

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 1734

Chapter 291, Laws of 2003

58th Legislature
2003 Regular Session

BUILDING CODES

EFFECTIVE DATE: 7/27/03

Passed by the House April 22, 2003
Yeas 87 Nays 11

FRANK CHOPP

Speaker of the House of Representatives

Passed by the Senate April 17, 2003
Yeas 41 Nays 8

BRAD OWEN

President of the Senate

Approved May 14, 2003.

GARY LOCKE

Governor of the State of Washington

CERTIFICATE

I, Cynthia Zehnder, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 1734** as passed by the House of Representatives and the Senate on the dates hereon set forth.

CYNTHIA ZEHNDER

Chief Clerk

FILED

May 14, 2003 - 3:21 p.m.

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 1734

AS AMENDED BY THE SENATE

Passed Legislature - 2003 Regular Session

State of Washington 58th Legislature 2003 Regular Session

By House Committee on Local Government (originally sponsored by Representatives Romero, Hinkle, Moeller, Delvin, Grant, Jarrett and Flannigan; by request of Department of Community, Trade, and Economic Development)

READ FIRST TIME 03/03/03.

1 AN ACT Relating to state building codes; amending RCW 19.27.031,
2 19.27.080, and 19.27.110; and creating a new section.

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

4 NEW SECTION. **Sec. 1.** (1) The intent of the adoption of the
5 International Building Code by the legislature is to remain consistent
6 with state laws regulating construction, including electrical,
7 plumbing, and energy codes established in chapters 19.27, 19.27A, and
8 19.28 RCW. The International Building Code references the
9 International Residential Code for provisions related to the
10 construction of single and multiple-family dwellings. No portion of
11 the International Residential Code shall supersede or take precedent
12 over provisions in chapter 19.28 RCW, regulating the electrical code;
13 nor provisions in RCW 19.27.031(4), regulating the plumbing code; nor
14 provisions in chapter 19.27A RCW, regulating the energy code.

15 (2) It is in the state's interest and consistent with the state
16 building code act to have in effect provisions regulating the
17 construction of single and multiple-family residences. It is the
18 legislative intent that the state building code council adopt the
19 International Residential Code through rule making granted in RCW

1 19.27.074, consistent with state law regulating construction for
2 electrical, plumbing, and energy codes, and other state and federal
3 laws regulating single and multiple-family construction.

4 (3) In accordance with RCW 19.27.020, the state building code
5 council shall promote fire and life safety in buildings consistent with
6 accepted standards. In adopting the codes for the state of Washington,
7 the state building code council shall consider provisions related to
8 fire fighter safety published by nationally recognized organizations.
9 The state building code council shall review all nationally recognized
10 codes as set forth in RCW 19.27.074.

11 (4) The legislature finds that building codes are an integral
12 component of affordable housing. In accordance with this finding, the
13 state building code council shall consider and review building code
14 provisions related to improving affordable housing.

15 **Sec. 2.** RCW 19.27.031 and 1995 c 343 s 1 are each amended to read
16 as follows:

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

20 (1) (~~Uniform~~) (a) The International Building Code (~~(and Uniform~~
21 ~~Building Code Standards)~~), published by the International (~~Conference~~
22 ~~of Building Officials)~~) Code Council Inc.;

23 (b) The International Residential Code, published by the
24 International Code Council, Inc.;

25 (2) (~~Uniform~~) The International Mechanical Code, (~~(including~~
26 ~~Chapter 13, Fuel Gas Piping, Appendix B,)~~) published by the
27 International (~~Conference of Building Officials)~~) Code Council Inc.,
28 except that the standards for liquefied petroleum gas installations
29 shall be NFPA 58 (Storage and Handling of Liquefied Petroleum Gases)
30 and ANSI Z223.1/NFPA 54 (National Fuel Gas Code);

31 (3) The (~~Uniform~~) International Fire Code (~~(and Uniform Fire Code~~
32 ~~Standards)~~), published by the International (~~Fire Code Institute)~~)
33 Code Council Inc., including those standards of the National Fire
34 Protection Association specifically referenced in the International
35 Fire Code: PROVIDED, That, notwithstanding any wording in this code,
36 participants in religious ceremonies shall not be precluded from
37 carrying hand-held candles;

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

6 (5) The rules (~~and regulations~~) adopted by the council
7 establishing standards for making buildings and facilities accessible
8 to and usable by the physically (~~handicapped~~) disabled or elderly
9 persons as provided in RCW 70.92.100 through 70.92.160.

10 In case of conflict among the codes enumerated in subsections (1),
11 (2), (3), and (4) of this section, the first named code shall govern
12 over those following.

13 The codes enumerated in this section shall be adopted by the
14 council as provided in RCW 19.27.074. The council shall solicit input
15 from first responders to ensure that fire fighter safety issues are
16 addressed during the code adoption process.

17 The council may issue opinions relating to the codes at the request
18 of a local official charged with the duty to enforce the enumerated
19 codes.

20 **Sec. 3.** RCW 19.27.080 and 1990 c 33 s 555 are each amended to read
21 as follows:

22 Nothing in this chapter affects the provisions of chapters 19.27A,
23 19.28, 43.22, 70.77, 70.79, 70.87, 48.48, 18.20, 18.46, 18.51, 28A.305,
24 70.41, 70.62, 70.75, 70.108, 71.12, 74.15, 70.94, 76.04, 90.76 RCW, or
25 RCW 28A.195.010, or grants rights to duplicate the authorities provided
26 under chapters 70.94 or 76.04 RCW.

27 **Sec. 4.** RCW 19.27.110 and 1975-'76 2nd ex.s. c 37 s 1 are each
28 amended to read as follows:

29 Each county government shall administer and enforce the (~~uniform~~)
30 International Fire Code in the unincorporated areas of the county:
31 PROVIDED, That any political subdivision or municipal corporation
32 providing fire protection pursuant to RCW 14.08.120 shall, at its sole
33 option, be responsible for administration and enforcement of the
34 (~~uniform~~) International Fire Code on its facility. Any fire
35 protection district or political subdivision may, pursuant to chapter
36 39.34 RCW, the interlocal cooperation act, assume all or a portion of

1 the administering responsibility and coordinate and cooperate with the
2 county government in the enforcement of the ((~~uniform~~)) International
3 Fire Code.

4 It is not the intent of RCW 19.27.110 and 19.27.111 to preclude or
5 limit the authority of any city, town, county, fire protection
6 district, state agency, or political subdivision from engaging in those
7 fire prevention activities with which they are charged.

8 It is not the intent of the legislature by adopting the state
9 building code or RCW 19.27.110 and 19.27.111 to grant counties any more
10 power to suppress or extinguish fires than counties currently possess
11 under the Constitution or other statutes.

12 Each county is authorized to impose fees sufficient to pay the cost
13 of inspections, administration, and enforcement pursuant to RCW
14 19.27.110 and 19.27.111.

Passed by the House April 22, 2003.

Passed by the Senate April 17, 2003.

Approved by the Governor May 14, 2003.

Filed in Office of Secretary of State May 14, 2003.