

1 ADOPTED: 10/18/17
2 EFFECTIVE: 11/09/17

3
4
5 SNOHOMISH COUNTY COUNCIL
6 SNOHOMISH COUNTY, WASHINGTON

7
8 ORDINANCE NO. 17-059
9

10 RELATING TO THE REGULATION OF CONSTRUCTION; ADOPTING THE 2015 EDITION OF
11 THE INTERNATIONAL MECHANICAL CODE AS REVISED, THE 2015 EDITION OF THE
12 WASHINGTON STATE ENERGY CODE AS REVISED, THE 2015 EDITION OF THE UNIFORM
13 PLUMBING CODE AS REVISED; AND AMENDING SECTIONS IN CHAPTERS 30.51A, 30.52B,
14 30.52D AND 30.52E SCC
15

16 WHEREAS, the merger of the International Conference of Building Officials with other code
17 writing organizations led to the formation of the International Code Council, which led to the
18 creation of a group of international codes that replaced the Uniform Building Codes in 2003; and
19

20 WHEREAS, the Washington State Legislature adopted the most current construction codes as
21 the State Building Code pursuant to chapter 19.27 RCW; and
22

23 WHEREAS, the State Building Code Act adopts the International Building, Residential, and
24 Mechanical Codes, as well as the Uniform Plumbing Code and other construction codes; and
25

26 WHEREAS, the new codes and standards contain updated construction and performance
27 standards, methods, technologies, and products; and
28

29 WHEREAS, the 2015 State Building Code became effective July 1, 2016; and
30

31 WHEREAS, the international and state building codes are updated comprehensively on a
32 three-year cycle; and
33

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

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

43 WHEREAS, PDS endeavors to administer and enforce the State Building Code in accordance
44 with chapter 19.27 RCW in order to provide for statewide consistency for the construction industry
45

ORDINANCE NO. 17-059
RELATING TO THE REGULATION OF CONSTRUCTION;
ADOPTING THE 2015 EDITION OF THE INTERNATIONAL
MECHANICAL CODE AS REVISED, THE 2015 EDITION OF
THE WASHINGTON STATE ENERGY CODE AS REVISED,
THE 2015 EDITION OF THE UNIFORM PLUMBING CODE
AS REVISED; AND AMENDING SECTIONS IN CHAPTERS
30.51A, 30.52B, 30.52D AND 30.52E SCC

1 and the citizens within Snohomish County; and

2
3 WHEREAS, the new international codes contain updated construction and performance
4 standards, methods, technology, and products to improve construction safety and provide greater
5 flexibility to meet minimum standards; and

6
7 WHEREAS, on October 18, 2017, the County Council held a public hearing after proper
8 notice, heard public testimony related to the proposed code amendments, and considered the
9 entire record; and

10
11 WHEREAS, following the public hearings, the County Council deliberated on the proposed
12 code amendments.

13
14 NOW, THEREFORE, BE IT ORDAINED:

15
16 Section 1. The County Council adopts the following findings in support of this ordinance:

- 17
18 A. The foregoing recitals are adopted as findings as if set forth herein.
19
20 B. The proposal would adopt the 2015 edition of the International Mechanical Code (IMC), the
21 2015 edition of the Washington State Energy Code, and the 2015 edition of the Uniform
22 Plumbing Code (UPC) as amended by the Washington State Building Code Council (“SBCC”)
23 and adopted by the Washington State Legislature, and as revised by this ordinance.
24
25 C. This ordinance will amend Title 30 Snohomish County Code (SCC) as follows:
26
27 1. Amend chapter 30.51A SCC to correct cross-references.
28
29 2. Amend chapter 30.52B SCC to 1) delete outdated cross-references, and 2) repeal SCC
30 30.52B.200 because chapter 1 of the IMC is not adopted.
31
32 3. Amend chapter 30.52D SCC to update a cross-reference.
33
34 4. Amend chapter 30.52E SCC to clarify which appendices of the Uniform Plumbing Code
35 are adopted by the SBCC.
36
37 D. The proposal implements the State Building Code and further streamlines and provides greater
38 internal consistency of the SCC. Therefore the proposal complies with and implements the
39 following goal, objective, and policy contained in the Snohomish County GMA Comprehensive
40 Plan – General Policy Plan (“GMACP – GPP”):
41
42 1. Goal ED 2. “Provide a planning and regulatory environment that facilitates growth of the
43 local economy.”
44
45 2. Objective ED 2.A “Develop and maintain a regulatory system that is fair,

ORDINANCE NO. 17-059
RELATING TO THE REGULATION OF CONSTRUCTION;
ADOPTING THE 2015 EDITION OF THE INTERNATIONAL
MECHANICAL CODE AS REVISED, THE 2015 EDITION OF
THE WASHINGTON STATE ENERGY CODE AS REVISED,
THE 2015 EDITION OF THE UNIFORM PLUMBING CODE
AS REVISED; AND AMENDING SECTIONS IN CHAPTERS
30.51A, 30.52B, 30.52D AND 30.52E SCC

1 understandable, coordinated and timely.”

- 2
3 3. Policy ED 2.A.1 “Snohomish County shall work to ensure that the Snohomish County
4 Code is an understandable, accessible, and user friendly document.”

5
6 E. Procedural requirements.

- 7
8 1. The proposed amendments are consistent with state law, chapter 19.27 RCW.
9
10 2. State Environmental Policy Act (SEPA) requirements with respect to this non-project
11 action have been satisfied through the completion of an environmental checklist and the
12 issuance of a determination of non-significance on October 10, 2016.
13
14 3. This ordinance is exempt from review by the Snohomish County Planning Commission
15 (“Planning Commission”) pursuant to SCC 30.73.040(2)(c) because it implements the
16 State Building Code Act, not the Growth Management Act.
17
18 4. This ordinance does not adopt development regulations under SCC 30.10.080.
19 Therefore, notice to the Washington State Department of Commerce (“Commerce”) of
20 intent to adopt pursuant to RCW 36.70A.106 is not required.
21
22 5. The public participation process used in the adoption of this ordinance has complied
23 with all applicable requirements of the SCC.
24
25 6. The Washington State Attorney General last issued an advisory memorandum, as
26 required by RCW 36.70A.370, in December 2015, entitled “Advisory Memorandum:
27 Avoiding Unconstitutional Takings of Private Property” to help local governments avoid
28 the unconstitutional taking of private property. The process outlined in the State
29 Attorney General’s 2015 advisory memorandum was used by Snohomish County in
30 objectively evaluating the regulatory changes proposed by this ordinance.
31

32 F. The proposed amendments are consistent with the record.

- 33
34 1. RCW 19.27.040 allows the governing body of each county and city to amend the State
35 Building Code as it applies within the jurisdiction of the county or city. The minimum
36 performance standards of the codes and the objectives enumerated in RCW 19.27.020
37 shall not be diminished by any county amendments.
38
39 2. Amendments to chapters 30.51A, 30.52B, 30.52D, and 30.52E SCC are necessary to
40 provide greater internal code consistency and consistency with the State Building Code.
41

42 Section 2. The County Council makes the following conclusions:

- 43
44 A. The County Council concludes that this ordinance adopting amendments to subtitle 30.5 SCC
45

ORDINANCE NO. 17-059
RELATING TO THE REGULATION OF CONSTRUCTION;
ADOPTING THE 2015 EDITION OF THE INTERNATIONAL
MECHANICAL CODE AS REVISED, THE 2015 EDITION OF
THE WASHINGTON STATE ENERGY CODE AS REVISED,
THE 2015 EDITION OF THE UNIFORM PLUMBING CODE
AS REVISED; AND AMENDING SECTIONS IN CHAPTERS
30.51A, 30.52B, 30.52D AND 30.52E SCC

1 and the 2015 edition of the International Mechanical Code, 2015 edition of the Washington
2 State Energy Code, the 2015 edition of the Uniform Plumbing Code as amended by the State
3 of Washington on November 13, 2015, together with local amendments permitted under RCW
4 19.27.040, is in the best interest of Snohomish County.
5

- 6 B. The County Council concludes that the ordinance is consistent with the recent updates to the
7 State Building Code Act adopted in chapter 19.27 RCW that became effective July 1, 2016.
8
- 9 C. The County Council concludes that the ordinance promotes the health, safety and welfare of
10 the occupants or users of buildings and structures and the general public by providing building
11 codes that require minimum performance standards and requirements for construction and
12 construction materials, consistent with nationally accepted standards of engineering, fire and
13 life safety.
14
- 15 D. The County Council concludes that adoption of the proposed amendments to the State
16 Building Code will not result in less restrictive performance standards or objectives than those
17 in the State Building Code.
18
- 19 E. The County Council concludes that this ordinance does not adopt development regulations
20 under SCC 30.10.080. Therefore, Planning Commission review is not required pursuant to
21 SCC 30.73.040(2)(c).
22
- 23 F. The County Council concludes that this ordinance does not adopt development regulations
24 under SCC 30.10.080. Therefore, notice to Commerce of intent to adopt is not required
25 pursuant to RCW 36.70A.106.
26
- 27 G. The County Council concludes that the SEPA requirements for this non-project action have
28 been met.
29
- 30 H. The regulations proposed by this ordinance do not result in an unconstitutional taking of private
31 property for public purpose.
32

33 Section 3. The County Council bases its findings and conclusions on the entire record of
34 the County Council, including all testimony and exhibits. Any finding, which should be deemed a
35 conclusion, and any conclusion which should be deemed a finding, is hereby adopted as such.
36

37 Section 4. Snohomish County Code Section 30.51A.020, last amended by Amended
38 Ordinance No. 07-089 on September 5, 2007, is amended to read:
39

40 **30.51A.020 Applicability.**
41

42 (1) This chapter shall apply to all development applications and actions requiring project permits
43 for any building or structure, excluding single-family and duplex dwellings and their accessory
44 structures, located within a seismic hazard area and assigned to occupancy category I, II, III or IV,

ORDINANCE NO. 17-059
RELATING TO THE REGULATION OF CONSTRUCTION;
ADOPTING THE 2015 EDITION OF THE INTERNATIONAL
MECHANICAL CODE AS REVISED, THE 2015 EDITION OF
THE WASHINGTON STATE ENERGY CODE AS REVISED,
THE 2015 EDITION OF THE UNIFORM PLUMBING CODE
AS REVISED; AND AMENDING SECTIONS IN CHAPTERS
30.51A, 30.52B, 30.52D AND 30.52E SCC

1 and buildings or structures assigned to seismic design categories D, E or F. The occupancy
2 category and seismic design category for a building or structure is determined in accordance with
3 section 1613 of the International Building Code (IBC) and the American Society of Civil Engineers
4 7 (~~ASCE 7-05~~) standards.

5 (2) Seismic design categories are used to determine permissible structural systems, limitations on
6 height and irregularity, those components of the structure that must be designed for seismic
7 resistance, and the types of lateral force analysis that must be performed pursuant to section 1613
8 of the IBC relating to earthquake loads or chapter 11 of ASCE 7(~~-05~~).

9

10 Section 5. Snohomish County Code Section 30.51A.030, last amended by Amended
11 Ordinance No. 11-022 on August 3, 2011, is amended to read:

12

13 **30.51A.030 Fault setback requirements.**

14

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

17

18 (1) Where a development application or action requiring a project permit for any building or
19 structure is located within a seismic hazard area, the applicant shall provide a geotechnical report
20 consistent with the requirements of section 1803 of the IBC and SCC 30.62B.140. In addition to
21 any other requirements, the geotechnical report shall include adequate horizontal control
22 necessary to identify the closest edge of an identified active fault trace.

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

25 (3) The building official may modify the fault setback requirements of this chapter only when done
26 in accordance with (~~Section 104.10 of the IBC~~) SCC 30.50.126.

27

28 Section 6. Snohomish County Code Section 30.51A.040, last amended by Amended
29 Ordinance No. 11-022 on August 3, 2011, is amended to read:

30

31 **30.51A.040 Additional information or tests authorized.**

32

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

37

38 Section 7. Snohomish County Code Section 30.52B.010, last amended by Amended
39 Ordinance No. 14-056 on August 27, 2014, is amended to read:

40

41 **30.52B.010 International Mechanical Code (IMC) - adopted.**

42

43 The (~~2012~~) 2015 edition of the International Mechanical Code (IMC), published by the
44 International Code Council, and amended by the Washington State Building Code Council and

ORDINANCE NO. 17-059
RELATING TO THE REGULATION OF CONSTRUCTION;
ADOPTING THE 2015 EDITION OF THE INTERNATIONAL
MECHANICAL CODE AS REVISED, THE 2015 EDITION OF
THE WASHINGTON STATE ENERGY CODE AS REVISED,
THE 2015 EDITION OF THE UNIFORM PLUMBING CODE
AS REVISED; AND AMENDING SECTIONS IN CHAPTERS
30.51A, 30.52B, 30.52D AND 30.52E SCC

1 included in chapter 19.27 RCW except chapter 1, and as otherwise expressly amended by this
2 chapter is adopted and is incorporated and made a part of this chapter by reference. (~~This~~
3 ~~adoption includes adoption of the 2012 edition of the International Fuel Gas Code, as amended by~~
4 ~~the Washington State Building Code Council and Snohomish County, which are incorporated and~~
5 ~~made a part of this chapter by reference.~~) These regulations shall be known as the Mechanical
6 Code of Snohomish County and shall be referred to as the "mechanical code."
7

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

10
11 Section 8. Snohomish County Code Section 30.52B.200, added by Ordinance No. 07-086
12 on September 5, 2007, is repealed.

13
14 Section 9. Snohomish County Code Section 30.52D.010, last amended by Amended
15 Ordinance No. 14-056 on August 27, 2014, is amended to read:

16
17 **30.52D.010 Washington State Energy Code - adopted.**

18
19 The (~~2012~~) 2015 edition of the Washington State Energy Code, except chapter 1 of chapters 51-
20 11C and 51-11R WAC, is incorporated and made a part of this chapter by reference and is
21 adopted as the Energy Code of Snohomish County, herein referenced to as the "energy code."
22

23 Section 10. Snohomish County Code Section 30.52E.010, last amended by Amended
24 Ordinance No. 14-056 on August 27, 2014, is amended to read:

25
26 **30.52E.010 Uniform Plumbing Code (UPC) – adopted.**

27
28 The (~~2012~~) 2015 edition of the Uniform Plumbing Code (UPC) published by the International
29 Association of Plumbing and Mechanical Officials, as amended by the Washington State Building
30 Code Council, which includes Appendices A, B, and I, and included in chapter 19.27 RCW, except
31 chapter 1, and as otherwise expressly amended, is incorporated herein and made a part of this
32 chapter by reference and is adopted as the Plumbing Code of Snohomish County, herein referred
33 to as the "plumbing code."
34

35 Section 11. Snohomish County Code Section 30.52E.020, last amended by Amended
36 Ordinance No. 14-056 on August 27, 2014, is repealed.

37
38 Section 12. Severability and Savings. If any section, sentence, clause or phrase of this
39 ordinance shall be held to be invalid by the Growth Management Hearings Board ("Board"), or
40 unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not
41 affect the validity or constitutionality of any other section, sentence, clause or phrase of this
42 ordinance. Provided, however, that if any section, sentence, clause or phrase of this ordinance is
43 held to be invalid by the Board or court of competent jurisdiction, then the section, sentence,
44 clause or phrase in effect prior to the effective date of this ordinance shall be in full force and effect
45

ORDINANCE NO. 17-059
RELATING TO THE REGULATION OF CONSTRUCTION;
ADOPTING THE 2015 EDITION OF THE INTERNATIONAL
MECHANICAL CODE AS REVISED, THE 2015 EDITION OF
THE WASHINGTON STATE ENERGY CODE AS REVISED,
THE 2015 EDITION OF THE UNIFORM PLUMBING CODE
AS REVISED; AND AMENDING SECTIONS IN CHAPTERS
30.51A, 30.52B, 30.52D AND 30.52E SCC

1 for that individual section, sentence, clause or phrase as if this ordinance had never been adopted

2
3 PASSED THIS 18th day of October, 2017

6 SNOHOMISH COUNTY COUNCIL

8 Snohomish County, Washington

11 
Chairperson

17 ATTEST:

19 
21
22 Clerk of the Council

24 APPROVED
25 EMERGENCY
26 VETOED

27
28
29
30
31 Date: Oct 30, 2017

32 ATTEST:

33 
34
35
36
37


County Executive

38 Approved as to form only:

39
40
41 
42 Deputy Prosecuting Attorney

D-8

Ordinance No. 17-_____
RELATING TO THE REGULATION OF CONSTRUCTION;
ADOPTING THE 2015 EDITION OF THE INTERNATIONAL
MECHANICAL CODE AS REVISED, THE 2015 EDITION OF
THE WASHINGTON STATE ENERGY CODE AS REVISED,
THE 2015 EDITION OF THE UNIFORM PLUMBING CODE
AS REVISED; AND AMENDING SECTIONS IN CHAPTERS
30.51A, 30.52B, 30.52D AND 30.52E SCC