
SENATE BILL 6352

State of Washington

53rd Legislature

1994 Regular Session

By Senators Snyder, Oke, Owen, Haugen, Bauer and Winsley

Read first time 01/20/94. Referred to Committee on Government Operations.

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;

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; and

1 (5) Reforming and streamlining the regulatory process will
2 significantly reduce barriers to affordable housing.

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

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

12 As used in this chapter:

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

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

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

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

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

33 Nothing in this chapter shall authorize any modifications of the
34 requirements of chapter 70.92 RCW.

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

1 (1) The governing bodies of counties and cities may amend the codes
2 enumerated in RCW 19.27.031 as amended and adopted by the state
3 building code council as they apply within their respective
4 jurisdictions, but the amendments shall not result in a code that is
5 ~~((less))~~ greater than the ~~((minimum))~~ performance standards and
6 objectives contained in the state building code. Any local amendments
7 or stand-alone ordinances that exceed the state building code, without
8 first receiving approval from the state building code council, shall be
9 deemed invalid.

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

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

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

34 (3) The governing body of each county or city may limit the
35 application of any portion of the state building code to exclude
36 specified classes or types of buildings or structures according to use
37 other than single-family or multifamily residential buildings:
38 PROVIDED, That in no event shall fruits or vegetables of the tree or

1 vine stored in buildings or warehouses constitute combustible stock for
2 the purposes of application of the uniform fire code.

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

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

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

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

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

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

31 (1) The state building code council shall adopt procedures and, by
32 July 1, 1995, adopted by rule clear criteria for the review of local
33 amendments to the state building code enumerated in RCW 19.27.031 and
34 stand-alone ordinances of a city or county that add construction
35 requirements to single-family or multifamily residential buildings
36 beyond those contained in the state building code.

37 (2) The state building code council's criteria for review of local
38 amendments and stand-alone ordinances shall include standards to

1 achieve uniformity of residential codes, consideration of the economic
2 impact on the building industry and the consumer, and special
3 consideration of amendments unique to specific jurisdictions. However,
4 the unique amendment approval by the state building code council shall
5 require proof by the county or city that the codes enumerated in RCW
6 19.27.031 do not apply.

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

16 (4) When submitting a local amendment or stand-alone ordinance to
17 the state building code council that increases the performance
18 standards of the state building code, the local jurisdiction shall
19 provide an economic impact and cost-benefit analysis of the proposed
20 amendment.

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