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**ENGROSSED SENATE BILL 6120**

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**State of Washington**

**68th Legislature**

**2024 Regular Session**

**By** Senators Van De Wege, Braun, and Short

Read first time 01/10/24. Referred to Committee on State Government & Elections.

1 AN ACT Relating to the Wildland Urban Interface Code; amending  
2 RCW 19.27.031, 19.27.074, 19.27.560, and 43.30.580; and declaring an  
3 emergency.

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

5 **Sec. 1.** RCW 19.27.031 and 2018 c 189 s 1 are each amended to  
6 read as follows:

7 Except as otherwise provided in this chapter, there shall be in  
8 effect in all counties and cities the state building code which shall  
9 consist of the following codes which are hereby adopted by reference:

10 (1)(a) The International Building Code, published by the  
11 International Code Council, Inc.;

12 (b) The International Residential Code, published by the  
13 International Code Council, Inc.;

14 (2) The International Mechanical Code, published by the  
15 International Code Council, Inc., except that the standards for  
16 liquefied petroleum gas installations shall be NFPA 58 (Storage and  
17 Handling of Liquefied Petroleum Gases) and ANSI Z223.1/NFPA 54  
18 (National Fuel Gas Code);

19 (3) The International Fire Code, published by the International  
20 Code Council, Inc., including those standards of the National Fire  
21 Protection Association specifically referenced in the International

1 Fire Code: PROVIDED, That, notwithstanding any wording in this code,  
2 participants in religious ceremonies shall not be precluded from  
3 carrying handheld candles;

4 (4) (~~Portions~~) Only those portions of the International  
5 Wildland Urban Interface Code, published by the International Code  
6 Council Inc., as (~~set forth~~) specifically referenced in RCW  
7 19.27.560(1), or the model International Wildland Urban Interface  
8 Code specifically referenced in RCW 19.27.560(2);

9 (5) (~~Except as provided in RCW 19.27.170, the~~) The Uniform  
10 Plumbing Code and Uniform Plumbing Code Standards, published by the  
11 International Association of Plumbing and Mechanical Officials:  
12 PROVIDED, That any provisions of such code affecting sewers or fuel  
13 gas piping are not adopted;

14 (6) The rules adopted by the council establishing standards for  
15 making buildings and facilities accessible to and usable by  
16 individuals with disabilities or elderly persons as provided in RCW  
17 70.92.100 through 70.92.160; and

18 (7) The state's climate zones for building purposes are  
19 designated in RCW 19.27A.020(3) and may not be changed through the  
20 adoption of a model code or rule.

21 In case of conflict among the codes enumerated in subsections  
22 (1), (2), (3), (4), and (5) of this section, the first named code  
23 shall govern over those following.

24 The codes enumerated in this section shall be adopted by the  
25 council as provided in RCW 19.27.074. The council shall solicit input  
26 from first responders to ensure that firefighter safety issues are  
27 addressed during the code adoption process.

28 The council may issue opinions relating to the codes at the  
29 request of a local official charged with the duty to enforce the  
30 enumerated codes.

31 **Sec. 2.** RCW 19.27.074 and 2018 c 207 s 4 are each amended to  
32 read as follows:

33 (1) The state building code council shall:

34 (a) Adopt and maintain the codes to which reference is made in  
35 RCW 19.27.031 in a status which is consistent with the state's  
36 interest as set forth in RCW 19.27.020. In maintaining these codes,  
37 the council shall regularly review updated versions of the codes  
38 referred to in RCW 19.27.031 and other pertinent information and  
39 shall amend the codes as deemed appropriate by the council, provided,

1 that Wildland Urban Interface Codes must be consistent with RCW  
2 19.27.560;

3 (b) Approve or deny all county or city amendments to any code  
4 referred to in RCW 19.27.031 to the degree the amendments apply to  
5 single-family or multifamily residential buildings;

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

8 (d) Approve a proposed budget for the operation of the state  
9 building code council to be submitted by the department of enterprise  
10 services to the office of financial management pursuant to RCW  
11 43.88.090.

12 (2) The state building code council may:

13 (a) Appoint technical advisory committees which may include  
14 members of the council;

15 (b) Approve contracts for services; and

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

18 (3) The department of enterprise services, with the advice and  
19 input from the members of the building code council, shall:

20 (a) Employ permanent and temporary staff and contract for  
21 services;

22 (b) Contract with an independent, third-party entity to perform a  
23 Washington energy code baseline economic analysis and economic  
24 analysis of code proposals; and

25 (c) Provide all administrative and information technology  
26 services required for the building code council.

27 (4) Rule-making authority as authorized in this chapter resides  
28 within the building code council.

29 (5)(a) All meetings of the state building code council shall be  
30 open to the public under the open public meetings act, chapter 42.30  
31 RCW. All actions of the state building code council which adopt or  
32 amend any code of statewide applicability shall be pursuant to the  
33 administrative procedure act, chapter 34.05 RCW.

34 (b) All council decisions relating to the codes enumerated in RCW  
35 19.27.031 shall require approval by at least a majority of the  
36 members of the council.

37 (c) All decisions to adopt or amend codes of statewide  
38 application shall be made prior to December 1 of any year and shall  
39 not take effect before the end of the regular legislative session in  
40 the next year.

1       **Sec. 3.** RCW 19.27.560 and 2018 c 189 s 2 are each amended to  
2 read as follows:

3       (1) In addition to the provisions of RCW 19.27.031, the state  
4 building code shall, upon the completion of a statewide (~~mapping of~~  
5 ~~wildland urban interface areas consist of the following parts~~)  
6 wildfire hazard map and a base-level wildfire risk map for each  
7 county of the state, per RCW 43.30.580, consist of chapter 1 and the  
8 following technical provisions of the ((2018)) International Wildland  
9 Urban Interface Code, published by the International Code Council,  
10 Inc., which are hereby adopted by reference:

11       (a) The following parts of (~~section 504~~) class 1 ignition-  
12 resistant construction:

13       (i) (A) ((504.2)) Roof covering - Roofs shall have a roof assembly  
14 that complies with class A rating when testing in accordance with  
15 American society for testing materials E 108 or underwriters  
16 laboratories 790. For roof coverings where the profile allows a space  
17 between the roof covering and roof decking, the space at the eave  
18 ends shall be fire stopped to preclude entry of flames or embers, or  
19 have one layer of seventy-two pound mineral-surfaced, nonperforated  
20 camp sheet complying with American society for testing materials D  
21 3909 installed over the combustible decking.

22       (B) The roof covering on buildings or structures in existence  
23 prior to the adoption of the wildland urban interface code under this  
24 section that are replaced or have fifty percent or more replaced in a  
25 twelve month period shall be replaced with a roof covering required  
26 for new construction based on the type of ignition-resistant  
27 construction specified in accordance with (~~section 503 of~~) the  
28 International Wildland Urban Interface Code.

29       (C) The roof covering on any addition to a building or structure  
30 shall be replaced with a roof covering required for new construction  
31 based on the type of ignition-resistant construction specified in  
32 accordance with (~~section 503 of~~) the International Wildland Urban  
33 Interface Code.

34       (ii) ((504.5)) Exterior walls - Exterior walls of buildings or  
35 structures shall be constructed with one of the following methods:

36       (A) Materials approved for not less than one hour fire-resistance  
37 rated construction on the exterior side;

38       (B) Approved noncombustible materials;

39       (C) Heavy timber or log wall construction;

1 (D) Fire retardant-treated wood on the exterior side. The fire  
2 retardant-treated wood shall be labeled for exterior use and meet the  
3 requirements of (~~section 2303.2 of~~) the International Building  
4 Code; or

5 (E) Ignition-resistant materials on the exterior side.

6 Such materials shall extend from the top of the foundation to the  
7 underside of the roof sheathing.

8 (iii) (A) (~~504.7~~) Appendages and projections - Unenclosed  
9 accessory structures attached to buildings with habitable spaces and  
10 projections, such as decks, shall not be less than one hour fire-  
11 resistance rated construction, heavy timber construction, or  
12 constructed of one of the following:

13 (I) Approved noncombustible materials;

14 (II) Fire retardant-treated wood identified for exterior use and  
15 meeting the requirements of (~~section 2303.2 of~~) the International  
16 Building Code; or

17 (III) Ignition-resistant building materials in accordance with  
18 (~~section 503.2 of~~) the International Wildland Urban Interface Code.

19 (B) Subsection (1)(a)(iii)(A) of this section does not apply to  
20 an unenclosed accessory structure attached to buildings with  
21 habitable spaces and projections, such as decks, attached to the  
22 first floor of a building if the structure is built with building  
23 materials at least two inches nominal depth and the area below the  
24 unenclosed accessory structure is screened with wire mesh screening  
25 to prevent embers from coming in from underneath.

26 (b) (~~Section 403.2~~) Driveways - Driveways shall be provided  
27 where any portion of an exterior wall of the first story of the  
28 building is located more than one hundred fifty feet from a fire  
29 apparatus access road. Driveways in excess of three hundred feet in  
30 length shall be provided with turnarounds and driveways in excess of  
31 five hundred feet in length and less than twenty feet in width shall  
32 be provided with turnouts and turnarounds. The county, city, or town  
33 will define the requirements for a turnout or turnaround as required  
34 in this subsection.

35 (2) All counties, cities, and towns may adopt the International  
36 Wildland Urban Interface Code, published by the International Code  
37 Council, Inc., in whole or any portion thereof.

38 (3) In adopting and maintaining the code enumerated in  
39 subsection(~~s~~) (1) (~~and (2)~~) of this section, any amendment to the  
40 code as adopted under subsection(~~s~~) (1) (~~and (2)~~) of this section

1 may not result in an International Wildland Urban Interface Code that  
2 is more than the minimum performance standards and requirements  
3 contained in (~~the published model code~~) subsection (1) of this  
4 section.

5 (4) All counties, cities, and towns may complete their own  
6 wildfire hazard and base-level wildfire risk map for use in applying  
7 the code enumerated in subsections (1) and (2) of this section.  
8 Counties, cities, and towns may continue to use locally adopted  
9 wildfire risk maps until completion of a statewide wildfire hazard  
10 map and base-level wildfire risk map for each county of the state per  
11 RCW 43.30.580. Six months after the statewide wildfire hazard map and  
12 base-level wildfire risk map is complete, any map adopted by  
13 counties, cities, and towns must utilize the same or substantially  
14 similar criteria as the map required by subsection (1) of this  
15 section.

16 (5) All counties, cities, and towns issuing commercial and  
17 residential building permits for parcels in areas identified as high  
18 hazard and very high hazard on the map required by subsection (1) of  
19 this section or adopted according to subsection (4) of this section  
20 shall apply the code enumerated in subsections (1) or (2) of this  
21 section.

22 **Sec. 4.** RCW 43.30.580 and 2018 c 189 s 3 are each amended to  
23 read as follows:

24 (1) The department shall, to the extent practical within existing  
25 resources, establish a program of technical assistance to counties,  
26 cities, and towns for the development of findings of fact and maps  
27 establishing the wildland urban interface areas of jurisdictions in  
28 accordance with the requirements of the International Wildland Urban  
29 Interface Code as adopted by reference in RCW 19.27.560.

30 (2) The department shall develop and administer a grant program,  
31 subject to funding provided for this purpose, to provide direct  
32 financial assistance to counties, cities, and towns for the  
33 development of findings of fact and maps establishing wildland urban  
34 interface areas. Applications for grant funds must be submitted by  
35 counties, cities, and towns in accordance with regulations adopted by  
36 the department. The department is authorized to make and administer  
37 grants on the basis of applications, within appropriations authorized  
38 by the legislature, to any county, city, or town for the purpose of

1 developing findings of fact and maps establishing wildland urban  
2 interface areas.

3 (3) The department shall establish and maintain a statewide  
4 wildfire hazard map and a base-level wildfire risk map for each  
5 county of the state based upon criteria established in coordination  
6 with the state fire marshal office. The hazard map shall be made  
7 available on the department's website and shall designate areas as  
8 low, moderate, high, and very high wildfire hazard. The risk map  
9 shall be made available on the department's website and designate  
10 vulnerable resources or assets based on their exposure and  
11 susceptibility to a wildfire hazard. The department shall establish a  
12 method by which local governments may update the wildfire risk map  
13 based on local assessments and approved by the jurisdiction's fire  
14 marshal. The department shall make publicly available the criteria  
15 and analysis utilized in assessing the wildfire hazard and risk.

16 NEW SECTION. **Sec. 5.** This act is necessary for the immediate  
17 preservation of the public peace, health, or safety, or support of  
18 the state government and its existing public institutions, and takes  
19 effect immediately.

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