
SENATE BILL 6402

State of Washington

52nd Legislature

1992 Regular Session

By Senators Newhouse, Bauer, Amondson, McCaslin, McMullen and von Reichbauer

Read first time 01/29/92. Referred to Committee on Governmental Operations.

1 AN ACT Relating to amendments to the state building code; amending
2 RCW 19.27.015 and 19.27.074; reenacting and amending RCW 19.27.060; and
3 creating new sections.

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, farmworkers, 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

1 housing increases the incidence of homelessness in these groups of
2 people; and

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

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

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

15 As used in this chapter:

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

17 (2) "Multifamily residential building" means common wall
18 residential buildings ~~((that consist of four or fewer units,))~~ that
19 ~~((do not exceed two))~~ are less than three stories in height~~((, that are~~
20 ~~less than five thousand square feet in area, and that have a one-hour~~
21 ~~fire-resistive occupancy separation between units))~~ and contain less
22 than fifteen dwelling units; and

23 (3) "Stand-alone ordinance" means an ordinance, resolution, or
24 regulation adopted by local government, under any of the powers
25 generally granted by the state Constitution, which effectively amends
26 the codes enumerated in RCW 19.27.031 as adopted and amended by the
27 state building code council as they apply to single-family or
28 multifamily residences.

1 **Sec. 3.** RCW 19.27.060 and 1989 c 266 s 2 and 1989 c 246 s 1 are
2 each reenacted and amended to read as follows:

3 (1) The governing bodies of counties and cities may amend the codes
4 enumerated in RCW 19.27.031 as amended and adopted by the state
5 building code council as they apply within their respective
6 jurisdictions, but the amendments shall not result in a code that is
7 less than the minimum performance standards and objectives contained in
8 the state building code.

9 (a)(i) No amendment to a code enumerated in RCW 19.27.031 as
10 amended and adopted by the state building code council that affects
11 single family or multifamily residential buildings or stand-alone
12 ordinance shall be effective unless the amendment is approved by the
13 building code council under RCW 19.27.074(1)(b).

14 (ii) After the effective date of this act, any proposed stand-alone
15 ordinance of a county or city shall be submitted to the building code
16 council for approval. If the ordinance is not approved by the building
17 code council, the stand-alone ordinance shall not be effective.

18 (b) Any county or city amendment to a code enumerated in RCW
19 19.27.031 which is approved under RCW 19.27.074(1)(b) shall continue to
20 be effective after any action is taken under RCW 19.27.074(1)(a)
21 without necessity of reapproval under RCW 19.27.074(1)(b) unless the
22 amendment is declared null and void by the council at the time any
23 action is taken under RCW 19.27.074(1)(a) because such action in any
24 way altered the impact of the amendment.

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

29 (3) The governing body of each county or city may limit the
30 application of any portion of the state building code to exclude

1 specified classes or types of buildings or structures according to use
2 other than single family or multifamily residential buildings:
3 PROVIDED, That in no event shall fruits or vegetables of the tree or
4 vine stored in buildings or warehouses constitute combustible stock for
5 the purposes of application of the uniform fire code.

6 (4) The provisions of this chapter shall not apply to any building
7 four or more stories high with a B occupancy as defined by the uniform
8 building code, 1982 edition, and with a city fire insurance rating of
9 1, 2, or 3 as defined by a recognized fire rating bureau or
10 organization.

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

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

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

4 **Sec. 4.** RCW 19.27.074 and 1989 c 266 s 3 are each amended to read
5 as follows:

6 (1) The state building code council shall:

7 (a) Adopt and maintain the codes to which reference is made in RCW
8 19.27.031 in a status which is consistent with the state's interest as
9 set forth in RCW 19.27.020. In maintaining these codes, the council
10 shall regularly review updated versions of the codes referred to in RCW
11 19.27.031 and other pertinent information and shall amend the codes as
12 deemed appropriate by the council;

13 (b) Approve or deny all county or city amendments (~~to any code~~
14 ~~referred to in RCW 19.27.031 to the degree the amendments~~) and stand-
15 alone ordinances that apply to single family or multifamily residential
16 buildings as provided in RCW 19.27.060;

17 (c) As required by the legislature, develop and adopt any codes
18 relating to buildings; and

19 (d) Propose a budget for the operation of the state building code
20 council to be submitted to the office of financial management pursuant
21 to RCW 43.88.090.

22 (2) The state building code council may:

23 (a) Appoint technical advisory committees which may include members
24 of the council;

25 (b) Employ permanent and temporary staff and contract for services;
26 and

27 (c) Conduct research into matters relating to any code or codes
28 referred to in RCW 19.27.031 or any related matter.

1 All meetings of the state building code council shall be open to
2 the public under the open public meetings act, chapter 42.30 RCW. All
3 actions of the state building code council which adopt or amend any
4 code of state-wide applicability shall be pursuant to the
5 administrative procedure act, chapter 34.05 RCW.

6 All council decisions relating to the codes enumerated in RCW
7 19.27.031 shall require approval by at least a majority of the members
8 of the council.

9 All decisions to adopt or amend codes of state-wide application
10 shall be made prior to December 1 of any year and shall not take effect
11 before the end of the regular legislative session in the next year.

12 NEW SECTION. **Sec. 5.** The building code council shall
13 immediately begin procedures to adopt and, within a reasonable time,
14 adopt by rule clear criteria for the review of local amendments to the
15 codes enumerated in RCW 19.27.031 and stand-alone ordinances of a
16 county or city that add construction requirements to single-family or
17 multifamily residential buildings beyond those contained in the codes
18 enumerated in RCW 19.27.031. The criteria shall include standards to
19 achieve uniformity of residential codes, consideration of economic
20 impact on the building industry and the consumer, and special
21 consideration of amendments unique to specific jurisdictions. In
22 developing criteria for the review of local amendments to the codes
23 enumerated in RCW 19.27.031 as amended and adopted by the state
24 building code council and stand-alone ordinances of a county or city
25 that add construction requirements to single-family or multifamily
26 residential buildings beyond those contained in the codes enumerated in
27 RCW 19.27.031, the building code council shall consult with
28 representatives from affected parties including, but not limited to
29 home builders, architects, governmental bodies, cities, towns,

1 counties, building officials, and fire officials.