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HOUSE BILL 1144

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State of Washington

52nd Legislature

1991 Regular Session

By Representatives Jacobsen, Miller, Winsley, Cole, Wood, Rasmussen, Prentice, R. Fisher, Valle, Fraser, Haugen, Belcher, Scott, Franklin, Ogden, Roland, Riley, Leonard, Cantwell, Rust, Hine, Pruitt, Inslee, R. Johnson, Sheldon, Spanel, Kremen, Rayburn, Brekke and Orr.

Read first time January 21, 1991. Referred to Committee on State Government.

1 AN ACT Relating to the state building code; reenacting and amending  
2 RCW 19.27.031 and 19.27.060; and creating a new section.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** The legislature finds that the state  
5 building code has not realistically addressed the demands on women's  
6 public restrooms and needs to be revised. Public places of assembly  
7 are not provided with an adequate ratio of toilet facilities for women  
8 to prevent crowding and unsanitary conditions. The results have been  
9 congested restrooms at public events, burdening the owner with the  
10 costs to retrofit existing buildings with more restrooms.

11 Because of certain provisions in the code, counties and cities have  
12 been able to exclude public assembly buildings from code requirements  
13 and state authority and substitute the original appendices of the

1 uniform plumbing code with a modified table that requires a smaller  
2 ratio of facilities for women than the original appendices.

3 To better address the health and safety needs of the public, the  
4 legislature finds that the state building code should include  
5 requirements for public assembly buildings as well as adopt the  
6 original appendices with the tables that require a higher ratio of  
7 restroom toilets for women.

8 **Sec. 2.** RCW 19.27.031 and 1989 c 348 s 9 are each reenacted and  
9 amended to read as follows:

10 Except as otherwise provided in this chapter, there shall be in  
11 effect in all counties and cities the state building code which shall  
12 consist of the following codes which are hereby adopted by reference:

13 (1) Uniform Building Code and Uniform Building Code Standards,  
14 published by the International Conference of Building Officials;

15 (2) Uniform Mechanical Code, including Chapter 22, Fuel Gas Piping,  
16 Appendix B, published by the International Conference of Building  
17 Officials;

18 (3) The Uniform Fire Code and Uniform Fire Code Standards,  
19 published by the International Conference of Building Officials and the  
20 Western Fire Chiefs Association: PROVIDED, That, notwithstanding any  
21 wording in this code, participants in religious ceremonies shall not be  
22 precluded from carrying hand-held candles;

23 (4) Except as provided in RCW 19.27.150, the Uniform Plumbing Code  
24 and Uniform Plumbing Code Standards, published by the International  
25 Association of Plumbing and Mechanical Officials, including that  
26 portion of Appendix C entitled "Assembly Places--Theatres, Auditoriums,  
27 Convention Halls, etc.--for public use": PROVIDED, That chapters 11  
28 and 12 of such code are not adopted; and

1 (5) The rules and regulations adopted by the council establishing  
2 standards for making buildings and facilities accessible to and usable  
3 by the physically handicapped or elderly persons as provided in RCW  
4 70.92.100 through 70.92.160.

5 In case of conflict among the codes enumerated in subsections (1),  
6 (2), (3), and (4) of this section, the first named code shall govern  
7 over those following.

8 The codes enumerated in this section shall be adopted by the  
9 council as provided in RCW 19.27.074.

10 The council may issue opinions relating to the codes at the request  
11 of a local building official.

12 **Sec. 3.** RCW 19.27.060 and 1989 c 266 s 2 are each reenacted and  
13 amended to read as follows:

14 (1) The governing bodies of counties and cities may amend the codes  
15 enumerated in RCW 19.27.031 as amended and adopted by the state  
16 building code council as they apply within their respective  
17 jurisdictions, but the amendments shall not result in a code that is  
18 less than the minimum performance standards and objectives contained in  
19 the state building code.

20 (a) No amendment to a code enumerated in RCW 19.27.031 as amended  
21 and adopted by the state building code council that affects single  
22 family or multifamily residential buildings shall be effective unless  
23 the amendment is approved by the building code council under RCW  
24 19.27.074(1)(b).

25 (b) Any county or city amendment to a code enumerated in RCW  
26 19.27.031 which is approved under RCW 19.27.074(1)(b) shall continue to  
27 be effective after any action is taken under RCW 19.27.074(1)(a)  
28 without necessity of reapproval under RCW 19.27.074(1)(b) unless the  
29 amendment is declared null and void by the council at the time any

1 action is taken under RCW 19.27.074(1)(a) because such action in any  
2 way altered the impact of the amendment.

3 (2) Except as permitted or provided otherwise under this section,  
4 the state building code shall be applicable to all buildings and  
5 structures including those owned by the state or by any governmental  
6 subdivision or unit of local government.

7 (3) The governing body of each county or city may limit the  
8 application of any portion of the state building code to exclude  
9 specified classes or types of buildings or structures according to use  
10 other than single family or multifamily residential buildings(~~(+  
11 PROVIDED, That~~)), except that in no event shall the minimum sanitary  
12 facilities specified in that portion of Appendix C of the Uniform  
13 Plumbing Code entitled "Assembly Places--Theatres, Auditoriums,  
14 Convention Halls, etc.--for public use" be diminished. Furthermore, in  
15 no event shall fruits or vegetables of the tree or vine stored in  
16 buildings or warehouses constitute combustible stock for the purposes  
17 of application of the uniform fire code.

18 (4) The provisions of this chapter shall not apply to any building  
19 four or more stories high with a B occupancy as defined by the uniform  
20 building code, 1982 edition, and with a city fire insurance rating of  
21 1, 2, or 3 as defined by a recognized fire rating bureau or  
22 organization.

23 (5) No provision of the uniform fire code concerning roadways shall  
24 be part of the state building code: PROVIDED, That this subsection  
25 shall not limit the authority of a county or city to adopt street,  
26 road, or access standards.

27 (6) The provisions of the state building code may be preempted by  
28 any city or county to the extent that the code provisions relating to  
29 the installation or use of sprinklers in jail cells conflict with the  
30 secure and humane operation of jails.

1       (7) (a) Effective one year after July 23, (~~1989~~) 1991, the  
2 governing bodies of counties and cities may adopt an ordinance or  
3 resolution to exempt from permit requirements certain construction or  
4 alteration of either group R, division 3, or group M, division 1  
5 occupancies, or both, as defined in the uniform building code, 1988  
6 edition, for which the total cost of fair market value of the  
7 construction or alteration does not exceed fifteen hundred dollars.  
8 The permit exemption shall not otherwise exempt the construction or  
9 alteration from the substantive standards of the codes enumerated in  
10 RCW 19.27.031, as amended and maintained by the state building code  
11 council under RCW 19.27.070.

12       (b) Prior to July 23, (~~1989~~) 1991, the state building code  
13 council shall adopt by rule, guidelines exempting from permit  
14 requirements certain construction and alteration activities under (a)  
15 of this subsection.