
HOUSE BILL 1968

State of Washington

53rd Legislature

1993 Regular Session

By Representatives Morris, Shin, Springer, Forner, Brough, Long, Miller, Wood, Cooke, Foreman and Ogden

Read first time 02/19/93. Referred to Committee on Trade, Economic Development & Housing.

1 AN ACT Relating to the state building code; amending RCW 19.27.015
2 and 19.27.040; reenacting and amending RCW 19.27.060; adding a new
3 section to chapter 19.27 RCW; and creating a new section.

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, farm workers, 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
14 housing increases the incidence of homelessness in these groups of
15 people; and

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

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

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

10 As used in this chapter:

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

12 (2) "Multifamily residential building" means common wall
13 residential buildings that ~~((consist of four or fewer units, that do
14 not exceed two))~~ are less than three stories in height~~((, that are less
15 than five thousand square feet in area))~~ as defined by the uniform
16 building code, are less than fifteen units, and ~~((that))~~ have a one-
17 hour fire-resistive occupancy separation between units; and

18 (3) "Stand-alone ordinance" means an ordinance, resolution, or
19 regulation, adopted by a local government that effectively amends the
20 codes enumerated in RCW 19.27.031, as adopted and amended by the state
21 building code council, as they apply to single-family and multifamily
22 residences.

23 **Sec. 3.** RCW 19.27.040 and 1990 c 2 s 11 are each amended to read
24 as follows:

25 The governing body of each county or city is authorized to amend
26 the state building code as it applies within the jurisdiction of the
27 county or city. The ~~((minimum))~~ maximum performance standards of the
28 codes and the objectives enumerated in RCW 19.27.020 shall not be
29 ~~((diminished))~~ increased by any county or city amendments without
30 receiving approval from the state building code council.

31 Nothing in this chapter shall authorize any modifications of the
32 requirements of chapter 70.92 RCW.

33 **Sec. 4.** RCW 19.27.060 and 1989 c 266 s 2 and 1989 c 246 s 1 are
34 each reenacted and amended to read as follows:

35 (1) The governing bodies of counties and cities may amend the codes
36 enumerated in RCW 19.27.031 as amended and adopted by the state

1 building code council as they apply within their respective
2 jurisdictions, but the amendments shall not result in a code that is
3 (~~less~~) more than the minimum performance standards and objectives
4 contained in the state building code. Any local amendments or stand-
5 alone ordinances that exceed the state building code, without first
6 receiving approval from the state building code council, shall be
7 deemed invalid.

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

14 (b) (~~Any county or city amendment to a code enumerated in RCW~~
15 ~~19.27.031 which is approved under RCW 19.27.074(1)(b) shall continue to~~
16 ~~be effective after any action is taken under RCW 19.27.074(1)(a)~~
17 ~~without necessity of reapproval under RCW 19.27.074(1)(b) unless the~~
18 ~~amendment is declared null and void by the council at the time any~~
19 ~~action is taken under RCW 19.27.074(1)(a) because such action in any~~
20 ~~way altered the impact of the amendment)) After the effective date of
21 this act, all stand-alone ordinances or local amendments of a county or
22 city that increase the minimum performance standards for single-family
23 or multifamily residential buildings shall be submitted to the state
24 building code council for approval. If the ordinance is not approved
25 by the state building code council, the stand-alone ordinance or local
26 amendment shall not be effective.~~

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

31 (3) The governing body of each county or city may limit the
32 application of any portion of the state building code to exclude
33 specified classes or types of buildings or structures according to use
34 other than single-family or multifamily residential buildings:
35 PROVIDED, That in no event shall fruits or vegetables of the tree or
36 vine stored in buildings or warehouses constitute combustible stock for
37 the purposes of application of the uniform fire code.

38 (4) The provisions of this chapter shall not apply to any building
39 four or more stories high (~~with a B occupancy~~) as defined by the

1 uniform building code, 1982 edition, and with a city fire insurance
2 rating of 1, 2, or 3 as defined by a recognized fire rating bureau or
3 organization.

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

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

12 (7)(a) Effective one year after July 23, 1989, the governing bodies
13 of counties and cities may adopt an ordinance or resolution to exempt
14 from permit requirements certain construction or alteration of either
15 group R, division 3, or group M, division 1 occupancies, or both, as
16 defined in the uniform building code, 1988 edition, for which the total
17 cost of fair market value of the construction or alteration does not
18 exceed fifteen hundred dollars. The permit exemption shall not
19 otherwise exempt the construction or alteration from the substantive
20 standards of the codes enumerated in RCW 19.27.031, as amended and
21 maintained by the state building code council under RCW 19.27.070.

22 (b) Prior to July 23, 1989, the state building code council shall
23 adopt by rule, guidelines exempting from permit requirements certain
24 construction and alteration activities under (a) of this subsection.

25 NEW SECTION. **Sec. 5.** A new section is added to chapter 19.27 RCW
26 to read as follows:

27 (1) The state building code council, by November 1, 1993, shall
28 adopt procedures and, by July 1, 1994, adopted by rule clear criteria
29 for the review of local amendments to the state building code
30 enumerated in RCW 19.27.031 and stand-alone ordinances of a city or
31 county that add construction requirements to single-family or
32 multifamily residential buildings beyond those contained in the state
33 building code.

34 (2) The state building code council's criteria for review of local
35 amendments and stand-alone ordinances shall include standards to
36 achieve uniformity of residential codes, consideration of the economic
37 impact on the building industry and the consumer, and special
38 consideration of amendments unique to specific jurisdictions.

1 (3) In developing criteria for the review of local amendments to
2 the state building code as amended and adopted by the state building
3 code council, and stand-alone ordinances that add construction
4 requirements to single-family or multifamily residential buildings
5 beyond those contained in the state building code, the state building
6 code council shall consult with representatives from affected parties
7 including, but not limited to, home builders, architects, governmental
8 bodies, cities, towns, counties, building officials, and fire
9 officials.

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