
SUBSTITUTE HOUSE BILL 1623

State of Washington

54th Legislature

1996 Regular Session

By House Committee on Trade & Economic Development (originally sponsored by Representatives Reams, Carlson, Morris, Brumsickle, Hargrove, Buck, Benton, Grant, Backlund, Thompson, Elliot and Huff)

Read first time 02/02/96.

1 AN ACT Relating to enforcement of the state building code; amending
2 RCW 19.27.015 and 19.27.040; reenacting and amending RCW 19.27.060; and
3 creating a new section.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that:

6 (1) An abundant supply of affordable housing is crucial for
7 ensuring the well-being of all citizens of Washington state;

8 (2) Increasing the supply of affordable housing is critical to the
9 citizens of Washington state for creating jobs and supporting economic
10 development;

11 (3) For low and moderate-income families, farm workers, young
12 families, and first-time home buyers, the supply of affordable housing
13 is in chronic short supply and, in many cases, lack of affordable
14 housing increases the incidence of homelessness in these groups of
15 people; and

16 (4) Building codes are an integral component of affordable housing,
17 and a reasonable building code regulatory system can improve the
18 affordability of housing.

1 The legislature agrees with the United States advisory committee on
2 regulatory barriers to affordable housing that increasing the supply of
3 affordable housing can be accomplished through a program of regulatory
4 reform of the building code enforcement system in order to place more
5 reliance on the national model code system and state-wide codes to
6 encourage consistent enforcement of the building code from jurisdiction
7 to jurisdiction.

8 **Sec. 2.** RCW 19.27.015 and 1985 c 360 s 1 are each amended to read
9 as follows:

10 As used in this chapter:

11 (1) "City" means a city or town; ~~((and))~~

12 (2) "Multifamily residential building" means common wall
13 residential buildings that ~~((consist of four or fewer units, that do
14 not exceed two))~~ are less than three stories in height~~((, that are less
15 than five thousand square feet in area))~~ as defined by the uniform
16 building code, are less than fifteen units, and ~~((that))~~ have a one-
17 hour fire-resistive occupancy separation between units; and

18 (3) "Stand-alone ordinance" means an ordinance, resolution, or
19 regulation, adopted by a local government that effectively amends the
20 codes enumerated in RCW 19.27.031, as adopted and amended by the state
21 building code council, as they apply to single-family and multifamily
22 residences.

23 **Sec. 3.** RCW 19.27.040 and 1990 c 2 s 11 are each amended to read
24 as follows:

25 The governing body of each county or city is authorized to amend
26 the state building code as it applies within the jurisdiction of the
27 county or city. The ~~((minimum))~~ performance standards of the codes and
28 the objectives enumerated in RCW 19.27.020 shall not be ~~((diminished))~~
29 changed by any county or city amendments without receiving approval
30 from the state building code council.

31 Nothing in this chapter shall authorize any modifications of the
32 requirements of chapter 70.92 RCW.

33 **Sec. 4.** RCW 19.27.060 and 1989 c 266 s 2 and 1989 c 246 s 1 are
34 each reenacted and amended to read as follows:

35 (1) The governing bodies of counties and cities may amend the codes
36 enumerated in RCW 19.27.031 as amended and adopted by the state

1 building code council as they apply within their respective
2 jurisdictions, (~~but the amendments shall not result in a code that is~~
3 ~~less than the minimum performance standards and objectives contained in~~
4 ~~the state building code.~~) subject to the following:

5 (a) No amendment to, or stand-alone ordinance amending, a code
6 enumerated in RCW 19.27.031 as amended and adopted by the state
7 building code council that affects single-family or multifamily
8 residential buildings shall be effective unless the amendment is
9 approved by the building code council under RCW 19.27.074(1)(b). A
10 stand-alone ordinance or local amendment adopted by a governing body of
11 a county or city without first receiving approval by the state building
12 code council is null and void as against public policy; and

13 (b) (~~Any county or city amendment to a code enumerated in RCW~~
14 ~~19.27.031 which is approved under RCW 19.27.074(1)(b) shall continue to~~
15 ~~be effective after any action is taken under RCW 19.27.074(1)(a)~~
16 ~~without necessity of reapproval under RCW 19.27.074(1)(b) unless the~~
17 ~~amendment is declared null and void by the council at the time any~~
18 ~~action is taken under RCW 19.27.074(1)(a) because such action in any~~
19 ~~way altered the impact of the amendment)) After the effective date of
20 this act, all previously adopted stand-alone ordinances or local
21 amendments of a county or city that increase the minimum performance
22 standards for single-family or multifamily residential buildings beyond
23 those contained in the state building code may be reviewed by the state
24 building code council. If the previously adopted stand-alone ordinance
25 or local amendment is not approved by the state building code council,
26 the stand-alone ordinance or local amendment is null and void as
27 against public policy.~~

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

32 (3) The governing body of each county or city may limit the
33 application of any portion of the state building code to exclude
34 specified classes or types of buildings or structures according to use
35 other than single-family or multifamily residential buildings:
36 PROVIDED, That in no event shall fruits or vegetables of the tree or
37 vine stored in buildings or warehouses constitute combustible stock for
38 the purposes of application of the uniform fire code.

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

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

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

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

24 (b) Prior to July 23, 1989, the state building code council shall
25 adopt by rule, guidelines exempting from permit requirements certain
26 construction and alteration activities under (a) of this subsection.

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