

OKANOGAN COUNTY

Ordinance 2005 - 1 (Building and Related Codes)

An Ordinance of the County of Okanogan expressly adopting State Building and related Codes, providing for enforcement by Okanogan County, repealing and adding certain provisions:

BE IT ORDAINED BY THE COUNTY COMMISSIONERS OF OKANOGAN COUNTY AS FOLLOWS:

WHEREAS, Washington statutes require all jurisdictions in the state to adopt by reference and enforce the same building code throughout Washington; and

WHEREAS, Washington established the 2003 International codes, promulgated by the International code council (ICC), as the basis of the new State Building Code pursuant to **SHB 1734** and **RCW 19.27**. The exceptions to the International codes are the 2003 Uniform Plumbing Code published by the International Association of Plumbing and Mechanical Officials and the National Electrical Code.

WHEREAS, Washington previously developed an energy conservation code and the code for the elimination of physical barriers to promote accessibility; and

WHEREAS, the Washington State Energy code is a stand alone code while the accessibility provisions reside as a state amendment to the International Building Code; and

WHEREAS, the Washington Association of Building Officials passed resolution **2003-02** that, in part, promotes the local adoption of the International codes and Uniform Plumbing code with as few local amendments as possible;

NOW, THEREFORE, the County of Okanogan, Washington, do ordain as follows;

SECTION - A

ADOPTION OF REFERNCED CODES:

The County of Okanogan hereby adopts the following codes, as amended by the Washington State Building Code Council pursuant to **RCW 19.27.074** for the purpose of establishing rules and regulations for the construction, alternation, removal, demolition,

equipment, use and occupancy, location and maintenance of buildings and structures, including permits and penalties:

1. The International Building Code published by the International Code council, Inc. (IBC) including all referenced standards.
2. The International Residential Code published by the International Code Council, Inc. (IRC) including all referenced standards. The following Appendices are specifically adopted:
 - a. Appendix G, Swimming Pools, Spas/Hot Tubs
 - b. Appendix J, Existing buildings and Structures.
3. The International Mechanical code published by the International Code Council, Inc. (IMC) except that the standards for liquefied petroleum gas installations shall be NFPA 58 (Storage and Handling of Liquefied Petroleum Gases) and ANSI Z223.1/NFPA 54 (National Fuel Gas Code).
4. The International Fire Code, published by the International Code Council, Inc. (IFC), including those standards of the National fire Protection Association specifically referenced in the International fire code; PROVIDED, that, notwithstanding any wording in this code, participants in religious ceremonies shall not be precluded from carrying hand-held candles.
5. Except as provided in **RCW 19.27.170**, the Uniform Plumbing Code (UPC) and Uniform Plumbing Code Standards, published by the International Association of Plumbing and Mechanical Officials; PROVIDED, that any provisions of such code affecting or fuel gas piping are not adopted; and the rules adopted by the Washington State Building Code Council establishing standards for making buildings and facilities accessible to and usable by the physically disabled or elderly persons as provided in **RCW 70.92.100** through **70.92.160**.
6. The International Fuel Gas Code as published by the International Code Council, Inc. (IFGC)
7. The Washington State Energy Code, adopted by the Washington State Building Code Council.
8. The Washington State Ventilation and Indoor Air Quality Code, adopted by the Washington State Building Code Council.
9. The 1997 Edition of the Uniform Code for the Abatement of Dangerous Buildings published by the International Conference of Building Officials, Whittier, California.

In case of conflict, among the codes specified above in this section, the first named code shall govern over those following.

SECTION B

Okanogan County, upon proper procedures delineated under **RCW 36.32.120** (Powers of Board), may provide for administration and enforcement of the State Building Code within its jurisdictional boundaries by establishing a local building department. Such administration and enforcement of the State Building code by its building department shall include all of the codes comprising the State Building Code enumerated in the previous section.

SECTION C

In conformity with the provisions of the State Building Code, the following Resolutions and Ordinances are hereby repealed:

Okanogan County Ordinance **No. 96-2** as amended by Okanogan County Ordinance **No. 97-8** (Building and Related Codes).

In addition, all other resolutions and ordinances enacted prior to the effective date of this Ordinance, or parts thereof which are in conflict with or inconsistent with this Ordinance are hereby repealed.

SECTION D

PERMITS REQUIRED

Except as exempted in the International Building Code, any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit.

Unless otherwise exempted, separate plumbing, electrical and mechanical permits will be required for the above-exempted items.

Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction.

OWNERSHIP

The owner of an Okanogan County building permit shall be the property owner. The Permit Applicant is, by definition, an agent of the property owner if not the property owner.

SECTION E

PERMIT FEES

A fee schedule shall be set by and at the discretion of the Building Official to reflect reasonable costs incurred subject to approval by motion of the Board of Commissioners. Such fee schedule is subject to change without notice.

SECTION F

In accordance with **RCW 19.27.040** and **19.27.060** the following amendments, additions or alterations of the International Codes are made:

1. The International Fire Code (IFC) is hereby limited in its application as follows:
Buildings shall not be deemed used for the storage of high-piled combustible materials when used for closely packed piles of containers of fresh fruit or produce not more than twenty-five (25) feet high.
2. The International Building Code (IBC) is hereby further amended by adding the following paragraphs:

Before a permit may be issued by the Building Official, the applicant must obtain approval from the following county departments:

- a. Health District;
 - b. Public Works, if applicable; and
 - c. County Office of Planning and Development.
3. A building permit shall not be required for agricultural fences including, but not limited to:
 - a. Orchard fences;
 - b. Snow breaks;
 - c. Cattle and stud corrals; and
 - d. Fences for exotic birds and animals.
4. A building permit shall not be required for an agricultural building, aggregate, less than 4,000 square feet of construction, as set forth in **RCW 18.08.410(6)**. An "agricultural building" is defined as a structure designed and constructed to house

farm implements, hay, grain, poultry, livestock, or other horticultural products. Said structure shall not be a place of human habitation or place of employment where agricultural products are processed, treated or packaged, nor shall it be a place used by the public.

5. No agricultural building as defined herein shall be located closer to any property line than the greater of the following:
 - a. The height of the building plus five (5) feet for lateral collapse protection; or
 - b. The required setbacks set forth in the Okanogan County Zoning Ordinance and Zoning District in which the structure is to be located.
6. Prior to the construction of any agricultural building as defined herein, a site plan analysis shall be obtained from the Office of Planning and Development.
7. Any change of occupancy or use of an agricultural building as defined herein requires a building permit and a site plan analysis.
8. A building permit shall not be required for the repair and remodeling of residential structures when the fair market value (labor and materials) of repair or remodeling does not exceed (\$3,000) three thousand dollars, provided, however, that this exclusion shall not apply if said remodeling or repairing increases the square footage of living space of the structure, alters the structural support of the structure or required egress from the structure in any twelve month period.
9. A building permit may be obtained for an agricultural building as defined herein. Said building permit shall be effective for a period not to exceed five (5) years.

SECTION G

Should any section, paragraph, sentence or word of this Ordinance or of the codes hereby adopted be declared for any reason to be invalid, it is the intent of the board of Okanogan County Commissioners that it would have passed all other portions of this ordinance and of the codes hereby, adopted, independent of the elimination here from of any such portion as may be declared invalid, and accordingly, such declaration of invalidity shall not effect the validity of the Ordinance as a whole nor any part thereof other than the part so declared to be invalid.

SECTION H

Any person violating a portion of this Ordinance shall be deemed guilty of a misdemeanor. Each such violation shall constitute a separate offense and shall be punishable by imprisonment in the County Jail for a term not to exceed thirty (30) days,

and/or payment of a fine not exceeding five hundred dollars (\$500). Each day during which a violation continues it shall be deemed a separate offense and separate penalties may be assessed for each separate offense.

SECTION I

Nothing in this ordinance is meant to require Okanogan County or any officer to perform regular fire inspections under the International Fire Code.

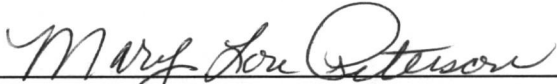
SECTION J

The burden of determining whether the applicant will violate any Federal, State or County or other law by execution of his plan to build is upon the applicant. The purpose of review by the county departments listed above is primarily for protection of the public and secondarily to provide guidance to the applicant.

This Ordinance, being necessary to the general health, safety and welfare of the citizens of Okanogan County, shall take effect and be in force immediately upon adoption.

DATED at Okanogan, Washington this 8th day of March 2005.

BOARD OF COUNTY COMMISSIONERS OKANOGAN, WASHINGTON



Mary Lou Peterson, Chairman



Andrew Lampe, Member

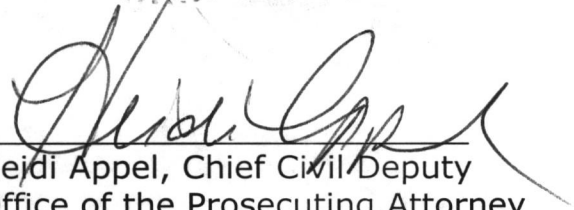


Don (Bud) Hover, Member

ATTEST:



Brenda J. Crowell, Clerk of the Board
APPROVED AS TO FORM



Heidi Appel, Chief Civil Deputy
Office of the Prosecuting Attorney