



RULE-MAKING ORDER
(RCW 34.05.360)

CR-103 (10/1/89)

Agency: **State Building Code Council**

Permanent Rule
 Emergency Rule

(1) Date of adoption: **June 8, 1990**

(2) Purpose: **To provide a guideline to local governments for permit exemptions to certain construction and alteration activities in buildings classified as R-3 and M-1 Occupancies.**

(3) Citation of existing rules affected by this order:
Repealed: **WAC 51-16-090**
Amended: **WAC 51-16-080**
Suspended:

(4) Authority for adoption:
Statute: **RCW 19.27.060 (7) (b)**
Other Authority:

(5.1) **PERMANENT RULE ONLY**
Pursuant to notice filed as WSR **90-07-083** on **March 21, 1990** (date).
Describe any changes other than editing from proposed to adopted version:
NONE

(5.2) **EMERGENCY RULE ONLY**
Pursuant to RCW 34.05.350 the agency for good cause finds:
 (a) That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
 (b) That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.
Reasons for this finding:

(5.3) Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?
 Yes No If yes, explain:

(6) Effective date of rule:
Permanent Rules **Emergency Rules**
 31 days after filing Immediately
 Other (specify) **7/23/90** * Later (specify) _____
*(If less than 31 days after filing, specific finding in 5.3 under RCW 34.05.380(3) is required)

CODE REVISER USE ONLY
CODE REVISER'S OFFICE
STATE OF WASHINGTON
FILED

JUN 13 1990
TIME: **4:37** *AK*
WSR **90-13-0323**

NAME (TYPE OR PRINT) **Marc J. Sullivan**
SIGNATURE *Marc J. Sullivan*
TITLE **Chair** DATE **6/8/90**

AMENDATORY SECTION (Amending Order 88-11, filed 12/1/88, effective 7/1/89)

WAC 51-16-080 ((IMPLEMENTATION)) PERMIT EXEMPTIONS GUIDELINE.
 ((The uniform codes adopted by WAC 51-16-030 through 51-16-069 of this chapter shall become effective in all counties and cities of this state on July 1, 1989, unless local amendments have been approved by the state building code council.)) Cities and counties are permitted the option of adopting a one thousand five hundred dollar building permit exemption for certain construction and alteration activities for Group R, Division 3 and Group M, Division 1 occupancies. To adopt the permit exemption guideline, the following section of the 1988 Uniform Building Code shall be amended as follows:

(1) Section 301 (b) of the Uniform Building Code shall be amended to read as follows:

(b) Exempted work. A building permit shall not be required for the following:

1. One-story detached accessory buildings used as tool and storage sheds, playhouses and similar uses, provided the projected roof area does not exceed one hundred twenty square feet.

2. Fences not over six feet high.

3. Oil derricks.

4. Movable cases, counters, and partitions not over five feet nine inches high.

5. Retaining walls which are not over four feet in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II, or III-A liquids.

6. Water tanks supported directly upon grade if the capacity does not exceed five thousand gallons and the ratio of height to diameter or width does not exceed two to one.

7. Platforms, walks, and driveways not more than thirty inches above grade and not over any basement or story below.

8. Painting, papering, and similar finish work.

9. Temporary motion picture, television, and theater stage sets and scenery.

10. Window awnings supported by an exterior wall of Group R, Division 3, and Group M Occupancies when projecting not more than fifty-four inches.

11. Prefabricated swimming pools accessory to a Group R, Division 3 Occupancy in which the pool walls are entirely above the adjacent grade and if the capacity does not exceed five thousand gallons.

12. Minor construction and alteration activities to Group R, Division 3 and Group M, Division 1 occupancies, as determined by the building official, which the total valuation, as determined in Section 304 (b) or as documented by the applicant to the satisfaction of the building official, does not exceed one thousand five hundred dollars in any twelve-month period: PROVIDED, That the construction and/or alteration activity does not affect any structural components, or reduce existing egress, light, air, and ventilation conditions. This exemption does not include electrical, plumbing, or mechanical activities. The permit exemption shall not otherwise exempt the construction or alteration from the substantive standards of the codes enumerated in RCW 19.27.031, as amended and maintained by the state building code council under RCW 19.27.070.

Unless otherwise exempted, separate plumbing, electrical, and mechanical permits will be required for the above exempted items.

Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction.

The adoption of an ordinance or resolution by cities and counties for the purpose to provide for a permit exemption as outlined in this section, shall not be considered a local government residential amendment requiring approval by the state building code council.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 51-16-090 SUBMITTAL OF PROPOSED CITY OR COUNTY AMENDMENTS.