
HOUSE BILL 1623

State of Washington

54th Legislature

1995 Regular Session

By Representatives Reams, Carlson, Morris, Brumsickle, Hargrove, Buck, Benton, Grant, Backlund, Thompson, Elliot and Huff

Read first time 02/02/95. Referred to Committee on Government Operations.

1 AN ACT Relating to enforcement of the state building code; amending
2 RCW 19.27.015, 19.25.020, and 19.27.040; reenacting and amending RCW
3 19.27.060; and 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 buyers, the supply of affordable housing is in
13 chronic short supply and, in many cases, lack of affordable housing
14 increases the incidence of homelessness in these groups of people;

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

18 (5) Reforming and streamlining the regulatory process will
19 significantly reduce barriers to affordable 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 systems 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))~~ Unless the context clearly requires otherwise, the
11 definitions in this section apply throughout this chapter~~((+)).~~

12 (1) "City" means a city or town~~((+ and))~~.

13 (2) "Multifamily residential building" means a common wall
14 residential building~~((s))~~ that ~~((consist of four or fewer units, that~~
15 ~~do not exceed two))~~ is less than three stories in height, ((that are))
16 is less than ((five thousand square feet in area)) fifteen units, and
17 ~~((that have))~~ has a one-hour fire-resistive occupancy separation
18 between units.

19 (3) "Single family residential building" means any building or
20 portion thereof that contains living facilities, including provisions
21 for sleeping, eating, cooking, and sanitation, as required by the state
22 building code, for not more than one family, or a congregate residence
23 for ten or fewer persons.

24 **Sec. 3.** RCW 19.27.020 and 1985 c 360 s 6 are each amended to read
25 as follows:

26 The purpose of this chapter is to promote the health, safety, and
27 welfare of the occupants or users of buildings and structures and the
28 general public by the provision of building codes throughout the state.
29 Accordingly, this chapter is designed to effectuate the following
30 purposes, objectives, and standards:

31 (1) To require ~~((minimum))~~ performance standards and requirements
32 for construction and construction materials, consistent with accepted
33 standards of engineering, fire, and life safety.

34 (2) To require standards and requirements in terms of performance
35 and nationally accepted standards.

36 (3) To permit the use of modern technical methods, devices, and
37 improvements.

1 (4) To eliminate restrictive, obsolete, conflicting, duplicating,
2 and unnecessary regulations and requirements which could unnecessarily
3 increase construction costs or retard the use of new materials and
4 methods of installation or provide unwarranted preferential treatment
5 to types or classes of materials or products or methods of
6 construction.

7 (5) To provide for standards and specifications for making
8 buildings and facilities accessible to and usable by physically
9 disabled persons.

10 (6) To consolidate within each authorized enforcement jurisdiction,
11 the administration and enforcement of building codes.

12 **Sec. 4.** RCW 19.27.040 and 1990 c 2 s 11 are each amended to read
13 as follows:

14 The governing body of each county or city is authorized to amend
15 the state building code as it applies within the jurisdiction of the
16 county or city. The ~~((minimum))~~ performance standards of the codes and
17 the objectives enumerated in RCW 19.27.020 shall not be ~~((diminished))~~
18 increased by any county or city amendments for single family
19 residential buildings or multifamily residential buildings.

20 Nothing in this chapter shall authorize any modifications of the
21 requirements of chapter 70.92 RCW.

22 **Sec. 5.** RCW 19.27.060 and 1989 c 266 s 2 and 1989 c 246 s 1 are
23 each reenacted and amended to read as follows:

24 (1) The governing bodies of counties and cities may amend the codes
25 enumerated in RCW 19.27.031 as amended and adopted by the state
26 building code council as they apply within their respective
27 jurisdictions, but the amendments shall not result in a code that is
28 ~~((less))~~ greater than the ~~((minimum))~~ performance standards and
29 objectives contained in the state building code.

30 (a) No amendment to a code enumerated in RCW 19.27.031 as amended
31 and adopted by the state building code council that affects single
32 family or multifamily residential buildings shall be effective unless
33 the amendment is approved by the building code council under RCW
34 19.27.074(1)(b).

35 (b) Any county or city amendment to a code enumerated in RCW
36 19.27.031 which is approved under RCW 19.27.074(1)(b) shall continue to
37 be effective after any action is taken under RCW 19.27.074(1)(a)

1 without necessity of reapproval under RCW 19.27.074(1)(b) unless the
2 amendment is declared null and void by the council at the time any
3 action is taken under RCW 19.27.074(1)(a) because such action in any
4 way altered the impact of the amendment.

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

9 (3) The governing body of each county or city may limit the
10 application of any portion of the state building code to exclude
11 specified classes or types of buildings or structures according to use
12 other than single family or multifamily residential buildings:
13 PROVIDED, That in no event shall fruits or vegetables of the tree or
14 vine stored in buildings or warehouses constitute combustible stock for
15 the purposes of application of the uniform fire code.

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

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

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

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

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

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