

City of Kenmore



City of Kenmore - 18120 68th Avenue NE Kenmore, WA 98028 Phone: 425-398-8900
Agendas also available at www.kenmorewa.gov E-mail: cityhall@kenmorewa.gov

City Council Regular Meeting Agenda

7 PM, November 23, 2020, via Zoom

LINK: <https://us02web.zoom.us/j/89637882920>

Or iPhone one-tap :

US: +12532158782,,89637882920# or +13462487799,,89637882920#

Or Telephone: Dial US:US: +1 253 215 8782

Webinar ID: 896 3788 2920

I. CALL MEETING TO ORDER

II. ROLL CALL

III. FLAG SALUTE

IV. AGENDA APPROVAL

V. PUBLIC COMMENT

- A. This is an opportunity to express your views on issues that are important to you and to the community. Please state your name, city of residence, and limit your comments to three (3) minutes.

VI. CONSENT AGENDA

- A.
 - [November 2, 2020 Special Meeting Minutes](#)
 - [November 9, 2020 Regular Meeting Minutes](#)
- B. Authorize City Manager to execute a contract with Cascadia Law Group to provide special counsel on heavy manufacturing activities
[Cascadia Law Group - Agenda Bill](#)

VII. BUSINESS AGENDA

- A. **PUBLIC HEARING** - Allow Indoor Storage as a Temporary Use for a One Year Period in Property Located at 15036 70th Ave NE (owned by Northshore Fire District and zoned as Public/Semi-Public), presented by Development Services Director Bryan Hampson, *for Approval*
[Agenda Bill - Station 54 Temporary Use Permit](#)
- B. **PUBLIC HEARING** - Allow "Construction and Trade" as a temporary use for

Interim Public Works Shop for a one-year period for a property located at 6532 NE Bothell Way (owned by City of Kenmore and zoned Downtown Commercial), presented by Development Services Director Bryan Hampson, *for Approval*

[Agenda Bill - Public Works Temporary Use Permit](#)

- C. Resolution 20 - 359, Making a declaration of substantial need for purposes of setting the limit factor for the property tax levy for 2021. Presented by Finance & Administration Director Joanne Gregory, *for Discussion and/or Approval*
[Agenda Bill - 2021 Resolution of Substantial Need](#)
[Resolution 20-359, Declaration of substantial need](#)

- D. Adopting 2019-2020 Budget Amendments, Ordinance No. 20-0514, presented by Finance & Administration Director Joanne Gregory, *for Adoption*
[Agenda Bill - Amending the 2019-2020 Budget](#)
[Ordinance 20-0514 Budget Amendments](#)
[Final Year-End Budget Amendments Worksheet](#)

- E. Adopting 2021 Property Tax Levy, Ordinance No. 20-0515, presented by Finance & Administration Director Joanne Gregory, *for Adoption*
[Agenda Bill - 2021 Property Tax](#)
[Ordinance 20-0515 .6% Levy](#)
[Ordinance 20-0515 0% Levy](#)

- F. Adopting 2021 Excess Tax Levy for the Purpose of Paying Debt Service, Ordinance No. 20-0516, presented by Finance & Administration Director Joanne Gregory, *for Adoption*
[Agenda Bill - Excess Tax Levy](#)
[Ordinance 20-0516 Excess Levy for 2020](#)

- G. Adopting 2021-2022 Biennial Budget and 2021 Salary Plan, Ordinance No. 20-0517, presented by Finance & Administration Director Joanne Gregory, *for Adoption*
[Agenda Bill - Biennial Budget](#)
[Ordinance 20-0517 2021-2022 Budget and Salary Plan](#)

- H. Building Code Update, Ordinance 20-0518, adopting the 2018 International Building Code, presented by Development Services Director Bryan Hampson, *for Adoption*
[Agenda Bill - 2018 Building Code Adoption](#)
[Attachment 2 - Existing Chapters with Strikethroughs](#)
[Exhibit A - Section 15.05.015](#)
[Exhibit B - Chapter 15.10 Fire Code](#)
[Exhibit C - Chapter 15.20 Building Codes](#)
[Exhibit D - Chapter 15.30 Construction Administrative Code](#)
[Ordinance 20-0518 - 2018 Building Code Adoption](#)

VIII. STAFF REPORT

IX. COUNCILMEMBER REPORTS

UPCOMING MEETINGS:

- December 7 - Special Meeting [Executive Session pursuant to RCW 42.30.110 (h) to evaluate the qualifications of a candidate for appointment to elective office] - 5:30 PM
- December 14 - Special Meeting/ Study Session - 6 PM
- December 15 - Special Meeting [Executive Session pursuant to RCW 42.30.110 (h) to evaluate the qualifications of a candidate for appointment to elective office]- 6 PM
- January 4, 2021 - Special Meeting [Executive Session pursuant to RCW 42.30.110 (h) to evaluate the qualifications of a candidate for appointment to elective office] - 7PM

XI. ADJOURNMENT

**City of Kenmore
City Council Special Meeting
Minutes
November 2, 2020**

CALL SPECIAL MEETING TO ORDER:

Mayor Baker called the meeting to order at 7:00 p.m. via Zoom.

PRESENT:

Councilmembers:

Mayor David Baker
Deputy Mayor Nigel Herbig
Councilmember Joe Marshall
Councilmember Milton Curtis
Councilmember Debra Srebnik
Councilmember Corina Pfeil
Councilmember Melanie O’Cain

Staff:

City Manager Rob Karlinsey
Assistant City Manager Nancy Ousley
Finance & Administration Director Joanne Gregory
Community Development Director Debbie Bent
Public Works Operations Manager Jennifer Gordon
City Engineer John Vicente
Recreation Coordinator Rita Moreno
Principal Planner Lauri Anderson
Environmental Services Manager Richard Sawyer
City Clerk Anastasiya Warhol
City Attorney Dawn Reitan

Speaking Guests:

Nadia Silver, Kenmore Resident
David Morton, Redmond Resident
Stacey Valenzuela, Kenmore Resident
Benedikt Zinn, Cadman Representative
John Hendrickson, Kenmore Resident
Ken Jones, Business owner in Kenmore
Michael Rea, Kenmore Resident
Rose Hendrix, Kenmore Resident
Greg Ahearn, Interim Northshore Fire Chief
Doug McDonald, Deputy Northshore Fire Chief

FLAG SALUTE

Mayor Baker led the flag salute.

AGENDA APPROVAL

The agenda was approved as presented.

PUBLIC COMMENT

- Nadia Silver, a Kenmore Resident, encouraged residents to honor Dia De Los Muertos. She also expressed over a vague policy reference to cannabis use.
- David Morton, a Redmond Resident, expressed concern over the Cadman Asphalt plant using non-permitted WMA from cutback asphalt, which contains jet fuel and other pollutants.
- Stacey Valenzuela, a Kenmore Resident, spoke in support of Veterans Day proclamation. She asked Council to consider senior residents and current challenges to that demographic. She spoke against any tax increases.
- Dr. Benedikt Zinn, a Cadman Asphalt Plant Representative, introduced himself to the Council. He expressed interest in a continued dialogue with the City and briefly referenced Cadman's own sustainability goals.
- John Hendrickson, a Kenmore Resident, encouraged the Council to focus on historically underfunded road repairs in their budget and Financial Sustainability initiatives.
- Ken Jones, a business owner of a Kenmore Cannabis store, expressed concern regarding a vague reference to cannabis products in the policy statements. She reiterated marketing and packaging guidelines and affirmed his business commitment to not marketing or selling to minors.
- Michale Rea, a Kenmore Resident, explained that testing and gathering data is critical when dealing with Cadman.
- Rose Hendrix, a Kenmore Resident, noted that she was pleased to see police reform initiatives and encouraged everyone to stay safe.

PRESENTATION

Fire District Consolidation presented by Interim Chief Greg Ahearn and Deputy Chief Doug McDonald.

Interim Fire Chief Greg Ahearn presented on the discussions surrounding a merger between Woodinville Fire & Rescue and the Northshore Fire Department. The presentation is available online as part of the Council packet.

CONSENT AGENDA

The consent agenda included the following items:

- A. Approve Check #s 45820 through 45903 in the amount of \$1,328,923.46.
Total Payroll/Taxes/Flexible Spending/Retirement & Health Savings Account
Electronic Deposits Dated 9/25/2020 in the amount of \$157,041.33 and payroll

check# 10160 dated 10/09/2020 in the amount of \$2,665.11.

[Voucher Certification and Approval Report](#)

- B. Minutes:
[October 12, 2020 Special Council Meeting](#)
[October 19, 2020 Regular Council Meeting](#)

MOTION: Deputy Mayor Herbig moved to approve the consent agenda as presented.
Councilmember Pfeil seconded the motion.
VOTE: Motion passed unanimously.

BUSINESS AGENDA

- A. **2021 State Legislative Agenda, presented by Briahna Murray and Shelly Helder of Gordon Thomas Honeywell, *for Discussion***

Councilmember offered input on the presented legislative agenda. They requested that the agenda, with incorporated feedback, be presented soon.

MOTION: Councilmember Pfeil Makes a motion to remove a legislative policy statement referring to cannabis which reads: *The City supports increased measures to prevent children from accessing cannabis products.*
Deputy Mayor Herbig seconded the motion.
VOTE: 4 yes, 3 No, 0 Abstain. Motion CARRIES.

MOTION: Deputy Herbig made a motion to add a sentence under 2021 Kenmore Policy Statements under the subheading Criminal Justice Reform reading: *The City support efforts to remove qualified immunity for law enforcement officers.* Pfeil seconded the motion.
VOTE: 2 yes, 5 no, 0 Abstain. Motion FAILS.

- B. **Presentation of 2021-2022 Proposed Biennial Budget: Impact Fee Funds, Transportation Benefit District Fund, Other Funds. Presented by the Finance & Administration Director Joanne Gregory, *for Discussion***
[Agenda Bill - Budget](#)
[Budget Presentation Nov 2, 2020](#)

Finance Director Joanne Gregory opened the third budget review session.

- C. **Resolution 20-358 regarding CARES Act funding and funding partnerships with public service organizations, presented by Community Development Director Debbie Bent and Principal Planner Lauri Anderson, *for Approval***
[Agenda Bill - CARES funding resolution](#)
[Attachment 1 Resolution 20-358](#)
[Attachment 2 Resolution 20-353](#)

[Attachment 3 Resolution 20-355](#)

Community Development Director Debbie Bent presented a request to continue the dispensation of qualified funds as outlined in the agenda bill.

MOTION: Councilmember O’Cain moved to approve Resolution No. 20-358, amending Resolutions 20-352 and 20-355, about partnerships with public service organizations for Covid-19 Relief. Deputy Mayor Herbig seconded the motion.
VOTE: 7 yes, 0 No, 0 Abstain. Motion passed unanimously.

STAFF REPORTS

City Manager Karlinsey reported that the Voting Center is very active.

COUNCILMEMBER REPORTS

MOTION: Councilmember Pfeil moved to accept the amended Veterans proclamation as presented in the current packet.
VOTE: 4 yes, 3 No, 0 Abstain.

MOTION: Councilmember Pfeil moved to allow discussion of the above-stated item. Councilmember Marshall seconded the motion.

ADJOURNMENT

Mayor Baker adjourned the special meeting at 10:18 p.m.

David Baker, Mayor

ATTEST:

Anastasiya Warhol, City Clerk

**City of Kenmore
City Council Regular Meeting
Minutes
November 9, 2020**

CALL SPECIAL MEETING TO ORDER:

Mayor Baker called the meeting to order at 7:00 p.m. via Zoom.

PRESENT:

Councilmembers:

Mayor David Baker
Deputy Mayor Nigel Herbig
Councilmember Joe Marshall
Councilmember Milton Curtis
Councilmember Debra Srebnik
Councilmember Corina Pfeil
Councilmember Melanie O’Cain

Staff:

City Manager Rob Karlinsey
Assistant City Manager Nancy Ousley
Finance & Administration Director Joanne Gregory
Community Development Director Debbie Bent
Public Works Operations Manager Jennifer Gordon
City Engineer John Vicente
Environmental Services Manager Richard Sawyer
Principal Planner Lauri Anderson
Management Intern Adam Nebenzahl
City Clerk Anastasiya Warhol
City Attorney Dawn Reitan

Speaking Guests:

Stacey Valenzuela, Kenmore Resident
John Peeples, Kenmore Resident
David Morton, Redmond Resident
Victoria Grayland, Kenmore Resident
Rose Hendrix, Kenmore Resident
Elizabeth Mooney, Kenmore Resident
John Adamski, Kenmore Resident
Hillarie Windish, Kenmore Resident
Cindy Donahue, Northshore Hopelink Representative
Jim Meyers, Kenmore Resident
Nancy Hansen, Kenmore Resident
John Hendrickson, Kenmore Resident

Nadia Silver, Kenmore Resident
Jim Meyers, Kenmore Resident
Janet Hays, Kenmore Resident
Rob Zisette, Herrera Environmental Consultants
Peter King, CEO, Association of Washington Cities

FLAG SALUTE

Mayor Baker led the flag salute.

AGENDA APPROVAL

The agenda was approved as presented.

PUBLIC COMMENT

- Nadia Silver, a Kenmore resident, spoke in support of the recent Proclamation honoring Veterans and offered praise for Councilmember Pfeil's Advanced Certificate of Municipal Leadership. She encouraged continued efforts to fight over the counter drug abuse.
- Stacey Valenzuela, a Kenmore resident, spoke in support of the recent Proclamation honoring Veterans and offered praise for Councilmember Pfeil's Advanced Certificate of Municipal Leadership. She encouraged a hiring freeze and other cost reductions in the City.
- John Peeples, a Kenmore resident, spoke in support of the recent Proclamation honoring Veterans and offered praise for Councilmember Pfeil's Advanced Certificate of Municipal Leadership. He encouraged the Council to find creative ways to
- David Morton, a Redmond Resident, expressed concern over the Cadman Asphalt plant using non-permitted WMA from cutback asphalt, which contains jet fuel and other pollutants. He voiced his concern over PSCAA's inaction regarding the Cadman Plant. John Adamski, a Kenmore Resident, expressed interest in the update to the Integrated Aquatic Vegetation Management Plan (IAVMP).
- Victoria Grayland, a Kenmore Resident, affirmed the public comments of David Morton. She also expressed interest in the update to the Integrated Aquatic Vegetation Management Plan.
- David Duran, a local resident, spoke in support of the recent Proclamation honoring Veterans and offered praise for Councilmember Pfeil's Advanced Certificate of Municipal Leadership. He also spoke in support of the Diversity, Equity, and Inclusion Program, highlighting prominent impacts to Kenmore residents.
- John Hendrickson, a Kenmore Resident, expressed concern over the recently adopted Accessory Dwelling Units Ordinance.
- Peter Lance, a Kenmore Resident, expressed concern over fumes being emitted by the Cadman Asphalt Plant and the Council's approach to this challenge.

- Rose Hendrix, a Kenmore resident, spoke in favor of the proposed Diversity, Equity, and Inclusion Program.
- Hillarie Windish, a Kenmore resident, spoke in favor of the proposed Diversity, Equity, and Inclusion Program.
- Cindy Donohue, a Shoreline Resident, the Northshore Hopelink Representative, and North Urban Human Services Alliance (NUHSA) Representative. She spoke in support of continued partnership through human services funding allocations.
- Elizabeth Mooney, a Kenmore Resident and member of People for an Environmentally Responsible Kenmore (PERK) encouraged the Council to keep the focus on initiatives that protect streams, salmon, and air.
- Jim Meyers, a Kenmore Resident and member of the Kenmore Clean Air Coalition, encouraged the Council to scrutinize emissions at the Cadman Asphalt Plant.
- Nancy Hansen, a Kenmore Resident, expressed interest in the Update to the Integrated Aquatic Vegetation Management Plan (IAVMP). She also expressed concern over any property tax levy.

CONSENT AGENDA

- A. Minutes:
[October 26, 2020, Regular Meeting Minutes](#)
[October 27, 2020, Special Meeting Minutes](#)

MOTION: Councilmember O’Cain moved to approve the consent agenda as presented. Councilmember Pfeil seconded the motion.
VOTE: Motion passed unanimously.

PUBLIC HEARING

2021 - 2022 Preliminary Biennial Budget
[Agenda Bill - Public Hearing Preliminary 2021-2022 Budget](#)
[City Manager Budget Message](#)
[Summary of All Funds Budgets 2021-2022](#)

Finance and Administration Director Joanne Gregory gave an overview of the preliminary budget. Materials are available as part of the packet and on the City website.

Mayor Baker opened the public hearing at 8:15 PM.

John Hendrickson, a Kenmore Resident, expressed disappointment over the presentation of the budget and the Financial Sustainability Plan. He encouraged a focus on pavement preservation.

Stacey Valensquela, a Kenmore Resident, encouraged the Council to freeze spending, avoid raising taxes, and ease reliance on outside consultants.

Phyllis Finley, a Kenmore Resident, encouraged all City Departments to reduce costs and make cuts. She spoke against additional expenses.

Elizabeth Mooney, a Kenmore resident, discouraged the City from relying on too many consultants and advocated for investing funds in the environment.

Mayor Baker closed the public hearing at 8:29 PM

BUSINESS AGENDA

A. 2019 -2020 Budget Amendments, presented by Finance & Administration Director Joanne Gregory, *for Review and Discussion*

Finance & Administration Director Joanne Gregory presented 2019- 2020 budget amendments. Presentation materials are available as part of the agenda packet.

B. Diversity, Equity, and Inclusion (DEI) Program Proposal, presented by City Manager Rob Karlinsey, *for Discussion*

Management Intern Adam Nebenzahl presented the DEI policy and training tracks.

MOTION: Councilmember Pfeil made a motion to approve the general direction and scope of the Diversity, Equity, and Inclusion (DEI) Program Proposal. Councilmember O’Cain seconded. VOTE: 7 yes, 0 no, 0 Abstain. MOTION CARRIES.

City Manager Rob Karlinsey noted that a consultant would like to conduct a 3-hour DEI training with the Council. The Council will tentatively meet for the training on December 14.

C. Update to the 2017 Integrated Aquatic Vegetation Management Plan (IAVMP) and renewal of the City's Aquatic Plant and Algae Management General Permit with Washington State Department of Ecology, presented by the Environmental Services Director Richard Sawyer, *for Discussion*

Environmental Services Director Richard Sawyer Director presented an update to the 2017 Integrated Aquatic vegetation Management Plan. The presentation materials are available as part of the agenda packet.

The Council advocated for mixed approaches to target nuisance vegetation. Specific methods of interest included suction dredging and weevil biocides. Mr. Sawyer noted that a public hearing on the plan is scheduled for the near future.

D. Financial Report for 3rd Quarter, presented by Finance Director Joanne Gregory, *for Review*

Finance and Administration Director Joanne Gregory summarized the 3rd Quarter Financial Report.

STAFF REPORTS

City Manager Rob Karlinsey explained that the City was pleased to screen many highly qualified applications for the Finance & Administration Director position. The City is currently negotiating the position terms with the finalist.

ADJOURNMENT

Mayor Baker adjourned the special meeting at 10:16 p.m.

David Baker, Mayor

ATTEST:

Anastasiya Warhol, City Clerk

Subject/Topic: Cascadia Law Group, PLLC Contract Proposed Council Action/Motion: Authorize City Manager to execute Contract No. 20-C2229, with Cascadia Law Group, PLLC to Provide Special Council on Heavy Manufacturing Business Activities	For Council Meeting Agenda of: <u>November 23, 2020</u> Department: <u>Development Services</u> Prepared by: <u>Bryan Hampson, Director</u> Initial & Date Approved by Department Head: <u>BH 11/18/20</u> Approved by City Attorney: _____ Approved by Finance Director: _____ Approved by City Manager: _____ Exhibits/Attachments: None
INFORMATION/BACKGROUND: Air quality issues, associated with the operation of the Cadman asphalt plant, located at 6431 NE 175th St, Kenmore, Washington, has been a concern of several citizens for many years, possibly as far back and prior to the City's incorporation in 1998. Up to October 2014, the City would refer air quality complaints directly to the Puget Sound Clean Air Agency (PSCAA), who's responsibility it is to regulate air quality. Because of the frequent delay in PSCAA's response to odor complaints in Kenmore, on October 13, 2014, the City Council authorized the City Manager to enter an Interlocal Agreement with PSCAA to respond to and document odor complaints in Kenmore. This Interlocal Agreement is currently in effect through June 30, 2022. Over the past 6 years the City has responded to dozens of odor complaints regarding the air quality issues associated with the asphalt plant. At least one occurrence has resulted in PSCAA issuing a Notice of Violation on the plant. Last year the City was informed by PSCAA that Cadman may have modified some equipment or their method of operations enough to trigger a new Notice of Construction (NOC) permit. An NOC is the operating permit, issued and managed by PSCAA, the business, in this situation the asphalt plant, is required to adhere to. The NOC permitting process includes a public comment period, which allows the public, including the City, to submit input before PSCAA makes a final decision. On September 21, 2020 at a public Council meeting, the City Council directed the City Manager to ask Cadman if they would allow the City to collect air quality samples and conduct emissions testing at the Kenmore, asphalt plant. On October 26, 2020 the City learned that Cadman had conducted its own emissions test on October 1, 2020. On November 11, 2020 the City received a copy of the emissions test performed on October 1, 2020. As a result, the City needs to hire specialized legal counsel and air experts to review the emissions test report(s) and respond to PSCAA's Notice of Construction permit.	

Cascadia Law Group will provide the necessary legal services needed and may hire a special air expert as a subcontractor to provide technical analysis of issues associated with the emissions testing and Notice of Construction permit under review by PSCAA.
FISCAL CONSIDERATION: The Contract is for a sum not to exceed \$100,000
COUNCIL GOAL/BUDGET OBJECTIVE BEING ADDRESSED: Sustainable, healthy environment and the preservation of natural resources.



**City Council Business Agenda Item
City of Kenmore, WA**

Subject/Topic: Public hearing, Discussion, and Action to allow indoor storage as a temporary use for a property located at 15036 70th Avenue NE which is owned by the Northshore Fire District and zoned Public/Semi-Public, subject to conditions. Proposed Council Action/Motion: Motion to allow indoor storage as a temporary use at real property located at 15036 70th Avenue NE, Kenmore, Washington, which is owned by the Northshore Fire District and zoned Public/Semi-Public, subject to conditions.	For Council Meeting Agenda of: <u>November 23, 2020</u> Department: <u>Development Services</u> Prepared by: <u>Bryan Hampson, Development Services Director</u> <table border="0" style="width: 100%;"> <tr> <td></td><td style="text-align: right;"><u>Initial & Date</u></td></tr> <tr> <td>Approved by Department Head:</td><td style="text-align: right;">BH 11/5/2020</td></tr> <tr> <td>Approved by City Attorney:</td><td style="text-align: right;">_____</td></tr> <tr> <td>Approved by Finance Director:</td><td style="text-align: right;">_____</td></tr> <tr> <td>Approved by City Manager:</td><td style="text-align: right;">_____</td></tr> </table> Exhibits/Attachments: Exhibit A: 2015 Approval letter with attachments; and Exhibit B: Vicinity Map.		<u>Initial & Date</u>	Approved by Department Head:	BH 11/5/2020	Approved by City Attorney:	_____	Approved by Finance Director:	_____	Approved by City Manager:	_____
	<u>Initial & Date</u>										
Approved by Department Head:	BH 11/5/2020										
Approved by City Attorney:	_____										
Approved by Finance Director:	_____										
Approved by City Manager:	_____										
<u>INFORMATION/BACKGROUND:</u> The property located at 15036 70th Avenue NE Kenmore, WA 98028; King county parcel number 364910-0122 ("subject property") is zoned Public/Semi-Public ("PSP") and owned by the King County Fire District #16 ("Northshore Fire Department" or the "District"). The property contains an existing 1,842 square foot building and is often referred to as "the old fire station," because 26 years ago it was an operational fire station (Fire Station #54), staffed mostly by District volunteers. In 1994, the old fire station was vacated and thereafter the space was leased by nonprofits like the YMCA, for youth programs. When the YMCA terminated its lease with the District, the building sat vacant until May 2015 when the space was leased by Michael Klebeck for storage (prior to moving to the old fire station, Mr. Klebeck leased storage space from the city at Kenmore Village). Kenmore City Council ("Council") approved a temporary use permit to allow indoor storage from May 15, 2015 to May 14, 2016. From then to Council approval in 2019, the use continued without renewal. On November 12, 2019, Council approved a one-year renewal which was valid from November 15, 2019 to November 15, 2020. The Kenmore Municipal Code (KMC) does not identify the indoor storage use as permitted, conditionally permitted or prohibited in the PSP zone (KMC 18.27.020). Since the code is silent on indoor storage use in the PSP zone, a temporary use permit is a mechanism by which the city may allow it, provided that the use can be made compatible for periods of limited duration. Per KMC 18.100.120, temporary use permits shall not exceed 90 days unless approved by City Council. A temporary use permit may be renewed for additional periods up to one year at Council's discretion, following a public hearing. The District continues to evaluate future use of the property and is committed to using the building in a way that is compatible with the surrounding residential area. The temporary use of the space ensures that property holding costs to the District are offset by revenue generated by the lease. In addition, the temporary use will ensure that the property grounds are well maintained. Typically, temporary use permits are renewed for a one-year period, however, to ensure consistency with other temporary use permits, this renewal request is for a											

period of approximately 14 months.

Development Services recommends the following conditions for the temporary use permit:

- Storage is only permitted inside the structure;
- No alcohol or other hazardous materials shall be stored in the facility;
- The building shall be equipped with a monitored alarm system;
- The grounds shall be maintained at the current level of care; and
- Visits to the site for pick up and drop shall be infrequent (approximately once per week) and limited to daytime hours;
- The renewal will be valid for November 15, 2020 to January 01, 2022.

Staff recommends approval as the requested temporary use permit meets the decision criteria of KMC 18.100.125.A-C, as the temporary use i) will not be materially detrimental to the public welfare; ii) is compatible with existing land uses in the immediate vicinity in terms of noise and house of operation; and iii) provides adequate parking.

FISCAL CONSIDERATION:

There is no cost to the City for this action. Having the building temporarily leased by a reliable tenant provides the revenue to the Fire District while future use of the property is evaluated.

COUNCIL GOAL/BUDGET OBJECTIVE BEING ADDRESSED:

Continue to implement the Economic Development Strategy.



City Council Business Agenda Item
City of Kenmore, WA

Subject/Topic: Public hearing, Discussion, and Action to allow “Construction and Trade” as a temporary use for Interim Public Works Shop for a one-year period for a property located at 6532 NE Bothell Way which is owned by City of Kenmore and zoned Downtown Commercial, subject to conditions. Proposed Council Action/Motion: Motion to allow “Construction and Trade” as a temporary use for Interim Public Works Shop for a one-year period at real property located at 6532 NE Bothell Way, Kenmore, Washington, which is owned by City of Kenmore and zoned Downtown commercial, subject to conditions.	For Council Meeting Agenda of: <u>November 23, 2020</u> Department: <u>Development Services</u> Prepared by: <u>Bryan Hampson, Development Services Director</u> <u>Initial & Date</u> Approved by Department Head: <u>BH 11/5/2020</u> Approved by City Attorney: _____ Approved by Finance Director: _____ Approved by City Manager: _____ Exhibits/Attachments: Exhibit A: Project Narrative and Justification. Exhibit B: Site location map
<u>INFORMATION/BACKGROUND:</u> Starting on January 1, 2019, the City of Kenmore has been providing in-house public works services. The City has not been able to find a permanent location for a Public Works Shop, which is considered a “Construction and Trade” use, per the zoning code (KMC 18.20.590). A city-owned property located at 6532 NE Bothell Way (“subject property”) was identified as a temporary location for the Public Works shop and was approved as a temporary use by Council on November 13, 2018 for one year from January 1, 2019 to January 2, 2020 and subsequently approved for an additional year on December 9, 2019. The subject property is zoned Downtown Commercial (DC) and does not contain any environmentally critical areas or buffers. Per KMC 18.25.020, “Construction and Trade” uses are prohibited use in the DC zone. However, the use is allowed on a temporary basis through a Temporary Use Permit (KMC 18.100.100). Temporary Use Permits are a mechanism by which the City may permit a use otherwise not permitted in the zone. Temporary Use Permits that exceed 90-days require a public hearing and City Council approval for up to one year; a temporary use permit may be renewed for additional periods up to one year at Council’s discretion, following a public hearing. The Public Works Operation Division has requested a one-year renewal of the temporary use permit while the City continues to evaluate potential sites to locate the permanent public works shop. Development Services recommends the following conditions for the temporary use permit: • The existing black chain link fence with privacy screening must remain for the duration of the use; • The landscaping installed along the perimeter of the property fronting Bothell Way and 67th Ave NE	

- must remain in good condition for the duration of the use;
- The one-year renewal will be valid for January 1, 2021 to January 1, 2022.

Staff recommends approval as the requested temporary use permit meets the decision criteria of KMC 18.100.125.A-C, as the temporary use i) will not be materially detrimental to the public welfare; ii) is compatible with existing land uses in the immediate vicinity in terms of noise and house of operation; and iii) provides adequate parking. City Council can take action on the temporary use following a public hearing.

FISCAL CONSIDERATION:

Having the Public Works shop at this location allows staff adequate time to locate and negotiate a permanent location.

COUNCIL GOAL/BUDGET OBJECTIVE BEING ADDRESSED:

Continue to implement the Economic Development Strategy.

**CITY OF KENMORE
WASHINGTON
RESOLUTION NO. 20-359**

**A RESOLUTION OF THE CITY COUNCIL OF KENMORE,
WASHINGTON, MAKING A DECLARATION OF SUBSTANTIAL
NEED FOR PURPOSES OF SETTING THE LIMIT FACTOR FOR
THE PROPERTY TAX LEVY FOR 2021**

WHEREAS, RCW 84.55.010 provides that a taxing jurisdiction may levy taxes in an amount no more than the limit factor multiplied by the highest levy of the most recent three years plus additional amounts resulting from new construction and improvements to property, newly constructed wind turbines, and any increase in the value of State-assessed utility property;

WHEREAS, under RCW 84.55.005(2)(c), the limit factor for a taxing jurisdiction with a population of 10,000 or over is the lesser of 101 percent or 100 percent plus inflation;

WHEREAS, RCW 84.55.005(1) defines “inflation” as the percentage change in the implicit price deflator for personal consumption expenditures for the United States as published for the most recent 12-month period by the Bureau of Economic Analysis of the federal Department of Commerce in September of the year before the taxes are payable;

WHEREAS, “inflation” for 2021 is 0.60152 percent and the limit factor is 100.60152 percent;

WHEREAS, RCW 84.55.0101 provides for use of a limit factor of 101.00 percent or less with a finding of substantial need by a majority plus one Councilmembers;

WHEREAS, due to 2020 COVID19 Pandemic impacts on future revenues and expenditures, current and future increases in general operation, maintenance, and contract service expenditures as well as the need for capital improvements for parks, recreation, transportation, and safety;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF KENMORE, WASHINGTON, DOES RESOLVE AS FOLLOWS:

Section 1. A finding is made of substantial need under RCW 84.55.0101, which authorizes the use of a limit factor of 101.00 percent for the property tax levy for 2021.

PASSED BY THE CITY COUNCIL OF THE CITY OF KENMORE, WASHINGTON, AT A REGULAR MEETING THEREOF THIS 23rd DAY OF NOVEMBER, 2020.

CITY OF KENMORE

David Baker, Mayor

ATTEST/AUTHENTICATED:

Anastasiya Warhol, City Clerk

[illegible]

FISCAL CONSIDERATION:

Details of proposed revenue and expenditure adjustments accompany the agenda bill presented to the City Council on November 9, 2020 which is attached.

COUNCIL GOAL/BUDGET OBJECTIVE BEING ADDRESSED:

Per RCW 35A the budget is the legal authority to expend public funds and controls those expenditures by setting the amount of the appropriation at the fund level by ordinance.

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City Council Business Agenda Item
City of Kenmore, WA

Subject/Topic: Amendments to the 2019-2020 Biennial Budget Proposed Council Action/Motion: Review Amendments to the 2019-2020 Biennial Budget	For Council Meeting Agenda of: November 9, 2020 Department: Finance and Administration Prepared by: Joanne M. Gregory, Finance and Administration Director Approved by Department Head: <u>Jmg</u> <u>10-20-20</u> Approved by City Attorney: <u>Jmg</u> <u>10-30-20</u> Approved by Finance Director: <u>Jmg</u> <u>10-30-20</u> Approved by City Manager: <u>RJK</u> Exhibits/Attachments: Attachment to be provided the week of November 2, 2020
<u>INFORMATION/BACKGROUND:</u> On November 19, 2018, the City of Kenmore City Council adopted the 2019-2020 biennial budget. The city-wide budget was amended on November 25, 2019 during the Mid Biennium Review. The amended budget includes revenue (\$114,710,315) and expenditure (\$111,548,939) projections for both years which support the City Council priorities, departmental work programs, various municipal obligations, as well as Federal and State mandates. Prior to the close of 2020, which will conclude the 2019-2020 biennial budget period, it is important to review all funds' budgets, consider actions taken by the City Council since the last budget amendment, consider any significant unappropriated expenditures, and adjust fund budgets accordingly so as not to exceed approved legal appropriations. Amendments to the General Fund, Public Art Fund, Park Capital Fund, Transportation Capital Fund, and the Strategic Opportunities Fund will be recommended and details will be provided prior to and at the Council meeting. In the General Fund, the most significant adjustments are due to the pandemic and the award of Coronavirus Relief Funds (CRF) to be applied as reimbursement of significant pandemic related costs. Following Council's direction on the proposed budget amendments, an Ordinance to formally amend the budget will be presented for approval on November 23, 2020.	

FISCAL CONSIDERATION:

Details of proposed revenue and expenditure adjustments will be uploaded prior to November 9, 2020.

COUNCIL GOAL/BUDGET OBJECTIVE BEING ADDRESSED:

Per RCW 35A the budget is the legal authority to expend public funds and controls those expenditures by setting the amount of the appropriation at the fund level by ordinance.

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2019-2020 Schedule of 2020 Year End Recommended Budget Adjustments		Current 2019-2020 Amended Budget	Recommended Budget Amendments	2019-2020 Amended Budget
Fund: 001 - General Fund				
Revenue			increase (decrease)	
001.000.36700004	Lakepointe Reimbursements	500,000	(399,238)	100,762
	Reduce anticipated project reimbursements to actual; project was discontinued			
001.000.33321010	Corona Virus Relief Fund Grant - King Co	0	35,615	35,615
	Recognize King Co distribution of CARES CRF Funds			
001.000.33321011	Corona Virus Relief Fund Grant - Commerce Dept	0	1,049,000	1,049,000
	Recognize State Commerce Dept allotment of CARES CRF Funds to Kenmore			
Expenditures			increase (decrease)	
001.xxx various	Various Pandemic Expenditures, Grants, Business Assistance	0	1,084,615	1,084,615
	Technology, Personal Protective Supplies, Small Business and Human Services Grants, Payroll Costs and various unbudgeted expenditures related to the Pandemic			
1.059.55850.4912	Lakepointe Development Costs	500,000	(399,238)	100,762
	Reduce expenditures; project was discontinued			
Fund: 001 - General Fund		NET INCREASE/(DECREASE)		0
Fund: 110 - Public Art Fund				
Revenues			increase (decrease)	
110.000.39700303	Transfer from Park Capital Fund	0	69,473	69,473
	1% for Art for Rhododendron Park, Squires Landing and Log Boom Park; approved by City Council 6/22/20			
110.000.39700300	Transfer from Transportation Capital Fund	0	65,000	65,000
	1% for Art for 68th Ave Ped & Bicycle Safety Project approved by City Council 6/22/20			
Fund 110 - Public Art Fund		NET INCREASE/(DECREASE)		134,473
Fund: 303 - Park Capital Fund				
Revenue			increase (decrease)	
303.000.39700046	Transfer from Strategic Opp Fund	0	660,000	660,000
	Advance to provide interim project funding for the Rhododendron Park Boathouse project until Northshore School District contribution (\$250K) and private foundation fundraising (\$400K) can be obtained			
Expenditures				
303.000.59700110	Transfer to Public Art Fund	0	69,473	69,473
	1% for Art for Rhododendron Park, Squires Landing and Log Boom Park; approved by City Council 6/22/20			
Fund: 303 - Park Capital Fund		NET INCREASE/(DECREASE)		590,527

2019-2020 Schedule of 2020 Year End Recommended Budget Adjustments		Current 2019-2020 Amended Budget	Recommended Budget Amendments	2019-2020 Amended Budget
Fund: 300 - Transportation Capital Fund				
Revenue			increase (decrease)	
300.000.33320010	Highway Safety Improvement Program Grant Grant funding secured for projects T48 and T49 (Local Road Safety - Signing and Lighting)	0	380,000	360,000
Expenditures				
300.000.59569.6722	T48 2018 Local Road Safety-Signing To establish 2020 budget for new Transportation Project expected expenditures Project primarily funded by WSDOT Highway Safety Improvement Program	0	67,000	67,000
300.000.59569.6723	T49 2018 Local Road Safety -Lighting To establish 2020 budget for new Transportation Project expected expenditures Project primarily funded by WSDOT Highway Safety Improvement Program	0	2,500	2,500
300.000.59700.0110	Transfer to Public Art Fund 1% for Art for 68th Ave Ped & Bicycle Safety Project approved by City Council	0	65,000	65,000
Fund: 300 - Transportation Capital Fund			NET INCREASE/(DECREASE)	245,500
Fund: 046 - Strategic Opportunity Fund				
Expenditures			increase (decrease)	
046.000.59700.0303	Transfer to Park Capital Fund. Advance to provide interim project funding for the Rhododendron Park Boathouse project until Northshore School District contribution (\$250K) and private foundation fundraising (\$400k) can be obtained	0	660,000	660,000
Fund: 046 - Strategic Opportunity Fund			NET INCREASE/(DECREASE)	(660,000)

**CITY OF KENMORE
WASHINGTON
ORDINANCE NO. 20-0514**

AN ORDINANCE OF THE CITY OF KENMORE, WASHINGTON, RELATING TO THE 2019-2020 BUDGET; AMENDING THE 2019-2020 BUDGET, TO ADJUST REVENUES AND APPROPRIATIONS FOR THE GENERAL FUND, THE PUBLIC ART FUND, THE PARK CAPITAL FUND, THE TRANSPORTATION CAPITAL FUND, AND THE STRATEGIC OPPORTUNITIES FUND; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Council (the “Council”) of the City of Kenmore, Washington, (the “City”), is required by applicable State law to finalize its biennial budget prior to the commencement of the first fiscal year of the biennium; and

WHEREAS, the amount of revenue and expenditures can only be estimated at the time of finalization of the budget; and

WHEREAS, by Ordinance No. 18-0474, the City Council adopted the 2019-2020 Biennial Budget on November 19, 2018; and

WHEREAS, by Ordinance No. 19-0500 the City Council amended the 2019-2020 Biennial Budget; and

WHEREAS, the City Council finds it in the best interest of the City to adjust revenues and expenditures in the General Fund, the Public Art Fund, the Park Capital Fund, the Transportation Capital Fund, and the Strategic Opportunities Fund;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF KENMORE, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Funds Appropriated. The 2019-2020 Biennial Budget is amended by fund to reflect the adjustments to revenues and appropriations as shown below:

FUND	2019-2020 Amended Revenue Budget	2020 Budget Amendment	2019-2020 Amended Revenue Budget
General Fund	\$ 26,477,871	\$ 685,377	\$ 27,163,248
Kenmore Village Fund	0	0	0
Strategic Reserve Fund	25,900	0	25,900
Strategic Opportunities Fund	1,031,000	0	1,031,000
Street Fund	4,634,778	0	4,634,778
Public Art Fund	2,063	134,473	136,536
Transportation Benefit District	718,000	0	718,000
UTGO 2016 Bond Fund	1,752,800	0	1,752,800
Transportation Capital Fund	23,863,257	380,000	24,243,257
Real Estate Excise Tax Fund	2,665,916	0	2,665,916
Walkways & Waterways Bonds	10,045,000	0	10,045,000
Park Capital Fund	5,419,847	660,000	6,079,847
Park Impact Fee Fund	491,864	0	491,864
Transportation Impact Fee Fund	1,981,991	0	1,981,991
Sammanish River Bridge Fund	22,088,296	0	22,088,296
Public Works Shop Fund	6500000	0	6,500,000
Surface Water Management Fund	4,127,000	0	4,127,000
Surface Water Capital Fund	2,702,450	0	2,702,450
Swamp Creek Basin Fund	40,000	0	40,000
Equipment Replacement Fund	142,282	0	142,282
TOTAL	\$ 114,710,315	\$1,859,850	116,570,165

FUND	2019-2020 Amended Expenditure Budget	2020 Budget Amendment	2019-2020 Amended Expenditure Budget
General Fund	\$ 28,526,871	\$ 685,377	\$ 29,212,248
Kenmore Village Fund	0	0	0
Strategic Reserve Fund	0	0	0
Strategic Opportunities Fund	0	660,000	660,000
Street Fund	4,634,778	0	4,634,778
Public Art Fund	21,000	0	21,000
Transportation Benefit District	716,000	0	716,000
UTGO 2016 Bonds	1,752,800	0	1,752,800
Transportation Capital Fund	23,880,759	134,500	24,015,259
Real Estate Excise Tax Fund	5,205,050	0	5,205,050
Walkways & Waterways Bonds	8,685,794	0	8,685,794
Park Capital Fund	4,221,119	69,473	4,290,592
Park Impact Fee Fund	467,000	0	467,000
Transportation Impact Fee Fund	1,216,663	0	1,216,663
Sammanish River Bridge Fund	22,088,296	0	22,088,296
Public Works Shop Fund	2000000	0	2,000,000
Surface Water Management Fund	4,879,709	0	4,879,709
Surface Water Capital Fund	2,704,100	0	2,704,100
Swamp Creek Basin Fund	400,000	0	400,000
Equipment Replacement Fund	149,000	0	149,000
TOTAL	\$ 111,548,939	\$ 1,549,350	\$ 113,098,289

The City Manager is hereby authorized and instructed to effectuate the necessary changes to the 2019-2020 Biennial Budget and to make any necessary and appropriate line item entries and adjustments in order to reflect the amendments of this ordinance.

Section 2. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be preempted by State or federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 3. Effective Date. This ordinance shall be published in the official newspaper of the City and shall take effect and be in full force five (5) days after the date of the publication.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 23rd DAY OF NOVEMBER, 2020.

CITY OF KENMORE

David Baker, Mayor

ATTEST/AUTHENTICATED:

Anastasiya Warhol, City Clerk

Approved as to form:

Dawn Reitan, City Attorney

2019-2020 Schedule of 2020 Year End Recommended Budget Adjustments		Current 2019-2020 Amended Budget	Recommended Budget Amendments	2019-2020 Amended Budget
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Fund: 046 - Strategic Opportunity Fund			NET INCREASE/(DECREASE)	(660,000)



**City Council Business Agenda Item
City of Kenmore, WA**

Subject/Topic: Adopting 2021 Property Tax Levy, Ordinance No. 20-0515 Proposed Council Action/Motion: Adopt Ordinance No. 20-0515 of the City of Kenmore, Washington, Relating to the 2021 Regular Property Tax Levy	For Council Meeting Agenda of: November 23, 2020 Department: Finance and Administration Prepared by: Joanne Gregory, Director of Finance and Administration <u>Initial & Date</u> Approved by Department Head: Jmg 11/13/20 Approved by City Attorney: _____ Approved by Finance Director: Jmg 11/13/20 Approved by City Manager: RK 11/13/20 Exhibits/Attachments: Presentation from October 19, 2020 Public Hearing Ordinance No. 20-0515 to be uploaded prior to the Council meeting
<u>INFORMATION/BACKGROUND:</u> The City Council has reviewed the proposed preliminary 2021-2022 Biennial Budget with public hearings held November 9 and November 16, 2020. A public hearing was held October 19, 2020 to receive public comment on the proposed 2021 tax levies. Since the date of the public hearing, the King County Assessor's estimate of the new construction levy has increased from \$45,000 to \$51,260 and the City's assessed valuation has decreased from \$5,293M to \$5,286,041,992. Adoption of the 2021 regular property tax levy is scheduled for November 23, 2020 along with adoption of the 2021 excess property tax levy for the voted Walkways and Waterways bonds, the proposed amendments to the 2019-2020 Biennial Budget and the adoption of the 2021-2022 Biennial Budget. The regular property tax levy ordinance specifies a levy request of \$5,391,000 which includes an increase of 0.60152% over 2020 (\$31920), estimated new construction of \$51,260, and relevel for prior year refunds of \$1,277. Since this is preliminary information from King County, the requested levy amount is rounded up to make sure it is not lower than the final determinations. Should the City Council choose not to increase the regular property tax levy by 0.60152%, and approve no (0%) increase to the levy, this would reduce the levy request to \$5,359,025 and the expected tax rate to \$1.014 per \$1,000 of AV.	

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FISCAL CONSIDERATION:

The 2020 property tax levy was \$5,306,488. For 2021 the City is allowed by statute to increase its levy by the lesser of one (1) percent or the percentage increase in the July IPD (Implicit Price Deflator). The IPD this year is 0.60152%.

The 2021-2022 preliminary budget, as proposed, includes a 0.60152% levy increase in 2021 which provides revenue of \$31,920 to the tax levy.

In summary and based on the updated preliminary assessment data from the King County Assessor, the proposed property tax levy for 2021 of \$5,391,000 will include an increase over last year's levy of 0.60152%, an increase for new construction taxes of \$51,260 and a relevel amount of \$1,277. With a slight decline in assessed valuation (AV) across the City, to \$5,286,041,992, the tax rate is expected to increase from \$1.003 in 2020 to \$1.019 per 1,000 of AV.

State law provides a program for senior citizens, disabled persons, and veterans that includes property tax exemptions and property tax deferrals. Basic qualifications include an annual household income under \$58,423; owning and occupying the property as principal residence for at least nine months per year; over the age of 61, disabled, or veteran with at least an 80% total disability rating. More information can be found on the King County Assessor's website or by calling 206-296-3920.

COUNCIL GOAL/BUDGET OBJECTIVE BEING ADDRESSED:

November 30, 2020 is the deadline for cities/towns using a biennial budget to certify to the county assessor the amount of property taxes to be levied for the second year of the biennium.

11/13/2020

City of Kenmore Public
Hearing on the
2021 Property and
Excess Tax Levies

CITY COUNCIL MEETING OCTOBER 19, 2020

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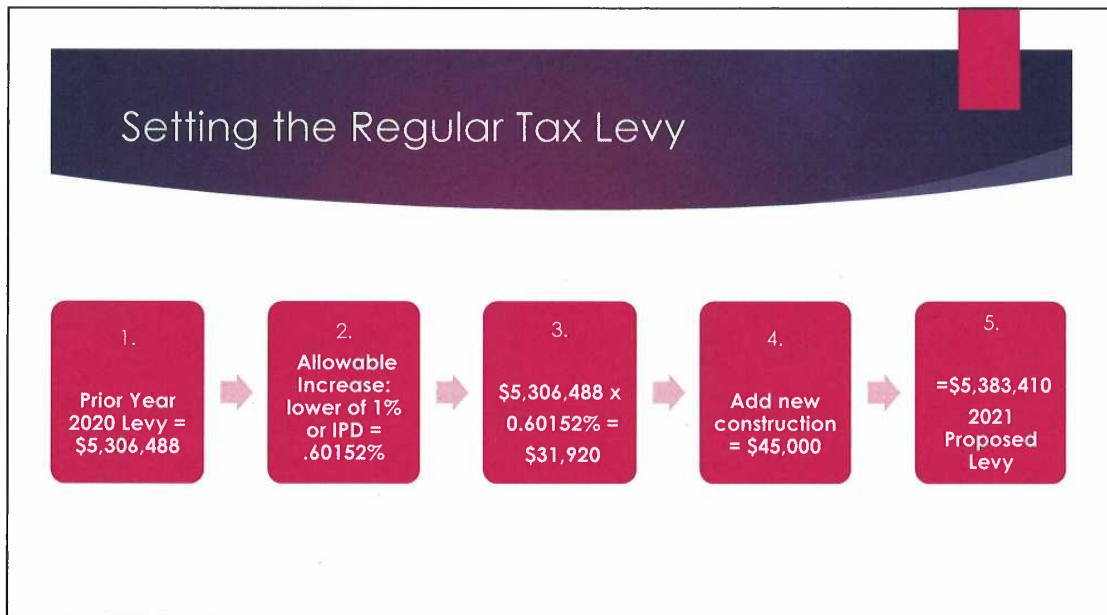
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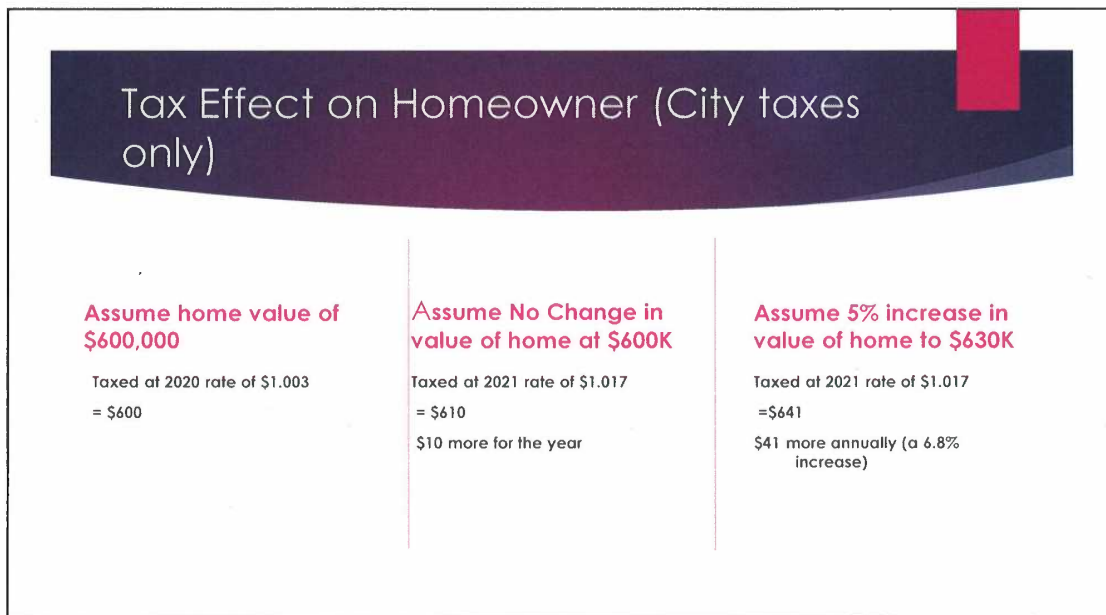
Levy Calculations

- ▶ As Proposed, 2021 Regular Property Tax Levy = **\$5,383,410**
- ▶ 1.45% Increase over 2020 Levy of \$5,306,488
 - ▶ **\$31,920** from .60152% Increase
 - ▶ **\$45,000** from new construction
- ▶ Total 2021prelim Assessed Valuation (AV)
 - ▶ \$5,293,216,698 a slight decrease from 2020
- ▶ Tax rate projected at \$1.017 per \$1,000AV
 - ▶ $5,383,410 / 5,293,216,698 \times 1000 = 1.017$
- ▶ Excess Tax Levy for W&W Bonds = \$9,220,000
- ▶ \$6,210,000 outstanding as of 12/31/2020
 - ▶ Prin & Interest due in 2021 = **\$531,100**
- ▶ 2nd Series of \$10M to be issued in 2021
 - ▶ Interest of **\$250,000** likely due
- ▶ Total resources needed = **\$781,100**
- ▶ Tax rate projected at
 - ▶ $781,100 / 5,293,216,698 \times 1000 = .147$

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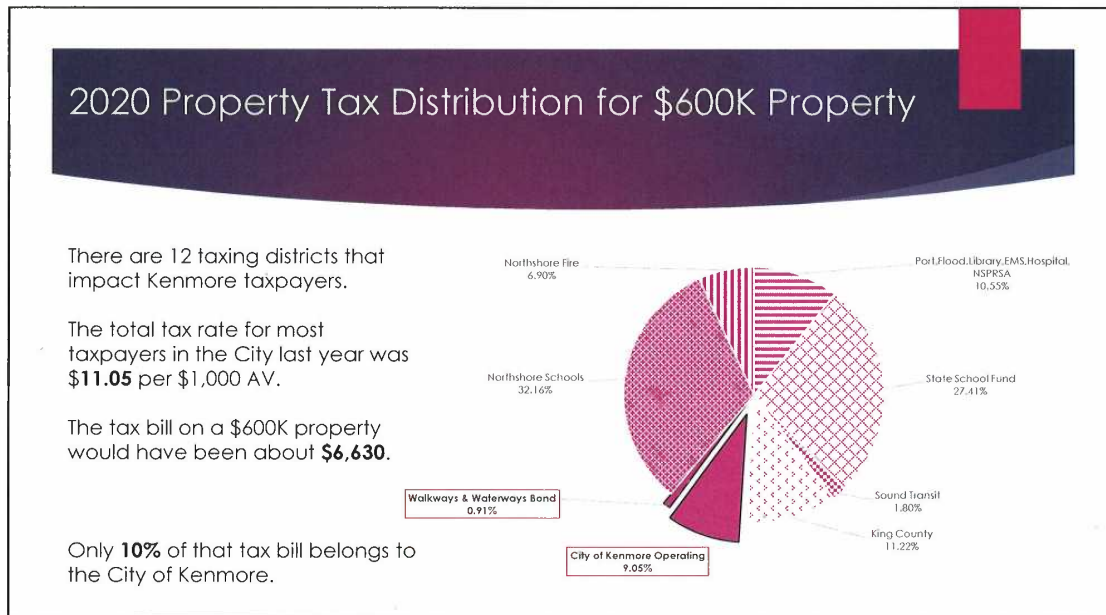
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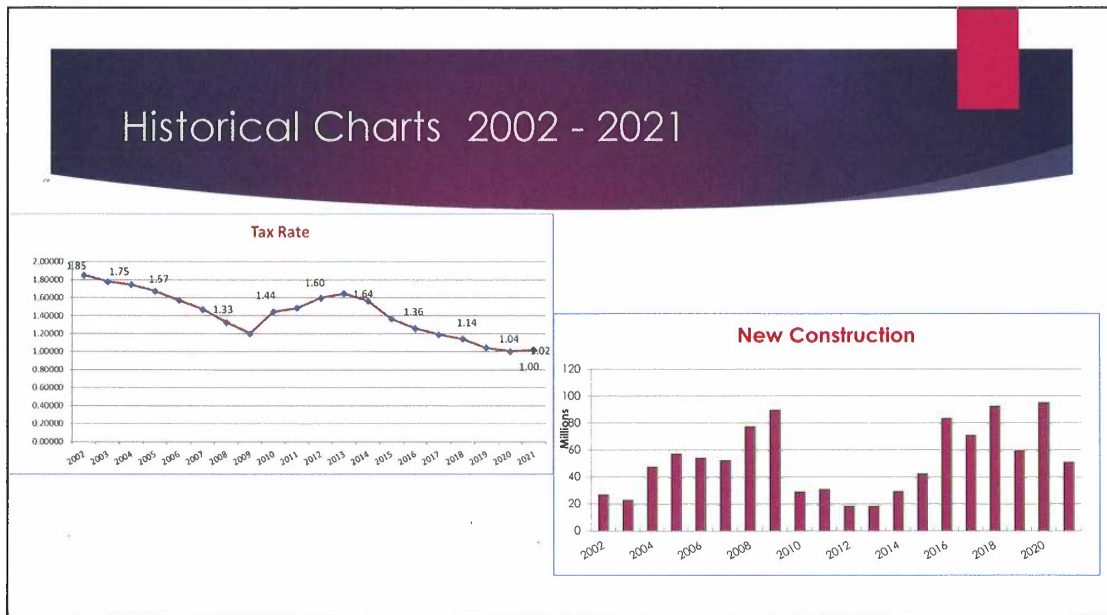
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11/13/2020

This concludes the presentation portion of
the Public Hearing on the 2021 Property Tax
Levies

- ▶ Next week:
- ▶ Presentation of 2021-2022 Proposed Biennial Budget:
 - ▶ Community Development
 - ▶ Public Works Engineering
 - ▶ Public Works Maintenance
 - ▶ Street Fund
 - ▶ Parks Capital Fund
 - ▶ Transportation Capital Fund
- ▶ Tax Levy Due for Adoption on November 23!
 - ▶ **THANK YOU! OPEN FOR PUBLIC COMMENTS AND QUESTIONS**

**CITY OF KENMORE
WASHINGTON
ORDINANCE NO. 20-0515**

**AN ORDINANCE OF THE CITY OF KENMORE, WASHINGTON,
RELATING TO THE 2021 REGULAR PROPERTY TAX LEVY;
PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN
EFFECTIVE DATE.**

WHEREAS, the City Council of the City of Kenmore, Washington, has met and considered its biennial budget for calendar years 2021-2022; and

WHEREAS, the City Council held Public Hearings on October 19, November 9, and November 16, 2020 to consider the City's general fund revenue sources and proposed budget pursuant to RCW 84.55.120; and

WHEREAS, after the Public Hearings, and after duly considering all relevant evidence and testimony presented, the City Council determined that the City of Kenmore requires an estimated regular tax levy in the amount of \$5,391,000 which includes a 0.60152% increase from the previous year and amounts resulting from the addition of new construction and improvements to property and any increase in the value of State-assessed property, and amounts authorized by law as a result of any annexations that have occurred and refunds made, in order to discharge the expected expenses and obligations of the City and in its best interest (the actual levy to be calculated by the King County Assessor's Office once the City's assessed value is certified by the Assessor);

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF KENMORE, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Regular Tax Levy. An increase in the regular property tax levy is hereby authorized for the 2021 levy in the amount of \$31,920 which is a 0.60152 percent (0.60152%) increase from the previous year. This increase is exclusive of additional revenue resulting from the addition of new construction and improvements to property and any increase in the value of State-assessed property, and any additional amounts resulting from any annexations that have occurred and refunds made.

Section 2. Transmittal. The City Clerk is directed to transmit a certified copy of this Ordinance to the Office of the Auditor of the State of Washington, Division of Municipal Corporations, to the King County Assessor, to the Clerk of the King County Council, and to any other agency required by law to receive a copy of this Ordinance.

Section 3. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be preempted by State or federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 4. Effective Date. This Ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 23rd DAY OF NOVEMBER 2020.

CITY OF KENMORE

David Baker, Mayor

ATTEST/AUTHENTICATED:

Anastasiya Warhol, City Clerk

APPROVED AS TO FORM:

Dawn Reitan, City Attorney

**CITY OF KENMORE
WASHINGTON
ORDINANCE NO. 20-0515**

**AN ORDINANCE OF THE CITY OF KENMORE, WASHINGTON,
RELATING TO THE 2021 REGULAR PROPERTY TAX LEVY;
PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN
EFFECTIVE DATE.**

WHEREAS, the City Council of the City of Kenmore, Washington, has met and considered its biennial budget for calendar years 2021-2022; and

WHEREAS, the City Council held Public Hearings on October 19, November 9, and November 16, 2020 to consider the City's general fund revenue sources and proposed budget pursuant to RCW 84.55.120; and

WHEREAS, after the Public Hearings, and after duly considering all relevant evidence and testimony presented, the City Council determined that the City of Kenmore requires an estimated regular tax levy in the amount of \$5,360,000 which includes a 0% increase from the previous year and amounts resulting from the addition of new construction and improvements to property and any increase in the value of State-assessed property, and amounts authorized by law as a result of any annexations that have occurred and refunds made, in order to discharge the expected expenses and obligations of the City and in its best interest (the actual levy to be calculated by the King County Assessor's Office once the City's assessed value is certified by the Assessor);

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF KENMORE, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Regular Tax Levy. An increase in the regular property tax levy is hereby authorized for the 2021 levy in the amount of \$0 which is a 0% (0 percent) increase from the previous year. This increase is exclusive of additional revenue resulting from the addition of new construction and improvements to property and any increase in the value of State-assessed property, and any additional amounts resulting from any annexations that have occurred and refunds made.

Section 2. Transmittal. The City Clerk is directed to transmit a certified copy of this Ordinance to the Office of the Auditor of the State of Washington, Division of Municipal Corporations, to the King County Assessor, to the Clerk of the King County Council, and to any other agency required by law to receive a copy of this Ordinance.

Section 3. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be preempted by State or federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 4. Effective Date. This Ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 23rd DAY OF NOVEMBER 2020.

CITY OF KENMORE

David Baker, Mayor

ATTEST/AUTHENTICATED:

Anastasiya Warhol, City Clerk

APPROVED AS TO FORM:

Dawn Reitan, City Attorney



City Council Business Agenda Item
City of Kenmore, WA

Subject/Topic: Adopting 2021 Excess Tax Levy for the Purpose of Paying Debt Service, Ordinance No. 20-0516 Proposed Council Action/Motion: Adopt Ordinance No. 20-0516 Setting 2021 Excess Property Tax Levy for the Purpose of Paying Debt Service on the Walkways and Waterways Bonds	For Council Meeting Agenda of: November 23, 2020 Department: Finance and Administration Prepared by: Joanne M. Gregory, Finance and Administration Director <table border="0"> <tr> <td></td><td style="text-align: right;"><u>Initial & Date</u></td></tr> <tr> <td>Approved by Department Head:</td><td style="text-align: right;">Jmg 11/13/20</td></tr> <tr> <td>Approved by City Attorney:</td><td></td></tr> <tr> <td>Approved by Finance Director:</td><td style="text-align: right;">Jmg 11/13/20</td></tr> <tr> <td>Approved by City Manager:</td><td style="text-align: right;">RK 11/13/20</td></tr> </table> Exhibits/Attachments: Ordinance No. 20-0516 to be uploaded prior to the Council meeting		<u>Initial & Date</u>	Approved by Department Head:	Jmg 11/13/20	Approved by City Attorney:		Approved by Finance Director:	Jmg 11/13/20	Approved by City Manager:	RK 11/13/20
	<u>Initial & Date</u>										
Approved by Department Head:	Jmg 11/13/20										
Approved by City Attorney:											
Approved by Finance Director:	Jmg 11/13/20										
Approved by City Manager:	RK 11/13/20										
<u>INFORMATION/BACKGROUND:</u> A presentation and public hearing was held October 19, 2020 regarding the recommended excess property tax levy for 2021. A public hearing was held November 9, 2020 on the preliminary proposed 2021-2022 Biennial Budget.											
<u>FISCAL CONSIDERATION:</u> An excess property tax levy is necessary for the 2021 repayment on the voted Walkways and Waterways bonds. In 2020 the City levied \$529,000 (approximately .10/1,000 Assessed Value) to cover the 2020 debt service payments of \$529,650. For 2021, principal and interest due on the 2016 bonds is \$531,000. The City expects to issue a second series of bonds in the amount of \$10M, already authorized by the voters, which may result in a 2021 interest payment of \$250,000. The total needed to be collected from the levy is \$781,100. This would result in a levy rate of approximately \$.147 per \$1,000 of assessed value. Ordinance No. 20-0516 to approve the excess property tax levy for 2021, in the amount of \$781,100 to satisfy debt service on the 2016 Unlimited Tax General Obligation Bonds and projected interest cost on 2021 Unlimited Tax General Obligation Bonds is recommended for adoption by the City Council. State law provides a program for senior citizens, disabled persons, and veterans that includes property tax exemptions and property tax deferrals. Basic qualifications include an annual household income under \$58,423; owning and occupying the property as principal residence for at least nine months per year; over the age of 61, disabled, or veteran with at least an 80% total disability rating. More information can be found on the King County Assessor's website or by calling 206-296-3920.											

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<u>COUNCIL GOAL/BUDGET OBJECTIVE BEING ADDRESSED:</u>
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November 30, 2020 is the deadline for cities/towns using a biennial budget to certify to the county assessor the amount of property taxes to be levied for the second year of the biennium.

**CITY OF KENMORE
WASHINGTON
ORDINANCE NO. 20-0516**

**AN ORDINANCE OF THE CITY OF KENMORE, WASHINGTON,
LEVYING AN EXCESS PROPERTY TAX LEVY FOR THE
PURPOSE OF PAYING DEBT SERVICE ON THE CITY'S
UNLIMITED TAX GENERAL OBLIGATION BONDS;
PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN
EFFECTIVE DATE.**

WHEREAS, at an election held in the City of Kenmore, Washington (the "City") on November 8, 2016, the City submitted the question to the qualified electors of the City of whether the City shall issue unlimited tax general obligation bonds in the aggregate principal amount of not to exceed \$19,750,000 ("Bond Authorization") to provide the funds to construct, develop, equip, upgrade, acquire, and improve arterial walkways and waterfront access in the City, including the acquisition of property, as identified in Exhibit A attached to Ordinance No. 16-0422 passed by the City Council on June 13, 2016; and

WHEREAS, the number and proportion of the qualified electors of the City required by law for the adoption thereof voted in favor of the Bond Authorization and the election results were certified by King County Elections, as *ex officio* supervisor of elections in King County, Washington, on November 29, 2016; and

WHEREAS, the City, pursuant to Bond Ordinance No. 16-0434, adopted by the City Council on November 21, 2016, issued and sold \$9,220,000 principal amount of Unlimited Tax General Obligation Bonds, 2016, and expects to issue the second and final series of unlimited tax general obligation bonds under the Bond Authorization in 2021 (together, the "Bonds"), and has determined that to provide the money necessary to pay the debt service requirement on the Bonds in the year 2021 an excess property tax levy in the amount of \$781,100 for the Bonds must be levied for collection in 2021;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF KENMORE, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Voter Approved Excess Tax Levy for Unlimited General Obligation Bonds. A tax is hereby levied to raise revenue for the purpose of debt service payments on the voter-approved unlimited tax general obligation Bonds for the fiscal year of 2021 in the amount of \$781,100 on all taxable property in the City of Kenmore, Washington.

Section 2. Transmittal. The City Clerk is directed to transmit a certified copy of this Ordinance to the Office of the Auditor of the State of Washington, Division of Municipal

Corporations, to the King County Assessor, to the Clerk of the King County Council, and to any other agency required by law to receive a copy of this Ordinance.

Section 3. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be preempted by State or federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 4. Effective Date. This Ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE
23rd DAY OF NOVEMBER, 2020.

CITY OF KENMORE

David Baker, Mayor

ATTEST/AUTHENTICATED:

Anastasiya Warhol, City Clerk

APPROVED AS TO FORM:

Dawn Reitan, City Attorney



City Council Business Agenda Item
City of Kenmore, WA

Subject/Topic:
 Adopting the 2021-2022 Biennial Budget and
 2021 Salary Plan, Ordinance No. 20-0517

For Council Meeting Agenda of: November 23, 2020

Department: Finance and Administration

Prepared by: Joanne M. Gregory, Finance and
 Administration Director

Initial & Date

Approved by Department Head: JMG 11/13/20

Approved by City Attorney:

Approved by Finance Director: JMG 11/13/20

Approved by City Manager: RK 11/13/20

Proposed Council Action/Motion:

Adopt Ordinance No. 20-0517 Approving a Biennial
 Budget for the Period January 1, 2021 through
 December 31, 2022, Establishing Appropriations of
 Funds for the 2021-2022 Biennium and Approving
 the 2021 Employee Salary Plan

Exhibits/Attachments:

November 9, 2020 Public Hearing Presentation

Ordinance No. 20-0517 to be uploaded prior to the
 Council Meeting

INFORMATION/BACKGROUND:

On October 12, 2020 the proposed preliminary 2021-2022 biennial budget was presented to the City Council. Public budget review sessions were conducted from October 19 through November 16, 2020. Public hearings were held to receive public comment and testimony on the tax levy and the proposed budget on October 19, November 9, and November 16, 2020.

The Ordinance No. 20-0517, as presented for adoption, reflects the 2021-2022 biennial budgets for all funds as directed, adjusted, and approved by the City Council as of the November 16, 2020 Public Hearing.

FISCAL CONSIDERATION:

The 2021-2022 Proposed Preliminary Biennium Budget presented to the City Council includes total revenues for the biennium of \$122,210,624 and total expenditures for the biennium of \$132,209,358.

The General Fund is balanced in that budgeted expenditures equal budgeted revenues. Other special revenue funds, debt service funds, capital funds, and enterprise funds utilize fund reserves to support restricted purposes, capital improvement programs and interfund transactions.

The proposed budget also includes a 1.0% wage adjustment for 2021 and 2022 for all city employees, with the 2021 recommendation of 1% based on the CPI W Seattle Index. Exhibit A to the Ordinance will establish positions and salary schedules for 39 regular full time, 5 regular part time, and 6 temporary City employees for 2021.

COUNCIL GOAL/BUDGET OBJECTIVE BEING ADDRESSED:

Washington State statutes require adoption of the budget prior to the beginning of the ensuing fiscal year.

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This Evening's Session:

- ✓ Receive public testimony:
- ✓ 2021-2022 Proposed Biennial Budget
- ✓ Review of Proposed 0.60152% tax levy increase

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Subsequent Meetings:

November 16

Final Public Hearing on 2021-2022
Biennial Budget

November 23

Adopt 2019-2020 Budget Amendments
Adopt 2021 Property Tax Levy
Adopt 2021 Excess Tax Levy
Adopt 2021-2022 Biennial Budget

3

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Budget Policy Direction

4

- ✓ Present a budget that supports and implements **City Council Goals** and considers the Results of Priority Based Budgeting
- ✓ Prepare a balanced operating budget that utilizes a **conservative** approach to both revenues and expenditures
- ✓ Present a budget that maintains many of the **discretionary reductions** taken as a result of the Pandemic
- ✓ Expect that financial operations, revenues and expenditures **may not return to normal** before 2022

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Changes since the last biennium

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- ✓ **In house Public Works fully operational**
 - ✓ Site still to be determined
- ✓ **Kenmore Business Incubator**
 - ✓ Transitioned away from City oversight
- ✓ **Expecting to issue \$10M Walkways & Waterways Bonds**
 - ✓ Providing for tax levy and debt service
- ✓ **Climate Action Plan**
 - ✓ Program plan and staffing
- ✓ **Human Resources Manager**
 - ✓ Including Diversity, Inclusion, Equity program
- ✓ **Pandemic!**
 - ✓ Loss of revenue, unbudgeted expenses

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A presentation slide with a dark blue background and a red square in the top right corner containing the number 6. The slide title is "2021-2022 Biennial Budget". Below the title, it lists "Two Components to City Operations": "Operating Revenues and Expenditures" and "Major Capital Expenditures and Resources". Each component has a list of sub-items with red arrowheads.

2021-2022 Biennial Budget

6

Two Components to City Operations

- ✓ **Operating Revenues and Expenditures**
 - ▶ General, Street
 - ▶ Other Special Revenue Funds (Public Art, TBD)
 - ▶ Debt Service Funds (for Bonds)
 - ▶ Enterprise & Internal Service Funds (Surface Water, Equipment Replacement)
- ✓ **Major Capital Expenditures and Resources**
 - ▶ Capital Improvement Program (CIP) adopted in October
 - ▶ Transportation, Parks, Surface Water, City Facility, and Capital Resource Funds (Impact Fees, REET, Bonds)

6

6

Significant Revenues-Operating Funds 7 Property Tax

- ✓ **Property Taxes- Biennium** **\$10,865,654**
 - 40% of total budgeted revenues
 - \$90,000 in new taxes from construction
 - Largest ongoing revenue source
 - Increase of 6% over 2019-2020
- ✓ **With Levy increase**
 - 2021 0.60152% = \$31,920 → \$1.017/\$1000 Levy rate
 - 2022 1.0% = \$53,834

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7

Property Taxes, Levy and Assessed Value

- ▶ As Proposed, 2021 Regular Property Tax Levy = **\$5,383,410**
- ▶ 1.45% Increase over 2020 Levy of \$5,306,488
 - ▶ **\$31,920** from .60152% Increase
 - ▶ **\$45,000** from new construction
- ▶ Total 2021 prelim Assessed Valuation (AV)
 - ▶ \$5,293,216,698 a slight decrease (\$65M or 1.2%) from 2020
 - ▶ Causes levy rate to rise slightly
- ▶ Tax rate projected at \$1.017 per \$1,000AV
 - ▶ **$5,383,410 / 5,293,216,698 \times 1000 = 1.017$**
 - ▶ (not including voted excess levy)

Tax Effect on Homeowner

(City of Kenmore Taxes Only)

9

- Assume 2020 home at \$700,000 (2020 Median is 638,000)
 - Taxed at 2020 rate of 1.003= **\$702**
- Assume 2021 **NO** CHANGE in value of home at \$700,000
 - Taxed at 2021 rate of 1.017 = **\$712** (\$10 More than 2020)
 - Levy rate is 0.014 higher than 2020
- Assume 2021 **5%** increase in value of home at \$735,000
 - Taxed at 2021 rate of 1.017 = **\$747** (\$45 More than 2020)

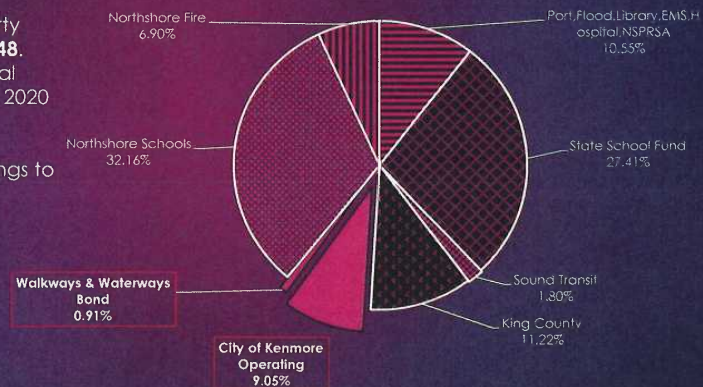
2020 Property Tax Distribution for \$638K Property

There are 12 taxing districts that impact Kenmore taxpayers.

The total tax rate for most taxpayers in the City last year was **\$11.05** per \$1,000 AV.

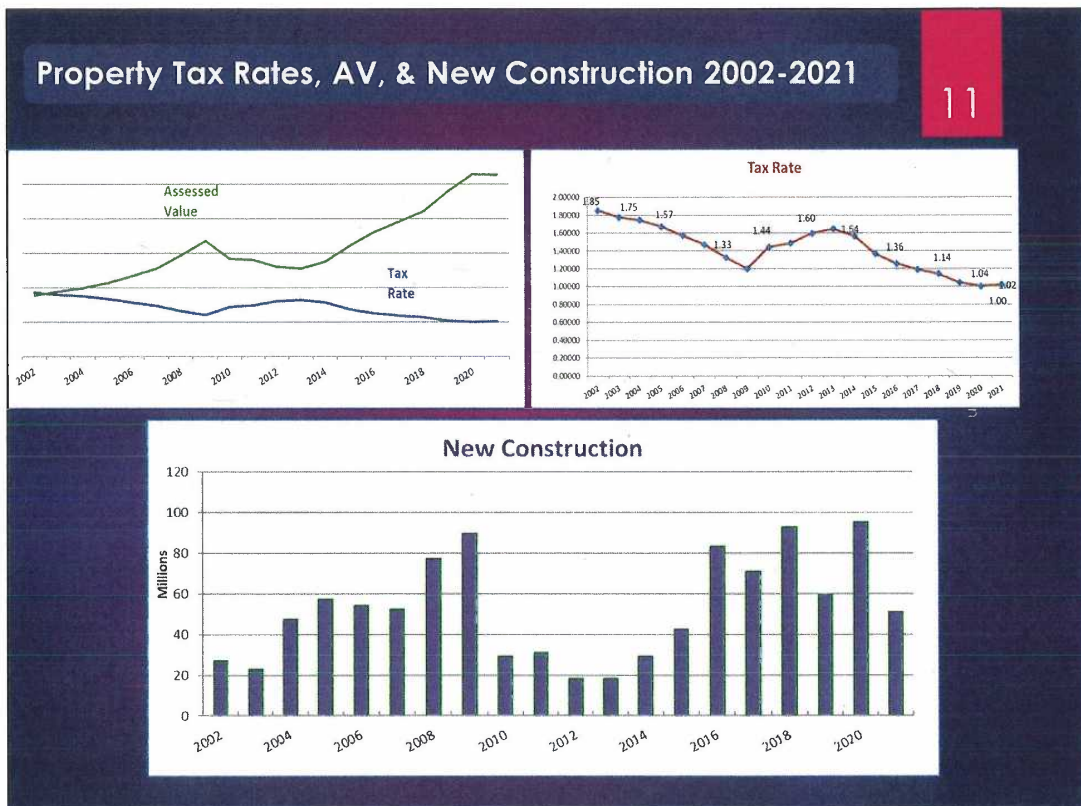
The tax bill on a \$638K property would have been about **\$7048**. \$638K is the median residential property value in Kenmore in 2020.

Only **10%** of that tax bill belongs to the City of Kenmore.



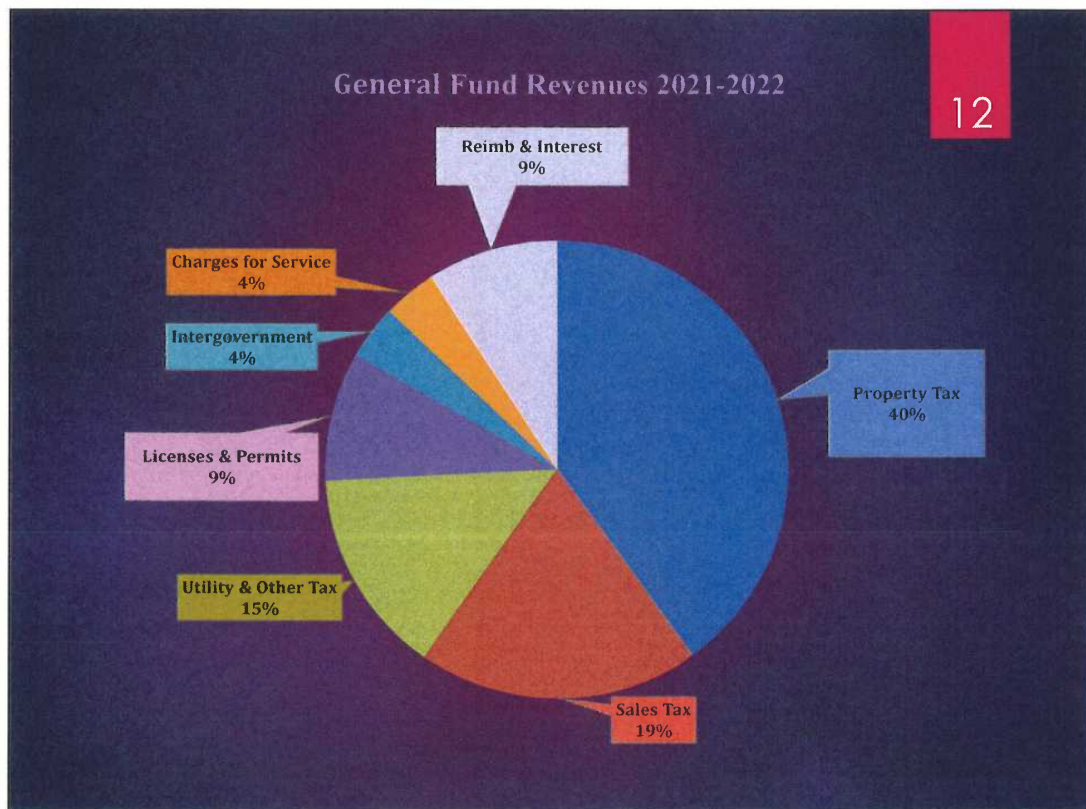
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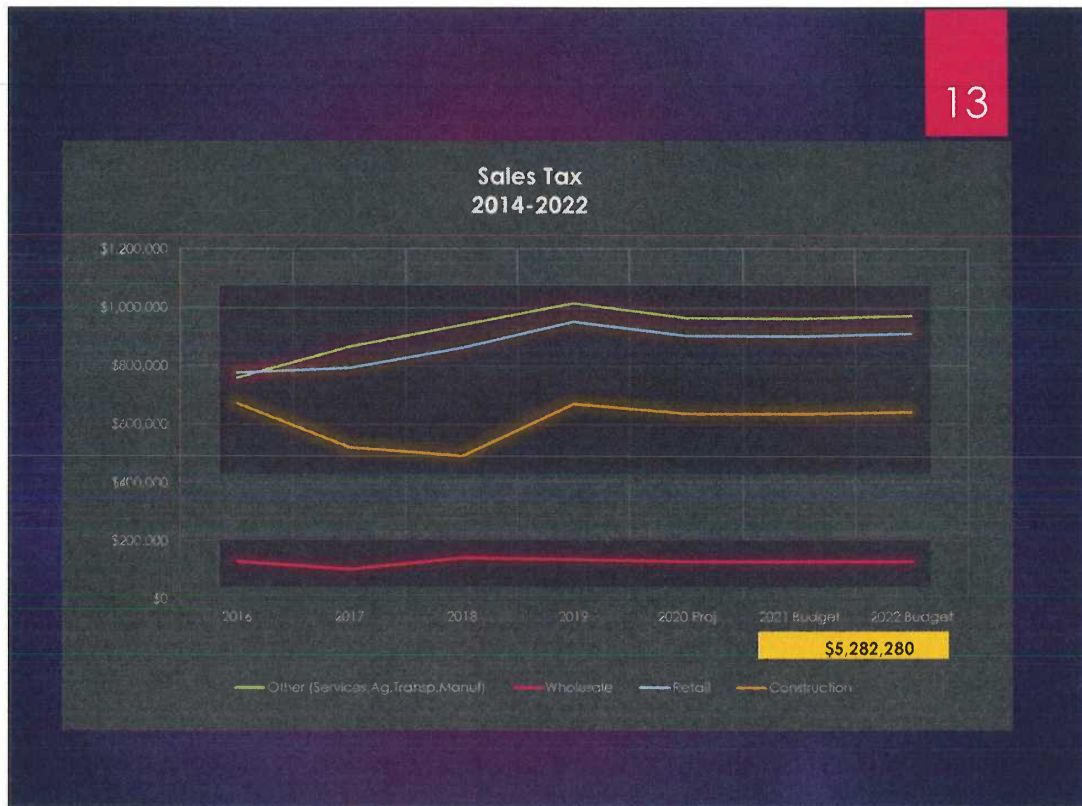
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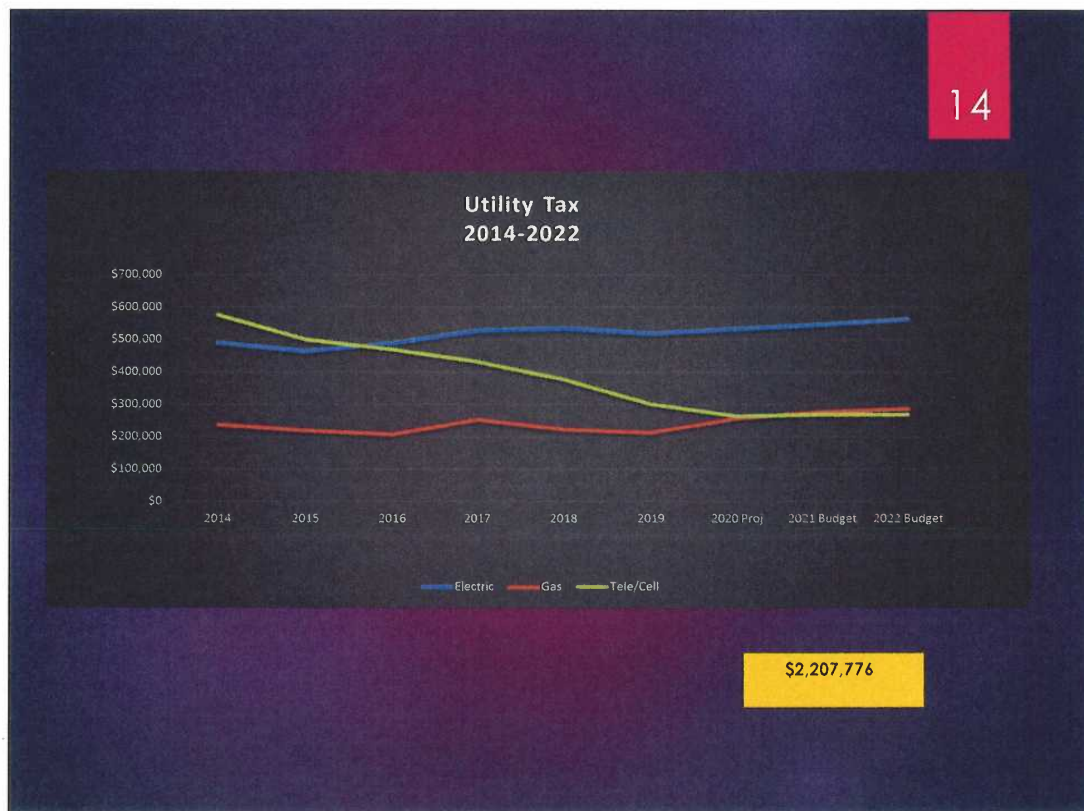
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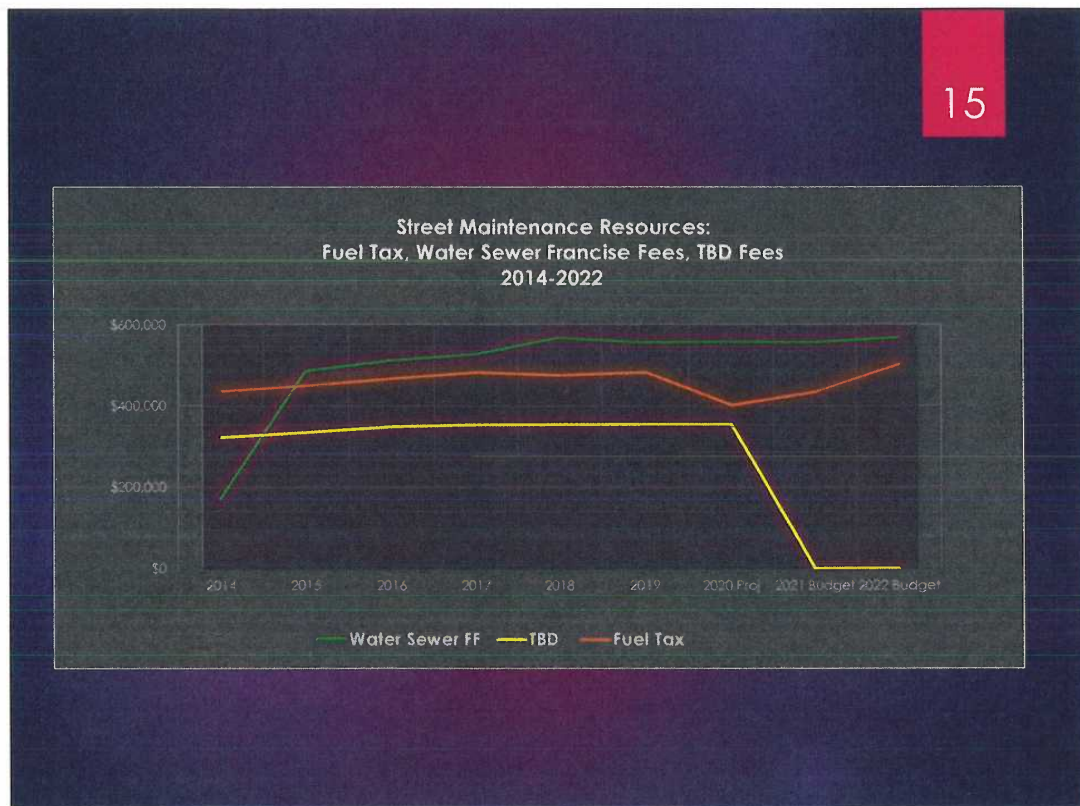
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Other Operating Revenues

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General Fund:

✓ Capital/Overhead Reimb	\$1,942,210
✓ Franchise Fees	1,746,569
✓ Criminal Justice Sales Tax	1,309,000
✓ Plan Review , Land Use	991,407
✓ Permit Revenue	708,675
✓ Liquor Board Taxes	639,151

Other Funds:

✓ Gas Tax Revenue (Street Fund) (-7%)	938,058
✓ TBD Fees (Transportation Benefit District)	0
✓ Surface Water Charges	5,013,610

16

16

Significant Cost Drivers: On-Going and Non Discretionary -2 year totals

17

- ✓ 10,894,000 Salaries & Benefits (General, Street Funds)
- ✓ 7,858,000 Police Contract
- ✓ 650,000 Jail and Court Services
- ✓ 565,000 Legal Services
- ✓ 724,000 Insurance
- ✓ 961,000 Utilities
- ✓ 477,000 Human Services Contributions (\$353K)
and ARCH (\$80K + Affordable Housing Sales Tax
\$44K)
- ✓ These costs comprise 72% of the total operating (general fund
and street fund) budget (\$30,395,937)

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New Positions/Salaries/Benefits

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Funded by General Fund:

- ▶ 1 FTE Human Resources Manager
- ▶ .5 FTE Development Services Administrative Assistant

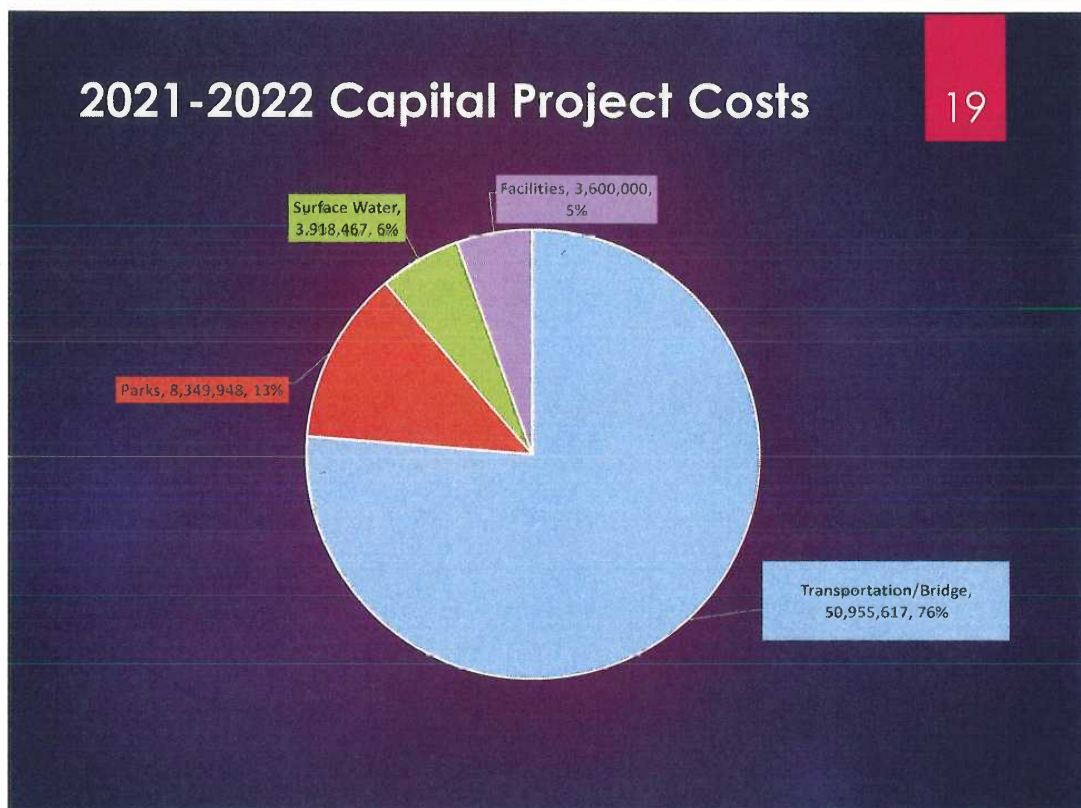
Funded by Surface Water/Strategic Opp Fund

- ▶ .5 FTE Administrative Assistant/.5 FTE Climate Action Plan Staff Support

Salary ranges budgeted to increase 1% each year and
Benefits to increase 5% (actual expected to be 4%)

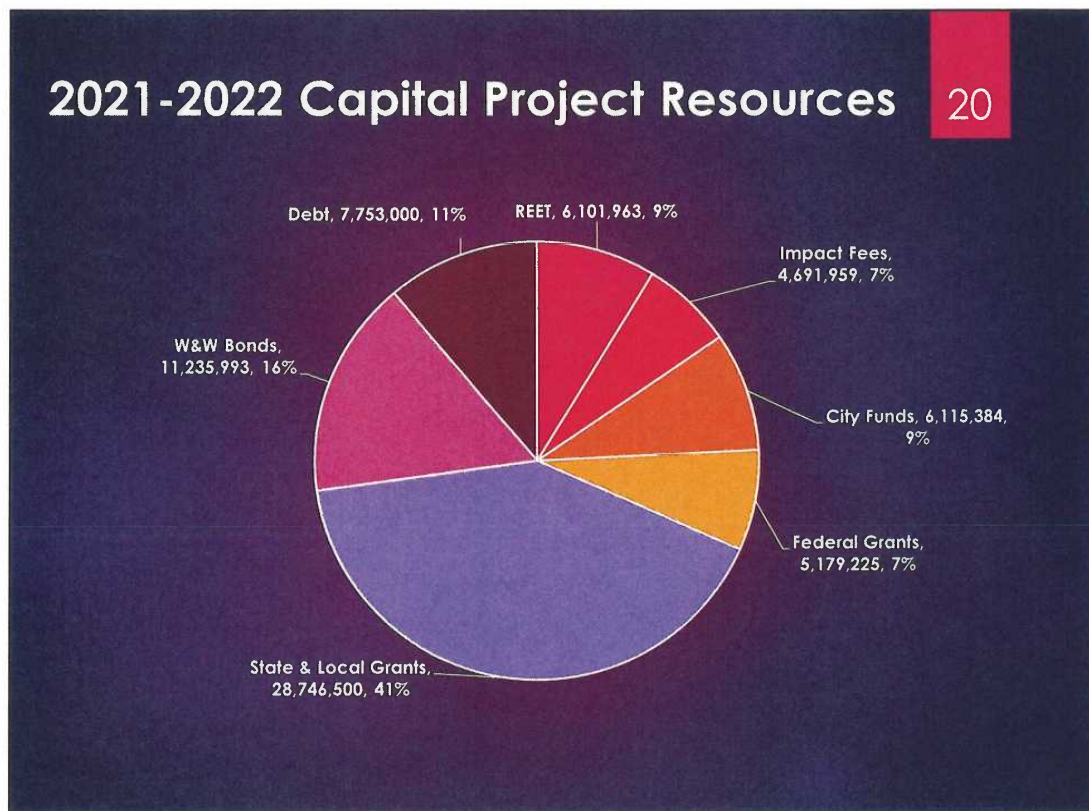
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Park Capital Projects

21

✓ P1 Twin Springs Interim Use	227,900
✓ P18 Rhododendron Park Waterfront Mitigation	26,000
✓ P18a Rhododendron Park Float Mitigation	4,000
✓ P26 Squires Landing Float Mitigation	8,000
✓ P27 Squires Landing Park Waterfront	5,496,081
✓ P28 Log Boom Park Waterfront	2,431,416
✓ P30 Rhododendron Park Boathouse	6,400
✓ P31 Squires Landing Park Land Acquisition	150,151

2021-2022 Biennial Total **\$8,349,948**

21

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Transportation Capital Projects

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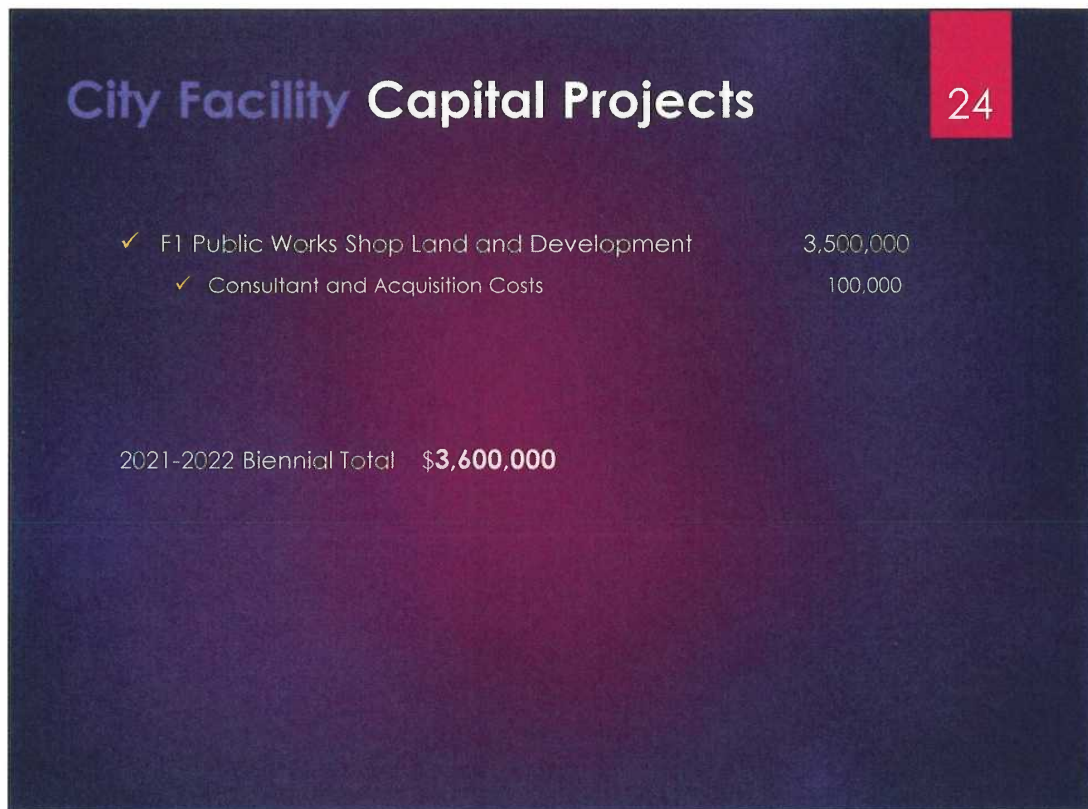
✓ T8 SR522 West B 57 th to 61 st	255,000
✓ T27 Sidewalk Gaps/ADA Replacement	50,000
✓ T27X NE 192 nd Ave Sidewalks 73 rd -75 th Ave	86,806
✓ T35 Pavement Preservation	1,140,000
✓ T37 W Samm Bridge	26,668,658
✓ T38 175 th St Swamp Creek Crossing	25,000
✓ T41 Juanita Drive Ped & Bicycle Safety	10,255,932
✓ T42 68 th Ave Ped & Bicycle Safety	11,901,221
✓ T44 61 st Ave Sidewalk Replacement Project	165,000
✓ T47 Arrowhead Dr Sidewalk	61,000
✓ T48 2018 Local Road Safety – Signing	292,000
✓ T49 2018 Local Road Safety – Lighting	35,000
✓ T50 SR522 Gateway Sign East	20,000

2021-2022 Biennial Total **\$50,955,617**

Surface Water Capital Projects		23
✓ SW8 190 th Fish Passable Culvert	2,390,580	
✓ SW8 Trust Fund Loan Repayments	163,300	
✓ SW20 Small Works Projects	150,000	
✓ SW31 Drainage Impr & Street Repair 66 th Ave NE/96 th	200,000	
✓ SW32 61 st Ave Stabilization	150,000	
✓ SW34 Blueberry Creek Culverts	200,000	
✓ SWM Components of Transportation Projects	664,587	
2021-2022 Biennial Total	\$3,918,467	

23

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24

24

Total Proposed City Budget-All Funds

25

<u>FUND</u>	2021	2022	2021-2022
	<u>Proposed</u>	<u>Proposed</u>	<u>Proposed Expenditure Budget</u>
General Fund	\$ 13,237,826	\$ 13,829,944	\$ 27,067,770
Strategic Reserve Fund	0	0	0
Strategic Opportunities Fund	430,000	1,633,503	2,063,503
Street Fund	1,641,631	1,686,536	3,328,167
Public Art Fund	143,973	500	144,473
Transportation Benefit District	0	0	0
UTGO 2016 Bonds	531,100	1,050,000	1,581,100
Transportation Capital Fund	19,668,451	4,618,508	24,286,959
Real Estate Excise Tax Fund	3,115,050	3,186,911	6,301,961
Walkways & Waterways Bonds	8,975,653	2,260,340	11,235,993
Park Capital Fund	4,914,790	3,635,158	8,549,948
Park Impact Fee Fund	449,495	379,917	829,412
Transportation Impact Fee Fund	3,458,848	358,699	3,817,547
Sammamish River Bridge Fund	18,024,711	8,643,947	26,668,658
Public Works Shop Fund	0	3,500,000	3,500,000
Surface Water Management Fund	3,302,945	4,518,453	7,821,398
Surface Water Capital Fund	822,650	3,095,817	3,918,467
Swamp Creek Basin Fund	325,984	319,562	645,546
Equipment Replacement Fund	264,000	184,456	448,456
TOTAL	\$ 79,307,107	\$ 82,902,251	\$ 132,209,358

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**This concludes the
Public Hearing on the
2021-2022 Proposed Preliminary
Biennial Budget**

26

QUESTIONS? COMMENTS?

**COPIES OF THE COMPLETE BUDGET ARE
AVAILABLE FOR REVIEW AT CITY HALL**

**AND REMEMBER THAT THE BUDGET MESSAGE
AND OTHER INTERESTING INFORMATION IS ON
THE WEB AT:**

WWW.CITYOFKENMORE.COM

26

26

**CITY OF KENMORE
WASHINGTON
ORDINANCE NO. 20-0517**

AN ORDINANCE OF THE CITY OF KENMORE, WASHINGTON, ADOPTING A BIENNIAL BUDGET FOR THE PERIOD JANUARY 1, 2021 THROUGH DECEMBER 31, 2022; ESTABLISHING APPROPRIATIONS OF FUNDS FOR THE 2021-2022 BIENNIUM; AND ESTABLISHING POSITIONS AND SALARY SCHEDULES FOR 2021; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, a Preliminary Proposed 2021-2022 Biennial Budget was submitted to the City Council and the City Clerk on October 5, 2020; and

WHEREAS, the City Council scheduled and held Public Hearings on the 2021 Tax Levy and Proposed 2021-2022 Biennial Budget on October 19, November 9, and November 16, 2020,

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF KENMORE, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Funds Appropriated. The Budget for January 1, 2021 through December 31, 2022 is appropriated by fund as follows:

<u>FUND</u>	<u>2021-2022 Revenue Budget</u>
General Fund	\$ 27,067,770
Strategic Reserve Fund	22,000
Strategic Opportunities Fund	476,718
Street Fund	3,065,526
Public Art Fund	400
Transportation Benefit District	0
UTGO 2016 Bond Fund	1,580,000
Transportation Capital Fund	25,978,459
Real Estate Excise Tax Fund	2,074,459
Walkways & Waterways Bonds	10,047,000
Park Capital Fund	8,601,548
Park Impact Fee Fund	185,263
Transportation Impact Fee Fund	687,708
Sammamish River Bridge Fund	26,668,658
Public Works Shop Fund	6,500,000
Surface Water Management Fund	5,085,947
Surface Water Capital Fund	3,918,467
Swamp Creek Basin Fund	6,600
Equipment Replacement Fund	244,101
TOTAL	\$ 122,210,624

Ord 20-517 Budget 2021-2022

FUND	2021-2022 Expenditure Budget
General Fund	\$ 27,067,770
Strategic Reserve Fund	0
Strategic Opportunities Fund	2,063,503
Street Fund	3,328,167
Public Art Fund	144,473
Transportation Benefit District	0
UTGO 2016 Bonds	1,581,100
Transportation Capital Fund	24,286,959
Real Estate Excise Tax Fund	6,301,961
Walkways & Waterways Bonds	11,235,993
Park Capital Fund	8,549,948
Park Impact Fee Fund	829,412
Transportation Impact Fee Fund	3,817,547
Sammamish River Bridge Fund	26,668,658
Public Works Shop Fund	3,500,000
Surface Water Management Fund	7,821,398
Surface Water Capital Fund	3,918,467
Swamp Creek Basin Fund	645,546
Equipment Replacement Fund	448,456
TOTAL	\$ 132,209,358

Section 2. Wage Adjustment. The 2021-2022 Biennial Budget includes a 1.0% CPI based wage adjustment for City employees, effective January 1, 2021.

Section 3. Positions and Salary Schedules. The various positions and salary ranges for City employees for the biennium are attached to this Ordinance as Exhibit A.

Section 4. Transmittal. A complete copy of the budget as adopted, together with a copy of this adopting Ordinance, shall be transmitted by the City Clerk to the Division of Municipal corporations of the Office of the State Auditor and to the Association of Washington Cities.

Section 5. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be preempted by State or federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 6. Effective Date. This Ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 23rd DAY OF NOVEMBER 2020.

Ord 20-517 Budget 2021-2022

CITY OF KENMORE

Mayor David Baker

ATTEST/AUTHENTICATED:

Anastasiya Warhol, City Clerk

Approved as to form:

Dawn Reitan, City Attorney

FILED WITH THE CITY CLERK:
PASSED BY THE CITY COUNCIL:
PUBLISHED:
EFFECTIVE DATE:
ORDINANCE NO.

City of Kenmore**2021 Salary Plan**

Position	2021 Monthly Pay Ranges	
	Low	High
Assistant City Manager	10,410	14,366
Finance & Administration Director	9,680	13,359
Public Works Director	9,680	13,359
Community Development Director	9,550	13,180
Development Services Director	9,550	13,180
City Engineer	9,290	12,821
Public Works Operations Manager	7,952	10,974
Environmental Services Manager	7,255	10,011
Human Resource Manager (new position)	7,255	10,011
Capital/Parks Project Manager	6,976	9,626
Senior Engineer	6,976	9,626
Traffic Engineer	6,976	9,626
Principal Planner	6,976	9,626
Civil Engineer	6,509	8,984
City Clerk	6,374	8,795
Senior Planner	6,296	8,689
Building Inspector/Plans Examiner	5,940	8,198
Communications Specialist	5,998	8,301
Associate Planner	5,692	7,856
Streets & Surface Water Maintenance Supervisor	5,460	7,534
Accountant	5,412	7,470
Building Inspector/Code Compliance	5,412	7,470
Executive Assistant	5,284	7,291
ROW Inspector	5,191	7,163
Parks Lead Maintenance Worker	5,059	6,981
Environmental Services Technician	4,878	6,731
Volunteer & Events Supervisor	4,793	6,614
Assistant Planner	4,793	6,614
Senior Facility Maintenance Technician	4,588	6,331
Payroll & Benefits Coordinator	4,588	6,332
Permit Coordinator	4,588	6,332
Administrative Specialist	4,343	5,993
Maintenance Worker	4,309	5,945
Recreation Coordinator/Administrative Assistant (new position)	4,299	5,931
Administrative Assistant	4,106	5,666
Facility Maintenance Technician	3,861	5,329
Receptionist	3,608	4,980
Seasonal Maintenance Worker	16.44	20.82
Intern or Temp Office Aide	16.44	24.12



**City Council Business Agenda Item
City of Kenmore, WA**

Subject/Topic: Ordinance No. 20-0518 Adopt 2018 Washington State Building Code with Local Amendments Proposed Council Action/Motion: Motion to Adopt Ordinance No. 20-0518; an Ordinance of the City of Kenmore, Washington Adopting the 2018 Washington State Building Code with Local Amendments	For Council Meeting Agenda of: <u>November 23, 2020</u> Department: <u>Development Services</u> Prepared by: <u>Bryan Hampson, Development Services Director</u> <table border="0"> <thead> <tr> <th></th><th style="text-align: right;"><u>Initial & Date</u></th></tr> </thead> <tbody> <tr> <td>Approved by Department Head:</td><td style="text-align: right;">BH 11/12/2020</td></tr> <tr> <td>Approved by City Attorney:</td><td style="text-align: right;">NA</td></tr> <tr> <td>Approved by Finance Director:</td><td style="text-align: right;">NA</td></tr> <tr> <td>Approved by City Manager:</td><td style="text-align: right;">RK</td></tr> </tbody> </table> Exhibits/Attachments: Attachment 1) Ordinance No. 20-0518 with Exhibits Attachment 2) Existing Chapters showing proposed changes in strikethroughs and underlines		<u>Initial & Date</u>	Approved by Department Head:	BH 11/12/2020	Approved by City Attorney:	NA	Approved by Finance Director:	NA	Approved by City Manager:	RK
	<u>Initial & Date</u>										
Approved by Department Head:	BH 11/12/2020										
Approved by City Attorney:	NA										
Approved by Finance Director:	NA										
Approved by City Manager:	RK										
<u>INFORMATION/BACKGROUND:</u> These codes are considered the Kenmore Building Code. They comprise of the International Codes, Washington State-wide amendments, and local amendments. They help ensure buildings and facilities constructed in the city are safe and healthy for building occupants, accessible to persons with disabilities and the elderly and energy efficient. The State Building Code Act requires each local jurisdiction enforce the State Building Code adopted by the State Building Code Council. The anticipated effective date for the 2018 codes was July 1, 2020. Due to Covid-19, the Governor has issued a proclamation extending this date to February 1, 2021. Washington State law (RCW 19.27A.160) mandates that buildings built to the 2031 energy code use 70% less net-energy when compared to the 2006-era buildings. The Washington State Building Code Council adopts state energy codes from 2013 through 2031 that incrementally move towards achieving the 70% reduction in annual net energy consumption and must report its progress with every code cycle. According to Ecotope (Ecotope: Henry Odum, 2020¹), a firm commissioned by the State to analyze the 2018 Washington State Energy Code compared to the 2006 baseline, modeling results show that residential estimated energy consumption under the 2018 WSEC is approximately 62% of the 2006 WSEC, resulting in an overall 38% of the 70% goal, (32% more to go); and commercial is estimated at 69% of the 2006 levels, which results in an overall 31% of the 70% goal, (39% more to go).											

¹ Ecotope: Henry Odum, Scott Spielman, Adria Banks, Paul Kintner, Mark Frankel O'Brien, David Reddy, Jireh Peng, *Modeling the Washington State Energy Code – 2006 & 2018 Baseline Energy Consumption*, September 18, 2020

Every code cycle, the City along with our regional partners, MyBuildingPermit.com jurisdictions and regional fire districts, work together on local amendments. Regional collaboration on code amendments provides unified code regulations and predictability to developers and builders. As a result, the following is a description of the proposed local amendments to the State Building Code:

15.10.025 IFC Section 105.6.30 Operational Permits. This section was amended to require an operational permit for mobile food preparation vehicles that utilize LP-gas or natural gas for cooking or food preparation.

15.10.055 IFC Section 319 Mobile Food Vendors. This section was amended to provide guidance for where mobile food preparation vehicles are allowed to be parked while in use.

15.10.075 IFC Section 510 Emergency Responder Radio Coverage. This amended section was previously adopted with the 2015 IFC. The 2018 amendment was developed by the Bellevue Fire Department together with a group of radio system designers, installers, public radio system managers and jurisdictions throughout King County. The new amendment is less restrictive and more closely aligned with real world challenges and system capabilities.

15.10.140 IFC Section 5707 On-Demand Fueling Operations. This section was amended following several meetings and communications between the fueling companies and local cities. This amendment was developed to align with a proposed regional approach to this growing business.

Table R301.1 (1) IRC Climate and Geographic Design Criteria. This table was amended to include the new Manual J Design Criteria (residential energy load calculation manual).

Chapter 15.30 Construction Administrative Code. This Chapter was amended to align with the International Code Council's amendments to Chapter 1, the State-wide amendments to Chapter 1, and the regional model code established by the jurisdictions participating in eCityGov.net and MyBuildingPermit.com.

FISCAL CONSIDERATION: N/A

COUNCIL GOAL/BUDGET OBJECTIVE BEING ADDRESSED:

Provide an attractive, well-planned, enduring and desirable place to live and work and a safe and secure community.

Attachment 2**15.05.015 Copies of codes on file.**

A. Pursuant to State law (Chapters [19.27](#) and [19.27A](#) RCW), the Kenmore building code includes the Washington State Building Code, composed of the codes in subsections (A)(1) through (6) of this section, and the additional codes in subsections (A)(3) and (7) through (14) of this section, all as modified in this title. The City shall at all times keep on file with the city clerk, for reference by the general public, a copy of the codes and resolutions, or parts thereof, as herein adopted by reference, together with the amendments and supplements thereto herein made a part of this title:

1. ~~2015~~[2018](#) International Building Code, published by the International Code Council, Inc.;
2. ~~2015~~[2018](#) International Residential Code, published by the International Code Council, Inc.;
3. ~~2015~~[2018](#) International Existing Building Code, published by the International Code Council, Inc.;
4. ~~2015~~[2018](#) International Mechanical Code, published by the International Code Council, Inc.;
5. ~~2015~~[2018](#) International Fire Code, published by the International Code Council, Inc.;
6. ~~2015~~[2018](#) Uniform Plumbing Code, published by the International Association of Plumbing and Mechanical Officials;
7. ~~2015~~[2018](#) National Fuel Gas Code (NFPA 54), published by the National Fire Protection Association;
8. ~~2014~~[2017](#) Liquefied Petroleum Gas Code (NFPA 58), published by the National Fire Protection Association;
9. ~~2015~~[2018](#) International Fuel Gas Code, published by the International Code Council, Inc.;
10. ~~2015~~[2018](#) Washington State Energy Code;

Attachment 2

11. ~~2015~~2018 International Swimming Pool and Spa Code, published by the International Code Council, Inc.;
 12. 1997 Uniform Housing Code, published by the International Conference of Building Officials;
 13. 1997 Uniform Code for the Abatement of Dangerous Buildings, published by the International Conference of Building Officials;
 14. ~~2014~~2020 National Electrical Code (NFPA 70-~~2014~~2020), published by the National Fire Protection Association;
 15. All amendments, supplements, modifications, exclusions, exemptions and additions to the codes identified in subsections (A)(1) through (6) of this section adopted by the Washington State Building Code Council and published in WAC Title 51, including, but not by way of limitation, Chapters 51-11C, 51-11R, 51-50, 51-51, 51-52, 51-54A, and 51-56 WAC;
 16. All amendments, supplements, modifications, exclusions, exemptions and additions to the code identified in subsection (A)(14) of this section adopted by the Washington State Department of Labor and Industries and published in Chapter 296-46B WAC;
- B. The copies of codes on file may be placed by the city clerk in the custody of the office of the building official in order to make them more readily available to inspection and use by the general public.

Attachment 2

Chapter 15.10 FIRE CODE

Sections:

- 15.10.005 International Fire Code adopted.
- 15.10.010 IFC Section 101.1, Title, amended.
- 15.10.015 IFC Section 102.7, Referenced Codes and Standards, amended.
- 15.10.020 IFC Section 104, General Authority and Responsibilities,
amended
- 15.10.0~~20~~25 IFC Section 105.1, General, amended.
- 15.10.030 IFC Section 105.6.30, Mobile Food Preparation Vehicles
- 15.10.0~~25~~35 IFC Section 105.7, Required Construction Permits, amended.
- 15.10.040 IFC Section 108.6, Overcrowding, amended.
- 15.10.0~~30~~45 IFC Section 108, Board of Appeals, replaced.
- 15.10.0~~35~~50 IFC Section 109.3, Violation Penalties, amended.
- 15.10.0~~40~~55 IFC Section 308.3, Open Flame in Group A Occupancies,
amended.
- 15.10.060 IFC Section 319, Mobile Food Preparation Vehicles, amended.
- 15.10.0~~45~~65 IFC Section 401.7.1, Evacuation Required, added.
- 15.10.0~~50~~70 IFC Section 503.1, Where Required, amended.
- 15.10.0~~55~~75 IFC Section ~~503.1.1, Buildings and Facilities~~ 503.2,
Specifications, amended.
- ~~15.10.060 IFC Section 503.2.1, Dimensions, amended.~~
- ~~15.10.065 IFC Section 503.2.6, Bridges and Elevated Surfaces, amended.~~
- 15.10.0~~70~~80 IFC Section 503.3, Marking, amended.
- 15.10.0~~75~~85 IFC Section 503.4, Obstruction of Fire Apparatus Access
Roads, amended.
- 15.10.0~~80~~90 IFC Section 506.1, Where Required, amended.
- 15.10.0~~85~~95 IFC Section 507.5.1, Where Required, amended.
- 15.10.0~~90~~100 IFC Section 510-~~1~~, Emergency Responder Radio Coverage ~~in~~
New Buildings, amended.
- ~~15.10.095 IFC Section 510.2, Emergency Responder Radio Coverage in~~
~~Existing Buildings, amended.~~
- ~~15.10.100 IFC Section 510.2.4, Signal Booster Requirements, amended.~~
- ~~15.10.105 IFC Section 510.5.3, Acceptance Test Procedure, amended.~~
- ~~15.10.110 IFC Section 510.5.5, Approval Prior to Occupancy, amended.~~

Attachment 2

- ~~15.10.115~~ — IFC Section 510.6, Maintenance, amended.
- ~~15.10.120~~ — IFC Section 510.6.1, Testing and Proof of Compliance, amended.
- ~~15.10.125~~ — IFC Section 510.6.3, Field Testing, amended.
- ~~15.10.130~~ — IFC Section 510.6.4, Identification, added.
- 15.10.~~135~~105 IFC Section 901.7, Systems Out of Service, amended.
- 15.10.~~140~~110 IFC Section 903.2, Where Required, amended.
- 15.10.~~145~~115 IFC Section 903.2.13, Additional Fire Sprinkler Requirements for New and Existing Buildings, added.
- 15.10.~~150~~120 IFC 903.3.1.1.1, Exempt locations, amended.
- 15.10.~~155~~125 IFC Section 903.3.1.2, NFPA 13R Sprinkler Systems, amended.
- 15.10.~~160~~130 IFC Section 903.4.3, Floor Control Valves, amended.
- 15.10.~~165~~135 IFC Section 903.5.1, Fire Sprinkler and Standpipe Drains, added.
- 15.10.~~170~~140 IFC Section 907.2, Where Required – New Buildings and Structures, amended.
- 15.10.~~175~~145 IFC Section 5003.9, General Safety Precautions, amended.
- 15.10.~~180~~150 IFC Section 5003.9.11, Manufacturer's Limitations, added.
- 15.10.~~185~~155 IFC Section 5307.5.2, Emergency Alarm System, amended.
- 15.10.~~190~~160 IFC Section 5604.1, General, amended.
- 15.10.~~195~~165 IFC Section 5704.2.9.6.1, Locations Where Above-Ground Tanks Are Prohibited, amended.
- 15.10.170 IFC Section 5707, On-Demand Mobile Fueling Operations, amended.
- 15.10.~~200~~175 IFC Section 5806.2, Limitations, amended.
- 15.10.~~205~~180 IFC Section 6104.2, Maximum Capacity within Established Limits, amended.
- 15.10.~~210~~185 IFC Appendix B, Fire-Flow Requirements for Buildings, amended.

15.10.005 International Fire Code adopted.

The ~~2015~~2018 Edition of the International Fire Code, together with Appendix B (Fire-Flow Requirements for Buildings), as published by the International Code Council, is adopted, together with the amendments set forth in Chapter 51-54A WAC.

Attachment 2

15.10.010 IFC Section 101.1, Title, amended.

Section 101.1 of the International Fire Code is hereby amended by inserting the phrase "City of Kenmore."

15.10.015 IFC Section 102.7, Referenced Codes and Standards, amended.

Section 102.7 of the International Fire Code is hereby amended by adding the following:

When allowed by the fire code official, editions of standards not herein referenced may be utilized provided the entire standard is utilized.

15.10.020 IFC Section 104, General Authority and Responsibilities, amended.

Section 104 of the International Fire Code is hereby amended by adding the following:

Section 104.12 Indigent housing guidelines. The fire code official, in cooperation with the building official, is hereby authorized to develop a policy regarding the application and exemption of the construction codes for temporary homeless shelters in accordance with WAC 51-16-030.

15.10.020~~25~~ IFC Section 105.1, General, amended.

Section 105.1 of the International Fire Code is hereby amended to read as follows:

Section 105.1 General. Permits shall be in accordance with Sections 105.1 through 105.7.~~2230~~.

15.10.030 IFC Section 105.6.30 Mobile Food Preparation Vehicles, amended.

Section 105.6.30 of the International Fire Code is hereby amended to read as follows:

105.6.30 Mobile food preparation vehicles. A permit is required for mobile food preparation vehicles equipped with appliances that produce smoke or grease-laden vapors or that utilize flammable gases such as LP-gas or natural gas. The fire code official is authorized to develop policies that clarify the permit requirements and participate in a regional permitting program.

15.10.025~~35~~ IFC Section 105.7, Required Construction Permits, amended.

Section 105.7 of the International Fire Code is hereby amended by adding the following:

Attachment 2

105.7.~~1927~~ Emergency and standby power systems. A construction permit is required to install or modify an Emergency Power Supply System (EPSS) that supplies power to life safety systems, fire pumps, elevators or any system required by the International Fire Code or the International Building Code.

105.7.~~2028~~ High-piled combustible storage. A construction permit is required to install, alter or increase the hazard level of storage under the following criteria: Storage area including aisles exceeds 500 square feet floor area, and either Class I – IV commodities are stored more than 12 feet high, or high hazard materials are stored more than 6 feet high.

105.7.~~2129~~ Mechanical refrigeration. A construction permit is required to install, modify or expand any mechanical refrigeration system containing more than 220 pounds of a Group A1 refrigerant or more than 30 pounds of any other group refrigerant.

105.7.~~2230~~ Emergency alarm system. A construction permit is required to install an emergency alarm system in accordance with Section 5307. An emergency alarm is required for carbon dioxide systems with more than 100 pounds of carbon dioxide.

15.10.040 IFC Section 108.6 Overcrowding, amended.

Section 180.6 of the International Fire Code is hereby amended to read as follows:

108.6 Overcrowding. Overcrowding or admittance of any person beyond the approved capacity of a building or a portion thereof shall not be allowed. The fire code official, upon finding any overcrowding conditions or obstructions in aisles, passageways or other means of egress, or upon finding any condition which constitutes a life safety hazard, shall be authorized to direct actions to be taken to reduce the overcrowding or to cause the event to be stopped until such condition or obstruction is corrected.

15.10.03045 IFC Section ~~108109~~, Board of Appeals, replaced.

Section ~~108109~~ of the International Fire Code is hereby deleted and replaced with the following:

Attachment 2

Section ~~108~~109 Hearing Examiner. Appeals of orders, decisions or determinations made by the fire code official shall be made to the hearing examiner in accordance with the requirements and process of Chapter 19.30 KMC. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder has been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better solution is proposed. The hearing examiner shall have not authority relative to interpretation of the administrative provisions of this code nor shall the hearing examiner be empowered to waive requirements of either this code or the technical codes which are the codes, appendices and referenced code standards adopted by the city.

15.10.03~~550~~ IFC Section ~~109.3~~110.3, Violation Penalties, amended.

Section ~~109.3~~110.3 of the International Fire Code is hereby deleted and replaced with the following:

Notice of violation. Any person who violates the provisions of this code or fails to comply with any of the requirements thereof or lawful directive of the fire code official, shall be subject to penalties as prescribed by law.

15.10.04~~055~~ IFC Section 308.3, Open Flame in Group A Occupancies, amended.

Section 308.3 of the International Fire Code is hereby amended by adding the following exception:

4. Where approved by the fire code official.

15.10.060 IFC Section 319, Mobile Food Preparation Vehicles, amended.

Section 319 of the International Fire Code is hereby amended by adding the following:

319.11 Location. Mobile food facilities shall not be located within ten feet (10') of buildings, tents, canopies or membrane structures or within ten feet (10') of any other mobile food facility.

Exceptions:

Attachment 2

1. When mobile food facilities are positioned on public streets, the distance from buildings may be reduced to five feet (5'). This exception is designated for events lasting a maximum of no more than three (3) consecutive calendar days in a row.

2. When located on private property, the distance from buildings may be reduced to five feet (5') from a fire wall constructed of non-combustible materials and having no openings such as windows or doors within 10 feet of the vehicle.

15.10.04565 IFC Section 401.7.1, Evacuation Required, added.

Section 401.7.1 of the International Fire Code is added to Section 401.7:

401.7.1 Evacuation required. In the event of activation of a fire, emergency alarm, or at the direction the fire code official, occupants of the building or portion of the building in which the alarm is activated shall make a safe and orderly evacuation out of the building, or as provided in the building's fire safety and evacuation or high-rise emergency operations plan.

Exceptions:

1. Where the occupant's physical or other disability make the occupant unable to evacuate without assistance and no assistance is immediately available; or
2. Where the presence of smoke, fire, structural collapse or other hazard or obstruction of the occupant's means of egress make evacuation unsafe.

15.10.05070 IFC Section 503.1, Where Required, amended.

Section 503.1 of the International Fire Code is hereby amended to read as follows:

503.1 Where required. Fire apparatus access roads shall be provided and maintained in accordance with Sections 503.1.1 ~~and through~~ 503.1.23.

503.1.1 Buildings and facilities. Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within a jurisdiction.

Attachment 2

The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.

Exception:

1. The fire code official is authorized to increase the dimensions of 150 feet where any of the following conditions occur:

1.1. The building is equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3.

1.2. Fire apparatus access roads cannot be installed because of location on the property, topography, waterways, nonnegotiable grades or other similar conditions, and an approved alternative means of fire protection is provided.

1.3. There are not more than two Group R-3 or Group U occupancies.

503.1.2 Additional Access. The fire code official is authorized to require more than one fire apparatus access road based on the potential for impairment of a single road by vehicle congestion, condition of terrain, climactic conditions or other factors that could limit access.

503.1.3 High-piled storage. Fire department vehicle access to buildings used for high piled combustible storage shall comply with the applicable provisions of Chapter 32.

~~15.10.055 IFC Section 503.1.1, Buildings and Facilities, amended.~~

~~Section 503.1.1 of the International Fire Code is hereby amended to read as follows:~~

~~503.1.1 Buildings and facilities. Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within a jurisdiction.~~

Attachment 2

~~The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.~~

~~Exception:~~

~~1. The fire code official is authorized to increase the dimensions of 150 feet where any of the following conditions occur:~~

~~1.1. The building is equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3.~~

~~1.2. Fire apparatus access roads cannot be installed because of location on the property, topography, waterways, nonnegotiable grades or other similar conditions, and an approved alternative means of fire protection is provided.~~

~~1.3. There are not more than two Group R-3 or Group U occupancies.~~

15.10.075 IFC Section 503.2, Specifications, amended.

Section 503.2 of the International Fire Code is hereby amended as follows:

503.2 Specifications. Fire apparatus access roads shall be installed and arranged in accordance with Sections 503.2.1 through 503.2.8 and the adopted Road Standards.

503.2.1 Dimensions. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet, exclusive of shoulders, except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 13 feet 6 inches. Driveways serving not more than two single-family residences shall comply with the provisions of the Road Standard.

Attachment 2

503.2.2 Authority. The fire code official shall have the authority to require or permit modifications to the required access widths where they are inadequate for fire or rescue operations or where necessary to meet the public safety objectives of the jurisdiction.

503.2.3 Surface. Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities in accordance with the Road Standard.

503.2.4 Turning radius. The required turning radius of a fire apparatus access road shall be 20 feet interior and 40 feet exterior or as determined by the fire code official.

503.2.5 Dead ends. Dead-end fire apparatus access roads in excess of 150 feet- as measured from the centerline of the accessing street- shall be provided with an approved area for turning around fire apparatus. Private access tracts serving not more than four single-family residences are permitted to construct a hammerhead turn around that meets the layout and size requirements of the fire code official.

503.2.6 Bridges, structures and elevated surfaces. Where a bridge, structure or an elevated surface is part of a fire apparatus access road, the bridge shall be constructed and maintained in accordance with AASHTOHS-25. Bridges and elevated surfaces shall be designed for a live load sufficient to carry the live loads of fire apparatus. In addition, these structures shall be designed to support a 45,000 lb point-load over four square feet. Vehicle load limits shall be posted at both entrances to bridges where required by the fire code official. Where elevated surfaces are designed for emergency vehicle use are adjacent to surfaces which are not designed for such use, approved barriers, approved signs or both shall be installed and maintained where required by the fire code official.

503.2.7 Grade. Where the grade of a fire apparatus access road exceeds 15% at any point along the roadway mitigation of the restricted access must be provided as determined by the fire code official.

Attachment 2

503.2.8 Angles of approach and departure. The angles of approach and departure for fire apparatus access roads shall be within the limits established by the fire code official and the City Engineer.

~~15.10.060 IFC Section 503.2.1, Dimensions, amended.~~

~~Section 503.2.1 of the International Fire Code is hereby amended as follows:~~

~~503.2.1 Dimensions. Driveways serving one single-family residence shall have a minimum clear width of 12 feet.~~

~~15.10.065 IFC Section 503.2.6, Bridges and Elevated Surfaces, amended.~~

~~Section 503.2.6 of the International Fire Code is hereby amended as follows:~~

~~503.2.6 Bridges, structures and elevated surfaces. Where a bridge, structure or an elevated surface is part of a fire apparatus access road, the bridge shall be constructed and maintained in accordance with AASHTO HS-25. Bridges, structures, and elevated surfaces shall be designed for a live load sufficient to carry the live loads of fire apparatus. In addition, these structures shall be designed to support a 45,000 lb point load over four square feet. Vehicle load limits shall be posted at both entrances to bridges where required by the fire code official. Where elevated surfaces are designed for emergency vehicle use are adjacent to surfaces which are not designed for such use, approved barriers, approved signs or both shall be installed and maintained where required by the fire code official.~~

~~15.10.070~~15.10.070 IFC Section 503.3, Marking, amended.

Section 503.3 of the International Fire Code is hereby amended as follows:

503.3 Marking. Where required by the fire code official, approved signs or other approved notices, as described in the Northshore Fire Department Access Standard, shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. Signs or notices shall be maintained a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility.

Attachment 2

15.10.07~~585~~ IFC Section 503.4, Obstruction of Fire Apparatus Access Roads, amended.

Section 503.4 of the International Fire Code is hereby amended as follows:

503.4 Obstruction of fire apparatus access roads. Fire apparatus access roads shall not be obstructed in any manner, including parking of vehicles. The minimum widths and clearances shall be maintained at all times.

Exception: Parking of vehicles along residential streets where all homes along the road are protected by approved fire sprinkler systems.

15.10.08~~990~~ IFC Section 506.1, Where Required, amended.

Section 506.1 of the International Fire Code is hereby amended by adding the following:

506.1 Where required. All occupancies equipped with an automatic sprinkler system, fire alarm system, or hazardous occupancies, or when required by the fire code official, shall have an emergency access key box mounted in an approved location.

Exception: One- and two-family dwellings.

15.10.08~~595~~ IFC Section 507.5.1, Where Required, amended.

Section 507.5.1 of the International Fire Code is hereby amended to read:

507.5.1. Where required. Where a facility or building hereafter constructed or moved into or within the city is more than 150 feet from a hydrant on a fire apparatus access road, onsite fire hydrants and mains shall be provided where required by the fire code official. At least one hydrant shall be located within 400 feet of all portions of the exterior wall of the first story of the facility or building as measured by an approved route around the exterior of the building. All fire hydrants required by this section, whether existing or new shall be equipped with a 4-inch Storz fitting on the steamer port. A 4-inch Storz fitting shall also be installed on any hydrant required for protection of existing structures where the valuation of

Attachment 2

the improvement or alteration exceeds 50% of the assessed valuation or where the square footage is increased by 25% or 1,000 square feet, whichever is less.

Exceptions:

1. For one- and two-family dwellings and Group U occupancies, the maximum distance to the structure shall be 300 feet and 450 feet when protected by an approved fire sprinkler system.
2. Distances may be modified by the fire code official for facilities or buildings equipped with approved automatic sprinkler systems.

15.10.090100 IFC Section 510-1, Emergency Responder Radio Coverage in New Buildings, amended.

Section 510-1 of the International Fire Code is hereby amended to read as follows:

510.1 Emergency responder radio coverage in new buildings. Approved radio coverage for emergency responders shall be provided within buildings meeting any of the following conditions:

1. High rise buildings;
2. The total building area is 50,000 square feet or more;
3. The total basement area is 10,000 square feet or more; or
4. There are floors used for human occupancy more than 30 feet below the finished floor of the lowest level of exit discharge.
5. Buildings or structures where the Fire or Police Chief determines that in-building radio coverage is critical because of its unique design, location, use or occupancy.

The radio coverage system shall be installed in accordance with Sections 510.4 through 510.5.5 of this code and with the provisions of NFPA 1221 (2019). This section shall not require improvement of the existing public safety communication systems.

Attachment 2

Point of Information

When determining if the minimum signal strength referenced 510.4.1.1 exists at a subject building, the signal strength shall be measured at any point on the exterior of the building up to the highest point on the roof.

Exceptions:

1. Buildings and areas of buildings that have minimum radio coverage signal strength levels of the King County Regional 800 MHz Radio System within the building in accordance with Section 510.4.1 without the use of a radio coverage system.
2. In facilities where emergency responder radio coverage is required and such systems, components or equipment required could have a negative impact on the normal operations of that facility, the *fire code official* shall have the authority to accept an automatically activated emergency responder radio coverage system.
3. One- and two-family dwellings and townhouses.
4. Subject to the approval of the fire code official, buildings other than high-rise buildings, colleges, universities and buildings primarily occupied by Group E or I occupancies that have completed a Mobile Emergency Responder Radio Coverage application and submitted payment as outlined in the application.

510.2 Emergency responder radio coverage in existing buildings. Existing buildings shall be provided with approved radio coverage for emergency responders as required in Chapter 11.

510.3 Permit required. A construction permit for the installation of or modification to emergency responder radio coverage systems and related equipment is required as specified in Section 105.7.6. Maintenance performed in accordance with this code is not considered a modification and does not require a permit.

Point of Information

Attachment 2

Prior coordination and approval from the Public Safety Radio System Operator is required before installation of an Emergency Responder Radio System. Until 2022, such approval is required from EPSCA, King County, Seattle or ValleyCom depending on the location of the installation. In 2022 PSERN will be the single operator of a county wide system.

In order to be forward compatible, designers and contractors should be aware of PSERN's requirements for Distributed Antenna Systems which can be found via <https://psern.org/requirements/>

510.4 Technical requirements. Systems, components and equipment required to provide the emergency responder radio coverage system shall comply with Sections 510.4.1 through 510.4.2.8.

510.4.1 Emergency responder communication enhancement system signal strength. The building shall be considered to have acceptable emergency responder communications enhancement system coverage when signal strength measurements in 95 percent of all areas on each floor of the building meet the signal strength requirements in Sections 510.4.1.1 through 510.4.1.3.

Exception: Critical areas, such as the fire command center(s), the fire pump room(s), interior exit stairways, exit passageways, elevator lobbies, standpipe cabinets, sprinkler sectional valve locations, and other areas required by the fire code official, shall be provided with 99 percent floor area radio coverage.

510.4.1.1 Minimum signal strength into the building. The minimum inbound signal strength shall be sufficient to provide usable voice communications throughout the coverage area as specified by the fire code official. The inbound signal level shall be a minimum of -95dBm in 95% of the coverage area and 99% in critical areas and sufficient to provide not less than a Delivered Audio Quality (DAQ) of 3.0 or an equivalent Signal-to-Interference-Plus-Noise Ratio (SINR) applicable to the technology for either analog or digital signals.

510.4.1.2 Minimum signal strength out of the building. The minimum outbound signal strength shall be sufficient to provide usable voice communications throughout the coverage area as specified by the fire code official. The outbound signal level shall be sufficient to provide not less than a DAQ of 3.0 or an

Attachment 2

equivalent SINR applicable to the technology for either analog or digital signals. A minimum signal strength of -95 dBm shall be received by the King County Regional 800 MHz Radio System when transmitted from within the building.

510.4.1.3 System performance. Signal strength shall be sufficient to meet the requirements of the applications being utilized by public safety for emergency operations through the coverage area as specified by the radio system manager in Section 510.4.2.2.

510.4.2 System design. The emergency responder radio coverage system shall be designed in accordance with Sections 510.4.2.1 through 510.4.2.8 and NFPA 1221 (2019).

510.4.2.1 Amplification systems and components. Buildings and structures that cannot support the required level of radio coverage shall be equipped with systems and components to enhance the public safety radio signals and achieve the required level of radio coverage specified in Sections 510.4.1 through 510.4.1.3. Public safety communications enhancement systems utilizing radio-frequency-emitting devices and cabling shall be allowed by the Public Safety Radio System Operator. Prior to installation, all RF-emitting devices shall have the certification of the radio licensing authority and be suitable for public safety use.

510.4.2.2 Technical criteria. The Public Safety Radio System Operator shall provide the various frequencies required, the location of radio sites, the effective radiated power of radio sites, the maximum propagation delay in microseconds, the applications being used and other supporting technical information necessary for system design upon request by the building owner or owner's representative.

510.4.2.3 Power supply sources. Emergency responder radio coverage systems shall be provided with dedicated standby batteries or provided with 2-hour standby batteries and connected to the facility generator power system in accordance with Section 1203. The standby power supply shall be capable of operating the emergency responder radio coverage system at 100-percent system capacity for a duration of not less than 12 hours.

Attachment 2

510.4.2.4 Signal booster requirements. If used, signal boosters shall meet the following requirements:

1. All signal booster components shall be contained in a National Electrical Manufacturer's Association (NEMA) 4, IP66-type waterproof cabinet or equivalent.

Exception: Listed battery systems that are contained in integrated battery cabinets.

2. Battery systems used for the emergency power source shall be contained in a NEMA 3R or higher-rated cabinet, IP65-type waterproof cabinet or equivalent.

3. Equipment shall have FCC or other radio licensing authority certification and be suitable for public safety use prior to installation.

4. Where a donor antenna exists, isolation shall be maintained between the donor antenna and all inside antennas to not less than 20dB greater than the system gain under all operating conditions.

5. Bi-Directional Amplifiers (BDAs) used in emergency responder radio coverage systems shall be fitted with anti-oscillation circuitry and per-channel AGC

6. The installation of amplification systems or systems that operate on or provide the means to cause interference on any emergency responder radio coverage networks shall be coordinated and approved by the Public Safety Radio System Operator.

7. Unless otherwise approved by the Public Safety Radio System Operator, only channelized signal boosters shall be permitted.

Exception: Broadband BDA's may be utilized when specifically authorized in writing by the Public Safety Radio System Operator.

Point of Information

Attachment 2

BDA's must also comply with PSERN's (www.psern.org/requirements) detailed requirements, which include channelized, minimum of 28 channels, supporting analog, P25 Phase I (FDMA), and P25 Phase II (TDMA).

510.4.2.5 System monitoring. The emergency responder radio enhancement system shall include automatic supervisory and trouble signals that are monitored by a supervisory service and are annunciated by the fire alarm system in accordance with NFPA 72. The following conditions shall be separately annunciated by the fire alarm system, or, if the status of each of the following conditions is individually displayed on a dedicated panel on the radio enhancement system, a single automatic supervisory signal may be annunciated on the fire alarm system indicating deficiencies of the radio enhancement system:

1. Loss of normal AC power supply.
2. System battery charger(s) failure.
3. Malfunction of the donor antenna(s).
4. Failure of active RF-emitting device(s).
5. Low-battery capacity at 70-percent reduction of operating capacity.
6. Active system component malfunction.
7. Malfunction of the communications link between the fire alarm system and the emergency responder radio enhancement system.

510.4.2.6 Additional frequencies and change of frequencies. The emergency responder radio coverage system shall be capable of modification or expansion in the event frequency changes are required by the FCC or other radio licensing authority, or additional frequencies are made available by the FCC or other radio licensing authority.

510.4.2.7 Design documents. The fire code official shall have the authority to require "as-built" design documents and specifications for emergency responder

Attachment 2

communications coverage systems. The documents shall be in a format acceptable to the fire code official.

510.4.2.8 Radio communication antenna density. Systems shall be engineered to minimize the near-far effect. Radio enhancement system designs shall include sufficient antenna density to address reduced gain conditions.

Exceptions:

1. Class A narrow band signal booster devices with independent AGC/ALC circuits per channel.
2. Systems where all portable devices within the same band use active power control.

510.5 Installation requirements. The installation of the public safety radio coverage system shall be in accordance with NFPA 1221 and Sections 510.5.1 through 510.5.7.

510.5.1 Approval prior to installation. Amplification systems capable of operating on frequencies licensed to any public safety agency by the FCC or other radio licensing authority shall not be installed without prior coordination and approval of the Public Safety Radio System Operator.

510.5.2 Minimum qualifications of personnel. The minimum qualifications of the system designer and lead installation personnel shall include both of the following:

1. A valid FCC-issued general radio telephone operators license.
2. Certification of in-building system training issued by an approved organization or approved school, or a certificate issued by the manufacturer of the equipment being installed.

510.5.3 Acceptance test procedure. Where an emergency responder radio coverage system is required, and upon completion of installation, the building owner shall have the radio system tested to verify that two-way coverage on each floor of the building is in accordance with Section 510.4.1.

Attachment 2

The test procedure shall be conducted as follows:

1. Each floor of the building shall be divided into a grid of 20 approximately equal test areas, with a maximum test area size of 6,400 square feet. Where the floor area exceeds 128,000 square feet, the floor shall be divided into as many approximately equal test areas as needed, such that no test area exceeds the maximum square footage allowed for a test area.

2. Coverage testing of signal strength shall be conducted using a calibrated spectrum analyzer for each of the test grids. A diagram of this testing shall be created for each floor where coverage is provided, indicating the testing grid used for the test in Section 510.5.3(1), and including signal strengths and frequencies for each test area. Indicate all critical areas.

3. Functional talk-back testing shall be conducted using two calibrated portable radios of the latest brand and model used by the agency's radio communications system or other equipment approved by the fire code official. Testing shall use Digital Audible Quality (DAQ) metrics, where a passing result is a DAQ of 3 or higher. Communications between handsets shall be tested and recorded in the grid square diagram required by section 510.5.3(2): each grid square on each floor; between each critical area and a radio outside the building; between each critical area and the fire command center or fire alarm control panel; between each landing in each stairwell and the fire command center or fire alarm control panel.

4. Failure of more than 5% of the test areas on any floor shall result in failure of the test.

Exception: Critical areas shall be provided with 99 percent floor area coverage.

5. In the event that two of the test areas fail the test, in order to be more statistically accurate, the floor shall be permitted to be divided into 40 equal test areas. Failure of not more than two nonadjacent test areas shall not result in failure of the test. If the system fails the 40-area test, the system shall be altered to meet the 95-percent coverage requirement.

Attachment 2

6. A test location approximately in the center of each test area shall be selected for the test, with the radio enabled to verify two-way communications to and from the outside of the building through the public agency's radio communications system. Once the test location has been selected, that location shall represent the entire test area. Failure in the selected test location shall be considered to be a failure of that test area. Additional test locations shall not be permitted.

7. The gain values of all amplifiers shall be measured, and the test measurement results shall be kept on file with the building owner so that the measurements can be verified during annual tests. In the event that the measurement results become lost, the building owner shall be required to rerun the acceptance test to reestablish the gain values.

8. As part of the installation, a spectrum analyzer or other suitable test equipment shall be utilized to ensure spurious oscillations are not being generated by the subject signal booster. This test shall be conducted at the time of installation and at subsequent annual inspections.

9. Systems incorporating Class B signal booster devices or Class B broadband fiber remote devices shall be tested using two portable radios simultaneously conducting subjective voice quality checks. One portable radio shall be positioned not greater than 10 feet (3048 mm) from the indoor antenna. The second portable radio shall be positioned at a distance that represents the farthest distance from any indoor antenna. With both portable radios simultaneously keyed up on different frequencies within the same band, subjective audio testing shall be conducted and comply with DAQ levels as specified in Sections 510.4.1.1 and 510.4.1.2.

10. Documentation maintained on premises. At the conclusion of the testing, and prior to issuance of the building Certificate of Occupancy, the building owner or owner's representative shall place a copy of the following records in the DAS enclosure or the building engineer's office. The records shall be available to the fire code official and maintained by the building owner for the life of the system:

Attachment 2

a. A certification letter stating that the emergency responder radio coverage system has been installed and tested in accordance with this code, and that the system is complete and fully functional.

b. The grid square diagram created as part of testing in Sections 510.5.3(2) and 510.5.3(3).

c. Data sheets and/or manufacturer specifications for the emergency responder radio coverage system equipment; back up battery; and charging system (if utilized).

d. A diagram showing device locations and wiring schematic.

e. A copy of the electrical permit.

11. Acceptance test reporting to fire code official. At the conclusion of the testing, and prior to issuance of the building Certificate of Occupancy, the building owner or owner's representative shall submit to the fire code official a report of the acceptance test by way of the department's third-party vendor thecomplianceengine.com.

510.5.4 FCC compliance. The emergency responder radio coverage system installation and components shall comply with all applicable federal regulations including, but not limited to, FCC 47 CFR Part 90.219.

510.5.5 Mounting of the donor antenna (s). To maintain proper alignment with the system designed donor site, donor antennas shall be permanently affixed on the highest possible position on the building or where approved by the fire code official. A clearly visible sign shall be placed near the antenna stating, "movement or repositioning of this antenna is prohibited without approval from the fire code official." The antenna installation shall be in accordance with the applicable requirements in the International Building Code for weather protection of the building envelope.

510.5.6 Wiring. The backbone, antenna distribution, radiating, or any fiber-optic cables shall be rated as plenum cables. The backbone cables shall be connected to the antenna distribution, radiating, or copper cables using hybrid coupler devices of a value determined by the overall design. Backbone cables shall be

Attachment 2

routed through an enclosure that matches the building's required fire-resistance rating for shafts or interior exit stairways. The connection between the backbone cable and the antenna cables shall be made within an enclosure that matches the building's fire-resistance rating for shafts or interior exit stairways, and passage of the antenna distribution cable in and out of the enclosure shall be protected as a penetration per the International Building Code.

510.5.7 Identification Signs. Emergency responder radio coverage systems shall be identified by an approved sign located on or near the Fire Alarm Control Panel or other approved location stating "This building is equipped with an Emergency Responder Radio Coverage System. Control Equipment located in room _____".

A sign stating "Emergency Responder Radio Coverage System Equipment" shall be placed on or adjacent to the door of the room containing the main system components.

510.6 Maintenance. The emergency responder radio coverage system shall be maintained operational at all times in accordance with Sections 510.6.1 through 510.6.4.

510.6.1 Testing and proof of compliance. The owner of the building or owner's authorized agent shall have the emergency responder radio coverage system inspected and tested annually or where structural changes occur including additions or remodels that could materially change the original field performance tests. Testing shall consist of the following items (1) through (7):

1. In-building coverage test as required by the *fire code official* as described in Section 510.5.3 "Acceptance test procedure" or 510.6.1.1 "Alternative in-building coverage test".

Exception: Group R Occupancy annual testing is not required within dwelling units.

2. Signal boosters shall be tested to verify that the gain/output level is the same as it was upon initial installation and acceptance or set to optimize the performance of the system.

Attachment 2

3. Backup batteries and power supplies shall be tested under load of a period of 1 hours to verify that they will properly operate during an actual power outage. If within the 1-hour test period the battery exhibits symptoms of failure, the test shall be extended for additional 1-hour periods until the integrity of the battery can be determined.

4. If a fire alarm system is present in the building, a test shall be conducted to verify that the fire alarm system is properly supervising the emergency responder communication system as required in Section 510.4.2.5. The test is performed by simulating alarms to the fire alarm control panel. The certifications in Section 510.5.2 are sufficient for the personnel performing this testing.

5. Other active components shall be checked to verify operation within the manufacturer's specifications.

6. At the conclusion of the testing, a report, which shall verify compliance with Section 510.6.1, shall be submitted to the *fire code official* by way of the department's third-party vendor thecomplianceengine.com.

7. At the conclusion of testing, a record of the inspection and maintenance along with an updated grid diagram of each floor showing tested strengths in each grid square and each critical area shall be added to the documentation maintained on the premises in accordance with Section 510.5.3.

510.6.1.1 Alternative In-building coverage test. When the comprehensive test documentation required by Section 510.5.3 is available, or the most recent full five-year test results are available if the system is older than six years, the in-building coverage test required by the fire code official in Section 510.6.1(1), may be conducted as follows:

1. Functional talk-back testing shall be conducted using two calibrated portable radios of the latest brand and model used by the agency's radio communications system or other equipment approved by the fire code official. Testing shall use Digital Audible Quality (DAQ) metrics, where a passing result is a DAQ of 3 or higher. Communications between handsets in the following locations shall be tested: between the fire command center or fire alarm control panel and a

Attachment 2

location outside the building; between the fire alarm control panel and each landing in each stairwell.

2. Coverage testing of signal strength shall be conducted using a calibrated spectrum analyzer for:

(a) Three grid areas per floor. The three grid areas to be tested on each floor are the three grid areas with poorest performance in the acceptance test or the most recent annual test, whichever is more recent; and

(b) Each of the critical areas identified in acceptance test documentation required by Section 510.5.3, or as modified by the fire code official, and

(c) One grid square per serving antenna.

3. The test area boundaries shall not deviate from the areas established at the time of the acceptance test, or as modified by the fire code official. The building shall be considered to have acceptable emergency responder radio coverage when the required signal strength requirements in 510.4.1.1 and 510.4.1.2 are located in 95 percent of all areas on each floor of the building and 99 percent in Critical Areas, and any non-functional serving antenna are repaired to function within normal ranges. If the documentation of the acceptance test or most recent previous annual test results are not available or acceptable to the fire code official, the radio coverage verification testing described in 510.5.3 shall be conducted.

Point of Information

The alternative in-building coverage test provides an alternative testing protocol for the in-building coverage test in subsection (1) of section 510.6.1. There is no change or alternative to annual testing requirements enumerated in subsections (2) – (7) of Section 510.6.1, which must be performed at the time of each annual test.

510.6.2 Additional frequencies. The building owner shall modify or expand the emergency responder radio coverage system at his or her expense in the event frequency changes are required by the FCC or other radio licensing authority, or

Attachment 2

additional frequencies are made available by the FCC public safety radio system operator or FCC license holder. Prior approval of a public safety radio coverage system on previous frequencies does not exempt this section.

510.6.3 Nonpublic safety system. Where other nonpublic safety amplification systems installed in buildings reduce the performance or cause interference with the emergency responder communications coverage system, the nonpublic safety amplification system shall be corrected or removed.

510.6.4 Field testing. Agency personnel shall have the right to enter onto the property at any reasonable time to conduct field testing to verify the required level of radio coverage or to disable a system that due to malfunction or poor maintenance has the potential to impact the emergency responder radio system in the region.

~~510.1 Emergency responder radio coverage in new buildings. Approved radio coverage for emergency responders shall be provided with buildings meeting any of the following conditions:~~

- ~~1. There are more than five stories above grade plane (as defined by the International Building Code, Section 202);~~
- ~~2. The total building is 50,000 square feet or more;~~
- ~~3. The total basement area is 10,000 square feet or more; or,~~
- ~~4. There are floors used for human occupancy more than 30 feet below the finish floor of the lowest level of exit discharge.~~

~~Radio coverage is based upon the existing coverage levels of the public safety communication systems of the jurisdictions at the exterior of the building. This section shall not require improvements of the existing public safety communication system.~~

~~Exception:~~

Attachment 2

~~Buildings and areas of buildings that have minimum radio coverage signal strength levels of the King County Regional 800 MHz Radio System within the building in accordance with Section 510.4.1.~~

~~15.10.095 IFC Section 510.2, Emergency Responder Radio Coverage in Existing Buildings, amended.~~

~~Section 510.2 of the International Fire Code is hereby amended to read as follows:~~

~~510.2 Emergency responder radio coverage in existing buildings. Existing buildings shall be provided with approved radio coverage for emergency responders as required in Section 1103.2.~~

~~15.10.100 IFC Section 510.2.4, Signal Booster Requirements, amended.~~

~~Section 510.2.4 of the International Fire Code is hereby amended to read as follows:~~

~~510.4.2.4 Signal Booster Requirements. If used, signal boosters shall meet the following requirements:~~

- ~~1. All active signal booster components shall be contained in a (NEMA) 4, IP66 type waterproof cabinet or equivalent.~~
- ~~2. The battery system shall be contained in a (NEMA) 4, IP66 type waterproof cabinet or equivalent.~~
- ~~3. The system shall include automatic alarming of malfunctions of the signal booster and battery system. Any resulting trouble alarm shall be automatically transmitted to an approved central station.~~
- ~~4. Equipment shall have FCC certification prior to installation.~~

~~15.10.105 IFC Section 510.5.3, Acceptance Test Procedure, amended.~~

~~Section 510.5.3 of the International Fire Code is hereby amended to read as follows:~~

~~510.5.3 Acceptance test procedure. Acceptance testing for Emergency responder radio amplification system is required, upon completion of installation. It is the building owner's responsibility to have the radio system tested by qualified personnel to ensure a minimum of 95% two-way coverage on each floor of the building.~~

Attachment 2

~~A report shall be submitted to the Northshore Fire Department at the conclusion of acceptance testing containing a floor plan and the signal strengths at each location tested and other relevant information. A representative of the Northshore Fire Department may oversee the acceptance test. Acceptance testing is also required whenever changes occur to the building that would materially change the original field performance test. The test procedure shall be conducted as follows:~~

- ~~1. Each floor of the building shall be divided into a grid of approximately forty (40) equal areas.~~
- ~~2. Testing shall use a two (2) watt, portable transceiver with speaker/microphone and flexible antenna (or any calibrated device which will produce signal levels useable by the prescribed portable radio). Field strength testing instruments must have been calibrated within one (1) year of the date of the acceptance test. Field strength testing instruments must be of the frequency selective type incorporating a flexible antenna similar to the ones used on the hand held transceivers. A Radio System Manager may designate alternate methods of measuring the signal level, which satisfy appropriate levels of public safety coverage.~~
- ~~3. A maximum of two (2) nonadjacent areas will be allowed to fail the test.~~
- ~~4. In the event that three (3) of the areas fail the test, the floor may be divided into eighty (80) equal areas in order to be more statistically accurate. In such event, a maximum of four (4) nonadjacent areas will be allowed to fail the test. After the eighty (80) area tests, if the system continues to fail, the building owner shall have the system altered to meet the 95% coverage requirement.~~
- ~~5. A spot located approximately in the center of a grid area will be selected for the test, then the radio will be keyed to verify two way~~

Attachment 2

~~communication to and from the outside of the building through the Regional 800 MHz Radio System. Once the spot has been selected, prospecting for a better spot within the grid area is not permitted. The gain values of all amplifiers shall be measured and the results kept on file with the building owner so that the measurements can be verified each year during the annual tests. In the event that the measurement results become lost, the building owner will be required to rerun the acceptance test to reestablish the gain values.~~

~~6. The gain values of all amplifiers shall be measured and the test measurement results shall be kept on file with the building owner so that the measurements can be verified during annual tests. In the event that the measurement results become lost, the building owner shall be required to rerun the acceptance test to reestablish the gain values.~~

~~7. As part of the installation a spectrum analyzer or other suitable test equipment shall be utilized to ensure spurious oscillations are not being generated by the subject signal booster. This test shall be conducted at time of installation and subsequent annual inspections.~~

~~15.10.110 IFC Section 510.5.5, Approval Prior to Occupancy, amended.~~

~~Section 510.5.5 of the International Fire Code is hereby amended to read as follows:~~

~~510.5.5 Approval prior to occupancy. A Certificate of Occupancy will not be issued to any structure if the building fails to comply with KMC 15.10.060.~~

~~15.10.115 IFC Section 510.6, Maintenance, amended.~~

~~Section 510.6 of the International Fire Code is hereby amended to read as follows:~~

~~510.6 Maintenance. The emergency responder radio coverage system shall be maintained operational at all times in accordance with Sections 510.6.1 through 510.6.4.~~

Attachment 2

~~15.10.120 IFC Section 510.6.1, Testing and Proof of Compliance, amended.~~

~~Section 510.6.1 of the International Fire Code is hereby amended to read as follows:~~

~~510.6.1 Testing and proof of compliance. The emergency responder radio coverage system shall be inspected and tested annually, or whenever structural changes occur including additions or remodels that could materially change the original field performance tests. Testing shall consist of the following:~~

~~1. In-building coverage test as described in Section 510.5.3.~~

~~Exception: Group R Occupancy annual testing is not required within dwelling units.~~

~~2. Signal boosters shall be tested to ensure that the gain is the same as it was upon initial installation and acceptance.~~

~~3. Backup batteries and power supplies shall be tested under load of a period of 1 hour to verify that they will properly operate during an actual power outage. If within the 1-hour test period the battery exhibits symptoms of failure, the test shall be extended for additional 1-hour periods until the integrity of the battery can be determined.~~

~~4. All other active components shall be checked to verify operation within the manufacturer's specifications.~~

~~5. At the conclusion of the testing, a report, which shall verify compliance with Section 510.5.3, shall be submitted to the fire code official.~~

~~15.10.125 IFC Section 510.6.3, Field Testing, amended.~~

~~Section 510.6.3 of the International Fire Code is hereby amended to read as follows:~~

~~510.6.3 Field Testing. Police and Fire Personnel shall have the right to enter onto the property at any reasonable time to conduct its own field testing to be certain that the required level of radio coverage is present.~~

Attachment 2

~~15.10.130 IFC Section 510.6.4, Identification, added.~~

~~Section 510.6.4 of the International Fire Code is hereby added as follows:~~

~~510.6.4 Identification. Radio Coverage system shall be identified by a sign located on or near the Fire Alarm Control Panel stating "This building is equipped with an Emergency Responder Radio Coverage System."~~

15.10.~~135~~105 IFC Section 901.7, Systems Out of Service, amended.

Section 901.7 of the International Fire Code is hereby amended to read as follows:

901.7 System out of service. Where a fire protection system is out of service, the fire department and the fire code official shall be notified immediately and, where required by the fire code official, the building shall either be evacuated or an approved fire watch shall be provided for all occupants left unprotected by the shutdown until the fire protection system has been returned to service. Where utilized, fire watches shall be provided with at least one means for notification of the fire department and their only duty shall be to perform constant patrols of the protected premises and keep watch for fires.

15.10.~~140~~110 IFC Section 903.2, Where Required, amended.

Section 903.2 of the International Fire Code is hereby amended to read as follows:

903.2 Where required. Approved automatic sprinkler systems in new and existing buildings and structures shall be provided in the locations described in Section 903.2.1 through 903.13.

The exception has been deleted.

15.10.~~145~~115 IFC Section 903.2.13, Additional Fire Sprinkler Requirements for New and Existing Buildings, added.

Section 903.2 of the International Fire Code is hereby amended by adding a new Section 903.2.13 as follows:

Attachment 2

903.2.13 Additional fire sprinkler requirements for new and existing buildings.

NEW BUILDINGS

1. An automatic sprinkler system shall be installed in all occupancies requiring 2,000 gallons per minute or more fire flow, or where the gross square footage exceeds 5,000 square feet. This applies to all buildings regardless of type or use.
2. All newly constructed buildings regardless of gross square footage shall be provided with an automatic sprinkler system if adequate fire flow, hydrant spacing, or approved fire department access is not provided as required in IFC Section 503, Appendix B, and or Title 15 of the Kenmore Municipal Code.
3. An automatic sprinkler system shall be installed in new residential occupancies.

Exception: Detached accessory dwelling units (ADU's).

EXISTING BUILDINGS

1. The provisions of this section shall apply to existing buildings that are subject to alterations, repairs, modifications or similar improvements where the total cost of the work performed exceeds 50% of the King County Assessors Office valuation of the structure. Where subsequent alterations, repairs, modifications or similar improvements occur within five years of the first permitted work, the original building valuation shall be used and the total costs of improvements shall be accumulative.
2. The provisions of this section shall apply to existing buildings where the gross floor area of the building is increased. Additions to buildings that would result in a gross floor area greater than 5,000 square feet shall be retrofitted throughout with an approved automatic sprinkler system.

Attachment 2

Exception: The floor area of an existing building may be increased by up to 25%, not to exceed 5,000 square foot floor area increase. This exception shall be allowed one time only and acknowledgement of its use shall be recorded to run with the property title prior to permit issuance.

15.10.~~150~~120 IFC 903.3.1.1.1, Exempt locations, amended.

Item 6 from Section 903.3.1.1.1 of the International Fire Code is hereby amended to read as follows:

6. Machine rooms, machinery spaces, control rooms and control spaces associated with traction elevators. The elevator machinery shall not be of the hydraulic type.

15.10.~~155~~125 IFC Section 903.3.1.2, NFPA 13R Sprinkler Systems, amended.

Section 903.3.1.2 of the International Fire Code is hereby amended to read as follows:

Automatic sprinkler systems in Group R occupancies up to and including four stories in height in buildings not exceeding 60 feet in height, as measured from the lowest point of fire department access, shall be permitted to be installed throughout in accordance with NFPA 13R.

The number of stories of Group R constructed in accordance with Sections 510.2 and 510.4 of the International Building Code shall be measured from the horizontal assembly creating separate buildings.

15.10.~~160~~130 IFC Section 903.4.3, Floor Control Valves, amended.

Section 903.4.3 of the International Fire Code is hereby amended to read as follows:

903.4.3. Floor control valves. In multi-level buildings *approved*, supervised indicating control valves shall be provided at the point of connection to the riser on each floor.

Exception: When approved by the fire code official.

15.10.~~165~~135 IFC Section 903.5.1, Fire Sprinkler and Standpipe Drains, added.

Attachment 2

Section 903.5.1 of the International Fire Code is hereby amended by adding a new Section 903.5.1 as follows:

903.5.1 Fire sprinkler and standpipe drains. Fire sprinkler and standpipe main/express drains shall be positioned to drain to the sanitary sewer. Additionally, maintenance or testing discharges from fire pumps shall be treated in order to comply with the National Pollution Discharge Elimination System (NPDES) requirements.

15.10.170140 IFC Section 907.2, Where Required – New Buildings and Structures, amended.

Section 907.2, excluding subsections 907.2.1 through 907.2.23, of the International Fire Code is hereby amended to read as follows:

907.2 Where required—new buildings and structures.

All occupancies exceeding 3,000 square feet gross floor area shall be required to provide an approved, monitored automatic fire detection system. Fire walls as noted in Section 706 of the International Building Code shall not be considered to be a separate building to enable deletion of the required fire detection system.

Exception: Group U or IRC regulated structures.

An approved fire alarm system installed in accordance with this code and NFPA 72 shall be provided in new buildings and structures in accordance with Sections 907.2.1 through 907.2.23. and provide occupant notification in accordance with Section 907.6, unless other requirements are provided by another section of this code. Where automatic sprinkler protection installed in accordance with Section 903.3.1.1 or 903.3.1.2 is provided and connected to the building fire alarm system, automatic heat detection required by this section shall not be required.

Attachment 2

A minimum of one fire alarm box shall be provided in an approved location to initiate a fire alarm signal for fire alarm systems employing automatic fire detectors or water-flow devices. Where other sections of this code allow elimination of fire alarm boxes due to sprinklers, a single fire alarm box shall be installed.

EXISTING BUILDINGS

The provisions of this section shall apply to existing buildings that are subject to alterations, repairs, modifications or similar improvements where the total cost of the work performed exceeds 50% of the King County Assessor's Office valuation of the structure. Where subsequent alterations, repairs, modifications or similar improvements occur within five years of the first permitted work, the original building valuation shall be used and the total costs of improvements shall be accumulative.

15.10.175145 IFC Section 5003.9, General Safety Precautions, amended.

Section 5003.9 of the International Fire Code is amended to read as follows:

5003.9 General safety precautions. General precautions for the safe storage, handling or care of hazardous materials shall be in accordance with Sections 5003.9.1 through 5003.9.11.

15.10.180150 IFC Section 5003.9.11, Manufacturer's Limitations, added.

Section 5003.9 of the International Fire Code is amended by adding a new section 5003.9.11 as follows:

5003.9.11 Manufacturer's Limitations. The storage and use of hazardous materials shall not exceed the manufacturer's limitations on shelf life and any other restrictions on use.

15.10.185155 IFC Section 5307.5.2, Emergency Alarm System, amended.

Section 5307.5.2 of the International Fire Code is hereby amended to read as follows:

5307.5.2 Emergency alarm systems. An emergency alarm system shall comply with all of the following:

Attachment 2

1. Continuous gas detection shall be provided to monitor areas where carbon dioxide can accumulate.
2. The threshold for activation on an alarm shall not exceed 5,000 parts per million.
3. Activation of the emergency alarm system shall initiate a local alarm at the entrance to the room(s) and inside the room(s) where CO₂ systems are installed.
4. A warning sign shall be posted at the entrance to the room that reads: "Carbon Dioxide Alarm. Do Not Enter. Call 911."

15.10.190160 IFC Section 5604.1, General, amended.

Section 5604.1 of the International Fire Code is hereby amended by adding the following:

5604.1 General. The storage of blasting agents, detonators, explosives, explosive materials and special industrial explosive devices is prohibited within the city limits.

Exceptions:

1. Approved storage areas in law enforcement facilities and as otherwise provided in the Municipal Code.
2. When approved by the fire code official.

15.10.195165 IFC Section 5704.2.9.6.1, Locations Where Above-Ground Tanks Are Prohibited, amended.

Section 5704.2.9.6.1 of the International Fire Code is amended to read as follows:

5704.2.9.6.1 Locations where above-ground tanks are prohibited. Throughout the city, the use of above ground storage tanks outside of buildings shall be limited to flammable or combustible liquids in outside above ground tanks of 2,000 gallons per tank with an aggregate capacity of 4,000 gallons per site, unless otherwise specifically approved by the fire code official. All above ground

Attachment 2

storage tanks containing flammable or combustible liquids with a capacity of 500 gallons or more shall be protected tanks designed in accordance with Section 5704.2.9.7 and UL2085, or other systems with prior approval of the fire code official. Above ground combustible liquid tanks, used for the storage of heating oil, for a single family residence shall not exceed 300 gallons. Above ground flammable liquid tanks shall not be permitted in a residential zone or within 100 feet of a residential zone within the city, except that such tanks may be located at fire stations or municipal facilities. Temporary uses may be permitted during periods of construction with the approval of the fire code official. Permits for above ground tanks shall be approved by the fire code official prior to installation or placement.

Exception: Existing installations exceeding 2,000 gallon tank or aggregate capacity of 4,000 gallons per site shall be allowed to continue until tank replacement is necessary or tank decommissioning.

15.10.170 IFC Section 5707, On-Demand Mobile Fueling Operations, amended.
Section 5707 of the International Fire Code is amended to read as follows:

5701.1 General. On-demand mobile fueling operations that dispense Class I, II and III liquids into the fuel tanks of motor vehicles shall comply with Sections 5707.1 through 5707.6. 6.

Exception: Fueling from an *approved* portable container in cases of an emergency or for personal use.

5707.1.1 Approval required. Mobile fueling operations shall not be conducted without first obtaining a *permit* and approval from the *fire code official*. Mobile fueling operations shall occur only at *approved* locations. The *fire code official* is authorized to approve individual locations or geographic areas where mobile fueling is allowed.

5707.2 Mobile fueling vehicle. An on-demand mobile fueling vehicle shall be that which is utilized in on-demand fueling operations for the dispensing of

Attachment 2

Class I, II or III liquids into the fuel tanks of motor vehicles.

5707.2.1 Mobile fueling vehicle classifications. An on-demand mobile fueling vehicle shall be characterized as one of the following:

1. Tier 1 Mobile Fueling Vehicle-A tank vehicle that complies with NFPA 385 and that has chassis-mounted tanks where the aggregate capacity does not exceed 1600 gallons (6057 L).

2. Tier 2 Mobile Fueling Vehicle-A vehicle with one or more chassis-mounted tanks or chassis-mounted containers, not to exceed 110 gallons (415 L) capacity and having an aggregate capacity that does not exceed 800 gallons (3028 L) or the weight capacity of the vehicle in accordance with DOTn.

3. Tier 3 Mobile Fueling Vehicle-A vehicle that carries a maximum aggregate capacity of 60 gallons (227 L) of motor fuel in metal safety cans listed in accordance with UL 30 or other approved metal containers, each not to exceed 5 gallons (19 L) in capacity.

5707.2.2 Mobile fueling vehicle requirements. Each mobile fueling vehicle shall comply with all local, state and federal requirements, as well as the following:

1. Mobile fueling vehicles with a chassis-mounted tank in excess of 110 gallons (415 L) shall also comply with the requirements of Section 5706.6 and NFPA 385.

2. The mobile fueling vehicle and its equipment shall be maintained in good repair.

3. Safety cans and approved metal containers shall be secured to the mobile fueling vehicle except when in use.

4. Fueling a motor vehicle from tanks or containers mounted in a trailer connected to a mobile fueling vehicle shall be prohibited.

5707.3 Required documents. Documents developed to comply with Sections 5707.3.1 through 5707.3.3 shall be updated as necessary by the owner of the mobile fueling operation and shall be maintained in compliance with Section 108.3.

5707.3.1 Safety and emergency response plan. Mobile fueling operators shall

Attachment 2

have an *approved* written safety and emergency response plan that establishes policies and procedures for fire safety, spill prevention and control, personnel training and compliance with other applicable requirements of this code.

5707.3.2 Training records. Mobile fueling vehicles shall be operated only by designated personnel who are trained on proper fueling procedures and the safety and emergency response plan. Training records of operators shall be maintained.

5707.3.3 Site plan. Where required by the *fire code official*, a site plan shall be developed for each location or area at which mobile fueling occurs. The site plan shall be in sufficient detail to indicate the following:

1. All buildings, structures;

2. *Lot lines* or, property lines;

3. Electric car chargers;

4. Solar photovoltaic parking lot canopies;

5. Appurtenances on site and their use or function;

6. All uses adjacent to the *lot lines* of the site;

7. Fueling locations;

8. Locations of all storm drain openings and adjacent waterways or wetlands

9. Information regarding slope, natural drainage, curbing, impounding;

10. How a spill will be kept on the site property;

11. Scale of the site plan.

5707.4 Mobile fueling areas. The mobile fueling vehicle and point of connection of the vehicle being fueled shall not occur on public streets, *public ways* or inside *buildings*. Fueling on the roof level of parking structures or other *buildings* is prohibited.

5707.4.1 Separation. The point of connection of the vehicle being fueled shall not

Attachment 2

take place within 25 feet (7620 mm) of buildings, lot lines, property lines or combustible storage. Mobile fueling vehicles shall not park within 10 feet (3048 mm) of buildings, lot lines, property lines, or combustible storage.

Exceptions:

1. The *fire code official* shall be authorized to decrease the separation distance for dispensing from metal safety cans or other *approved* metal containers in accordance with Section 5707.2.

2. The point of fueling shall not take place within 10 feet (3048 mm) of buildings, lot lines, property lines, or combustible storage when the mobile fueling vehicle has an approved vapor recovery system or is servicing vehicles with on board refueling vapor recovery.

Where dispensing operations occur within 15 feet (4572 mm) of a storm drain, an *approved* storm drain cover or an *approved* equivalent method that will prevent any fuel from reaching the drain shall be used.

5707.4.2 Sources of ignition. Smoking, open flames and other sources of ignition shall be prohibited within 25 feet (7620 mm) of fuel dispensing activities. Signs prohibiting smoking or open flames within 25 feet (7620 mm) of the vehicle or the point of fueling shall be prominently posted on the mobile fueling vehicle. The engines of vehicles being fueled shall be shut off during fueling.

5707.4.3 Electrical equipment. Mobile fueling shall not occur within 20 feet of electrical equipment located within 18 inches of the ground unless such electrical equipment is rated for Class 1, Division 2 hazardous locations in accordance with the National Electrical Code.

5707.5 Equipment. Mobile fueling equipment shall comply with Sections 5707.5.1 through 5707.5.5.

5707.5.1 Dispensing hoses and nozzles. Where equipped, the dispensing hose shall not exceed 50 feet (15 240 mm) in length. The dispensing nozzles and hoses shall be of an *approved* and *listed* type. Where metal-to-metal contact cannot be made between the nozzle and the fuel fill opening, then a means for bonding the

Attachment 2

mobile fueling vehicle to the motor vehicle shall be provided and employed during fueling operations.

5707.5.2 Break-away device. A listed break-away device shall be provided at the nozzle.

Exception: Mobile fueling vehicles equipped with an approved brake interlock tied to the nozzle holder that prohibits movement of the mobile fueling vehicle when the nozzle is removed from its holder or tied to the delivery of fuel that prevents activation of the pumping system.

5707.5.3 Shut off valve and fuel limit. Mobile fueling vehicles shall be equipped with a listed shutoff valve assembly and a fuel limit switch set to a maximum of 30 gallons (116 L)

5707.5.4 Fire extinguisher. An *approved* portable fire extinguisher complying with Section 906 with a minimum rating of 4A:80-B:C shall be provided on the mobile fueling vehicle with signage clearly indicating its location.

5707.5.5 Spill kit. Mobile fueling vehicles shall contain a minimum 5-gallon (19 L) spill kit of an *approved* type.

5707.6 Operations. Mobile fueling vehicles shall be constantly attended during fueling operations with brakes set and warning lights in operation. Mobile fueling vehicles shall not obstruct emergency vehicle access roads.

5707.6.1 Dispensing hose. Where equipped, mobile fueling vehicles shall be positioned in a manner to preclude traffic from driving over the dispensing hose. The dispensing hose shall be properly placed on an *approved* reel or in an *approved* compartment prior to moving the mobile fueling vehicle.

5707.6.2 Drip control. Operators shall place a drip pan or an absorbent pillow under the nozzle and each fuel fill opening prior to and during dispensing operations to catch drips.

5707.6.3 Safety cones. Safety cones or other visual barriers shall be employed as warning devices to highlight the vehicle fueling area.

Attachment 2

5707.6.4 Vehicle lights. The mobile fueling vehicle flasher lights shall be in operation while dispensing operations are in progress.

5707.6.5 Nighttime deliveries. Nighttime deliveries shall only be made in areas deemed adequately lighted by the fire code official.

5707.6.6. Spill reporting. Spills shall be reported in accordance with Section 5003.3.1

15.10.~~200~~175 IFC Section 5806.2, Limitations, amended.

Section 5806.2 of the International Fire Code is amended to read as follows:

5806.2 Outdoor storage. The storage of flammable cryogenic fluids in stationary containers outside of buildings is prohibited within the city limits.

15.10.~~205~~180 IFC Section 6104.2, Maximum Capacity within Established Limits, amended.

Section 6104.2 of the International Fire Code is amended to read as follows:

6104.2 Maximum capacity within established limits. Throughout the city, the aggregate capacity of any one installation of liquefied petroleum gas shall not exceed five hundred (500) gallons water capacity. This capacity limit may be increased up to, but not to exceed, two thousand (2,000) gallons water capacity if the installation is not within, or closer than 100 feet of a residential zone and must be approved by the fire code official. A permit is required to install a liquefied petroleum gas tank.

Exception: Existing installations exceeding five hundred (500) gallons water capacity, but not exceeding two thousand (2,000) gallons water capacity, shall be allowed to continue.

15.10.~~210~~185 IFC Appendix B, Fire-Flow Requirements for Buildings, amended.

Appendix B, Sections B104.1, B104.2, and B105.1, and the footnotes of Table B105.1, are amended to read as follows:

Attachment 2

B104.1 General. The fire flow calculation area shall be the total floor area of all floor levels within the exterior walls, and under the horizontal projections of the roof of a building, including basements and attached garages, except as modified in Section B104.3.

B104.2 Area separation. Portions of buildings which are separated by four-hour fire walls without openings, constructed in accordance with the International Building Code, are allowed to be considered as separate fire-flow calculation areas.

B105.1 One and Two Family dwellings. The minimum fire flow requirements for one and two family dwellings having a fire-flow calculation area where the gross floor area, including attached garages, does not exceed 3,600 square feet (344.5 m²) shall be 1,500 gallons per minute (3785.4 L/min). Fire flow and flow duration for dwellings having a gross square footage in excess of 3,600 square feet (344.5 m²) shall be not less than that specified in Table B105.1 and the *ISO Guide for the Determination of Needed Fire Flow*.

Exception: The minimum fire flow required for one- and two-family dwellings protected by approved fire sprinkler systems that have a gross floor area under 3,600 square feet shall be 500 gallons per minute. Fire sprinkler protected one- and two-family dwellings that have gross floor areas over 3,600 square feet shall have available fire flow of at least 1/2 the value in Table B105.1(2).

B105.2 Buildings other than one- and two-family dwellings. The minimum fire flow and flow duration for buildings other than one- and two-family dwellings shall be as determined by utilizing Table B105.1 and the *ISO Guide for the Determination of Needed Fire Flow*.

Exception: A reduction in required fire flow of up to 50 percent, as approved, is allowed when the building is provided with an approved automatic sprinkler system installed in accordance with

Attachment 2

Section 903.3.1.1 or 903.3.1.2 of the International Fire Code.
Where buildings are of Type I or II construction and are a light-hazard occupancy as defined by NFPA 13, the reduction may be up to 75 percent. The resulting fire flow shall not be less than 1,500 gallons per minute (5678 l/min) for the prescribed duration as specified in Table B105.1.

Attachment 2

Chapter 15.20 BUILDING CODES

Sections:

- 15.20.010 International Building Code adopted.**
- 15.20.015 IBC Section 312.1, U-Occupancy Use – General, amended.**
- 15.20.020 IBC Section 403.4.8, Standby Power, amended.**
- 15.20.025 IBC Section 403.4.8.1, Equipment Room, amended.**
- 15.20.030 IBC Section 403.4.8.1.1, Standby Power Room Penetrations, added.**
- 15.20.035 IBC Section 403.4.8.3, Standby Power Loads, amended.**
- 15.20.040 IBC Section 403.7, Smoke Control, added.**
- 15.20.045 IBC Section 405.8, Standby Power, amended.**
- 15.20.050 IBC Section 712.1.3.1, Opening Size, amended.**
- 15.20.055 IBC Section 903.2, Sprinklers Where Required, amended.**
- 15.20.060 IBC Section 903.2.13, Additional Fire Sprinkler Requirements for New and Existing Buildings, added.**
- 15.20.065 IBC Section 903.3.1.1.1, Exempt locations, amended.**
- 15.20.070 IBC Section 903.3.1.2, NFPA 13R sprinkler systems, amended.**
- 15.20.075 IBC Section 903.4.3, Floor Control Valves, amended.**
- 15.20.080 IBC Section 903.5.1, Fire Sprinkler and Standpipe Drains, added.**
- 15.20.085 IBC Section 907.2, Alarms Where Required – New Buildings and Structures, amended.**
- 15.20.090 IBC Section 911.1.2.1, Fire Command Center Penetrations, added.**
- 15.20.095 IBC Section 1608.1, Snow Load – General, amended.**
- 15.20.100 IBC Section 1612.3, Establishment of Flood Hazard Areas, amended.**
- 15.20.105 IBC Section 3002.4, Elevator Car to Accommodate Ambulance Stretcher, amended.**
- 15.20.110 IBC Section 3112, Waterfront Structures, added.**
- 15.20.115 IBC Appendix adoption.**
- 15.20.120 International Residential Code adopted.**
- 15.20.125 IRC Table R301.2(1), Climate and Geographic Design Criteria, amended.**
- 15.20.130 IRC Appendix V, Fire Sprinklers, amended.**
- 15.20.135 1997 Uniform Housing Code adopted.**
- 15.20.140 UHC Section 203, Appeals – Amended.**
- 15.20.145 UHC Section 1201.2, Processing of Appeals – Amended.**

Attachment 2

- 15.20.150 UHC Section 1201.3 deleted.**
- 15.20.155 UHC Chapter 13 deleted.**
- 15.20.160 International Mechanical Code adopted.**
- 15.20.165 Uniform Plumbing Code adopted.**
- 15.20.170 National Fuel Gas Code (NFPA 54) adopted.**
- 15.20.175 Liquefied Petroleum Gas Code (NFPA 58) adopted.**
- 15.20.180 International Fuel Gas Code adopted.**
- 15.20.185 Washington State Energy Code adopted.**
- 15.20.200 Uniform Code for the Abatement of Dangerous Buildings adopted.**
- 15.20.205 UCADB Section 205, Appeals, amended.**
- 15.20.210 UCADB Section 501.2, Processing of Appeals, amended.**
- 15.20.215 UCADB Section 501.3 deleted.**
- 15.20.220 UCADB Chapter 6 deleted.**
- 15.20.225 International Existing Building Code adopted.**
- 15.20.230 International Swimming Pool and Spa Code adopted.**

15.20.010 International Building Code adopted.

The ~~2015~~2018 Edition of the International Building Code, excluding Chapter 1, "Scope and Administration," as published by the International Code Council, is adopted, together with the amendments set forth in Chapter 51-50 WAC. The Construction Administrative Code, as set forth in Chapter 15.30 KMC, shall be used in place of IBC Chapter 1.

15.20.015 IBC Section 312.1, U-Occupancy Use – General, amended.

Section 312.1 of the International Building Code is hereby amended to read as follows by adding the following use to the list:

Waterfront structures

15.20.020 IBC Section 403.4.8, Standby Power, amended.

Section 403.4.8 of the International Building Code is hereby amended to read as follows:

Add the following sentence to the end of the paragraph:

Fuel-fired emergency generator sets and associated fuel storage,
including optional generator sets, located more than 75 feet above

Attachment 2

the lowest level of Fire Department vehicle access requires the approval of the Fire Code Official.

15.20.025 IBC Section 403.4.8.1, Equipment Room, amended.

Section 403.4.8.1 of the International Building Code, is hereby amended to read as follows:

403.4.8.1 Equipment room. If the standby system is a generator set inside the building, the system shall be located in a separate room enclosed with 2-hour fire barriers constructed in accordance with Section 403.4.8.1.1 and Section 707 or horizontal assemblies constructed in accordance with Section 711, or both. System supervision with manual start and transfer features shall be provided at the fire command center.

15.20.030 IBC Section 403.4.8.1.1, Standby Power Room Penetrations, added.

Section 403.4.8.1.1 of the International Building Code is hereby added as follows:

403.4.8.1.1 Penetrations. Penetrations into and openings through a room containing a standby power system are prohibited except for required exit doors, equipment and ductwork necessary for heating, cooling or ventilation, sprinkler branch line piping, or electrical raceway serving the standby power system or being served by the standby power system and metallic piping with no joints or openings. Such penetrations shall be protected in accordance with Section 714.

15.20.035 IBC Section 403.4.8.3, Standby Power Loads, amended.

Section 403.4.8.3 of the International Building Code is amended by adding a fifth item which reads as follows:

5. Smoke control system.

15.20.040 IBC Section 403.7, Smoke Control, added.

Section 403.7 of the International Building Code is hereby added as follows:

403.7 Smoke control. A smoke control system meeting the requirements of Section 909 shall be provided in buildings that

Attachment 2

exceed ten stories, or contain a use requiring defend-in-place firefighting operations in which occupants of some area cannot readily evacuate that area. This includes portions of facilities housing functions essential to continuity of public safety operations, and Group I and LC Occupancies where in the judgment of the Building Official and Fire Code Official, occupants having limited capacity for self-preservation are located on floors more than 75 feet above the lowest level of Fire Department vehicle access. A smoke control system for a defend-in-place use may be a performance-based design to protect that use without providing smoke control throughout the entire building, but shall otherwise comply with Section 909.

Exception: Smoke control may be omitted when approved by the Building Official and Fire Code Official.

15.20.045 IBC Section 405.8, Standby Power, amended.

Section 405.8 of the International Building Code is hereby amended by adding the following sentence:

Fuel-fired emergency generator sets and associated fuel storage, including optional generator sets, located more than 30 feet below the lowest level of exit discharge requires the approval of the Fire Code Official.

15.20.050 IBC Section 712.1.3.1, Opening Size, amended.

Section 712.1.3.1 of the International Building Code is hereby amended by revising the last sentence, to read:

This application is limited to openings that do not connect more than four stories in buildings not required to have smoke control systems. In buildings that are required to have smoke control systems, escalators are limited to openings that do not connect more than four stories and non-egress stairs are limited to openings that do not atmospherically connect more than two stories.

15.20.055 IBC Section 903.2, Sprinklers Where Required, amended.

Attachment 2

Section 903.2 of the International Building Code is hereby amended to read as follows:

903.2 Where required. Approved automatic sprinkler systems in new and existing buildings and structures shall be provided in the locations described in Section 903.2.1 through 903.13.

The exception has been deleted.

15.20.060 IBC Section 903.2.13, Additional Fire Sprinkler Requirements for New and Existing Buildings, added.

Section 903.2 of the International Building Code is hereby amended by adding a new Section 903.2.13 as follows:

903.2.13 Additional fire sprinkler requirements for new and existing buildings.

NEW BUILDINGS

1. An automatic sprinkler system shall be installed in all occupancies requiring 2,000 gallons per minute or more fire flow, or where the gross square footage exceeds 5,000 square feet. This applies to all buildings regardless of type or use. Fire walls shall not be considered to separate a building to enable deletion of the required sprinkler system.

2. All newly constructed buildings regardless of gross square footage shall be provided with an automatic sprinkler system if adequate fire flow, hydrant spacing, or approved fire department access is not provided as required in the International Fire Code Section 503, Appendix B, and/or Title 15 of the Kenmore Municipal Code.

3. An automatic sprinkler system shall be installed in newly constructed residential occupancies.

Exception: Detached accessory dwelling units (ADU's).

EXISTING BUILDINGS

Attachment 2

1. The provisions of this section shall apply to existing buildings that are subject to alterations, repairs, modifications or similar improvements where the total cost of the work performed exceeds 50% of the King County Assessor's Office valuation. Where subsequent alterations, repairs, modifications or similar improvements occur within five years of the first permitted work, the original building valuation shall be used and the total costs of the improvements shall be accumulative.

2. The provisions of this section shall apply to existing buildings where the gross floor area of the building is increased. Additions to buildings that would result in a gross floor area greater than 5,000 square feet shall be retrofitted throughout with an approved automatic sprinkler system.

Exception: The floor area of an existing building may be increased up to 25%, not to exceed 5,000 square foot floor area increase.

This exception shall be allowed one time only and acknowledgement of its use shall be recorded on the property title prior to permit issuance.

15.20.065 IBC Section 903.3.1.1.1, Exempt locations, amended.

Item 6 from Section 903.3.1.1.1 of the International Building Code is hereby amended to read as follows:

6. Machine rooms, machinery spaces, control rooms and control spaces associated with traction elevators. The elevator machinery shall not be of the hydraulic type.

15.20.070 IBC Section 903.3.1.2, NFPA 13R sprinkler systems, amended.

Section 903.3.1.2 of the International Building Code is hereby amended to read as follows:

Automatic sprinkler systems in Group R occupancies up to and including four stories in height in buildings not exceeding 60 feet in height, as measured from the lowest point of fire department access, shall be permitted to be installed throughout in accordance with NFPA 13R.

Attachment 2

The number of stories of Group R constructed in accordance with Sections 510.2 and 510.4 shall be measured from the horizontal assembly creating separate buildings.

15.20.075 IBC Section 903.4.3, Floor Control Valves, amended.

Section 903.4.3 of the International Building Code is hereby amended to read as follows:

903.4.3 Floor control valves. In multi-level buildings *approved*, supervised indicating control valves shall be provided at the point of connection to the riser on each floor.

Exception: When approved by the fire code official.

15.20.080 IBC Section 903.5.1, Fire Sprinkler and Standpipe Drains, added.

Section 903.5.1 of the International Building Code is amended by adding a new Section 903.5.1 as follows:

903.5.1 Fire sprinkler and standpipe drains. Fire sprinkler and standpipe main/express drains shall be positioned to drain to the sanitary sewer. Additionally, maintenance or testing discharges from fire pumps shall be treated in order to comply with the National Pollution Discharge Elimination System (NPDES) requirements.

15.20.085 IBC Section 907.2, Alarms Where Required – New Buildings and Structures, amended.

Section 907.2 of the International Building Code is hereby amended to read as follows:

907.2 Where required – new buildings and structures.

All occupancies exceeding 3,000 square feet gross floor area shall be required to provide an approved and monitored fire detection system. Fire walls shall not be considered to be a separate building to enable deletion of the required fire detection system.

Exception: Group U or IRC regulated structures.

Attachment 2

An approved fire alarm system installed in accordance with Sections 907.2.1 through 907.2.23 and provide occupant notification in accordance with Section 907.6, unless other requirements are provided by another section of the IFC. Where automatic protection installed in accordance with Section 903.3.1.1 or 903.3.1.2 is provided and connected to the building fire alarm system, automatic heat detection required by this section shall not be required.

A minimum of one fire alarm box shall be provided in an approved location to initiate a fire alarm signal for the fire alarm systems employing automatic fire detectors or water-flow devices. Where other sections of this code allow elimination of fire alarm boxes due to sprinklers, a single fire alarm box shall be installed.

EXISTING BUILDINGS

The provisions of this section shall apply to existing buildings that are subject to alterations, repairs, modifications or similar improvements where the total cost of the work performed exceeds 50% of the King County Assessor's Office valuation of the structure. Where subsequent alterations, repairs, modifications or similar improvements occur within five years of the first permitted work, the original building valuation shall be used and the total costs of improvements shall be accumulative.

15.20.090 IBC Section 911.1.2.1, Fire Command Center Penetrations, added.

Section 911.1.2.1 of the International Building Code is hereby added to read as follows:

911.1.2.1 Penetrations. Penetrations into and openings through a fire command center are prohibited except for required exit doors, equipment and ductwork necessary for heating, cooling or ventilation, sprinkler branch line piping, electrical raceway for the fire department communication and control, electrical raceway serving the fire command center for being controlled from the fire command center and metallic piping with no joints or openings.

Attachment 2

Such penetrations shall be protected in accordance with Section 714.

15.20.095 IBC Section 1608.1, Snow Load – General, amended.

Section 1608.1 of the International Building Code is hereby amended to read as follows:

1608.1 General. Design snow loads shall not be less than 25 psf, and the design roof loads shall not be less than that determined by Section 1607.

15.20.100 IBC Section 1612.3, Establishment of Flood Hazard Areas, amended.

Section 1612.3 of the International Building Code is hereby amended by revising the second sentence to read as follows:

The flood hazard map shall include, at a minimum, areas of special flood hazard as identified by the Federal Emergency Management Agency in an engineering report entitled "The Flood Insurance Study for King County, Washington and Incorporated Areas," DATED April 9, 2005, as amended or revised with the accompanying Flood Insurance Rate Map (FIRM) and related supporting data along with any revisions thereto.

15.20.105 IBC Section 3002.4, Elevator Car to Accommodate Ambulance Stretcher, amended.

Section 3002.4 of the International Building Code is hereby amended to read as follows:

3002.4 Elevator car to accommodate ambulance stretcher. Where elevators are provided in buildings four or more stories above, or four or more stories below grade plane, or in any R or I occupancy building provided with an elevator regardless of the number of stories, at least one elevator shall be provided for fire department emergency access to all floors. The elevator car shall be of such a size and arrangement to accommodate a 24-inch by 84-inch (610 mm by 1930 mm) ambulance stretcher in the horizontal, open position and shall be identified by the international symbol for emergency medical services (star of life). The symbol shall not be less than 3 inches (76 mm) high and shall be placed inside on both sides of the hoistway door frame.

Attachment 2

15.20.110 IBC Section 3112, Waterfront Structures, added.

Section 3112 of the International Building Code is hereby added as follows:

SECTION 3112

WATERFRONT STRUCTURES

Section 3112.1 General. In addition to other requirements of this code, all waterfront structures shall comply with the regulations of this section and the Kenmore Shoreline Management Code.

Section 3112.2 Approvals Required. Before any permit for a new waterfront structure or revisions to an existing waterfront structure is issued by the building official, the applicant shall obtain prior approval from all applicable state and federal agencies.

Section 3112.3 Definitions. For the purpose of this section, certain terms are defined as follows:

BULKHEAD. As defined in the Kenmore Shoreline Management Code.

COVERED WATERFRONT STRUCTURE. Any waterfront structure covered in whole or in part by a roof.

DOCK. As defined in the Kenmore Shoreline Management Code.

FLOAT. As defined in the Kenmore Shoreline Management Code.

PIER. As defined in the Kenmore Shoreline Management Code.

POLLUTION-GENERATING MATERIAL. Include those which are erodable or leachable materials, wastes, or chemicals. Metal roofs are considered to be pollution-generated unless they are treated to prevent leaching.

SUBSTRUCTURE. That portion of the construction of a dock, pier, wharf or other similar waterfront structure below and including the deck.

Attachment 2

SUPERSTRUCTURE. That portion of the construction of a dock, pier, wharf or other similar waterfront structure above the deck.

WATERFRONT STRUCTURE. Structures including, but not limited to docks, piers, wharves, floats, mooring piles, anchor buoys, bulkheads, submerged or overhead wires, pipes and cables, and any object passing beneath, through or over the water, waterward of the ordinary high water mark.

WHARF. A structure of timber, stone, concrete or other material having a platform built along and parallel to navigable waters so that vessels may be moored alongside for loading and unloading, or for storage or repair.

Section 3112.4 Construction Requirements. Waterfront structures shall comply with Sections 3112.4.1 through 3112.4.4.

Section 3112.4.1 Substructure. The substructure may be constructed of any nonpollution-generating materials allowed by this code, and the Kenmore Shoreline Management Code. All decks shall sustain, within the limitations of this code, all dead loads plus a live load of not less than 100 pounds per square foot, assumed to act vertically. In addition to the live load requirement, all structures and every portion thereof shall be designed and constructed to resist a horizontal force of not less than 100 pounds per lineal foot acting at the deck line, in any direction.

Exception: For waterfront structures serving only a single-family dwelling, a live load of 40 psf may be used and a horizontal force need only be considered where applicable.

Automatic sprinklers shall be installed under the substructure in accordance with the requirements of Chapter 9 and the International Fire Code.

Section 3112.4.2 Superstructure. The superstructure shall be designed and constructed to sustain all dead loads, live loads, and wind loads required by this code, and may be constructed of any

Attachment 2

nonpollution-generating materials allowed by this code and the Kenmore Shorelines Management Code, except when the building area of a covered waterfront structure exceeds 1,000 square feet the entire superstructure and deck shall be constructed of noncombustible materials or as required for Type IV-H.T. Construction per Section 602.4 or be equipped throughout the structure with an approved automatic sprinkler system.

Section 3112.4.3 Hardware. All hardware used structurally shall be of a corrosive-resistant metal such as aluminum, brass, copper, and stainless steel, or be completely protected by an approved corrosion-resistant metal, such as zinc.

Section 3112.4.4 Standpipes. When a distance of travel to fire apparatus access exceeds one hundred fifty (150) feet, a Class I manual, dry standpipe system shall be provided in accordance with NFPA 303. Systems shall be provided with outlets located such that no point of the structure exceeds one hundred fifty (150) feet from a standpipe outlet.

Exception: Waterfront structures serving not more than one single-family dwelling.

15.20.115 IBC Appendix adoption.

The City hereby adopts Appendix Chapter E, "Supplementary Accessibility Requirements," and Appendix Chapter H, "Signs," pursuant to Chapters 19.27 and 70.92 RCW.

15.20.120 International Residential Code adopted.

The ~~2015~~2018 Edition of the International Residential Code, including Appendix ~~QU~~, "Dwelling Unit Fire Sprinkler Systems," and Appendix V, "Fire Sprinklers," but excluding Chapter 1 of the IRC, "Scope and Administration," as published by the International Code Council, is adopted, together with the amendments set forth in Chapter 51-51 WAC. The Construction Administrative Code, as set forth in Chapter 15.30 KMC, shall be used in place of IRC Chapter 1.

15.20.125 IRC Table R301.2(1), Climate and Geographic Design Criteria, amended.

Attachment 2

Table R301.2(1) of the International Residential Code is hereby amended to read as follows:

TABLE R301.2(1)
CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA

GROUND LOAD ^a	WIND DESIGN			SEISMIC DESIGN CATEGORY ⁱ	SUBJECT TO DAMAGE FROM		WINTER DESIGN TEMP ^g	ICE BARRIER UNDERLAYMEN T REQUIRED ^h	FLOOD HAZARDS ^h	AIR FREEZING INDEX ⁱ	MEAN ANNUAL TEMP ⁱ
	Speed ^d (mph)	Topographic effects ^e	Special wind region ^f		Weathering ^a	Frost line depth ^b					
25 psf	110	No	No	No	moderate	12 inches	24°F	No	Per KMC 18.55-70	148	51°F
MANUAL J DESIGN CRITERIA ^{1a}											
Elevation		Latitude	Winter heating	Summer cooling	Altitude correction factor	Indoor design temperature	Design temperature cooling	Heating temperature difference			
60 feet	47 ^a	72°F	72°F	75°F	0.99	72°F	75°F	45°F			
Cooling temperature difference		Wind velocity heating	Wind velocity cooling	Coincident wet bulb	Daily range	Winter humidity	Summer humidity				
7°F	N.A.	N.A.	N.A.	66	Medium	75%	68%				

For SI: 1 pound per square foot = 0.0479 kPa, 1 mile per hour = 0.447 m/s.

- Where weathering requires a higher strength concrete or grade of masonry than necessary to satisfy the structural requirements of this code, the frost line depth strength required for weathering shall govern. The weathering column shall be filled in with the weathering index, "negligible," "moderate," or "severe" for concrete as determined from Figure R301.2(4). The grade of masonry units shall be determined from the ASTM C34, C55, C62, C73, C90, C129, C145, C216, or C652.
- Where the frost line depth requires deeper footings than indicated in Figure R403.1(1), the frost line depth strength required for weathering shall govern. The jurisdiction shall fill in the frost line depth column with the minimum depth of footing below finish grade.
- The jurisdiction shall fill in this part of the table to indicate the need for protection depending on whether there has been a history of local subterranean termite damage.
- The jurisdiction shall fill in this part of the table with the wind speed from the basic wind speed map [Figure R301.2(5)A]. Wind exposure category shall be determined on a site-specific basis in accordance with Section R301.2.1.4.
- The outdoor design dry-bulb temperature shall be selected from the columns of 97½-percent values for winter from Appendix D of the *International Plumbing Code*. Deviations from the Appendix D temperatures shall be permitted to reflect local climates or local weather experience as determined by the building official. [Also see Figure R301.2(1).]
- The jurisdiction shall fill in this part of the table with the seismic design category determined from Section R301.2.2.1.
- The jurisdiction shall fill in this part of the table with (a) the date of the jurisdiction's entry into the National Flood Insurance Program (date of adoption of the first code or ordinance for management of flood hazard areas), (b) the date(s) of the Flood Insurance Study and (c) the panel numbers and dates of the currently effective FIRMs and F8FMs or other flood hazard map adopted by the authority having jurisdiction, as amended.
- In accordance with Sections R905.1.2, R905.4.3.1, R905.5.3.1, R905.6.3.1, R905.7.3.1 and R905.8.3.1, where there has been a history of local damage from the effects of ice damming, the jurisdiction shall fill in this part of the table "Air Freezing Index-USA Method (Base 32°F)".
- The jurisdiction shall fill in this part of the table with the 100-year return period air freezing index (B-F-days) from Figure R403.3(2) or from the 100-year (99 percent) value of the National Climatic Data Center data table "Air Freezing Index-USA Method (Base 32°F)".
- The jurisdiction shall fill in this part of the table with the mean annual temperature from the National Climatic Data Center data table "Air Freezing Index-USA Method (Base 32°F)".
- In accordance with Section R301.2.1.5, where there is local historical data documenting structural damage to buildings due to topographic wind speed-up effects, the jurisdiction shall fill in this part of the table with "YES". Otherwise, the jurisdiction shall indicate "NO" in this part of the table.
- In accordance with Figure R301.2(5)A, where there is local historical data documenting unusual wind conditions, the jurisdiction shall indicate "NO" in this part of the table.
- In accordance with Section R301.2.1.2, the jurisdiction shall indicate the wind-borne debris wind zone(s). Otherwise, the jurisdiction shall indicate "NO" in this part of the table, and identify any specific requirements.
- In accordance with Section R301.2.1.2, the jurisdiction shall indicate the design criteria using Table 1a or 1b from ACCA Manual J or established criteria determined by the jurisdiction.
- The jurisdiction shall fill in this section of the table to establish the design criteria using Table 1a or 1b from ACCA Manual J or established criteria determined by the jurisdiction.

Attachment 2

Climatic and Geographic Design Criteria IRC Table R301.2(1)

WIND DESIGN				Seismic Design Category ^f	Subject To Damage From			Winter Design Temp ^e	Ice Barrier Underlayment Required ^h	Flood Hazards ^g
Topographic effects ^k	Special wind region ^l	Wind-borne debris zone ^m	Weathering ^a		Frost Line Depth ^b	Termite ^c				
No	No	No	D2	Moderate	12"	Slight to Moderate	24°F	No	Per KMG	

For SI: 1 pound per square foot = 0.0479 kN/m²; 1 mile = 1.609 km/h.

a. Weathering may require a higher strength concrete or grade of masonry than necessary to satisfy the structural requirements of this code. The weathering column shall be filled in with the weathering index (i.e., "negligible," "moderate" or "severe") for concrete as determined from the Weathering Probability Map [Figure R301.2(3)]. The grade of masonry units shall be determined from ASTM C 34, C 55, C 62, C 73, C 90, C 129, C 145, C 216 or C 652.

b. The frost line depth may require deeper footings than indicated in Figure R403.1(1). The city shall fill in the frost line depth column with the minimum depth of footing below finish grade.

c. The city shall fill in this part of the table to indicate the need for protection depending on whether there has been a history of local subterranean termite damage.

d. The city shall fill in this part of the table with the wind speed from the basic wind speed map [Figure R301.2(4)A]. Wind exposure category shall

Attachment 2

~~be determined on site specific basis in accordance with Section R301.2.1.4.~~

~~e. The outdoor design temperature shall be selected from the Washington State Energy Code, Appendix C. Deviations from the Appendix C temperatures shall be permitted to reflect local climates or local weather experience as determined by the building official.~~

~~f. The city shall fill in this part of the table with the Seismic Design Category determined from Section R301.2.2.1.~~

~~g. The city shall fill in this part of the table with (a) the date of the city's entry into the National Flood Insurance Program (date of adoption of the first code or ordinance for management of flood hazard areas), (b) the date(s) of the currently effective FIRM and FBFM, or other flood hazard map adopted by the community, as may be amended.~~

~~h. In accordance with Sections R905.2.7.1, R905.4.3.1, R905.5.3.1, R905.6.3.1, R905.7.3.1 and R905.8.3.1, where there has been a history of local damage from the effects of ice damming, the city shall fill in this part of the table with "YES." Otherwise, the city shall fill in this part of the table with "NO."~~

~~i. The city shall fill in this part of the table with the 100-year return period air freezing index (BF-days) from Figure R403.3(2) or from the 100-year (99%) value on the National Climatic Data Center data table "Air Freezing Index-USA Method (Base 32° Fahrenheit)" at <http://www.ncdc.noaa.gov/oa/fpsf/AFI-pubreturn.pdf>.~~

~~j. The city shall fill in this part of the table with the mean annual temperature from the National Climatic Data Center data table "Air Freezing Index-USA Method (Base 32° Fahrenheit)" at <http://www.ncdc.noaa.gov/oa/fpsf/AFI-pubreturn.pdf>.~~

~~k. In accordance with Section R301.2.1.5, where there is local historic data documenting structural damage to buildings due to topographic wind speed-up effects, the city shall fill in this part of the table with "YES." Otherwise, the city shall indicate "NO" in this part of the table.~~

Attachment 2

~~l. In accordance with Figure R301.2(4)A, where there is no local historical data documenting unusual wind conditions, the jurisdiction shall fill in this part of the table with "YES" and identify any specific requirements. Otherwise, the jurisdiction shall indicate "NO" in this part of the table.~~

~~m. In accordance with Section R301.2.1.2.1, the jurisdiction shall indicate the wind borne debris wind zone(s). Otherwise, the jurisdiction shall indicate "NO" in this part of the table.~~

15.20.130 IRC Appendix V, Fire Sprinklers, amended.

Appendix V, Section AV107.1 of the ~~2015~~2018 International Residential Code is hereby amended to read as follows:

AV107.1 Fire Sprinklers. An approved fire sprinkler system shall be installed in new one-family and two-family dwellings and townhouses in accordance with Appendix ~~RU~~.

Exception: Accessory dwelling units.

15.20.135 1997 Uniform Housing Code adopted.

The Uniform Housing Code issued by the International Conference of Building Officials, 1997 Edition, together with amendments and/or additions thereto, is adopted in its entirety by this reference as the housing code for the City except that references to the uniform codes shall be replaced with the appropriate technical codes and sections as adopted by the City.

15.20.140 UHC Section 203, Appeals – Amended.

Section 203 of the Uniform Housing Code is hereby amended to read:

SECTION 203 – APPEALS

Appeals of orders, decisions or determinations made by the building official shall be made to the hearing examiner in accordance with the requirements and process of Chapter ~~19.30~~ KMC. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder has been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better solution is proposed. The hearing

Attachment 2

examiner shall have not authority relative to interpretation of the administrative provisions of this code nor shall the hearing examiner be empowered to waive requirements of either this code or the technical codes which are the codes, appendices and referenced code standards adopted by the city.

15.20.145 UHC Section 1201.2, Processing of Appeals – Amended.

Section 1201.2 of the Uniform Housing Code is hereby amended to read:

1201.2 Processing of Appeal. Appeals of orders, decisions or determinations made by the building official shall be made to the hearing examiner in accordance with the requirements and process of Chapter 19.30 KMC.

15.20.150 UHC Section 1201.3 deleted.

Section 1201.3 of the Uniform Housing Code is deleted.

15.20.155 UHC Chapter 13 deleted.

Chapter 13, "Rules for Conduct of Hearing Appeals," of the Uniform Housing Code is deleted.

15.20.160 International Mechanical Code adopted.

The ~~2015~~2018 Edition of the International Mechanical Code, excluding Chapter 1, "Scope and Administration," as published by the International Code Council, is adopted, together with the amendments set forth in Chapter 51-52 WAC. The Construction Administrative Code, as set forth in Chapter 15.30 KMC, shall be used in place of IMC Chapter 1.

15.20.165 Uniform Plumbing Code adopted.

The ~~2015~~2018 Edition of the Uniform Plumbing Code, excluding Chapter 1, "Administration," as published by the International Association of Plumbing and Mechanical Officials, is adopted, together with Appendix A, "Recommended Rules for Sizing the Water Supply System," Appendix B, "Explanatory Notes on Combination Waste and Vent Systems," Appendix C, "Alternate Plumbing Systems," Appendix I, "Installation Standards," Appendix K, "Potable Rainwater Catchment Systems," and the amendments set forth in Chapters 51-52 and 51-57 WAC. The Construction Administrative Code, as set forth in Chapter 15.30 KMC, shall be used in place of UPC Chapter 1.

Attachment 2

15.20.170 National Fuel Gas Code (NFPA 54) adopted.

The ~~2015~~2018 National Fuel Gas Code, excluding Chapter 1, "Administration," as published by NFPA, is adopted together with the amendments set forth in Chapter 51-52 WAC. The Construction Administrative Code, as set forth in Chapter 15.30 KMC, shall be used in place of NFPA 54 Chapter 1.

15.20.175 Liquefied Petroleum Gas Code (NFPA 58) adopted.

The ~~2014~~2017 Liquefied Petroleum Gas Code, excluding Chapter 1, "Administration," as published by NFPA, is adopted, together with the amendments set forth in Chapter 51-52 WAC. The Construction Administrative Code, as set forth in Chapter 15.30 KMC, shall be used in place of NFPA 58 Chapter 1.

15.20.180 International Fuel Gas Code adopted.

The ~~2015~~2018 Edition of the International Fuel Gas Code, excluding Chapter 1, "Administration," as published by the International Code Council, is adopted, together with the amendments set forth in Chapter 51-52 WAC. The Construction Administrative Code, as set forth in Chapter 15.30 KMC, shall be used in place of IFGC Chapter 1.

15.20.185 Washington State Energy Code adopted.

The ~~2015~~2018 Washington State Energy Code, excluding Chapter 1, as adopted by the State Building Code Council in Chapters 51-11C and 51-11R WAC, is adopted. The Construction Administrative Code, as set forth in Chapter 15.30 KMC, shall be used in place of Chapter 1.

15.20.200 Uniform Code for the Abatement of Dangerous Buildings adopted.

The Uniform Code for the Abatement of Dangerous Buildings, issued by the International Conference of Building Officials, 1997 Edition, together with amendments and/or additions thereto, is adopted in its entirety by this reference as if fully set forth herein as the dangerous buildings code for the City, except that references to the uniform codes shall be replaced with the appropriate technical codes and sections as adopted by this City.

15.20.205 UCADB Section 205, Appeals, amended.

Section 205 of the Uniform Code for the Abatement of Dangerous Buildings is amended to read:

SECTION 205 – APPEALS

Attachment 2

Appeals of orders, decisions or determinations made by the building official shall be made to the hearing examiner in accordance with the requirements and process of Chapter 19.30 KMC. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder has been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better solution is proposed. The hearing examiner shall have not authority relative to interpretation of the administrative provisions of this code nor shall the hearing examiner be empowered to waive requirements of either this code or the technical codes which are the codes, appendices and referenced code standards adopted by the city.

15.20.210 UCADB Section 501.2, Processing of Appeals, amended.

Section 501.2 of the Uniform Code for the Abatement of Dangerous Buildings is amended to read:

501.2 Processing of Appeal. Appeals of orders, decisions or determinations made by the building official shall be made to the hearing examiner in accordance with the requirements and process of Chapter 19.30 KMC.

15.20.215 UCADB Section 501.3 deleted.

Section 501.3 of the Uniform Code for the Abatement of Dangerous Buildings is deleted.

15.20.220 UCADB Chapter 6 deleted.

Chapter 6, "Procedures for Conduct of Hearing Appeals," of the Uniform Code for the Abatement of Dangerous Buildings is deleted.

15.20.225 International Existing Building Code adopted.

The 2015 Edition of the International Existing Building Code, excluding Chapter 1, "Scope and Administration," as published by the International Code Council, is adopted, together with Appendix A, "Guidelines for the Seismic Retrofit of Existing Buildings," and the amendments set forth in Chapter 51-50 WAC. The Construction Administrative Code, as set forth in Chapter 15.30 KMC, shall be used in place of IEBC Chapter 1.

15.20.230 International Swimming Pool and Spa Code adopted.

Attachment 2

The ~~2015~~2018 Edition of the International Swimming Pool and Spa Code, excluding Chapter 1, as published by the International Code Council, is adopted, together with the amendments set forth in Chapter 51-50 WAC. The Construction Administrative Code, as set forth in Chapter 15.30 KMC, shall be used in place of ISPSC Chapter 1.

Attachment 2

**Chapter 15.30
CONSTRUCTION ADMINISTRATIVE CODE**

Sections:

Article I. General

- 15.30.010 Title.**
- 15.30.015 Purpose.**
- 15.30.020 Scope.**
- 15.30.025 Definitions.**
- 15.30.030 Appendices.**
- 15.30.035 Intent.**
- 15.30.040 Referenced codes.**
- 15.30.045 International Building Code – Scope.**
- 15.30.050 International Residential Code – Scope.**
- 15.30.055 Mechanical code – Scope.**
- 15.30.060 Liquid propane gas.**
- 15.30.065 Natural gas code – Scope.**
- 15.30.070 Plumbing code – Scope.**
- 15.30.075 Energy code.**
- 15.30.077 Swimming pool and spa code – Scope.**

Article II. Applicability

- 15.30.080 General.**
- 15.30.085 Other laws.**
- 15.30.090 Application of references.**
- 15.30.095 Referenced codes and standards.**
- 15.30.100 Partial invalidity.**
- 15.30.105 Existing structures.**
- 15.30.110 Structures in areas of special flood hazard.**

Article III. Department of Building Safety

- 15.30.115 Creation of enforcement agency.**
- 15.30.120 Appointment.**
- 15.30.125 Deputies.**

Attachment 2

Article IV. Duties and Powers of Building Official

- 15.30.130 General.**
- 15.30.135 Applications and permits.**
- 15.30.140 Notices and orders.**
- 15.30.145 Inspections.**
- 15.30.150 Identification.**
- 15.30.155 Right of entry.**
- 15.30.160 Department records.**
- 15.30.165 Liability.**
- 15.30.170 Approved materials and equipment.**
- 15.30.175 Used materials and equipment.**
- 15.30.180 Modifications.**
- 15.30.185 Alternative materials, design and methods of construction and equipment.**
- 15.30.190 Research reports.**
- 15.30.195 Tests.**

Article V. Permits

- 15.30.200 Permit required.**
- 15.30.205 Work exempt from permit.**
- 15.30.210 Emergency repairs.**
- 15.30.215 Repairs.**
- 15.30.220 Application for permit.**
- 15.30.225 Complete application.**
- 15.30.230 Action on application.**
- 15.30.235 Time limitation of application.**
- 15.30.240 Validity of permit.**
- 15.30.245 Permit expiration.**
- 15.30.250 Suspension or revocation.**
- 15.30.255 Placement of permit.**

Article VI. Floor and Roof Design Loads

- 15.30.260 Live loads posted.**
- 15.30.265 Issuance of certificate of occupancy.**

Attachment 2

15.30.270 Restrictions on loading.

Article VII. Submittal Documents

15.30.275 General.

15.30.280 Construction documents.

15.30.290 Examination of documents.

15.30.295 Use of consultants.

15.30.300 Approval of construction documents.

15.30.305 Phased approval.

15.30.310 Design professional in responsible charge – General.

15.30.315 Deferred submittals.

15.30.320 Amended construction documents.

15.30.325 Retention of construction documents.

Article VIII. Temporary Structures and Uses

15.30.330 General.

15.30.335 Conformance.

15.30.340 Termination of approval.

Article IX. Fees

15.30.345 Payment of fees.

15.30.350 Schedule of permit fees.

15.30.355 Plan review fees.

15.30.360 Master and basic plan program.

15.30.365 Building permit valuations.

15.30.370 Work commencing before permit issuance.

15.30.375 Related fees.

15.30.380 Refunds.

Article X. Inspections

15.30.390 General.

15.30.395 Preliminary inspections.

15.30.400 Manufacturer's installation instructions.

15.30.405 Required inspections.

Attachment 2

- 15.30.410 Footing and foundation inspection.
- 15.30.415 Concrete slab and under-floor inspection.
- 15.30.420 Lowest floor elevation.
- 15.30.425 Exterior wall sheathing inspection.
- 15.30.430 Roof sheathing inspection.
- 15.30.435 IMC/UPC/GAS/NEC rough in inspection.
- 15.30.440 Frame inspection.
- 15.30.445 Multi-unit residential building enclosure inspection.
- 15.30.450 Lath, gypsum board and gypsum panel product inspection.
- 15.30.455 Fire- and smoke-resistant penetrations.
- 15.30.460 Energy efficiency inspection.
- 15.30.465 Reinspection.
- 15.30.470 Other inspections.
- 15.30.475 Special inspections.
- 15.30.480 Final inspection.
- 15.30.485 Inspection agencies.
- 15.30.490 Inspection requests.
- 15.30.495 Approval required.

Article XI. Certificate of Occupancy

- 15.30.500 Use and occupancy.
- 15.30.505 Certificate issued.
- 15.30.510 Temporary or phased occupancy.
- 15.30.515 Revocation.

Article XII. Service Utilities

- 15.30.520 Connection of service utilities.
- 15.30.525 Temporary connection.
- 15.30.530 Authority to disconnect service utilities.

Article XIII. Appeals

- 15.30.535 General.
- 15.30.540 Limitations on authority.
- 15.30.545 Qualifications.
- 15.30.550 Reconsideration.

Attachment 2

- 15.30.555 Corrections.**
- 15.30.560 Court review.**

Article XIV. Violations

- 15.30.565 Unlawful acts.**
- 15.30.570 Notice of violation.**
- 15.30.575 Prosecution of violation.**
- 15.30.580 Violation – Penalties.**

Article XV. Stop Work Order

- 15.30.585 Authority.**
- 15.30.590 Issuance.**
- 15.30.595 Investigation fee.**
- 15.30.600 Unlawful continuance.**

Article XVI. Unsafe Structures and Equipment

- 15.30.605 General.**

Article I. General

15.30.010 Title.

The regulations contained in this chapter shall be known as the construction administrative code of the City, and are hereinafter referred to as “this code.”

15.30.015 Purpose.

The purpose of this chapter is to provide for the administration, organization and enforcement of the technical codes adopted by the City.

15.30.020 Scope.

The provisions of this code shall apply to the administration of the technical codes as adopted by the State of Washington and listed:

- A. ~~2015~~2018 International Building Code – Chapter 51-50 WAC;
- B. ~~2015~~2018 International Residential Code – Chapter 51-51 WAC;

Attachment 2

- C. ~~2015~~2018 International Mechanical Code – Chapter 51-52 WAC;
- D. ~~2015~~2018 National Fuel Gas Code (NFPA 54) – Chapter 51-52 WAC;
- E. ~~2014~~2017 Liquefied Petroleum Gas Code (NFPA 58) – Chapter 51-52 WAC;
- F. ~~2015~~2018 International Fuel Gas Code – Chapter 51-52 WAC;
- G. ~~2015~~2018 Uniform Plumbing Code – Chapters 51-56 and 51-57 WAC;
- H. ~~2015~~2018 International Existing Building Code – Chapter 51-50 WAC;
- I. ~~2015~~2018 Washington State Energy Code, Chapters 51-11C and 51-11R WAC;
- J. ~~2015~~2018 International Swimming Pool and Spa Code.

15.30.025 Definitions.

For the purpose of this chapter, certain terms, phrases, words and their derivatives shall have the meanings set forth in this section. Where terms are not defined, they shall have their ordinary accepted meanings within the context with which they are used. Webster's Third International Dictionary of the English Language, Unabridged, latest edition, shall be considered as providing ordinary accepted meanings. Words used in the singular include the plural and the plural the singular. Words used in the masculine gender include the feminine and the feminine the masculine.

- A. "Action" means a specific response complying fully with a specific request by the City.
- B. "Building service equipment" means and refers to the plumbing, mechanical and electrical equipment including piping, wiring, fixtures, and other accessories which provide sanitation, lighting, heating, ventilation, cooling, refrigeration, firefighting, and transportation facilities essential to the occupancy of the building or structure for its designated use.
- C. "Complete response" means an adequate response to all requests from City staff in sufficient detail to allow the application to be processed.
- D. "Dangerous building code" means the 1997 Uniform Code for the Abatement of Dangerous Buildings promulgated by the International Council of Building Officials as adopted by the City.

Attachment 2

E. "Energy code" means the Washington State Energy Code promulgated by the Washington State Building Code Council as adopted by the City.

F. "Housing code" means the 1997 Uniform Housing Code promulgated by the International Council of Building Officials as adopted by the City.

G. "IBC" means the latest edition of the International Building Code promulgated by the International Code Council as adopted by this City.

H. "IEBC" means the latest edition of the International Existing Building Code promulgated by the International Code Council as adopted by this City.

I. "IMC" means the latest edition of the International Mechanical Code promulgated by the International Code Council as adopted by this City.

J. "IRC" means the latest edition of the International Residential Code for One- and Two-Family Dwellings promulgated by the International Code Council as adopted by this City.

K. "ISPSC" means the latest edition of the International Swimming Pool and Spa Code promulgated by the International Code Council as adopted by this City.

L. "Minor field change" means a change to an approved plan that does not change the building use, area, height, or location on a lot and does not affect the means of egress, accessibility, or structural design and does not add plumbing or mechanical fixtures or appliances.

M. "NEC" means the latest edition of the National Electrical Code promulgated by the National Fire Protection Association as adopted by this City.

N. "Occupancy" means the purpose for which a building, or part thereof, is used or intended to be used.

O. "Shall," as used in this chapter, is mandatory.

P. "Temporary growing structure" means a structure that has the sides and roof covered with polyethylene, polyvinyl, or similar flexible synthetic material and is used to provide plants with either frost protection or increased heat retention.

Attachment 2

Q. "Temporary worker housing" means a place, area, or piece of land where sleeping places or housing sites are provided by an employer for his or her employees or by another person, including a temporary worker housing operator who is providing such accommodations for employees, for temporary, seasonal occupancy, and includes "labor camps" under RCW 70.54.110.

R. "UPC" means the latest edition of the Uniform Plumbing Code promulgated by the International Association of Plumbing and Mechanical Officials as adopted by this City.

S. "Valuation" or "value," as applied to a building or building service equipment, means and shall be the estimated cost to replace the building and its building service equipment in kind, based on current replacement costs. It shall also include the contractor's overhead and profit.

15.30.030 Appendices.

Provisions in the appendices shall not apply unless specifically adopted.

15.30.035 Intent.

The purpose of this code is to establish the minimum requirements to safeguard the public health, safety and general welfare through structural strength, means of egress facilities, stability, sanitation, adequate light and ventilation, energy conservation, and safety to life and property from fire and other hazards attributed to the built environment and to provide safety to fire fighters and emergency responders during emergency operations.

15.30.040 Referenced codes.

The codes listed in KMC 15.30.020 and referenced elsewhere in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference.

15.30.045 International Building Code – Scope.

The provisions of the International Building Code shall apply to the construction, alteration, relocation, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal, and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures.

Exception: Detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories above grade plane in height with separate

Attachment 2

means of egress, and their accessory structures not more than three stories above grade plane in height, shall comply with the International Building Code or the International Residential Code.

15.30.050 International Residential Code – Scope.

The provisions of the International Residential Code for One- and Two-Family Dwellings shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, removal, and demolition of detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories above grade plane in height with separate means of egress and their accessory structures not more than three stories above grade plane in height.

Exceptions:

A. Live/work units located in townhomes and complying with the requirements of Section 419 of the International Building Code shall be permitted to be constructed in accordance with the International Residential Code for One – and Two-Family Dwellings. Fire suppression required by Section 419.5 of the International Building Code when constructed under the International Residential Code for One- and Two-Family Dwellings shall conform to Appendix QU.

B. Owner-occupied lodging houses with ~~five or fewer~~one or two guest-rooms shall be permitted to be constructed in accordance with the International Residential Code for One- and Two-Family Dwellings ~~when equipped with a fire sprinkler system in accordance with Appendix R.~~

C. Owner-Occupied lodging homes with three to five guestrooms shall be permitted to be constructed in accordance with the International Residential Code for One- and Two-Family Dwellings when equipped with a fire sprinkler system in accordance with Appendix U.

15.30.055 Mechanical code – Scope.

The provisions of the International Mechanical Code shall apply to the design, installation, maintenance, alteration, and inspection of mechanical systems that are permanently installed and utilized to provide control of environmental conditions and related processes with buildings. The International Mechanical Code shall also regulate those mechanical systems, system components, equipment and appliances specifically addressed herein. The installation of fuel gas distribution piping and equipment, fuel

Attachment 2

gas-fired appliances and fuel gas-fired appliance venting systems shall be regulated by the International Fuel Gas Code. References to Group R shall include Group I-1, Condition 2 assisted living facilities licensed by Washington State under Chapter 388-78A WAC and Group I-1, Condition 2 residential treatment facilities licensed by Washington State under Chapter 246-337 WAC.

Exceptions:

A. Detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories high with separate means of egress and their accessory structures shall comply with the International Residential Code.

B. The standards for liquefied petroleum gas installations shall be NFPA 58 (Liquefied Petroleum Gas Code) and NFPA 54 (National Fuel Gas Code).

15.30.060 Liquid propane gas.

The provisions of the National Fuel Gas Code and Liquefied Petroleum Gas Code (NFPA 54 and 58) shall apply to the installation of all materials and equipment utilizing liquid propane gas.

15.30.065 Natural gas code – Scope.

The provisions of the International Fuel Gas Code shall apply to the installation of fuel gas piping systems, fuel gas utilization equipment, gaseous hydrogen systems and regulated accessories.

Exceptions:

A. Detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories high with separate means of egress and their accessory structures shall comply with the International Residential Code.

B. The standards for liquefied petroleum gas installations shall be NFPA 58 (Liquefied Petroleum Gas Code) and NFPA 54 (National Fuel Gas Code).

15.30.070 Plumbing code – Scope.

The provisions of the Uniform Plumbing Code shall apply to the installation, alteration, repair and replacement of plumbing systems, including equipment, appliances, fixtures, fittings and appurtenances, where connected to a water or sewage system and all aspects of a medical gas system. Fuel gas-fired appliances and fuel gas-fired appliance

Attachment 2

venting systems shall be regulated by the International Fuel Gas Code and liquefied petroleum gas installations shall be regulated by NFPA 58 and NFPA 54.

15.30.075 Energy code.

The provisions of the energy code shall apply to all matters governing the design and construction of buildings for energy efficiency.

15.30.077 Swimming pool and spa code – Scope.

The provisions of the International Swimming Pool and Spa Code shall apply to the construction, alteration, movement, renovation, replacement, repair and maintenance of aquatic recreation facilities, pools and spas. The pools and spas covered by this code are either permanent or temporary, and shall be only those that are designed and manufactured to be connected to a circulation system and that are intended for swimming, bathing or wading. In addition, all other “water recreation facilities” as defined in RCW 70.90.110 are regulated under Chapters 246-260 and 246-262 WAC.

Exception: Flotation tank systems intended for sensory deprivation therapy shall not be considered to be included in the scope of this code.

Article II. Applicability

15.30.080 General.

A. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable. Where, in any specific case, different sections of this code specify different materials, methods of construction or other requirements, the most restrictive shall govern except that the hierarchy of the codes named in Chapter 19.27 RCW shall govern.

B. New Installations. This chapter applies to new installs.

C. Existing Installations. Lawfully installed existing installations that do not comply with the provisions of this chapter shall be permitted to be continued without change, except as is specifically covered in this chapter, the International Fire Code or as is deemed necessary by the building official for the general safety and welfare of the occupants and public. Where changes are required for correction of hazards, a reasonable amount of time shall be given for compliance, depending on the degree of the hazard.

Attachment 2

D. Maintenance. Buildings and structures, including their electrical, plumbing, and mechanical systems, equipment, materials and appurtenances, both existing and new, and parts thereof, shall be maintained in proper operating condition in accordance with the original design and in a safe, hazard-free condition. Devices or safeguards that are required by this chapter shall be maintained in compliance with the code edition under which installed. The owner or the owner's designated agent shall be responsible for the maintenance of the system and equipment. To determine compliance with this provision, the building official shall have the authority to require that the systems and equipment be reinspected.

E. Additions, Alterations, Modifications or Repairs. Additions, alterations, modifications or repairs to a building or structure or to the electrical, plumbing, or mechanical system(s) of any building, structure or premises shall conform to the requirements of this chapter without requiring those portions of the existing building or system not being altered or modified to comply with all the requirements of this chapter. Installations, additions, alterations, modifications, or repairs shall not cause an existing building to become unsafe or to adversely affect the performance of the building as determined by the building official or designated representative. Electrical wiring added to an existing service, feeder, or branch circuit shall not result in an installation that violates the provisions of the code in force at the time the additions were made.

Exception:

1. Additions with less than 500 square feet of conditioned floor area to IRC regulated structures are exempt from the requirements for whole house ventilation systems, Section M1508.

2. Additions or alterations to existing buildings which do not required the construction of foundations, crawlspaces, slabs or basements shall not be required to meet the requirements for radon protection in Section R327.1 and Appendix F.

F. Moved Buildings. Building or structures moved into or within a jurisdiction shall comply with the provisions of this code for new buildings or structures.

Exception: ~~One- and two-family~~R-3 buildings or structures are not required to comply if:

1. The original occupancy classification is not changed; and

Attachment 2

2. The original building is not substantially remodeled or rehabilitated. For the purposes of this section a building shall be considered to be substantially remodeled when the costs of remodeling exceed 60% of the value of the building exclusive of the costs relating to preparation, construction, demolition or renovation of the foundations.

For the purpose of this section, a building shall be considered to be substantially remodeled when the costs of remodeling exceed 60 percent of the value of the building exclusive of the costs relating to preparation, construction, demolition, or renovation of foundations.

15.30.085 Other laws.

The provisions of this code shall not be deemed to nullify any provisions of local, State or federal law.

15.30.090 Application of references.

References to chapter or section numbers, or to provisions not specifically identified by number, shall be construed to refer to such chapter, section or provision of this code.

15.30.095 Referenced codes and standards.

The codes and standards referenced in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and referenced codes and standards, the provisions of this code shall apply.

15.30.100 Partial invalidity.

In the event that any part or provision of this code is held to be illegal or void, this shall not have the effect of making void or illegal any of the other parts or provisions.

15.30.105 Existing structures.

The legal occupancy of any structure existing on the date of adoption of this code shall be permitted to continue without change, except as is specifically covered in this code, other codes referenced in this code, the International Fire Code, or as is deemed necessary by the building official or fire marshal for the general safety and welfare of the occupants and the public. Modifications to existing structures shall be permitted to be performed in accordance with the International Existing Building Code.

15.30.110 Structures in areas of special flood hazard.

Attachment 2

Buildings located in areas of special flood hazard shall be regulated by the International Building Code, International Residential Code or the Kenmore Municipal Code.

Article III. Department of Building Safety

15.30.115 Creation of enforcement agency.

The building department is hereby created and the official in charge thereof shall be known as the building official.

15.30.120 Appointment.

The building official shall be appointed by the chief appointing authority of the City.

15.30.125 Deputies.

In accordance with the prescribed procedures of this City and with the concurrence of the appointing authority, the building official shall have the authority to appoint a deputy building official, the related technical officers, inspectors, plan examiners and other employees. Such employees shall have powers as delegated by the building official.

Article IV. Duties and Powers of Building Official

15.30.130 General.

The building official is hereby authorized and directed to enforce the provisions of this code. The building official shall have the authority to render interpretations of this code and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be in compliance with the intent and purpose of this code. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this code.

15.30.135 Applications and permits.

The building official shall receive applications, review construction documents and issue permits for the erection, alteration, demolition and moving of buildings, structures and building service equipment, inspect the premises for which such permits have been issued and enforce compliance with the provisions of this code.

15.30.140 Notices and orders.

The building official shall issue all necessary notices or orders to ensure compliance with this code.

15.30.145 Inspections.

Attachment 2

The building official shall make all of the required inspections, or the building official shall have the authority to accept reports of inspection by approved agencies or individuals. Reports of such inspections shall be in writing and be certified by a responsible officer of such approved agency or by the responsible individual. The building official is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise at the applicant's expense.

15.30.150 Identification.

The building official shall carry proper identification when inspecting structures or premises in the performance of duties under this code.

15.30.155 Right of entry.

Where it is necessary to make an inspection to enforce the provisions of this code, or where the building official has reasonable cause to believe that there exists in a structure or upon a premises a condition which is contrary to or in violation of this code which makes the structure or premises unsafe, dangerous or hazardous, the building official is authorized to enter the structure or premises at reasonable times to inspect or to perform the duties imposed by this code; provided, that if such structure or premises be occupied that credentials be presented to the occupant and entry requested. If such structure or premises is unoccupied, the building official shall first make a reasonable effort to locate the owner or other person having charge or control of the structure or premises and request entry. If entry is refused, the building official shall have recourse to the remedies provided by law to secure entry.

15.30.160 Department records.

The building official shall keep official records of applications received, permits and certificates issued, fees collected, reports of inspections, and notices and orders issued. Such records shall be retained in the official records for the period required for retention of public records.

15.30.165 Liability.

The building official, member of the board of appeals or employee charged with the enforcement of this chapter and the technical codes, while acting for the City in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered liable personally and is hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties.

Attachment 2

Any suit instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by legal representative of the City until the final termination of the proceedings. The building official or any subordinate shall not be liable for cost in any action, suit or proceeding that is instituted in pursuance of the provisions of this code.

15.30.170 Approved materials and equipment.

Materials, equipment and devices approved by the building official shall be constructed and installed in accordance with such approval.

15.30.175 Used materials and equipment.

The use of used materials and building service equipment which meet the requirements of this code for new materials is permitted. Used equipment and devices shall not be reused unless prior approval is obtained from the building official.

15.30.180 Modifications.

Wherever there are practical difficulties involved in carrying out the provisions of this code, the building official shall have the authority to grant modifications for individual cases, upon application of the owner or owner's representative, provided the building official shall first find that special individual reason makes the strict letter of this code impractical and the modification is in compliance with the intent and purpose of this code and that such modification does not lessen health, accessibility, life and fire safety, or structural requirements. The details of action granting modifications shall be recorded and entered in the files of the department. The building official is authorized to charge an additional fee to evaluate any proposed modification under the provisions of this section.

15.30.185 Alternative materials, design and methods of construction and equipment.

The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code; provided, that any such alternative has been approved by the building official. The building official shall have the authority to approve an alternative material, design or method of construction upon application of the owner or the owner's authorized agent. The building official shall first find ~~shall be approved where the building official finds~~ that the proposed design is satisfactory and complies with the intent of the provisions of this

Attachment 2

code, and that the material, method or work offered is, for the purpose intended, ~~at least~~not less than the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability and safety. Compliance with the specific performance-based provisions of the construction codes shall be an alternative to the specific requirements of the construction codes.

The building official is authorized to charge an additional fee to evaluate any proposed alternate material, design and/or method of construction and equipment under the provisions of this section.

Where the alternate material, design or method of construction is not approved, the building official shall respond in writing, stating the reasons why the alternative was not approved.

15.30.190 Research reports.

Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in this code, shall consist of valid research reports from approved sources.

15.30.195 Tests.

Whenever there is insufficient evidence of compliance with the provisions of this code, or evidence that a material or method does not conform to the requirements of this code, or in order to substantiate claims for alternative materials or methods, the building official shall have the authority to require tests as evidence of compliance to be made at no expense to the City. Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the building official shall approve the testing procedures. Tests shall be performed by an approved agency. Reports of such tests shall be retained by the building official for the period required for retention of public records.

Article V. Permits

15.30.200 Permit required.

Any owner or owner's 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 gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to

Attachment 2

be done, shall first make application to the building official and obtain the required permit.

15.30.205 Work exempt from permit.

The provisions of this code shall not apply to work located primarily in a public way, public utility towers and poles and hydraulic flood control structures. Exemptions from 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 City. Permits shall not be required for the following, provided it is not located within critical areas, shorelines, associated buffers, or native growth protection areas:

A. Building.

1. One-story detached accessory structures accessory to residential buildings constructed under the provisions of the IRC used as tool and storage sheds, tree-supported play structures, playhouse and similar uses, provided the floor area does not exceed 200 square feet, ~~the height does not exceed 10 feet,~~ and the structure is located in accordance with all land use regulations;
2. Fences not over eight feet high;
3. Oil derricks;
4. Retaining walls which are not over four feet in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or III-A liquids;
5. Water tanks supported directly on grade if the capacity does not exceed 5,000 gallons and the ratio of height to diameter or width does not exceed 2:1;
6. Sidewalks, driveways, decks and steps not more than 30 inches above adjacent grade and not over any basement or story below and are not part of an accessible route;
7. Painting, papering, tiling, carpeting, cabinets, countertops and similar finish work; provided, that existing, required accessible features are not altered;
8. Temporary motion picture, television and theater stage sets and scenery;

Attachment 2

9. Prefabricated swimming pools accessory to a one- and two-family dwelling or Group R3 occupancy, which are less than 24 inches deep, do not exceed 5,000 gallons and are installed entirely above ground;
10. Shade cloth structures constructed for nursery or agricultural purposes and not including service systems;
11. Swings, slides and other similar playground equipment;
12. Window awnings supported by an exterior wall of one- and two-family dwellings or Group R-3 and Group U occupancies which do not project more than 54 inches from the exterior wall and do not require additional support;
13. Nonfixed and movable cases, counters and partitions not over five feet nine inches in height;
14. Satellite earth station antennas six and one-half feet or less in diameter or diagonal dimensions in zones other than residential zones;
15. Satellite earth station antennas three and one-quarter feet or less in diameter in residential zones;
16. Video programming service antennas three and one-quarter feet or less in diameter or diagonal dimension, regardless of zone;
17. Replacement of nonstructural siding on IRC structures except for veneer, stucco, or exterior finish and insulation systems (EFIS);
18. In-kind window replacement for IRC structures where no alteration of framing members is required and when the window U-values meet the prescriptive requirements within the energy code;
19. Job shacks that are placed at a permitted job site during construction may be allowed on a temporary basis and shall be removed upon final approval of construction. A job shack is a portable structure for which the primary purpose is to house equipment and supplies, and which may serve as a temporary office during construction for the purposes of the construction activity;

Attachment 2

20. In-kind reroofing on IRC structures, provided roof sheathing is not removed, replaced or added; and

21. Photovoltaic solar panels installed on IRC structures, provided they comply with all land use regulations and:

- a. Each photovoltaic array is no larger than 150 feet by 150 feet in either axis;
- b. Total dead load of panels, supports, mountings, raceways and all other appurtenances weigh no more than four pounds per square foot;
- c. Panels are mounted no higher than 18 inches above the surface of the roof;
- d. The equipment layout meets the IFC access and pathways requirements.

B. Mechanical.

1. Portable heating, cooking, or clothes drying appliances.
2. Portable ventilation appliances and equipment.
3. Portable cooling unit.
4. Steam, hot or chilled water piping within any heating or cooling equipment or appliances regulated by the construction codes.
5. Replacement of any part which does not alter its approval or make it unsafe.
6. Portable evaporative cooler.
7. Self-contained refrigeration system containing 10 pounds or less of refrigerant and actuated by motors of one horsepower or less.
8. Portable fuel cell appliances that are not connected to a fixed piping system and are not interconnected.

C. Plumbing.

1. The stopping and/or repairing of leaks in drains, water, soil, waste or vent pipe; provided, however, that should any concealed trap, drain pipe, water, soil, waste or vent pipe become defective and it becomes necessary to remove and replace

Attachment 2

the same with new material, the same shall be considered as new work and a permit shall be obtained and inspection made as provided in this code.

2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures and the removal and reinstallation of water closets, provided such repairs do not involve or require replacement or rearrangement of valves, pipes or fixtures.

3. Reinstallation or replacement of prefabricated fixtures that do not involve or require the replacement or rearrangement of valves or pipes.

15.30.210 Emergency repairs.

Where equipment replacements and equipment repairs must be performed in an emergency situation, the permit application shall be submitted within the next working business day to the building official.

15.30.215 Repairs.

Application or notice to the building official is not required for ordinary repairs to structures. Such repairs shall not include the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or load-bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the egress requirements; nor shall ordinary repairs include addition to, alteration of, replacement or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electric wiring or mechanical or other work affecting public health or general safety.

15.30.220 Application for permit.

To obtain a permit, the applicant shall first file a complete application as defined by the City therefor in writing on a form furnished by the building department for that purpose. Such application shall:

A. Identify and describe the work to be covered by the permit for which application is made.

B. Describe the land on which the proposed work is to be done by legal description, street address or similar description that will readily identify and definitely locate the proposed building or work.

C. Indicate the use and occupancy for which the proposed work is intended.

Attachment 2

D. Be accompanied by construction documents and other information as required in KMC 15.30.260 through 15.30.325.

E. State the valuation of the proposed work.

F. Be signed by the applicant, or the applicant's authorized agent.

G. Give such other data and information as required by the building official.

15.30.225 Complete application.

A. No application for building permit relating to any construction, including landfill or pier and piling to support same upon privately owned shorelands submerged by the water of Lake Washington, shall be accepted for filing with the building department, unless there are attached to such application certified copies of the approval of such project by such State and federal agencies as may have jurisdiction or regulatory authority over such proposed project.

B. The requirements for a fully complete building permit application include compliance with KMC 15.30.220 and RCW 19.27.097 (which relates to water supply); provided, that for any construction project costing more than \$5,000 the following shall also be required:

1. The legal description, or the tax parcel number assigned pursuant to RCW 84.40.160, and the street address if available, and may include any other identification of the construction site by the prime contractor;
2. The property owner's name, address, and phone number;
3. The prime contractor's business name, address, phone number, and current State contractor registration number; and
4. Either:
 - a. The name, address and phone number of the office of the lender administering the interim construction financing, if any, or
 - b. The name and address of the firm that has issued a payment bond, if any, on behalf of the prime contractor for the protection of the owner, if the bond is for an amount not less than 50 percent of the total amount of the

Attachment 2

construction project; provided, that if any of this information is not available at the time the application is submitted, the applicant shall so state and the lack of said information shall not cause the application to be deemed incomplete for the purposes of this section. However, the applicant shall provide the remaining information as soon as the applicant can reasonably obtain such information.

The requirements for a fully complete building permit application include a consent statement of the property owner to confirm dedication of rights-of-way which abut the subject property, if any are shown as such on City, county or plat maps, and to verify the designation of public road easements as rights-of-way.

15.30.230 Action on application.

The building official shall examine or cause to be examined applications for permits and amendments thereto within a reasonable time after filing. If the application is incomplete or the construction documents or other submittal information does not conform to the requirements of pertinent laws, the building official may reject such application in writing, stating the reasons therefor. If the building official is satisfied that the proposed work conforms to the requirements of this code and laws and ordinances applicable thereto, the building official shall issue a permit therefor as soon as practicable.

15.30.235 Time limitation of application.

A. Applications for which no permit is issued within 18 months following the date of application shall expire by limitation and plans and other data submitted for review may thereafter be returned to the applicant or destroyed in accordance with State law by the building official.

B. Applications may be canceled for inactivity, if an applicant fails to respond to the department's written request for revisions, corrections, actions or additional information within 90 days of the date of request. The building official may extend the response period beyond 90 days if within the original 90-day time period the applicant provides and subsequently adheres to an approved schedule with specific target dates for submitting the full revisions, corrections or other information needed by the department.

C. The building official may extend the life of an application if any of the following conditions exist:

1. Compliance with the State Environmental Policy Act is in progress; or

Attachment 2

2. Any other City review is in progress; provided the applicant has submitted a complete response to City requests or the building official determines that unique or unusual circumstances exist that warrant additional time for such response, and the building official determines that the review is proceeding in a timely manner toward final City decision;
3. Litigation against the City or applicant is in progress, the outcome of which may affect the validity or the provisions of any permit issued pursuant to such application; or
4. At the sole discretion of the building official when there have not been newly adopted codes, fees, ordinances or laws which affect the application.

15.30.240 Validity of permit.

The issuance or granting of a permit shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or of any other ordinance or laws of the City. Permits presuming to give authority to violate or cancel the provisions of this code or other ordinances of the City shall not be valid. The issuance of a permit based on construction documents and other data shall not prevent the building official from requiring the correction of errors in the construction documents and other data. The building official is also authorized to prevent occupancy or use of a structure where in violation of this code or of any other ordinances of this City.

15.30.245 Permit expiration.

A. Every permit issued shall expire two years from the date of issuance. The building official may approve a request for an extended expiration date where a construction schedule is provided by the applicant and approved prior to permit issuance.

B. Every permit which has been expired for less than one year may be renewed for a period of one year from the expiration date for an additional fee as long as no changes have been made to the originally approved plans and new building codes have not been adopted. For permits that have been expired for longer than one year, a new permit must be obtained and full new fees paid. No permit shall be renewed more than once, except at the sole discretion of the building official when there have not been newly adopted codes, fees, ordinances or laws which affect the permit.

Attachment 2

C. Mechanical and plumbing permits shall expire at the same time as the associated building permit, except that if no associated building permit is issued, the mechanical and/or plumbing permit shall expire 12 months from the date of issuance.

15.30.250 Suspension or revocation.

The building official is authorized to suspend or revoke a permit issued under the provisions of this code wherever the permit is issued in error or on the basis of incorrect, inaccurate or incomplete information, or in violation of any ordinance or regulation or any of the provisions of this code.

15.30.255 Placement of permit.

The building permit or copy shall be kept on the site of the work until the completion of the project.

Article VI. Floor and Roof Design Loads

15.30.260 Live loads posted.

Where the live loads for which each floor or portion thereof of a commercial or industrial building is or has been designed to exceed 50 psf, such design live loads shall be conspicuously posted by the owner or the owner's authorized agent in that part of each story in which they apply, using durable signs. It shall be unlawful to remove or deface such notices.

Exception: Floors or portions located on a concrete slab on grade.

15.30.265 Issuance of certificate of occupancy.

A certificate of occupancy required by KMC 15.30.500 shall not be issued until the floor loads signs, required by KMC 15.30.260, have been installed.

15.30.270 Restrictions on loading.

It shall be unlawful to place, or cause or permit to be placed, on any floor or roof of a building, structure or portion thereof, a load greater than is permitted by the IBC.

Article VII. Submittal Documents

15.30.275 General.

Submittal documents consisting of construction documents, statement of special inspection, structural observation programs, engineering reports and calculations, diagrams, and other data shall be submitted with each application for a permit. The

Attachment 2

construction documents shall be prepared by a registered design professional where required by the State of Washington. Where special conditions exist, the building official is authorized to require additional construction documents to be prepared by a registered design professional.

Exception: The building official is authorized to waive the submission of construction documents and other data not required to be prepared by a registered design professional if it is found that the nature of the work applied for is such that review of construction documents is not necessary to obtain compliance with this code.

15.30.280 Construction documents.

Construction documents shall be in accordance with this section.

A. Information on Construction Documents. Construction documents shall be dimensioned and drawn upon suitable material. Electronic media documents are permitted to be submitted when approved by the building official. Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed in the proper orientation and layout as it is to be constructed and show in detail that it will conform to the provisions of this code and relevant laws, ordinances, rules and regulations, as determined by the building official. The plans must include the relevant items listed in this section and any other information or documents as deemed necessary by the building official.

B. Fire Protection System Shop Drawings. Shop drawings for the fire protection system(s) shall be submitted to indicate conformance with this code and the construction documents and shall be approved prior to the start of system installation. Shop drawings shall contain all information as required by the referenced installation standards in Chapter 9 of the IBC. Shop drawings shall be prepared by a certified individual as required by the State of Washington.

C. Means of Egress. The construction documents shall show in sufficient detail the location, construction, size and character of all portions of the means of egress in compliance with the provisions of this code. In other than occupancies in Groups R-2, R-3, one- and two-family dwellings as applicable in Section 101.2, and I-1, the construction documents shall designate the number of occupants to be accommodated on every floor, and in all rooms and spaces.

Attachment 2

D. Exterior Wall Envelope. Construction documents for all buildings shall describe the exterior wall envelope in sufficient detail to determine compliance with this code. The construction documents shall provide details of the exterior wall envelope as required, including flashing, intersections with dissimilar materials, corners, end details, control joints, intersections at roof, eaves or parapets, means of drainage, water-resistive membrane and details around openings. The construction documents shall include manufacturer's installation instructions that provide supporting documentation that the proposed penetration and opening details described in the construction documents maintain the weather resistance of the exterior wall envelope. The supporting documentation shall fully describe the exterior wall system which was tested, where applicable, as well as the test procedure used.

Exception: Subject to the approval of the building official, R-3, one- and two-family dwellings, and U occupancies may be exempt from the detailing requirements of this section.

E. Site Plan. The construction documents submitted with the application for permit shall be accompanied by a site plan showing to scale the size and location of new construction and existing structures on the site, distances from lot lines, the established street grades and the proposed finished grades and, as applicable, flood hazard areas, floodways, and design flood elevations; where design flood elevations are not specified, they shall be established in accordance with Section 1612.3.1 of the IBC; and it shall be drawn in accordance with an accurate boundary line survey. In the case of demolition, the site plan shall show construction to be demolished and the location and size of existing structures and construction that are to remain on the site or plot. The building official is authorized to waive or modify the requirement for a site plan when the application for permit is for alteration or repair or when otherwise warranted.

F. Plumbing. Plans must be submitted for review and approval whenever the scope of the work is too complex for inspection alone as determined by the building official.

G. Mechanical. Plans must be submitted for review and approval whenever the scope of work is too complex for inspection alone as determined by the building official.

H. Structural Information. The construction documents shall provide the information specified in Section 1612.3.1 IBC.

Attachment 2

I. Energy Information. The construction documents shall provide the information specified in the energy code.

15.30.290 Examination of documents.

The building official shall examine or cause to be examined the accompanying submittal documents and shall ascertain by such examinations whether the construction indicated and described is in accordance with the requirements of this code and other pertinent laws or ordinances.

15.30.295 Use of consultants.

Whenever review of a building permit application requires retention by the City for professional consulting services, the applicant shall reimburse the City the cost of such professional consulting services. This fee shall be in addition to the normal plan review and building permit fees. The City may require the applicant to deposit an amount with the City estimated in the discretion of the building official to be sufficient to cover anticipated costs of retaining professional consultant services and to ensure reimbursement for such costs.

15.30.300 Approval of construction documents.

When the building official issues a permit, the construction documents shall be approved, in writing or by stamp, as "Reviewed for Code Compliance." One set of construction documents so reviewed shall be retained by the building official. The other set shall be returned to the applicant, shall be kept at the site of work and shall be open to inspection by the building official or a duly authorized representative.

15.30.305 Phased approval.

The building official is authorized to issue a permit for the construction of foundations or any other part of a building or structure before the construction documents for the whole building or structure have been submitted; provided, that adequate information and detailed statements have been filed complying with pertinent requirements of this code. The holder of such permit for the foundation or other parts of a building or structure shall proceed at the holder's own risk with the building operation and without assurance that a permit for the entire structure will be granted.

15.30.310 Design professional in responsible charge – General.

When it is required that documents be prepared by a qualified registered design professional, the building official shall be authorized to require the owner or the owner's

Attachment 2

authorized agent to engage and designate on the building permit application a registered design professional who shall act as the registered design professional in responsible charge. If the circumstances require, the owner or the owner's authorized agent shall designate a substitute registered design professional in responsible charge who shall perform the duties required of the original registered design professional in responsible charge. The building official shall be notified in writing by the owner or the owner's authorized agent if the registered design professional in responsible charge is changed or is unable to continue to perform the duties. The registered design professional in responsible charge shall be responsible for reviewing and coordinating submittal documents prepared by others, including phased and deferred submittal items, for compatibility with the design of the building. Where structural observation is required by Section 1710 of the IBC, the statement of special inspections shall name the individual or firms who are to perform structural observation and describe the stages of construction at which structural observation is to occur (see also other duties specified in Chapter 17 of the IBC).

15.30.315 Deferred submittals.

For the purposes of this section, "deferred submittals" are defined as those portions of the design that are not submitted at the time of the application and that are to be submitted to the building official within a specified period. Deferral of any submittal items shall have the prior approval of the building official. The registered design professional in responsible charge shall list the deferred submittals on the construction documents for review by the building official. Documents for deferred submittal items shall be submitted to the registered design professional in responsible charge, who shall review them and forward them to the building official with a notation indicating that the deferred submittal documents have been reviewed and been found to be in general conformance to the design of the building. The deferred submittal items shall not be installed until the deferred submittal documents have been approved by the building official. The building official is authorized to charge an additional plan review fee to evaluate deferred submittals under the provisions of this section.

15.30.320 Amended construction documents.

Work shall be installed in accordance with the approved construction documents, and any changes made during construction that are not in compliance with the approved construction documents shall be resubmitted for approval as an amended set of

Attachment 2

construction documents. The building official may authorize minor field changes subject to the approval of the field inspector.

15.30.325 Retention of construction documents.

One set of approved construction documents shall be retained by the building official for a period of not less than 180 days from date of completion of the permitted work, expired permit, or as required by State or local laws.

Article VIII. Temporary Structures and Uses

15.30.330 General.

The building official is authorized to issue a permit for temporary structures and temporary uses. Such permits shall be limited as to time of service, but shall not be permitted for more than 180 days. The building official is authorized to grant extensions for demonstrated cause.

Exceptions:

A. The building official may authorize unheated tents and yurts under 500 square feet accommodating an R-1 recreational use as a temporary structure and allow them to be used indefinitely. Such sited structures must comply with the Kenmore zoning code provisions for setbacks and lot coverage.

B. The provisions of this code do not apply to temporary growing structures used solely for the commercial production of horticultural plants including ornamental plants, flowers, vegetables, and fruits. A temporary growing structure is not considered a building for purposes of this code.

C. The provisions of this code do not apply to the construction, alteration, or repair of temporary worker housing except as provided by rules adopted under Chapter 70.114A RCW or Chapter 37, Laws of 1998 (SB 6168).

15.30.335 Conformance.

Temporary structures and uses shall conform to the structural strength, fire safety, means of egress, accessibility, light, ventilation and sanitary requirements of this code as necessary to ensure the public health, safety and general welfare.

15.30.340 Termination of approval.

Attachment 2

The building official is authorized to terminate such permit for a temporary structure or use and to order the temporary structure or use to be discontinued when the use is in violation of other local ordinances or when the use becomes a public nuisance as defined in the City code.

Article IX. Fees

15.30.345 Payment of fees.

A permit shall not be valid until the fees prescribed by law have been paid, nor shall an amendment to a permit be released until the additional fee, if any, has been paid.

15.30.350 Schedule of permit fees.

On buildings, structures, gas, mechanical and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the schedule as established by the applicable governing authority. The building official is authorized to establish fees for any permit activity not specifically set forth herein.

15.30.355 Plan review fees.

When submittal documents are required by KMC 15.30.275, a plan review fee shall be paid at the time of submitting the submittal documents for plan review. The building official may have the option to charge a deposit in lieu of the full plan review fee if the full amount is not known at the time. Any plan review deposit shall be applied toward the total plan review fee owed. The actual permit fees and related plan review fee shall be determined upon completion of the plan review and the balance owing shall be paid at the time of permit issuance. The plan review fee shall be a separate fee from the permit fees specified in this section and are in addition to the permit fees. When submittal documents are incomplete or changed so as to require additional plan review or when the project involves deferred submittal items as defined in KMC 15.30.315, an additional plan review fee may be charged.

15.30.360 Master and basic plan program.

A. The City has established a "master" and "basic" plan program, the purpose of which is to allow for an expedited review process for plans that are intended to remain unchanged but used multiple times. Options are allowed to be submitted with the initial registering of the basic plan to accommodate a variation of building styles using the basic plan. When plans are submitted under the City's master and basic plan program,

Attachment 2

a plan review fee shall be paid at the time of application for the first or “master” plan. Subsequent plans are called the “basic” plan.

B. Valuations used to compute the permit fees shall include all options submitted with a registered plan. When a registered plan consists of a number of plan options that can produce any number of similar but different buildings, the building official may charge plan review fees based on each different building configuration. Plan review fees shall be paid for at the time of application for a building permit. The building official may have the option to charge a partial deposit in lieu of the full plan review fee. All portions of fees paid as a deposit amount shall be applied to the total plan review fees owed. The applicant shall be required to pay the balance of amount owed for the plan review. The plan review fees specified in this section are separate fees from the permit fees and are in addition to the permit fees.

C. Plan Orientation. Master plan applications do not need to show a reverse or flip as an option. Mirrored plans are allowed at basic plan submittal. Basic plan orientation shall match the site plan.

D. Preapproved Master Plan. The building official may have the option to accept a basic plan where the master plan has been approved by a MyBuildingPermit.com participating jurisdiction.

E. Revisions. Once a plan and associated options are reviewed, approved and registered, changes or revisions to that plan are not permitted without requiring the plan to be resubmitted as a new registered plan and pay full new fees.

F. Field Revision. Once a permit is issued for a registered plan, no revisions will be permitted except for minor field changes as defined in KMC 15.30.025. Changes other than minor field changes will be considered major changes and require the permit holder to resubmit those changes as a new submittal and pay a fee.

G. Time Limitation. An application for a basic plan associated to a master plan approved and registered under a previous code edition shall not be accepted when there has been a code cycle change as required by the State. When this occurs the master plan shall be submitted as a new registered plan, and pay full new fees.

15.30.365 Building permit valuations.

Attachment 2

The applicant for a permit shall provide an estimated permit value at time of application. The determination of value or valuation under any of the provisions of this code shall be made by the building official. The latest edition of the ICC "Building Safety Journal" publication shall be used to determine building valuations for the various building types and occupancies noted in that table except that the valuation for wooden decks, platforms, stairs, carports, and porches shall be \$18.00 per square foot. Regional modifiers shall not be applicable. When a specific building type or occupancy is not noted in the valuation table, the building official is authorized to use any of the classification types noted in the table that most closely resembles the proposed type of building, or determine a valuation type independently.

15.30.370 Work commencing before permit issuance.

Any person who commences any work on a building, structure, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to a special investigation fee in an amount equal to twice the permit fee, or otherwise established by the building official. The special investigation fee shall be in addition to the required permit fees.

15.30.375 Related fees.

The payment of the fee for the construction, alteration, removal or demolition for work done in connection to or concurrently with the work authorized by a building permit shall not relieve the applicant or holder of the permit from the payment of other fees that are prescribed by law.

15.30.380 Refunds.

The building official may authorize refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code. The building official may authorize refunding of not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan reviewing is done. The building official shall not authorize refunding of any fee paid except on written application filed by the original permittee not later than 180 days after the date of application.

Article X. Inspections

15.30.390 General.

Attachment 2

Construction or work for which a permit is required shall be subject to inspection by the building official and such construction or work shall remain accessible and exposed for inspection purposes until approved. Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this code or of other ordinances of the City. Inspections presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the City shall not be valid. It shall be the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purposes. Neither the building official nor the City shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

15.30.395 Preliminary inspections.

Before issuing a permit, the building official is authorized to examine or cause to be examined buildings, structures and sites for which an application has been filed.

15.30.400 Manufacturer's installation instructions.

Manufacturer's installation instructions, as required by this code, shall be available on the job site at the time of inspection.

15.30.405 Required inspections.

The building official, upon notification, shall make the inspections set forth in KMC 15.30.410 through 15.30.480.

15.30.410 Footing and foundation inspection.

Footing and foundation inspections shall be made after poles or piers are set or trenches or basement areas are excavated and all required hold-down anchor bolts, hold-down straps, any forms erected, and any required reinforcing steel is in place and supported. The foundation inspection shall include excavations for thickened slabs intended for the support of bearing walls, partitions, structural supports, or equipment and special requirements for wood foundations. Materials for the foundation shall be on the job, except where concrete is ready mixed in accordance with ASTM C 94, the concrete need not be on the job.

15.30.415 Concrete slab and under-floor inspection.

Concrete slab and under-floor inspections shall be made after in-slab or under-floor reinforcing steel and building service equipment, conduit, slab insulation, piping accessories and other ancillary equipment items are in place, but before any concrete is placed or floor sheathing installed, including the subfloor.

Attachment 2

15.30.420 Lowest floor elevation.

In flood hazard areas, upon placement of the lowest floor, including the basement, and prior to further vertical construction, the elevation certification required in IBC Section 1612 or IRC Section R322 shall be submitted to the building official. FEMA flood elevation certificates shall contain an original stamp and signature of the surveyor, licensed by the State of Washington, and shall document the elevation of the lowest floor, including basement, and other information required by the flood elevation certificate.

15.30.425 Exterior wall sheathing inspection.

Exterior wall sheathing shall be inspected after all wall framing is complete, strapping and nailing is properly installed but prior to being covered.

15.30.430 Roof sheathing inspection.

The roof sheathing shall be inspected after all roof framing is complete. No roof coverings shall be installed until inspections are made and approved.

15.30.435 IMC/UPC/GAS/NEC rough in inspection.

Rough in mechanical, gas piping, plumbing and electrical shall be inspected when the rough in work is complete and, if required, under test. No connections to primary utilities shall be made until the rough in work is inspected and approved.

15.30.440 Frame inspection.

Framing inspections shall be made after the roof deck, wall sheathing, all framing, fire blocking and bracing are in place and pipes, chimneys and vents to be concealed are complete and the rough electrical, plumbing, fire suppression piping, heating wires, pipes and ducts are approved and the building is substantially dried in.

15.30.445 Multi-unit residential building enclosure inspection.

Chapter 64.55 RCW, Engrossed House Bill (EHB) 1848, requires affected multi-unit residential buildings to provide a building enclosure inspection performed by a third-party, independent, and qualified inspector during the course of initial construction and during rehabilitative construction. The City does not verify the qualifications of the inspector or determine whether the building enclosure inspection is adequate or appropriate. However, the City is prohibited from issuing a certificate of occupancy for the building until the inspector prepares a report and submits to the building department a signed letter certifying that the building enclosure has been constructed in substantial

Attachment 2

compliance with the building enclosure design documents. Reference Chapter 64.55 RCW for additional requirements.

15.30.450 Lath, gypsum board and gypsum panel product inspection.

Lath, gypsum board, and gypsum panel product inspections shall be made after lathing, gypsum board and gypsum panel product, interior and exterior, is in place, but before any plastering is applied or gypsum board and gypsum panel product joints and fasteners are taped and finished.

Exception: Gypsum board and gypsum panel products that are not part of a fire-resistance rated assembly or a shear assembly.

15.30.455 Fire- and smoke-resistant penetrations.

Protection of joints and penetrations in fire-resistance-rated assemblies, smoke barriers and smoke partitions shall not be concealed from view until inspected and approved.

15.30.460 Energy efficiency inspection.

A. Envelope.

1. Wall Insulation Inspection. To be made after all wall insulation and air vapor retarder sheet or film materials are in place, but before any wall covering is placed.
2. Glazing Inspection. To be made after glazing materials are installed in the building.
3. Exterior Roofing Insulation. To be made after the installation of the roof insulation, but before concealment.
4. Footing/Foundation/Slab/Floor Insulation. To be made after the installation of the footing/foundation/slab/floor insulation, but before concealment.

B. Mechanical.

1. Mechanical Equipment Efficiency and Economizer. To be made after all equipment and controls required by this code are installed and prior to the concealment of such equipment or controls.

Attachment 2

2. Mechanical Pipe and Duct Insulation. To be made after all pipe, fire suppression piping and duct insulation is in place, but before concealment.

C. Lighting and Motors.

1. Lighting Equipment and Controls. To be made after the installation of all lighting equipment and controls required by this code, but before concealment of the lighting equipment.
2. Motor Inspections. To be made after installation of all equipment covered by this code, but before concealment.

15.30.465 Reinspection.

The building official may require a structure or portions of work to be reinspected. A reinspection fee may be assessed for each inspection or reinspection when such portion of work for which the inspection was requested is not complete; or when previous corrections called for are not made; or when there are reoccurring missed items that have previously been identified to the same builder on multiple lots; or when the approved plans and permit are not on site in a conspicuous or pre-approved location; or when the building is not accessible. In instances where reinspection fees have been assessed, no additional inspection of the work shall be provided by the City until the required fees are paid.

15.30.470 Other inspections.

In addition to the inspections specified above, the building official is authorized to make or require other inspections of any construction work to ascertain compliance with the provisions of this code and other laws that are enforced by the department of building safety.

15.30.475 Special inspections.

In addition to the inspections noted above, the building official is authorized to require special inspections for any type of work related to the technical codes by an approved agency at no cost to the City.

15.30.480 Final inspection.

The final inspection shall be made after all work required by the building permit is completed.

Attachment 2

15.30.485 Inspection agencies.

The building official is authorized to accept reports of approved inspection agencies, provided such agencies satisfy the requirements as to qualifications and reliability.

15.30.490 Inspection requests.

It shall be the duty of the holder of the building permit or their duly authorized agent to notify the building official when work is ready for inspection. It shall be the duty of the permit holder to provide access to and means for inspections of such work that are required by this code.

15.30.495 Approval required.

Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the building official. The building official, upon notification, shall make the requested inspections and shall either indicate the portion of the construction that is satisfactory as completed or notify the permit holder or his or her agent wherein the same fails to comply with this code. Any portions that do not comply shall be corrected and such portion shall not be covered or concealed until authorized by the building official.

Article XI. Certificate of Occupancy

15.30.500 Use and occupancy.

No building or structure shall be used or occupied, and no change in the existing use or occupancy classification of a building or structure or portion thereof shall be made, until the building official has issued a certificate of occupancy therefor as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the City.

Exceptions:

A. Work exempt from permits per KMC 15.30.205.

B. For single-family dwellings and their accessory structures, the City-issued building permit inspection record may serve as the certificate of occupancy when the final inspection has been approved by the building department.

15.30.505 Certificate issued.

Attachment 2

After the building official inspects the building or structure and finds no violations of the provisions of this code or other laws that are enforced by the building department, the building official shall issue a certificate of occupancy that contains the following:

- A. The building permit number.
- B. The address of the structure.
- C. The name and address of the owner or the owner's authorized agent.
- D. Project name.
- E. A statement that the described portion of the structure has been inspected for compliance with the requirements of this code for the occupancy and division of occupancy and the use for which the proposed occupancy is classified.
- F. The name of the building official.
- G. The edition of the code under which the permit was issued.
- H. The use and occupancy.
- I. The type of construction.
- J. The design occupant load.
- K. If an automatic sprinkler system is provided, and whether the sprinkler system is required.
- L. Any special stipulations and conditions of the building permit.

15.30.510 Temporary or phased occupancy.

The building official is authorized to issue a temporary or phased certificate of occupancy before the completion of the entire work covered by the permit; provided, that such portion or portions shall be occupied safely. The building official is authorized to require, in addition to the completion of life safety building components, any or all accessibility components. The building official shall set a time period during which the temporary or phased certificate of occupancy is valid. The building official is authorized to require that a performance bond be posted with the City in an amount equal to 150 percent of the incomplete work as determined by the design professional. The bond

Attachment 2

shall be refundable upon inspection, final approval and a request in writing for the refund. It shall be the duty of the applicant to request the refund.

15.30.515 Revocation.

The building official is authorized to, in writing, suspend or revoke a certificate of occupancy or completion issued under the provisions of this code wherever the certificate is issued in error, or on the basis of incorrect information supplied, or where it is determined that the building or structure or portion thereof is in violation of any ordinance or regulation or any of the provisions of this code.

Article XII. Service Utilities

15.30.520 Connection of service utilities.

No person shall make connections from a utility, source of energy, fuel or power to any building or system that is regulated by this code for which a permit is required, until released by the building official.

15.30.525 Temporary connection.

The building official shall have the authority to authorize the temporary connection of the building or system to the utility source of energy, fuel or power.

15.30.530 Authority to disconnect service utilities.

The building official shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code and the codes referenced in case of emergency where necessary to eliminate an immediate hazard to life or property, or when such utility connection has been made without the required approval. The building official shall notify the serving utility, and wherever possible the owner and occupant of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnecting, the owner or occupant of the building, structure or service system shall be notified in writing, as soon as practical thereafter.

Article XIII. Appeals

15.30.535 General.

Appeals of orders, decisions or determinations made by the building official shall be made to the hearing examiner in accordance with the requirements and process of Chapter 19.30 KMC.

Attachment 2

15.30.540 Limitations on authority.

An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed. The hearing examiner shall have no authority relative to interpretation of the administrative provisions of this code nor shall the board be empowered to waive requirements of either this code or the technical codes which are the codes, appendices and referenced code standards adopted by the City.

15.30.545 Qualifications.

Repealed by Ord. 12-0333.

15.30.550 Reconsideration.

Repealed by Ord. 12-0333.

15.30.555 Corrections.

Repealed by Ord. 12-0333.

15.30.560 Court review.

Repealed by Ord. 12-0333.

Article XIV. Violations

15.30.565 Unlawful acts.

It shall be unlawful for any person, firm or corporation to erect, construct, alter, extend, repair, move, remove, demolish or occupy any building, structure or equipment regulated by this code, or cause same to be done, in conflict with or in violation of any of the provisions of this code.

15.30.570 Notice of violation.

The building official is authorized to serve a notice of violation or order on the person responsible for the erection, construction, alteration, extension, repair, moving, removal, demolition or occupancy of a building or structure in violation of the provisions of this code, or in violation of a permit or certificate issued under the provisions of this code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

15.30.575 Prosecution of violation.

Attachment 2

If the notice of violation is not complied with in the time prescribed by such notice, the building official is authorized to request the legal counsel of the City to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the building or structure in violation of the provisions of this code or of the order or direction made pursuant thereto.

15.30.580 Violation – Penalties.

Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this code, shall be subject to penalties as prescribed by law.

Article XV. Stop Work Order

15.30.585 Authority.

Whenever the building official finds any work being performed in a manner either contrary to the provisions of this code or other pertinent laws or ordinances that are violated during the course of work authorized by the building permit, the building official is authorized to issue a stop work order.

15.30.590 Issuance.

The stop work order shall be in writing and shall be given to the owner of the property involved, or to the owner's agent, or to the person doing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order and the conditions under which the cited work will be permitted to resume.

15.30.595 Investigation fee.

The building official is authorized to assess a special investigation fee for the issuance of a stop work order when work has started without the issuance of a permit. The special investigation fee shall be determined by KMC 15.30.370.

15.30.600 Unlawful continuance.

Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to

Attachment 2

remove a violation or unsafe condition, shall be subject to penalties as prescribed by law.

Article XVI. Unsafe Structures and Equipment

15.30.605 General.

Structures or existing equipment that are or hereafter become unsafe, unsanitary or deficient because of inadequate means of egress facilities, inadequate light and ventilation, or which constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or that involve illegal or improper occupancy or inadequate maintenance, shall be deemed an unsafe condition. Unsafe structures shall be taken down and removed or made safe, as the building official deems necessary and as provided for in the 1997 Edition of the Uniform Code for the Abatement of Dangerous Buildings or the 1997 Edition of the Uniform Housing Code. A vacant structure that is not secured against entry shall be deemed unsafe.

Exhibit A

15.05.015 Copies of codes on file.

A. Pursuant to State law (Chapters [19.27](#) and [19.27A](#) RCW), the Kenmore building code includes the Washington State Building Code, composed of the codes in subsections (A)(1) through (6) of this section, and the additional codes in subsections (A)(3) and (7) through (14) of this section, all as modified in this title. The City shall at all times keep on file with the city clerk, for reference by the general public, a copy of the codes and resolutions, or parts thereof, as herein adopted by reference, together with the amendments and supplements thereto herein made a part of this title:

1. 2018 International Building Code, published by the International Code Council, Inc.;
2. 2018 International Residential Code, published by the International Code Council, Inc.;
3. 2018 International Existing Building Code, published by the International Code Council, Inc.;
4. 2018 International Mechanical Code, published by the International Code Council, Inc.;
5. 2018 International Fire Code, published by the International Code Council, Inc.;
6. 2018 Uniform Plumbing Code, published by the International Association of Plumbing and Mechanical Officials;
7. 2018 National Fuel Gas Code (NFPA 54), published by the National Fire Protection Association;
8. 2017 Liquefied Petroleum Gas Code (NFPA 58), published by the National Fire Protection Association;
9. 2018 International Fuel Gas Code, published by the International Code Council, Inc.;
10. 2018 Washington State Energy Code;
11. 2018 International Swimming Pool and Spa Code, published by the International Code Council, Inc.;

Exhibit A

12. 1997 Uniform Housing Code, published by the International Conference of Building Officials;
 13. 1997 Uniform Code for the Abatement of Dangerous Buildings, published by the International Conference of Building Officials;
 14. 2020 National Electrical Code (NFPA 70-2020), published by the National Fire Protection Association;
 15. All amendments, supplements, modifications, exclusions, exemptions and additions to the codes identified in subsections (A)(1) through (6) of this section adopted by the Washington State Building Code Council and published in WAC Title [51](#), including, but not by way of limitation, Chapters [51-11C](#), [51-11R](#), [51-50](#), [51-51](#), [51-52](#), [51-54A](#), and [51-56](#) WAC;
 16. All amendments, supplements, modifications, exclusions, exemptions and additions to the code identified in subsection (A)(14) of this section adopted by the Washington State Department of Labor and Industries and published in Chapter [296-46B](#) WAC;
- B. The copies of codes on file may be placed by the city clerk in the custody of the office of the building official in order to make them more readily available to inspection and use by the general public.

Exhibit B

**Chapter 15.10
FIRE CODE**

Sections:

- 15.10.005 International Fire Code adopted.**
- 15.10.010 IFC Section 101.1, Title, amended.**
- 15.10.015 IFC Section 102.7, Referenced Codes and Standards, amended.**
- 15.10.020 IFC Section 104, General Authority and Responsibilities, amended**
- 15.10.025 IFC Section 105.1, General, amended.**
- 15.10.030 IFC Section 105.6.30, Mobile Food Preparation Vehicles**
- 15.10.035 IFC Section 105.7, Required Construction Permits, amended.**
- 15.10.040 IFC Section 108.6, Overcrowding, amended.**
- 15.10.045 IFC Section 108, Board of Appeals, replaced.**
- 15.10.050 IFC Section 109.3, Violation Penalties, amended.**
- 15.10.055 IFC Section 308.3, Open Flame in Group A Occupancies, amended.**
- 15.10.060 IFC Section 319, Mobile Food Preparation Vehicles, amended.**
- 15.10.065 IFC Section 401.7.1, Evacuation Required, added.**
- 15.10.070 IFC Section 503.1, Where Required, amended.**
- 15.10.075 IFC Section 503.2, Specifications, amended.**
- 15.10.080 IFC Section 503.3, Marking, amended.**
- 15.10.085 IFC Section 503.4, Obstruction of Fire Apparatus Access Roads, amended.**
- 15.10.090 IFC Section 506.1, Where Required, amended.**
- 15.10.095 IFC Section 507.5.1, Where Required, amended.**
- 15.10.0100 IFC Section 510, Emergency Responder Radio Coverage, amended.**
- 15.10.105 IFC Section 901.7, Systems Out of Service, amended.**
- 15.10.110 IFC Section 903.2, Where Required, amended.**
- 15.10.115 IFC Section 903.2.13, Additional Fire Sprinkler Requirements for New and Existing Buildings, added.**
- 15.10.120 IFC 903.3.1.1.1, Exempt locations, amended.**
- 15.10.125 IFC Section 903.3.1.2, NFPA 13R Sprinkler Systems, amended.**
- 15.10.130 IFC Section 903.4.3, Floor Control Valves, amended.**
- 15.10.135 IFC Section 903.5.1, Fire Sprinkler and Standpipe Drains, added.**

Exhibit B

- 15.10.140 IFC Section 907.2, Where Required – New Buildings and Structures, amended.**
- 15.10.145 IFC Section 5003.9, General Safety Precautions, amended.**
- 15.10.150 IFC Section 5003.9.11, Manufacturer’s Limitations, added.**
- 15.10.155 IFC Section 5307.5.2, Emergency Alarm System, amended.**
- 15.10.160 IFC Section 5604.1, General, amended.**
- 15.10.165 IFC Section 5704.2.9.6.1, Locations Where Above-Ground Tanks Are Prohibited, amended.**
- 15.10.170 IFC Section 5707, On-Demand Mobile Fueling Operations, amended.**
- 15.10.175 IFC Section 5806.2, Limitations, amended.**
- 15.10.180 IFC Section 6104.2, Maximum Capacity within Established Limits, amended.**
- 15.10.185 IFC Appendix B, Fire-Flow Requirements for Buildings, amended.**

15.10.005 International Fire Code adopted.

The 2018 Edition of the International Fire Code, together with Appendix B (Fire-Flow Requirements for Buildings), as published by the International Code Council, is adopted, together with the amendments set forth in Chapter 51-54A WAC.

15.10.010 IFC Section 101.1, Title, amended.

Section 101.1 of the International Fire Code is hereby amended by inserting the phrase “City of Kenmore.”

15.10.015 IFC Section 102.7, Referenced Codes and Standards, amended.

Section 102.7 of the International Fire Code is hereby amended by adding the following:

When allowed by the fire code official, editions of standards not herein referenced may be utilized provided the entire standard is utilized.

15.10.020 IFC Section 104, General Authority and Responsibilities, amended.

Section 104 of the International Fire Code is hereby amended by adding the following:

Exhibit B

Section 104.12 Indigent housing guidelines. The fire code official, in cooperation with the building official, is hereby authorized to develop a policy regarding the application and exemption of the construction codes for temporary homeless shelters in accordance with WAC 51-16-030.

15.10.025 IFC Section 105.1, General, amended.

Section 105.1 of the International Fire Code is hereby amended to read as follows:

Section 105.1 General. Permits shall be in accordance with Sections 105.1 through 105.7.30.

15.10.030 IFC Section 105.6.30 Mobile Food Preparation Vehicles, amended.

Section 105.6.30 of the International Fire Code is hereby amended to read as follows:

105.6.30 Mobile food preparation vehicles. A permit is required for mobile food preparation vehicles equipped with appliances that produce smoke or grease-laden vapors or that utilize flammable gases such as LP-gas or natural gas. The fire code official is authorized to develop policies that clarify the permit requirements and participate in a regional permitting program.

15.10.035 IFC Section 105.7, Required Construction Permits, amended.

Section 105.7 of the International Fire Code is hereby amended by adding the following:

105.7.27 Emergency and standby power systems. A construction permit is required to install or modify an Emergency Power Supply System (EPSS) that supplies power to life safety systems, fire pumps, elevators or any system required by the International Fire Code or the International Building Code.

105.7.28 High-piled combustible storage. A construction permit is required to install, alter or increase the hazard level of storage under the following criteria: Storage area including aisles exceeds 500 square feet floor area, and either Class I – IV commodities are stored more than 12 feet high, or high hazard materials are stored more than 6 feet high.

Exhibit B

105.7.29 Mechanical refrigeration. A construction permit is required to install, modify or expand any mechanical refrigeration system containing more than 220 pounds of a Group A1 refrigerant or more than 30 pounds of any other group refrigerant.

105.7.30 Emergency alarm system. A construction permit is required to install an emergency alarm system in accordance with Section 5307. An emergency alarm is required for carbon dioxide systems with more than 100 pounds of carbon dioxide.

15.10.040 IFC Section 108.6 Overcrowding, amended.

Section 180.6 of the International Fire Code is hereby amended to read as follows:

108.6 Overcrowding. Overcrowding or admittance of any person beyond the approved capacity of a building or a portion thereof shall not be allowed. The fire code official, upon finding any overcrowding conditions or obstructions in aisles, passageways or other means of egress, or upon finding any condition which constitutes a life safety hazard, shall be authorized to direct actions to be taken to reduce the overcrowding or to cause the event to be stopped until such condition or obstruction is corrected.

15.10.045 IFC Section 109, Board of Appeals, replaced.

Section 109 of the International Fire Code is hereby deleted and replaced with the following:

Section 109 Hearing Examiner. Appeals of orders, decisions or determinations made by the fire code official shall be made to the hearing examiner in accordance with the requirements and process of Chapter 19.30 KMC. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder has been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better solution is proposed. The hearing examiner shall have not authority relative to interpretation of the administrative provisions of this code nor shall the hearing examiner be empowered to waive requirements of

Exhibit B

either this code or the technical codes which are the codes, appendices and referenced code standards adopted by the city.

15.10.050 IFC Section 110.3, Violation Penalties, amended.

Section 110.3 of the International Fire Code is hereby deleted and replaced with the following:

Notice of violation. Any person who violates the provisions of this code or fails to comply with any of the requirements thereof or lawful directive of the fire code official, shall be subject to penalties as prescribed by law.

15.10.055 IFC Section 308.3, Open Flame in Group A Occupancies, amended.

Section 308.3 of the International Fire Code is hereby amended by adding the following exception:

4. Where approved by the fire code official.

15.10.060 IFC Section 319, Mobile Food Preparation Vehicles, amended.

Section 319 of the International Fire Code is hereby amended by adding the following:

319.11 Location. Mobile food facilities shall not be located within ten feet (10') of buildings, tents, canopies or membrane structures or within ten feet (10') of any other mobile food facility.

Exceptions:

1. When mobile food facilities are positioned on public streets, the distance from buildings may be reduced to five feet (5'). This exception is designated for events lasting a maximum of no more than three (3) consecutive calendar days in a row.
2. When located on private property, the distance from buildings may be reduced to five feet (5') from a fire wall constructed of non-combustible materials and having no openings such as windows or doors within 10 feet of the vehicle.

15.10.065 IFC Section 401.7.1, Evacuation Required, added.

Section 401.7.1 of the International Fire Code is added to Section 401.7:

Exhibit B

401.7.1 Evacuation required. In the event of activation of a fire, emergency alarm, or at the direction the fire code official, occupants of the building or portion of the building in which the alarm is activated shall make a safe and orderly evacuation out of the building, or as provided in the building's fire safety and evacuation or high-rise emergency operations plan.

Exceptions:

1. Where the occupant's physical or other disability make the occupant unable to evacuate without assistance and no assistance is immediately available; or
2. Where the presence of smoke, fire, structural collapse or other hazard or obstruction of the occupant's means of egress make evacuation unsafe.

15.10.070 IFC Section 503.1, Where Required, amended.

Section 503.1 of the International Fire Code is hereby amended to read as follows:

503.1 Where required. Fire apparatus access roads shall be provided and maintained in accordance with Sections 503.1.1 through 503.1.3.

503.1.1 Buildings and facilities. *Approved* fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within a jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet of all portions of the facility and all portions of the *exterior* walls of the first story of the building as measured by an *approved* route around the exterior of the building or facility.

Exception:

1. The fire code official is authorized to increase the dimensions of 150 feet where any of the following conditions occur:

Exhibit B

1.1. The building is equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3.

1.2. Fire apparatus access roads cannot be installed because of location on the property, topography, waterways, nonnegotiable grades or other similar conditions, and an approved alternative means of fire protection is provided.

1.3. There are not more than two Group R-3 or Group U occupancies.

503.1.2 Additional Access. The fire code official is authorized to require more than one fire apparatus access road based on the potential for impairment of a single road by vehicle congestion, condition of terrain, climactic conditions or other factors that could limit access.

503.1.3 High-piled storage. Fire department vehicle access to buildings used for high piled combustible storage shall comply with the applicable provisions of Chapter 32.

15.10.075 IFC Section 503.2, Specifications, amended.

Section 503.2 of the International Fire Code is hereby amended as follows:

503.2 Specifications. Fire apparatus access roads shall be installed and arranged in accordance with Sections 503.2.1 through 503.2.8 and the adopted Road Standards.

503.2.1 Dimensions. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet, exclusive of shoulders, except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 13 feet 6 inches. Driveways serving not more than two single-family residences shall comply with the provisions of the Road Standard.

503.2.2 Authority. The fire code official shall have the authority to require or permit modifications to the required access widths where they are inadequate for fire or rescue operations or where necessary to meet the public safety objectives of the jurisdiction.

Exhibit B

503.2.3 Surface. Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities in accordance with the Road Standard.

503.2.4 Turning radius. The required turning radius of a fire apparatus access road shall be 20 feet interior and 40 feet exterior or as determined by the fire code official.

503.2.5 Dead ends. Dead-end fire apparatus access roads in excess of 150 feet- as measured from the centerline of the accessing street- shall be provided with an approved area for turning around fire apparatus. Private access tracts serving not more than four single-family residences are permitted to construct a hammerhead turn around that meets the layout and size requirements of the fire code official.

503.2.6 Bridges, structures and elevated surfaces. Where a bridge, structure or an elevated surface is part of a fire apparatus access road, the bridge shall be constructed and maintained in accordance with AASHTOHS-25. Bridges and elevated surfaces shall be designed for a live load sufficient to carry the live loads of fire apparatus. In addition, these structures shall be designed to support a 45,000 lb point-load over four square feet. Vehicle load limits shall be posted at both entrances to bridges where required by the fire code official. Where elevated surfaces are designed for emergency vehicle use are adjacent to surfaces which are not designed for such use, approved barriers, approved signs or both shall be installed and maintained where required by the fire code official.

503.2.7 Grade. Where the grade of a fire apparatus access road exceeds 15% at any point along the roadway mitigation of the restricted access must be provided as determined by the fire code official.

503.2.8 Angles of approach and departure. The angles of approach and departure for fire apparatus access roads shall be within the limits established by the fire code official and the City Engineer.

15.10.080 IFC Section 503.3, Marking, amended.

Section 503.3 of the International Fire Code is hereby amended as follows:

Exhibit B

503.3 Marking. Where required by the fire code official, approved signs or other approved notices, as described in the Northshore Fire Department Access Standard, shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. Signs or notices shall be maintained a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility.

15.10.085 IFC Section 503.4, Obstruction of Fire Apparatus Access Roads, amended.

Section 503.4 of the International Fire Code is hereby amended as follows:

503.4 Obstruction of fire apparatus access roads. Fire apparatus access roads shall not be obstructed in any manner, including parking of vehicles. The minimum widths and clearances shall be maintained at all times.

Exception: Parking of vehicles along residential streets where all homes along the road are protected by approved fire sprinkler systems.

15.10.090 IFC Section 506.1, Where Required, amended.

Section 506.1 of the International Fire Code is hereby amended by adding the following:

506.1 Where required. All occupancies equipped with an automatic sprinkler system, fire alarm system, or hazardous occupancies, or when required by the fire code official, shall have an emergency access key box mounted in an approved location.

Exception: One- and two-family dwellings.

15.10.095 IFC Section 507.5.1, Where Required, amended.

Section 507.5.1 of the International Fire Code is hereby amended to read:

507.5.1. Where required. Where a facility or building hereafter constructed or moved into or within the city is more than 150 feet from a hydrant on a fire apparatus access road, onsite fire hydrants

Exhibit B

and mains shall be provided where required by the fire code official. At least one hydrant shall be located within 400 feet of all portions of the exterior wall of the first story of the facility or building as measured by an approved route around the exterior of the building. All fire hydrants required by this section, whether existing or new shall be equipped with a 4-inch Storz fitting on the steamer port. A 4-inch Storz fitting shall also be installed on any hydrant required for protection of existing structures where the valuation of the improvement or alteration exceeds 50% of the assessed valuation or where the square footage is increased by 25% or 1,000 square feet, whichever is less.

Exceptions:

1. For one- and two-family dwellings and Group U occupancies, the maximum distance to the structure shall be 300 feet and 450 feet when protected by an approved fire sprinkler system.
2. Distances may be modified by the fire code official for facilities or buildings equipped with approved automatic sprinkler systems.

15.10.0100 IFC Section 510, Emergency Responder Radio Coverage, amended.

Section 510 of the International Fire Code is hereby amended to read as follows:

510.1 Emergency responder radio coverage in new buildings. Approved radio coverage for emergency responders shall be provided within buildings meeting any of the following conditions:

1. High rise buildings;
2. The total building area is 50,000 square feet or more;
3. The total basement area is 10,000 square feet or more; or
4. There are floors used for human occupancy more than 30 feet below the finished floor of the lowest level of exit discharge.

Exhibit B

5. Buildings or structures where the Fire or Police Chief determines that in-building radio coverage is critical because of its unique design, location, use or occupancy.

The radio coverage system shall be installed in accordance with Sections 510.4 through 510.5.5 of this code and with the provisions of NFPA 1221 (2019). This section shall not require improvement of the existing public safety communication systems.

Point of Information

When determining if the minimum signal strength referenced 510.4.1.1 exists at a subject building, the signal strength shall be measured at any point on the exterior of the building up to the highest point on the roof.

Exceptions:

1. Buildings and areas of buildings that have minimum radio coverage signal strength levels of the King County Regional 800 MHz Radio System within the building in accordance with Section 510.4.1 without the use of a radio coverage system.
2. In facilities where emergency responder radio coverage is required and such systems, components or equipment required could have a negative impact on the normal operations of that facility, the *fire code official* shall have the authority to accept an automatically activated emergency responder radio coverage system.
3. One- and two-family dwellings and townhouses.
4. Subject to the approval of the fire code official, buildings other than high-rise buildings, colleges, universities and buildings primarily occupied by Group E or I occupancies that have completed a Mobile Emergency Responder Radio Coverage application and submitted payment as outlined in the application.

510.2 Emergency responder radio coverage in existing buildings. Existing buildings shall be provided with approved radio coverage for emergency responders as required in Chapter 11.

Exhibit B

510.3 Permit required. A construction permit for the installation of or modification to emergency responder radio coverage systems and related equipment is required as specified in Section 105.7.6. Maintenance performed in accordance with this code is not considered a modification and does not require a permit.

Point of Information

Prior coordination and approval from the Public Safety Radio System Operator is required before installation of an Emergency Responder Radio System. Until 2022, such approval is required from [EPSCA](#), [King County](#), [Seattle](#) or [ValleyCom](#) depending on the location of the installation. In 2022 PSERN will be the single operator of a county wide system.

In order to be forward compatible, designers and contractors should be aware of PSERN's requirements for Distributed Antenna Systems which can be found via <https://psern.org/requirements/>

510.4 Technical requirements. Systems, components and equipment required to provide the emergency responder radio coverage system shall comply with Sections 510.4.1 through 510.4.2.8.

510.4.1 Emergency responder communication enhancement system signal strength. The building shall be considered to have acceptable emergency responder communications enhancement system coverage when signal strength measurements in 95 percent of all areas on each floor of the building meet the signal strength requirements in Sections 510.4.1.1 through 510.4.1.3.

Exception: Critical areas, such as the fire command center(s), the fire pump room(s), interior exit stairways, exit passageways, elevator lobbies, standpipe cabinets, sprinkler sectional valve locations, and other areas required by the fire code official, shall be provided with 99 percent floor area radio coverage.

510.4.1.1 Minimum signal strength into the building. The minimum inbound signal strength shall be sufficient to provide usable voice communications throughout the coverage area as specified by the fire code official. The inbound signal level shall be a minimum of -95dBm in 95% of the coverage area and 99% in critical areas and sufficient to provide not less than a Delivered Audio Quality (DAQ) of

Exhibit B

3.0 or an equivalent Signal-to-Interference-Plus-Noise Ratio (SINR) applicable to the technology for either analog or digital signals.

510.4.1.2 Minimum signal strength out of the building. The minimum outbound signal strength shall be sufficient to provide usable voice communications throughout the coverage area as specified by the fire code official. The outbound signal level shall be sufficient to provide not less than a DAQ of 3.0 or an equivalent SINR applicable to the technology for either analog or digital signals. A minimum signal strength of -95 dBm shall be received by the King County Regional 800 MHz Radio System when transmitted from within the building.

510.4.1.3 System performance. Signal strength shall be sufficient to meet the requirements of the applications being utilized by public safety for emergency operations through the coverage area as specified by the radio system manager in Section 510.4.2.2.

510.4.2 System design. The emergency responder radio coverage system shall be designed in accordance with Sections 510.4.2.1 through 510.4.2.8 and NFPA 1221 (2019).

510.4.2.1 Amplification systems and components. Buildings and structures that cannot support the required level of radio coverage shall be equipped with systems and components to enhance the public safety radio signals and achieve the required level of radio coverage specified in Sections 510.4.1 through 510.4.1.3. Public safety communications enhancement systems utilizing radio-frequency-emitting devices and cabling shall be allowed by the Public Safety Radio System Operator. Prior to installation, all RF-emitting devices shall have the certification of the radio licensing authority and be suitable for public safety use.

510.4.2.2 Technical criteria. The Public Safety Radio System Operator shall provide the various frequencies required, the location of radio sites, the effective radiated power of radio sites, the maximum propagation delay in microseconds, the applications being used and other supporting technical information necessary for system design upon request by the building owner or owner's representative.

Exhibit B

510.4.2.3 Power supply sources. Emergency responder radio coverage systems shall be provided with dedicated standby batteries or provided with 2-hour standby batteries and connected to the facility generator power system in accordance with Section 1203. The standby power supply shall be capable of operating the emergency responder radio coverage system at 100-percent system capacity for a duration of not less than 12 hours.

510.4.2.4 Signal booster requirements. If used, signal boosters shall meet the following requirements:

1. All signal booster components shall be contained in a National Electrical Manufacturer's Association (NEMA) 4, IP66-type waterproof cabinet or equivalent.

Exception: Listed battery systems that are contained in integrated battery cabinets.

2. Battery systems used for the emergency power source shall be contained in a NEMA 3R or higher-rated cabinet, IP65-type waterproof cabinet or equivalent.

3. Equipment shall have FCC or other radio licensing authority certification and be suitable for public safety use prior to installation.

4. Where a donor antenna exists, isolation shall be maintained between the donor antenna and all inside antennas to not less than 20dB greater than the system gain under all operating conditions.

5. Bi-Directional Amplifiers (BDAs) used in emergency responder radio coverage systems shall be fitted with anti-oscillation circuitry and per-channel AGC

6. The installation of amplification systems or systems that operate on or provide the means to cause interference on any emergency responder radio coverage networks shall be coordinated and approved by the Public Safety Radio System Operator.

7. Unless otherwise approved by the Public Safety Radio System Operator, only channelized signal boosters shall be permitted.

Exhibit B

Exception: Broadband BDA's may be utilized when specifically authorized in writing by the Public Safety Radio System Operator.

Point of Information

BDA's must also comply with PSERN's (www.psern.org/requirements) detailed requirements, which include channelized, minimum of 28 channels, supporting analog, P25 Phase I (FDMA), and P25 Phase II (TDMA).

510.4.2.5 System monitoring. The emergency responder radio enhancement system shall include automatic supervisory and trouble signals that are monitored by a supervisory service and are annunciated by the fire alarm system in accordance with NFPA 72. The following conditions shall be separately annunciated by the fire alarm system, or, if the status of each of the following conditions is individually displayed on a dedicated panel on the radio enhancement system, a single automatic supervisory signal may be annunciated on the fire alarm system indicating deficiencies of the radio enhancement system:

1. Loss of normal AC power supply.
2. System battery charger(s) failure.
3. Malfunction of the donor antenna(s).
4. Failure of active RF-emitting device(s).
5. Low-battery capacity at 70-percent reduction of operating capacity.
6. Active system component malfunction.
7. Malfunction of the communications link between the fire alarm system and the emergency responder radio enhancement system.

510.4.2.6 Additional frequencies and change of frequencies. The emergency responder radio coverage system shall be capable of modification or expansion in the event frequency changes are required by the FCC or other radio licensing

Exhibit B

authority, or additional frequencies are made available by the FCC or other radio licensing authority.

510.4.2.7 Design documents. The fire code official shall have the authority to require “as-built” design documents and specifications for emergency responder communications coverage systems. The documents shall be in a format acceptable to the fire code official.

510.4.2.8 Radio communication antenna density. Systems shall be engineered to minimize the near-far effect. Radio enhancement system designs shall include sufficient antenna density to address reduced gain conditions.

Exceptions:

1. Class A narrow band signal booster devices with independent AGC/ALC circuits per channel.
2. Systems where all portable devices within the same band use active power control.

510.5 Installation requirements. The installation of the public safety radio coverage system shall be in accordance with NFPA 1221 and Sections 510.5.1 through 510.5.7.

510.5.1 Approval prior to installation. Amplification systems capable of operating on frequencies licensed to any public safety agency by the FCC or other radio licensing authority shall not be installed without prior coordination and approval of the Public Safety Radio System Operator.

510.5.2 Minimum qualifications of personnel. The minimum qualifications of the system designer and lead installation personnel shall include both of the following:

1. A valid FCC-issued general radio telephone operators license.
2. Certification of in-building system training issued by an approved organization or approved school, or a certificate issued by the manufacturer of the equipment being installed.

Exhibit B

510.5.3 Acceptance test procedure. Where an emergency responder radio coverage system is required, and upon completion of installation, the building owner shall have the radio system tested to verify that two-way coverage on each floor of the building is in accordance with Section 510.4.1.

The test procedure shall be conducted as follows:

1. Each floor of the building shall be divided into a grid of 20 approximately equal test areas, with a maximum test area size of 6,400 square feet. Where the floor area exceeds 128,000 square feet, the floor shall be divided into as many approximately equal test areas as needed, such that no test area exceeds the maximum square footage allowed for a test area.
2. Coverage testing of signal strength shall be conducted using a calibrated spectrum analyzer for each of the test grids. A diagram of this testing shall be created for each floor where coverage is provided, indicating the testing grid used for the test in Section 510.5.3(1), and including signal strengths and frequencies for each test area. Indicate all critical areas.
3. Functional talk-back testing shall be conducted using two calibrated portable radios of the latest brand and model used by the agency's radio communications system or other equipment approved by the fire code official. Testing shall use Digital Audible Quality (DAQ) metrics, where a passing result is a DAQ of 3 or higher. Communications between handsets shall be tested and recorded in the grid square diagram required by section 510.5.3(2): each grid square on each floor; between each critical area and a radio outside the building; between each critical area and the fire command center or fire alarm control panel; between each landing in each stairwell and the fire command center or fire alarm control panel.
4. Failure of more than 5% of the test areas on any floor shall result in failure of the test.

Exception: Critical areas shall be provided with 99 percent floor area coverage.

5. In the event that two of the test areas fail the test, in order to be more statistically accurate, the floor shall be permitted to be divided into 40 equal test

Exhibit B

areas. Failure of not more than two nonadjacent test areas shall not result in failure of the test. If the system fails the 40-area test, the system shall be altered to meet the 95-percent coverage requirement.

6. A test location approximately in the center of each test area shall be selected for the test, with the radio enabled to verify two-way communications to and from the outside of the building through the public agency's radio communications system. Once the test location has been selected, that location shall represent the entire test area. Failure in the selected test location shall be considered to be a failure of that test area. Additional test locations shall not be permitted.

7. The gain values of all amplifiers shall be measured, and the test measurement results shall be kept on file with the building owner so that the measurements can be verified during annual tests. In the event that the measurement results become lost, the building owner shall be required to rerun the acceptance test to reestablish the gain values.

8. As part of the installation, a spectrum analyzer or other suitable test equipment shall be utilized to ensure spurious oscillations are not being generated by the subject signal booster. This test shall be conducted at the time of installation and at subsequent annual inspections.

9. Systems incorporating Class B signal booster devices or Class B broadband fiber remote devices shall be tested using two portable radios simultaneously conducting subjective voice quality checks. One portable radio shall be positioned not greater than 10 feet (3048 mm) from the indoor antenna. The second portable radio shall be positioned at a distance that represents the farthest distance from any indoor antenna. With both portable radios simultaneously keyed up on different frequencies within the same band, subjective audio testing shall be conducted and comply with DAQ levels as specified in Sections 510.4.1.1 and 510.4.1.2.

10. Documentation maintained on premises. At the conclusion of the testing, and prior to issuance of the building Certificate of Occupancy, the building owner or owner's representative shall place a copy of the following records in the DAS

Exhibit B

enclosure or the building engineer's office. The records shall be available to the fire code official and maintained by the building owner for the life of the system:

- a. A certification letter stating that the emergency responder radio coverage system has been installed and tested in accordance with this code, and that the system is complete and fully functional.
- b. The grid square diagram created as part of testing in Sections 510.5.3(2) and 510.5.3(3).
- c. Data sheets and/or manufacturer specifications for the emergency responder radio coverage system equipment; back up battery; and charging system (if utilized).
- d. A diagram showing device locations and wiring schematic.
- e. A copy of the electrical permit.

11. Acceptance test reporting to fire code official. At the conclusion of the testing, and prior to issuance of the building Certificate of Occupancy, the building owner or owner's representative shall submit to the fire code official a report of the acceptance test by way of the department's third-party vendor thecomplianceengine.com.

510.5.4 FCC compliance. The emergency responder radio coverage system installation and components shall comply with all applicable federal regulations including, but not limited to, FCC 47 CFR Part 90.219.

510.5.5 Mounting of the donor antenna (s). To maintain proper alignment with the system designed donor site, donor antennas shall be permanently affixed on the highest possible position on the building or where approved by the fire code official. A clearly visible sign shall be placed near the antenna stating, "movement or repositioning of this antenna is prohibited without approval from the fire code official." The antenna installation shall be in accordance with the applicable requirements in the International Building Code for weather protection of the building envelope.

510.5.6 Wiring. The backbone, antenna distribution, radiating, or any fiber-optic cables shall be rated as plenum cables. The backbone cables shall be connected

Exhibit B

to the antenna distribution, radiating, or copper cables using hybrid coupler devices of a value determined by the overall design. Backbone cables shall be routed through an enclosure that matches the building's required fire-resistance rating for shafts or interior exit stairways. The connection between the backbone cable and the antenna cables shall be made within an enclosure that matches the building's fire-resistance rating for shafts or interior exit stairways, and passage of the antenna distribution cable in and out of the enclosure shall be protected as a penetration per the International Building Code.

510.5.7 Identification Signs. Emergency responder radio coverage systems shall be identified by an approved sign located on or near the Fire Alarm Control Panel or other approved location stating "This building is equipped with an Emergency Responder Radio Coverage System. Control Equipment located in room_____".

A sign stating "Emergency Responder Radio Coverage System Equipment" shall be placed on or adjacent to the door of the room containing the main system components.

510.6 Maintenance. The emergency responder radio coverage system shall be maintained operational at all times in accordance with Sections 510.6.1 through 510.6.4.

510.6.1 Testing and proof of compliance. The owner of the building or owner's authorized agent shall have the emergency responder radio coverage system inspected and tested annually or where structural changes occur including additions or remodels that could materially change the original field performance tests. Testing shall consist of the following items (1) through (7):

1. In-building coverage test as required by the *fire code official* as described in Section 510.5.3 "Acceptance test procedure" or 510.6.1.1 "Alternative in-building coverage test".

Exception: Group R Occupancy annual testing is not required within dwelling units.

Exhibit B

2. Signal boosters shall be tested to verify that the gain/output level is the same as it was upon initial installation and acceptance or set to optimize the performance of the system.
 3. Backup batteries and power supplies shall be tested under load of a period of 1 hours to verify that they will properly operate during an actual power outage. If within the 1-hour test period the battery exhibits symptoms of failure, the test shall be extended for additional 1-hour periods until the integrity of the battery can be determined.
 4. If a fire alarm system is present in the building, a test shall be conducted to verify that the fire alarm system is properly supervising the emergency responder communication system as required in Section 510.4.2.5. The test is performed by simulating alarms to the fire alarm control panel. The certifications in Section 510.5.2 are sufficient for the personnel performing this testing.
 5. Other active components shall be checked to verify operation within the manufacturer's specifications.
 6. At the conclusion of the testing, a report, which shall verify compliance with Section 510.6.1, shall be submitted to the *fire code official* by way of the department's third-party vendor thecomplianceengine.com.
 7. At the conclusion of testing, a record of the inspection and maintenance along with an updated grid diagram of each floor showing tested strengths in each grid square and each critical area shall be added to the documentation maintained on the premises in accordance with Section 510.5.3.
- 510.6.1.1 Alternative In-building coverage test. When the comprehensive test documentation required by Section 510.5.3 is available, or the most recent full five-year test results are available if the system is older than six years, the in-building coverage test required by the fire code official in Section 510.6.1(1), may be conducted as follows:
1. Functional talk-back testing shall be conducted using two calibrated portable radios of the latest brand and model used by the agency's radio communications system or other equipment approved by the fire code official. Testing shall use

Exhibit B

Digital Audible Quality (DAQ) metrics, where a passing result is a DAQ of 3 or higher. Communications between handsets in the following locations shall be tested: between the fire command center or fire alarm control panel and a location outside the building; between the fire alarm control panel and each landing in each stairwell.

2. Coverage testing of signal strength shall be conducted using a calibrated spectrum analyzer for:

(a) Three grid areas per floor. The three grid areas to be tested on each floor are the three grid areas with poorest performance in the acceptance test or the most recent annual test, whichever is more recent; and

(b) Each of the critical areas identified in acceptance test documentation required by Section 510.5.3, or as modified by the fire code official, and

(c) One grid square per serving antenna.

3. The test area boundaries shall not deviate from the areas established at the time of the acceptance test, or as modified by the fire code official. The building shall be considered to have acceptable emergency responder radio coverage when the required signal strength requirements in 510.4.1.1 and 510.4.1.2 are located in 95 percent of all areas on each floor of the building and 99 percent in Critical Areas, and any non-functional serving antenna are repaired to function within normal ranges. If the documentation of the acceptance test or most recent previous annual test results are not available or acceptable to the fire code official, the radio coverage verification testing described in 510.5.3 shall be conducted.

Point of Information

The alternative in-building coverage test provides an alternative testing protocol for the in-building coverage test in subsection (1) of section 510.6.1. There is no change or alternative to annual testing requirements enumerated in subsections (2) – (7) of Section 510.6.1, which must be performed at the time of each annual test.

Exhibit B

510.6.2 Additional frequencies. The building owner shall modify or expand the emergency responder radio coverage system at his or her expense in the event frequency changes are required by the FCC or other radio licensing authority, or additional frequencies are made available by the FCC public safety radio system operator or FCC license holder. Prior approval of a public safety radio coverage system on previous frequencies does not exempt this section.

510.6.3 Nonpublic safety system. Where other nonpublic safety amplification systems installed in buildings reduce the performance or cause interference with the emergency responder communications coverage system, the nonpublic safety amplification system shall be corrected or removed.

510.6.4 Field testing. Agency personnel shall have the right to enter onto the property at any reasonable time to conduct field testing to verify the required level of radio coverage or to disable a system that due to malfunction or poor maintenance has the potential to impact the emergency responder radio system in the region.

15.10.105 IFC Section 901.7, Systems Out of Service, amended.

Section 901.7 of the International Fire Code is hereby amended to read as follows:

901.7 System out of service. Where a fire protection system is out of service, the fire department and the fire code official shall be notified immediately and, where required by the fire code official, the building shall either be evacuated or an approved fire watch shall be provided for all occupants left unprotected by the shutdown until the fire protection system has been returned to service. Where utilized, fire watches shall be provided with at least one means for notification of the fire department and their only duty shall be to perform constant patrols of the protected premises and keep watch for fires.

15.10.110 IFC Section 903.2, Where Required, amended.

Section 903.2 of the International Fire Code is hereby amended to read as follows:

Exhibit B

903.2 Where required. Approved automatic sprinkler systems in new and existing buildings and structures shall be provided in the locations described in Section 903.2.1 through 903.13.

The exception has been deleted.

15.10.115 IFC Section 903.2.13, Additional Fire Sprinkler Requirements for New and Existing Buildings, added.

Section 903.2 of the International Fire Code is hereby amended by adding a new Section 903.2.13 as follows:

903.2.13 Additional fire sprinkler requirements for new and existing buildings.

NEW BUILDINGS

1. An automatic sprinkler system shall be installed in all occupancies requiring 2,000 gallons per minute or more fire flow, or where the gross square footage exceeds 5,000 square feet. This applies to all buildings regardless of type or use.
2. All newly constructed buildings regardless of gross square footage shall be provided with an automatic sprinkler system if adequate fire flow, hydrant spacing, or approved fire department access is not provided as required in IFC Section 503, Appendix B, and or Title 15 of the Kenmore Municipal Code.
3. An automatic sprinkler system shall be installed in new residential occupancies.

Exception: Detached accessory dwelling units (ADU's).

EXISTING BUILDINGS

1. The provisions of this section shall apply to existing buildings that are subject to alterations, repairs, modifications or similar improvements where the total cost of the work performed exceeds 50% of the King County Assessors Office valuation of the structure.

Exhibit B

Where subsequent alterations, repairs, modifications or similar improvements occur within five years of the first permitted work, the original building valuation shall be used and the total costs of improvements shall be accumulative.

2. The provisions of this section shall apply to existing buildings where the gross floor area of the building is increased. Additions to buildings that would result in a gross floor area greater than 5,000 square feet shall be retrofitted throughout with an approved automatic sprinkler system.

Exception: The floor area of an existing building may be increased by up to 25%, not to exceed 5,000 square foot floor area increase. This exception shall be allowed one time only and acknowledgement of its use shall be recorded to run with the property title prior to permit issuance.

15.10.120 IFC 903.3.1.1.1, Exempt locations, amended.

Item 6 from Section 903.3.1.1.1 of the International Fire Code is hereby amended to read as follows:

6. Machine rooms, machinery spaces, control rooms and control spaces associated with traction elevators. The elevator machinery shall not be of the hydraulic type.

15.10.125 IFC Section 903.3.1.2, NFPA 13R Sprinkler Systems, amended.

Section 903.3.1.2 of the International Fire Code is hereby amended to read as follows:

Automatic sprinkler systems in Group R occupancies up to and including four stories in height in buildings not exceeding 60 feet in height, as measured from the lowest point of fire department access, shall be permitted to be installed throughout in accordance with NFPA 13R.

The number of stories of Group R constructed in accordance with Sections 510.2 and 510.4 of the International Building Code shall

Exhibit B

be measured from the horizontal assembly creating separate buildings.

15.10.130 IFC Section 903.4.3, Floor Control Valves, amended.

Section 903.4.3 of the International Fire Code is hereby amended to read as follows:

903.4.3. Floor control valves. In multi-level buildings *approved*, supervised indicating control valves shall be provided at the point of connection to the riser on each floor.

Exception: When approved by the fire code official.

15.10.135 IFC Section 903.5.1, Fire Sprinkler and Standpipe Drains, added.

Section 903.5.1 of the International Fire Code is hereby amended by adding a new Section 903.5.1 as follows:

903.5.1 Fire sprinkler and standpipe drains. Fire sprinkler and standpipe main/express drains shall be positioned to drain to the sanitary sewer. Additionally, maintenance or testing discharges from fire pumps shall be treated in order to comply with the National Pollution Discharge Elimination System (NPDES) requirements.

15.10.140 IFC Section 907.2, Where Required – New Buildings and Structures, amended.

Section 907.2, excluding subsections 907.2.1 through 907.2.23, of the International Fire Code is hereby amended to read as follows:

907.2 Where required—new buildings and structures.

All occupancies exceeding 3,000 square feet gross floor area shall be required to provide an approved, monitored automatic fire detection system. Fire walls as noted in Section 706 of the International Building Code shall not be considered to be a separate building to enable deletion of the required fire detection system.

Exception: Group U or IRC regulated structures.

Exhibit B

An approved fire alarm system installed in accordance with this code and NFPA 72 shall be provided in new buildings and structures in accordance with Sections 907.2.1 through 907.2.23. and provide occupant notification in accordance with Section 907.6, unless other requirements are provided by another section of this code. Where automatic sprinkler protection installed in accordance with Section 903.3.1.1 or 903.3.1.2 is provided and connected to the building fire alarm system, automatic heat detection required by this section shall not be required.

A minimum of one fire alarm box shall be provided in an approved location to initiate a fire alarm signal for fire alarm systems employing automatic fire detectors or water-flow devices. Where other sections of this code allow elimination of fire alarm boxes due to sprinklers, a single fire alarm box shall be installed.

EXISTING BUILDINGS

The provisions of this section shall apply to existing buildings that are subject to alterations, repairs, modifications or similar improvements where the total cost of the work performed exceeds 50% of the King County Assessor's Office valuation of the structure. Where subsequent alterations, repairs, modifications or similar improvements occur within five years of the first permitted work, the original building valuation shall be used and the total costs of improvements shall be accumulative.

15.10.145 IFC Section 5003.9, General Safety Precautions, amended.

Section 5003.9 of the International Fire Code is amended to read as follows:

5003.9 General safety precautions. General precautions for the safe storage, handling or care of hazardous materials shall be in accordance with Sections 5003.9.1 through 5003.9.11.

15.10.150 IFC Section 5003.9.11, Manufacturer's Limitations, added.

Section 5003.9 of the International Fire Code is amended by adding a new section 5003.9.11 as follows:

Exhibit B

5003.9.11 Manufacturer's Limitations. The storage and use of hazardous materials shall not exceed the manufacturer's limitations on shelf life and any other restrictions on use.

15.10.155 IFC Section 5307.5.2, Emergency Alarm System, amended.

Section 5307.5.2 of the International Fire Code is hereby amended to read as follows:

5307.5.2 Emergency alarm systems. An emergency alarm system shall comply with all of the following:

1. Continuous gas detection shall be provided to monitor areas where carbon dioxide can accumulate.
2. The threshold for activation on an alarm shall not exceed 5,000 parts per million.
3. Activation of the emergency alarm system shall initiate a local alarm at the entrance to the room(s) and inside the room(s) where CO₂ systems are installed.
4. A warning sign shall be posted at the entrance to the room that reads: "Carbon Dioxide Alarm. Do Not Enter. Call 911."

15.10.160 IFC Section 5604.1, General, amended.

Section 5604.1 of the International Fire Code is hereby amended by adding the following:

5604.1 General. The storage of blasting agents, detonators, explosives, explosive materials and special industrial explosive devices is prohibited within the city limits.

Exceptions:

1. Approved storage areas in law enforcement facilities and as otherwise provided in the Municipal Code.
2. When approved by the fire code official.

Exhibit B

15.10.165 IFC Section 5704.2.9.6.1, Locations Where Above-Ground Tanks Are Prohibited, amended.

Section 5704.2.9.6.1 of the International Fire Code is amended to read as follows:

5704.2.9.6.1 Locations where above-ground tanks are prohibited.

Throughout the city, the use of above ground storage tanks outside of buildings shall be limited to flammable or combustible liquids in outside above ground tanks of 2,000 gallons per tank with an aggregate capacity of 4,000 gallons per site, unless otherwise specifically approved by the fire code official. All above ground storage tanks containing flammable or combustible liquids with a capacity of 500 gallons or more shall be protected tanks designed in accordance with Section 5704.2.9.7 and UL2085, or other systems with prior approval of the fire code official. Above ground combustible liquid tanks, used for the storage of heating oil, for a single family residence shall not exceed 300 gallons. Above ground flammable liquid tanks shall not be permitted in a residential zone or within 100 feet of a residential zone within the city, except that such tanks may be located at fire stations or municipal facilities. Temporary uses may be permitted during periods of construction with the approval of the fire code official. Permits for above ground tanks shall be approved by the fire code official prior to installation or placement.

Exception: Existing installations exceeding 2,000 gallon tank or aggregate capacity of 4,000 gallons per site shall be allowed to continue until tank replacement is necessary or tank decommissioning.

15.10.170 IFC Section 5707, On-Demand Mobile Fueling Operations, amended.

Section 5707 of the International Fire Code is amended to read as follows:

5701.1 General. On-demand mobile fueling operations that dispense Class I, II and III liquids into the fuel tanks of motor vehicles shall comply with Sections 5707.1 through 5707.6. 6.

Exhibit B

Exception: Fueling from an *approved* portable container in cases of an emergency or for personal use.

5707.1.1 Approval required. Mobile fueling operations shall not be conducted without first obtaining a *permit* and approval from the *fire code official*. Mobile fueling operations shall occur only at *approved* locations. The *fire code official* is authorized to approve individual locations or geographic areas where mobile fueling is allowed.

5707.2 Mobile fueling vehicle. An on-demand mobile fueling vehicle shall be that which is utilized in on-demand fueling operations for the dispensing of Class I, II or III liquids into the fuel tanks of motor vehicles.

5707.2.1 Mobile fueling vehicle classifications. An on-demand mobile fueling vehicle shall be characterized as one of the following:

1. Tier 1 Mobile Fueling Vehicle-A tank vehicle that complies with NFPA 385 and that has chassis-mounted tanks where the aggregate capacity does not exceed 1600 gallons (6057 L).
2. Tier 2 Mobile Fueling Vehicle-A vehicle with one or more chassis-mounted tanks or chassis-mounted containers, not to exceed 110 gallons (415 L) capacity and having an aggregate capacity that does not exceed 800 gallons (3028 L) or the weight capacity of the vehicle in accordance with DOTn.
3. Tier 3 Mobile Fueling Vehicle-A vehicle that carries a maximum aggregate capacity of 60 gallons (227 L) of motor fuel in metal safety cans *listed* in accordance with UL 30 or other *approved* metal containers, each not to exceed 5 gallons (19 L) in capacity.

5707.2.2 Mobile fueling vehicle requirements. Each mobile fueling vehicle shall comply with all local, state and federal requirements, as well as the following:

1. Mobile fueling vehicles with a chassis-mounted tank in excess of 110 gallons (415 L) shall also comply with the requirements of Section 5706.6 and NFPA 385.
2. The mobile fueling vehicle and its equipment shall be maintained in good repair.

Exhibit B

3. Safety cans and approved metal containers shall be secured to the mobile fueling vehicle except when in use.

4. Fueling a motor vehicle from tanks or containers mounted in a trailer connected to a mobile fueling vehicle shall be prohibited.

5707.3 Required documents. Documents developed to comply with Sections 5707.3.1 through 5707.3.3 shall be updated as necessary by the *owner* of the mobile fueling operation and shall be maintained in compliance with Section 108.3.

5707.3.1 Safety and emergency response plan. Mobile fueling operators shall have an *approved* written safety and emergency response plan that establishes policies and procedures for fire safety, spill prevention and control, personnel training and compliance with other applicable requirements of this code.

5707.3.2 Training records. Mobile fueling vehicles shall be operated only by designated personnel who are trained on proper fueling procedures and the safety and emergency response plan. Training records of operators shall be maintained.

5707.3.3 Site plan. Where required by the *fire code official*, a site plan shall be developed for each location or area at which mobile fueling occurs. The site plan shall be in sufficient detail to indicate the following:

1. All buildings, structures;
2. *Lot lines* or, property lines;
3. Electric car chargers;
4. Solar photovoltaic parking lot canopies;
5. Appurtenances on site and their use or function;
6. All uses adjacent to the *lot lines* of the site;
7. Fueling locations;
8. Locations of all storm drain openings and adjacent waterways or wetlands

Exhibit B

9. Information regarding slope, natural drainage, curbing, impounding;
10. How a spill will be kept on the site property;
11. Scale of the site plan.

5707.4 Mobile fueling areas. The mobile fueling vehicle and point of connection of the vehicle being fueled shall not occur on public streets, *public ways* or inside *buildings*. Fueling on the roof level of parking structures or other *buildings* is prohibited.

5707.4.1 Separation. The point of connection of the vehicle being fueled shall not take place within 25 feet (7620 mm) of buildings, lot lines, property lines or combustible storage. Mobile fueling vehicles shall not park within 10 feet (3048 mm) of buildings, lot lines, property lines, or combustible storage.

Exceptions:

1. The *fire code official* shall be authorized to decrease the separation distance for dispensing from metal safety cans or other *approved* metal containers in accordance with Section 5707.2.
2. The point of fueling shall not take place within 10 feet (3048 mm) of buildings, lot lines, property lines, or combustible storage when the mobile fueling vehicle has an approved vapor recovery system or is servicing vehicles with on board refueling vapor recovery.

Where dispensing operations occur within 15 feet (4572 mm) of a storm drain, an *approved* storm drain cover or an *approved* equivalent method that will prevent any fuel from reaching the drain shall be used.

5707.4.2 Sources of ignition. Smoking, open flames and other sources of ignition shall be prohibited within 25 feet (7620 mm) of fuel dispensing activities. Signs prohibiting smoking or open flames within 25 feet (7620 mm) of the vehicle or the point of fueling shall be prominently posted on the mobile fueling vehicle. The engines of vehicles being fueled shall be shut off during fueling.

5707.4.3 Electrical equipment. Mobile fueling shall not occur within 20 feet of

Exhibit B

electrical equipment located within 18 inches of the ground unless such electrical equipment is rated for Class 1, Division 2 hazardous locations in accordance with the National Electrical Code.

5707.5 Equipment. Mobile fueling equipment shall comply with Sections 5707.5.1 through 5707.5.5.

5707.5.1 Dispensing hoses and nozzles. Where equipped, the dispensing hose shall not exceed 50 feet (15 240 mm) in length. The dispensing nozzles and hoses shall be of an *approved* and *listed* type. Where metal-to-metal contact cannot be made between the nozzle and the fuel fill opening, then a means for bonding the mobile fueling vehicle to the motor vehicle shall be provided and employed during fueling operations.

5707.5.2 Break-away device. A listed break-away device shall be provided at the nozzle.

Exception: Mobile fueling vehicles equipped with an approved brake interlock tied to the nozzle holder that prohibits movement of the mobile fueling vehicle when the nozzle is removed from its holder or tied to the delivery of fuel that prevents activation of the pumping system.

5707.5.3 Shut off valve and fuel limit. Mobile fueling vehicles shall be equipped with a listed shutoff valve assembly and a fuel limit switch set to a maximum of 30 gallons (116 L)

5707.5.4 Fire extinguisher. An *approved* portable fire extinguisher complying with Section 906 with a minimum rating of 4A:80-B:C shall be provided on the mobile fueling vehicle with signage clearly indicating its location.

5707.5.5 Spill kit. Mobile fueling vehicles shall contain a minimum 5-gallon (19 L) spill kit of an *approved* type.

5707.6 Operations. Mobile fueling vehicles shall be constantly attended during fueling operations with brakes set and warning lights in operation. Mobile fueling vehicles shall not obstruct emergency vehicle access roads.

5707.6.1 Dispensing hose. Where equipped, mobile fueling vehicles shall be

Exhibit B

positioned in a manner to preclude traffic from driving over the dispensing hose. The dispensing hose shall be properly placed on an *approved* reel or in an *approved* compartment prior to moving the mobile fueling vehicle.

5707.6.2 Drip control. Operators shall place a drip pan or an absorbent pillow under the nozzle and each fuel fill opening prior to and during dispensing operations to catch drips.

5707.6.3 Safety cones. Safety cones or other visual barriers shall be employed as warning devices to highlight the vehicle fueling area.

5707.6.4 Vehicle lights. The mobile fueling vehicle flasher lights shall be in operation while dispensing operations are in progress.

5707.6.5 Nighttime deliveries. Nighttime deliveries shall only be made in areas deemed adequately lighted by the *fire code official*.

5707.6.6. Spill reporting. Spills shall be reported in accordance with Section 5003.3.1

15.10.175 IFC Section 5806.2, Limitations, amended.

Section 5806.2 of the International Fire Code is amended to read as follows:

5806.2 Outdoor storage. The storage of flammable cryogenic fluids in stationary containers outside of buildings is prohibited within the city limits.

15.10.180 IFC Section 6104.2, Maximum Capacity within Established Limits, amended.

Section 6104.2 of the International Fire Code is amended to read as follows:

6104.2 Maximum capacity within established limits. Throughout the city, the aggregate capacity of any one installation of liquefied petroleum gas shall not exceed five hundred (500) gallons water capacity. This capacity limit may be increased up to, but not to exceed, two thousand (2,000) gallons water capacity if the installation is not within, or closer than 100 feet of a residential

Exhibit B

zone and must be approved by the fire code official. A permit is required to install a liquefied petroleum gas tank.

Exception: Existing installations exceeding five hundred (500) gallons water capacity, but not exceeding two thousand (2,000) gallons water capacity, shall be allowed to continue.

15.10.185 IFC Appendix B, Fire-Flow Requirements for Buildings, amended.

Appendix B, Sections B104.1, B104.2, and B105.1, and the footnotes of Table B105.1, are amended to read as follows:

B104.1 General. The fire flow calculation area shall be the total floor area of all floor levels within the exterior walls, and under the horizontal projections of the roof of a building, including basements and attached garages, except as modified in Section B104.3.

B104.2 Area separation. Portions of buildings which are separated by four-hour fire walls without openings, constructed in accordance with the International Building Code, are allowed to be considered as separate fire-flow calculation areas.

B105.1 One and Two Family dwellings. The minimum fire flow requirements for one and two family dwellings having a fire-flow calculation area where the gross floor area, including attached garages, does not exceed 3,600 square feet (344.5 m²) shall be 1,500 gallons per minute (3785.4 L/min). Fire flow and flow duration for dwellings having a gross square footage in excess of 3,600 square feet (344.5 m²) shall be not less than that specified in Table B105.1 and the *ISO Guide for the Determination of Needed Fire Flow*.

Exception: The minimum fire flow required for one- and two-family dwellings protected by approved fire sprinkler systems that have a gross floor area under 3,600 square feet shall be 500 gallons per minute. Fire sprinkler protected one- and two-family dwellings that have gross floor areas over 3,600 square feet shall have available fire flow of at least 1/2 the value in Table B105.1(2).

Exhibit B

B105.2 Buildings other than one- and two-family dwellings. The minimum fire flow and flow duration for buildings other than one- and two-family dwellings shall be as determined by utilizing Table B105.1 and the *ISO Guide for the Determination of Needed Fire Flow*.

Exception: A reduction in required fire flow of up to 50 percent, as approved, is allowed when the building is provided with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2 of the International Fire Code.

Where buildings are of Type I or II construction and are a light-hazard occupancy as defined by NFPA 13, the reduction may be up to 75 percent. The resulting fire flow shall not be less than 1,500 gallons per minute (5678 l/min) for the prescribed duration as specified in Table B105.1.

Exhibit C

**Chapter 15.20
BUILDING CODES**

Sections:

- 15.20.010 International Building Code adopted.**
- 15.20.015 IBC Section 312.1, U-Occupancy Use – General, amended.**
- 15.20.020 IBC Section 403.4.8, Standby Power, amended.**
- 15.20.025 IBC Section 403.4.8.1, Equipment Room, amended.**
- 15.20.030 IBC Section 403.4.8.1.1, Standby Power Room Penetrations, added.**
- 15.20.035 IBC Section 403.4.8.3, Standby Power Loads, amended.**
- 15.20.040 IBC Section 403.7, Smoke Control, added.**
- 15.20.045 IBC Section 405.8, Standby Power, amended.**
- 15.20.050 IBC Section 712.1.3.1, Opening Size, amended.**
- 15.20.055 IBC Section 903.2, Sprinklers Where Required, amended.**
- 15.20.060 IBC Section 903.2.13, Additional Fire Sprinkler Requirements for New and Existing Buildings, added.**
- 15.20.065 IBC Section 903.3.1.1.1, Exempt locations, amended.**
- 15.20.070 IBC Section 903.3.1.2, NFPA 13R sprinkler systems, amended.**
- 15.20.075 IBC Section 903.4.3, Floor Control Valves, amended.**
- 15.20.080 IBC Section 903.5.1, Fire Sprinkler and Standpipe Drains, added.**
- 15.20.085 IBC Section 907.2, Alarms Where Required – New Buildings and Structures, amended.**
- 15.20.090 IBC Section 911.1.2.1, Fire Command Center Penetrations, added.**
- 15.20.095 IBC Section 1608.1, Snow Load – General, amended.**
- 15.20.100 IBC Section 1612.3, Establishment of Flood Hazard Areas, amended.**
- 15.20.105 IBC Section 3002.4, Elevator Car to Accommodate Ambulance Stretcher, amended.**
- 15.20.110 IBC Section 3112, Waterfront Structures, added.**
- 15.20.115 IBC Appendix adoption.**
- 15.20.120 International Residential Code adopted.**
- 15.20.125 IRC Table R301.2(1), Climate and Geographic Design Criteria, amended.**
- 15.20.130 IRC Appendix V, Fire Sprinklers, amended.**
- 15.20.135 1997 Uniform Housing Code adopted.**
- 15.20.140 UHC Section 203, Appeals – Amended.**
- 15.20.145 UHC Section 1201.2, Processing of Appeals – Amended.**

Exhibit C

- 15.20.150 UHC Section 1201.3 deleted.**
- 15.20.155 UHC Chapter 13 deleted.**
- 15.20.160 International Mechanical Code adopted.**
- 15.20.165 Uniform Plumbing Code adopted.**
- 15.20.170 National Fuel Gas Code (NFPA 54) adopted.**
- 15.20.175 Liquefied Petroleum Gas Code (NFPA 58) adopted.**
- 15.20.180 International Fuel Gas Code adopted.**
- 15.20.185 Washington State Energy Code adopted.**
- 15.20.200 Uniform Code for the Abatement of Dangerous Buildings adopted.**
- 15.20.205 UCADB Section 205, Appeals, amended.**
- 15.20.210 UCADB Section 501.2, Processing of Appeals, amended.**
- 15.20.215 UCADB Section 501.3 deleted.**
- 15.20.220 UCADB Chapter 6 deleted.**
- 15.20.225 International Existing Building Code adopted.**
- 15.20.230 International Swimming Pool and Spa Code adopted.**

15.20.010 International Building Code adopted.

The 2018 Edition of the International Building Code, excluding Chapter 1, "Scope and Administration," as published by the International Code Council, is adopted, together with the amendments set forth in Chapter 51-50 WAC. The Construction Administrative Code, as set forth in Chapter 15.30 KMC, shall be used in place of IBC Chapter 1.

15.20.015 IBC Section 312.1, U-Occupancy Use – General, amended.

Section 312.1 of the International Building Code is hereby amended to read as follows by adding the following use to the list:

Waterfront structures

15.20.020 IBC Section 403.4.8, Standby Power, amended.

Section 403.4.8 of the International Building Code is hereby amended to read as follows:

Add the following sentence to the end of the paragraph:

Fuel-fired emergency generator sets and associated fuel storage, including optional generator sets, located more than 75 feet above the lowest level of Fire Department vehicle access requires the approval of the Fire Code Official.

Exhibit C

15.20.025 IBC Section 403.4.8.1, Equipment Room, amended.

Section 403.4.8.1 of the International Building Code, is hereby amended to read as follows:

403.4.8.1 Equipment room. If the standby system is a generator set inside the building, the system shall be located in a separate room enclosed with 2-hour fire barriers constructed in accordance with Section 403.4.8.1.1 and Section 707 or horizontal assemblies constructed in accordance with Section 711, or both. System supervision with manual start and transfer features shall be provided at the fire command center.

15.20.030 IBC Section 403.4.8.1.1, Standby Power Room Penetrations, added.

Section 403.4.8.1.1 of the International Building Code is hereby added as follows:

403.4.8.1.1 Penetrations. Penetrations into and openings through a room containing a standby power system are prohibited except for required exit doors, equipment and ductwork necessary for heating, cooling or ventilation, sprinkler branch line piping, or electrical raceway serving the standby power system or being served by the standby power system and metallic piping with no joints or openings. Such penetrations shall be protected in accordance with Section 714.

15.20.035 IBC Section 403.4.8.3, Standby Power Loads, amended.

Section 403.4.8.3 of the International Building Code is amended by adding a fifth item which reads as follows:

5. Smoke control system.

15.20.040 IBC Section 403.7, Smoke Control, added.

Section 403.7 of the International Building Code is hereby added as follows:

403.7 Smoke control. A smoke control system meeting the requirements of Section 909 shall be provided in buildings that exceed ten stories, or contain a use requiring defend-in-place firefighting operations in which occupants of some area cannot readily evacuate that area. This includes portions of facilities

Exhibit C

housing functions essential to continuity of public safety operations, and Group I and LC Occupancies where in the judgment of the Building Official and Fire Code Official, occupants having limited capacity for self-preservation are located on floors more than 75 feet above the lowest level of Fire Department vehicle access. A smoke control system for a defend-in-place use may be a performance-based design to protect that use without providing smoke control throughout the entire building, but shall otherwise comply with Section 909.

Exception: Smoke control may be omitted when approved by the Building Official and Fire Code Official.

15.20.045 IBC Section 405.8, Standby Power, amended.

Section 405.8 of the International Building Code is hereby amended by adding the following sentence:

Fuel-fired emergency generator sets and associated fuel storage, including optional generator sets, located more than 30 feet below the lowest level of exit discharge requires the approval of the Fire Code Official.

15.20.050 IBC Section 712.1.3.1, Opening Size, amended.

Section 712.1.3.1 of the International Building Code is hereby amended by revising the last sentence, to read:

This application is limited to openings that do not connect more than four stories in buildings not required to have smoke control systems. In buildings that are required to have smoke control systems, escalators are limited to openings that do not connect more than four stories and non-egress stairs are limited to openings that do not atmospherically connect more than two stories.

15.20.055 IBC Section 903.2, Sprinklers Where Required, amended.

Section 903.2 of the International Building Code is hereby amended to read as follows:

Exhibit C

903.2 Where required. Approved automatic sprinkler systems in new and existing buildings and structures shall be provided in the locations described in Section 903.2.1 through 903.13.

The exception has been deleted.

15.20.060 IBC Section 903.2.13, Additional Fire Sprinkler Requirements for New and Existing Buildings, added.

Section 903.2 of the International Building Code is hereby amended by adding a new Section 903.2.13 as follows:

903.2.13 Additional fire sprinkler requirements for new and existing buildings.

NEW BUILDINGS

1. An automatic sprinkler system shall be installed in all occupancies requiring 2,000 gallons per minute or more fire flow, or where the gross square footage exceeds 5,000 square feet. This applies to all buildings regardless of type or use. Fire walls shall not be considered to separate a building to enable deletion of the required sprinkler system.
2. All newly constructed buildings regardless of gross square footage shall be provided with an automatic sprinkler system if adequate fire flow, hydrant spacing, or approved fire department access is not provided as required in the International Fire Code Section 503, Appendix B, and/or Title 15 of the Kenmore Municipal Code.
3. An automatic sprinkler system shall be installed in newly constructed residential occupancies.

Exception: Detached accessory dwelling units (ADU's).

EXISTING BUILDINGS

1. The provisions of this section shall apply to existing buildings that are subject to alterations, repairs, modifications or similar

Exhibit C

improvements where the total cost of the work performed exceeds 50% of the King County Assessor's Office valuation. Where subsequent alterations, repairs, modifications or similar improvements occur within five years of the first permitted work, the original building valuation shall be used and the total costs of the improvements shall be accumulative.

2. The provisions of this section shall apply to existing buildings where the gross floor area of the building is increased. Additions to buildings that would result in a gross floor area greater than 5,000 square feet shall be retrofitted throughout with an approved automatic sprinkler system.

Exception: The floor area of an existing building may be increased up to 25%, not to exceed 5,000 square foot floor area increase. This exception shall be allowed one time only and acknowledgement of its use shall be recorded on the property title prior to permit issuance.

15.20.065 IBC Section 903.3.1.1.1, Exempt locations, amended.

Item 6 from Section 903.3.1.1.1 of the International Building Code is hereby amended to read as follows:

6. Machine rooms, machinery spaces, control rooms and control spaces associated with traction elevators. The elevator machinery shall not be of the hydraulic type.

15.20.070 IBC Section 903.3.1.2, NFPA 13R sprinkler systems, amended.

Section 903.3.1.2 of the International Building Code is hereby amended to read as follows:

Automatic sprinkler systems in Group R occupancies up to and including four stories in height in buildings not exceeding 60 feet in height, as measured from the lowest point of fire department access, shall be permitted to be installed throughout in accordance with NFPA 13R.

Exhibit C

The number of stories of Group R constructed in accordance with Sections 510.2 and 510.4 shall be measured from the horizontal assembly creating separate buildings.

15.20.075 IBC Section 903.4.3, Floor Control Valves, amended.

Section 903.4.3 of the International Building Code is hereby amended to read as follows:

903.4.3 Floor control valves. In multi-level buildings *approved*, supervised indicating control valves shall be provided at the point of connection to the riser on each floor.

Exception: When approved by the fire code official.

15.20.080 IBC Section 903.5.1, Fire Sprinkler and Standpipe Drains, added.

Section 903.5.1 of the International Building Code is amended by adding a new Section 903.5.1 as follows:

903.5.1 Fire sprinkler and standpipe drains. Fire sprinkler and standpipe main/express drains shall be positioned to drain to the sanitary sewer. Additionally, maintenance or testing discharges from fire pumps shall be treated in order to comply with the National Pollution Discharge Elimination System (NPDES) requirements.

15.20.085 IBC Section 907.2, Alarms Where Required – New Buildings and Structures, amended.

Section 907.2 of the International Building Code is hereby amended to read as follows:

907.2 Where required – new buildings and structures.

All occupancies exceeding 3,000 square feet gross floor area shall be required to provide an approved and monitored fire detection system. Fire walls shall not be considered to be a separate building to enable deletion of the required fire detection system.

Exception: Group U or IRC regulated structures.

Exhibit C

An approved fire alarm system installed in accordance with Sections 907.2.1 through 907.2.23 and provide occupant notification in accordance with Section 907.6, unless other requirements are provided by another section of the IFC. Where automatic protection installed in accordance with Section 903.3.1.1 or 903.3.1.2 is provided and connected to the building fire alarm system, automatic heat detection required by this section shall not be required.

A minimum of one fire alarm box shall be provided in an approved location to initiate a fire alarm signal for the fire alarm systems employing automatic fire detectors or water-flow devices. Where other sections of this code allow elimination of fire alarm boxes due to sprinklers, a single fire alarm box shall be installed.

EXISTING BUILDINGS

The provisions of this section shall apply to existing buildings that are subject to alterations, repairs, modifications or similar improvements where the total cost of the work performed exceeds 50% of the King County Assessor's Office valuation of the structure. Where subsequent alterations, repairs, modifications or similar improvements occur within five years of the first permitted work, the original building valuation shall be used and the total costs of improvements shall be accumulative.

15.20.090 IBC Section 911.1.2.1, Fire Command Center Penetrations, added.

Section 911.1.2.1 of the International Building Code is hereby added to read as follows:

911.1.2.1 Penetrations. Penetrations into and openings through a fire command center are prohibited except for required exit doors, equipment and ductwork necessary for heating, cooling or ventilation, sprinkler branch line piping, electrical raceway for the fire department communication and control, electrical raceway serving the fire command center for being controlled from the fire command center and metallic piping with no joints or openings.

Exhibit C

Such penetrations shall be protected in accordance with Section 714.

15.20.095 IBC Section 1608.1, Snow Load – General, amended.

Section 1608.1 of the International Building Code is hereby amended to read as follows:

1608.1 General. Design snow loads shall not be less than 25 psf, and the design roof loads shall not be less than that determined by Section 1607.

15.20.100 IBC Section 1612.3, Establishment of Flood Hazard Areas, amended.

Section 1612.3 of the International Building Code is hereby amended by revising the second sentence to read as follows:

The flood hazard map shall include, at a minimum, areas of special flood hazard as identified by the Federal Emergency Management Agency in an engineering report entitled "The Flood Insurance Study for King County, Washington and Incorporated Areas," DATED April 9, 2005, as amended or revised with the accompanying Flood Insurance Rate Map (FIRM) and related supporting data along with any revisions thereto.

15.20.105 IBC Section 3002.4, Elevator Car to Accommodate Ambulance Stretcher, amended.

Section 3002.4 of the International Building Code is hereby amended to read as follows:

3002.4 Elevator car to accommodate ambulance stretcher. Where elevators are provided in buildings four or more stories above, or four or more stories below grade plane, or in any R or I occupancy building provided with an elevator regardless of the number of stories, at least one elevator shall be provided for fire department emergency access to all floors. The elevator car shall be of such a size and arrangement to accommodate a 24-inch by 84-inch (610 mm by 1930 mm) ambulance stretcher in the horizontal, open position and shall be identified by the international symbol for emergency medical services (star of life). The symbol shall not be less than 3 inches (76 mm) high and shall be placed inside on both sides of the hoistway door frame.

Exhibit C

15.20.110 IBC Section 3112, Waterfront Structures, added.

Section 3112 of the International Building Code is hereby added as follows:

SECTION 3112

WATERFRONT STRUCTURES

Section 3112.1 General. In addition to other requirements of this code, all waterfront structures shall comply with the regulations of this section and the Kenmore Shoreline Management Code.

Section 3112.2 Approvals Required. Before any permit for a new waterfront structure or revisions to an existing waterfront structure is issued by the building official, the applicant shall obtain prior approval from all applicable state and federal agencies.

Section 3112.3 Definitions. For the purpose of this section, certain terms are defined as follows:

BULKHEAD. As defined in the Kenmore Shoreline Management Code.

COVERED WATERFRONT STRUCTURE. Any waterfront structure covered in whole or in part by a roof.

DOCK. As defined in the Kenmore Shoreline Management Code.

FLOAT. As defined in the Kenmore Shoreline Management Code.

PIER. As defined in the Kenmore Shoreline Management Code.

POLLUTION-GENERATING MATERIAL. Include those which are erodable or leachable materials, wastes, or chemicals. Metal roofs are considered to be pollution-generated unless they are treated to prevent leaching.

SUBSTRUCTURE. That portion of the construction of a dock, pier, wharf or other similar waterfront structure below and including the deck.

Exhibit C

SUPERSTRUCTURE. That portion of the construction of a dock, pier, wharf or other similar waterfront structure above the deck.

WATERFRONT STRUCTURE. Structures including, but not limited to docks, piers, wharves, floats, mooring piles, anchor buoys, bulkheads, submerged or overhead wires, pipes and cables, and any object passing beneath, through or over the water, waterward of the ordinary high water mark.

WHARF. A structure of timber, stone, concrete or other material having a platform built along and parallel to navigable waters so that vessels may be moored alongside for loading and unloading, or for storage or repair.

Section 3112.4 Construction Requirements. Waterfront structures shall comply with Sections 3112.4.1 through 3112.4.4.

Section 3112.4.1 Substructure. The substructure may be constructed of any nonpollution-generating materials allowed by this code, and the Kenmore Shoreline Management Code. All decks shall sustain, within the limitations of this code, all dead loads plus a live load of not less than 100 pounds per square foot, assumed to act vertically. In addition to the live load requirement, all structures and every portion thereof shall be designed and constructed to resist a horizontal force of not less than 100 pounds per lineal foot acting at the deck line, in any direction.

Exception: For waterfront structures serving only a single-family dwelling, a live load of 40 psf may be used and a horizontal force need only be considered where applicable.

Automatic sprinklers shall be installed under the substructure in accordance with the requirements of Chapter 9 and the International Fire Code.

Section 3112.4.2 Superstructure. The superstructure shall be designed and constructed to sustain all dead loads, live loads, and wind loads required by this code, and may be constructed of any

Exhibit C

nonpollution-generating materials allowed by this code and the Kenmore Shorelines Management Code, except when the building area of a covered waterfront structure exceeds 1,000 square feet the entire superstructure and deck shall be constructed of noncombustible materials or as required for Type IV-H.T. Construction per Section 602.4 or be equipped throughout the structure with an approved automatic sprinkler system.

Section 3112.4.3 Hardware. All hardware used structurally shall be of a corrosive-resistant metal such as aluminum, brass, copper, and stainless steel, or be completely protected by an approved corrosion-resistant metal, such as zinc.

Section 3112.4.4 Standpipes. When a distance of travel to fire apparatus access exceeds one hundred fifty (150) feet, a Class I manual, dry standpipe system shall be provided in accordance with NFPA 303. Systems shall be provided with outlets located such that no point of the structure exceeds one hundred fifty (150) feet from a standpipe outlet.

Exception: Waterfront structures serving not more than one single-family dwelling.

15.20.115 IBC Appendix adoption.

The City hereby adopts Appendix Chapter E, "Supplementary Accessibility Requirements," and Appendix Chapter H, "Signs," pursuant to Chapters 19.27 and 70.92 RCW.

15.20.120 International Residential Code adopted.

The 2018 Edition of the International Residential Code, including Appendix U, "Dwelling Unit Fire Sprinkler Systems," and Appendix V, "Fire Sprinklers," but excluding Chapter 1 of the IRC, "Scope and Administration," as published by the International Code Council, is adopted, together with the amendments set forth in Chapter 51-51 WAC. The Construction Administrative Code, as set forth in Chapter 15.30 KMC, shall be used in place of IRC Chapter 1.

15.20.125 IRC Table R301.2(1), Climate and Geographic Design Criteria, amended.

Exhibit C

Table R301.2(1) of the International Residential Code is hereby amended to read as follows:

TABLE R301.2(1)
CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA

GROUND SNOW LOAD ^a	WIND DESIGN			SEISMIC DESIGN CATEGORY ⁱ	SUBJECT TO DAMAGE FROM			WINTER DESIGN TEMP ^e	ICE BARRIER UNDERLAYMENT REQUIRED ^h	FLOOD HAZARDS ^g	AIR FREEZING INDEX ^j	MEAN ANNUAL TEMP ⁱ
	Speed ^d (mph)	Topographic effects ^k	Special wind region ^l		Weathering ^a	Frost line depth ^b	Termite ^c					
25 psf	110	No	No	No	D2	moderate	12 inches	Slight to Moderate	No	Per KMC 18.55.70	148	51°F
MANUAL J DESIGN CRITERIA ⁿ												
Elevation			Latitude	Winter heating	Summer cooling	Altitude correction factor	Indoor design temperature	Design temperature cooling	Heating temperature difference			
60 feet			47°	72°F	75°F	0.99	72°F	75°F	45°F			
Cooling temperature difference			Wind velocity heating	Wind velocity cooling	Coincident wet bulb	Daily range	Winter humidity	Summer humidity				
7°F			N.A.	N.A.	66	Medium	75%	68%				

For SI: 1 pound per square foot = 0.0479 kPa, 1 mile per hour = 0.447 m/s.

- Where weathering requires a higher strength concrete or grade of masonry than necessary to satisfy the structural requirements of this code, the frost line depth strength required for weathering shall govern. The weathering column shall be filled in with the weathering index, "negligible," "moderate," or "severe" for concrete as determined from Figure R301.2(4). The grade of masonry units shall be determined from the ASTM C34, C55, C62, C73, C90, C129, C145, C216, or C652.
- Where the frost line depth requires deeper footings than indicated in Figure R403.1(1), the frost line depth strength required for weathering shall govern. The jurisdiction shall fill in the frost line depth column with the minimum depth of footing below finish grade.
- The jurisdiction shall fill in this part of the table to indicate the need for protection depending on whether there has been a history of local subterranean termite damage.
- The jurisdiction shall fill in this part of the table with the wind speed from the basic wind speed map [Figure R301.2(5)A]. Wind exposure category shall be determined on a site-specific basis in accordance with Section R301.2.1.4.
- The outdoor design dry-bulb temperature shall be selected from the columns of 97½-percent values for winter from Appendix D of the *International Plumbing Code*. Deviations from the Appendix D temperatures shall be permitted to reflect local climates or local weather experience as determined by the building official. [Also see Figure R301.2(1).]
- The jurisdiction shall fill in this part of the table with the seismic design category determined from Section R301.2.2.1.
- The jurisdiction shall fill in this part of the table with (a) the date of the jurisdiction's entry into the National Flood Insurance Program (date of adoption of the first code or ordinance for management of flood hazard areas), (b) the date(s) of the Flood Insurance Study and (c) the panel numbers and dates of the currently effective FIRMs and FBFMs or other flood hazard map adopted by the authority having jurisdiction, as amended.
- In accordance with Sections R905.1.2, R905.4.3.1, R905.5.3.1, R905.6.3.1, R905.7.3.1 and R905.8.3.1, where there has been a history of local damage from the effects of ice damming, the jurisdiction shall fill in this part of the table "Air Freezing Index-USA Method (Base 32°F)".
- The jurisdiction shall fill in this part of the table with the 100-year return period air freezing index (BF-days) from Figure R403.3(2) or from the 100-year (99 percent) value of the National Climatic Data Center data table "Air Freezing Index-USA Method (Base 32°F)".
- The jurisdiction shall fill in this part of the table with the mean annual temperature from the National Climatic Data Center data table "Air Freezing Index-USA Method (Base 32°F)".
- In accordance with Section R301.2.1.5, where there is local historical data documenting structural damage to buildings due to topographic wind speed-up effects, the jurisdiction shall fill in this part of the table with "YES". Otherwise, the jurisdiction shall indicate "NO" in this part of the table.
- In accordance with Figure R301.2(5)A, where there is local historical data documenting unusual wind conditions, the jurisdiction shall indicate "NO" in this part of the table.
- In accordance with Section R301.2.1.2, the jurisdiction shall indicate the wind-borne debris wind zone(s). Otherwise, the jurisdiction shall indicate "NO" in this part of the table.
- The jurisdiction shall fill in these sections of the table to establish the design criteria using Table 1a or 1b from ACCA Manual J or established criteria determined by the jurisdiction.
- The jurisdiction shall fill in this section of the table using the Ground Snow Loads in Figure R301.2(6).

Exhibit C

15.20.130 IRC Appendix V, Fire Sprinklers, amended.

Appendix V, Section AV107.1 of the 2018 International Residential Code is hereby amended to read as follows:

AV107.1 Fire Sprinklers. An approved fire sprinkler system shall be installed in new one-family and two-family dwellings and townhouses in accordance with Appendix U.

Exception: Accessory dwelling units.

15.20.135 1997 Uniform Housing Code adopted.

The Uniform Housing Code issued by the International Conference of Building Officials, 1997 Edition, together with amendments and/or additions thereto, is adopted in its entirety by this reference as the housing code for the City except that references to the uniform codes shall be replaced with the appropriate technical codes and sections as adopted by the City.

15.20.140 UHC Section 203, Appeals – Amended.

Section 203 of the Uniform Housing Code is hereby amended to read:

SECTION 203 – APPEALS

Appeals of orders, decisions or determinations made by the building official shall be made to the hearing examiner in accordance with the requirements and process of Chapter 19.30 KMC. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder has been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better solution is proposed. The hearing examiner shall have not authority relative to interpretation of the administrative provisions of this code nor shall the hearing examiner be empowered to waive requirements of either this code or the technical codes which are the codes, appendices and referenced code standards adopted by the city.

15.20.145 UHC Section 1201.2, Processing of Appeals – Amended.

Section 1201.2 of the Uniform Housing Code is hereby amended to read:

Exhibit C

1201.2 Processing of Appeal. Appeals of orders, decisions or determinations made by the building official shall be made to the hearing examiner in accordance with the requirements and process of Chapter 19.30 KMC.

15.20.150 UHC Section 1201.3 deleted.

Section 1201.3 of the Uniform Housing Code is deleted.

15.20.155 UHC Chapter 13 deleted.

Chapter 13, "Rules for Conduct of Hearing Appeals," of the Uniform Housing Code is deleted.

15.20.160 International Mechanical Code adopted.

The 2018 Edition of the International Mechanical Code, excluding Chapter 1, "Scope and Administration," as published by the International Code Council, is adopted, together with the amendments set forth in Chapter 51-52 WAC. The Construction Administrative Code, as set forth in Chapter 15.30 KMC, shall be used in place of IMC Chapter 1.

15.20.165 Uniform Plumbing Code adopted.

The 2018 Edition of the Uniform Plumbing Code, excluding Chapter 1, "Administration," as published by the International Association of Plumbing and Mechanical Officials, is adopted, together with Appendix A, "Recommended Rules for Sizing the Water Supply System," Appendix B, "Explanatory Notes on Combination Waste and Vent Systems," Appendix C, "Alternate Plumbing Systems," Appendix I, "Installation Standards," Appendix K, "Potable Rainwater Catchment Systems," and the amendments set forth in Chapters 51-52 and 51-57 WAC. The Construction Administrative Code, as set forth in Chapter 15.30 KMC, shall be used in place of UPC Chapter 1.

15.20.170 National Fuel Gas Code (NFPA 54) adopted.

The 2018 National Fuel Gas Code, excluding Chapter 1, "Administration," as published by NFPA, is adopted together with the amendments set forth in Chapter 51-52 WAC. The Construction Administrative Code, as set forth in Chapter 15.30 KMC, shall be used in place of NFPA 54 Chapter 1.

15.20.175 Liquefied Petroleum Gas Code (NFPA 58) adopted.

The 2017 Liquefied Petroleum Gas Code, excluding Chapter 1, "Administration," as published by NFPA, is adopted, together with the amendments set forth in Chapter 51-

Exhibit C

52 WAC. The Construction Administrative Code, as set forth in Chapter 15.30 KMC, shall be used in place of NFPA 58 Chapter 1.

15.20.180 International Fuel Gas Code adopted.

The 2018 Edition of the International Fuel Gas Code, excluding Chapter 1, "Administration," as published by the International Code Council, is adopted, together with the amendments set forth in Chapter 51-52 WAC. The Construction Administrative Code, as set forth in Chapter 15.30 KMC, shall be used in place of IFGC Chapter 1.

15.20.185 Washington State Energy Code adopted.

The 2018 Washington State Energy Code, excluding Chapter 1, as adopted by the State Building Code Council in Chapters 51-11C and 51-11R WAC, is adopted. The Construction Administrative Code, as set forth in Chapter 15.30 KMC, shall be used in place of Chapter 1.

15.20.200 Uniform Code for the Abatement of Dangerous Buildings adopted.

The Uniform Code for the Abatement of Dangerous Buildings, issued by the International Conference of Building Officials, 1997 Edition, together with amendments and/or additions thereto, is adopted in its entirety by this reference as if fully set forth herein as the dangerous buildings code for the City, except that references to the uniform codes shall be replaced with the appropriate technical codes and sections as adopted by this City.

15.20.205 UCADB Section 205, Appeals, amended.

Section 205 of the Uniform Code for the Abatement of Dangerous Buildings is amended to read:

SECTION 205 – APPEALS

Appeals of orders, decisions or determinations made by the building official shall be made to the hearing examiner in accordance with the requirements and process of Chapter 19.30 KMC. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder has been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better solution is proposed. The hearing examiner shall have not authority relative to interpretation of the administrative provisions of this code nor shall the hearing

Exhibit C

examiner be empowered to waive requirements of either this code or the technical codes which are the codes, appendices and referenced code standards adopted by the city.

15.20.210 UCADB Section 501.2, Processing of Appeals, amended.

Section 501.2 of the Uniform Code for the Abatement of Dangerous Buildings is amended to read:

501.2 Processing of Appeal. Appeals of orders, decisions or determinations made by the building official shall be made to the hearing examiner in accordance with the requirements and process of Chapter 19.30 KMC.

15.20.215 UCADB Section 501.3 deleted.

Section 501.3 of the Uniform Code for the Abatement of Dangerous Buildings is deleted.

15.20.220 UCADB Chapter 6 deleted.

Chapter 6, "Procedures for Conduct of Hearing Appeals," of the Uniform Code for the Abatement of Dangerous Buildings is deleted.

15.20.225 International Existing Building Code adopted.

The 2015 Edition of the International Existing Building Code, excluding Chapter 1, "Scope and Administration," as published by the International Code Council, is adopted, together with Appendix A, "Guidelines for the Seismic Retrofit of Existing Buildings," and the amendments set forth in Chapter 51-50 WAC. The Construction Administrative Code, as set forth in Chapter 15.30 KMC, shall be used in place of IEBC Chapter 1.

15.20.230 International Swimming Pool and Spa Code adopted.

The 2018 Edition of the International Swimming Pool and Spa Code, excluding Chapter 1, as published by the International Code Council, is adopted, together with the amendments set forth in Chapter 51-50 WAC. The Construction Administrative Code, as set forth in Chapter 15.30 KMC, shall be used in place of ISPSC Chapter 1.

Exhibit D

**Chapter 15.30
CONSTRUCTION ADMINISTRATIVE CODE**

Sections:

Article I. General

- 15.30.010 Title.**
- 15.30.015 Purpose.**
- 15.30.020 Scope.**
- 15.30.025 Definitions.**
- 15.30.030 Appendices.**
- 15.30.035 Intent.**
- 15.30.040 Referenced codes.**
- 15.30.045 International Building Code – Scope.**
- 15.30.050 International Residential Code – Scope.**
- 15.30.055 Mechanical code – Scope.**
- 15.30.060 Liquid propane gas.**
- 15.30.065 Natural gas code – Scope.**
- 15.30.070 Plumbing code – Scope.**
- 15.30.075 Energy code.**
- 15.30.077 Swimming pool and spa code – Scope.**

Article II. Applicability

- 15.30.080 General.**
- 15.30.085 Other laws.**
- 15.30.090 Application of references.**
- 15.30.095 Referenced codes and standards.**
- 15.30.100 Partial invalidity.**
- 15.30.105 Existing structures.**
- 15.30.110 Structures in areas of special flood hazard.**

Article III. Department of Building Safety

- 15.30.115 Creation of enforcement agency.**
- 15.30.120 Appointment.**
- 15.30.125 Deputies.**

Exhibit D

Article IV. Duties and Powers of Building Official

- 15.30.130 General.**
- 15.30.135 Applications and permits.**
- 15.30.140 Notices and orders.**
- 15.30.145 Inspections.**
- 15.30.150 Identification.**
- 15.30.155 Right of entry.**
- 15.30.160 Department records.**
- 15.30.165 Liability.**
- 15.30.170 Approved materials and equipment.**
- 15.30.175 Used materials and equipment.**
- 15.30.180 Modifications.**
- 15.30.185 Alternative materials, design and methods of construction and equipment.**
- 15.30.190 Research reports.**
- 15.30.195 Tests.**

Article V. Permits

- 15.30.200 Permit required.**
- 15.30.205 Work exempt from permit.**
- 15.30.210 Emergency repairs.**
- 15.30.215 Repairs.**
- 15.30.220 Application for permit.**
- 15.30.225 Complete application.**
- 15.30.230 Action on application.**
- 15.30.235 Time limitation of application.**
- 15.30.240 Validity of permit.**
- 15.30.245 Permit expiration.**
- 15.30.250 Suspension or revocation.**
- 15.30.255 Placement of permit.**

Article VI. Floor and Roof Design Loads

- 15.30.260 Live loads posted.**
- 15.30.265 Issuance of certificate of occupancy.**

Exhibit D

15.30.270 Restrictions on loading.

Article VII. Submittal Documents

15.30.275 General.

15.30.280 Construction documents.

15.30.290 Examination of documents.

15.30.295 Use of consultants.

15.30.300 Approval of construction documents.

15.30.305 Phased approval.

15.30.310 Design professional in responsible charge – General.

15.30.315 Deferred submittals.

15.30.320 Amended construction documents.

15.30.325 Retention of construction documents.

Article VIII. Temporary Structures and Uses

15.30.330 General.

15.30.335 Conformance.

15.30.340 Termination of approval.

Article IX. Fees

15.30.345 Payment of fees.

15.30.350 Schedule of permit fees.

15.30.355 Plan review fees.

15.30.360 Master and basic plan program.

15.30.365 Building permit valuations.

15.30.370 Work commencing before permit issuance.

15.30.375 Related fees.

15.30.380 Refunds.

Article X. Inspections

15.30.390 General.

15.30.395 Preliminary inspections.

15.30.400 Manufacturer's installation instructions.

15.30.405 Required inspections.

Exhibit D

- 15.30.410 Footing and foundation inspection.**
- 15.30.415 Concrete slab and under-floor inspection.**
- 15.30.420 Lowest floor elevation.**
- 15.30.425 Exterior wall sheathing inspection.**
- 15.30.430 Roof sheathing inspection.**
- 15.30.435 IMC/UPC/GAS/NEC rough in inspection.**
- 15.30.440 Frame inspection.**
- 15.30.445 Multi-unit residential building enclosure inspection.**
- 15.30.450 Lath, gypsum board and gypsum panel product inspection.**
- 15.30.455 Fire- and smoke-resistant penetrations.**
- 15.30.460 Energy efficiency inspection.**
- 15.30.465 Reinspection.**
- 15.30.470 Other inspections.**
- 15.30.475 Special inspections.**
- 15.30.480 Final inspection.**
- 15.30.485 Inspection agencies.**
- 15.30.490 Inspection requests.**
- 15.30.495 Approval required.**

Article XI. Certificate of Occupancy

- 15.30.500 Use and occupancy.**
- 15.30.505 Certificate issued.**
- 15.30.510 Temporary or phased occupancy.**
- 15.30.515 Revocation.**

Article XII. Service Utilities

- 15.30.520 Connection of service utilities.**
- 15.30.525 Temporary connection.**
- 15.30.530 Authority to disconnect service utilities.**

Article XIII. Appeals

- 15.30.535 General.**
- 15.30.540 Limitations on authority.**
- 15.30.545 Qualifications.**
- 15.30.550 Reconsideration.**

Exhibit D

- 15.30.555 Corrections.**
- 15.30.560 Court review.**

Article XIV. Violations

- 15.30.565 Unlawful acts.**
- 15.30.570 Notice of violation.**
- 15.30.575 Prosecution of violation.**
- 15.30.580 Violation – Penalties.**

Article XV. Stop Work Order

- 15.30.585 Authority.**
- 15.30.590 Issuance.**
- 15.30.595 Investigation fee.**
- 15.30.600 Unlawful continuance.**

Article XVI. Unsafe Structures and Equipment

- 15.30.605 General.**

Article I. General

15.30.010 Title.

The regulations contained in this chapter shall be known as the construction administrative code of the City, and are hereinafter referred to as “this code.”

15.30.015 Purpose.

The purpose of this chapter is to provide for the administration, organization and enforcement of the technical codes adopted by the City.

15.30.020 Scope.

The provisions of this code shall apply to the administration of the technical codes as adopted by the State of Washington and listed:

- A. 2018 International Building Code – Chapter 51-50 WAC;
- B. 2018 International Residential Code – Chapter 51-51 WAC;

Exhibit D

- C. 2018 International Mechanical Code – Chapter 51-52 WAC;
- D. 2018 National Fuel Gas Code (NFPA 54) – Chapter 51-52 WAC;
- E. 2017 Liquefied Petroleum Gas Code (NFPA 58) – Chapter 51-52 WAC;
- F. 2018 International Fuel Gas Code – Chapter 51-52 WAC;
- G. 2018 Uniform Plumbing Code – Chapters 51-56 and 51-57 WAC;
- H. 2018 International Existing Building Code – Chapter 51-50 WAC;
- I. 2018 Washington State Energy Code, Chapters 51-11C and 51-11R WAC;
- J. 2018 International Swimming Pool and Spa Code.

15.30.025 Definitions.

For the purpose of this chapter, certain terms, phrases, words and their derivatives shall have the meanings set forth in this section. Where terms are not defined, they shall have their ordinary accepted meanings within the context with which they are used. Webster's Third International Dictionary of the English Language, Unabridged, latest edition, shall be considered as providing ordinary accepted meanings. Words used in the singular include the plural and the plural the singular. Words used in the masculine gender include the feminine and the feminine the masculine.

- A. "Action" means a specific response complying fully with a specific request by the City.
- B. "Building service equipment" means and refers to the plumbing, mechanical and electrical equipment including piping, wiring, fixtures, and other accessories which provide sanitation, lighting, heating, ventilation, cooling, refrigeration, firefighting, and transportation facilities essential to the occupancy of the building or structure for its designated use.
- C. "Complete response" means an adequate response to all requests from City staff in sufficient detail to allow the application to be processed.
- D. "Dangerous building code" means the 1997 Uniform Code for the Abatement of Dangerous Buildings promulgated by the International Council of Building Officials as adopted by the City.

Exhibit D

E. "Energy code" means the Washington State Energy Code promulgated by the Washington State Building Code Council as adopted by the City.

F. "Housing code" means the 1997 Uniform Housing Code promulgated by the International Council of Building Officials as adopted by the City.

G. "IBC" means the latest edition of the International Building Code promulgated by the International Code Council as adopted by this City.

H. "IEBC" means the latest edition of the International Existing Building Code promulgated by the International Code Council as adopted by this City.

I. "IMC" means the latest edition of the International Mechanical Code promulgated by the International Code Council as adopted by this City.

J. "IRC" means the latest edition of the International Residential Code for One- and Two-Family Dwellings promulgated by the International Code Council as adopted by this City.

K. "ISPSC" means the latest edition of the International Swimming Pool and Spa Code promulgated by the International Code Council as adopted by this City.

L. "Minor field change" means a change to an approved plan that does not change the building use, area, height, or location on a lot and does not affect the means of egress, accessibility, or structural design and does not add plumbing or mechanical fixtures or appliances.

M. "NEC" means the latest edition of the National Electrical Code promulgated by the National Fire Protection Association as adopted by this City.

N. "Occupancy" means the purpose for which a building, or part thereof, is used or intended to be used.

O. "Shall," as used in this chapter, is mandatory.

P. "Temporary growing structure" means a structure that has the sides and roof covered with polyethylene, polyvinyl, or similar flexible synthetic material and is used to provide plants with either frost protection or increased heat retention.

Exhibit D

Q. "Temporary worker housing" means a place, area, or piece of land where sleeping places or housing sites are provided by an employer for his or her employees or by another person, including a temporary worker housing operator who is providing such accommodations for employees, for temporary, seasonal occupancy, and includes "labor camps" under RCW 70.54.110.

R. "UPC" means the latest edition of the Uniform Plumbing Code promulgated by the International Association of Plumbing and Mechanical Officials as adopted by this City.

S. "Valuation" or "value," as applied to a building or building service equipment, means and shall be the estimated cost to replace the building and its building service equipment in kind, based on current replacement costs. It shall also include the contractor's overhead and profit.

15.30.030 Appendices.

Provisions in the appendices shall not apply unless specifically adopted.

15.30.035 Intent.

The purpose of this code is to establish the minimum requirements to safeguard the public health, safety and general welfare through structural strength, means of egress facilities, stability, sanitation, adequate light and ventilation, energy conservation, and safety to life and property from fire and other hazards attributed to the built environment and to provide safety to fire fighters and emergency responders during emergency operations.

15.30.040 Referenced codes.

The codes listed in KMC 15.30.020 and referenced elsewhere in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference.

15.30.045 International Building Code – Scope.

The provisions of the International Building Code shall apply to the construction, alteration, relocation, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal, and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures.

Exception: Detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories above grade plane in height with separate

Exhibit D

means of egress, and their accessory structures not more than three stories above grade plane in height, shall comply with the International Building Code or the International Residential Code.

15.30.050 International Residential Code – Scope.

The provisions of the International Residential Code for One- and Two-Family Dwellings shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, removal, and demolition of detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories above grade plane in height with separate means of egress and their accessory structures not more than three stories above grade plane in height.

Exceptions:

A. Live/work units located in townhomes and complying with the requirements of Section 419 of the International Building Code shall be permitted to be constructed in accordance with the International Residential Code for One – and Two-Family Dwellings. Fire suppression required by Section 419.5 of the International Building Code when constructed under the International Residential Code for One- and Two-Family Dwellings shall conform to Appendix U.

B. Owner-occupied lodging houses with one or two guestrooms shall be permitted to be constructed in accordance with the International Residential Code for One- and Two-Family Dwellings.

C. Owner-Occupied lodging homes with three to five guestrooms shall be permitted to be constructed in accordance with the International Residential Code for One- and Two-Family Dwellings when equipped with a fire sprinkler system in accordance with Appendix U.

15.30.055 Mechanical code – Scope.

The provisions of the International Mechanical Code shall apply to the design, installation, maintenance, alteration, and inspection of mechanical systems that are permanently installed and utilized to provide control of environmental conditions and related processes with buildings. The International Mechanical Code shall also regulate those mechanical systems, system components, equipment and appliances specifically addressed herein. The installation of fuel gas distribution piping and equipment, fuel gas-fired appliances and fuel gas-fired appliance venting systems shall be regulated by

Exhibit D

the International Fuel Gas Code. References to Group R shall include Group I-1, Condition 2 assisted living facilities licensed by Washington State under Chapter 388-78A WAC and Group I-1, Condition 2 residential treatment facilities licensed by Washington State under Chapter 246-337 WAC.

Exceptions:

A. Detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories high with separate means of egress and their accessory structures shall comply with the International Residential Code.

B. The standards for liquefied petroleum gas installations shall be NFPA 58 (Liquefied Petroleum Gas Code) and NFPA 54 (National Fuel Gas Code).

15.30.060 Liquid propane gas.

The provisions of the National Fuel Gas Code and Liquefied Petroleum Gas Code (NFPA 54 and 58) shall apply to the installation of all materials and equipment utilizing liquid propane gas.

15.30.065 Natural gas code – Scope.

The provisions of the International Fuel Gas Code shall apply to the installation of fuel gas piping systems, fuel gas utilization equipment, gaseous hydrogen systems and regulated accessories.

Exceptions:

A. Detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories high with separate means of egress and their accessory structures shall comply with the International Residential Code.

B. The standards for liquefied petroleum gas installations shall be NFPA 58 (Liquefied Petroleum Gas Code) and NFPA 54 (National Fuel Gas Code).

15.30.070 Plumbing code – Scope.

The provisions of the Uniform Plumbing Code shall apply to the installation, alteration, repair and replacement of plumbing systems, including equipment, appliances, fixtures, fittings and appurtenances, where connected to a water or sewage system and all aspects of a medical gas system. Fuel gas-fired appliances and fuel gas-fired appliance

Exhibit D

venting systems shall be regulated by the International Fuel Gas Code and liquefied petroleum gas installations shall be regulated by NFPA 58 and NFPA 54.

15.30.075 Energy code.

The provisions of the energy code shall apply to all matters governing the design and construction of buildings for energy efficiency.

15.30.077 Swimming pool and spa code – Scope.

The provisions of the International Swimming Pool and Spa Code shall apply to the construction, alteration, movement, renovation, replacement, repair and maintenance of aquatic recreation facilities, pools and spas. The pools and spas covered by this code are either permanent or temporary, and shall be only those that are designed and manufactured to be connected to a circulation system and that are intended for swimming, bathing or wading. In addition, all other “water recreation facilities” as defined in RCW 70.90.110 are regulated under Chapters 246-260 and 246-262 WAC.

Exception: Flotation tank systems intended for sensory deprivation therapy shall not be considered to be included in the scope of this code.

Article II. Applicability

15.30.080 General.

A. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable. Where, in any specific case, different sections of this code specify different materials, methods of construction or other requirements, the most restrictive shall govern except that the hierarchy of the codes named in Chapter 19.27 RCW shall govern.

B. New Installations. This chapter applies to new installs.

C. Existing Installations. Lawfully installed existing installations that do not comply with the provisions of this chapter shall be permitted to be continued without change, except as is specifically covered in this chapter, the International Fire Code or as is deemed necessary by the building official for the general safety and welfare of the occupants and public. Where changes are required for correction of hazards, a reasonable amount of time shall be given for compliance, depending on the degree of the hazard.

Exhibit D

D. Maintenance. Buildings and structures, including their electrical, plumbing, and mechanical systems, equipment, materials and appurtenances, both existing and new, and parts thereof, shall be maintained in proper operating condition in accordance with the original design and in a safe, hazard-free condition. Devices or safeguards that are required by this chapter shall be maintained in compliance with the code edition under which installed. The owner or the owner's designated agent shall be responsible for the maintenance of the system and equipment. To determine compliance with this provision, the building official shall have the authority to require that the systems and equipment be reinspected.

E. Additions, Alterations, Modifications or Repairs. Additions, alterations, modifications or repairs to a building or structure or to the electrical, plumbing, or mechanical system(s) of any building, structure or premises shall conform to the requirements of this chapter without requiring those portions of the existing building or system not being altered or modified to comply with all the requirements of this chapter. Installations, additions, alterations, modifications, or repairs shall not cause an existing building to become unsafe or to adversely affect the performance of the building as determined by the building official or designated representative. Electrical wiring added to an existing service, feeder, or branch circuit shall not result in an installation that violates the provisions of the code in force at the time the additions were made.

Exception:

1. Additions with less than 500 square feet of conditioned floor area to IRC regulated structures are exempt from the requirements for whole house ventilation systems, Section M1508.
2. Additions or alterations to existing buildings which do not required the construction of foundations, crawlspaces, slabs or basements shall not be required to meet the requirements for radon protection in Section R327.1 and Appendix F.

F. Moved Buildings. Building or structures moved into or within a jurisdiction shall comply with the provisions of this code for new buildings or structures.

Exception: R-3 buildings or structures are not required to comply if:

1. The original occupancy classification is not changed; and

Exhibit D

2. The original building is not substantially remodeled or rehabilitated. For the purposes of this section a building shall be considered to be substantially remodeled when the costs of remodeling exceed 60% of the value of the building exclusive of the costs relating to preparation, construction, demolition or renovation of the foundations.

For the purpose of this section, a building shall be considered to be substantially remodeled when the costs of remodeling exceed 60 percent of the value of the building exclusive of the costs relating to preparation, construction, demolition, or renovation of foundations.

15.30.085 Other laws.

The provisions of this code shall not be deemed to nullify any provisions of local, State or federal law.

15.30.090 Application of references.

References to chapter or section numbers, or to provisions not specifically identified by number, shall be construed to refer to such chapter, section or provision of this code.

15.30.095 Referenced codes and standards.

The codes and standards referenced in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and referenced codes and standards, the provisions of this code shall apply.

15.30.100 Partial invalidity.

In the event that any part or provision of this code is held to be illegal or void, this shall not have the effect of making void or illegal any of the other parts or provisions.

15.30.105 Existing structures.

The legal occupancy of any structure existing on the date of adoption of this code shall be permitted to continue without change, except as is specifically covered in this code, other codes referenced in this code, the International Fire Code, or as is deemed necessary by the building official or fire marshal for the general safety and welfare of the occupants and the public. Modifications to existing structures shall be permitted to be performed in accordance with the International Existing Building Code.

15.30.110 Structures in areas of special flood hazard.

Exhibit D

Buildings located in areas of special flood hazard shall be regulated by the International Building Code, International Residential Code or the Kenmore Municipal Code.

Article III. Department of Building Safety

15.30.115 Creation of enforcement agency.

The building department is hereby created and the official in charge thereof shall be known as the building official.

15.30.120 Appointment.

The building official shall be appointed by the chief appointing authority of the City.

15.30.125 Deputies.

In accordance with the prescribed procedures of this City and with the concurrence of the appointing authority, the building official shall have the authority to appoint a deputy building official, the related technical officers, inspectors, plan examiners and other employees. Such employees shall have powers as delegated by the building official.

Article IV. Duties and Powers of Building Official

15.30.130 General.

The building official is hereby authorized and directed to enforce the provisions of this code. The building official shall have the authority to render interpretations of this code and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be in compliance with the intent and purpose of this code. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this code.

15.30.135 Applications and permits.

The building official shall receive applications, review construction documents and issue permits for the erection, alteration, demolition and moving of buildings, structures and building service equipment, inspect the premises for which such permits have been issued and enforce compliance with the provisions of this code.

15.30.140 Notices and orders.

The building official shall issue all necessary notices or orders to ensure compliance with this code.

15.30.145 Inspections.

Exhibit D

The building official shall make all of the required inspections, or the building official shall have the authority to accept reports of inspection by approved agencies or individuals. Reports of such inspections shall be in writing and be certified by a responsible officer of such approved agency or by the responsible individual. The building official is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise at the applicant's expense.

15.30.150 Identification.

The building official shall carry proper identification when inspecting structures or premises in the performance of duties under this code.

15.30.155 Right of entry.

Where it is necessary to make an inspection to enforce the provisions of this code, or where the building official has reasonable cause to believe that there exists in a structure or upon a premises a condition which is contrary to or in violation of this code which makes the structure or premises unsafe, dangerous or hazardous, the building official is authorized to enter the structure or premises at reasonable times to inspect or to perform the duties imposed by this code; provided, that if such structure or premises be occupied that credentials be presented to the occupant and entry requested. If such structure or premises is unoccupied, the building official shall first make a reasonable effort to locate the owner or other person having charge or control of the structure or premises and request entry. If entry is refused, the building official shall have recourse to the remedies provided by law to secure entry.

15.30.160 Department records.

The building official shall keep official records of applications received, permits and certificates issued, fees collected, reports of inspections, and notices and orders issued. Such records shall be retained in the official records for the period required for retention of public records.

15.30.165 Liability.

The building official, member of the board of appeals or employee charged with the enforcement of this chapter and the technical codes, while acting for the City in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered liable personally and is hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties.

Exhibit D

Any suit instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by legal representative of the City until the final termination of the proceedings. The building official or any subordinate shall not be liable for cost in any action, suit or proceeding that is instituted in pursuance of the provisions of this code.

15.30.170 Approved materials and equipment.

Materials, equipment and devices approved by the building official shall be constructed and installed in accordance with such approval.

15.30.175 Used materials and equipment.

The use of used materials and building service equipment which meet the requirements of this code for new materials is permitted. Used equipment and devices shall not be reused unless prior approval is obtained from the building official.

15.30.180 Modifications.

Wherever there are practical difficulties involved in carrying out the provisions of this code, the building official shall have the authority to grant modifications for individual cases, upon application of the owner or owner's representative, provided the building official shall first find that special individual reason makes the strict letter of this code impractical and the modification is in compliance with the intent and purpose of this code and that such modification does not lessen health, accessibility, life and fire safety, or structural requirements. The details of action granting modifications shall be recorded and entered in the files of the department. The building official is authorized to charge an additional fee to evaluate any proposed modification under the provisions of this section.

15.30.185 Alternative materials, design and methods of construction and equipment.

The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code; provided, that any such alternative has been approved by the building official. The building official shall have the authority to approve an alternative material, design or method of construction upon application of the owner or the owner's authorized agent. The building official shall first find that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work

Exhibit D

offered is, for the purpose intended, not less than the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability and safety. Compliance with the specific performance-based provisions of the construction codes shall be an alternative to the specific requirements of the construction codes.

The building official is authorized to charge an additional fee to evaluate any proposed alternate material, design and/or method of construction and equipment under the provisions of this section.

Where the alternate material, design or method of construction is not approved, the building official shall respond in writing, stating the reasons why the alternative was not approved.

15.30.190 Research reports.

Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in this code, shall consist of valid research reports from approved sources.

15.30.195 Tests.

Whenever there is insufficient evidence of compliance with the provisions of this code, or evidence that a material or method does not conform to the requirements of this code, or in order to substantiate claims for alternative materials or methods, the building official shall have the authority to require tests as evidence of compliance to be made at no expense to the City. Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the building official shall approve the testing procedures. Tests shall be performed by an approved agency. Reports of such tests shall be retained by the building official for the period required for retention of public records.

Article V. Permits

15.30.200 Permit required.

Any owner or owner's 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 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.

Exhibit D**15.30.205 Work exempt from permit.**

The provisions of this code shall not apply to work located primarily in a public way, public utility towers and poles and hydraulic flood control structures. Exemptions from 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 City. Permits shall not be required for the following, provided it is not located within critical areas, shorelines, associated buffers, or native growth protection areas:

A. Building.

1. One-story detached accessory structures accessory to residential buildings constructed under the provisions of the IRC used as tool and storage sheds, tree-supported play structures, playhouse and similar uses, provided the floor area does not exceed 200 square feet, and the structure is located in accordance with all land use regulations;
2. Fences not over eight feet high;
3. Oil derricks;
4. Retaining walls which are not over four feet in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or III-A liquids;
5. Water tanks supported directly on grade if the capacity does not exceed 5,000 gallons and the ratio of height to diameter or width does not exceed 2:1;
6. Sidewalks, driveways, decks and steps not more than 30 inches above adjacent grade and not over any basement or story below and are not part of an accessible route;
7. Painting, papering, tiling, carpeting, cabinets, countertops and similar finish work; provided, that existing, required accessible features are not altered;
8. Temporary motion picture, television and theater stage sets and scenery;

Exhibit D

9. Prefabricated swimming pools accessory to a one- and two-family dwelling or Group R3 occupancy, which are less than 24 inches deep, do not exceed 5,000 gallons and are installed entirely above ground;
10. Shade cloth structures constructed for nursery or agricultural purposes and not including service systems;
11. Swings, slides and other similar playground equipment;
12. Window awnings supported by an exterior wall of one- and two-family dwellings or Group R-3 and Group U occupancies which do not project more than 54 inches from the exterior wall and do not require additional support;
13. Nonfixed and movable cases, counters and partitions not over five feet nine inches in height;
14. Satellite earth station antennas six and one-half feet or less in diameter or diagonal dimensions in zones other than residential zones;
15. Satellite earth station antennas three and one-quarter feet or less in diameter in residential zones;
16. Video programming service antennas three and one-quarter feet or less in diameter or diagonal dimension, regardless of zone;
17. Replacement of nonstructural siding on IRC structures except for veneer, stucco, or exterior finish and insulation systems (EFIS);
18. In-kind window replacement for IRC structures where no alteration of framing members is required and when the window U-values meet the prescriptive requirements within the energy code;
19. Job shacks that are placed at a permitted job site during construction may be allowed on a temporary basis and shall be removed upon final approval of construction. A job shack is a portable structure for which the primary purpose is to house equipment and supplies, and which may serve as a temporary office during construction for the purposes of the construction activity;

Exhibit D

20. In-kind reroofing on IRC structures, provided roof sheathing is not removed, replaced or added; and

21. Photovoltaic solar panels installed on IRC structures, provided they comply with all land use regulations and:

- a. Each photovoltaic array is no larger than 150 feet by 150 feet in either axis;
- b. Total dead load of panels, supports, mountings, raceways and all other appurtenances weigh no more than four pounds per square foot;
- c. Panels are mounted no higher than 18 inches above the surface of the roof;
- d. The equipment layout meets the IFC access and pathways requirements.

B. Mechanical.

1. Portable heating, cooking, or clothes drying appliances.
2. Portable ventilation appliances and equipment.
3. Portable cooling unit.
4. Steam, hot or chilled water piping within any heating or cooling equipment or appliances regulated by the construction codes.
5. Replacement of any part which does not alter its approval or make it unsafe.
6. Portable evaporative cooler.
7. Self-contained refrigeration system containing 10 pounds or less of refrigerant and actuated by motors of one horsepower or less.
8. Portable fuel cell appliances that are not connected to a fixed piping system and are not interconnected.

C. Plumbing.

1. The stopping and/or repairing of leaks in drains, water, soil, waste or vent pipe; provided, however, that should any concealed trap, drain pipe, water, soil, waste or vent pipe become defective and it becomes necessary to remove and replace

Exhibit D

the same with new material, the same shall be considered as new work and a permit shall be obtained and inspection made as provided in this code.

2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures and the removal and reinstallation of water closets, provided such repairs do not involve or require replacement or rearrangement of valves, pipes or fixtures.

3. Reinstallation or replacement of prefabricated fixtures that do not involve or require the replacement or rearrangement of valves or pipes.

15.30.210 Emergency repairs.

Where equipment replacements and equipment repairs must be performed in an emergency situation, the permit application shall be submitted within the next working business day to the building official.

15.30.215 Repairs.

Application or notice to the building official is not required for ordinary repairs to structures. Such repairs shall not include the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or load-bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the egress requirements; nor shall ordinary repairs include addition to, alteration of, replacement or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electric wiring or mechanical or other work affecting public health or general safety.

15.30.220 Application for permit.

To obtain a permit, the applicant shall first file a complete application as defined by the City therefor in writing on a form furnished by the building department for that purpose. Such application shall:

A. Identify and describe the work to be covered by the permit for which application is made.

B. Describe the land on which the proposed work is to be done by legal description, street address or similar description that will readily identify and definitely locate the proposed building or work.

C. Indicate the use and occupancy for which the proposed work is intended.

Exhibit D

D. Be accompanied by construction documents and other information as required in KMC 15.30.260 through 15.30.325.

E. State the valuation of the proposed work.

F. Be signed by the applicant, or the applicant's authorized agent.

G. Give such other data and information as required by the building official.

15.30.225 Complete application.

A. No application for building permit relating to any construction, including landfill or pier and piling to support same upon privately owned shorelands submerged by the water of Lake Washington, shall be accepted for filing with the building department, unless there are attached to such application certified copies of the approval of such project by such State and federal agencies as may have jurisdiction or regulatory authority over such proposed project.

B. The requirements for a fully complete building permit application include compliance with KMC 15.30.220 and RCW 19.27.097 (which relates to water supply); provided, that for any construction project costing more than \$5,000 the following shall also be required:

1. The legal description, or the tax parcel number assigned pursuant to RCW 84.40.160, and the street address if available, and may include any other identification of the construction site by the prime contractor;
2. The property owner's name, address, and phone number;
3. The prime contractor's business name, address, phone number, and current State contractor registration number; and
4. Either:
 - a. The name, address and phone number of the office of the lender administering the interim construction financing, if any, or
 - b. The name and address of the firm that has issued a payment bond, if any, on behalf of the prime contractor for the protection of the owner, if the bond is for an amount not less than 50 percent of the total amount of the

Exhibit D

construction project; provided, that if any of this information is not available at the time the application is submitted, the applicant shall so state and the lack of said information shall not cause the application to be deemed incomplete for the purposes of this section. However, the applicant shall provide the remaining information as soon as the applicant can reasonably obtain such information.

The requirements for a fully complete building permit application include a consent statement of the property owner to confirm dedication of rights-of-way which abut the subject property, if any are shown as such on City, county or plat maps, and to verify the designation of public road easements as rights-of-way.

15.30.230 Action on application.

The building official shall examine or cause to be examined applications for permits and amendments thereto within a reasonable time after filing. If the application is incomplete or the construction documents or other submittal information does not conform to the requirements of pertinent laws, the building official may reject such application in writing, stating the reasons therefor. If the building official is satisfied that the proposed work conforms to the requirements of this code and laws and ordinances applicable thereto, the building official shall issue a permit therefor as soon as practicable.

15.30.235 Time limitation of application.

A. Applications for which no permit is issued within 18 months following the date of application shall expire by limitation and plans and other data submitted for review may thereafter be returned to the applicant or destroyed in accordance with State law by the building official.

B. Applications may be canceled for inactivity, if an applicant fails to respond to the department's written request for revisions, corrections, actions or additional information within 90 days of the date of request. The building official may extend the response period beyond 90 days if within the original 90-day time period the applicant provides and subsequently adheres to an approved schedule with specific target dates for submitting the full revisions, corrections or other information needed by the department.

C. The building official may extend the life of an application if any of the following conditions exist:

1. Compliance with the State Environmental Policy Act is in progress; or

Exhibit D

2. Any other City review is in progress; provided the applicant has submitted a complete response to City requests or the building official determines that unique or unusual circumstances exist that warrant additional time for such response, and the building official determines that the review is proceeding in a timely manner toward final City decision;
3. Litigation against the City or applicant is in progress, the outcome of which may affect the validity or the provisions of any permit issued pursuant to such application; or
4. At the sole discretion of the building official when there have not been newly adopted codes, fees, ordinances or laws which affect the application.

15.30.240 Validity of permit.

The issuance or granting of a permit shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or of any other ordinance or laws of the City. Permits presuming to give authority to violate or cancel the provisions of this code or other ordinances of the City shall not be valid. The issuance of a permit based on construction documents and other data shall not prevent the building official from requiring the correction of errors in the construction documents and other data. The building official is also authorized to prevent occupancy or use of a structure where in violation of this code or of any other ordinances of this City.

15.30.245 Permit expiration.

A. Every permit issued shall expire two years from the date of issuance. The building official may approve a request for an extended expiration date where a construction schedule is provided by the applicant and approved prior to permit issuance.

B. Every permit which has been expired for less than one year may be renewed for a period of one year from the expiration date for an additional fee as long as no changes have been made to the originally approved plans and new building codes have not been adopted. For permits that have been expired for longer than one year, a new permit must be obtained and full new fees paid. No permit shall be renewed more than once, except at the sole discretion of the building official when there have not been newly adopted codes, fees, ordinances or laws which affect the permit.

Exhibit D

C. Mechanical and plumbing permits shall expire at the same time as the associated building permit, except that if no associated building permit is issued, the mechanical and/or plumbing permit shall expire 12 months from the date of issuance.

15.30.250 Suspension or revocation.

The building official is authorized to suspend or revoke a permit issued under the provisions of this code wherever the permit is issued in error or on the basis of incorrect, inaccurate or incomplete information, or in violation of any ordinance or regulation or any of the provisions of this code.

15.30.255 Placement of permit.

The building permit or copy shall be kept on the site of the work until the completion of the project.

Article VI. Floor and Roof Design Loads

15.30.260 Live loads posted.

Where the live loads for which each floor or portion thereof of a commercial or industrial building is or has been designed to exceed 50 psf, such design live loads shall be conspicuously posted by the owner or the owner's authorized agent in that part of each story in which they apply, using durable signs. It shall be unlawful to remove or deface such notices.

Exception: Floors or portions located on a concrete slab on grade.

15.30.265 Issuance of certificate of occupancy.

A certificate of occupancy required by KMC 15.30.500 shall not be issued until the floor loads signs, required by KMC 15.30.260, have been installed.

15.30.270 Restrictions on loading.

It shall be unlawful to place, or cause or permit to be placed, on any floor or roof of a building, structure or portion thereof, a load greater than is permitted by the IBC.

Article VII. Submittal Documents

15.30.275 General.

Submittal documents consisting of construction documents, statement of special inspection, structural observation programs, engineering reports and calculations, diagrams, and other data shall be submitted with each application for a permit. The

Exhibit D

construction documents shall be prepared by a registered design professional where required by the State of Washington. Where special conditions exist, the building official is authorized to require additional construction documents to be prepared by a registered design professional.

Exception: The building official is authorized to waive the submission of construction documents and other data not required to be prepared by a registered design professional if it is found that the nature of the work applied for is such that review of construction documents is not necessary to obtain compliance with this code.

15.30.280 Construction documents.

Construction documents shall be in accordance with this section.

A. Information on Construction Documents. Construction documents shall be dimensioned and drawn upon suitable material. Electronic media documents are permitted to be submitted when approved by the building official. Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed in the proper orientation and layout as it is to be constructed and show in detail that it will conform to the provisions of this code and relevant laws, ordinances, rules and regulations, as determined by the building official. The plans must include the relevant items listed in this section and any other information or documents as deemed necessary by the building official.

B. Fire Protection System Shop Drawings. Shop drawings for the fire protection system(s) shall be submitted to indicate conformance with this code and the construction documents and shall be approved prior to the start of system installation. Shop drawings shall contain all information as required by the referenced installation standards in Chapter 9 of the IBC. Shop drawings shall be prepared by a certified individual as required by the State of Washington.

C. Means of Egress. The construction documents shall show in sufficient detail the location, construction, size and character of all portions of the means of egress in compliance with the provisions of this code. In other than occupancies in Groups R-2, R-3, one- and two-family dwellings as applicable in Section 101.2, and I-1, the construction documents shall designate the number of occupants to be accommodated on every floor, and in all rooms and spaces.

Exhibit D

D. Exterior Wall Envelope. Construction documents for all buildings shall describe the exterior wall envelope in sufficient detail to determine compliance with this code. The construction documents shall provide details of the exterior wall envelope as required, including flashing, intersections with dissimilar materials, corners, end details, control joints, intersections at roof, eaves or parapets, means of drainage, water-resistive membrane and details around openings. The construction documents shall include manufacturer's installation instructions that provide supporting documentation that the proposed penetration and opening details described in the construction documents maintain the weather resistance of the exterior wall envelope. The supporting documentation shall fully describe the exterior wall system which was tested, where applicable, as well as the test procedure used.

Exception: Subject to the approval of the building official, R-3, one- and two-family dwellings, and U occupancies may be exempt from the detailing requirements of this section.

E. Site Plan. The construction documents submitted with the application for permit shall be accompanied by a site plan showing to scale the size and location of new construction and existing structures on the site, distances from lot lines, the established street grades and the proposed finished grades and, as applicable, flood hazard areas, floodways, and design flood elevations; where design flood elevations are not specified, they shall be established in accordance with Section 1612.3.1 of the IBC; and it shall be drawn in accordance with an accurate boundary line survey. In the case of demolition, the site plan shall show construction to be demolished and the location and size of existing structures and construction that are to remain on the site or plot. The building official is authorized to waive or modify the requirement for a site plan when the application for permit is for alteration or repair or when otherwise warranted.

F. Plumbing. Plans must be submitted for review and approval whenever the scope of the work is too complex for inspection alone as determined by the building official.

G. Mechanical. Plans must be submitted for review and approval whenever the scope of work is too complex for inspection alone as determined by the building official.

H. Structural Information. The construction documents shall provide the information specified in Section 1612.3.1 IBC.

Exhibit D

I. Energy Information. The construction documents shall provide the information specified in the energy code.

15.30.290 Examination of documents.

The building official shall examine or cause to be examined the accompanying submittal documents and shall ascertain by such examinations whether the construction indicated and described is in accordance with the requirements of this code and other pertinent laws or ordinances.

15.30.295 Use of consultants.

Whenever review of a building permit application requires retention by the City for professional consulting services, the applicant shall reimburse the City the cost of such professional consulting services. This fee shall be in addition to the normal plan review and building permit fees. The City may require the applicant to deposit an amount with the City estimated in the discretion of the building official to be sufficient to cover anticipated costs of retaining professional consultant services and to ensure reimbursement for such costs.

15.30.300 Approval of construction documents.

When the building official issues a permit, the construction documents shall be approved, in writing or by stamp, as "Reviewed for Code Compliance." One set of construction documents so reviewed shall be retained by the building official. The other set shall be returned to the applicant, shall be kept at the site of work and shall be open to inspection by the building official or a duly authorized representative.

15.30.305 Phased approval.

The building official is authorized to issue a permit for the construction of foundations or any other part of a building or structure before the construction documents for the whole building or structure have been submitted; provided, that adequate information and detailed statements have been filed complying with pertinent requirements of this code. The holder of such permit for the foundation or other parts of a building or structure shall proceed at the holder's own risk with the building operation and without assurance that a permit for the entire structure will be granted.

15.30.310 Design professional in responsible charge – General.

When it is required that documents be prepared by a qualified registered design professional, the building official shall be authorized to require the owner or the owner's

Exhibit D

authorized agent to engage and designate on the building permit application a registered design professional who shall act as the registered design professional in responsible charge. If the circumstances require, the owner or the owner's authorized agent shall designate a substitute registered design professional in responsible charge who shall perform the duties required of the original registered design professional in responsible charge. The building official shall be notified in writing by the owner or the owner's authorized agent if the registered design professional in responsible charge is changed or is unable to continue to perform the duties. The registered design professional in responsible charge shall be responsible for reviewing and coordinating submittal documents prepared by others, including phased and deferred submittal items, for compatibility with the design of the building. Where structural observation is required by Section 1710 of the IBC, the statement of special inspections shall name the individual or firms who are to perform structural observation and describe the stages of construction at which structural observation is to occur (see also other duties specified in Chapter 17 of the IBC).

15.30.315 Deferred submittals.

For the purposes of this section, "deferred submittals" are defined as those portions of the design that are not submitted at the time of the application and that are to be submitted to the building official within a specified period. Deferral of any submittal items shall have the prior approval of the building official. The registered design professional in responsible charge shall list the deferred submittals on the construction documents for review by the building official. Documents for deferred submittal items shall be submitted to the registered design professional in responsible charge, who shall review them and forward them to the building official with a notation indicating that the deferred submittal documents have been reviewed and been found to be in general conformance to the design of the building. The deferred submittal items shall not be installed until the deferred submittal documents have been approved by the building official. The building official is authorized to charge an additional plan review fee to evaluate deferred submittals under the provisions of this section.

15.30.320 Amended construction documents.

Work shall be installed in accordance with the approved construction documents, and any changes made during construction that are not in compliance with the approved construction documents shall be resubmitted for approval as an amended set of

Exhibit D

construction documents. The building official may authorize minor field changes subject to the approval of the field inspector.

15.30.325 Retention of construction documents.

One set of approved construction documents shall be retained by the building official for a period of not less than 180 days from date of completion of the permitted work, expired permit, or as required by State or local laws.

Article VIII. Temporary Structures and Uses

15.30.330 General.

The building official is authorized to issue a permit for temporary structures and temporary uses. Such permits shall be limited as to time of service, but shall not be permitted for more than 180 days. The building official is authorized to grant extensions for demonstrated cause.

Exceptions:

A. The building official may authorize unheated tents and yurts under 500 square feet accommodating an R-1 recreational use as a temporary structure and allow them to be used indefinitely. Such sited structures must comply with the Kenmore zoning code provisions for setbacks and lot coverage.

B. The provisions of this code do not apply to temporary growing structures used solely for the commercial production of horticultural plants including ornamental plants, flowers, vegetables, and fruits. A temporary growing structure is not considered a building for purposes of this code.

C. The provisions of this code do not apply to the construction, alteration, or repair of temporary worker housing except as provided by rules adopted under Chapter 70.114A RCW or Chapter 37, Laws of 1998 (SB 6168).

15.30.335 Conformance.

Temporary structures and uses shall conform to the structural strength, fire safety, means of egress, accessibility, light, ventilation and sanitary requirements of this code as necessary to ensure the public health, safety and general welfare.

15.30.340 Termination of approval.

Exhibit D

The building official is authorized to terminate such permit for a temporary structure or use and to order the temporary structure or use to be discontinued when the use is in violation of other local ordinances or when the use becomes a public nuisance as defined in the City code.

Article IX. Fees

15.30.345 Payment of fees.

A permit shall not be valid until the fees prescribed by law have been paid, nor shall an amendment to a permit be released until the additional fee, if any, has been paid.

15.30.350 Schedule of permit fees.

On buildings, structures, gas, mechanical and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the schedule as established by the applicable governing authority. The building official is authorized to establish fees for any permit activity not specifically set forth herein.

15.30.355 Plan review fees.

When submittal documents are required by KMC 15.30.275, a plan review fee shall be paid at the time of submitting the submittal documents for plan review. The building official may have the option to charge a deposit in lieu of the full plan review fee if the full amount is not known at the time. Any plan review deposit shall be applied toward the total plan review fee owed. The actual permit fees and related plan review fee shall be determined upon completion of the plan review and the balance owing shall be paid at the time of permit issuance. The plan review fee shall be a separate fee from the permit fees specified in this section and are in addition to the permit fees. When submittal documents are incomplete or changed so as to require additional plan review or when the project involves deferred submittal items as defined in KMC 15.30.315, an additional plan review fee may be charged.

15.30.360 Master and basic plan program.

A. The City has established a "master" and "basic" plan program, the purpose of which is to allow for an expedited review process for plans that are intended to remain unchanged but used multiple times. Options are allowed to be submitted with the initial registering of the basic plan to accommodate a variation of building styles using the basic plan. When plans are submitted under the City's master and basic plan program,

Exhibit D

a plan review fee shall be paid at the time of application for the first or “master” plan. Subsequent plans are called the “basic” plan.

B. Valuations used to compute the permit fees shall include all options submitted with a registered plan. When a registered plan consists of a number of plan options that can produce any number of similar but different buildings, the building official may charge plan review fees based on each different building configuration. Plan review fees shall be paid for at the time of application for a building permit. The building official may have the option to charge a partial deposit in lieu of the full plan review fee. All portions of fees paid as a deposit amount shall be applied to the total plan review fees owed. The applicant shall be required to pay the balance of amount owed for the plan review. The plan review fees specified in this section are separate fees from the permit fees and are in addition to the permit fees.

C. Plan Orientation. Master plan applications do not need to show a reverse or flip as an option. Mirrored plans are allowed at basic plan submittal. Basic plan orientation shall match the site plan.

D. Preapproved Master Plan. The building official may have the option to accept a basic plan where the master plan has been approved by a MyBuildingPermit.com participating jurisdiction.

E. Revisions. Once a plan and associated options are reviewed, approved and registered, changes or revisions to that plan are not permitted without requiring the plan to be resubmitted as a new registered plan and pay full new fees.

F. Field Revision. Once a permit is issued for a registered plan, no revisions will be permitted except for minor field changes as defined in KMC 15.30.025. Changes other than minor field changes will be considered major changes and require the permit holder to resubmit those changes as a new submittal and pay a fee.

G. Time Limitation. An application for a basic plan associated to a master plan approved and registered under a previous code edition shall not be accepted when there has been a code cycle change as required by the State. When this occurs the master plan shall be submitted as a new registered plan, and pay full new fees.

15.30.365 Building permit valuations.

Exhibit D

The applicant for a permit shall provide an estimated permit value at time of application. The determination of value or valuation under any of the provisions of this code shall be made by the building official. The latest edition of the ICC "Building Safety Journal" publication shall be used to determine building valuations for the various building types and occupancies noted in that table except that the valuation for wooden decks, platforms, stairs, carports, and porches shall be \$18.00 per square foot. Regional modifiers shall not be applicable. When a specific building type or occupancy is not noted in the valuation table, the building official is authorized to use any of the classification types noted in the table that most closely resembles the proposed type of building, or determine a valuation type independently.

15.30.370 Work commencing before permit issuance.

Any person who commences any work on a building, structure, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to a special investigation fee in an amount equal to twice the permit fee, or otherwise established by the building official. The special investigation fee shall be in addition to the required permit fees.

15.30.375 Related fees.

The payment of the fee for the construction, alteration, removal or demolition for work done in connection to or concurrently with the work authorized by a building permit shall not relieve the applicant or holder of the permit from the payment of other fees that are prescribed by law.

15.30.380 Refunds.

The building official may authorize refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code. The building official may authorize refunding of not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan reviewing is done. The building official shall not authorize refunding of any fee paid except on written application filed by the original permittee not later than 180 days after the date of application.

Article X. Inspections**15.30.390 General.**

Exhibit D

Construction or work for which a permit is required shall be subject to inspection by the building official and such construction or work shall remain accessible and exposed for inspection purposes until approved. Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this code or of other ordinances of the City. Inspections presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the City shall not be valid. It shall be the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purposes. Neither the building official nor the City shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

15.30.395 Preliminary inspections.

Before issuing a permit, the building official is authorized to examine or cause to be examined buildings, structures and sites for which an application has been filed.

15.30.400 Manufacturer's installation instructions.

Manufacturer's installation instructions, as required by this code, shall be available on the job site at the time of inspection.

15.30.405 Required inspections.

The building official, upon notification, shall make the inspections set forth in KMC 15.30.410 through 15.30.480.

15.30.410 Footing and foundation inspection.

Footing and foundation inspections shall be made after poles or piers are set or trenches or basement areas are excavated and all required hold-down anchor bolts, hold-down straps, any forms erected, and any required reinforcing steel is in place and supported. The foundation inspection shall include excavations for thickened slabs intended for the support of bearing walls, partitions, structural supports, or equipment and special requirements for wood foundations. Materials for the foundation shall be on the job, except where concrete is ready mixed in accordance with ASTM C 94, the concrete need not be on the job.

15.30.415 Concrete slab and under-floor inspection.

Concrete slab and under-floor inspections shall be made after in-slab or under-floor reinforcing steel and building service equipment, conduit, slab insulation, piping accessories and other ancillary equipment items are in place, but before any concrete is placed or floor sheathing installed, including the subfloor.

Exhibit D

15.30.420 Lowest floor elevation.

In flood hazard areas, upon placement of the lowest floor, including the basement, and prior to further vertical construction, the elevation certification required in IBC Section 1612 or IRC Section R322 shall be submitted to the building official. FEMA flood elevation certificates shall contain an original stamp and signature of the surveyor, licensed by the State of Washington, and shall document the elevation of the lowest floor, including basement, and other information required by the flood elevation certificate.

15.30.425 Exterior wall sheathing inspection.

Exterior wall sheathing shall be inspected after all wall framing is complete, strapping and nailing is properly installed but prior to being covered.

15.30.430 Roof sheathing inspection.

The roof sheathing shall be inspected after all roof framing is complete. No roof coverings shall be installed until inspections are made and approved.

15.30.435 IMC/UPC/GAS/NEC rough in inspection.

Rough in mechanical, gas piping, plumbing and electrical shall be inspected when the rough in work is complete and, if required, under test. No connections to primary utilities shall be made until the rough in work is inspected and approved.

15.30.440 Frame inspection.

Framing inspections shall be made after the roof deck, wall sheathing, all framing, fire blocking and bracing are in place and pipes, chimneys and vents to be concealed are complete and the rough electrical, plumbing, fire suppression piping, heating wires, pipes and ducts are approved and the building is substantially dried in.

15.30.445 Multi-unit residential building enclosure inspection.

Chapter 64.55 RCW, Engrossed House Bill (EHB) 1848, requires affected multi-unit residential buildings to provide a building enclosure inspection performed by a third-party, independent, and qualified inspector during the course of initial construction and during rehabilitative construction. The City does not verify the qualifications of the inspector or determine whether the building enclosure inspection is adequate or appropriate. However, the City is prohibited from issuing a certificate of occupancy for the building until the inspector prepares a report and submits to the building department a signed letter certifying that the building enclosure has been constructed in substantial

Exhibit D

compliance with the building enclosure design documents. Reference Chapter 64.55 RCW for additional requirements.

15.30.450 Lath, gypsum board and gypsum panel product inspection.

Lath, gypsum board, and gypsum panel product inspections shall be made after lathing, gypsum board and gypsum panel product, interior and exterior, is in place, but before any plastering is applied or gypsum board and gypsum panel product joints and fasteners are taped and finished.

Exception: Gypsum board and gypsum panel products that are not part of a fire-resistance rated assembly or a shear assembly.

15.30.455 Fire- and smoke-resistant penetrations.

Protection of joints and penetrations in fire-resistance-rated assemblies, smoke barriers and smoke partitions shall not be concealed from view until inspected and approved.

15.30.460 Energy efficiency inspection.

A. Envelope.

1. Wall Insulation Inspection. To be made after all wall insulation and air vapor retarder sheet or film materials are in place, but before any wall covering is placed.
2. Glazing Inspection. To be made after glazing materials are installed in the building.
3. Exterior Roofing Insulation. To be made after the installation of the roof insulation, but before concealment.
4. Footing/Foundation/Slab/Floor Insulation. To be made after the installation of the footing/foundation/slab/floor insulation, but before concealment.

B. Mechanical.

1. Mechanical Equipment Efficiency and Economizer. To be made after all equipment and controls required by this code are installed and prior to the concealment of such equipment or controls.

Exhibit D

2. Mechanical Pipe and Duct Insulation. To be made after all pipe, fire suppression piping and duct insulation is in place, but before concealment.

C. Lighting and Motors.

1. Lighting Equipment and Controls. To be made after the installation of all lighting equipment and controls required by this code, but before concealment of the lighting equipment.
2. Motor Inspections. To be made after installation of all equipment covered by this code, but before concealment.

15.30.465 Reinspection.

The building official may require a structure or portions of work to be reinspected. A reinspection fee may be assessed for each inspection or reinspection when such portion of work for which the inspection was requested is not complete; or when previous corrections called for are not made; or when there are reoccurring missed items that have previously been identified to the same builder on multiple lots; or when the approved plans and permit are not on site in a conspicuous or pre-approved location; or when the building is not accessible. In instances where reinspection fees have been assessed, no additional inspection of the work shall be provided by the City until the required fees are paid.

15.30.470 Other inspections.

In addition to the inspections specified above, the building official is authorized to make or require other inspections of any construction work to ascertain compliance with the provisions of this code and other laws that are enforced by the department of building safety.

15.30.475 Special inspections.

In addition to the inspections noted above, the building official is authorized to require special inspections for any type of work related to the technical codes by an approved agency at no cost to the City.

15.30.480 Final inspection.

The final inspection shall be made after all work required by the building permit is completed.

Exhibit D

15.30.485 Inspection agencies.

The building official is authorized to accept reports of approved inspection agencies, provided such agencies satisfy the requirements as to qualifications and reliability.

15.30.490 Inspection requests.

It shall be the duty of the holder of the building permit or their duly authorized agent to notify the building official when work is ready for inspection. It shall be the duty of the permit holder to provide access to and means for inspections of such work that are required by this code.

15.30.495 Approval required.

Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the building official. The building official, upon notification, shall make the requested inspections and shall either indicate the portion of the construction that is satisfactory as completed or notify the permit holder or his or her agent wherein the same fails to comply with this code. Any portions that do not comply shall be corrected and such portion shall not be covered or concealed until authorized by the building official.

Article XI. Certificate of Occupancy

15.30.500 Use and occupancy.

No building or structure shall be used or occupied, and no change in the existing use or occupancy classification of a building or structure or portion thereof shall be made, until the building official has issued a certificate of occupancy therefor as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the City.

Exceptions:

A. Work exempt from permits per KMC 15.30.205.

B. For single-family dwellings and their accessory structures, the City-issued building permit inspection record may serve as the certificate of occupancy when the final inspection has been approved by the building department.

15.30.505 Certificate issued.

Exhibit D

After the building official inspects the building or structure and finds no violations of the provisions of this code or other laws that are enforced by the building department, the building official shall issue a certificate of occupancy that contains the following:

- A. The building permit number.
- B. The address of the structure.
- C. The name and address of the owner or the owner's authorized agent.
- D. Project name.
- E. A statement that the described portion of the structure has been inspected for compliance with the requirements of this code for the occupancy and division of occupancy and the use for which the proposed occupancy is classified.
- F. The name of the building official.
- G. The edition of the code under which the permit was issued.
- H. The use and occupancy.
- I. The type of construction.
- J. The design occupant load.
- K. If an automatic sprinkler system is provided, and whether the sprinkler system is required.
- L. Any special stipulations and conditions of the building permit.

15.30.510 Temporary or phased occupancy.

The building official is authorized to issue a temporary or phased certificate of occupancy before the completion of the entire work covered by the permit; provided, that such portion or portions shall be occupied safely. The building official is authorized to require, in addition to the completion of life safety building components, any or all accessibility components. The building official shall set a time period during which the temporary or phased certificate of occupancy is valid. The building official is authorized to require that a performance bond be posted with the City in an amount equal to 150 percent of the incomplete work as determined by the design professional. The bond

Exhibit D

shall be refundable upon inspection, final approval and a request in writing for the refund. It shall be the duty of the applicant to request the refund.

15.30.515 Revocation.

The building official is authorized to, in writing, suspend or revoke a certificate of occupancy or completion issued under the provisions of this code wherever the certificate is issued in error, or on the basis of incorrect information supplied, or where it is determined that the building or structure or portion thereof is in violation of any ordinance or regulation or any of the provisions of this code.

Article XII. Service Utilities

15.30.520 Connection of service utilities.

No person shall make connections from a utility, source of energy, fuel or power to any building or system that is regulated by this code for which a permit is required, until released by the building official.

15.30.525 Temporary connection.

The building official shall have the authority to authorize the temporary connection of the building or system to the utility source of energy, fuel or power.

15.30.530 Authority to disconnect service utilities.

The building official shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code and the codes referenced in case of emergency where necessary to eliminate an immediate hazard to life or property, or when such utility connection has been made without the required approval. The building official shall notify the serving utility, and wherever possible the owner and occupant of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnecting, the owner or occupant of the building, structure or service system shall be notified in writing, as soon as practical thereafter.

Article XIII. Appeals

15.30.535 General.

Appeals of orders, decisions or determinations made by the building official shall be made to the hearing examiner in accordance with the requirements and process of Chapter 19.30 KMC.

Exhibit D

15.30.540 Limitations on authority.

An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed. The hearing examiner shall have no authority relative to interpretation of the administrative provisions of this code nor shall the board be empowered to waive requirements of either this code or the technical codes which are the codes, appendices and referenced code standards adopted by the City.

15.30.545 Qualifications.

Repealed by Ord. 12-0333.

15.30.550 Reconsideration.

Repealed by Ord. 12-0333.

15.30.555 Corrections.

Repealed by Ord. 12-0333.

15.30.560 Court review.

Repealed by Ord. 12-0333.

Article XIV. Violations

15.30.565 Unlawful acts.

It shall be unlawful for any person, firm or corporation to erect, construct, alter, extend, repair, move, remove, demolish or occupy any building, structure or equipment regulated by this code, or cause same to be done, in conflict with or in violation of any of the provisions of this code.

15.30.570 Notice of violation.

The building official is authorized to serve a notice of violation or order on the person responsible for the erection, construction, alteration, extension, repair, moving, removal, demolition or occupancy of a building or structure in violation of the provisions of this code, or in violation of a permit or certificate issued under the provisions of this code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

15.30.575 Prosecution of violation.

Exhibit D

If the notice of violation is not complied with in the time prescribed by such notice, the building official is authorized to request the legal counsel of the City to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the building or structure in violation of the provisions of this code or of the order or direction made pursuant thereto.

15.30.580 Violation – Penalties.

Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this code, shall be subject to penalties as prescribed by law.

Article XV. Stop Work Order

15.30.585 Authority.

Whenever the building official finds any work being performed in a manner either contrary to the provisions of this code or other pertinent laws or ordinances that are violated during the course of work authorized by the building permit, the building official is authorized to issue a stop work order.

15.30.590 Issuance.

The stop work order shall be in writing and shall be given to the owner of the property involved, or to the owner's agent, or to the person doing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order and the conditions under which the cited work will be permitted to resume.

15.30.595 Investigation fee.

The building official is authorized to assess a special investigation fee for the issuance of a stop work order when work has started without the issuance of a permit. The special investigation fee shall be determined by KMC 15.30.370.

15.30.600 Unlawful continuance.

Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to

Exhibit D

remove a violation or unsafe condition, shall be subject to penalties as prescribed by law.

Article XVI. Unsafe Structures and Equipment

15.30.605 General.

Structures or existing equipment that are or hereafter become unsafe, unsanitary or deficient because of inadequate means of egress facilities, inadequate light and ventilation, or which constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or that involve illegal or improper occupancy or inadequate maintenance, shall be deemed an unsafe condition. Unsafe structures shall be taken down and removed or made safe, as the building official deems necessary and as provided for in the 1997 Edition of the Uniform Code for the Abatement of Dangerous Buildings or the 1997 Edition of the Uniform Housing Code. A vacant structure that is not secured against entry shall be deemed unsafe.

**CITY OF KENMORE
WASHINGTON
ORDINANCE NO. 20-0518**

AN ORDINANCE OF THE CITY OF KENMORE, WASHINGTON, ADOPTING THE 2018 EDITIONS OF THE INTERNATIONAL BUILDING CODE, THE INTERNATIONAL RESIDENTIAL CODE, THE INTERNATIONAL MECHANICAL CODE, THE INTERNATIONAL FIRE CODE, THE INTERNATIONAL FUEL GAS CODE, THE WASHINGTON STATE ENERGY CODE, INTERNATIONAL EXISTING BUILDING CODE, THE UNIFORM PLUMBING CODE, THE INTERNATIONAL SWIMMING POOL AND SPA CODE, THE NATIONAL FUEL GAS CODE, THE 2017 EDITION OF THE LIQUEFIED PETROLEUM GAS CODE, THE 2020 NATIONAL ELECTRICAL CODE; AMENDING SECTION 15.05.015 OF THE KENMORE MUNICIPAL CODE; AMENDING AND REPLACING CHAPTERS 15.10, 15.20, AND 15.30 OF THE KENMORE MUNICIPAL CODE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Washington State Legislature enacted the State Building Code Act (Chapter 19.27 RCW) adopting the International Building Code, International Residential Code, International Mechanical Code, International Fire Code, and Uniform Plumbing Code and directed the State Building Code Council to adopt a process for the review of proposed statewide amendments and proposed or enacted local amendments as amended and adopted by the State Building Code Council; and

WHEREAS, the State Building Code Council amended and adopted the 2018 editions of such codes, and all jurisdictions in the state are required to enforce the 2018 editions of such codes effective as of February 1, 2021; and

WHEREAS, the City Council has determined that adoption of the 2018 codes with certain local amendments is in the public interest; and

WHEREAS, the City Council previously adopted and amended the construction codes to be consistent with the regional model code established by the jurisdictions participating within eCityGov.net and MyBuildingPermit.com; now, therefore

THE CITY COUNCIL OF THE CITY OF KENMORE, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Amendment. Section 15.05.015 of the Kenmore Municipal Code is hereby amended and replaced to read as set forth on **Exhibit A** to this Ordinance, attached hereto and incorporated herein by this reference.

Section 2. Amendment. Chapter 15.10, Fire Code, of the Kenmore Municipal Code is hereby amended and replaced to read as set forth on **Exhibit B** to this Ordinance, attached hereto and incorporated herein by this reference.

Section 3. Amendment. Chapter 15.20, Building Codes, of the Kenmore Municipal Code is hereby amended and replaced to read as set forth on **Exhibit C** to this Ordinance, attached hereto and incorporated herein by this reference.

Section 4. Amendment. Chapter 15.30, Construction Administrative Code, of the Kenmore Municipal Code is hereby amended and replaced to read as set forth on **Exhibit D** to this Ordinance, attached hereto and incorporated herein by this reference.

Section 5. Severability. If any section, subsection, sentence, clause, phrase or word of this Ordinance is for any reason held to be unconstitutional or invalid for any reason, such decision shall not affect the constitutionality or validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, clause, phrase or word thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or words be declared unconstitutional.

Section 6. Effective Date. This Ordinance shall take effect and be in force on February 1, 2021, which is more than five (5) days after the date of publication of this Ordinance.

PASSED by the City Council this ____ day of November 2020.

CITY OF KENMORE

David Baker, Mayor

ATTEST/AUTHENTICATED:

Anastasiya Warhol, City Clerk

Approved as to form:

Dawn Reitan, City Attorney

FILED WITH THE CITY CLERK:
PASSED BY THE CITY COUNCIL:
PUBLISHED:
EFFECTIVE DATE: February 1, 2021
ORDINANCE NO. 20-0518
ATTACHED: EXHIBITS A-B