

SENATE BILL REPORT

SB 5322

AS REPORTED BY COMMITTEE ON COMMERCE & LABOR, MARCH 4, 1991

Brief Description: Permitting emergency exemptions from building codes.

SPONSORS: Senators Conner, Rasmussen, Snyder, Pelz and McCaslin.

SENATE COMMITTEE ON COMMERCE & LABOR

Majority Report: That Substitute Senate Bill No. 5322 be substituted therefor, and the substitute bill do pass.

Signed by Senators Matson, Chairman; Anderson, Vice Chairman; Bluechel, McCaslin, McDonald, McMullen, Moore, and Skratek.

Staff: Dave Cheal (786-7576)

Hearing Dates: February 6, 1991; March 1, 1991; March 4, 1991

BACKGROUND:

Vacant buildings occasionally become available that could be converted into emergency shelters or transitional housing of some type. Under current law such use can occur only if the buildings are brought in compliance with the State Building Code and local variations.

SUMMARY:

County executives or chairpersons of county legislative authorities are given the power to declare an emergency with respect to housing for indigent persons and to then seek exemption from the requirements of the State Building Code from the director of the Department of Community Development. The director is required to grant the exemption if certain conditions are met: (1) it is for existing housing; (2) the exemptions pose no threat to human safety; (3) the housing to be exempted is owned or administered by a public agency or nonprofit corporation; (4) if the exemption involves the purchase of housing stock, the purchase price can be no greater than market price minus the cost of meeting all building code requirements; and (5) the exemption can be for no more than five years on any building.

Tenants must be informed of the code deficiencies.

When exempted buildings are sold by the public agency or nonprofit corporation to private parties to be used as housing, the building must be brought into compliance with existing building codes at the time of sale.

The same provisions are made applicable to factory built housing. The request for exemption is made to the director of the Department of Labor and Industries.

An emergency provision is included.

EFFECT OF PROPOSED SUBSTITUTE:

Local government legislative bodies are allowed to make permit exemptions from the building code to provide emergency housing without seeking approval from the state. Requirements related to the purchase price of the building being exempted, and the requirement that it be brought up to code prior to sale are eliminated.

The reference to exempting existing "housing" is changed to existing "building."

The requirement that exemption must pose no threat to human safety is expanded to include "life and health." The requirement of notifying tenants of code deficiencies is removed.

The effective date is changed to January 1, 1992. The state Building Code Council is required to adopt guidelines for cities and counties who wish to exempt buildings under the act.

The procedures regarding factory built housing are eliminated.

Appropriation: none

Revenue: none

Fiscal Note: available

TESTIMONY FOR:

Cities and counties will be better able to provide emergency shelter for homeless people by making reasonable modifications to existing buildings without the full expense of complete building code compliance.

The stock of potential structures that can be used will be greatly expanded by being able to use buildings that are not currently used for residential purposes.

TESTIMONY AGAINST: None

TESTIFIED: Senator Conner (pro)