

SENATE BILL REPORT

SB 6545

As Reported by Senate Committee On:
Labor, Commerce & Consumer Protection, February 2, 2010

Title: An act relating to the international wildland urban interface code.

Brief Description: Adopting the international wildland urban interface code.

Sponsors: Senators Pridemore and Kline.

Brief History:

Committee Activity: Labor, Commerce & Consumer Protection: 1/25/10, 2/02/10 [DP, DNP].

SENATE COMMITTEE ON LABOR, COMMERCE & CONSUMER PROTECTION

Majority Report: Do pass.

Signed by Senators Kohl-Welles, Chair; Keiser, Vice Chair; Franklin and Kline.

Minority Report: Do not pass.

Signed by Senators Honeyford and King.

Staff: Ingrid Mungia (786-7423)

Background: The Washington State Building Code (SBC) consists of a series of international model codes and standards that regulate the construction of residential, commercial, and industrial buildings and structures. The current State Building Code consists of the International Building Code; the International Residential Code; The International Mechanical Code; the International Fire Code; and the Uniform Plumbing Code and Uniform Plumbing Code Standards. These codes and standards are published by the International Code Council.

The State Building Code Council (SBCC) is responsible for the adoption and maintenance of the model codes that constitute the SBC. The SBCC is required to regularly review updated versions of the model codes and standards and to adopt or amend the codes and standards as appropriate. Local governments may amend the SBC to provide additional standards.

The International Code Council (ICC) was established in 1994 as a nonprofit organization that develops a single set of comprehensive and coordinated national model construction

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codes. The founding organizations of the ICC are Building Officials and Code Administrators International, Inc., International Conference of Building Officials, and Southern Building Code Congress International, Inc. These organizations represent the three major model code writing organizations and have developed the model codes used in most areas of the country.

The International Wildland Urban Interface Code (IWUIC) is published by the ICC. According to the U.S. Fire Administration, Wildland-Urban Interface refers to areas where structures and other human development meet or intermingle with undeveloped wildland or vegetative fuels. The term generally includes communities where the risk of wildland fire is high. The IWUIC establishes a minimum standard for home construction and maintenance in natural areas that are rated as a moderate or higher hazard for wildfire. IWUIC contains provisions addressing fire spread, accessibility, and water supply for buildings constructed near wildland areas. The IWUIC is based on data collected from fire incidents, technical reports and mitigation strategies from around the world, and is compatible with the other codes in the International Codes Series.

In 2007 the Legislature created the Forest Fire Prevention and Protection Work Group (Work Group) to examine strategies and practices for the prevention and suppression of forest fires in Washington. The Work Group recommended that the IWUIC be proposed for adoption through the SBCC code adoption process. Subsequently, the SBCC adopted the IWUIC as an appendix to the International Fire Code. As a result of this adoption, the IWUIC will be available to local governments for voluntary adoption by ordinance on July 1, 2010.

Summary of Bill: The IWUIC, published by the International Code Council, is added to the SBC.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: An increasing number of homes are being built in forest areas. The Work Group recommended the SBCC start the process of adopting the IWUIC. The reason the Department of Natural Resources supports the adoption of the code is because it will improve public safety, improve fire fighter safety, and reduce fire protection expenses. The IWUIC is meant to be incorporated in municipal country codes that have wild and urban interface areas. This ensures the application of the code requirements are incorporated with local land use planning and other wildfire planning. The implementation of this bill will not take effect statewide until July 2012, which gives all local jurisdictions time to implement the code. Out of 11 western states, Washington State has the fourth largest area of undeveloped land, with over 3,000 square miles of private land bordering public land, only 20 percent is currently developed in our state, 80 percent has yet to be developed. The IWUI mitigates the hazards through prescriptive construction requirements and defensible space.

CON: Counties can choose to adopt the IWUIC without this legislation. Counties can currently adopt the code and some have. The recommendation by the Work Group to adopt the IWUIC as a statewide mandate was not unanimous.

OTHER: We support the intentions of the legislation and understand that people need to plan on how to defend their homes during fires. We have issues with making this code mandatory and making counties go through the planning process to adopt the wildfire protection plans and identify zones of highest issues. With the budget problems, counties are having a hard time staying up to date with the Growth Management Act, and the adoption of this code will add even something else the counties must comply with. It is a good policy and had the best intentions, it is just the timing.

Persons Testifying: PRO: Joseph Shramek, Department of Natural Resources; Jon Napier, WSAFM; Kraig Stevenson, International Code Council.

CON: Eric Lohnes, Building Industry Association of Washington.

OTHER: Josh Weiss, Washington State Association of Counties.