



1 Approved: 8/3/11
2 Effective: 8/18/11
3
4

5 SNOHOMISH COUNTY COUNCIL
6 SNOHOMISH COUNTY, WASHINGTON

7
8 ORDINANCE NO. 11-022
9

10 RELATING TO THE REGULATION OF CONSTRUCTION; ADOPTING THE 2009 EDITION OF
11 THE INTERNATIONAL MECHANICAL CODE AS REVISED; ADOPTING THE 2009 EDITION
12 OF THE INTERNATIONAL FUEL GAS CODE AS REVISED; ADOPTING THE 2009 EDITION
13 OF THE UNIFORM PLUMBING CODE AS REVISED; ADOPTING THE 2009 EDITION OF THE
14 WASHINGTON STATE ENERGY CODE AS REVISED; ADOPTING THE 2008 EDITION OF
15 THE LIQUEFIED PETROLEUM GAS CODE AS REVISED; AMENDING, ADDING AND
16 REPEALING SECTIONS IN CHAPTERS 30.51A, 30.52B, 30.52D AND 30.52E SCC; AND
17 REPEALING CHAPTER 30.52C SCC
18

19 WHEREAS, the merger of the International Conference of Building Officials (ICBO) with
20 other code writing organizations led to the formation of the International Code Council, which led
21 to the creation of a group of international codes that replaced the Uniform Building Codes in the
22 State of Washington in 2003; and
23

24 WHEREAS, the international and state building codes are amended and
25 comprehensively updated on a three year cycle; and
26

27 WHEREAS, the Washington State Legislature adopted the most current construction
28 codes as the State Building Code pursuant to chapter 19.27 RCW; and
29

30 WHEREAS, the State Building Code became effective July 1, 2010; and
31

32 WHEREAS, the State Building Code Act adopts the International Building, Residential
33 and Mechanical Codes, the Uniform Plumbing Code, the International Fuel Gas Code, the
34 Liquefied Petroleum Gas Code, and the Washington State Energy Code. These codes contain
35 new construction and performance standards, methods, technologies, and products; and
36

37 WHEREAS, chapter 19.27 RCW mandates that the State Building Code be administered
38 and enforced by counties and cities, and grants counties and cities limited authority to amend
39 the code as it applies within their jurisdictions; and
40

41 WHEREAS, the Snohomish County Council and the Snohomish County Executive have
42 identified the regulation of development to ensure safe and quality construction as a high priority
43 and have delegated the responsibility for administering the State Building Code to Snohomish
44 County Planning and Development Services (PDS); and
45

46 WHEREAS, PDS endeavors to administer and enforce the State Building Code in
47 accordance with chapter 19.27 RCW in order to provide for statewide consistency for the
48 construction industry and the citizens of Snohomish County; and

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1
2 WHEREAS, the 2009 edition of the International Building Code, International Residential
3 Code and International Fire Code are adopted as amended by the State Building Code Council
4 and Snohomish County in separate ordinances for compliance with the State Building Code Act;
5 and
6

7 WHEREAS, on August 3, 2011, the Snohomish County Council held a public hearing
8 after proper notice, heard public testimony related to the proposed code amendments, and
9 considered the entire record; and
10

11 WHEREAS, immediately following the public hearings, the county council deliberated on
12 the proposed code amendments.
13

14 NOW, THEREFORE, BE IT ORDAINED:
15

16 Section 1. The foregoing recitals are incorporated herein as findings and
17 conclusions as if set forth in full.
18

19 Section 2. The Snohomish County Council makes the following additional findings of
20 fact:
21

- 22 A. RCW 19.27.040 allows the governing body of each county and city to amend the
23 State Building Code as it applies within the jurisdiction of the county or city. The
24 minimum performance standards of the codes and the objectives enumerated in
25 RCW 19.27.020 shall not be diminished by any county amendments.
26
27 B. The 2009 editions of the construction codes referenced in the recitals are adopted to
28 comply with the State Building Code. Additional local amendments are made for
29 consistency with the administrative provisions of other subtitle 30.5 SCC construction
30 codes. These amendments are related to administrative processes, PDS's
31 organizational structure, appeals, fees, fee refunds and code enforcement.
32 Appropriate cross references to other Unified Development Code chapters and code
33 sections are also included.
34
35 C. Amendments to SCC 30.51A.030 are necessary to change an updated cross-
36 reference in the 2009 International Building Code.
37
38 D. Amendments to SCC 30.51A.040 are necessary to correct a typo in the cross-
39 reference to SCC 30.51A.030.
40
41 E. Amendments to SCC 30.52B.010 are necessary to amend the section title and code
42 section to replace 2006 with 2009 for the International Mechanical Code and
43 International Fuel Gas Code and amend the Liquefied Petroleum Gas Code from
44 2004 to 2008.
45
46 F. Chapter 30.52C SCC is repealed as the chapter has been incorporated into the
47 International Mechanical Code.
48

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- 1 G. Amendments to SCC 30.52D.010 are necessary to amend the section title and
2 section to replace 2006 with 2009.
3
4 H. Amendment to SCC 30.52E.010 are necessary to amend the section title and section
5 to replace 2006 with 2009.
6
7 I. Amendments to SCC 30.52E.020 are necessary to amend the section to replace
8 2006 with 2009.
9
10 J. A new section is added, SCC 30.52E.203, pertaining to certification. This section is
11 new in the 2009 UPC.
12
13 K. The international construction codes were designed to allow flexibility, innovation and
14 use of new technologies through the allowance of alternatives.
15

16 Section 3. The Snohomish County Council makes the following conclusions:

- 17
18 A. The county council concludes that this ordinance is required to implement the State
19 Building Code Act and not the Growth Management Act and therefore, this ordinance
20 does not adopt development regulations under SCC 30.10.080. Pursuant to SCC
21 30.73.040(2)(c), planning commission review is not required.
22
23 B. The county council concludes that adopting these amendments will not result in a
24 less restrictive performance standards or objectives than those in the State Building
25 Code.
26
27 C. The county council concludes that the 2009 editions of the codes adopted by this
28 ordinance provide needed flexibility to developers while safeguarding the public
29 health, safety and welfare.
30
31 D. The county council concludes that the proposed ordinance is in the best interest of
32 Snohomish County. It will protect the life, safety and welfare of Snohomish County
33 residents.
34
35 E. The construction codes are categorically exempt from the State Environmental Policy
36 Act under WAC 197-11-800(20).
37

38 Section 4. Snohomish County Code Section 30.51A.030, last amended by Amended
39 Ordinance No. 07-084 on September 5, 2007, is amended to read:

40
41 **30.51A.030 Fault setback requirements.**
42

43 A building or structure assigned to seismic design category D, E or F as defined in ((section))
44 Section 1613 of the IBC or ASCE 7-05 shall not be sited over an identified active fault.

45 (1) Where a development application or action requiring a project permit for any building or
46 structure is located within a seismic hazard area, the applicant shall provide a geotechnical
47 report consistent with the requirements of section ((1802)) 1803 of the IBC and SCC
48 30.62B.140. In addition to any other requirements, the geotechnical report shall include

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1 adequate horizontal control necessary to identify the closest edge of an identified active fault
2 trace.

3 (2) Buildings and structures subject to this chapter shall be required to set back fifty (50) feet
4 from the closest edge of an identified active fault as defined in SCC 30.91A.075.

5 (3) The building official may modify the fault setback requirements of this chapter only when
6 done in accordance with Section 104.10 of the IBC.

7
8 Section 5. Snohomish County Code Section 30.51A.040, last amended by Amended
9 Ordinance No. 07-084 on September 5, 2007, is amended to read:

10
11 **30.51A.040 Additional information or tests authorized.**

12
13 The building official may require an applicant to perform additional studies, tests, or site
14 investigation to determine or confirm the specific location of an active fault trace and allow for
15 optimal understanding of on-site and nearby seismic hazards, where needed to implement the
16 requirements of SCC (~~30.51.030~~) 30.51A.030 or section 11.8.3 of ASCE 7-05.

17
18 Section 6. Snohomish County Code Section 30.52B.010, adopted by Ordinance No. 07-
19 086 on September 5, 2007, is amended to read:

20
21 **30.52B.010 International Mechanical Code (IMC) ((2006)) 2009 edition - adopted.**

22
23 The ((2006)) 2009 edition of the International Mechanical Code (IMC), published by the
24 International Code Council, and amended by the Washington State Building Code Council and
25 included in chapter 19.27 RCW, and as otherwise expressly amended by this chapter is
26 adopted and is incorporated and made a part of this chapter by reference. This adoption
27 includes adoption of the ((2006)) 2009 edition of the International Fuel Gas Code, the ((2006))
28 2009 edition of the National Fire Protection Association (NFPA) 54 (National Fuel Gas Code)
29 and the ((2004)) 2008 edition of the NFPA 58 (Liquefied Petroleum Gas Code), all as amended
30 by the Washington State Building Code Council and Snohomish County, which are incorporated
31 and made a part of this chapter by reference.

32
33 Where a conflict exists between the administrative provisions of the International Fuel Gas Code
34 and the mechanical code, the provisions of the mechanical code shall apply.

35
36 Section 7. Chapter 30.52C of the Snohomish County Code is repealed.

37
38 Section 8. Snohomish County Code Section 30.52D.010, last amended by Ordinance
39 No. 07-086 on September 5, 2007, is amended to read:

40
41 **30.52D.010 Washington State Energy Code ((2006)) 2009 edition - adopted.**

42
43 The ((2006)) 2009 edition of the Washington State Energy Code, chapter 51-11 WAC, is
44 incorporated and made a part of this chapter by reference and is adopted as the Energy Code
45 of Snohomish County.

46
47 Section 9. Snohomish County Code Section 30.52E.010, adopted by Ordinance No. 07-
48 086 on September 5, 2007, is amended to read:

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1
2 **30.52E.010 Uniform Plumbing Code (UPC) ((2006)) 2009 edition - adopted.**
3

4 The ((2006)) 2009 edition of the Uniform Plumbing Code (UPC) published by the International
5 Association of Plumbing and Mechanical Officials, as amended by the Washington State
6 Building Code Council and included in chapter 19.27 RCW, except as expressly amended by
7 the county, is incorporated herein and made a part of this chapter by reference and is adopted
8 as the Plumbing Code of Snohomish County.
9

10 Section 10. Snohomish County Code Section 30.52E.020, adopted by Ordinance No.
11 07-086 on September 5, 2007, is amended to read:
12

13 **30.52E.020 Appendices – adopted.**
14

15 Appendices A, B and I of the ((2006)) 2009 edition of the UPC are adopted and are incorporated
16 and made a part of this chapter by reference.
17


18 Section 11. A new section is added to chapter 30.52E of the Snohomish County Code
19 to read:
20

21 **30.52E.203 Certification (UPC 103.1.3).**
22

23 State rules and regulations concerning certification shall apply.
24

25 Section 12. Severability and Savings. If any section, sentence, clause or phrase of this
26 ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction,
27 such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other
28 section, sentence, clause, or phrase of this ordinance. Provided, however, that if any section,
29 sentence, clause, or phrase of this ordinance is held to be invalid by a court of competent
30 jurisdiction, then the section, sentence, clause, or phrase in effect prior to the effective date of
31 this ordinance shall be in full force and effect for that individual section, sentence, clause, or
32 phrase as if this ordinance had never been adopted.
33

34 PASSED this 3rd day of August, 2011.
35

36 SNOHOMISH COUNCIL
37 Snohomish, Washington
38 
39 Council Chair, Vice
40

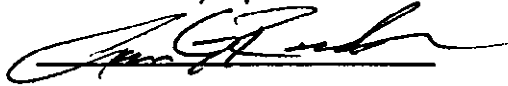
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42 ATTEST:

43 Sheila McCausler
44

45
46 Asst. Clerk of the Council
47
48

- 1 (x) APPROVED
- 2 () EMERGENCY
- 3 () VETOED
- 4
- 5
- 6
- 7

DATE: 8/8/11



County Executive

ATTEST: *Cora E. Palmer*

AARON REARDON
County Executive

Approved as to form only:

Maura O'Brien 3/7/11
Deputy Prosecuting Attorney

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