

ESB 6120 - H COMM AMD
By Committee on Local Government

ADOPTED 02/29/2024

1 Strike everything after the enacting clause and insert the
2 following:

3 "Sec. 1. RCW 19.27.031 and 2018 c 189 s 1 are each amended to
4 read as follows:

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

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

10 (b) The International Residential Code, published by the
11 International Code Council, Inc.;

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

17 (3) The International Fire Code, published by the International
18 Code Council, Inc., including those standards of the National Fire
19 Protection Association specifically referenced in the International
20 Fire Code: PROVIDED, That, notwithstanding any wording in this code,
21 participants in religious ceremonies shall not be precluded from
22 carrying handheld candles;

23 (4) (~~Portions~~) Only those portions of the International
24 Wildland Urban Interface Code, published by the International Code
25 Council Inc., as (~~set forth~~) specifically referenced in RCW
26 19.27.560(1), or the model International Wildland Urban Interface
27 Code specifically referenced in RCW 19.27.560(2);

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

1 (6) The rules adopted by the council establishing standards for
2 making buildings and facilities accessible to and usable by
3 individuals with disabilities or elderly persons as provided in RCW
4 70.92.100 through 70.92.160; and

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

8 In case of conflict among the codes enumerated in subsections
9 (1), (2), (3), (4), and (5) of this section, the first named code
10 shall govern over those following.

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

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

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

20 (1) The state building code council shall:

21 (a) Adopt and maintain the codes to which reference is made in
22 RCW 19.27.031 in a status which is consistent with the state's
23 interest as set forth in RCW 19.27.020. In maintaining these codes,
24 the council shall regularly review updated versions of the codes
25 referred to in RCW 19.27.031 and other pertinent information and
26 shall amend the codes as deemed appropriate by the council, provided,
27 that Wildland Urban Interface Codes must be consistent with RCW
28 19.27.560;

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

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

34 (d) Approve a proposed budget for the operation of the state
35 building code council to be submitted by the department of enterprise
36 services to the office of financial management pursuant to RCW
37 43.88.090.

38 (2) The state building code council may:

1 (a) Appoint technical advisory committees which may include
2 members of the council;

3 (b) Approve contracts for services; and

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

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

8 (a) Employ permanent and temporary staff and contract for
9 services;

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

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

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

17 (5)(a) All meetings of the state building code council shall be
18 open to the public under the open public meetings act, chapter 42.30
19 RCW. All actions of the state building code council which adopt or
20 amend any code of statewide applicability shall be pursuant to the
21 administrative procedure act, chapter 34.05 RCW.

22 (b) All council decisions relating to the codes enumerated in RCW
23 19.27.031 shall require approval by at least a majority of the
24 members of the council.

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

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

31 (1) In addition to the provisions of RCW 19.27.031, the state
32 building code shall, upon the completion of a statewide ((mapping of
33 wildland urban interface areas consist of the following parts))
34 wildfire hazard map and a base-level wildfire risk map for each
35 county of the state, per RCW 43.30.580, consist of chapter 1 and the
36 following technical provisions of the ((2018)) International Wildland
37 Urban Interface Code, published by the International Code Council,
38 Inc., which are hereby adopted by reference:

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

3 (i) (A) (~~504.2~~) Roof covering - Roofs shall have a roof assembly
4 that complies with class A rating when testing in accordance with
5 American society for testing materials E 108 or underwriters
6 laboratories 790. For roof coverings where the profile allows a space
7 between the roof covering and roof decking, the space at the eave
8 ends shall be fire stopped to preclude entry of flames or embers, or
9 have one layer of seventy-two pound mineral-surfaced, nonperforated
10 camp sheet complying with American society for testing materials D
11 3909 installed over the combustible decking.

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

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

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

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

28 (B) Approved noncombustible materials;

29 (C) Heavy timber or log wall construction;

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

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

35 Such materials shall extend from the top of the foundation to the
36 underside of the roof sheathing.

37 (iii) (A) (~~504.7~~) Appendages and projections - Unenclosed
38 accessory structures attached to buildings with habitable spaces and
39 projections, such as decks, shall not be less than one hour fire-

1 resistance rated construction, heavy timber construction, or
2 constructed of one of the following:

3 (I) Approved noncombustible materials;

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

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

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

16 (b) (~~Section 403.2~~) Driveways - Driveways shall be provided
17 where any portion of an exterior wall of the first story of the
18 building is located more than one hundred fifty feet from a fire
19 apparatus access road. Driveways in excess of three hundred feet in
20 length shall be provided with turnarounds and driveways in excess of
21 five hundred feet in length and less than twenty feet in width shall
22 be provided with turnouts and turnarounds. The county, city, or town
23 will define the requirements for a turnout or turnaround as required
24 in this subsection.

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

28 (3) In adopting and maintaining the code enumerated in
29 subsection(~~s~~) (1) (~~and (2)~~) of this section, any amendment to the
30 code as adopted under subsection(~~s~~) (1) (~~and (2)~~) of this section
31 may not result in an International Wildland Urban Interface Code that
32 is more than the minimum performance standards and requirements
33 contained in (~~the published model code~~) subsection (1) of this
34 section.

35 (4) All counties, cities, and towns may complete their own
36 wildfire hazard and base-level wildfire risk map for use in applying
37 the code enumerated in subsections (1) and (2) of this section.
38 Counties, cities, and towns may continue to use locally adopted
39 wildfire risk maps until completion of a statewide wildfire hazard
40 map and base-level wildfire risk map for each county of the state per

1 RCW 43.30.580. Six months after the statewide wildfire hazard map and
2 base-level wildfire risk map is complete, any map adopted by
3 counties, cities, and towns must utilize the same or substantially
4 similar criteria as the map required by subsection (1) of this
5 section.

6 (5) All counties, cities, and towns issuing commercial and
7 residential building permits for parcels in areas identified as high
8 hazard and very high hazard on the map required by subsection (1) of
9 this section or adopted according to subsection (4) of this section
10 shall apply the code enumerated in subsections (1) or (2) of this
11 section.

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

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

20 (2) The department shall develop and administer a grant program,
21 subject to funding provided for this purpose, to provide direct
22 financial assistance to counties, cities, and towns for the
23 development of findings of fact and maps establishing wildland urban
24 interface areas. Applications for grant funds must be submitted by
25 counties, cities, and towns in accordance with regulations adopted by
26 the department. The department is authorized to make and administer
27 grants on the basis of applications, within appropriations authorized
28 by the legislature, to any county, city, or town for the purpose of
29 developing findings of fact and maps establishing wildland urban
30 interface areas.

31 (3) The department shall establish and maintain a statewide
32 wildfire hazard map and a base-level wildfire risk map for each
33 county of the state based upon criteria established in coordination
34 with the state fire marshal office. The hazard map shall be made
35 available on the department's website and shall designate areas as
36 low, moderate, high, and very high wildfire hazard. The risk map
37 shall be made available on the department's website and designate
38 vulnerable resources or assets based on their exposure and
39 susceptibility to a wildfire hazard. The department shall establish a

1 method by which local governments may update the wildfire hazard map
2 and wildfire risk map based on local assessments and approved by the
3 jurisdiction's fire marshal. The department shall make publicly
4 available the criteria and analysis utilized in assessing the
5 wildfire hazard and risk.

6 NEW SECTION. Sec. 5. This act is necessary for the immediate
7 preservation of the public peace, health, or safety, or support of
8 the state government and its existing public institutions, and takes
9 effect immediately."

10 Correct the title.

EFFECT: Requires the Department of Natural Resources to develop a method by which local governments may update the wildfire hazard map as well as the wildfire risk map.

--- END ---