
Local Government Committee

ESB 6120

Brief Description: Concerning the Wildland Urban Interface Code.

Sponsors: Senators Van De Wege, Braun and Short.

Brief Summary of Engrossed Bill

- Requires the Department of Natural Resources to complete a statewide wildfire hazard map and a base level wildfire risk map for each county.
- Allows jurisdictions to complete their own wildfire hazard and base level wildfire risk map for use in applying the International Wildland-Urban Interface Code (International WUI Code) until the statewide maps are complete.
- Specifies which portions of the International WUI Code the State Building Code Council may adopt.

Hearing Date: 2/20/24

Staff: Elizabeth Allison (786-7129).

Background:

The State Building Code.

The State Building Code (SBC) establishes minimum statewide performance standards and requirements for building construction and construction materials in the state, consistent with accepted standards of engineering, fire, and life safety. The State Building Code Council (SBCC) is responsible for updating, maintaining, and amending the SBC. The SBC is comprised of a number of model codes and standards, which are adopted by reference in the State Building Code Act (Act). Model codes and standards adopted in the Act include the International Building Code, the International Residential Code, the Uniform Plumbing Code, and the

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Uniform Plumbing Code Standards.

The International Wildland-Urban Interface Code.

The International Wildland-Urban Interface Code (International WUI Code) is a model code developed and published by the International Code Council, Incorporated (ICC) which supplements a jurisdiction's building and fire codes. The ICC is a nonprofit organization that develops and publishes model codes for building, construction, and design standards. Updates to the codes are developed and published on a three-year cycle.

The International WUI Code establishes minimum regulations for land use and the build environment in designated wildland-urban interface (WUI) areas for the stated purpose of mitigating wildfire hazards. The International WUI Code applies to the construction, alteration, movement, repair, maintenance, and use of any building, structure, or premises within the "wildland-urban interface areas" of a jurisdiction. "Wildland-urban interface area" is defined in the International WUI Code as the geographical area where structures and other human development meets or intermingles with wildland or vegetative fuels.

Upon completion of the statewide mapping of WUI areas, specified portions of the 2018 International WUI Code are added to the SBC, including provisions on roof coverings and driveways.

All counties, cities, and towns may adopt the International WUI Code in whole or in part. In adopting and maintaining provisions of the International WUI code, any amendment to the International WUI Code may not result in a code that is more than the minimum performance standards and requirements contained in the published model code.

Department of Natural Resources.

The Department of Natural Resources (DNR) has direct charge and responsibility over all matters pertaining to forest fire services in the state. The forest fire related duties of the DNR include enforcing all forest fire related laws, investigating the cause of forest fires, and directing fire suppression efforts. In 2019 DNR developed a wildland-urban interface map utilizing the United States Department of Agriculture Forest Service Wildfire Hazard Potential data. This WUI map is a tool used to help define wildfire risk.

Summary of Bill:

The DNR must establish and maintain a statewide wildfire hazard map and a base level wildfire risk map for each county based on criteria established in coordination with the state fire marshal office. The hazard map must be available on the DNR's website and must designate areas as low, moderate, high, and very high wildfire hazard. The risk map must also be available on the DNR's website and must designate vulnerable resources or assets based on their exposure and susceptibility to a wildfire hazard. The DNR must establish a method by which local governments may update the wildfire risk map, based on local assessments and approved by the jurisdiction's fire marshal. The criteria and analysis utilized in assessing the wildfire hazard and risk must be made publicly available.

All counties, cities, and towns may complete their own wildfire hazard and base level wildfire risk map for use in applying the International WUI Code, and may continue to use locally adopted wildfire risk maps until a statewide wildfire hazard map and base level wildfire risk map are completed for each county. Six months after a statewide wildfire hazard map and base level wildfire risk map are complete, maps adopted by counties, cities, and towns and must utilize the same or substantially similar criteria as the statewide map. All counties, cities, and towns issuing commercial and residential building permits in areas identified as high risk, or very high risk on the statewide map or local map of areas at greatest risk from wildfire, must apply the code as adopted by the SBCC.

Upon completion of the wildfire hazard map and base level wildfire risk map for each county, the SBCC may only adopt those portions of the International WUI Code as set forth in statute.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill contains an emergency clause and takes effect immediately.