
Local Government & Housing Committee

SB 5120

Brief Description: Regarding agricultural structures.

Sponsors: Senators Fairley, McDermott and Holmquist.

Brief Summary of Bill

- Amends the state building code to specify that permitting fees for agricultural structures may not exceed the lower of the actual cost of administration or \$75.
- Defines "agricultural structure."

Hearing Date: 3/23/09

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Background:

State Building Code.

The State Building Code Council (Council) provides analysis and advice to the Legislature and the Governor on state building code (SBC) issues. The Council establishes the minimum building, mechanical, fire, plumbing, and energy code requirements necessary to promote the health, safety, and welfare of Washington's residents by reviewing, developing, and adopting the code provisions that comprise the SBC.

The SBC describes the powers and duties of fire code officials and building officials and must be enforced by counties and cities. Subject to statutory limitations, however, a county or city may amend the SBC as it applies within their jurisdiction.

Development Fees - Limits and Authority.

With some exemptions, counties, cities, towns, and other municipal corporations are prohibited from imposing any tax, fee, or charge, either direct or indirect, on the development, subdivision,

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classification, or reclassification of land. This prohibition, however, does not disallow counties, cities, towns, or other municipal corporations from collecting reasonable fees for a permit or other governmental approval to cover the costs of processing applications, inspecting and reviewing plans, or preparing specific environmental review statements.

Summary of Bill:

The SBC is amended to specify that permitting fees for agricultural structures may not exceed the lower of the actual cost of administration or \$75. "Agricultural structures" are defined as structures that are designed and constructed to house farm implements, hay, grain, poultry, livestock, or other horticultural products. These structures may not be used for human habitation, or as a place of employment where agricultural products are processed, treated, or packaged, nor may they be places used by the public.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.