain an account with a bank or other financial institution of the declarant's choosing, containing a sum equal to ten percent of the actual cost of making repairs required in K.C.C. 16.04.890. During the one year warranty period, funds contained in the account shall be used exclusively for paying the actual cost of making repairs required, or for otherwise satisfying claims made under the warranty. The declarant shall by private action, in writing, notify the owners' association of the location of the account and of any disbursements therefrom. Following expiration of the warranty period, any funds remaining in the account shall be disbursed to the declarant.

C. Depletion of the funds contained in the account shall not relieve the declarant of his or her obligations under this section.

D. The enforcement of the escrow and warranty provision shall be by private right of action and implementation and enforcement shall not be the responsibility of this department or of any county agency. (Ord. 14914 § 254, 2004: Ord. 11923 § 3, 1995. Formerly K.C.C. 16.04.057).

16.04.910 Additional requirements. All buildings having floors used for human occupancy located more than sixty-five feet above the lowest level of approved fire department vehicle access shall be provided with an approved automatic fire extinguishing system throughout. (Ord. 3647 § 8, 1978. Formerly K.C.C. 16.04.060).

16.04.920 Site improvement financial guarantee. Site improvement financial guarantee refers to the financial guarantee required by Title 27A as security for the applicant's guarantee of the construction, according to approved plans and county specifications, of roadway and right-of-way improvements, traffic requirements, appurtenances, off-street parking, curbing, drainage, retention/detention facilities, and erosion/sedimentation control and site restoration associated with building permits. (Ord. 12020 § 50, 1995: Ord. 7990 § 17, 1987: Ord. 7025 § 1, 1984. Formerly K.C.C. 16.04.070).

16.04.930 Individual mobile homes - Purpose and applicability.

A. The purpose of this section is to establish standards for the location, review and installation of mobile homes (and accessory structures) as well as factory-built commercial structures and coaches.

B. These standards shall apply to all mobile homes (and accessory structures) or factory-built commercial structures and coaches to be installed after August 4, 1996. (Ord. 12380 § 1, 1996. Formerly K.C.C. 16.04.090).

16.04.940 Individual mobile homes - Location. A mobile home with an insignia of approval by the Washington State Department of Labor and Industries (DLI) or the U.S. Department of Housing and Urban Development (HUD) may locate on any legal lot on which a dwelling unit is permitted by Title 21A and within any legally approved mobile home park. However, a mobile home without such insignia shall not be relocated to or within King County except as provided in K.C.C. 16.04.950.B*. (Ord. 12380 § 2, 1996. Formerly K.C.C. 16.04.091).

16.04.950 Individual mobile homes - Standards. All mobile homes shall comply with the following requirements:

A. "Insignia" Mobile Homes. Mobile homes approved by DLI or HUD shall have the appropriate insignia indicating such approval affixed to the unit, in accordance with chapter 43.22 RCW.

B. "Noninsignia" Mobile Homes. Mobile homes without an insignia of approval in accordance with subsection A of this section are subject to the following provisions:

1. Mobile homes currently located within King County may remain in their current location. However, prior to the relocation of such mobile home to another portion of King County, the owner shall provide evidence that the mobile home was located within King County before the January 21, 1980, effective date of Ordinance 4681. A "noninsignia" mobile home currently located outside of King County may be relocated to King County only when subject to forced relocation in accordance with RCW 59.21.105.

2. Prior to installing a noninsignia mobile home, the mobile home shall be inspected and approved by the department of development and environmental services. The inspection shall review consistency with the following livability standards, but shall not be considered a warranty that the mobile home is safe or livable:

a. the unit must have safe, operable heating facilities.

b. the unit must be equipped with a water closet, lavatory, bathtub or shower, and kitchen sink; be provided with hot and cold running water; and all facilities shall be installed and maintained in a safe and sanitary condition.

c. the structure must be weather-protected so as to provide shelter for the occupants against the elements and to exclude dampness.

d. all openable windows and doors must be in operable condition to provide for adequate natural ventilation and emergency exit.

e. at least one operable smoke detector shall be installed within the unit.

f. the unit shall be structurally sound with no apparent unsafe condition in floors, walls, ceilings and roofs.

g. the unit must be well maintained, free of debris and infestation of insects, vermin or rodents.

***Reviser's note: K.C.C. 16.04.092 was recodified as K.C.C. 16.04.950 by Ordinance 14914 § 260, 2004. This cross reference was changed in accordance with K.C.C. 1.03.020.B.9.**

C. All mobile homes are subject to the following installation requirements:

1. Support systems and stabilizing devices shall be designed and installed in accordance with the provisions of WAC 296-150B-200.

2. Electrical connections shall be inspected and approved by the Washington State Department of Labor and Industries.

3. Mobile homes supported on piers shall be fully skirted.

4. Mobile homes located outside of a mobile home park shall be subject to the setback and lot coverage provisions of the zone in which located.

D. Accessory Structures.

1. Accessory structures shall be subject to the provisions of the International Building Code or the International Residential Code, as applicable, as adopted in King County and a building permit shall be required before construction or installation.

2. Separation between accessory structures and other structures shall be as set forth in K.C.C. 21A.14.170 or 21A.14.180. However, if the accessory structure is a carport constructed of combustible materials, the carport roof area shall not extend over or otherwise cover any bedroom windows and no other accessory structures other than decks, porches, stairs or ramps shall be permitted under the carport roof area. (Ord. 14914 § 261, 2004: Ord. 12380 § 3, 1996. Formerly K.C.C. 16.04.092).

16.04.960 Individual mobile homes - Required permits and application content.

A. Installation of a mobile home shall require the approval of a mobile home permit by the department of development and environmental services pursuant to the permit process and procedures for type 1 permits outlined in K.C.C. 20.20. The permit shall expire one year after date of issuance. A permit may be renewed for a maximum of one year upon request of the applicant, provided such requests are made within fifteen days of the date of expiration of the original permit. Mobile homes shall not be permanently occupied for more than forty-five days prior to issuance of a certificate of occupancy by the department of development and environmental services.

B. The following must be submitted with an application for a mobile home permit, except that when the mobile home is to be located in an approved mobile home park, subsection B.1.d., 1.e., 1.h., 1.i. and 3 shall not apply:

1. Two copies of a site plan drawn to scale, showing:
   a. north arrow and scale,
   b. location and dimensions of all property lines or leased areas, and easements,
   c. proposed location of mobile home and/or accessory structure(s) on the site or space,
   d. distances from the mobile home and accessory structure(s) to property lines,
   e. approximate surface elevation at each corner of the site,
   f. location of parking spaces,
   g. name or number of street on which site or space is located,
   h. location of septic tank and drainfield, if sewers are not available,
   i. location of well or other water source, if public water supply is not available;
2. A description of the mobile home, including:
   a. model number,
   b. Washington State and/or H.U.D. ID number,
   c. name of manufacturer and year of manufacture;
3. Two copies of plans showing proposed foundation system, if more than one-fourth of the floor area of the mobile home, as measured from the bottom of the main frame members, will be more than three feet above the existing ground level, or when any supporting piers exceed sixty inches in height;
4. A State Contractors or Mobile Home Dealers Registration Card, or photocopy of same and Certified Manufactured Home Installers number.

C. An accessory structure in excess of 200 square feet of floor area including roof overhang shall require the approval of a building permit by the department of development and environmental services pursuant to the permit process and procedures for type 1 permits outlined in K.C.C. chapter 20.20. An application for a building permit for an accessory structure shall include site plans drawn consistent with the provisions of subsection B.1. If an application for a building permit for an accessory structure is submitted together with an application for a mobile home permit and if the accessory structure is less than 600 square feet in area, the fee for the accessory structure shall be waived. (Ord. 14914 § 263, 2004: Ord. 12380 § 4, 1996. Formerly K.C.C. 16.04.093).

16.04.970 Factory-built commercial structures and coaches - Standards.

A. Factory-built commercial structures and coaches shall be located, installed and used in the same manner as conventional commercial structures, except to the extent that construction standards are regulated by the Washington State Department of Labor and Industries or the U.S. Department of Housing and Urban Development.

B. Factory-built commercial structures and commercial coaches shall be installed subject to the following:

1. A building permit must be obtained for any factory-built commercial structure or commercial coach pursuant to the permit process and procedures for type 1 permits outlined in K.C.C. chapter 20.20.

2. The following criteria must be satisfied for the permanent installation of a factory-built commercial structure or commercial coach before a building permit can be issued:

a. The appropriate insignia of the Washington State Department of Labor and Industries of the U.S. Department of Housing and Urban Development must be affixed to the unit. If the unit is lacking the appropriate insignia it must satisfy the structural, mechanical, electrical and plumbing requirements of the International Building, Mechanical and other applicable codes as adopted in King County for conventional commercial structures.

b. The foundation, entry/exit stairs or ramps, and all accessory structures shall be designed and installed in accordance with the provisions of the International Building Code as adopted in King County.

c. Occupancy of the structure shall not be permitted before inspection and approval.

3. The temporary installation of factory-built commercial structures and commercial coaches may be permitted for a period not to exceed one year. The support system recommended by the manufacturer, or designed by a professional structural engineer registered by the state, may be substituted for a foundation designed in accordance with the provisions of the International Building Code as adopted in King County, subject to the approval of the department of development and environmental services.

4. Factory-built construction office trailers may be placed without an additional permit as long as the site is covered by a valid building permit. (Ord. 15802 § 72, 2007: Ord. 14914 § 265, 2004: Ord. 12380 § 5, 1996. Formerly K.C.C. 16.04.094).

16.04.980 Inspection and enforcement.

A. Enforcement. The director is authorized to enforce the provisions of this chapter and any rules and regulations promulgated thereunder, pursuant to the enforcement and penalty provisions of K.C.C. Title 23.

EXCEPTION: The director of the department of public health is authorized to enforce International Building Code Section 2902.1 and Table 29-A chapter 51-50 WAC and the fuel gas piping requirements in the International Fuel Gas Code, and Chapter 24 of the International Residential Code.

B. General. All construction or work for which a permit is required shall be subject to inspection by the director.

C. Authority. The director is authorized and directed to enforce this chapter. The director is authorized to promulgate, adopt, and issue those rules and regulations necessary to the effective and efficient administration of this chapter, such rules and regulations to be adopted and maintained in accordance with the provisions for the rules of county agencies, K.C.C. chapter 2.98.

D. Plan Reviews and Inspections. All buildings constructed under the provisions of this chapter are subject to a final inspection for compliance with this chapter. The director has the authority to establish rules and procedures for accepting at his/her option an affidavit of substantial compliance with this chapter in lieu of plan reviews and/or inspections. (Ord. 15802 § 73, 2007: Ord. 14914 § 267, 2004: Ord. 12560 § 5, 1996: Ord. 7990 § 16, 1987: Ord. 7853 § 1, 1986. Formerly K.C.C. 16.04.098).

Chapter 16.05
INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS

Sections:

16.05.010	Adoption.
16.05.020	Administration.
16.05.030	Appendices adopted.
16.05.040	Building Planning - Design criteria - Climate and Geographical Design Criteria for King County
16.05.050	Building Planning - Design criteria - Disaster repair standards.
16.05.060	Garages and carports - Flood hazard areas.
16.05.065	Building planning - Emergency escape and rescue openings - Emergency escape windows under decks and porches.
16.05.070	Building planning - Flood-resistant construction.
16.05.080	Building planning - Automatic fire sprinklers.
16.05.090	Foundation walls - Concrete foundation walls.
16.05.100	Under floor space - Flood resistance.
16.05.102	Appendix G - Swimming pools, spas and hot tubs - General.
16.05.104	Appendix G - Swimming pools, spas and hot tubs - General.
16.05.106	Appendix G - Swimming pools, spas and hot tubs - General.
16.05.108	Appendix G - Swimming pools, spas and hot tubs - General.
16.05.110	Appendix G - Swimming pools, Spas and Hot Tubs - Barrier requirements - Outdoor swimming pool.
16.05.120	Appendix G - Swimming pools, Spas and Hot Tubs - Barrier requirements - Prefabricated pools.
16.05.124	Appendix G - Swimming pools, spas and hot tubs - General.
16.05.127	Conformance of existing pools - Time limit for compliance with code - Failure to comply.
16.05.130	Appendix K - Sound transmission - Sea-Tac noise program area.

(King County 6-2007)

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16.05.010 Adoption. The International Residential Code for One- and Two-Family Dwellings Code, as amended in chapter 51-52 WAC, effective July 1, 2007, as published by or jointly with the International Code Council, Inc., together with appendices, amendments, additions, deletions and exceptions hereinafter adopted by reference, together with the Washington state building code and with King County modifications which shall be adopted and codified in this chapter are adopted as the King County International Residential Code for One- and Two-Family Dwellings code and hereinafter referred to as the International Residential Code, "IRC." Chapter 11 and Chapters 25 through 40 are not adopted. The energy code is regulated by chapter 51-11 WAC; the plumbing code is regulated by chapter 51-56 WAC; the electrical code is regulated by chapter 296-46B WAC; and Appendix G is included in adoption of the International Residential Code. (Ord. 15802 § 74, 2007: Ord. 14914 § 269, 2004).

16.05.020 Administration. Chapter 1 of the International Residential Code is not adopted and Chapter 1 of the International Building Code as amended in K.C.C. chapter 16.02 is substituted. (Ord. 14914 § 270, 2004).

16.05.030 Appendices adopted. Appendices F, G, H and K of the International Residential Code are adopted. (Ord. 15802 § 75, 2007: Ord. 14914 § 271, 2004).

16.05.040 Building Planning – Design criteria - Climate and Geographical Design Criteria for King County. Table R301.2(1) of the International Residential Code is not adopted and the following is substituted:

Table R301.2(1)
CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA FOR KING COUNTY

Ground snow load	Wind speed (mph)	Seismic design category	Subject to damage from				Winter design temp.	Ice-shield required	Flood hazards	Air freezing index	Mean annual temp.
			Weathering	Frost line depth	Termite	Decay					
Varies[1]	85	D1 or D2[2]	Moderate	12" < 1,000ft elev.[3]	Slight to Mod.	Slight to Mod.	25	No	Varies[4]	100 to 250	50

1. Snow loads shall be determined in accordance with King County public rules. The minimum roof design snow load shall be 25 pounds per square feet.

2. Seismic design category shall be D1 for areas of unincorporated King County to the east of the Snoqualmie River as it traverses from the King County-Snohomish County line to the city limits of Snoqualmie, east of the town of Snoqualmie, east of the Snoqualmie Parkway and the Echo Lake-Snoqualmie Cut-off SE as they run from the city limits of the town of Snoqualmie to State Highway 18 and to the south or east of State Highway 18. All other portions of unincorporated King County shall be seismic design category D2.

3. The frost line depth shall be considered to be 12 inches for sites up to an elevation of 1000 feet above sea level, 18 inches for sites greater than 1000 feet and up to an elevation of 2000 feet above sea level or 24 inches for sites greater than 2000 feet above sea level. Frost depth may be otherwise determined by specific site analysis, but shall not be less than 12 inches.

4. Flood hazard within King County varies. See the flood hazard code provisions of K.C.C. chapter 21A.24. (Ord. 15802 § 76, 2007: Ord. 14914 § 272, 2004).

16.05.050 Building Planning – Design criteria - Disaster repair standards. Section R301 of the International Residential Code is supplemented with the following:

Disaster repair standards (IRC 301.9). Repairs for buildings damaged by disasters shall comply with Sections 3411.2 through 3411.7 of the International Building Code as amended by K.C.C. chapter 16.06. (Ord. 15802 § 77, 2007: Ord. 14914 § 273, 2004).

16.05.060 Garages and carports – Flood hazard areas. Section R309.5 of the International Residential Code is not adopted and the following is substituted:

Flood hazard areas (IRC R309.5). Garage floors in buildings located in flood hazard areas shall comply with the flood hazard standards in K.C.C. chapter 21A.24. (Ord. 14914 § 274, 2004).

16.05.065 Building planning – Emergency escape and rescue openings – Emergency escape windows under decks and porches. Section R310.5 of the International Residential Code is not adopted and the following is substituted:

Emergency escape windows under decks and porches (IRC R310.5) Emergency escape windows are allowed to be installed under decks, porches, roof overhangs, awnings, or similar projections provided the location allows the emergency escape window to be fully opened and provides a path not less than 36 inches (914mm) in height and not less than 36 inches (914 mm) in width with a maximum unobstructed travel length directly to a yard or court based on 3:1, length to height ratio or as approved by the building official. This distance shall be measured from the edge of the window or if served by a window well from the edge of that window well.

EXCEPTION: When the vertical height is 6'8" (2,032 mm) or greater, the travel distance or length is unlimited. (Ord. 15802 § 78, 2007).

16.05.070 Building planning – Flood-resistant construction. Section R324 of the International Residential Code is not adopted and the following is substituted:

Building planning – Flood-resistant construction (IRC R324). Flood-resistant construction will comply with the flood hazard standards in K.C.C. chapter 21A.24. (Ord. 15802 § 79, 2007: Ord. 14914 § 275, 2004).

16.05.080 Building planning – Automatic fire sprinklers. Chapter 3 of the International Residential Code is supplemented with the following:

Automatic fire sprinklers (IRC R325). Automatic fire sprinklers shall be provided as required by Section 903.2.10.4 of the International Fire Code. (Ord. 15802 § 80, 2007: Ord. 14914 § 276, 2004).

16.05.090 Foundation walls - Concrete foundation walls. Section R404.1.2 of the International Residential Code is not adopted and the following is substituted:

Concrete foundation walls (IRC R404.1.2). Concrete foundation walls shall be constructed as provided in Table 404.1.1(5) and shall also comply with section R404 and the applicable provisions of Section R402.2. In seismic design categories D0, D1 and D2, concrete foundation walls shall comply with section R404.1.4. Concrete foundation walls may comply with Table 1805.5(6) of the International Building Code, as amended by K.C.C. chapter 16.04, as an alternative to requiring a special design for every application. (Ord. 15802 § 81, 2007: Ord. 14914 § 277, 2004).

16.05.100 Under floor space – Flood resistance. Section R408.7 of the International Residential Code is not adopted and the following is substituted:

Flood resistance (IRC R408.7). Under floor spaces of buildings located in areas prone to flooding shall comply with the flood hazard standards in K.C.C. chapter 21A.24. (Ord. 15802 § 82, 2007: Ord. 14914 § 278, 2004).

16.05.102 Location of pool.

Appendix G - Swimming pools, spas and hot tubs - General. Appendix AG 101 of the International Residential Code is supplemented with the following:

Location of pool (IRC AG 101.2). A swimming pool may not be located in any front yard required by the zoning code of the county, nor closer than five feet measured from the edge of the water surface to any exterior property line. (Ord. 15802 § 84, 2007: Res. 21284 § 1, 1960. Formerly K.C.C. 16.70.010).

16.05.104 Scope of code.

Appendix G - Swimming pools, spas and hot tubs - General. Appendix AG 101 of the International Residential Code is supplemented with the following:

Scope of code (IRC AG 101.3). The provisions of this chapter shall not apply to public swimming pools for which a charge or admission price is required to be paid for the use thereof, nor to swimming pools which are a part of and located upon the same premises as a hotel or motel, nor to swimming pools operated by a school district when the pools are made unavailable except at times when attended by adult supervisors or guards. (Ord. 15802 § 86, 2007: Res 21284 § 4, 1960. Formerly K.C.C. 16.70.040).

16.05.106 Submission of plans prior to construction - Inspection and approval of pool - Use before approval constitutes violation.

Appendix G - Swimming pools, spas and hot tubs - General. Appendix AG 101 of the International Residential Code is supplemented with the following:

Submission of plans prior to construction - Inspection and approval of pool - Use before approval constitutes violation (IRC AG 101.4). Plans for swimming pools to be constructed shall be submitted to the department of development and environmental services, and shall show on their face the form of proposed compliance with the requirements of this chapter and the final inspection and approval of all pools hereafter constructed shall be withheld until all requirements of this chapter have been complied with. Use of the swimming pool before final inspection and approval constitutes a violation of this chapter. (Ord. 15802 § 88, 2007; Ord. 11797 2, 1995: Res. 21284 § 3, 1960. Formerly K.C.C. 16.70.030).

16.05.108 Appendix G - Swimming pools, spas and hot tubs - General. Appendix AG 101 of the International Residential Code is supplemented with the following:

Enforcement (IRC AG 101.5). The director of the department of development and environmental services is authorized to enforce the provisions of this chapter, the ordinances and resolutions codified in it, and any rules and regulations promulgated thereunder pursuant to the enforcement and penalty provisions of Title 23. (Ord. 15802 § 90, 2007: Ord. 11797 § 4, 1995: Ord. 2910 § 4 (part), 1976: Res. 21284 (part), 1960. Formerly K.C.C. 16.70.060).

16.05.110 Appendix G - Swimming pools, Spas and Hot Tubs - Barrier requirements - Outdoor swimming pool. Section AG105.2 of Appendix G of the International Residential Code is not adopted and the following is substituted:

Outdoor swimming pool (IRC AG105.2). An outdoor swimming pool, including an in-ground, above-ground or on-ground pool, hot tub or spa shall be provided with a barrier that shall comply with the following:

1. The top of the barrier shall be at least 60 inches (1,524 mm) above grade measured on the side of the barrier which faces away from the swimming pool. The maximum vertical clearance between grade and the bottom of the barrier shall be 2 inches (51 mm) measured on the side of the barrier which faces away from the swimming pool. Where the top of the pool structure is above grade, such as an above-ground pool, the barrier may be at ground level, such as the pool structure, or mounted on the top of the pool structure. Where the barrier is mounted on top of the pool structure, the maximum vertical clearance between the top of the pool structure and the bottom of the barrier shall be 4 inches (102 mm).

2. Openings in the barrier shall not allow passage of a 4-inch-diameter (102 mm) sphere.

3. Solid barriers which do not have openings, such as a masonry or stone wall, shall not contain indentations or protrusions except for normal construction tolerances and tooled masonry joints.

4. Where the barrier is composed of vertical and horizontal members and the distance between the tops of horizontal members is less than 45 inches (1,143 mm), the horizontal members shall be located on the swimming pool side of the fence. Spacing between vertical members shall not exceed 1.75 inches (44 mm) in width. Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1.75 inches (44 mm) in width.

5. Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is 45 inches (1,143 mm) or more, spacing between vertical members shall not exceed 4 inches (101 mm). Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1.75 inches (44 mm) in width.

6 Maximum mesh size for chain link fences shall be a 2.25 in (57 mm) square unless the fence is provided with slats fastened at the top or the bottom which reduce the openings to not more than 1.75 inches (44 mm).

7. Where the barrier is composed of diagonal members, such as a lattice fence, the maximum opening formed by the diagonal members shall not be more than 1.75 inches (44 mm).

8. Access gates shall comply with the requirements of Section AG105.2, Items 1 through 7, and shall be equipped to accommodate a locking device.. Pedestrian access gates shall open outward away from the pool and shall be self-closing and have a self-latching device. Gates other than pedestrian access gates shall have a self-latching device. Where the release mechanism of the self-latching device is located less than 54 inches (1,372 mm) from the bottom of the gate, the release mechanism and openings shall comply with the following:

8.1 The release mechanism shall be located on the pool side of the barrier at least 3 inches (76 mm) below the top of the gate, and

8.2 The gate and barrier shall have no opening greater than 1/2 inch (12.7 mm) within 18 inches (457 mm) of the release mechanism.

9. Where a wall of a building serves as part of the barrier one of the following conditions shall be met:

9.1 The pool shall be equipped with a powered safety cover in compliance with ASTM F1346; or

9.2. Doors with direct access to the pool through that wall shall be equipped with an alarm which produces an audible warning when the door and its screen, if present, are opened. The alarm shall be listed in accordance with UL 2017. The audible alarm shall activate within 7 seconds and shall sound continuously for a minimum of 30 seconds after the door or its screen, if present, is opened and shall be capable of being heard throughout the house during normal house-hold activities. The alarm shall automatically reset under all conditions. The alarm system shall be equipped with a manual means, such as a touchpad or switch, to temporarily deactivate the alarm for a single opening. Such deactivation shall last not more than 15 seconds. The deactivation switch or switches shall be located at least 54 inches (1,372 mm) above the threshold of the door; or

9.3. Other means of protection , such as self-closing doors with self-latching devices, which are approved by the building official, shall be acceptable so long as the degree of protection afforded is not less than the protection afforded by item 9.1 or 9.2 described above.

10. Where an aboveground pool structure is used as a barrier or where the barrier is mounted on top of the pool structure, and the means of access is a ladder or steps, then:

10.1. The ladder or steps shall be capable of being secured, locked or removed to prevent access; or

10.2. The ladder or steps shall be surrounded by a barrier which meets the requirements section AG105.2, of Items 1 through 9. When the ladder or steps are secured, locked or removed, any opening created shall not allow the passage of a 4-inch diameter (102 mm) sphere. (Ord. 15802 § 91, 2007: Ord. 14914 § 280, 2004: Ord. 14111 § 68, 2001: Ord. 12560 § 57, 1996. Formerly K.C.C. 16.04.05053).

16.05.120 Appendix G - Swimming pools, Spas and Hot Tubs - Barrier requirements - Prefabricated pools. Appendix G of the International Residential Code is supplemented with the following:

Prefabricated pools (IRC AG105.6).

A. For an above ground, prefabricated pool greater than two feet in depth, the owner or possessor of real property shall:

1. Comply with the barrier requirements of AGT 105.2;

2. Equip the pool with a power or manual safety cover which complies with standards set forth in American Society for Testing and Materials (ASTM) F1346 - 1991; or

3. Use other means of protection, as approved by the building official, if such means are not less protective than that afforded by any of the means listed in this section. (Ord. 14914 § 282, 2004: Ord. 11797 § 1, 1995. Formerly K.C.C. 16.70.035).

16.05.124 Appendix G - Swimming pools, spas and hot tubs - General. Appendix AG 101 of the International Residential Code is supplemented with the following:

Barrier required - Exception (IRC AG 105.6). Every person who owns real property, or any person who is in possession of real property either as owner, purchaser under contract, as the lessee, tenant or licensee, and which real property is located within the boundaries of any residential single-family district zone or which is located within the boundaries of any suburban residential district, under the zoning code, and which property is located within the unincorporated area of King County, and upon which real property there is situated a manmade, hard-surfaced swimming pool; or, any such person above named who hereinafter constructs upon any real property, as above designated, a manmade, hard-surfaced swimming pool, shall erect thereon and maintain thereupon barriers meeting the requirements of AG 105.2 through AG 105.5. The barriers shall completely surround such swimming pool in such a manner as to minimize, as near as possible, the danger of unsupervised children gaining access thereto. All gates or doors opening through such enclosure shall be equipped with a self-closing and self-latching device designed to keep and capable of keeping such doors or gates securely closed at all times when not in actual use. Barriers shall be installed prior to the filling of the pool with water for use.

When a swimming pool is located within a yard enclosed by a barrier meets the requirements of this chapter, and when the gates or doors in the barrier meet the requirements of this chapter, a barrier immediately surrounding the swimming pool shall not be required. (Ord. 15802 § 93, 2007: Res. 21284 § 2, 1960. Formerly K.C.C. 16.70.020).

16.05.127 Appendix G - Swimming pools, spas and hot tubs - General. Appendix AG 101 of the International Residential Code is supplemented with the following:

Conformance of existing pools - Time limit for compliance with code - Failure to comply (IRC AG 105.7). Swimming pools of a type subject to K.C.C. 16.70.020, as recodified by this ordinance, that were in existence on June 6, 1960 but that do not possess the safety features required by this chapter shall, within a period of not to exceed six months from June 6, 1960, be brought into conformity with the provisions and requirements of this chapter. Swimming pools not brought into conformity within the time period required by this section are declared to be a public nuisance and a public hazard, and the owner of the premises upon which such pools exist shall be subject to the penalties prescribed herein. (Ord. 15802 § 95, 2007: Ord. 11797 § 3, 1995: Res. 21284 § 5, 1960. Formerly K.C.C. 16.70.050).

16.05.130 Appendix K - Sound transmission - Sea-Tac noise program area. Appendix K of the International Residential Code is supplemented with the following:

Appendix K - Sound transmission - Sea-Tac noise program area (IRC AK101.1). All buildings or structures constructed or placed in use for human occupancy on sites within the vicinity of Seattle-Tacoma International Airport that have been included within or enclosed by the Port of Seattle's Noise Remedy Program boundaries shall comply with the provisions in the International Building Code Appendix Z. (Ord. 15802 § 96, 2007: Ord. 14914 § 284, 2004: Ord. 14111 § 91, 2001: Ord. 12560 § 74, 1996. Formerly K.C.C. 16.04.05071).

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Chapter 16.06
INTERNATIONAL BUILDING CODE - EXISTING STRUCTURES - DISASTER DAMAGE

Sections:

16.06.010 Disaster damage - purpose.
16.06.020 Disaster damage - critical structures.
16.06.030 Disaster damage - structural repairs.
16.06.031 Disaster damage - Structural repairs - Required structural repair level for a damage ratio of ten percent or less.
16.06.032 Disaster damage - Structural repairs - Required structural repair level for a damage ratio greater than ten percent but no more than fifty percent.
16.06.033 Disaster damage - Structural repairs - Required structural repair level for a damage ratio greater than fifty percent.
16.06.034 Disaster damage - Structural repairs - Required structural repair level for critical structures.
16.06.035 Disaster damage - Structural repairs - Exception to the required structural repair level for Group H Occupancies.
16.06.036 Disaster damage - Structural repairs - Evaluations required.
16.06.037 Disaster damage - Structural repairs - Alternative.
16.06.038 Disaster damage - Structural repairs - Appeals.
16.06.040 Disaster damage repair - special provisions.
16.06.050 Disaster damage repairs - alternative residential provisions.
16.06.060 Disaster damage - nonstructural repairs to light fixtures and suspended ceilings.
16.06.070 Disaster damage - repair criteria for masonry chimneys.
16.06.080 Disaster damage - certified compliance program for nonstructural and "stand-alone" structural repairs.

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16.06.010 Disaster damage - purpose. Chapter 34 Existing Structures of the International Building Code is supplemented with the following:

Purpose (IBC 3411.1). The purpose of K.C.C. 16.06.020 through 16.06.080 is to provide a defined level of repair for buildings and structures damaged by a disaster resulting in a declared emergency as defined in K.C.C. 16.20.080. K.C.C. 16.06.020 through 16.06.080 are not intended to modify requirements that would otherwise apply under the Washington state energy code, chapter 19.27A RCW or provisions in buildings for aged and handicapped persons, chapter 70.92 RCW. (Ord. 14914 § 285, 2004: Ord. 14238 § 18, 2001).

16.06.020 Disaster damage - critical structures. Chapter 34 Existing Structures of the International Building Code is supplemented with the following:

Critical structures (IBC 3411.2). For the purpose of the International Building Code, a "critical structure" means a structure that may require a higher level of repair after a disaster because of its construction, use, height in stories, occupant load or location and is one or more of the following:

1. A masonry structure constructed without structural reinforcement or reinforced only with joint reinforcement;
2. A structure classified as Category III or IV for importance factor as defined by Table 1604.5 IBC;
3. A structure that is four or more stories in height;
4. A structure that contains a Group H occupancy, as defined in IBC 307; or
5. A structure that is located in a seismic or landslide hazard area, as designated in the King County Sensitive Areas Map Folio. (Ord. 15802 § 97, 2007: Ord. 14914 § 286, 2004: Ord. 14238 § 19, 2001).

16.06.030 Disaster damage - structural repairs. Chapter 34 Existing Structures of the International Building Code is supplemented with the following:

Structural repairs (IBC 3411.3). Required structural repair levels shall be based on the ratio of the estimated cost of repairs required to restore the structural members to their pre-event condition to the estimated replacement cost of the structure. (Ord. 14914 § 287, 2004: Ord. 14238 § 21, 2001).

16.06.031 Disaster damage - Structural repairs - Required structural repair level for a damage ratio of ten percent or less. Chapter 34 Existing Structures of the International Building Code is supplemented with the following:

Required structural repair level for a damage ratio of ten percent or less. (IBC 3411.3.1). When the damage ratio is ten percent or less, structures, except critical structures, as defined in K.C.C. 16.06.020, must be restored, as a minimum, to their pre-event condition.

EXCEPTIONS:

1. Replacement of structural masonry shall always be provided with reinforcement.

2. Structural masonry repairs shall be based on the recommendation of the engineer of record. (Ord. 14914 § 288, 2004).

16.06.032 Disaster damage - Structural repairs - Required structural repair level for a damage ratio greater than ten percent but no more than fifty percent. Chapter 34 Existing Structures of the International Building Code is supplemented with the following:

Required structural repair level for a damage ratio greater than ten percent but no more than fifty percent (IBC 3411.3.2).

1. Structures, except critical structures, as defined K.C.C. 16.06.020, shall have the damaged structural members, including all critical ties and connections associated with the damaged structural members, all structural members supported by the damaged member, and all structural members supporting the damaged members repaired, replaced or strengthened to bring them into compliance with the connection requirements and eighty percent of the force levels of the International Building Code.

EXCEPTION: For structures with rigid diaphragms where the above-required repair and strengthening increases the rigidity of the resisting members, the entire lateral-force-resisting system of the structure shall be investigated. When, in the opinion of the building official, an unsafe or adverse condition has been created as a result of the increase in rigidity, the condition shall be corrected.

2. When the structure is not a critical structure, as defined in K.C.C. 16.06.020, conventional stud framed structures, which contain detached one or two family dwellings, or detached occupancies classified as Group R, Division 3 or Group U, or accessory sheds or one story buildings not greater than two thousand square feet, which are accessory to detached one or two family dwellings, or are accessory to Group R, Division 3 occupancies, may alternatively comply with K.C.C. 16.06.050, with the approval of the building official.

EXCEPTIONS:

2.1. Structures which are located in a seismic or landslide hazard area, as designated on the King County sensitive area folio maps.

2.2. Structures with foundation or ground failures. (Ord. 14914 § 289, 2004).

16.06.033 Disaster damage - Structural repairs - Required structural repair level for a damage ratio greater than fifty percent. Chapter 34 Existing Structures of the International Building Code is supplemented with the following:

Required structural repair level for a damage ratio greater than fifty percent (IBC 3411.3.3). When the damage ratio is greater than fifty percent, all structures shall have the entire structure strengthened to comply with the force levels and connection requirements of the International Building Code. (Ord. 14914 § 290, 2004).

16.06.034 Disaster damage - Structural repairs - Required structural repair level for critical structures. Chapter 34 Existing Structures of the International Building Code is supplemented with the following:

Required structural repair level for critical structures (IBC 3411.3.4). When the damage ratio for critical structures, except for structures identified as essential facilities in seismic use Group IV, as listed in IBC Table 1604.5, is ten percent or less, the critical structures may be restored to the pre-event condition, except as noted in this section. When the damage ratio for critical structures is greater than ten percent but no greater than thirty percent, and for essential facilities when the damage ratio is greater than five percent but no greater than thirty percent, structures shall have the damaged structural members, including all critical ties and connections associated with the damaged structural members, all structural members supported by the damaged member, and all structural members supporting the damaged members repaired, replaced or strengthened to bring them into compliance with the connection requirements and eighty percent of the force levels of the International Building Code. When the damage ratio for critical structures and essential facilities as listed in seismic use Group IV IBC Table_1604.5, is greater than thirty percent, the entire structure shall be strengthened to comply with the force levels and connection requirements of the International Building Code.

EXCEPTION: The top two levels of a four or more level structure may meet a lesser criteria than having those levels strengthened to comply with the force levels and connection requirements of the International Building Code, provided that the criteria is not less than that which those levels would be subject to if they were in a two level structure, based on the damage they incurred. (Ord. 14914 § 291, 2004).

16.06.035 Disaster damage - Structural repairs - Exception to the required structural repair level for Group H occupancies. Chapter 34 Existing Structures of the International Building Code is supplemented with the following:

Exception to the required structural repair level for Group H occupancies (IBC 3411.3.5). When the structure owner can demonstrate that Group H occupancies are of a minor or accessory nature, the building official may designate the structure as other than a critical structure for structural repair design criteria purposes. (Ord. 14914 § 292, 2004).

16.06.036 Disaster damage - Structural repairs - Evaluations required. Chapter 34 Existing Structures of the International Building Code is supplemented with the following:

Evaluations required (IBC 3411.3.6). For all structures having at least a ten percent damage ration, but are not required to have the entire structure strengthened to comply with the force levels and connection requirements of the International Building Code, proposed repair or alteration of structures shall include an evaluation of the effects of such work to the building in its entirety. This evaluation shall include, but not be limited to, an investigation of the effects of any induced eccentricity and changes in the foundation and in story stiffness, as a result of the proposed improvements. When, in the opinion of the building official, an unsafe or adverse condition has been created as a result of such effects, the condition shall be corrected. (Ord. 14914 § 293, 2004).

16.06.037 Disaster damage - Structural repairs - Alternatives. Chapter 34 Existing Structures of the International Building Code is supplemented with the following:

Alternatives (IBC 3411.3.7). The building official may approve an alternative design criteria if the owner's engineer or architect can demonstrate, to the satisfaction of the building official, that the structure, after repair or alteration, will provide that level of safety as required by the intent of the International Building Code. (Ord. 14914 § 294, 2004).

16.06.038 Disaster damage - Structural repairs - Appeals. Chapter 34 Existing Structures of the International Building Code is supplemented with the following:

Appeals (IBC 3411.3.8). Decisions of the building official relating to the required structural repair level may be appealed to the Building Code Advisory Board in accordance with K.C.C. 16.02.550. (Ord. 14914 § 295, 2004).

16.06.040 Disaster damage repair - special provisions. Chapter 34 Existing Structures of the International Building Code is supplemented with the following:

Special provisions (IBC 3411.4). The following special provision shall apply when the damage ratio is greater than ten percent:

1. A structure containing an occupancy classified as Group R or any townhouse structure, which contains five or more dwelling units and which contains parking shall have any level containing parking and the connections of any parking level to adjacent levels strengthened to comply with the force levels and connection requirements of the International Building Code.

EXCEPTION: A wood-frame structure of one or two stories or one story and a basement, provided that no dwelling units are located above parking areas.

2. A structure having concrete tilt-up or masonry bearing walls shall be provided with a positive connection between the walls and roof diaphragm sized in accordance with the International Building Code.

3. A masonry structure, constructed without structural reinforcement or reinforced only with joint reinforcement, which has not been identified as an essential facility classified as Category IV for importance factor as listed in Table 1604.5 IBC and does not contain Group H occupancies shall comply with the International Existing Building Code Appendix Chapter A1. These structures, which are identified as essential facilities and listed in Category IV for importance factor as defined by Table 1604.5 IBC or contain Group H occupancies shall have the entire structure strengthened to comply with the force levels and connection requirements of the International Building Code.

4. For repairs to structures located in a seismic hazard area, as identified on the King County sensitive areas map folio, consideration shall be given to potential consequences of any liquifaction and soil strength loss, including estimation of differential settlement, lateral movement or reduction in foundation soil bearing capacity in accordance with a foundation investigation as required by IBC 1802.

5. For repairs to structures located in a landslide hazard area, as identified on the King County sensitive areas map folio, an evaluation of the risks shall be made by a geotechnical engineer. Where excessive risk exists and cannot be mitigated, repair is prohibited, when the ratio of the estimated value of the repairs required to restore the structural members to their pre-event condition to the estimated replacement value of the structure exceeds thirty percent. Repair proposals and construction shall be in conformance with recommendations of the geotechnical engineer of record. (Ord. 14914 § 296, 2004: 14238 § 21, 2001).

16.06.050 Disaster damage repairs - alternative residential provisions. Chapter 34 Existing Structures of the International Building Code is supplemented with the following:

Alternative residential provisions (IBC 3411.5). When the structure is not a critical structure and the damage ratio is greater than ten percent, but less than fifty percent, conventional stud framed structures which contain detached one or two family dwellings, or occupancies classified as Group R, Division 3 or Group U or accessory sheds or buildings one story in height and not greater than two thousand square feet, which are accessory to detached one and two family dwellings, or are accessory to Group R, Division 3 occupancies, shall, at a minimum, be restored to their pre-event condition.

EXCEPTION:

1. Structures more than 3 stories in height shall comply with IBC 3411.3 as modified by the codes.

2. On sites in seismic design category D2 as described in IRC Table R301.2(1) and on sites 2000 feet or more above seal level, repair of buildings and structures in accordance with this subsection is limited to repair of buildings or structures or one or two stories in height.

3. On sites 2500 feet or more above sea level, repair of buildings and structures in accordance with this section is limited to repair of one story in height structures.

If structures are restored to their pre-event condition, the following provisions also apply:

1. Damaged required braced panels shall be repaired or replaced.

2. The wood frame shall be attached to the foundation with not less than the following, or its equivalent: one-half inch anchor bolt at six feet on center where one floor is supported on the foundation; or one-half inch anchor bolt at four feet on center where two or three stories are supported on the foundation. Where technically feasible, anchor bolts shall comply with IBC 2305.3.11, however where compliance with IBC 2305.3.11 is not technically feasible, each foundation bolt newly installed for compliance with this section shall be provided with plate washers a minimum of two inch by two inch by three-sixteenths inch thick. Where the sill plates are exposed during construction, to the degree feasible, provide anchor bolts in accordance with this section or provide equivalent anchorage.

3. At each level, in each direction, minimum bracing shall be provided as follows:

3.1. Braced wall panels shall be in a quantity such that the total amount of braced wall panels shall be not be less than eighteen percent of the building width at first story of two stories in height, or second story of three stories in height.

3.2. The total amount of braced wall panels shall be not less than thirty percent of the building width at the first story of three stories in height.

3.3. Construction of braced wall panels shall be one of the methods listed as methods 2 through 8 in IBC 2308.9.3, Bracing, or be an approved shear panel. On an approved shear panel, all elements must comply with the provisions of the listing.

3.4. Braced wall panels shall be installed so that there is no unbraced section along the wall exceeding thirty-two feet, except that braced wall panels shall be installed so there is no unbraced section along the wall exceeding twenty-five feet at the first story of three stories in height.

3.5. No braced wall panel less than two feet in width shall be considered to satisfy a portion of the overall length requirement, unless fully complying with the listing of an approved wall panel or IBC 2308.9.2.3 alternative bracing wall panel adjacent to a door or window opening.

3.6. Braced wall panels shall be provided with ties to the wall below or to the foundation to resist overturning where the braced wall panel is less than three feet in width at the first and second story of three stories in height and first of two stories in height. (Ord. 15802 § 98, 2007: Ord. 14914 § 297, 2004: Ord. 14238 § 22, 2001).

16.06.060 Disaster damage - nonstructural repairs to light fixtures and suspended ceilings. Chapter 34 Existing Structures of the International Building Code is supplemented with the following:

Nonstructural repairs to light fixtures and suspended ceilings (IBC 3411.6). Regardless of the damage ratio, when light fixtures and the suspension system of suspended ceilings are damaged, the damaged light fixtures and suspension systems shall be required to fully comply with the requirements of this code, ASTM C 635 and ASTM C 636. Undamaged light fixtures and suspension systems shall have the additional support and bracing, provided that is required in ASTM C 635 and ASTM C 636. (Ord. 14914 § 298, 2004: Ord. 14238 § 23, 2001).

16.06.070 Disaster damage - repair criteria for masonry chimneys. Chapter 34 Existing Structures of the International Building Code is supplemented with the following:

Repair criteria for masonry chimneys (IBC 3411.7).

1. All damaged masonry chimneys must be repaired or reconstructed to comply with the requirements of IBC 2113, repaired or reconstructed with pre-manufactured chimneys or they shall be removed. When only a portion of the masonry chimney requires repair, damaged portions of chimneys shall be removed and repaired in accordance with the following criteria:

1.1. When the damaged portion of the chimney is located between the roof line and the top of the chimney, the damaged portion shall be removed to the roof line provided the roof and ceiling anchorage are in sound condition. The reconstructed portion of the chimney shall be braced to the roof structure.

1.2. For a single story structure in which the damaged portion of the chimney is below the roofline or the damaged portion extends from above the roofline to below the roofline, the chimney shall be removed to the top of the fireplace.

1.3. For a multistory structure, the damaged portion of the chimney shall be removed from the top to a floor line where sound anchorage is found.

1.4. In any structure where the firebox has been damaged, the entire chimney and firebox shall be removed to the foundation. If the fireplace foundation is in sound condition, the firebox and chimney may be reconstructed using the existing foundation. If the fireplace foundation has been damaged, the fireplace foundation shall be removed and replaced.

2. Where existing conditions preclude the installation of all anchorage required by IBC 2113, alternate systems may be used in accordance with the alternate methods and materials provisions of the current code when approved by the building official. Such alternate systems shall be designed and detailed by a structural engineer, civil engineer or architect.

3. When the portion of the chimney extending above the roof line exceeds three times the least dimension of the chimney, that portion above the roof line shall be braced to the roof structure. (Ord. 14914 § 299, 2004: Ord. 14238 § 24, 2001).

16.06.080 Disaster damage - certified compliance program for nonstructural and "stand-alone" structural repairs. Chapter 34 Existing Structures of the International Building Code is supplemented with the following:

Certified compliance program for nonstructural and “stand-alone” structural repairs (IBC 3411.8). The building official may establish a certified compliance program by public rule in accordance with K.C.C. chapter 2.98. This program will allow certain repairs to disaster damaged structures through an issued building permit without requiring an engineered repair design and without submitting plans for review by King County.

1. Repairs authorized under this program will be where the damage is limited to nonstructural components, such as chimneys and stand-alone structural systems, such as masonry or concrete masonry walls.

2. The program would require that nonstructural and stand-alone structural repairs be performed only by registered contractors who can demonstrate competence in standards set forth in the public rule.

3. The program may waive the requirement for inspection of the nonstructural and stand alone structural repairs, provided the registered contractor provides certification that the repairs have been completed in accordance with the approved permit and the repair criteria.

4. Repair criteria and required standards for registered contractors shall be set forth in the public rule. (Ord. 14914 § 300, 2004: Ord. 14238 § 25, 2001).

Chapter 16.08
ROAD NAMES AND ADDRESSING BUILDINGS

Sections:

16.08.010 Purpose.
16.08.020 Road designations and redesignations.
16.08.030 Building address assignments and reassignments.
16.08.040 Uncertainty of road designations or addresses.
16.08.050 Maintenance.
16.08.060 Council redesignation of streets.
16.08.070 Enforcement.
16.08.080 Severability.
16.08.090 Records.

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16.08.010 Purpose. The purpose of this chapter is to grant the department of development and environmental services, hereafter called the department, the authority to assign road names and numbers, and address the principal entrances of all buildings or other uses in conformance with the grid system adopted by King County Resolution 16622. (Ord. 10915 § 1, 1993: Ord. 8766 § 1, 1988).

16.08.020 Road designations and redesignations.

A. Public or private roads shall be designated within the guidelines of the grid system as determined by the department. Named roads can only be assigned when the numbered grid is determined infeasible by the department. The department may redesignate existing private and county roads if such roads are determined to be inconsistent with the surrounding road designation system.

B. All roads shall carry a geographic suffix or prefix. Roads designated as avenues shall carry a geographic suffix and be in a north-south direction, and roads designated as streets shall carry a geographic prefix and be in an east-west direction. Diagonal roads are treated as being either north-south or east-west roads. Names such as lane, place, way, court, and drive may be used on a road running either direction.

C. Only entire street lengths or distinct major portions of streets, as defined in K.C.C. 16.08.060, shall be separately redisignated.

D. In determining the need for redesignation, the department shall consider consistency with the provisions of K.C.C. 16.08.020 A., the impact on existing businesses and residences, and emergency services responsiveness.

E. Redesignations of county roads shall be accomplished by the adoption of an ordinance directing such redesignation.

F. Notice of county road redesignations shall be mailed by the department at least twenty days prior to the public hearing on the ordinance to all property owners whose addresses would be affected.

G. Appeals of designations and redesignations shall be heard directly by the council. (Ord. 10915 § 2, 1993: Ord. 8766 § 3, 1988).

16.08.030 Building address assignments and reassignments.

A. The assignment of addresses for new buildings shall occur in conjunction with the issuance of a building permit.

B. The assignment of addresses shall be based on the following criteria:

1. Even numbers shall be used on the northerly side of roads named as east-west and on the easterly side of roads named as north-south.

2. Odd numbers shall be used on the southerly side of roads named as east-west and on the westerly side of roads named as north-south. Addresses shall be assigned whole numbers only.

C. Should the department find that any building, structure, or premise is not provided with an address, is not correctly addressed, or is not using the assigned address, it shall notify the owner, agent, or renter of the correct address. The address number shall be properly placed in accordance with the provisions of this section, by the effective date shown upon the notice. It shall be unlawful for any owner, agent, or renter to display, advertise or use the wrong address after notification by the department.

D. In determining the need for address reassignment, the department shall consider consistency with the provisions of K.C.C. 16.08.030 (B), consistency with the addressing needs of the area, and emergency services responsiveness.

E. Address reassignments shall be accomplished by notification of the affected property owner by the department at least twenty days prior to the effective date of the reassignment. (Ord. 10915 § 3, 1993: Ord. 8766 § 4, 1988).

16.08.040 Uncertainty of road designations or addresses. Whenever there is doubt or difference of opinion as to the correct road designation or correct address, the road designation or address shall be determined by the department and shall be guided by the specific provisions of this chapter or by rules promulgated pursuant to K.C.C. 2.98 to carry out the intent of this chapter. (Ord. 10915 § 4, 1993: Ord. 8766 § 5, 1988).

16.08.050 Maintenance.

A. The owner, occupant, or renter of any addressed building or other structure shall maintain the address numbers in a conspicuous place over or near the principal entrance or entrances. If said entrance(s) cannot be easily seen from the nearest adjoining street, the address numbers shall be placed in such other conspicuous place on said building or structure as is necessary for visually locating such address numbers from the nearest adjoining street.

B. If the addressed building or structure cannot be easily seen or is greater than 50 feet from the nearest adjoining street, the address numbers shall be placed on a portion of the site that is clearly visible and no greater than 20 feet from the street.

C. The address numbers shall be easily legible figures, not less than three inches high if a residential use or individual multi-family unit, nor less than five inches high if a commercial use. Numbers shall contrast with the color of the structure upon which they are placed, and shall either be illuminated during periods of darkness, or be reflective, so they are easily seen at night. (Ord. 10915 § 5, 1993: Ord. 8766 § 6, 1988).

16.08.060 Council redesignation of streets.

A. Notwithstanding the provisions of sections 16.08.010 and 16.08.020 of this chapter, the county council reserves the option of changing street names or changing numbered streets to named streets. Applications to the council for street renaming shall contain the signatures of the majority of persons having ownership in properties addressed on the street to be renamed. Notice of proposed name changes shall be mailed to all property owners whose addresses would be changed at least twenty days prior to council action. A change of street names shall be accomplished by the adoption of an ordinance directing the change.

B. The council shall consider technical input from the department, locational and development characteristics relative to the street, and the impact of the change on existing businesses and residences, as well as on emergency vehicle responsiveness, in determining whether the change should be made. Only entire street lengths or distinct major portions of streets shall be separately renamed by the county. For purposes of this chapter, "distinct major portions" shall mean a separate portion of a street identifiable by either a directional shift of a least forty-five degrees or an interrupted interval of at least one quarter mile. (Ord. 10915 § 6, 1993: Ord. 8766 § 10, 1988).

16.08.070 Enforcement. The provisions of this chapter shall be enforced pursuant to Title 23. (Ord. 8766 § 8, 1988).

16.08.080 Severability. Should any section, subsection, paragraph, sentence, clause, or phrase be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions to the chapter. (Ord. 8766 § 9, 1988).

16.08.090 Records. The department shall maintain the official record of current addresses. (Ord. 10915 § 7, 1993: Ord. 8766 § 7, 1988).

Chapter 16.10
KING COUNTY BUILDING SECURITY CODE

Sections:

16.10.010 Purpose.
16.10.020 Scope.
16.10.030 BSC - Entry vision.
16.10.040 Strike plate installation.
16.10.050 Locking hardware.
16.10.060 Sliding doors.
16.10.070 Windows.
16.10.080 Alternate materials and methods.
16.10.100 Obstructing exits - General.
16.10.110 Obstructing exits - Emergency escape or rescue windows.
16.10.120 Hinges.

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16.10.010 Purpose. The purpose of this chapter is to establish minimum standards to make dwelling units resistant to unlawful entry. This chapter shall be known as the King County building security code and hereinafter referred to as security code or "BSC." (Ord. 14914 § 301, 2004: Ord. 14111 § 73, 2001).

16.10.020 Scope.

1. The provisions of this chapter shall apply to openings into all new and existing dwelling units within apartment houses of Group R, Division 1 Occupancies; rented or leased Group R, Division 3 Occupancies; one and two family dwellings and townhouses and to openings between attached garages and dwelling units. Except for vehicular access, door openings in enclosed attached garages shall be in accordance with the provisions of this chapter.

2. Upon the conversion from an owner occupied dwelling to a rented or leased dwelling, the provisions shall take effect immediately.

3. The provisions of this code shall be applied to non-conforming structures during the course of applying for the appropriate permits and complying with development requirements through construction inspection prior to the issuance of a final certificate of occupancy.

4. The provisions of this code shall be applied to non-conforming structures through subsequent building permit applications and a public information campaign.

EXCEPTIONS:

1. An opening in an exterior wall when all portions of such openings are more than 12 feet (3.658 m) vertically or 6 feet (1.829 m) horizontally from an accessible surface of any adjoining yard, court, passageway, public way, walk, breezeway, patio, planter, porch or similar area.

2. An opening in an exterior wall when all portions of such openings are more than 12 feet (3.658 m) vertically or 6 feet (1.829 m) horizontally from the surface of any adjoining roof, balcony, landing, stair tread, platform or similar structure or when any portion of such surface is itself more than 12 feet (3.658 m) above an accessible surface.

3. Any opening in a roof when all portions of such roof are more than 12 feet (3.658 m) above an accessible surface.

4. Openings where the smaller dimension is 6 inches (.152 m) or less, provided that the closest edge of the opening is at least 36 inches (.914 m) from the locking device of the door or window assembly.

5. Openings protected by required fire door assemblies having a fire-endurance rating of not less than 45 minutes. (Ord. 14914 § 302, 2004: Ord. 14111 § 74, 2001: Ord. 12560 § 58, 1996. Formerly K.C.C. 16.04.05054).

16.10.030 BSC - Entry vision. Every exit and entry door from a leased or rented dwelling unit shall be arranged so that the occupant has a view of the area immediately outside the door without opening the door. The view may be provided by a door viewer having a field of view of not less than 180 degrees through windows or through view ports. View ports installed in accordance with this section in existing 20 minute and 45 minute rated fire doors shall not be deemed to diminish the rating of the fire door nor invalidate its listing. Exit doors from a dwelling unit which have windows or are otherwise transparent and offer at least a 180 degree view of the area immediately outside the door shall be exempt from the requirements of this section. (Ord. 14914 § 303, 2004: Ord. 14111 § 75, 2001: Ord. 12560 § 59, 1996. Formerly K.C.C. 16.04.05055).

16.10.040 Strike plate installation.

1. In wood-frame construction, an open space between trimmers and wood doorjambs shall be solid shimmed by a single piece extending not less than 12 inches (.305 m) above and below the strike plate.

2. Strike plates shall be attached to the door frame with not less than two No. 8 by two and one-half (2-1/2) inch screws.

3. All strike plates of doors in pairs shall be installed as tested. (Ord. 14914 § 304, 2004: Ord. 14111 § 76, 2001: Ord. 12560 § 60, 1996. Formerly K.C.C. 16.04.05056).

16.10.050 Locking hardware. Manually operated edge- or surface-mounted flush bolts shall not be used as a substitute for a dead bolt lock. The lock shall be constructed so that the dead bolt lock shall be opened from the inside without the use of a key or tool and mounted at a height not to exceed 48 inches above the finished floor. (Ord. 14914 § 305, 2004: Ord. 14111 § 77, 2001: Ord. 12560 § 61, 1996. Formerly K.C.C. 16.04.05057).

16.10.060 Sliding doors. Every exterior sliding door from a dwelling unit shall be equipped from the interior with a patio door bar lock or patio pin type locking device. (Ord. 14914 § 306, 2004: Ord. 14111 § 78, 2001: Ord. 12560 § 62, 1996. Formerly K.C.C. 16.04.05058).

16.10.070 Windows. All window assemblies which open and which are regulated by this code shall be equipped with latching devices which operate from the interior, unless such windows are protected by approved metal bars, screens or grilles. Louvered windows regulated by this chapter shall be protected by approved metals bars, screens or grilles. (Ord. 14914 § 307, 2004: Ord. 14111 § 79, 2001: Ord. 12560 § 63, 1996. Formerly K.C.C. 16.04.05059).

16.10.080 Alternate materials and methods. The provisions of this chapter are not intended to prevent the use of any material, device, hardware or method not specifically prescribed in this chapter. The building official, may approve a substitution of an alternative security device if the device is equally capable of resisting illegal entry and the installation of the device does not conflict with the requirements of this code or the requirements of other ordinances regulating safe exits. (Ord. 14914 § 308, 2004: Ord. 14111 § 80, 2001: Ord. 12560 § 64, 1996. Formerly K.C.C. 16.04.05060).

16.10.100 Obstructing exits – General. Security methods shall not create a hazard to life by obstructing any means of egress or any opening which is classified as an emergency exiting facility. Security provisions shall not supersede the safety requirements relative to latching or locking devices on exit doors which would be contrary to the provisions of Chapter 10 of the Building Code nor shall the provisions of this chapter be construed to waive any other provisions of this code. (Ord. 15802 § 99, 2007).

16.10.110 Obstructing exits – Emergency escape or rescue windows. Bars, grilles, grates or similar devices may be installed in an emergency escape or rescue windows or doors required by the Building Code, only if:

1. The devices are equipped with approved release mechanisms which are openable from the inside without the use of a key or special knowledge or effort: and
2. The building is equipped with smoke detectors installed in accordance with the Building Code. (Ord. 15802 § 100, 2007).

16.10.120 Hinges. When hinges are exposed to the exterior, at least one of the three required hinges shall be equipped with nonremoveable hinge pins or a mechanical interlock to preclude removal of the door from the exterior by removing the hinge pins. Not less than three 4 1/2 inch (114mm) steel putt hinges shall be symmetrically fastened to both the door and frame with not less that four No, 9 by 3/4-inch (19mm) wood screws or to metal with not less than four No. 8 machine screws.

In wood construction, an open space between trimmers and wood doorjams shall be solid shimmed extending not less than 6 inches (152 mm) above and below the plate. (Ord. 15802 § 101, 2007).

Chapter 16.12
INTERNATIONAL MECHANICAL CODE

Sections:

16.12.010 Adoption.
16.12.012 Administration.

16.12.010 Adoption. The 2006 International Mechanical Code, with Appendix A, as amended in chapter 51-52 WAC effective July 1, 2007, as published by or jointly with the International Code Council, Inc, together with amendments, additions and deletions hereinafter adopted by reference, together with the state building code and with King County modifications which shall be adopted and codified in this chapter are adopted as the King County mechanical code and hereinafter referred to as “IMC.” (Ord. 15802 § 102, 2007: Ord. 14914 § 310, 2004: Ord. 14111 § 118, 2001).

16.12.012 Administration. Chapter 1 of the International Mechanical Code is not adopted and Chapter 1 of the International Building Code as amended in K.C.C. chapter 16.02 is substituted. (Ord. 15802 § 103, 2007).

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Chapter 16.14
INTERNATIONAL PROPERTY MAINTENANCE CODE

Sections:

16.14.010 Adoption.
16.14.020 General - Scope.
16.14.030 General - Intent.
16.14.040 Applicability - Application of other codes.
16.14.050 Applicability - Referenced codes and standards.
16.14.060 Department of property maintenance inspection.
16.14.070 Duties and powers of the code official - General.
16.14.080 Duties and powers of the code official - Rule-making authority.
16.14.090 Duties and powers of the code official - Right of entry.
16.14.100 Violations - Unlawful acts.
16.14.110 Violations - Substandard buildings.
16.14.120 Notices and orders - Commencement of proceedings.
16.14.130 Notices and orders - Repair, vacation and demolition.
16.14.140 Unsafe structures, premises and equipment - General.
16.14.150 Unsafe structures, premises and equipment - Unsafe structures and premises.
16.14.160 Unsafe structures, premises and equipment - Unsafe equipment.
16.14.170 Unsafe structures, premises and equipment - Structure unfit for human occupancy.
16.14.180 Unsafe structures, premises and equipment - Structure unfit for human occupancy - Placarding.
16.14.190 Unsafe structures, premises and equipment - Unlawful structure.
16.14.200 Unsafe structures, premises and equipment - Closing of vacant structures.
16.14.210 Unsafe structures, premises and equipment - Notice.
16.14.220 Unsafe structures, premises and equipment - Placard to vacate.
16.14.230 Unsafe structures, premises and equipment - Placarding of unsafe structures, premises and equipment.
16.14.240 Unsafe structures, premises and equipment - Compliance.
16.14.250 Emergency measures - Imminent danger.
16.14.260 Emergency measures - Temporary safeguards.
16.14.270 Emergency measures - Closing streets.
16.14.280 Emergency measures - Emergency repairs.
16.14.290 Emergency measures.
16.14.300 Emergency measures - Rapid abatement - purpose.
16.14.310 Emergency measures - Rapid abatement - authority.
16.14.320 Emergency measures - Rapid abatement plan - applicability.
16.14.321 Emergency measures - Emergency demolition permit in lieu of preparing a rapid abatement plan.
16.14.330 Emergency measures - Rapid abatement - compliance.
16.14.340 Emergency measures - Rapid abatement - assessment of immediacy and notification.
16.14.350 Emergency measures Rapid abatement plan - contents.
16.14.360 Emergency measures - Rapid abatement plan - time frame for submittal.
16.14.365 Emergency measures - a statement of emergency demolition.
16.14.366 Emergency measures - a statement of emergency demolition - contents.
16.14.370 Emergency measures - Rapid abatement plan - street and road groups.
16.14.380 Emergency measures - Rapid abatement plan - time frame for completion abatement.
16.14.385 Emergency measures - Emergency demolition permit in lieu of preparing a rapid abatement plan - disapproval by the code official.
16.14.390 Emergency measures - Rapid abatement plan - disapproval by the code official.

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16.14.400 Emergency measures - Rapid abatement by the code official.
16.14.410 Demolition - General.
16.14.420 Demolition - Notice and orders.
16.14.430 Means of appeal - Application for appeal.
16.14.440 Means of appeal.
16.14.450 General - Responsibilities defined.
16.14.460 Exterior property areas - Fire hazard.
16.14.470 Exterior property areas - Motor vehicle.
16.14.480 Swimming pools, spas and hot tubs - Enclosures.
16.14.490 Exterior structure - Premises identification.
16.14.500 Exterior structure - Insect screens.
16.14.510 Exterior structure - Building security.
16.14.520 Water system - General.
16.14.530 Heating facilities - Residential occupancies.
16.14.540 Heating facilities - Heat supply.
16.14.550 Heating facilities - Occupiable work spaces.
16.14.560 Heating facilities - Room temperature measurements.
16.14.570 Electrical facilities - Service.
16.14.580 Electrical equipment - Receptacles.
16.14.590 Elevators, escalators and dumbwaiters.

16.14.010 Adoption. The International Property Maintenance Code, 2006 Edition, as published by the International Code Council, together with amendments, additions and deletions hereinafter adopted by reference, together with King County modifications which shall be adopted and codified in this chapter are adopted as the King County property maintenance code and hereinafter referred to as "IPMC." Chapter 8, Referenced Standards, is not adopted. (Ord. 15802 § 104, 2007: Ord. 14914 § 332, 2004: Ord. 14111 § 129, 2001. Formerly K.C.C. 16.16.010).

16.14.020 General - Scope. Section 101.2 of the International Property Maintenance Code is not adopted and the following is substituted:

Scope (IPMC 101.2). The provisions of this code shall apply to all existing residential and nonresidential structures, all existing premises, dangerous buildings or nuisances which are now in existence or which may hereafter become dangerous in the county and constitute minimum requirements and standards for premises, structures, equipment and facilities for light, ventilation, space, heating, sanitation, protection from the elements, life safety, safety from fire and other hazards, and for safe and sanitary maintenance; the responsibility of owners, operators and occupants; the occupancy of existing structures and premises, and for administration, enforcement and penalties. (Ord. 14914 § 334, 2004: Ord. 14111 § 155, 2001: Ord. 12560 § 127, 1996. Formerly K.C.C. 16.20.030; 16.04.050124).

16.14.030 General - Intent. Section 101.3 of the International Property Maintenance Code is not adopted and the following is substituted:

Intent (IPMC 101.3). This code shall be construed to secure its expressed intent, which is to ensure public health, safety and welfare insofar as they are affected by the continued occupancy and maintenance of structures and premises. Existing structures and premises that do not comply with these provisions shall be altered or repaired to provide a minimum level of health and safety as required herein. Repairs, alterations, additions to and change of occupancy in existing buildings may comply with the International Existing Building Code, the International Building Code or the International Residential Code.

This code also provides an alternative method and process whereby buildings and other structures damaged by a disaster resulting in a declared emergency may be expeditiously evaluated and abated.

The purpose of this code is not to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefited by the terms of this code. (Ord. 14914 § 336, 2004: Ord. 14238, § 1, 2001: Ord. 14111 § 154, 2001: Ord. 12560 § 126, 1996. Formerly K.C.C. 16.20.020; 16.04.050123).

16.14.040 Applicability - Application of other codes. Section 102.3 of the International Property Maintenance Code is not adopted and the following is substituted:

Application of other codes (IPMC 102.3). Repairs, additions or alterations to a structure, or changes of occupancy, may be done in accordance with the procedures and provisions of the International Existing Building Code. (Ord. 14914 § 337, 2004).

16.14.050 Applicability - Referenced codes and standards. Section 102.7 of the International Property Maintenance Code is not adopted. (Ord. 14914 § 338, 2004).

16.14.060 Department of property maintenance inspection. Section 103 of the International Property Maintenance Code is not adopted. (Ord. 14914 § 339, 2004).

16.14.070 Duties and powers of the code official - General. Section 104.1 of the International Property Maintenance Code is not adopted and the following is substituted:

General (IPMC 104.1). The director or designee is authorized to enforce the provisions of this chapter, the ordinances codified in it, and any rules and regulations promulgated thereunder pursuant to the enforcement and penalty provisions of K.C.C. Title 23. (Ord. 14914 § 340, 2004).

16.14.080 Duties and powers of the code official - Rule-making authority. Section 104.2 of the International Property Maintenance Code is not adopted and the following is substituted:

Rule-making authority (IPMC 104.2). The code official shall have authority as necessary in the interest of public health, safety and general welfare, to adopt and promulgate rules and procedures; to interpret and implement the provisions of this code; to secure the intent thereof; and to designate requirements applicable because of local climatic or other conditions. Such rules shall not have the effect of waiving structural or fire performance requirements specifically provided for in this code, or of violating accepted engineering methods involving public safety. (Ord. 14914 § 341, 2004).

16.14.090 Duties and powers of the code official - Right of entry. Section 104.4 of the International Property Maintenance Code is not adopted and the following is substituted:

Right of entry (IPMC 104.4). The right of entry shall be in accordance with the procedures specified in K.C.C. Title 23. (Ord. 14914 § 343, 2004: Ord. 14111 § 130, 2001: Ord. 12560 § 109, 1996. Formerly K.C.C. 16.16.020; 16.04.050106).

16.14.100 Violations - Unlawful acts. Section 106.1 of the International Property Maintenance Code is not adopted and the following is substituted:

Unlawful acts (IPMC 106.1). It shall be unlawful for any person, firm or corporation whether as owner, lessee, sublessee, or occupant, to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building or structure or cause or permit the same to be done, contrary to or in violation of this code or any order issued by the code official hereunder. This section shall be enforced in accordance with the procedures specified in K.C.C. Title 23. (Ord. 14914 § 345, 2004: Ord. 14111 § 134, 2001: Ord. 12560 § 112, 1996. Formerly K.C.C. 16.16.060; 16.04.050109).

16.14.110 Violations - Substandard buildings. Section 106.2 of the International Property Maintenance Code is not adopted and the following is substituted:

Substandard buildings (IPMC 106.2). All buildings, portions thereof or premises which are determined by the code official not to be in compliance with this Code are hereby declared to be a public nuisance and shall be abated by repair, rehabilitation, demolition, or removal in accordance with the procedures specified in K.C.C. Title 23. (Ord. 14914 § 347, 2004: Ord. 14111 § 132, 2001: Ord. 12560 § 110, 1996. Formerly K.C.C. 16.16.040; 16.04.050107).

16.14.120 Notices and orders - Commencement of proceedings. Section 107.1 of the International Property Maintenance Code is not adopted and the following is substituted:

Commencement of proceedings (IPMC 107.1). When the code official has inspected or caused to be inspected a building or premises and has found and determined that or otherwise has reasonable grounds to believe that such building is a substandard building, premises are not in compliance or that such building or premises are in a dangerous condition, the code official may commence proceedings to cause the repair, vacation, or demolition of the buildings or premises and issue a notice and order pursuant to the procedures specified in K.C.C. Title 23. (Ord. 14914 § 349, 2004: Ord. 14111 § 142, 2001: Ord. 12560 § 116, 1996. Formerly K.C.C. 16.16.140; 16.04.050113).

16.14.130 Notices and orders - Repair, vacation and demolition. Section 107.2 of the International Property Maintenance Code is not adopted and the following is substituted:

Repair, vacation and demolition (IPMC 107.2). The following standards shall be followed by the code official (and by the hearing examiner if an appeal is taken) in ordering the repair, vacation, abatement or demolition of any substandard building structure or any dangerous structure or nuisance:

1. If any building is declared a substandard building under this ordinance, it shall either be repaired in accordance with the current Building Code or shall be demolished at the option of the building owner.

2. If the building or structure is in such condition as to make it immediately dangerous to the life, limb, property or safety of the public or the occupants, it shall be ordered to be vacated and secured from entry.

3. A building declared a dangerous building under this code shall either be repaired in accordance with the current building code, except structures damaged as a result of a disaster when the executive has declared an emergency, which shall comply with K.C.C. chapter 16.06, K.C.C. 17.04.600 and 17.04.620; or shall be demolished at the option of the building owner.

4. If the nuisance located on the premises is in such condition as to make it immediately dangerous to the life, limb, property or safety of the public, or its occupants, it shall be ordered to be removed, abated or vacated and secured from entry. (Ord. 14914 § 351, 2004: Ord. 14111 § 144, 2001: Ord. 12560 § 118, 1996. Formerly K.C.C. 16.16.160; 16.04.050115).

16.14.140 Unsafe structures, premises and equipment - General. Section 108.1 of the International Property Maintenance Code is not adopted and the following is substituted:

General (IPMC 108.1). When a structure, equipment or premises are found by the code official to be unsafe, or when a structure is found unfit for human occupancy, or is found unlawful, such structure, equipment or premises shall be condemned pursuant to the provisions of this code. (Ord. 14914 § 352, 2004).

16.14.150 Unsafe structures, premises and equipment - Unsafe structures and premises. Section 108.1.1 of the International Property Maintenance Code is not adopted and the following is substituted:

Unsafe structures and premises (IPMC 108.1.1). An unsafe structure or premise is one that is found to be dangerous to the life, health, property or safety of the public or the occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire, or because such structure or premises contain unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation, that partial or complete collapse is possible. (Ord. 14914 § 353, 2004).

16.14.160 Unsafe structures, premises and equipment - Unsafe equipment. Section 108.1.2 of the International Property Maintenance Code is not adopted and the following is substituted:

Unsafe equipment (IPMC 108.1.2). Unsafe equipment includes any boiler, heating equipment, elevator, moving stairway, electrical wiring or device, flammable liquid containers or other equipment on the premises or within the structure which is in such disrepair or condition that such equipment is a hazard to life, health, property or safety of the public or occupants of the premises or structure. (Ord. 14914 § 354, 2004).

16.14.170 Unsafe structures, premises and equipment - Structure unfit for human occupancy. Section 108.1.3 of the International Property Maintenance Code is not adopted and the following is substituted:

Structure unfit for human occupancy (IPMC 108.1.3). A structure is unfit for human occupancy whenever the code official finds that such structure is unsafe, unlawful or, because of the degree to which the structure is in disrepair or lacks maintenance, is unsanitary, vermin or rat infested, contains filth and contamination, or lacks ventilation, illumination, sanitary or heating facilities or other essential equipment required by this code, or because the location of the structure constitutes a hazard to the occupants of the structure or to the public. (Ord. 14914 § 355, 2004).

16.14.180 Unsafe structures, premises and equipment - Structure unfit for human occupancy - Placarding. Section 108.1.3 of the International Property Maintenance Code is supplemented with the following:

Placarding (IPMC 108.1.3.1). In addition to being served as provided in K.C.C. Title 23, a notice to vacate or abate as nuisance may be posted at or upon each exit of the building or upon the premises where the exits exist in substantially the following form:

KING COUNTY DEPARTMENT OF DEVELOPMENT AND ENVIRONMENTAL SERVICES
900 OAKESDALE AVENUE SOUTHWEST
RENTON, WASHINGTON 98055-1219

NOTICE IS HEREBY GIVEN THAT THIS BUILDING
MUST NOT BE OCCUPIED
UNTIL INSPECTION AND APPROVAL

For Further Information: By: _____
Inspector/Officer

Telephone: _____ Date: _____

WARNING! The removal, mutilation, destruction or concealment of this notice is a misdemeanor. (Ord. 14914 § 357, 2004: Ord. 14111 § 145, 2001: Ord. 12560 § 119, 1996. Formerly K.C.C. 16.16.170; 16.04.050116).

16.14.190 Unsafe structures, premises and equipment - Unlawful structure. Section 108.1.4 of the International Property Maintenance Code is not adopted and the following is substituted:

Unlawful structures (IPMC 108.1.4). An unlawful structure is one found in whole or in part to be occupied by more persons than permitted under this code, or was erected, altered or occupied contrary to law. (Ord. 14914 § 358, 2004).

16.14.200 Unsafe structures, premises and equipment – Closing of vacant structures. Section 108.2 of the International Property Maintenance Code is not adopted and the following is substituted:

Closing of vacant structures (IPMC 108.2). 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 enforcement action may be taken using the procedures of K.C.C. Title 23. (Ord. 14914 § 359, 2004).

16.14.210 Unsafe structures, premises and equipment – Notice. Section 108.3 of the International Property Maintenance Code is not adopted and the following is substituted:

Notice (IPMC 108.3). Whenever the director has determined a structure, premises or equipment are unsafe under the provisions of this section, notice shall be provided in the procures [procedures] contained in K.C.C. Title 23. (Ord. 14914 § 360, 2004).

16.14.220 Unsafe structures, premises and equipment - Placard to vacate. Section 108.4 of the International Property Maintenance Code is not adopted and the following is substituted:

Placard to vacate (IPMC 108.4). Whenever such notice is posted, the code official shall include a notification thereof in the notice and order issued by him under K.C.C. Title 23, reciting the emergency and specifying the conditions which necessitate the posting. No person shall remain in or enter any building which has been so posted, except that entry may be made to repair, demolish or remove such building under permit. No person shall remove or deface any such notice after it is posted until the required repairs, demolition, or removal have been completed and a certificate of occupancy is issued pursuant to the provisions of the Building Code. Any person violating this section shall be guilty of a misdemeanor. (Ord. 14914 § 362, 2004: Ord. 14111 § 146, 2001: Ord. 12560 § 120, 1996. Formerly K.C.C. 16.16.180; 16.04.050117).

16.14.230 Unsafe structures, premises and equipment - Placarding of unsafe structures, premises and equipment. Section 108.4.1 of the International Property Maintenance Code is not adopted and the following substituted:

Placarding of unsafe structures, premises and equipment (IPMC 108.4.1). In addition to being served as provided in K.C.C. Title 23, a notice to vacate or abate as nuisance may be posted at or upon each exit of the building or upon the premises where the exits exist in substantially the following form:

KING COUNTY DEPARTMENT OF DEVELOPMENT AND ENVIRONMENTAL SERVICES
900 OAKESDALE AVENUE SOUTHWEST
RENTON, WASHINGTON 98055-1219

NOTICE

DO NOT ENTER

These premises have been found to be unsafe.
This notice is to remain on the premises until
the violations have been corrected.

For further information: By: _____
Inspector/Officer

Telephone: 296-_____ Date: _____

WARNING! The removal, mutilation, destruction or concealment of this notice is a misdemeanor. (Ord. 14914 § 364, 2004: Ord. 14111 § 169, 2001: Ord. 12560 § 136, 1996. Formerly K.C.C. 16.20.170; 16.04.050133).

16.14.240 Unsafe structures, premises and equipment - Compliance. Section 108.4 of the International Property Maintenance Code is supplemented with the following:

Compliance (IPMC 108.4.2). Whenever such notice is posted, the code official shall include a notification thereof in the notice and order issued by him/her under K.C.C. Title 23, reciting the emergency and specifying the conditions which necessitate the posting. No person shall remain in or enter any building or any premises which has been so posted, except that entry may be made to repair, abate, demolish or remove such nuisance or building under permit. No person shall remove or deface any such notice after it is posted until the required repairs, abatement, demolition or removal has been completed and, if required, a certificate of occupancy issued pursuant to the provisions of the building code. Any person violating this section shall be guilty of a misdemeanor. (Ord. 14914 § 366, 2004: Ord. 14111 § 170, 2001: Ord. 12560 § 137, 1996. Formerly K.C.C. 16.20.180; 16.04.050134).

16.14.250 Emergency measures – Imminent danger. Section 109.1 of the International Property Maintenance Code is not adopted and the following is substituted:

Imminent danger (IPMC 109.1). When, in the opinion of the code official, there is imminent danger of failure or collapse of a building or structure which endangers life, or when any structure or part of a structure has fallen and life is endangered by the occupation of the structure, or when there is actual or potential danger to the building occupants or those in the proximity of any structure because of explosives, explosive fumes or vapors or the presence of toxic fumes, gases or materials, or operation of defective or dangerous equipment, the code official is hereby authorized and empowered to order and require the occupants to vacate the premises forthwith. The code official shall cause to be posted at each entrance to such structure or premises a notice as provided in Section 108.4. It shall be unlawful for any person to enter such structure except for the purpose of securing the structure or premises, making the required repairs, removing the hazardous condition or of demolishing the same. (Ord. 14914 § 367, 2004).

16.14.260 Emergency measures – Temporary safeguards. Section 109.2 of the International Property Maintenance Code is not adopted and the following is substituted:

Temporary safeguards (IPMC 109.2). Notwithstanding other provisions of this code, whenever, in the opinion of the code official, there is imminent danger due to an unsafe condition, the code official shall order the necessary work to be done, including the boarding up of openings, to render such structure temporarily safe whether or not the legal procedure herein described has been instituted; and shall cause such other action to be taken as the director deems necessary to meet such emergency. (Ord. 14914 § 368, 2004).

16.14.270 Emergency measures – Closing streets. Section 109.3 of the International Property Maintenance Code is not adopted and the following is substituted:

Closing streets (IPMC 109.3) When necessary for public safety, the code official shall temporarily close structures and close, or order the authority having jurisdiction to close, sidewalks, streets, public ways and places adjacent to unsafe structures, and prohibit the same from being utilized. (Ord. 14914 § 369, 2004).

16.14.280 Emergency measures – Emergency repairs. Section 109.4 of the International Property Maintenance Code is not adopted and the following is substituted:

Emergency repairs (IPMC 109.4). For the purposes of this section, the code official shall employ the necessary labor and materials to perform the required work as expeditiously as possible as authorized in K.C.C. Title 23. (Ord. 14914 § 370, 2004).

16.14.290 Emergency measures. Sections 109.5 and 109.6 of the International Property Maintenance Code are not adopted. (Ord. 14914 § 371, 2004).

16.14.300 Emergency measures - Rapid abatement - purpose. Section 109 of the International Property Maintenance Code is supplemented with the following:

Rapid abatement - purpose (IPMC 109.7). The purpose of establishing procedures for the rapid abatement of structures damaged by a disaster resulting in a declared emergency, as defined in K.C.C. 16.03.110, is to protect the public health and safety by assuring that structures damaged as a result of a disaster are abated in a timely manner and to assure that the public right of-way is accessible for emergency vehicles in the event of a disaster. (Ord. 14914 § 373, 2004: Ord. 14238 § 5, 2001. Formerly K.C.C. 16.21.010).

16.14.310 Emergency measures - Rapid abatement - authority. Section 109 of the International Property Maintenance Code is supplemented with the following:

Rapid abatement - authority (IPMC 109.8). The code official, subject to the express provisions of this code, shall have the authority to order the rapid abatement of any structure, or a portion thereof, that has been damaged as a result of a disaster resulting in a declared emergency, which represents an imminent hazard to public health and safety or poses an imminent threat to the public right-of-way. (Ord. 14914 § 375, 2004: Ord. 14238 § 6, 2001. Formerly K.C.C. 16.21.020).

16.14.320 Emergency measures - Rapid abatement plan - applicability. Section 109 of the International Property Maintenance Code is supplemented with the following:

Rapid abatement plan - applicability (IPMC 109.9). A rapid abatement plan must be prepared for structures determined by the code official to be an immediately hazardous and dangerous structure, which is an imminent hazard to public health and safety or an imminent threat to the public right-of-way.

EXCEPTION: Where the owner or owner's agent chooses to proceed with demolition of a building determined by the code official to be an immediately hazardous and dangerous structure, which is an imminent hazard to public health and safety or an imminent threat to the public right-of-way, the owner shall submit an application for an emergency demolition permit in lieu of preparing a rapid abatement plan. If the owner or owner's agent has submitted an application for an emergency demolition permit in lieu of preparing a rapid abatement plan, a rapid abatement plan need not be prepared. (Ord. 15802 § 105, 2007: Ord. 14914 § 377, 2004: Ord. 14238 § 7, 2001. Formerly K.C.C. 16.21.030).

16.14.321 Emergency measures - Emergency demolition permit in lieu of preparing a rapid abatement plan. Section 109. of the International Property Maintenance Code is supplemented with the following:

Emergency measures -- Emergency demolition permit in lieu of preparing a rapid abatement plan (IMPC 109.9.1) If the owner or owner's agent submits an application for an emergency demolition permit in lieu of preparing a rapid abatement plan, the owner or owner's agent shall state that he or she is applying for an emergency demolition permit in lieu of preparing a required rapid abatement plan and the owner or owner's agent shall provide:

1. The names of all owners of the structure;
2. The address of the structure; and
3. A plan describing the method for demolishing the structure while protecting the public health and safety and maintaining appropriate access to the public right-of-way. (Ord. 15802 § 106, 2007).

16.14.330 Emergency measures - Rapid abatement - compliance. Section 109 of the International Property Maintenance Code is supplemented with the following:

Rapid abatement - compliance (IPMC 109.10). It shall be unlawful for any person to repair or demolish and remove any disaster-damaged structure, or a portion thereof, without following the applicable procedures set forth in this code and obtaining all required permits. It shall be unlawful for any owner, or owner's agent, to fail or neglect to comply with any valid order of abatement made by the code official pursuant to this code. (Ord. 14914 § 379, 2004: Ord. 14238 § 8, 2001. Formerly K.C.C. 16.21.040).

16.14.340 Emergency measures - Rapid abatement - assessment of immediacy and notification. Section 109 of the International Property Maintenance Code is supplemented with the following:

Rapid abatement - assessment of immediacy and notification (IPMC 109.11).

1. The code official shall be responsible for determining whether a structure, or a portion thereof, damaged by a disaster, is an immediately hazardous and dangerous structure, as defined in K.C.C. 16.03.180, and represents an imminent hazard to public health and safety or poses an imminent threat to the public right-of-way.

2. Unless extenuating circumstances exist, a disaster-damaged structure surrounded by securely fenced yard for a distance equal to one and one-half times the height of the structure will not be considered to represent an imminent hazard to public health and safety or pose an imminent threat to the public right-of-way.

3. When the code official identifies a structure to be an immediately hazardous and dangerous structure, which is an imminent hazard to public health and safety or an imminent threat to the public right-of-way, the structure shall be posted with a placard which identifies it as an immediately hazardous and dangerous structure, requires that a rapid abatement or an application for an emergency demolition permit in lieu of preparing a rapid abatement plan be submitted and identifies the time frame for when it must be submitted.

4. The owner shall be notified within twenty-four hours of posting by telephone, fax, mailing or any other method determined by the director, that the structure has been determined to be an immediately hazardous and dangerous structure, which is an imminent hazard to public health and safety or an imminent threat to the public right-of-way, that a rapid abatement plan or an application for an emergency demolition permit in lieu of preparing a rapid abatement plan is required and the time frame for when it must be submitted. Failure to successfully notify the owner under this section shall not invalidate the requirement for a rapid abatement plan or an application for an emergency demolition permit or change the time frame.

5. The code official shall notify the King County office of historic preservation if any historic structure, as identified in K.C.C. 16.03.170, has been determined to be an immediately hazardous and dangerous structure, which is an imminent hazard to public health and safety or an imminent threat to the public right-of-way, and requiring rapid abatement. The abatement, by repair, alteration, restoration, rehabilitation or demolition and removal, of disaster-damaged historic structures shall comply with the provisions of this code. (Ord. 15802 § 107, 2007: Ord. 14914 § 381, 2004: Ord. 14238 § 9, 2001. Formerly K.C.C. 16.21.050).

16.14.350 Emergency measures - Rapid abatement plan - contents. Section 109 of the International Property Maintenance Code is supplemented with the following:

Rapid abatement plan - contents (IPMC 109.12). The rapid abatement plan shall consist of:

1. The names of all owners of the structure;

2. The address of the structure;

3. An engineering evaluation, as defined in K.C.C. 16.03.150. The engineering evaluation shall include an evaluation of life safety issues related to the safety of the occupants or individuals in the vicinity of the structure. The engineering evaluation also contain a detailed evaluation of the structural and nonstructural damage incurred to the building or structure;

4. Recommendations for temporary repair, or, in lieu of recommendation for temporary repair, a recommendation for demolition; and

5. Schematic recommendations for permanent repair, or, in lieu of schematic recommendations for permanent repair, a recommendation for demolition.

Temporary repair may be comprised of bracing, shoring or other repairs necessary to minimize excessive immediate risk and to restore the structure to a safe condition suitable for continued repair. (Ord. 14914 § 383, 2004: Ord. 14238 § 10, 2001. Formerly K.C.C. 16.21.060).

16.14.360 Emergency measures - Rapid abatement plan - time frame for submittal. Section 109 of the International Property Maintenance Code is supplemented with the following:

Rapid abatement plan - time frame for submittal (IPMC 109.13). The following time frames are established for the submittal of a rapid abatement plan or an application for an emergency demolition permit in lieu of preparing a rapid abatement plan. A maximum of two extensions, of forty-eight hours each, may be added to the initial time frame established for submittal of the rapid abatement plan or an application for an emergency demolition permit in lieu of preparing a rapid abatement plan. The time frames are measured from the time of posting the placard on the structure. Immediate demolition or abatement can occur prior to submittal of the rapid abatement plan or an application for an emergency demolition permit in lieu of preparing a rapid abatement plan, when indicated. The street groups are classified in K.C.C. 16.21.080.

1. When a structure has more than a minimal potential for immediate collapse, the following time frames apply:

1.1. When a structure represents an imminent threat to public health and safety, the owner is required to immediately abate the structure and submit an abatement plan, or an application for an emergency demolition permit in lieu of preparing a rapid abatement plan or a statement of emergency demolition within seventy-two hours of abatement.

1.2. When a structure does not represent an imminent threat to public health and safety, but threatens a Group I street or road and an alternative route is available, the owners is required to submit an abatement plan or an application for an emergency demolition permit in lieu of preparing a rapid abatement plan within seventy-two hours. When no alternative route is available, the owner is required to immediately abate the structure and submit an abatement plan or an application for an emergency demolition permit in lieu of preparing a rapid abatement plan or a statement of emergency demolition within seventy-two hours of abatement.

1.3. When a structure does not represent an imminent threat to public health and safety, but threatens a Group II street or road and an alternative route is available, the owner is required to submit an abatement plan or an application for an emergency demolition permit in lieu of preparing a rapid abatement plan within seventy-two hours. When no alternative route is available, the owner is required to submit an abatement plan or an application for an emergency demolition permit in lieu of preparing a rapid abatement plan within forty-eight hours.

1.4. When a structure does not represent an imminent threat to public health and safety, but threatens a Group III street or road and an alternative route is available, the owner is required to submit an abatement plan or an application for an emergency demolition permit in lieu of preparing a rapid abatement plan within five days. When no alternative route is available, the owner is required to submit an abatement plan or an application for an emergency demolition permit in lieu of preparing a rapid abatement plan within seventy-two hours.

2. When a structure is damaged, but threat of collapse is not great and the structure creates only minor or no risk to life or property and no street or road is threatened, rapid abatement procedures do not apply. (Ord. 15802 § 108, 2007: Ord. 14914 § 385, 2004: Ord. 14238 § 11, 2001. Formerly K.C.C. 16.21.070).

16.14.365 Emergency measures - a statement of emergency demolition. Section 109 of the International Property Maintenance Code is supplemented with the following:

Statement of emergency demolition (IPMC 109.14.). When indicated that immediate demolition or abatement can occur prior to submittal of the rapid abatement plan or prior to submittal for emergency demolition permit in lieu of preparing a rapid abatement plan and when demolition occurs prior to the submittal of a rapid abatement plan or prior to an application for an emergency demolition permit in lieu of preparing a rapid abatement plan and when allowed by the building official the owner or owner's agent can submit a statement of emergency demolition following demolition of the structure in lieu of either a rapid abatement plan or an application for an emergency demolition permit in lieu of preparing a rapid abatement plan. (Ord. 15802 § 109, 2007).

16.14.366 Emergency measures - a statement of emergency demolition - contents. Section 109 of the International Property Maintenance Code is supplemented with the following:

Statement of emergency demolition - contents (IPMC 109.14.1). The statement of emergency demolition shall consist of:

1. The names of all owners of the structure;
2. The names of all owners of the property if different from the owners of the structure;
3. The address of the structure;
4. The date and time the demolition was completed.

(Ord. 15802 § 110, 2007).

16.14.370 Emergency measures - Rapid abatement plan - street and road groups. Section 109 of the International Property Maintenance Code is supplemented with the following:

Rapid abatement plan - street and road groups (IPMC 109.15). The following street and road groups apply to the time frames established by K.C.C. 16.14.360. These classifications are based on the King County Road Standards.

1. Group I streets and roads are principal arterial, minor arterial, collector arterial or "collector" and neighborhood collectors.
2. Group II streets and roads are subcollectors and business access streets.
3. Group III streets and roads are subaccess streets, minor access streets (Residential), multiple dwelling access streets, industrial access streets and minor access streets (Commercial). (Ord. 15802 § 111, 2007: Ord. 14914 § 387, 2004: Ord. 14238 § 12, 2001. Formerly K.C.C. 16.21.080).

16.14.380 Emergency measures - Rapid abatement plan - time frame for completion of abatement. Section 109 of the International Property Maintenance Code is supplemented with the following:

Rapid abatement plan - time frame for completion of abatement (IPMC 109.16). Approval by the code official of the rapid abatement plan or the application for emergency demolition in lieu of a rapid abatement plan constitutes authority to proceed with abatement. If the code official approves the rapid abatement plan or the application for an emergency demolition permit in lieu of preparing a rapid abatement plan, the owner, or owner's agent, shall complete abatement in accordance with the plan within forty-eight hours of obtaining approval of the plan. Within twenty-four hours of completion of the abatement work, the owner, or owner's agent, shall provide the code official with a written signed verification that the abatement has been completed in conformance with the approved rapid abatement plan. When the abatement includes structural repairs, the verification shall include a written, signed and stamped report from the owner's architect or structural or civil engineer attesting that the engineer has visited the site and that repairs have been completed in general conformance with the approved rapid abatement plan or an application for emergency demolition permit in lieu of preparing a rapid abatement plan. This written signed and stamped report from the owner's architect or structural or civil engineer and the written and signed verification by the owner or owner's agent may be made by completing and signing and standard form provided by the department of development and environmental services. (Ord. 15802 § 112, 2007: Ord. 14914 § 389, 2004: Ord. 14238 § 13, 2001. Formerly K.C.C. 16.21.090).

16.14.385 Emergency measures - Emergency demolition permit in lieu of preparing a rapid abatement plan - disapproval by the code official. Section 109 of the International Property Maintenance Code is supplemented with the following:

Emergency demolition permit in lieu of preparing a rapid abatement plan - disapproval by the code official (IPMC 109.17). In each case where an application for an emergency demolition permit in lieu of preparing rapid abatement plan is disapproved, the code official shall state the reasons for disapproval to the owner, or the owner's agent. Notice of disapproval can be either by direct conversation, a telephone conversation, fax, a written notice of disapproval mailed to the owner, or owner's agent, or any other method determined by the code official. Regardless of the method used for notice of disapproval, the owner, or the owner's agent, must submit a revised application for an emergency demolition permit in lieu of preparing a rapid abatement plan addressing the deficiencies noted by the code official in the notice of disapproval within seventy-two hours. (Ord. 15802 § 113, 2007).

16.14.390 Emergency measures - Rapid abatement plan - disapproval by the code official. Section 109 of the International Property Maintenance Code is supplemented with the following:

Rapid abatement plan - disapproval by the code official (IPMC 109.18). In each case where a rapid abatement plan is disapproved, the code official shall state the reasons for disapproval to the owner, or the owner's agent. Notice of disapproval can be either by direct conversation, a telephone conversation, fax, a written notice of disapproval mailed to the owner, or owner's agent, or any other method determined by the code official. Regardless of the method used for notice of disapproval, the owner, the owner's agent, must submit a revised rapid abatement plan addressing the deficiencies noted by the code official in the notice of disapproval within seventy-two hours. (Ord. 15802 § 114, 2007: Ord. 14914 § 391, 2004: Ord. 14238 § 14, 2001. Formerly K.C.C. 16.21.100).

16.14.400 Emergency measures - Rapid abatement by the code official. Section 109 of the International Property Maintenance Code is supplemented with the following:

Rapid abatement by the code official (IPMC 109.19). The code official is authorized to abate a structure which is identified to be an immediately hazardous and dangerous structure, which is an imminent hazard to public health and safety or an imminent threat to the public right-of-way, in the following cases:

1. If the owner fails to respond to the notice of abatement, responds untimely, or responds timely but fails to complete abatement within the required time frame; or
2. If the owner cannot be located within the established time frame; or
3. When the code official determines the structures is an imminent hazard to public health and safety or an imminent threat to the public right-of-way, which must be abated immediately. (Ord. 15802 § 115, 2007: Ord. 14914 § 393, 2004: Ord. 14238 § 15, 2001. Formerly K.C.C. 16.21.110).

16.14.410 Demolition - General. Section 110.1 of the International Property Maintenance Code is not adopted and is substituted with the following:

General (IPMC 110.1). Demolition shall be in accordance with K.C.C. Title 23. (Ord. 14914 § 395, 2004: Ord. 14111 § 150, 2001: Ord. 12560 § 124, 1996. Formerly K.C.C. 16.16.220; 16.04.050121).

16.14.420 Demolition - Notice and orders. Section 110.2 of the International Property Maintenance Code is not adopted. (Ord. 14914 § 396, 2004).

16.14.430 Means of appeal - Application for appeal. Section 111.1 of the International Property Maintenance Code is not adopted and is substituted with the following:

Application for appeal (IPMC 111.1). Appeals shall be in accordance with K.C.C. Titles 20 and 23. (Ord. 14914 § 398, 2004: Ord. 14111 § 147, 2001: Ord. 12560 § 121, 1996. Formerly K.C.C. 16.16.190; 16.04.050118).

16.14.440 Means of appeal. Sections 111.2 through 111.8 of the International Property Maintenance Code are not adopted. (Ord. 14914 § 399, 2004).

16.14.450 General - Responsibilities defined. Section 301.2 of the International Property Maintenance Code is not adopted and the following is substituted:

Responsibilities defined (IPMC 301.2). Owners remain liable for violations of duties imposed by this code even though an obligation is also imposed on the occupants of the building, and even though the owner has, by agreement, imposed on the occupant the duty of furnishing required equipment or of complying with this code.

Buildings and structures and parts thereof shall be maintained in a safe and sanitary condition. The owner or the owner's designated agent shall be responsible for such maintenance. To determine compliance with this subsection, the building may be reinspected.

Owners, in addition to being responsible for maintaining buildings in a sound structural condition, shall be responsible for keeping that part of the building or premises which the owner occupies or controls in a clean, sanitary and safe condition, including the shared or public areas in a building containing two or more dwelling units.

Owners shall, when required by this code or the code official or the health ordinance or the health officer, furnish and maintain such approved sanitary facilities as required, and shall furnish and maintain approved devices, equipment or facilities for the prevention of insect and rodent infestation, and when infestation has taken place, shall be responsible for the extermination of any insects, rodents or other pests when such extermination is not specifically made the responsibility of the occupant by law or ruling.

Occupants of a dwelling unit, in addition to being responsible for keeping in a clean, sanitary and safe condition that part of the dwelling or dwelling unit or premises which they occupy and control, shall dispose of their rubbish, garbage and other organic waste in a manner required by the health ordinance and approved by the health officer or the code official.

Occupants shall, when required by this code, the health ordinance or the health officer, furnish and maintain approved devices, equipment or facilities necessary to keep their premises safe and sanitary. (Ord. 14914 § 401, 2004: Ord. 14111 § 131, 2001. Formerly K.C.C. 16.16.030).

16.14.460 Exterior property areas - Fire hazard. Section 302.4 of the International Property Code is not adopted and the following is substituted:

Fire hazard (IPMC 302.4). Any building or portion thereof, device, apparatus, equipment, combustible waste, or vegetation that, in the opinion Fire Marshal or the Code Official, is in such a condition as to cause a fire or explosion or provide a ready fuel to augment the spread and intensity of fire or explosion arising from any cause shall be considered substandard. 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 the provisions of K.C.C. Title 23. (Ord. 14914 § 405, 2004: Ord. 14111 § 141, 2001. Formerly K.C.C. 16.16.130).

16.14.470 Exterior property areas - Motor vehicles. Section 302.8 of the International Property Maintenance Code is not adopted. (Ord. 14914 § 406, 2004).

16.14.480 Swimming pools, spas and hot tubs - Enclosures. Section 303.2 of the International Property Maintenance Code is not adopted and the following is substituted:

Enclosures (IPMC 303.2). Private swimming pools, hot tubs and spas, containing water more than twenty-four inches (610 mm) in depth shall be completely surrounded by a fence or barrier at least sixty inches (1,524 mm) in height above the finished ground level measured on the side of the barrier away from the pool. Gates and doors in such areas shall be self-closing and self-latching . Where the self-latching devices is less than fifty-four inches (1,372 mm) above the bottom of the gate, the release mechanism shall be located on the pool side of the gate. Self-closing and self-latching gates shall be maintained such that the gate will positively close and latch when released from an open position of six inches (152 mm) from the gatepost. No existing g pool enclosure shall be removed, replaced or changed in a manner that reduces its effectiveness as a safety barrier. (Ord. 14914 § 407, 2004).

16.14.490 Exterior structure - Premises identification. Section 304.3 of the International Property Maintenance Code is not adopted and the following is substituted:

Premises identification. (IPMC 304.3). Approved numbers or addresses shall be provided for all new buildings in such a position as to be plainly visible and legible from the street or road fronting the property as specified by the department. (Ord. 14914 § 408, 2004).

16.14.500 Exterior structure - Insect screens. Section 304.14 of the International Property Maintenance Code is not adopted. (Ord. 14914 § 409, 2004).

16.14.510 Exterior structure - Building security. Section 304.18 and all of the subsections thereto of the International Property Maintenance Code are not adopted. (Ord. 14914 § 410, 2004).

16.14.520 Water system - General. Section 505.1 of the International Property Maintenance Code is not adopted and the following is substituted:

General (IPMC 505.1). Every sink, lavatory, bathtub or shower, drinking fountain, water closet or other plumbing fixture shall be properly connected to either a public water system or to an approved private water system. All kitchen sinks, lavatories, laundry facilities, bathtubs and showers shall be supplied with hot or tempered and cold running water in accordance with K.C.C. chapter 16.32. (Ord. 14914 § 412, 2004: Ord. 14111 § 137, 2001: Ord. 12560 § 114, 1996. Formerly K.C.C. 16.16.090; 16.04.050111).

16.14.530 Heating facilities - Residential occupancies. Section 602.2 of the International Property Maintenance Code is not adopted. (Ord. 14914 § 413, 2004).

16.14.540 Heating facilities - Heat supply. Section 602.3 of the International Property Maintenance Code is not adopted and the following is substituted:

Heat supply (IPMC 602.3). Dwellings units and guest rooms shall be provided with heating facilities capable of maintaining a room temperature of 70° F. (21.1° C), bathrooms and toilet rooms. Cooking appliances shall not be used to provide space heating to meet the requirements of this section. (Ord. 14914 § 415, 2004: Ord. 14111 § 138, 2001: Ord. 12560 § 115, 1996. Formerly K.C.C. 16.16.100; 16.04.050112).

16.14.550 Heating facilities – Occupiable work spaces. Section 602.4 of the International Property Maintenance Code is not adopted. (Ord. 14914 § 416, 2004).

16.14.560 Heating facilities – Room temperature measurement. Section 602.5 of the International Property Maintenance Code is not adopted and the following is substituted:

Room temperature measurement (**IPMC 602.5).** The required room temperatures shall be measured three feet (.914 m) above the floor near the center of the room and two feet (610 mm) inward from the center of each exterior wall. (Ord. 14914 § 417, 2004).

16.14.570 Electrical facilities - Service. Section 604.2 of the International Property Maintenance Code is not adopted. (Ord. 14914 § 418, 2004).

16.14.580 Electrical equipment - Receptacles. Section 605.2 of the International Property Maintenance Code is not adopted. (Ord. 14914 § 419, 2004).

16.14.590 Elevators, escalators and dumbwaiters. Section 606 of the International Property Maintenance Code is not adopted. (Ord. 14914 § 420, 2004).

Chapter 16.32
KING COUNTY PLUMBING CODE

Sections:

16.32.030 Adoption of Uniform Plumbing Code.
16.32.050 Enforcement.
16.32.080 Fees - permit fees - double permit fee requirements - fees for reinspection service - refund of permit fees.
16.32.085 Gas piping permit and inspection fees.
16.32.095 Inspection outside working hours fee - permit applications after nonpermitted work fees double, permit required - reinspection fees - refunds if work not started.
16.32.170 Board of appeals.
16.32.175 Scope.
16.32.185 Additions, Alterations or Repairs.
16.32.195 Authority Having Jurisdiction.
16.32.205 Right of Entry.
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16.32.225 Authority to Correct Hazardous or Insanitary Plumbing.
16.32.235 Liability Claims.
16.32.245 Violations.
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16.32.265 Permits Required.
16.32.275 Certification and Registration.
16.32.285 Section 103.3.3 Validity of Permit.
16.32.295 Suspension, Revocation or Limitation of Permits.
16.32.305 Reinspections.
16.32.315 Corrections.
16.32.325 Retesting.
16.32.335 Approval.
16.32.345 Parking Garage Drainage Systems.
16.32.355 Combining Storm with Sanitary Sewage.

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16.32.030 Adoption of Uniform Plumbing Code.

A. Chapters 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 13, 14, and 16 and Appendix A, B, and I of the Uniform Plumbing Code, 2006 Edition, as published by or jointly with the International Association of Plumbing and Mechanical Officials and as amended in chapters 51-56 WAC and 51-57 WAC, and the gas piping provisions of the International Fuel Gas Code, 2006 Edition, the National Fuel Gas Code, 2006 Edition (2002 NFPA 54), the Liquefied Petroleum Gas Code, 2004 Edition (2001 NFPA 58) as amended in chapter 51-52 WAC, and the International Residential Code, 2006 Edition, as amended in chapter 51-51 WAC, are hereby adopted and together with King County amendments, additions and deletions adopted in this chapter are adopted as the King County Plumbing Code and may be cited as such and referred to in this chapter as "this code." This code shall have precedence over documents adopted by reference.

B. This code also may be further clarified and implemented by administrative rules adopted in accordance with K.C.C. chapter 2.98. (Ord. 15802 § 116, 2007: Ord. 10589 § 1, 1992: Ord. 9151 § 1, 1989: Ord. 8008, 1987: Ord. 6746 § 5, 1984).

16.32.050 Enforcement. The authority having jurisdiction is authorized to enforce this code accordance with K.C.C. Title 23 except as specifically otherwise provided in this code. (Ord. 15802 § 117, 2007: Ord. 6746 § 7, 1984).

16.32.080 Fees - permit fees - double permit fee requirements - fees for reinspection service - refund of permit fees.

A. An applicant for a permit to do work under this code shall pay for each plumbing permit, at the time of issuance, a fee in accordance with the following schedule, and at the rate provided for each permit classification shown in the schedule:

SCHEDULE OF FEES

Plumbing permit fees for fixtures or traps, including water, drainage and vent piping, other than backflow devices and assemblies, for which a separate permit shall be obtained at the rates in this schedule:	
One fixture or trap	$140.00
Two to three fixtures or traps	$210.00
Four to six fixtures or traps	$298.00
Seven to ten fixtures or traps	$333.00
More than ten fixtures or traps	$333.00 base fee for ten fixtures or traps plus $8.00 for each additional fixture or trap
Plumbing permit fees for backflow devices or assemblies:	
One device or assembly	130.00
Two to three devices or assemblies	$210.00
Four to six devices or assemblies	$298.00
Seven to ten devices or assemblies	$333.00
More than ten devices or assemblies	$333.00 base fee for ten devices or assemblies plus $8.00 for each additional device or assembly

B. For the purpose of this section, "fixture" means an appliance that is connected with water, drain or vent pipe, but a sillcock faucet or hose bibb is not considered a fixture. A sanitary plumbing outlet on or to which a plumbing fixture or appliance may be set or attached is a fixture. (Ord. 16964 § 2, 2010: Ord. 15802 § 118, 2007: Ord. 15637 § 2, 2006: Ord. 14522 § 2, 2002: Ord. 13665 § 2, 1999: Ord. 12923 § 1, 1997: Ord. 11134 § 1, 1993: Ord. 10174 § 1, 1991: Ord. 9716 § 1, 1990: Ord. 6746 § 10, 1984).

16.32.085 Gas piping permit and inspection fees.

A. An application for a permit to do work under this code shall pay for each gas piping permit, at the time of issuance, a fee in accordance with the following schedule:

SCHEDULE OF FEES

Gas piping permit fees for outlets:

One to four outlets	$140.00
Five to six outlets	$175.00
Seven to nine outlets	$210.00
Ten outlets	$245.00
More than ten outlets	$245.00 base fee for ten outlets plus $10.00 for each additional outlet

B. For the purpose of this section, "outlet" means the point at which a gas-fired appliance connects to the gas piping system. (16964 § 4, 2010: Ord. 15637 § 4, 2006: Ord. 14522 § 3, 2002: Ord. 12923 § 2, 1997: Ord. 11134 § 2, 1993: Ord. 10174 § 2, 1991: Ord. 9716 § 2, 1990: Ord. 8330 § 34, 1987).

16.32.095 Inspection outside working hours fee - permit applications after nonpermitted work fees double, permit required - reinspection fees - refunds if work not started.

A. Fees for inspection service outside regular working hours or for inspection service requested but not covered by a permit will be charged at a rate equal to the cost of performing the service.

B. Any person who commenced work for which a permit is required by this code without first having obtained the permit shall upon subsequent application for the permit pay double the applicable permit fee under this code, unless it is proved to the satisfaction of the authority having jurisdiction that the work was urgently necessary, and that it was not practical to obtain a permit before the commencement of the work. In all such emergency cases, a permit shall be obtained as soon as it is practical to do so, and if there is an unreasonable delay in obtaining the permit then a double fee shall be charged as provided in this code.

C. A reinspection fee of one hundred thirty dollars may be assessed for each inspection or reinspection if the portion of work under this code for which inspection is called is not complete, or if corrections called for are not made. This subsection does not require inspection fees the first time a job is rejected for failure to comply with this code. Reinspection fees may be assessed if the permit is not properly posted on the work site, if the work to be inspected is not under test, if the permit is for failure to provide access on the date for which inspection is requested or for failure to make required corrections. Requests for reinspection shall be made in writing upon forms furnished for that purpose and shall be accompanied by the reinspection fee in accordance with this section. If reinspection fees have been assessed, then additional inspection of the work shall not be performed until the required fees have been paid.

D. If the work for which a permit fee has been paid under this code is not started, then the authority having jurisdiction, upon proper application for refund and surrender of the permit for cancellation, shall issue a refund. A refund may not be made for an expired permit. (Ord. 16964 § 6, 2010).

16.32.170 Board of appeals.

A. A board of appeals shall be established and shall consist of six voting members as follows:

1. One member representing journeyman plumbers;
2. One member representing plumbing contractors;
3. One member representing professional mechanical engineers;
4. One member representing and building owners; and
5. Two members representing the public.

The authority having jurisdiction shall serve as a nonvoting member of the board. The board of appeals shall elect a chair and a secretary who shall serve at the pleasure of the board.

B. Any party aggrieved by a decision of the authority having jurisdiction made pursuant to this code either in the context of a specific project or permit application or in the context of an application for approval of an alternate material or method of construction, or both, may file a written petition for appeal to the board accompanied by a nonrefundable fee of one hundred dollars. Appeals shall be heard at reasonable times at the convenience of the board, but not later than thirty days after receipt of the petition. However, this time requirement may be waived by written agreement between the authority having jurisdiction and the appellant if doing so will facilitate resolution of the dispute. The appellant shall be entitled to appear in person before the board, to be represented by an attorney, and to introduce evidence in support of such petition. The appellant shall cause to be made at the appellant's own expense any test or research required by the board for the substantiation of any claim or claims made by the appellant. The board of appeals shall determine whether a correct interpretation of this code has been made by the authority having jurisdiction.

C. Decisions of the board shall be in writing, distributed to the authority having jurisdiction and the appellant and apply only to the case being heard. Board decisions are deemed issued on the date that the decision is delivered to the appellant or the appellant's counsel or, if the decision is mailed, on the date of mailing. A person aggrieved by a decision of the board may appeal the decision of the board to the King County hearing examiner as provided in K.C.C. chapter 20.24.

D. The board may make recommendations to the authority having jurisdiction for changes in the code. (Ord. 15802 § 119, 2007: Ord. 13665 § 3, 1999: Ord. 10589 § 5, 1992: Ord. 6746 § 19, 1984).

16.32.175 Scope. Section 101.4.1 of the Uniform Plumbing Code is not adopted and the following is substituted:

Scope (UPC 101.4.1). The provisions of this code shall apply to the erection, installation, alteration, repair, relocation, replacement, addition to, use, or maintenance of any plumbing system except as specifically otherwise provided in this code. (Ord. 15802 § 120, 2007).

16.32.185 Additions, Alterations or Repairs. Section 101.5.1 of the Uniform Plumbing Code is not adopted and the following is substituted:

Additions, Alterations, or Repairs (UPC 101.5.1). Additions, alterations, or repairs may be made to any plumbing system without requiring the existing plumbing system to comply with all the requirements of this code, provided the addition, alteration, or repair conforms to that required for a new plumbing system. Additions, alterations, or repairs shall not cause or allow an existing system to become unsafe, insanitary, or overloaded. (Ord. 15802 § 121, 2007).

16.32.195 Authority Having Jurisdiction. Section 102.1 of the Uniform Plumbing Code is not adopted and the following is substituted:

Authority Having Jurisdiction (UPC 102.1). The authority having jurisdiction is the director of the Seattle-King County department of public health or the director's authorized representative, who shall administer and enforce the provisions of this code. (Ord. 15802 § 122, 2007).

16.32.205 Right of Entry. Section 102.2.2 of the Uniform Plumbing Code is not adopted and the following is substituted:

Right of Entry (102.2.2). Upon presentation of proper credentials, the authority having jurisdiction may, with the consent of the occupant or with the consent of the owner of an unoccupied building or premises, or in accordance with a lawfully issued search warrant, enter at reasonable times a building or premises to perform a duty imposed upon the authority having jurisdiction by this code, provided that the authority having jurisdiction shall make entry only if such entry is consistent with the constitutions and laws of the United States and the state of Washington. (Ord. 15802 § 123, 2007).

16.32.215 Stop Work Order and Correction Order. Section 102.2.3 of the Uniform Plumbing Code is not adopted and the following is substituted:

Stop Work Order and Correction Order (UPC 102.2.3).

A. Whenever any work is being done contrary to the provisions of this code, the authority having jurisdiction may order the work stopped by notice in writing served on any persons engaged in the doing or causing such work to be done, and any such persons shall forthwith stop work until authorized by the authority having jurisdiction to proceed with the work. Service of a stop work order shall be made by one or more of the following methods:

Personal service: Personal service of a stop work order may be made on the property owner and/or on any person doing or causing the work to be done, or by leaving the stop work order at the house of usual abode of the person being served, provided that the stop work order is left with a person of suitable age and discretion who resides there.

Service by posting on the property: Service directed to the property owner and/or person engaged in doing or causing such work to be done may be made by posting the stop work order in a conspicuous place on the property where the work is occurring, and concurrently mailing notice as provided for below, if a mailing address is available.

Service by mail: Service by mail may be made for a stop work order by mailing two copies, postage prepaid, one by ordinary first class mail and the other by certified mail, to the property owner and to any person engaged in doing or causing such work to be done, at his or her last known address, at the address of the location of the work being done, or at the address of the place of business of the person being served. The taxpayer's address as shown on the tax records of the county shall be deemed to be the proper address for the purpose of mailing such notice to the person being served. Service by mail shall be presumed effective upon the third business day following the day upon which the stop work order was placed in the mail.

B. Whenever any work is being done contrary to the provisions of this code, the authority having jurisdiction may order the violations corrected without ordering all work stopped by issuing a correction notice that identifies the violation. The correction notice may require an inspection before further construction or at the time of the next required inspection. The correction notice shall be served or posted in the same manner as a stop work order.

C. The remedies set forth in this section are in addition to those authorized elsewhere in this code. (Ord. 15802 § 124, 2007).

16.32.225 Authority to Correct Hazardous or Insanitary Plumbing. Section 102.2.5 of the Uniform Plumbing Code is not adopted and the following is substituted:

Authority to Correct Hazardous or Insanitary Plumbing (UPC 102.2.5). Whenever the authority having jurisdiction ascertains that any plumbing system or portion thereof, regulated by this code, has become hazardous to life, health, property, or has become insanitary, the authority having jurisdiction shall order in writing that such plumbing either be removed or placed in a safe or sanitary condition, as appropriate. The order shall fix a reasonable time limit for compliance. No person shall use or maintain defective plumbing after receiving such notice.

When such plumbing system is to be disconnected, written notice shall be given. In cases in which the authority having jurisdiction has determined that immediate danger to life or property exists, the authority having jurisdiction may cause such disconnection to be made immediately without such notice. (Ord. 15802 § 125, 2007).

16.32.235 Liability Claims. Section 102.2.6 of the Uniform Plumbing Code is not adopted and the following is substituted:

Liability Claims (UPC 102.2.6). This code is enacted as an exercise of the police power of King County to protect and preserve the public peace, health, safety and welfare, and its provisions shall be liberally construed for the accomplishment of these purposes. It is expressly the purpose of this code to provide for and promote the health, safety and welfare of the general public, and not to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefited by the terms of this code.

It is the specific intent of this code to place the obligation of complying with its requirements upon the owner or occupier of premises within this code's scope, and no provision nor term used in this code is intended to impose any duty whatsoever upon the authority having jurisdiction or any of the authority having jurisdiction's officers or employees, for whom the implementation or enforcement of this code shall be discretionary and not mandatory.

Nothing in this code creates or forms the basis for any liability on the part of the authority having jurisdiction, or the authority having jurisdiction's officers, employees or agents, for any injury or damage resulting from the failure of the owner or occupier of premises to comply with the provisions of this code, or by reason or in consequence of any act or omission in connection with the implementation or enforcement of this code on the part of the authority having jurisdiction or by the authority having jurisdiction's officers, employees or agents.

Any claim or litigation arising from any conduct, acts or omissions of the authority having jurisdiction, or any of the authority having jurisdiction's officers, employees or agents, shall be subject to the provisions of K.C.C. chapters 4.12 and 4.13. (Ord. 15802 § 126, 2007).

16.32.245 Violations. Section 102.3.1 of the Uniform Plumbing Code is not adopted and the following is substituted:

Violations (UPC 102.3.1). It shall be unlawful for any person, firm, corporation or other entity to erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, or maintain any plumbing or permit the same to be done in violation of this code. (Ord. 15802 § 127, 2007).

16.32.255 Penalties. Section 102.3.2 of the Uniform Plumbing Code is not adopted and the following is substituted:

Penalties (UPC 102.3.2). Any person, firm, corporation or other entity violating any provision of this code shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punishable by a fine and/or imprisonment in accordance with K.C.C. Title 23 or state law. Each separate day or any portion thereof, during which any violation of this code occurs or continues, shall be deemed to constitute a separate offense. (Ord. 15802 § 128, 2007).

16.32.265 Permits Required. Section 103.1.1 of the Uniform Plumbing Code is not adopted and the following is substituted:

Permits Required (UPC 103.1.1). It shall be unlawful for any person, firm, corporation or other entity to make any installation, alteration, repair, replacement, or remodel any plumbing system regulated by this code except as permitted in Section 103.1.2, or to cause the same to be done without first obtaining a separate plumbing permit for each separate building or structure. (Ord. 15802 § 129, 2007).

16.32.275 Certification and Registration. Section 103.1.3 of the Uniform Plumbing Code is not adopted and the following is substituted:

103.1.3 Certification and Registration (UPC 103.1.3). It shall be the obligation of every person who enters into contracts for the installation or repair of plumbing systems for which this code requires a permit, to comply with all applicable state or local rules and regulations concerning plumber certification and contractor registration. (Ord. 15802 § 130, 2007).

16.32.285 Section 103.3.3 Validity of Permit. Section 103.3.3 of the Uniform Plumbing Code is not adopted and the following is substituted:

Validity of Permit (UPC 103.3.3). The issuance of a permit or approval of plans and specifications 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. No permit presuming to give authority to violate or cancel the provisions of this code shall be valid.

The issuance of a permit based upon plans, specifications or other data shall not prevent the authority having jurisdiction from thereafter requiring the correction of errors contained in said plans, specifications and other data or from preventing building operations being carried on thereunder when in violation of this code or of other ordinances of this jurisdiction.

Every plumbing permit shall be kept on the site where the work permitted is being performed and shall not be removed until the work has been finally approved by the authority having jurisdiction.

Every permit issued by the authority having jurisdiction under the provisions of this code shall expire by limitation and become null and void one year from date of issue. Permits expired for not more than one year may be renewed one time only for one-half the original cost or fifty dollars ($50), whichever is less. Any person seeking renewal of a permit expired for more than one year shall pay the full amount of the original permit cost in accordance with the fee schedule.

Plumbing work authorized by a permit in effect on the effective date of this code shall be performed in accordance with the laws and ordinances in effect when the permit was issued, except when the authority having jurisdiction determines such work to be in fact dangerous, unsafe, insanitary, or a nuisance or a menace to life, health or property. (Ord. 15802 § 131, 2007).

16.32.295 Suspension, Revocation or Limitation of Permits. Section 103.3.5 of the Uniform Plumbing Code is not adopted and the following is substituted:

Suspension, Revocation or Limitation of Permits (UPC 103.3.5).

A. In addition to other remedies provided by law, the authority having jurisdiction may, in writing, suspend, revoke or limit a permit issued under the provisions of this code if:

(1) The permit holder committed a violation of this code or other ordinances, or any rules and regulations adopted by the authority having jurisdiction, in the course of performing activities subject to that permit;

(2) The permit holder interfered with the authority having jurisdiction in the performance of the authority having jurisdiction's duties relating to the permit;

(3) The permit was issued in error or on the basis of materially incorrect information supplied to the authority having jurisdiction; or

(4) Permit fees or costs were paid to the county by check and returned from a financial institution marked nonsufficient funds or canceled.

B. The suspension, revocation or limitation shall be carried out through the notice and order provisions of K.C.C. Title 23, is effective on the date established by the notice and order and may be appealed to the King County hearing examiner in accordance with the appeal provisions of K.C.C. Title 23.

C. Notwithstanding any other provision of this code, the administrative authority may immediately suspend operations under a permit by issuing a stop work order in accordance with this code. (Ord. 15802 § 132, 2007).

16.32.306 Reinspections. Section 103.5.6 of the Uniform Plumbing Code is not adopted and the following is substituted:

Reinspections (UPC 103.5.6). A reinspection fee may be assessed for each inspection or reinspection when part or all of the work for which inspection is called is not complete or when required corrections have not been made.

This provision is not to be interpreted as requiring reinspection fees the first time a job is rejected for failure to comply with the requirements of this code, but as controlling the practice of calling for inspections before the job is ready for inspection or reinspection.

Reinspection fees may be assessed when the approved plans are not readily available to the inspector, for failure to provide access on the date for which the inspection is requested, or for deviating from plans when such deviation requires but has not received the approval of the authority having jurisdiction.

To obtain reinspection, the applicant shall file an application therefor in writing upon a form furnished for that purpose and pay the reinspection fee in accordance with K.C.C. 16.32.080.

In instances where reinspection fees have been assessed, no additional inspection of the work will be performed until the required fees have been paid. (Ord. 15802 § 133, 2007).

16.32.315 Corrections. Section 103.5.6.1 of the Uniform Plumbing Code is not adopted and the following is substituted:

Corrections (UPC 103.5.6.1). Notices of correction or violation shall be issued by the authority having jurisdiction and may be posted at the site of the work or mailed or delivered to the permittee or his authorized representative. Refusal, failure, or neglect to comply with any such notice or order within ten (10) days of receipt thereof, shall be considered a violation of this code and shall be subject to the remedies for violations as set forth elsewhere in this code. (Ord. 15802 § 134, 2007).

16.32.326 Retesting. Section 103.5.6.2 of the Uniform Plumbing Code is not adopted and the following is substituted:

Retesting (UPC 103.5.6.2). If the authority having jurisdiction finds that the work does not pass any required test or inspection, necessary corrections shall be made and the work shall then be resubmitted for test or inspection. (Ord. 15802 § 135, 2007).

16.32.335 Approval. Section 103.5.6.3 of the Uniform Plumbing Code is not adopted and the following is substituted:

Approval (UPC 103.5.6.3). Upon the satisfactory completion and final test of the plumbing system, a certificate of approval shall be issued by the authority having jurisdiction to the permittee. (Ord. 15802 § 136, 2007).

16.32.345 Parking Garage Drainage Systems. Chapter 10 of the Uniform Plumbing Code is supplemented with the following:

Parking Garage Drainage Systems (UPC 1018.1). All floor drainage under the roof of a parking garage shall be connected to the sanitary drainage system, through the use of a sand interceptor. When the top floor of the building is used as a roof as well as a parking area, the drainage from the roof shall be connected to the storm drainage system. Drainage from conventional plumbing fixtures shall not be interconnected with the floor drainage system. However, drainage lines from car or truck washing equipment may be connected to the floor drainage system through an approved sand interceptor. Floor drainage waste lines shall be a minimum of three inches in size. Waste unit loading for three-inch or larger size floor drainage piping shall be sized in accordance with table 7-5 of this code. Floor drains or floor drain openings shall be equipped with approved strainers and need not be trapped when connected to the building drain through a properly trapped and vented sand interceptor. Traps shall not be used when the floor drains are located in areas exposed to freezing temperatures. The waste line from floor drains entering a sand interceptor shall be above the waste line discharging from the sand interceptor to the building drain. The sand interceptor receiving the floor drains shall have a water seal of not less than six inches. Floor drain traps need not be vented individually if line venting is used through an approved indirect waste system with a properly trapped and vented sand interceptor. A line vent for floor drains shall terminate through the roof or to an approved location in the outside atmosphere. When using line venting, the terminating vents, if more than one, shall be equal in cross sectional area to the size of the waste line entering the sand interceptor or the line vent may continue full size from the sand interceptor to the point of termination. All plans for parking garage floor drainage systems shall be submitted to the authority having jurisdiction prior to installation for approval. This section shall not apply to one-family or two-family dwellings. (Ord. 15802 § 137, 2007).

16.32.355 Combining Storm with Sanitary Sewage. Section 1104.3 of the Uniform Plumbing Code is not adopted and the following is substituted:

Combining Storm with Sanitary Sewage (UPC 1104.3). The sanitary and storm drainage system of a building shall be entirely separate. (Ord. 15802 § 138, 2007).

Chapter 16.78
ORNAMENTAL POOLS

Sections:

16.78.010 Definitions.
16.78.020 Fence required-Construction.
16.78.030 Fence-Waiver of requirements.
16.78.040 Application-Exemptions.
16.78.050 Alternate methods of protection.
16.78.060 Enforcement.

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16.78.010 Definitions.

A. "Depth" means a perpendicular measurement from the top lip of the pool to the deepest point.

B. "Drainage facility" means the system of collection, conveying and storing surface and storm water runoff. Drainage facilities shall include but not be limited to all surface and storm water runoff conveyance and containment facilities including streams, pipelines, channels, ditches, swamps, lakes, wetlands, closed depressions, infiltration facilities, retention/detention facilities, erosion/sedimentation control facilities, and other drainage structures and appurtenances, both natural and man-made.

C. "Ornamental pool" means any manmade structure, basin, chamber, tank or pool except drainage facilities containing an artificial body of water and having a depth of more than six inches and less than two feet and whose primary function is for other than swimming, diving or recreational bathing.

D. "Wading pool" means any artificial structure, basin, chamber, tank or pool of water intended and constructed for wading purposes which is not over two feet in depth at any point;

E. "Persons" means any individual or a firm, partnership, company, corporation, trustee, association or any public or private entity. (Ord. 9613, 1990: Ord. 1283 § 1, 1972).

16.78.020 Fence required-Construction. Every person, whether as owner, purchaser under contract, lessee, tenant, or licensee in possession of land upon which is situated an ornamental pool shall at all times maintain on the lot or premises upon which such pool is located and completely surrounding such pool, lot or premises a fence or other solid structure designed to prevent small children from inadvertently wandering into the pool. Such fence or other solid structure shall be not less than three feet in height and shall be constructed as follows:

A. For a fence or other solid structure whose chief covering members are constructed in a vertical direction there shall be no openings in a horizontal direction of more than four inches. For a fence of this type there shall be no more than two horizontal members;

B. For a fence or other solid structure whose chief covering members are constructed in a horizontal direction there shall be no openings in either a horizontal or vertical direction;

C. All gates or doors opening through such enclosures shall be equipped with a self-closing and self-latching device designed to keep and capable of keeping such doors or gates securely closed at all times when not in actual use. To prevent a small child from opening such door or gate, the latch shall be installed on the pool side of the gate; provided, however, that the door of any dwelling occupied by human beings and forming any part of the enclosure need not be so equipped.

No self-closing gate required by this section shall have a width in excess of four feet. In no event shall a gate which serves as a driveway qualify as a self-closing gate for the protection of ornamental pools under the requirements of this section. (Ord. 1283 § 2, 1972).

16.78.030 Fence-Waiver of requirements. The requirements of this chapter relating to a fence or other solid structure surrounding an ornamental pool on all sides may be waived to the extent that the topographical features of the land upon which the pool is constructed or is proposed to be constructed are such as to make the land inaccessible and unapproachable by an unescorted child from any portion thereof which is unfenced and unenclosed. (Ord. 1283 § 3, 1972).

16.78.040 Application-Exemptions. This chapter applies to ornamental pools on residential dwelling sites on lots of less than two and one-half acres or any other such ornamental pools which would create an unreasonable risk to small children.

Further exemptions are provided as follows:

A. Any and all ornamental pools that are under six inches in depth are exempted from this chapter.

B. Any pool deeper than two feet is required to comply with section 16.70.020 of the King County code for fencing of swimming pools. (Ord. 1283 § 4, 1972).

16.78.050 Alternate methods of protection. Notwithstanding any precise requirements of this chapter, alternate methods of protection and construction of ornamental pools may be utilized, provided such alternative methods meet the same essential safety requirements of this chapter, and it can be demonstrated that such alternate methods are better suited because of peculiar or unusual circumstances and that it is not practical to meet the precise requirements of this chapter. Such alternates, however, must meet one of the following criteria:

A. For one reason or another the ornamental pool is essentially inaccessible and unapproachable by an unescorted child.

B. The deepest point of the pool is made inaccessible by methods of noncorrosive screening with openings no greater than two inches in diameter or other solid foundation inside the pool, but not deeper than six inches from the top of the lip of the pool; provided, however, that such screening must be of sufficient strength to withstand one hundred pounds of dead weight without breaking or pulling loose from its retaining walls and must be secured in such a manner that it may not be lifted or removed either purposely or inadvertently by a child under seven years of age.

C. The ornamental pool in no place exceeds two feet in depth and has a gradual slope from the outside perimeter of the pool to the approximate center of the pool. For the purpose of this section, "gradual slope" is defined as a slope ratio of not less than four feet horizontal measurement to each one foot vertical measurement increase. (Ord. 1283 § 5, 1972).

16.78.060 Enforcement. The director of the department of development and environmental services is authorized to enforce the provisions of this chapter, the ordinances and resolutions codified in it, and any rules and regulations promulgated thereunder pursuant to the enforcement and penalty provisions of K.C.C. Title 23. (Ord. 14498 § 24, 2002: Ord. 2910 § 4 (part), 1976: Ord. 1283 (part), 1972).

Chapter 16.82
CLEARING AND GRADING
(Formerly GRADING)

Sections:

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BLANK

16.82.010 Purpose.

A. This chapter is intended to regulate clearing and removal of vegetation, excavation, grading and earthwork construction including cuts and fills, gravel pits, dumping, quarrying and mining operations within King County in order to protect public health, safety and welfare by:

1. Minimizing adverse stormwater impacts generated by the removal of vegetation and alteration of landforms;
2. Protecting water quality from the adverse impacts associated with erosion and sedimentation;
3. Minimizing aquatic and terrestrial wildlife habitat loss caused by the removal of vegetation;
4. Protecting sensitive areas from adverse clearing and grading activities;
5. Facilitating and encouraging long term forest practice and agricultural production operations where appropriate;
6. Minimizing the adverse impacts associated with materials processing, quarrying and mining operations;
7. Preventing damage to property and harm to persons caused by excavations and fills;
8. Establishing administrative procedures for the issuance of permits, approval of plans, and inspection of clearing and grading operations; and
9. Providing penalties for the violation of this chapter.

B. This chapter establishes the administrative procedure for issuance of permits, provides for approval of plans and inspection of clearing and grading operations, and provides for penalties for the violation of this chapter. (Ord. 16267 § 1, 2008: Ord. 11618 § 3, 1994: 9614 § 97, 1990: Ord. 1488 § 2, 1973).

16.82.020 Definitions. Certain words and phrases used in this chapter, unless otherwise clearly indicated by their context, mean as follows:

A. "Applicant" means a property owner or a public agency or public or private utility that owns a right-of-way or other easement or has been adjudicated the right to such an easement in accordance with RCW 8.12.090, or any person or entity designated or named in writing by the property or easement owner to be the applicant, in an application for a development proposal, permit or approval.

B. "Bench" means a relatively level step excavated or constructed on the face of a graded slope surface for drainage and maintenance purposes.

C. "Civil engineer" means an engineer who is licensed as a professional engineer in the branch of civil engineering by the state of Washington.

D. "Clearing" means the cutting, killing, grubbing or removing of vegetation or other organic material by physical, mechanical, chemical or any other similar means.

E. "Compaction" means the densification of a fill by mechanical means.

F. "Cutting" means the severing of the main trunk or stem of woody vegetation at any point.

G. "Department" means the department of development and environmental services.

H. "Director" means the director of the department of development and environmental services or the director's designee.

I. "Earth material" means any rock, natural soil or any combination thereof.

J. "Erosion" means the wearing away of the ground surface as the result of the movement of wind, water or ice.

K. "Excavation" means the removal of earth material.

L. "Fill" means a deposit of earth material or recycled or reprocessed waste material consisting primarily of organic or earthen materials, or any combination thereof, placed by mechanical means.

M. "Geotechnical engineer" means an engineer who is licensed as a professional engineer by the state of Washington and who has at least four years of relevant professional employment.

N. "Grade" means the elevation of the ground surface.

1. "Existing grade" means the grade before grading.
2. "Finish grade" means the final grade of the site that conforms to the approved plan as required in K.C.C. 16.82.060.
3. "Rough grade" means the stage at which the grade approximately conforms to the approved plan as required in K.C.C. 16.82.060.

O. "Grading" means any excavating, filling, or removing of the duff layer, or combination thereof.

P. "Grading and clearing permit" means the permit required by this chapter for grading and clearing activities, including temporary permits.

Q. "Reclamation" means the final grading and restoration of a site to establish the vegetative cover, soil surface water and groundwater conditions appropriate to accommodate and sustain all permitted uses of the proposed zone appropriate for the site.

R. "Shorelines" means those lands defined as shorelines in the state Shorelines Management Act of 1971.

S. "Site" means a single lot or parcel of land two or more contiguous lots that are under common ownership or documented legal control, used as a single parcel for a development proposal in order to calculate compliance with the standards and regulations of this chapter. For purposes of this definition:

1. "Documented legal control" includes fee simple or leasehold rights, or an easement, or any combination thereof, which allows uses associated with the overall development proposal; and

2. Lots that are separated only by a public road right-of-way shall be considered to be contiguous.

T. "Slope" means inclined ground surface, the inclination of which is expressed as a ratio of horizontal distance to vertical distance.

U. "Structural engineer" means an engineer who is licensed as a professional engineer in the branch of structural engineering by the state of Washington.

V. "Structure" means that which is built or constructed, an edifice or building of any kind or any piece of work artificially built up or composed of parts jointed together in some definite manner.

W. "Tree" means a large woody perennial plant usually with a single main stem or trunk and generally over twelve feet tall at maturity.

X. "Understory" means the vegetation layer of a forest that includes shrubs, herbs, grasses and grass-like plants, but excludes native trees.

Y. "Vegetation" means any organic plant life growing at, below or above the soil surface. (Ord. 16267 § 2, 2008: Ord. 15053 § 1, 2004: Ord. 12196 § 5, 1996: Ord. 11700 § 10, 1995: Ord. 9614 § 98, 1990: Ord. 7990 § 19, 1987: Ord. 3108 § 1, 1977: Ord. 1488 § 5, 1973).

16.82.030 Administration. The director is authorized to enforce the provisions of this chapter.

A. INSPECTIONS. The director is authorized to make such inspections and take such actions as may be required to enforce the provisions of this chapter.

B. RIGHT OF ENTRY. Whenever necessary to make an inspection to enforce any of the provisions of this chapter, or whenever the director has reasonable cause to believe that any land, building, structure, premises, or portion thereof is being used in violation of this chapter, the director may enter such land, building, structure, premises, or portion thereof at all reasonable times to inspect the same or perform any duty imposed upon the director by this chapter; provided, that if such building, land, structure, premises or portion thereof is occupied, he shall first present proper credentials and demand entry; and if such land, building, structure, premises, or portion thereof be unoccupied, he shall first make a reasonable effort to locate the owner or other persons having charge or control of the land, building, structure, premises, or portion thereof and demand entry.

No owner or occupant or any other person having charge, care or control of any building, land, structure, premises, or portion thereof shall fail or neglect, after proper demand, to promptly permit entry thereon by the director for the purpose of inspection and examination pursuant to this chapter. Any person violating this subsection is guilty of a misdemeanor. (Ord. 3108 § 2, 1977: Ord. 1488 § 3, 1973).

16.82.040 Hazards. Whenever the director determines that an existing site, as a result of clearing or grading, excavation, embankment, or fill has become a hazard to life and limb, or endangers property, or adversely affects the safety, use or stability of a public way or drainage channel, the owner of the property upon which the clearing, grading, excavation or fill is located, or other person or agent in control of said property, upon receipt of notice in writing from the director, shall within the period specified therein restore the site affected by such clearing or grading or repair or eliminate such excavation or embankment or fill so as to eliminate the hazard and be in conformance with the requirements of this chapter. (Ord. 9614 § 99, 1990: Ord. 3108 § 3, 1977: Ord. 1488 § 4, 1973).

16.82.050 Clearing and grading permit required - exceptions.

A. An activity physically altering a site, including clearing or grading activities and forest practices, shall be consistent with and meet the standards in this chapter unless preempted under chapter 76.09 RCW.

B. Unless specifically excepted under K.C.C. 16.82.051, a person shall not do any clearing or grading without first having obtained a clearing and grading permit issued by the department or having all clearing and grading reviewed and approved by the department as part of another development proposal. A separate permit shall be required for each site unless the activity is approved to occur on multiple sites under a programmatic permit issued in accordance with K.C.C. 16.82.053.

C. The permits or approvals issued under this chapter shall be required regardless of permits or approvals issued by the county or any other governmental agency and do not preclude the requirement to obtain all other permits or approvals or to comply with the operating standards in sections K.C.C. 16.82.095, 16.82.100, 16.82.105 and 16.82.130. Exceptions from permits under this chapter do not preclude the requirement to obtain other permits or approvals or to comply with the operating standards in K.C.C. 16.82.095, 16.82.100, 16.82.105 and 16.82.130. (Ord. 15053 §2, 2004: Ord. 14259 § 3, 2001: Ord. 12878 § 3, 1997: Ord. 12822 § 2, 1997: Ord. 12020 § 51, 1995: Ord. 12016 § 2, 1995: Ord. 12015 § 2, 1995: Ord. 11896 § 2, 1995: Ord. 11886 § 2, 1995: Ord. 11618 § 4, 1994: 11536 § 1, 1994: 11393 § 1, 1994: Ord. 11016 § 14, 1993: Ord. 10152 § 1, 1991: Ord. 9614 § 100, 1990: Ord. 7990 § 20, 1987: Ord. 3108 § 4, 1977: Ord. 1488 § 6, 1973).

16.82.051 Clearing and grading permit exceptions.

A. For the purposes of this section, the definitions in K.C.C. chapter 21A.06 apply to the activities described in this section.

B. The following activities are excepted from the requirement of obtaining a clearing or grading permit before undertaking forest practices or clearing or grading activities, as long as those activities conducted in critical areas are in compliance with the standards in this chapter and in K.C.C. chapter 21A.24. In cases where an activity may be included in more than one activity category, the most-specific description of the activity shall govern whether a permit is required. For activities involving more than one critical area, compliance with the conditions applicable to each critical area is required. Clearing and grading permits are required when a cell in this table is empty and for activities not listed on the table.

KEY
"NP" in a cell means no permit required if conditions are met.
A number in a cell means the Numbered condition in subsection C. applies.
"Wildlife area and network" column applies to both Wildlife Habitat Conservation Area and Wildlife Habitat Network

	OUT OF CRITICAL AREA AND BUFFER	COAL MINE HAZARD	EROSION HAZARD	FLOOD HAZARD	CHANNEL MIGRATION	LANDSLIDE HAZARD AND BUFFER	SEISMIC HAZARD	VOLCANIC HAZARD	STEEP SLOPE HAZARD AND BUFFER	CRITICAL AQUIFER RECHARGE AREA	WETLANDS AND BUFFER	AQUATIC AREA AND BUFFER	WILDLIFE AREA AND NETWORK
ACTIVITY													
Grading and Clearing													
Grading	NP 1, 2	NP 1, 2	NP 1, 2				NP 1, 2	NP 1, 2		NP 1, 2			
Clearing	NP 3 NP 24	NP 3	NP 3	NP 3			NP 3	NP 3		NP 3	NP 4 NP 23	NP 4 NP 23	
Covering of garbage	NP 5	NP 5	NP 5	NP 5	NP 5	NP 5	NP 5	NP 5	NP 5	NP 5	NP 5	NP 5	NP 5
Emergency tree removal	NP 6	NP 6	NP 6	NP 6	NP 6	NP 6	NP 6	NP 6	NP 6	NP 6	NP 6	NP 6	NP 6
Removal of noxious weeds	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
Removal of invasive vegetation	NP 7	NP 7	NP 7	NP 7	NP 7		NP 7	NP 7		NP 7	NP 8	NP 8	NP 8
Non conversion Class I, II, III, IV-S forest practice	NP 9	NP 9	NP 9	NP 9	NP 9	NP 9	NP 9	NP 9	NP 9	NP 9	NP 9	NP 9	NP 9
Emergency action	NP 10	NP 10	NP 10	NP 10	NP 10	NP 10	NP 10	NP 10	NP 10	NP 10	NP 10	NP 10	NP 10
Roads													
Grading within the roadway	NP 11	NP 11	NP 11	NP 11	NP 11	NP 11	NP 11	NP 11	NP 11	NP 11			NP 11
Clearing within the roadway	NP	NP 12	NP 12	NP 12	NP 12	NP 12	NP 12	NP 12	NP 12	NP	NP 12	NP 12	NP 12
Maintenance of driveway or private access road	NP 13	NP 13	NP 13	NP 13	NP 13	NP 13	NP 13	NP 13	NP 13	NP 13	NP 13	NP 13	NP 13
Maintenance of bridge or culvert	NP 13, 14, 15	NP 13, 14, 15	NP 13, 14, 15	NP 13, 14, 15	NP 13, 14, 15	NP 13, 14, 15	NP 13, 14, 15	NP 13, 14, 15	NP 13, 14, 15	NP 13, 14, 15	NP 13, 14, 15	NP 13, 14, 15	NP 13, 14, 15
Construction of farm field access drive	NP 16	NP 16	NP 16	NP 16	NP 16	NP 16	NP 16	NP 16	NP 16	NP 16	NP 16	NP 16	NP 16
Maintenance of farm field access drive	NP 17	NP 17	NP 17	NP 17	NP 17	NP 17	NP 17	NP 17	NP 17	NP 17	NP 17	NP 17	NP 17

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Utilities													
Construction or maintenance of utility corridors or facility within the right-of-way	NP 18	NP 19	NP 19	NP 19	NP 19	NP 19	NP 19	NP 19	NP 19	NP 18	NP 19	NP 19	NP 19
Construction or maintenance of utility corridors or facility outside of the right-of-way	NP 1, 2, 3		NP 1, 2, 3				NP 1, 2, 3	NP 1, 2, 3		NP 1, 2, 3			
Maintenance of existing surface water conveyance system	NP 11	NP 11	NP 11	NP 11	NP 11	NP 11	NP 11	NP 11	NP 11	NP 11	NP 11	NP 11	NP 11
Maintenance of existing surface water flow control and surface water quality treatment facility	NP 11	NP 11	NP 11	NP 11	NP 11	NP 11	NP 11	NP 11	NP 11	NP 11	NP 11	NP 11	NP 11
Maintenance or repair of flood protection facility	NP 20	NP 20	NP 20	NP 20	NP 20	NP 20	NP 20	NP 20	NP 20	NP 20	NP 20	NP 20	NP 20
Maintenance or repair of existing instream structure	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP 11	NP 11	NP
Recreation areas													
Maintenance of outdoor public park facility, trail or publicly improved recreation area	NP 13	NP 13	NP 13	NP 13	NP 13	NP 13	NP 13	NP 13	NP 13	NP 13	NP 13	NP 13	NP 13
Habitat and science projects													
Habitat restoration or enhancement project	NP	NP 21	NP 21	NP 21	NP 21	NP 21	NP 21	NP 21	NP 21	NP	NP 21	NP 21	NP 21
Drilling and testing for critical areas report	NP 1, 2	NP 1, 2	NP 1, 2	NP 22	NP 22	NP 22	NP 1, 2	NP 1, 2	NP 22	NP 1, 2	NP 22	NP 22	NP 22
Agriculture													
Horticulture activity including tilling, discing, planting, seeding, harvesting, preparing soil, rotating crops and related activity	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
Grazing livestock	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
Construction and maintenance of livestock manure storage facility	NP 16	NP 16	NP 16	NP 16	NP 16		NP 16	NP 16		NP 16	NP 16	NP 16	
Maintenance of agricultural drainage	NP 15	NP 15	NP 15	NP 15	NP 15	NP 15	NP 15	NP 15	NP 15	NP 15	NP 15	NP 15	NP 15
Maintenance of farm pond, fish pond, livestock watering pond	NP 15	NP 15	NP 15	NP 15	NP 15	NP 15	NP 15	NP 15	NP 15	NP 15	NP 15	NP 15	NP 15

Other													
Excavation of cemetery grave in established and approved cemetery	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
Maintenance of cemetery grave	NP	NP 13	NP 13	NP	NP 13	NP 13	NP	NP	NP 13	NP	NP 13	NP 13	NP 13
Maintenance of lawn, landscaping and gardening for personal consumption	NP	NP 13	NP 13	NP	NP 13	NP 13	NP	NP	NP 13	NP	NP 13	NP 13	NP 13
Maintenance of golf course	NP 13	NP 13	NP 13	NP 13	NP 13	NP 13	NP	NP	NP 13	NP 13	NP 13	NP 13	NP 13

C. The following conditions apply:

1. Excavation less than five feet in vertical depth, or fill less than three feet in vertical depth that, cumulatively over time, does not involve more than one hundred cubic yards on a single site.

2. Grading that produces less than two thousand square feet of new impervious surface on a single site added after January 1, 2005, or that produces less than two thousand square feet of replaced impervious surface or less than two thousand square feet of new plus replaced impervious surface after October 30, 2008. For purposes of this subsection C.2., "new impervious surface" and "replaced impervious surface" are defined in K.C.C. 9.04.020.

3. Cumulative clearing of less than seven thousand square feet including, but not limited to, collection of firewood and removal of vegetation for fire safety. This exception shall not apply to development proposals:

a. regulated as a Class IV forest practice under chapter 76.09 RCW;

b. in a critical drainage areas established by administrative rules;

c. subject to clearing limits included in property-specific development standards and special district overlays under K.C.C. chapter 21A.38; or

d. subject to urban growth area significant tree retention standards under K.C.C. 16.82.156 and 21A.38.230.

4. Cutting firewood for personal use in accordance with a forest management plan or rural stewardship plan approved under K.C.C. Title 21A. For the purpose of this condition, personal use shall not include the sale or other commercial use of the firewood.

5. Limited to material at any solid waste facility operated by King County.

6. Allowed to prevent imminent danger to persons or structures.

7. Cumulative clearing of less than seven thousand square feet annually or conducted in accordance with an approved farm management plan, forest management plan or rural stewardship plan.

8. Cumulative clearing of less than seven thousand square feet and either:

a. conducted in accordance with a farm management plan, forest management plan or a rural stewardship plan; or

b. limited to removal with hand labor.

9. Class I, II, III or IV forest practices as defined in chapter 76.09 RCW and Title 222 WAC.

10. If done in compliance with K.C.C. 16.82.065.

11. Only when conducted by or at the direction of a government agency in accordance with the regional road maintenance guidelines and K.C.C. 9.04.050, creates less than two thousand square feet of new impervious surface on a single site added after January 1, 2005, and is not within or does not directly discharge to an aquatic area or wetland. For purposes of this subsection C.11., "new impervious surface" is defined in K.C.C. 9.04.020.

12. Limited to clearing conducted by or at the direction of a government agency or by a private utility that does not involve:

a. slope stabilization or vegetation removal on slopes; or

b. ditches that are used by salmonids.

13. In conjunction with normal and routine maintenance activities, if:

a. there is no alteration of a ditch or aquatic area that is used by salmonids:

b. the structure, condition or site maintained was constructed or created in accordance with law; and

c. the maintenance does not expand the roadway, lawn, landscaping, ditch, culvert or other improved area being maintained.

14. If a culvert is used by salmonids or conveys water used by salmonids and there is no adopted farm management plan, the maintenance is limited to removal of sediment and debris from the culvert and its inlet, invert and outlet and the stabilization of the area within three feet of the culvert where the maintenance disturbed or damaged the bank or bed and does not involve the excavation of a new sediment trap adjacent to the inlet.

15. If used by salmonids, only in compliance with an adopted farm plan in accordance with K.C.C. Title 21A and only if the maintenance activity is inspected by:

a. The King Conservation District;

b. King County department of natural resources and parks;

c. King County department of development and environmental services; or

d. Washington state Department of Fish and Wildlife.

16. Only if consistent with an adopted farm plan in accordance with K.C.C. Title 21A.

17. Only if:

a. consistent with a farm plan in accordance with K.C.C. Title 21A; or

b. conducted in accordance with best management practices in the Natural Resource Conservation Service Field Office Technical Guide.

18. In accordance with a franchise permit.

19. Only within the roadway in accordance with a franchise permit.

20. When:

a. conducted by a public agency;

b. the height of the facility is not increased;

c. the linear length of the facility is not increased;

d. the footprint of the facility is not expanded waterward;

e. done in accordance with the Regional Road Maintenance Guidelines;

f. done in accordance with the adopted King County Flood Hazard Management Plan and the Integrated Streambank Protection Guidelines (Washington State Aquatic Habitat Guidelines Program, 2002); and

f. monitoring is conducted for three years following maintenance or repair and an annual report is submitted to the department.

21. Only if:

a. the activity is not part of a mitigation plan associated with another development proposal or is not corrective action associated with a violation; and

b. the activity is sponsored or co-sponsored by a public agency that has natural resource management as its primary function or a federally-recognized tribe, and the activity is limited to:

(1) revegetation of the critical area and its buffer with native vegetation or the removal of noxious weeds or invasive vegetation;

(2) placement of weirs, log controls, spawning gravel, woody debris and other specific salmonid habitat improvements;

(3) hand labor except:

(a) the use of riding mower or light mechanical cultivating equipment and herbicides or biological control methods when prescribed by the King County noxious weed control board for the removal of noxious weeds or invasive vegetation; or

(b) the use of helicopters or cranes if they have no contact with or otherwise disturb the critical area or its buffer.

22. If done with hand equipment and does not involve any clearing.

23. Limited to removal of vegetation for forest fire prevention purposes in accordance with best management practices approved by the King County fire marshal.

24. Limited to the removal of downed trees.

(Ord. 16267 § 3, 2008: Ord. 15053 § 3, 2004).

16.82.052 Temporary permits.

A. The director shall have the authority to issue temporary permits for excavations, processing, quarrying and mining, and removal of sand, gravel, rock and other natural deposits, together with the necessary buildings, apparatus or appurtenances incident thereto for specific jobs on application for highway, road, street, airport construction, flood control and other public works projects. In conjunction with such operations, allied uses such as, but not limited to, rock crushers, concrete-batching plants and asphalt-batching plants may be authorized by this temporary permit. The director shall also have the authority to issue temporary permits for the removal of existing stockpiles of previously mined materials for the reclamation of land to its best use, consistent with the underlying zoning.

B. The department of development and environmental services shall consider the effect of the proposed operation on the county road system and any effect it may have on surface or groundwater drainage and flood control, and shall make such recommendations as are necessary to protect the public interest in this regard.

C. The department of development and environmental services shall also consider the effect of the proposed operation on the current and future land use in the area affected by the proposed operation and shall condition permits as necessary to protect the public interest in this regard. Temporary permits are good for the life of the contract of the specific job but must be reviewed annually. Each temporary permit site shall be fully restored during the term of the temporary permit, unless the site is subsequently designated with an M zone classification. (Ord. 16267 § 4, 2008: Ord. 14259 § 4, 2001).

16.82.053 Programmatic permits. The department may issue programmatic clearing and grading permits as follows:

A. For any clearing or grading, excluding mineral extraction:

1. That is repetitive and part of a maintenance program or other similar program;

2. That has the same or similar identifiable impacts, as determined by the department, each time the activity is repeated at all sites covered by the permit; and

3. For which standard permit conditions suitable to any and all sites can be developed and implemented;

B. For a forest practice conducted under a county-approved forest management plan;

C. The department shall uniformly apply conditions to each activity authorized under the programmatic permit at all locations covered by the permit. The department may require that the applicant develop and propose such uniformly applicable permit conditions as part of the permit application and may approve, modify or reject any of the applicant's proposed conditions. The department shall not issue a programmatic permit until applicable permit conditions are developed and approved;

D. Activities authorized under a programmatic clearing and grading permit shall be subject to inspection by the department. The applicant may be required to notify the department each time work subject to the permit is undertaken for the department to schedule inspections. In addition, the department may require the applicant to submit periodic status reports. The frequency, method and contents of the notifications and reports shall be specified as conditions to the programmatic permit; and

E. The department may require permit revision, impose new permit conditions or otherwise modify the programmatic permit or withdraw the permit and require that the applicant apply for a standard clearing and grading permit, if the department determines that the:

1. Programmatic clearing and grading permit or activities authorized under the permit no longer comply with law;

2. Programmatic clearing and grading permit does not provide adequate regulation of the activity;

3. Permit conditions or the manner in which the conditions are implemented are not adequate to protect against the impacts resulting from the activity; or

4. Site requires site-specific regulation. (Ord. 15053 § 4, 2004).

16.82.055 Applications - Complete applications.

A. For the purposes of determining the application of time periods and procedures adopted by this chapter, applications for permits authorized by Chapter 16.82 shall be considered complete as of the date of submittal upon determination by the department that the materials submitted contain the following:

1. For clearing and grading permits:

a. A legal description of the property,

b. A 1:2000 scale vicinity map with a north arrow,

c. Grading plans including;

(1) Horizontal and vertical scale,

(2) Size and location of existing improvements within 50 feet of the project, indicating which will remain and which will be removed.

(3) Existing and proposed contours at maximum five foot intervals, and extending for 100 feet beyond the project edge,

(4) At least two cross-sections, one in each direction, showing existing and proposed contours and horizontal and vertical scales, and

(5) Temporary and permanent erosion-sediment control facilities,

d. The following plans must be stamped and signed by a registered civil engineer, licensed to practice in the State of Washington,

(1) Permanent drainage facilities,

(2) Structures to be built or construction proposed in land slide hazard areas, and

(3) Proposed construction or placement of a structure.

2. A completed environmental checklist, if required by K.C.C. chapter 20.44, County Environmental Procedures;

3. Satisfaction of all requirements for grading permits under K.C.C. 16.82.060.

B. Applications found to contain material errors shall not be deemed complete until such material errors are corrected.

C. The director may waive specific submittal requirements determined to be unnecessary for review of an application. (Ord. 11622 § 4, 1994).

16.82.060 Permit application requirements.

A. To obtain a permit, the applicant shall first file an application in writing on a form prescribed by the department that, in addition to the requirements of K.C.C. 20.20.040, shall include, at a minimum:

1. Identification and description of the work to be covered by the permit for which application is made;

2. An estimate of the quantities of work involved by volume and the total area cleared or graded as a percentage of the total site area;

3. An identification and description of:

a. all critical areas on the site or visible from the boundaries of the site; and

b. all clearing restrictions applicable to the site in K.C.C. 16.82.150, critical drainage areas requirements established by administrative rules or property-specific development standards and special district overlays under K.C.C. chapter 21A.38;

4. Location of any open space tracts or conservation easements if required under:

a. K.C.C. 16.82.152;

b. K.C.C. chapter 21A.14;

c. K.C.C. chapter 21A.37;

d. critical drainage areas; or

e. property-specific development standards or special district overlays under K.C.C. chapter 21A.38;

5. Plans and specifications that, at a minimum, include:

a. property boundaries, easements and setbacks;

b. a 1:2000 scale vicinity map with a north arrow;

c. horizontal and vertical scale;

d. size and location of existing improvements on and within fifty feet of the project, indicating which will remain and which will be removed;

e. location of all proposed cleared areas;

f. existing and proposed contours at maximum five foot intervals, and extending for one hundred feet beyond the project edge;

g. at least two cross sections, one in each direction, showing existing and proposed contours and horizontal and vertical scales; and

h. a proposed erosion and sediment control plan as required by K.C.C. 16.82.095.

B. Materials in addition to those required in subsection A. of this section may be necessary for the department to complete the review. The following materials shall be submitted when required by the department.

1. Higher accuracy contours and more details of existing terrain and area drainage, limiting dimensions, elevations or finished contours to be achieved by the grading, and proposed drainage channels and related construction;

2. If applicable, all drainage plans and documentation consistent with King County Surface Water Design Manual;

3. Restoration plan if required under K.C.C. 16.82.110*; and

4. Studies prepared by qualified specialists, as necessary to substantiate any submitted materials and compliance with this chapter or other law, particularly if clearing or grading is proposed to take place in or adjacent to a critical area.

C. Plans and specifications shall be prepared and signed by a civil engineer if they are prepared in conjunction with the proposed construction or placement of a structure, include permanent drainage facilities or, if required by the department, propose alterations in steep slope or landslide hazard areas.

D. The department shall determine the number of copies of the required plans, specifications and supporting materials necessary to expedite review and may require submittal of materials in alternative formats.

E. The director may waive specific submittal requirements if they are determined to be unnecessary for the acceptance and subsequent review of an application.

F. Any plans, specifications or supporting materials that are returned as a result of permit denial or any other reason shall be returned to the applicant. (Ord. 15053 § 5, 2004: Ord. 13190 § 3, 1998: Ord. 12822 § 3, 1997: Ord. 12196 § 6, 1996: Ord. 11700 § 11, 1995: Ord. 11618 § 5, 1994: 9614 § 101, 1990: Ord. 7990 § 21, 1987: Ord. 6173 § 1, 1982: Ord. 5194 § 1, 1981: Ord. 3108 § 5, 1977: Ord. 1488 § 7, 1973).

***Reviser's note: K.C.C. 16.82.110 was recodified as K.C.C. 21A.22.081 by Ord. 15032 § 31 (2004).**

16.82.065 Emergency actions. Unless otherwise specifically provided in this chapter, an action that does not comply with this chapter and taken in response to an emergency will not be considered a violation if the following steps are taken:

A. The department is notified before the activity is undertaken, or, if prior notification is not possible, not later than forty-eight hours after the action. Within forty-eight hours of receiving the emergency notification, excluding weekends and holidays, the department shall schedule a preapplication meeting to occur within the following thirty days. Tribal notice, when required by K.C.C. 21A.01.025, shall also be provided;

B. The department shall confirm in a written decision, that the activity was an emergency action, including that:

1. There was imminent danger or risk to the public health, safety and welfare or to persons or property;

2. The emergency was unanticipated and not caused by the inaction or action of the applicant;

3. Immediate emergency action was necessary; and

4. The emergency action was in direct response to and did not exceed the dangers and risks posed by the emergency;

C. At the preapplication meeting, the department shall establish the date by which all required permit applications and other materials or information, including any critical area reports, shall be submitted;

D. Corrective action, as determined by the department, shall be completed in compliance with the corrective action requirements of K.C.C. chapter 21A.24 for any alterations made during the emergency that are not in compliance with this chapter or other law; and

E. Mitigation, as determined by the department, shall be completed in compliance with the mitigation requirements of K.C.C. chapter 21A.24. (Ord. 15053 § 6, 2004).

16.82.075 Permit review and final decision.

A. The department shall review permit applications and may impose conditions on permit approval as needed to mitigate identified project impacts and shall deny applications that are inconsistent with this chapter and any other applicable regulations. For permit applications that are within a shoreline of the state or require a shoreline management substantial development permit, the conditions necessary to comply with the King County shoreline management program, including but not limited to, the shoreline management substantial development permit conditions, shall be incorporated into the conditions of any permit issued under this chapter and shall be subject to the inspection and enforcement procedures authorized under this chapter and K.C.C. Title 23.

B. Consistent with permit process and procedures provisions of K.C.C. chapter 20.20, including public notice procedures, the department shall review and provide a final decision to approve, condition or deny permits based on compliance with this title and any other applicable regulations.

C. Any decision to approve, condition or deny a development proposal based on this title and any other applicable regulations may be appealed according to and as part of the appeal procedure for the permit or approval involved as provided in K.C.C. 20.20.020. (Ord. 15053 § 7, 2004).

16.82.085 Permit duration and renewal.

A. A clearing and grading permit shall be valid for the number of days stated in the permit but the period shall not be more than two years, except in the case of a programmatic permit which may have a duration of up to five years. A permit shall not remain valid after the permitted activity has been completed, the site has been permanently stabilized and all required mitigation or restoration has been completed, monitored and accepted.

B. If the department determines that operating conditions and performance standards have been met and that the permit conditions are adequate to protect against the impacts resulting from the permitted activity, the permit may be renewed in two-year increments or five-year increments for a programmatic permit, or less if a shorter approval or renewal period is specified by the department. The additional requirements applicable to renewal of programmatic permits in K.C.C. 16.82.053 also apply.

C. If the department determines that activities regulated under a permit issued for mineral extraction in accordance with K.C.C. chapter 21A.22 does not comply with permit conditions or operating standards during a renewal review, it may conduct a periodic review. (Ord. 15053 § 8, 2004).

16.82.090 Liability insurance required - Exception. The permittee shall maintain a liability policy in the amount of one hundred thousand dollars per individual, three hundred thousand dollars per occurrence, and fifty thousand dollars property damage, and shall name King County as an additional insured. EXCEPTION: Liability insurance requirements may be waived for projects involving less than ten thousand cubic yards. Liability insurance shall not be required of other King County departments. (Ord. 1488 § 10, 1973).

16.82.095 Erosion and sediment control standards – seasonal limitation period.

A. A person who clears, grades or otherwise disturbs a site shall provide erosion and sediment control that prevents, to the maximum extent practicable, the transport of sediment from the site to drainage facilities, water resources and adjacent properties. Erosion and sediment controls shall be applied as specified by the temporary erosion and sediment control measures and performance criteria and implementation requirements in the King County Surface Water Design Manual adopted in accordance with K.C.C. chapter 9.04.

B. From October 1 through April 30, which is the seasonal limitation period, clearing and grading shall only be permitted if shown to the satisfaction of the director that runoff leaving the construction site will comply with the erosion and sediment control measures and performance criteria and implementation requirements in the King County Surface Water Design Manual adopted in accordance with K.C.C. chapter 9.04 through a combination of the following:

1. Site conditions including vegetative coverage, slope, soil type and proximity to receiving waters;
2. Proposed limitations on activities and the extent of disturbed areas; and
3. Proposed erosion and sedimentation control measures.

C. Based on the information provided under subsection A. of this section, the director may expand or restrict the seasonal limitations on site disturbance. The director shall set forth in writing the basis for approval or denial of clearing or grading during the seasonal limitation period.

D. During the seasonal limitation period, clearing and grading will be allowed only if there is installation and maintenance of an erosion and sedimentation control plan approved by the department that defines any limits on clearing and grading or specific erosion and sediment control measures required during the seasonal limitation period. The department may require or approve alternate best management practices.

E. If, during the course of construction activity or soil disturbance during the seasonal limitation period, silt-laden runoff violating standards in the King County Surface Water Design Manual leaves the construction site or if clearing and grading limits or erosion and sediment control measures shown in the approved plan are not maintained, a citation and stop work order shall be issued in accordance with K.C.C. chapters 23.20 and 23.28, respectively.

F. If the erosion and sediment control problem defined in the citation or stop work order is not adequately repaired within twenty-four hours of issuance, then a notice and order may be issued in accordance with K.C.C. chapter 23.24 to install adequate erosion and sediment control measures to stop silt-laden runoff from leaving the site. The notice and order may also require the property owner to discontinue any further clearing or grading, except for erosion and sediment control maintenance and repair, until the following April 30.

G. The following activities are exempt from the seasonal limitations of this section:

1. Routine maintenance and necessary repair of erosion and sediment control facilities;
2. Routine maintenance of public facilities or existing utility structures that do not expose the soil or result in removal of the vegetative cover to the soil;
3. Activities where there is one hundred percent infiltration of surface water runoff within the site in approved and installed erosion and sedimentation control facilities;
4. Typical landscaping activities of existing single family residences that do not require a permit;
5. Class I, II III and IV special forest practices in accordance with chapter 76.09 RCW;
6. Mineral extraction activities on sites with approved permits; and
7. Response to emergencies that threaten the public health, safety or welfare, consistent with K.C.C. 16.82.065. (Ord. 15053 § 9, 2004).

16.82.100 Grading standards. A person conducting a grading activity shall comply with the following standards:

A. Cuts and fills shall conform to the following provisions unless otherwise approved by the department:

1. A slope of cut and fill surfaces shall not be steeper than is safe for both the intended use and soil type and shall not exceed two horizontal to one vertical;

2. All disturbed areas including faces of cuts and fill slopes shall be prepared and maintained to control erosion in compliance with K.C.C. 16.82.095;

3. The ground surface shall be prepared to receive fill by removing unsuitable material such as concrete slabs, tree stumps, brush, car bodies and other materials as determined by the department;

4. Except in an approved sanitary landfill or as part of engineered fill, fill material shall meet the following standards:

a. Fill material shall consist of earthen material, organic material or recycled or reprocessed materials that are not categorized as dangerous waste under Title 173 WAC and that were produced originally from an earthen or organic material;

b. Fill material shall have a maximum dimension of less than twelve inches;

c. Recycled concrete shall be free of rebar and other materials that may pose a safety or health hazard;

d. Recycled asphalt shall not be used in areas subject to exposure to seasonal or continual perched ground water, in a critical aquifer recharge area or over a sole-source aquifer; and

e. Recycled materials that have not been reprocessed to meet the definition of common borrow shall be intermixed with well-graded, natural, earthen materials in sufficient quantities and of a suitable size to assure filling of all voids and to assure that the fill can be compacted to ninety percent of the maximum density;

5. Provisions shall be made to:

a. prevent any surface water or seepage from damaging the cut face of any excavation or the sloping face of a fill; and

b. address any surface water that is or might be concentrated as a result of a fill or excavation to a natural watercourse in accordance with K.C.C. chapter 9.04 and the Surface Water Design Manual;

6. Benches and any swales or ditches on benches shall be designed in accordance with the King County Surface Water Design Manual;

7. The tops and the toes of cut and fill slopes shall be set back from property boundaries and structures as far as necessary:

a. for the safety of the adjacent properties;

b. for adequacy of foundation support;

c. to prevent damage resulting from water runoff or erosion of the slopes; and

d. to preserve the permitted uses on the adjacent properties; and

8. All fill shall meet the following:

a. Fill greater than three feet in depth shall be engineered and compacted to accommodate the proposed use unless a notice on title documenting the location of the fill is recorded and the fill is sufficiently stable to not pose a hazard; and

b. Any fill in the floodplain shall, from the face of the fill to a horizontal distance of six feet back from the face, meet the compaction requirements for pond embankments in the Surface Water Design Manual, unless determined by the department that inundation is not a threat to fill integrity or that other requirements necessary for compliance with the King County Guidelines for Bank Stabilization (Surface Water Management 1993) are met.

B. Access roads to grading sites shall be:

1. Maintained and located to the satisfaction of the King County department of transportation to minimize problems of dust, mud and traffic circulation;

2. Located where the permanent access to the site is proposed in the permit application to minimize site disturbance; and

3. Controlled by a gate when required by the department.

C. Signs warning of hazardous conditions, if determined by the department to exist on a particular site, shall be affixed at locations as required by the department.

D. Where required by the department, to protect life, limb and property, fencing shall be installed with lockable gates that must be closed and locked when not working on the site. The fence shall be no less than six feet in height and the fence material shall have no opening larger than two inches.

E. Rocks, dirt, mud, vegetation and any other materials used or produced on-site in the course of permitted activities shall not be spilled onto or otherwise left on public roadways or any off-site property not specifically authorized as a receiving site under a valid permit.

F. The duff layer and native topsoil shall be retained in an undisturbed state to the maximum extent practicable. Any duff layer or topsoil removed during grading shall be stockpiled on-site in a designated, controlled area not adjacent to public resources and critical areas. The material shall be reapplied to other portions of the site where feasible.

G.1. Except as otherwise provided in subsection G.2. of this section, areas that have been cleared and graded shall have the soil moisture holding capacity restored to that of the original undisturbed soil native to the site to the maximum extent practicable. The soil in any area that has been compacted or that has had some or all of the duff layer or underlying topsoil removed shall be amended to mitigate for lost moisture-holding capacity. The amendment shall take place between May 1 and October 1. The topsoil layer shall be a minimum of eight inches thick, unless the applicant demonstrates that a different thickness will provide conditions equivalent to the soil moisture-holding capacity native to the site. The topsoil layer shall have an organic matter content of between five to ten percent dry weight and a pH suitable for the proposed landscape plants. When feasible, subsoils below the topsoil layer should be scarified at least four inches with some incorporation of the upper material to avoid stratified layers. Compost used to achieve the required soil organic matter content must meet the definition of "composted materials" in WAC 173-350-220.

2. This subsection does not apply to areas that:

a. Are subject to a state surface mine reclamation permit; or

b. At project completion are covered by an impervious surface, incorporated into a drainage facility or engineered as structural fill or slope. (Ord. 16267 § 5, 2008: Ord. 15053 § 10, 2004: Ord. 13190 § 4, 1998: Ord. 3108 § 8, 1977: Ord. 1488 § 11, 1973).

16.82.105 Clearing and grading activities — hours of operation — variations.

A. Hours of operation for clearing and grading activities, unless otherwise specified by the director, shall be between seven a.m. and seven p.m. Monday through Saturday and between ten a.m. and five p.m. Sunday.

B. Before approving any variation of the hours of operation, the department of development and environmental services, in consultation with the Seattle-King County department of public health, shall:

1. Determine whether the development proposal can comply with nighttime noise standards in accordance with K.C.C. chapter 12.88;

2. Determine whether the development proposal will cause significant adverse noise effects to the community; and

3. Require mitigation for any identified impacts before the department of development and environmental services approves a variation in the hours of operation.

C. The department of development and environmental services's decision to approve a variation in the hours of operation shall be in writing and shall include a specific finding of compliance with the noise standards, the facts and conclusions supporting that finding and any mitigation, conditions or limitations imposed. All decisions made under this section shall be compiled by the department of development and environmental services and made available for public inspection. (Ord. 15053 § 11, 2004).

16.82.120 Shorelines.

A. Any fill placed upon land adjacent to or beneath any stream or water body shall be contained and placed so as to prevent adverse effect upon other lands.

B. No permit required by this chapter shall be issued for grading upon the shorelines until approved by the appropriate federal, state and local authority.

C. For grading which requires a shoreline management substantial development permit, the conditions of the shoreline management substantial development permit shall be incorporated into the conditions of any permit issued pursuant to this chapter and shall be subject to the inspection and enforcement procedures authorized by this chapter. (Ord. 3108 § 10, 1977).

16.82.130 Violations - corrective work required.

A. If clearing or grading inconsistent with the purposes and requirements of this chapter in effect at the time of the action has occurred on a site the department shall not accept or grant any development permit or approval for the site, except any permit or approval necessary for the correction of code violations, until the applicant:

1. Completes restoration of the site or the appropriate corrective actions to bring the site into compliance; or

2. Obtains department approval of a permit for the appropriate restoration or corrective action and posts any required financial guarantee.

B. The department shall require appropriate restoration of the site under an approved restoration or corrective work plan that includes a time schedule for compliance. If restoration has not been completed within the time established by the department, the director may order restoration using funds from the department's contingency accounts and seek restitution from the property owner through liens or other available legal methods.

C. This section does not limit corrective action requirements or other remedies or penalties applicable to K.C.C. Title 23. (Ord. 15053 § 12, 2004: Ord. 14498 § 25, 2002: Ord. 9614 § 104, 1990: Ord. 2910 § 4 (part), 1976: Ord. 1488 (part), 1973).

16.82.140 Class IV-G forest practices—six-year moratorium.

A. Under a Class IV-G forest practice, all clearing not otherwise exempted under this chapter shall be subject to this chapter. All such clearing subject to the state Environmental Policy Act, chapter 43.21C RCW, and King County shall accept or assume lead agency status. The department shall consolidate its review of the Class IV-G application with its SEPA review and its review of associated King County development permits or approvals.

B. Except as otherwise provided in subsections D. and E. of this section, for six years after the forest practice commenced, the department shall deny a development proposal on a site when the activity was:

1. A Class II, III or IV special forest practice, as defined in chapter 76.09 RCW;
2. A nonconversion Class IV-G forest practice, as defined in K.C.C. chapter 21A.06: or
3. Undertaken without forest practices or county authorization.

C. Subsection B. of this section applies to a development proposal for:

1. The subdivision of land;
2. The preparation or construction of a new residential or commercial structure; and
3. Any other development proposal that is not related to ongoing forestry.

D. The department may approve a development proposal on a site subject to subsection B. of this section if:

1.a. The applicant demonstrates that the forest practice or clearing on the harvested portion of the site was consistent with the Conversion Option Harvest Plan reviewed and approved by King County;

b. Forest management activities conducted within aquatic areas, wetlands, steep slopes and wildlife habitat areas are limited to specific silvicultural prescriptions to improve forest health identified in a forest management plan approved by King County; and

c. The forest practice is conducted as a:

(1) Class IV-G nonconversion forest practice, as defined in K.C.C. chapter 21A.06, that has been approved by the county;

(2) Class II, III or IV-S forest practice pursuant to a Washington State Department of Natural resources forest practices permit; or

(3) Class I forest practice, as defined in chapter 76.09 RCW, only for purposes of precommercial thinning and pruning; or

2. The director determines that:

a. the applicant was the unknowing subject of criminal trespass, timber theft or fraud;

b. the applicant has demonstrated to the satisfaction of the department that:

(1) those portions of the clearing not in compliance with the applicable King County regulations can be fully restored to the extent that functions shall be improved over those existing before the clearing; and

(2) the unharvested portion of the property is not required to satisfy tree retention or other mitigation requirements; and

c. the applicant has an approved mitigation plan to restore the areas cleared without complying with applicable King County regulations.

E. The department may approve a development proposal on the unharvested portion of a site subject to subsection B. of this section if:

1. The applicant demonstrates that the clearing on the harvested portion of the site was conducted consistent with a forest management plan approved by King County and the forest management plan excluded the area proposed for development; and

2. The forest practice is conducted as a:

a. Class IV-G nonconversion forest practice, as defined in K.C.C. chapter 21A.06, that has been approved by the county;

b. Class II, III or IV-S forest practice pursuant to a Washington state Department of Natural resources forest practices permit; or

c. Class I forest practice, as defined in chapter 76.09 RCW, only for purposes of precommercial thinning and pruning.

F. In all cases, lifting or waiving of the six-year moratorium is subject to compliance with all county ordinances. (Ord. 15974 § 1, 2007: Ord. 15053 § 13, 2004: Ord. 12878 § 1, 1997: Ord. 11618 § 6, 1994: 9614 § 102, 1990).

16.82.150 Clearing standards for individual lots in the rural zone.

A. Except as otherwise provided in this section, in the RA zone the following standards apply to clearing on individual lots:

1. For lots one and one-quarter acre or smaller:

a. clearing shall not exceed the greater of:

(1) the amount cleared before January 1, 2005, or cleared under a complete clearing permit application filed before October 25, 2004, in accordance with previous county regulations;

(2) fifty percent of the lot area; or

(3) seven thousand square feet.

b. any clearing required for the construction of access, utilities and septic systems shall not be counted towards the amount of clearing allowed under this subsection;

2. For lots greater than one and one-quarter acres and up to fives acres in area, clearing shall not exceed the greater of:

a. the amount legally cleared before January 1, 2005, or cleared under a complete clearing permit application filed before October 25, 2004, in accordance with previous county regulations; or

b. fifty percent of lot area;

3. For lots greater than fives acres, clearing shall not exceed the greater of:

a. the amount legally cleared before January 1, 2005, or cleared under a complete clearing permit application filed before October 25, 2004, in accordance with previous county regulations;

b. two and one-half acres, or

c. thirty-five percent of lot area; and

4. For lots greater than one and one-quarter acre in either the Bear Creek basin, the Issaquah Creek basin and the May Creek basin, clearing shall not exceed the greater of:

a. the amount legally cleared before January 1, 2005, or cleared under a complete clearing permit application filed before October 25, 2004, in accordance with previous county regulations; or

b. thirty-five percent of lot area;

B. The standards in subsection A. of this section shall not apply if more restrictive standards apply through:

1. The Critical Areas Code, K.C.C. chapter 21A.24, and its adopted public rules;

2. Property-specific development standards or special district overlays under K.C.C. chapter 21A.38; or

3. Critical drainage area designations identified by adopted public rule.

C.1. If there is an approved and current rural stewardship plan or farm management plan under K.C.C. chapter 21A.24, the maximum amount of clearing allowed under this section is established by the rural stewardship plan or the farm management plan;

2. Subsection A. of this section does not apply to a lot within a subdivision or short subdivision:

a. Approved with clearing restrictions in accordance with K.C.C. 16.82.152; or

b. In the Bear Creek, Issaquah Creek or May Creek basins that was approved with clearing restrictions in accordance with this section as it existed prior to January 1, 2005;

3. On a lot within a subdivision or short subdivision that is not covered by subsection C.2. of this section, any land located in an open space tract created as part of the subdivision or short subdivision shall be credited to the individual lots in the subdivision or short subdivision on a prorated basis according to the size of each lot in relation the entire area of the subdivision or short subdivision;

4. The area within landslide or steep slope hazard areas, wetlands, aquatic areas and the buffers for these critical areas may be counted towards meeting the requirements of subsection A. of this section;

5. Clearing in areas encumbered by a utility corridor, or easement for a public road or trail rights-of-way or an access easement shall not be counted toward the cleared area limit;

6. Clearing standards for mining uses shall be determined through the clearing and grading permit review process; and

7. Clearing that is the minimum necessary to provide for the relocation of equestrian community trails shall not be counted towards the cleared area limit.

D. The director may modify or wave subsection of this section for a development proposal that meets the following conditions:

1. The development proposal consists of one or more of the following uses:

a. government services listed in K.C.C. 21A.08.060;

b. educational services listed in K.C.C. 21A.08.050;

c. parks as listed in K.C.C. 21A.08.040 when located adjacent to an existing or proposed school;

d. libraries listed in K.C.C. 21A.08.040; and

e. road projects that are not part of a larger development proposal;

2. The development proposal site is not located in a designated regionally significant resource area, except for utility or road corridors for which the applicant demonstrate that there is no feasible alternative or that the development proposal is within an existing maintained corridor. If only a portion of the project is located within a designated regionally significant resource area, this subsection applies to that portion of the project located outside of the designated regionally significant resource area; and

3. To the maximum extent practical, the project locates structures in already cleared areas of the site and clears the minimum necessary to accommodate the proposed use which includes all the allowed ballfields, playfields, other facilities, and spaces proposed by the public agency to carry out its public function.

E. The standards of this section shall be established at the time of permit application. The area required to remain uncleared shall be designated on the site plan approved by the department.

F. Areas that are required to remain uncleared under this section shall be maintained by the property owner as a resource area. The uses permitted in the resource area shall not prevent the long-term purpose of the resource area to promote forest cover and shall include uses such as:

1. Except in areas regulated by a source described in subsection B.3. of this section, forest practices in accordance with a county-approved forest management plan;

2. Passive recreation uses and related facilities, including pedestrian, equestrian community and bicycle trails, nature viewing areas, fishing and camping areas, and other similar uses that do not require permanent structures, if:

a. clearing and soil compaction associated with these uses and facilities does not exceed eight percent of the area of the resource area; and

b. within wildlife habitat corridors, trail widths shall be the minimum allowed under adopted trail standards and no other recreation uses shall be permitted in an area of the corridor at least one hundred fifty feet in width;

3. Utilities and utility easements, including surface water facilities, if the facilities are within or adjacent to existing road or utility easements to the maximum extent practical;

4. Pruning or removing hazard trees or removing downed trees;

5. Reducing the danger from wildfire by following best management practices approved by the King County fire marshal;

a. removal of limbs within ten feet of the ground to prevent movement of fire from ground level to treetops; and

b. removal of dead trees or branches overhanging a residence; and

6. Removal of noxious or invasive vegetation.

G. Before approving a development permit application for a parcel that has been cleared in violation of the clearing standards in effect at the time of the clearing, the department shall require the applicant submit to the department and implement a restoration plan to restore trees, understory vegetation and soil to support and maintain the native vegetative cover on the percentage of the site that was to remain uncleared under this section. If the clearing is in violation of the six-year moratorium on permitting established in K.C.C. 16.82.140, the department may determine whether the restoration plan is sufficient to mitigate for the impacts resulting from the clearing violation. (Ord. 16267 § 7, 2008: Ord. 15053 § 14, 2004: Ord. 14199 § 224, 2001: Ord. 14259 § 5, 2001: Ord. 14091 § 2, 2001: Ord. 13190 § 5, 1998: Ord. 12822 § 4, 1997: Ord. 12380 § 7, 1996: Ord. 12016 § 3, 1995: Ord. 12015 § 3, 1995: Ord. 11886 § 3, 1995: Ord. 11618 § 7, 1994: Ord. 9614 § 103, 1990).

16.82.151 Relocation of undeveloped area in adjacent lots. A property owner who controls two or more adjacent lots subject to clearing limits under K.C.C. 16.82.150 may relocate the area that is required to remain undeveloped on each individual lot into a single location on one or more of the lots as follows:

A. The total area subject to clearing limits shall not be decreased;

B. Areas within critical areas and critical area buffers cannot be relocated;

C. The relocated area shall be situated in a manner that minimizes fragmentation of wildlife habitat and maximizes protection of critical areas and prevention of flooding, erosion, and groundwater impacts based on site characteristics, including topography and soils;

D. The relocated area is subject to the provisions of this chapter governing allowable activities within areas subject to clearing limits; and

E. The property owner shall record a notice on title that identifies the relocated area subject to the clearing limits. (Ord. 16267 § 6, 2008)

16.82.152 Clearing standards for subdivisions and short subdivisions in the rural residential zone.

A. Except as otherwise provided in this section, the following standards apply to clearing allowed in subdivisions and short subdivisions in the RA zone:

1. Clearing shall not exceed thirty-five percent of the area of the subdivision and short subdivision; and

2. The area remaining uncleared shall be:

a. shown on the face of the recorded plat map to delineate where the uncleared area is to remain on each lot; and

b. marked with at least one sign per buildable lot adjoining the area indicating that the area is a permanent resource management area.

B. The standards in subsection A. of this section shall not apply if more restrictive standards apply through:

1. Property-specific development standards pursuant to K.C.C. chapter 21A.38; or

2. Critical drainage area designations identified by adopted administrative rule.

C. If sixty-five percent or more of the site is set aside in a critical area tract as required under K.C.C. chapter 21A.24, this section does not apply.

D. Clearing to provide for the relocation of equestrian community trails shall not be counted towards the cleared area limit.

E. The department may allow an increase in the amount of clearing up to fifty percent of the site area of a subdivision or short subdivision if the area to remain uncleared:

1. Is placed in a separate resource tract that is:

a. separately identified from critical area tracts on the face of the recorded plat map; and

b. retained by the subdivider, conveyed to residents of the subdivision, or conveyed to a third party;

2. Is situated in a manner that minimizes fragmentation of wildlife habitat or that maximizes protection of critical areas and prevention of flooding, erosion, and groundwater impacts based on site characteristics, including topography and soils; and

3. Complies with either of the following:

a. A reforestation plan for the tract is approved and implemented, if the tract has been legally harvested, or

b. One or more of the following habitats is preserved that is not contained within another critical area or critical area buffer:

(1) cave;

(2) old-growth forest;

(3) mature forest;

(4) area that has an abundance of snags;

(5) talus slope;

(6) breeding habitat for a species that the county should protect under the King County Comprehensive Plan;

(7) foraging habitat for any species that the county shall protect or should protect under the King County Comprehensive Plan; or

(8) a vegetated corridor that connects critical areas, priority habitat areas, designated regionally or locally significant resource areas, and other areas of high wildlife value.

F. The approval of a subdivision or short subdivision application for a parcel that has been cleared in violation of the regulations in effect at the time of the clearing shall require the restoration of trees, understory vegetation and soil to support and maintain native vegetation cover on the percentage of the site that was to remain uncleared under this section. The applicant shall submit to the department a restoration plan. If the clearing is in violation of the six-year moratorium on permitting authorized in K.C.C. 16.82.140, the department may determine whether the restoration plan is sufficient to mitigate for the impacts resulting from the clearing violation.

G. The area required to remain uncleared under this section shall be maintained as a resource area as provided in K.C.C. 16.82.150.F. (Ord. 16267 § 8, 2008: Ord. 15053 § 15, 2004).

16.82.154 Clearing - modification of limits through farm management and rural stewardship plans. The clearing limits of K.C.C. 16.82.150 and 16.82.152 may be modified through a farm management plan or rural stewardship plan approved in accordance with K.C.C. 21A.24.051 and 21A.24.055. (Ord. 15053 § 16, 2004).

16.82.156 Significant trees. Within the urban growth area:

A. Except when replacement trees are used as provided in subsection E. of this section, significant trees, as defined in K.C.C. chapter 21A.06, shall be at a minimum retained as follows:

1. Exclusive of the area required for site access by vehicles, pedestrians, or utility infrastructure, significant trees shall be retained within required perimeter landscape areas at the following rates:

a. one hundred percent for the interior perimeters.

b. seventy-five percent for the street perimeter, though this standard may be reduced to fifty percent for retail commercial developments if:

(1) the combined landscaping and tree retention requirement is shown by the applicant to result in:

(a) the loss of the line-of-sight necessary for identification of the retail commercial development; and

(b) a vegetative buffer exceeding the screening characteristics of a Type III landscape screen; or

(2) The average width of the street perimeter landscape area is increased by fifty percent, only if, within the additional landscape area, significant trees are retained at the rate consistent with subsection A.2. of this section;

2. Significant trees located in the interior of the development proposal, including critical areas or their buffers, shall be retained in a residential subdivision in UR or R-1 zones at the rate of twenty trees per acre or ten percent of the trees, whichever is greater;

3. Significant trees located in the interior of the development proposal, excluding critical areas or their buffers, shall be retained in an apartment or townhouse development at the rate of ten trees per acre or five percent of the trees, whichever is greater;

4. Significant trees located in the interior of the development proposal, excluding critical areas or their buffers, shall be retained in commercial or industrial development or a residential subdivision in the R-4 through R-48 zones at a rate of ten trees per acre or five percent of the trees, whichever is greater;

5. Significant trees located in the interior of the development proposal, excluding critical areas or their buffers and areas designated for sport fields, playfields or other recreational facilities, shall be retained in institutional developments at a rate of ten trees per acre or five percent of the trees, whichever is greater;

6. Utility developments and mineral extraction operations are exempt from the significant tree retention requirements of this section; and

7. Project sites with twenty-five percent or greater of the total gross site area in critical areas, critical area buffers and other areas to be left undisturbed, such as wildlife corridors, shall be exempt from the significant tree retention requirements of this chapter;

B. The applicant shall submit tree retention plans as follows:

1. A significant tree inventory shall be submitted for review before or with submittal of development permit applications. The tree inventory may be conducted by any method that reflects general locations, numbers and grouping of significant trees on-site; and

2. A detailed tree retention plan shall be submitted for review before or with submittal of grading permit applications or other permit applications incorporating grading plans. This plan shall identify the exact location, size, species and condition of the significant trees proposed to be retained, transplanted or replaced to comply with this chapter;

C. The retention requirements shall be met as follows:

1. Except as provided in subsection C.2. of this section, the applicant shall determine that the final tree retention plan does not include significant trees unable to survive more than ten years after the date of project completion due to:

a. damage or disease;

b. safety hazards due to potential root, trunk or primary limb failure;

c. windfall; or

d. age in relation to the normal lifespan of the tree species;

2. At the discretion of the county, damaged or diseased or standing dead trees, not classified as a danger tree, may be counted toward the significant tree requirement if the applicant demonstrates that such trees will provide important wildlife habitat; and

3. A significant tree may be credited as two trees when it meets one or more of the following characteristics:

a. the tree is eighteen inches or greater in diameter;

b. the tree is located in a grouping of at least five trees with canopies that touch or overlap;

c. the tree provides energy savings through winter wind protection or summer shading as a result of its location relative to buildings;

d. the tree belongs to a unique or unusual species;

e. the tree is located within twenty-five feet of any critical area or required critical area buffers; or

f. the tree is listed on a historical register;

D. To provide the best protection for significant trees designated for retention, the development shall comply with the following:

1. Tree removal for a project action shall not be allowed before county approval;

2. Before clearing for a project action, trees to be retained shall be flagged;

3. Before grading for a project action and throughout construction, a temporary chain link or plastic net fence shall be used to identify the protected area of any significant tree designated for retention. The height of the fencing shall be adjusted according to the topographic and vegetative conditions of the site to provide clear visual delineation of the protected area. The size of protected area around the tree shall be equal to one foot diameter for each inch of tree trunk diameter measured four feet above the ground; and

4. At any time during and after construction, the following shall not be permitted within the area described in subsection D.3. of this section:

a. impervious surfaces, fill, excavation or storage of construction materials; or

b. grade level changes, except in limited circumstances where proposed improvements using permeable materials are determined by an arborist to be nondetrimental to the trees root system; and

5. Alternative or additional protection methods may be proposed and be used if determined by the director to provide equal or greater protection for trees designated for retention;

E. Plan modifications and tree replacement are permitted as follows:

1. Any significant tree in the interior may be replaced by another significant tree in the interior;

2. If the required number of significant trees cannot be retained, then nonsignificant-sized trees may be retained or new trees may be planted to meet significant tree requirements. A significant tree to be replaced by the new or existing replacement tree shall be assigned a diameter of twelve inches. In addition:

a. when using replacement trees measuring three inches in diameter or greater, as measured by caliper, one-half inch diameter of replacement tree shall be provided for every one inch diameter of significant tree to be replaced; and

b. when using replacement trees measuring less than three inches in diameter, as measured by caliper, one inch diameter of replacement tree shall be provided for every one inch diameter of significant tree to be replaced;

3. An approved tree retention plan shall be modified to reflect any changes made in accordance with subsection E.1 and 2. of this section; and

4. If the department determines that retaining or replacing significant trees on site is impractical or contrary to the overall objectives of the underlying zone classification, alternative off-site locations may be used in accordance with the following:

a. within the same subbasin in a location that also affords wildlife habitat protection or enhancement at a ratio of one-to-one;

b. within the same subbasin but without wildlife habitat protection or enhancement, at a ratio of one-and-one half-to-one;

c. within the same basin in a location that also affords wildlife habitat protection or enhancement at a ratio of two-to-one;

d. within the same basin but without wildlife habitat protection or enhancement, at a ratio of three-to-one;

e. within the same drainage in a location that also affords wildlife habitat protection or enhancement at a ratio of three-to-one; and

f. within the same drainage but without wildlife habitat protection or enhancement, at a ratio of four-to-one;

F. The following provisions apply to significant trees where applicable:

1. All significant trees shall be pruned and trimmed as necessary to maintain a healthy growing condition or to prevent primary limb failure. This requirement shall not be interpreted to allow:

a. topping of primary stems;

b. pruning that results in the loss of twenty percent of vegetative mass; and

c. cutting of major roots, except in preparation for transplantation or as deemed necessary or acceptable by a certified arborist; and

2. With the exception of dead, diseased or damaged trees specifically retained to provide wildlife habitat; other dead, diseased, damaged or stolen plantings shall be replaced within three months or during the next planting season if the loss does not occur in a planting season; and

G. The development standards in this section do not apply to institutional development proposals that consist of one or more of the following uses:

1. Government services listed in K.C.C. 21A.08.060;

2. Educational services listed in K.C.C. 21A.08.050;

3. Parks as listed in K.C.C. 21A.08.040 when located adjacent to an existing or proposed school; or

4. Libraries listed in K.C.C. 21A.08.040. (Ord. 15053 § 17, 2004).

16.82.158 Hazard and damage. A person conducting clearing or grading shall protect adjacent property, public resources including surface and groundwaters, set-aside areas, rights-of-way and drainage systems from hazards and damage resulting from activities allowed under this chapter. (Ord. 15053 § 18, 2004)

16.82.160 Agricultural production district standards. Utilities or other public facilities crossing a portion of an agricultural production district shall be required to demonstrate to the satisfaction of the department that:

A. Alternatives to crossing the agricultural production district are not feasible;

B. Timing of installation of facilities will minimize impacts to seasonal agricultural practices; and

C. Facilities are sized, constructed and placed in the agricultural product district to minimize disruption of agricultural activity and to take the least amount of area out of agricultural production. (Ord. 15053 § 19, 2004: Ord. 11618 § 8, 1994).

16.82.170 Financial guarantees authorized. The department is authorized to require all applicants issued permits or approvals under the provisions of the title to post financial guarantees consistent with the provisions of Ordinance 12020. (Ord. 12020 § 35, 1995).

16.82.175 Vesting period for lots in final short plats. Unless the department finds that a change in conditions creates a serious threat to the public health or safety in the short subdivision, for a period of five years after recording, a lot within a short subdivision shall be governed by the provisions of this chapter in effect at the time a fully completed application for short subdivision approval was filed in accordance with K.C.C. chapter 20.20. (Ord. 15053 § 21, 2004).