

# HOUSE BILL REPORT

## HB 1623

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### As Reported By House Committee On:

Trade & Economic Development

**Title:** An act relating to enforcement of the state building code.

**Brief Description:** Revising the authority of local governments to enforce the state building code.

**Sponsors:** Representatives Reams, Carlson, Morris, Brumsickle, Hargrove, Buck, Benton, Grant, Backlund, Thompson, Elliot and Huff.

### Brief History:

#### Committee Activity:

Trade & Economic Development: 1/29/96, 1/31/96 [DPS].

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## HOUSE COMMITTEE ON TRADE & ECONOMIC DEVELOPMENT

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 8 members: Representatives Van Luven, Chairman; Radcliff, Vice Chairman; D. Schmidt, Vice Chairman; Sheldon, Ranking Minority Member; Backlund; Hatfield; Hickel and Sherstad.

**Minority Report:** Do not pass. Signed by 3 members: Representatives Veloria, Assistant Ranking Minority Member; Mason and Valle.

**Staff:** Kenny Pittman (786-7392).

**Background:** The State Building Code Council (SBCC) was established to develop and maintain the State Building Code. The State Building Code consists of a comprehensive set of technical documents used to provide minimum standards for the construction, alteration, demolition, repair, and use of any building or structure in the state. The uniform codes are published by International Conference of Building Officials, the Western Fire Chiefs Association, and the International Association of Plumbing and Mechanical Officials. Amendments to the technical standards are published annually, and new editions are published every three years by the respective associations.

Local governments are authorized to amend the State Building Code as it applies within their jurisdictions. No amendment proposed by a local government may

diminish the performance standards of the State Building Code. The SBCC is responsible for approving or denying amendments to the State Building Code proposed by local governments that apply to single family or multi-family residential buildings. In evaluating proposed local amendments, the SBCC considers unique local conditions such as climatic, geologic, environmental, and established local practices and standards.

Multi-family residential building is defined as a common-wall residential building that contains four or fewer dwelling units, is less than two stories in height, is less than 5,000 square feet in area, and has a one-hour fire-resistive occupancy separation between units.

**Summary of Substitute Bill:** The State Building Code is revised to remove all references to it being the minimum performance standard. A county or city must receive approval of the SBCC for any proposed amendment that changes the performance standards of the State Building Code.

All amendments or stand-alone ordinances proposed by a county or city that affect single-family and multi-family residential buildings must be approved by the SBCC to be effective. Previously adopted county or city amendments or stand-alone ordinances that increase the minimum performance standards of the State Building Code may be reviewed by the SBCC. Amendments or stand-alone ordinances not approved by the SBCC are considered null and void.

"Multifamily residential building" is defined as a common-wall building that is less than three stories in height, contains fewer than 15 dwelling units, and has a one-hour fire-resistive occupancy separation between units.

"Stand-alone ordinance" is defined as an ordinance, resolution, or regulation adopted by a local government that effectively amends the State Building Code as it applies to single-family and multi-family residential buildings.

**Substitute Bill Compared to Original Bill:** The substitute bill requires that SBCC review local stand-alone ordinances for approval and previously adopted amendments and stand-alone ordinances for approval.

**Appropriation:** None.

**Fiscal Note:** Requested on January 25, 1996.

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

**Testimony For:** This is an issue of uniformity. Local governments are amending the code by adopting stand-alone ordinances. These ordinances increase the cost of housing.

**Testimony Against:** This is a complete reversal of state policy that recognizes that the State Building Code is a minimum life and safety standard for construction. All amendments are currently reviewed by the SBCC before they can be adopted. The amendments are developed in response to unique local conditions.

**Testified:** (Pro) Brian Minnich, Building Industry Association of Washington; (Con) Tom Kinsman, City of Seattle; Otto Jensen, Washington State Association of Fire Chiefs; and Blair Patrick, Washington Association of Building Officials.