

IMPORTANT NOTICE

The June 7, 2021 Special meeting of the Chehalis City Council will be held in-person with some restrictions.

On March 22, Washington State moved to Phase 3 of the Governor's Healthy Washington – Roadmap to Recovery Plan, which means cities may hold limited, in-person meetings in addition to virtual options. The capacity of these meetings is limited to 50% of the posted room capacity or 400 individuals – whichever is fewer (excludes staff). The posted room capacity for the Chehalis Council Chambers is 49, which means 24 members of the public may be in attendance.

Cities must continue to provide the public virtual access to meetings. Options for attending remotely remain the same:

1. Live-Stream

View and listen through live streaming by using the following link –

<https://www.ci.chehalis.wa.us/citycouncil/live-streaming-and-demand-viewing-city-council-meetings>

or

2. Telephone

Dial: 1-253-215-8782

Meeting ID: 822 5811 8879

Passcode: 674890

Citizens wishing to provide public comments in general and on agenda items should submit comments by 4:00 pm on the day of the meeting. All comments received will be acknowledged by the Mayor under the Citizens Business portion of the meeting agenda. Please use the following form to submit comments – <https://www.ci.chehalis.wa.us/contact>. If you do not have computer access or would prefer to submit a comment verbally, please contact City Clerk Kiley Franz at 360-345-1042 or at kfranz@ci.chehalis.wa.us. Citizens Business comments will be limited to five (5) minutes.

If you have any questions about live streaming the meeting or submitting a comment, please contact City Clerk Kiley Franz at kfranz@ci.chehalis.wa.us or 360-345-1042.

The City truly appreciates the community's cooperation

CHEHALIS CITY COUNCIL AGENDA
CITY HALL
350 N MARKET BLVD | CHEHALIS, WA 98532

<p>Dennis L. Dawes, Position at Large Mayor</p>	<p>Daryl J. Lund, Mayor Pro Tem, District 2 Mike Bannan, Position at Large Anthony E. Ketchum Sr., District 3</p>	<p>Jerry Lord, District 1 Dr. Isaac S. Pope, District 4 Robert J. Spahr, Position at Large</p>
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Special Meeting of Monday, June 7, 2021
5:00 p.m.

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| <ol style="list-style-type: none">1. <u>Call to Order.</u> (Mayor)2. <u>Pledge of Allegiance.</u> (Mayor)3. <u>Approval of Agenda.</u> (Mayor) |
|--|

SPECIAL BUSINESS		
<p>4. <u>International Building Code – Discussion of Proposed Ordinance No. 1018-B, implementing the 2018 International Building Code (Building and Planning Manager, City Manager)</u></p>	Direction Requested	

- | EXECUTIVE SESSION |
|--|
| <p>5. Pursuant to RCW:</p> <ul style="list-style-type: none">a. 42.30.110(1)(c) – Sale/Lease of Real Estateb. 42.30.110(1)(i) – Litigation/Potential Litigation |

THE CITY COUNCIL WILL NOT ADD OR TAKE ACTION ON OTHER ITEMS NOT LISTED ON THIS AGENDA.
THE NEXT REGULAR CITY COUNCIL MEETING IS MONDAY, JUNE 14, 2021.

**CHEHALIS SPECIAL CITY COUNCIL MEETING
AGENDA REPORT**

TO: The Honorable Mayor and City Council

FROM: Jill Anderson, City Manager

BY: Tammy Baraconi, Planning and Building Manager
Rick Mack, Code Inspector/Fire Marshall

MEETING OF: June 7, 2021

SUBJECT: International Building Code--Discussion of Proposed Ordinance No. 1018-B,
Implementing the 2018 International Building Code

INTRODUCTION

The first reading of Ordinance No. 1018-B, implementing the new 2018 International Building Code (IBC) as required by the State of Washington, occurred at the April 26, 2021, City Council Meeting. The second reading was scheduled for May 10, 2021; however, the City Council acted to postpone the second reading until the June 28, 2021, City Council Meeting. The City Council also asked that a special meeting be scheduled to discuss some issues that remained a concern prior to June 28 meeting.

This meeting has been scheduled to provide an opportunity for the City Council to discuss the outstanding issues related to the proposed fire flow requirements and to provide some additional information on the purpose, contents, and impacts of the IBC.

In the effort to address the questions that the City Council may have about the IBC in general and fire-flow in particular, the following are scheduled to attend the June 7, 2021:

- Olympia Master Builders (Representatives have indicated they plan to attend)
- David Spencer, Certified Building Official and an International Code Committee (ICC) Board member (Via Zoom)
- LG Nelson, Contract Building Official for the City of Chehalis
- Rick Mack, Code Inspector/Fire Marshall
- Tedd Hendershot, City of Chehalis Fire Chief
- Tammy Baraconi, Planning and Building Manager

WA STATE BUILDING CODE REQUIREMENTS

The International Building Code (IBC) is updated every three years. The Washington State Building Code Council then recommends adoption with amendments to the Washington State Legislature. The Legislature then adopts the codes with amendments and enacts them Statewide through the Revised Code of Washington (RCW) 19.27 the State Building Code Act.

The Washington State Building Code is published by the International Code Council (ICC). Jurisdictions in the state are required under RCW 19.27 and applicable Washington Administrative Code (WAC) to adopt the ICC Codes with certain exceptions, as amended by the State Building Code Council. These documents comprise what is typically referred to as the International Building Code.

The draft of proposed Ordinance No. 1018-B implementing the 2018 International Building Code includes the following components:

- The International Building Code
- International Residential Code
- The National Electric Code
- International Mechanical Code
- International Property Maintenance Code
- Washington International Energy Conservation Code
- International Existing Building Code
- International Fire Code (excluding nonmandatory provisions for automatic sprinkler systems)
- International Urban-Wildlife Interface Code (*Chapters, 2, 3, 4, and Appendix E*)

The list above includes some new requirements imposed by the State and some optional codes being recommended to create additional alternatives for improving and maintaining existing structures, including residential buildings. These include:

- ***Washington International Energy Conservation Code (Mandatory)***
 - Jurisdictions have the option of creating their own code that *meets or exceeds* the State's requirements.
 - RCW 17.27A.030(6) does not allow local jurisdictions to adopt or create an energy code that is *less* stringent than what has been adopted by the State.
 - Builders across the state, including those serving our local community, have expressed concern about the cost of meeting the new requirements.
 - The challenges include the potential costs associated with the increase in requirements for insulation, sealing/vapor barriers, windows, and under floor insulation in new construction.
- ***International Urban-Wildlife Interface Code. (Chapters, 2, 3, 4 and Appendix E are Mandatory)***
 - The provisions of this section of the IBC provide standards that mitigate for fire hazards including, but not limited to roof materials, wall construction techniques, and use of fire-retardant materials on exterior surfaces.
 - This code could provide a greater range of mitigation options when building in areas with insufficient fire flow.
 - During preparation of this report and review of the Code, a question regarding the necessity of adopting Chapter 5 to comply with the RCW arose. If this is necessary, the draft ordinance will be amended prior to second reading.
- ***International Property Maintenance Code with amendments for local conditions (Optional)***
 - This element is optional; however, if it is not adopted, there will be very limited ability to enforce property maintenance standards in the City because the document the Code currently references is the Uniform Code of Abatement of Dangerous Buildings of 1997
 - This document is out of date and unsupported by the required International Building Code (IBC) because it is based on the 1997 Uniform Building Code which no longer exists as an applicable document.
- ***The International Existing Building Code (Optional)***
 - This Code is used to identify acceptable standards and modifications for existing structures.

- o If this Code is not adopted, existing structures would need to meet the requirements for new structures which is impractical and often infeasible.

NONMANDATORY FIRE SPRINKLER REQUIREMENTS REMOVED AFTER FIRST READING

At the first reading of the Ordinance, the City Council directed that the optional provision of the IBC requiring fire sprinklers in new single-family homes and duplexes be removed from the Ordinance. The City Attorney has revised the Ordinance and its exhibit, which is the proposed Code, to remove the applicable references. In the process of making the changes directed by the City Council, it was determined that the section of the Ordinance related to fire-flow requirements would also need to be discussed to clarify how the proposed Code would and would not require mitigation in situations where there is inadequate fire-flow available to meet existing IBC standards, which are also included in the new proposed Ordinance in the International Fire Code (IFC) Appendix B

FIRE FLOW REQUIREMENTS AND INSURANCE RATINGS

The Washington Surveying and Rating Bureau (WSRB) is an independent, non-profit public service organization which gathers and publishes information for use by the insurance industry. The WSRB evaluates fire protection/suppression capabilities of cities and fire protection districts throughout Washington using a schedule approved by the Washington Insurance Commissioner. It then assigns a Protection Class Rating ranging from 1-10 with 1 representing exemplary fire protection capabilities and 10 representing no recognizable fire protection/suppression response at all.

The insurance industry uses a community's relative protection class rating to set insurance premiums. The WSRB evaluates four (4) major features and their relative percentage value, each against an ideal standard, and assigns deficiency points to arrive at its findings. At present, the city of Chehalis enjoys a protection class rating of 5. The four major features by percentage are:

1. Water Supply - 35%
2. Fire Department – 40%
3. Emergency Communications – 9%
4. Fire Safety Control – 16%

Within each feature, there are numerous areas given consideration. For example, in Water Supply, fire hydrant distribution is evaluated, and a point value is assigned accordingly.

The Chehalis City Council has historically adopted International Fire Code (IFC) Appendix B - Fire Flow for Buildings as the approved method for determining the required fire-flow. This has been the consistent practice since the inception of the International Fire Code in the year 2000 and in the Uniform Fire Code which preceded it. A provision in Appendix B gives the fire code official authority to reduce the required amount of fire-flow by half when residential sprinklers are installed. That is because the code recognizes the effectiveness of residential sprinklers to activate when a fire is small and containable.

MEETING FIRE-FLOW REQUIREMENTS

The attached version of the Ordinance, includes the following language has been added in Section 1 (A) and Section 1(l): *"...and excluding nonmandatory provisions for automatic sprinkler systems."* This language would eliminate the requirement for sprinklers in new single-family homes and duplexes, as well as significant remodels, in areas where there is adequate fire-flow, consistent with City Council direction on April 26, 2021.

Fire-Flow Requirement in City Limits: In the rare instances where there may not be adequate fire-flow inside of City limits, new development may be required to install a fire sprinkler system as a mitigation measure, under the applicable sections of the Code, specifically Section 2(D) d. Fire-Flow Requirements for Buildings. This is a current standard and would remain a requirement as the Ordinance is currently written. At this time, the need to apply the requirement inside City limits would likely be a rare occurrence.

UGA Exception: The attached version of the Ordinance also includes the following provision related to the Urban Growth area (UGA) in Section 2 (D) d. referencing Appendix B, Section B 105 of the International Fire Code, Fire-Flow Requirements for Buildings:

B105.1 One and two dwelling family dwellings. Water tender credit, as established by the Washington Surveying and Rating Bureau, shall be permitted to satisfy the minimum fire-flow and flow duration requirements for one and two-family dwellings in the Urban Growth Area (UGA).

KEY POLICY QUESTIONS

Question #1: In the rare instances that it would likely apply, does the City Council want to keep the existing requirement for fire-flow mitigation for new single-family homes and duplexes in City limits, which is primarily done by installing fire-sprinklers in City Limits?

Question #2: Does the City Council want to keep the exception language for single-family homes and duplexes in the UGA, allowing the availability of Water Tenders to be used as mitigation, rather than requiring the builders of new single-family homes and duplexes to install fire-sprinkler systems to meet fire-flow requirements?

DISCUSSION OF QUESTION #1: FIRE- FLOW MITIGATION IN CITY LIMITS

At the current time, the City does not own a vehicle known as a Fire Tender. In addition, the City, when fully staffed, has three firefighters on duty; however, with staffing shortages and various personnel leave needs, typically there are only two firefighters on duty. Lewis County Fire District (LCFD) #6 does own a Fire Tender and provides mutual aid to the City of Chehalis; however, they are also typically staffed with only two paid firefighters, supplemented by on-call volunteers.

If the fire emergency occurred at a time when the Chehalis FD was on another call, response could be delayed from the outset. In addition, the ability to respond with a Fire Water Tender would require another agency to respond in any circumstance. With a structure fire, mutual aid would be called immediately, so LCFD #6 and/or Riverside Fire Authority (RFA) would also be responding. Both agencies have Fire Tenders, which is good because the City of Chehalis does not. However, the reliance on another agency to provide equipment not currently owned by the City, would likely add to the response time. This could increase the likelihood of severe property damage to the initial structure and neighboring properties, potentially many, if the fire emergency occurred during fire season.

Recommendation Regarding Question #1: it is recommended that the City Council keep the language that has been in place for years and included in the attached proposed Ordinance, to continue to require mitigation measures in the currently rare instances when new single-family homes or duplexes are being built in an area with inadequate fire-flow inside City limits. Existing homes would not be required to meet the requirement.

DISCUSSION OF QUESTION #2 – THE UGA EXCEPTION

The Ordinance as proposed includes the ability for new single-family homes and duplexes being built in the UGA to use the availability of Water Tenders as a mitigation for inadequate fire flow. While this makes sense in a County area where there are not typically fire hydrants, it gets more complicated as the City is preparing to annex portion of the UGA as soon as feasible. When the City annexes the area currently in the UGA, it will need to have the resources to provide municipal services to the annexed area, including fire protection. This is currently the responsibility of the Chehalis Fire Department. Annexation will require the resources to hire additional firefighters and purchase (or otherwise secure) equipment during the annexation process, including a Fire Tender.

The UGA exception would also require the administration of two sets of codes until annexation, which would ultimately need to be reconciled in some way when the UGA becomes part of the City. More challenging is that it is conceivable that a large part of the future City proper would not have adequate fire flow, creating the need for the future taxpayers of the entire City to take on the challenges of increasing personnel and equipment and/or a major infrastructure project to create the fire prevention infrastructure associated with living in an urban area. It is recognized that requiring sprinklers in future construction in the UGA moving forward does not resolve the existing issues with buildings in the UGA that do not have adequate fire flow and were constructed with the availability of fire tenders as the fire flow mitigation.

This situation has short-term and long-term policy consequences. If the UGA exception is removed from the proposed Code, it will create an additional requirement for builders of single-family and duplexes that will increase the cost of the home in the near future, which is never popular. If the UGA exception remains in the proposed Code, the City will be acknowledging that it is allowing single-family developments and duplexes to be constructed relying solely on the availability of water tenders to respond quickly enough to prevent the loss of life and protect surrounding properties while managing the fire source.

This matter is being identified so that the City Council is fully aware of the initial situation and potential unintended consequences of the policy decision that the City may face in the future.

Recommendation Regarding Question #2: City Council direction is requested regarding this issue. The Council has the option of postponing action on the Ordinance until a future meeting to provide an opportunity to get additional information on the long-term policy implications.

NEW WA STATE ENERGY CODE REQUIREMENTS

The International Building Code (IBC) is updated every three years. The Washington State Building Code Council then recommends adoption with amendments to the Washington State Legislature. The Legislature then adopts the codes with amendments and enacts them Statewide through the Revised Code of Washington (RCW) 19.27 the State Building Code Act.

Currently the City's building code is found in Chapter 17, Appendix Chapter E. Staff proposes that this code be moved to CMC 17.10, making it easier for the public to find. Many of the changes in the proposed Ordinance are minor in nature and administrative in nature, with the exception of the required adoption of the Washington State Energy Code (WSEC), found in RCW 19.27A and the fire sprinkler and fire-flow impacts discussed earlier in this report.

RCW 17.27A.030(6) does not allow local jurisdictions to adopt or create an energy code that is less stringent than what has been adopted by the State. Unfortunately, The WSEC is proving to be

challenging for many of our local developers which is why there was an influx of building permit applications at the end of January. The challenges include the potential costs associated with the increase in requirements for insulation, sealing/vapor barriers, windows, and under floor insulation in new construction.

FISCAL IMPACT

There are no fiscal impacts to the City related to the process of adopting the building code. However, there are varying impacts to those renovating existing buildings or building new structures. The WA energy code requirements are expected to increase the cost of a residential structure significantly, with estimates ranging from \$7,500 to \$20,000.

RECOMMENDATION

It is recommended that the City Council use this workshop to discuss the various issues and related policy decisions and provide direction that can be incorporated into the draft of Ordinance No. 1018-B CMC 17.10 Building Code, which is scheduled for second reading on June 28, 2021.

The City Council is being asked to provide specific direction regarding the following questions:

Question #1: In the rare instances that it would likely apply, does the City Council want to keep the existing requirement for fire-flow mitigation for new single-family homes and duplexes *in City limits*, which is primarily done by installing fire-sprinklers in City Limits?

Question #2: Does the City Council want to keep the exception language for single-family homes and duplexes *in the UGA*, allowing the availability of Water Tenders to be used as mitigation, rather than requiring the builders of new single-family homes and duplexes to install fire-sprinkler systems to meet fire-flow requirements?

SUGGESTED MOTION

There is no suggested motion due to the options presented above for consideration by the City Council and the need for City Council direction regarding these matters.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF CHEHALIS, WASHINGTON ADOPTING THE INTERNATIONAL BUILDING CODES AND IN FURTHERANCE, AND AMENDING THE ADOPTED CODES HEREIN, ADOPTING CODE APPENDICES, ADOPTING THE NATIONAL ELECTRIC CODE, THE INTERNATIONAL PROPERTY MAINTENANCE CODE, THE INTERNATIONAL EXISTING BUILDING CODE, THE INTERNATIONAL URBAN-WILDLAND INTERFACE CODE, AND APPROVING A SUMMARY FOR PUBLICATIONS AND REPEALING ALL ORDINANCES IN CONFLICT HERewith.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHEHALIS

WASHINGTON, as follows:

Section 1: Code Adoption: The City of Chehalis adopts the following codes:

THE CHEHALIS BUILDING CODE.

(A). Adopted. International Building Code. There is adopted and by this reference made a part of this chapter as though fully set forth herein, at length, that certain code, known as the International Building Code, or most current edition, as amended by Washington Administrative Code Chapter 51-50, including the appendices G, Flood Resistant Construction; I, Patio Covers; and J, Grading as the Building Code and Residential Code of the City of Chehalis; provided that those sections of the International Building code are amended to read as set forth in Section 2 and excluding nonmandatory provisions for automatic sprinkler systems.

(B) Adopted. International Residential Code. There is adopted and by this reference made a part of this chapter as though fully set forth herein, at length, that certain code, known as the Residential Building Code, or most current edition, as amended by Washington Administrative Code Chapter 51-51, including the appendices G, Swimming Pools, Spas, and Hot Tubs; and H, Patio Covers as the Residential Code of the City of Chehalis; provided that

those sections of the International Residential code are amended to read as set forth in Section 2 and excluding nonmandatory provisions for automatic sprinkler systems.

(C) Adopted. The National Electric Code, 2017 Edition or most current edition.

(D) Adopted. The Uniform Plumbing Code or most current edition, as amended by the Washington Administrative code Chapter 51-56, published by the International Association of Plumbing and Mechanical Officials, as amended by the Washington Administrative Code 51-56, including Appendix M as amended; provided that any provisions of such code affecting fuel gas piping are not adopted, is adopted as the plumbing code of the city.

(E) Adopted. International Mechanical Code. There is adopted and by this reference made a part of this chapter as though fully set forth herein, at length, that certain code, known as the International Mechanical Code, or most current edition, as amended by Washington Administrative Code Chapter 51-52, published by the International Code Council and the mechanical code of the city, and the International Fuel Gas Code, except that the standards for liquefied petroleum gas installations shall be NFPA 58 (Storage and Handling of Liquefied Petroleum Gases) and ANSI Z223.1/NFPA 54 (National Fuel Gas Code, as the mechanical code of the City.

(F) Adopted. International Property Maintenance Code. There is adopted and by reference made a part of this chapter as though fully set forth herein, at length, that certain code known as the International Property Maintenance Code or latest edition published by the International Code Council provided that these sections are amended to read as set forth in Section 2.

(G) Adopted. The Washington International Energy Conservation Code or most current version as adopted by the state of Washington.

(H) Adopted. The International Existing Building Code or most current edition, published by the International Code Council.

(I) Adopted. International Fire Code. There is adopted, except as amended in this chapter that certain code known as the International Fire Code, or most current edition, as amended by the Washington Administrative Code Chapter 51-54, including those standards of the National Fire Protection Association specifically referenced in the International Fire Code: PROVIDED, That, notwithstanding any wording in this code, participants in religious ceremonies shall not be precluded from carrying hand-held candles. Section 308.3.1, Open-flame cooking devices, is deleted in its entirety. Section 503, Fire apparatus access roads, is adopted and appendices are adopted, provided that these sections are amended to read as set forth in Section 2 **and excluding nonmandatory provisions for automatic sprinkler systems.**

(J) Adopted. International Urban-Wildlife Interface Code, Chapters 2, 3, and 4 and Appendix E, as published by the International Code Council.

Section 2: Code Amendments.

(A) Amended. The International Building Code as adopted in Section 1 is amended to read as follows:

Section 101.1.

These regulations shall be known as the Building Code of the City of Chehalis, Washington, hereinafter referred to as “this code.”

Section 101.4.1, Electrical.

The provisions of the 2017 National Electric Code as adopted in City of Chehalis Municipal Code Chapter 17.10.010(C) shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto.

Section 101.4.4, Plumbing.

The provisions of the 2018 Uniform Plumbing Code as adopted by City of Chehalis Municipal Code Chapter 17.10.010(D) shall apply to the installation, alteration, repair and

replacement of plumbing systems, including equipment, appliances, fixtures, fittings and appurtenances, and where connected to a water or sewage system and all aspects of a medical gas system. The provisions of the State of Washington requirements for private sewage disposal shall apply to private sewage disposal systems.

Section 101.4.5, 2018 International Property Maintenance Code.

The provisions of the 2018 International Property Maintenance Code as adopted by City of Chehalis Municipal Code Chapter 17.10.010(F) shall apply to existing structures and premises; equipment and facilities; light, ventilation, space heating, sanitation, life and fire safety hazards, responsibilities of owners, operators and occupants; and occupancy of existing premises and structures.

Section 101.4.7, 2018 Washington State Energy Code.

The provisions of the 2018 Washington International Energy Conservation Code/Washington State Energy Code adopted by City of Chehalis Chapter 17.10.010(G) shall apply to all matters governing the design and construction of buildings for energy efficiency and will be known as the Washington State Energy Code.

Section 105.5, Expiration.

Every permit issued shall become invalid unless the work authorized by such permit is inspected within 180 days after its issuance, and within 180 days thereafter for all required inspections per section 109. If the work authorized by such permit is suspended or abandoned for a period of 180 days after the last required inspection the building official is authorized to grant, in writing, up to two extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

Section 108.3 shall have a new sentence added to the end of the paragraph as follows:

The value for commonly built structures shall be determined by using the Building Code and Permit fees as established in Chehalis Municipal Code 17.10.020.

Section 109.3.9, Special inspections.

Special inspections required by this code and Section 1704 shall be made by Special Inspection Labs and Inspectors certified and approved by Washington Association of Building Officials (WABO) or based upon adequate documentation and approved national certification, the Building Official can approve an Agency for inspection and testing work.

The following sections of the International Building Code, 2018 Edition, are deleted:

- a. Section 112—Board of appeals.
- b. Section 113.2—Notice of violation.
- c. Section 113.3—Prosecution of violation.
- d. Section 113.4—Violation penalties.

(B) Amended. The International Residential Code as adopted in Section 1 is

amended to read as follows:

Section 105.5, Expiration.

Every permit issued shall become invalid unless the work authorized by such permit is inspected within 180 days after its issuance, and within 180 days thereafter for all required inspections per section 109. If the work authorized by such permit is suspended or abandoned for a period of 180 days after the last required inspection the building official is authorized to grant, in writing, up to two extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

R109.2, Inspection agencies.

The building official is authorized to accept reports of approved agencies, provided such agencies satisfy the requirements as to qualifications and reliability as required by Washington Association of Building Officials (WABO) requirements for Special Inspection Agencies or based upon adequate documentation and approved national certification the Building Official can approve an Agency for inspection and testing work.

Table R301.2(a), Climatic and Geographic Design Criteria, to be filled in as follows:

Ground Snow Load: 25 psf. Minimum design is 25 psf.

Wind Speed (mph): 85 mph 3-second gust

Seismic Design Category: D1

Subject to Damage From Weathering: Moderate

Frost Line Depth: 12"

Termite: Slight to moderate

Decay: moderate to severe

Winter Design Temp.: 25° F

Air Freezing Index: 172

Mean Annual Temperature: 52° F

(C) Amended. The International Property Maintenance Code as adopted

in Section 1 is amended to read as follows:

Section 103.1, General.

[A] 103.1 General. The department of property maintenance inspection is hereby created and the executive official in charge thereof shall be known as the Director of Community

Development (or equivalent position) or his/her designee. All references to “code official” shall mean the Director of Community Development (or equivalent position) or his/her designee.

Section 103.2, Appointment.

[A] 103.2 Appointment. The Director of Community Development (or equivalent position) is hereby appointed as the “code official.”

Section 106, Violations, shall be reinstated in its entirety with the following amendments:

[A] 106.3 Prosecution of violation. Any person failing to comply with a notice of violation or order served in accordance with Section 107 shall be deemed guilty of a misdemeanor or civil infraction as indicated in CMC Chapter 17.10.040, and the violation shall be deemed a strict liability offense. If the notice of violation is not complied with, the code official shall 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 structure in violation of the provisions of this code or of the order or direction made pursuant thereto. Any action taken by the authority having jurisdiction on such premises shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

[A] 106.4 Violation penalties. Any person who shall violate a provision of this code, or fail to comply therewith, or with any of the requirements thereof, shall be prosecuted in accordance with CMC Chapter 17.10.040. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Section 107, Notices and orders, shall be reinstated in its entirety with the following amendment:

[A] 107.5 Penalties. Penalties for noncompliance with orders and notices shall be as set forth in CMC Chapter 17.10.040.

Section 111, Means of appeals.

[A] 111.1 Application for appeal. Any person directly affected by a decision of the code official or a notice or order issued under this code shall have the right to appeal to the Hearings Examiner, provided that a written application for appeal is filed within 20 days after the day the decision, notice or order was served. 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 the requirements of this code are adequately satisfied by other means.

[A] 111.4 Open hearing. Hearings before the Hearings Examiner shall be open to the public. The appellant, the appellant’s representative, the code official and any person whose interests are affected shall be given an opportunity to be heard.

[A] 111.5 Postponed hearing. Postponement or continuance of an appeal maybe requested by either Party to the matter. All postponements or continuances of a hearing shall be approved or denied by the Hearings Examiner.

[A] 111.6.1 Records and copies. The decision of the Hearings Examiner shall be recorded. Copies shall be furnished to the appellant and to the code official.

[A] 111.6.2 Administration. The code official shall take immediate action in accordance with the decision of the board.

[A] 111.7 Court review. Any person, whether or not a previous party of the appeal, shall have the right to apply to the appropriate court for a writ of certiorari to correct errors of law. Application for review shall be made in the manner and time required by law following the filing of the decision in the office of the chief administrative officer.

[A] 111.8 Stays of enforcement. Appeals of notice and orders (other than Imminent Danger notices) shall stay the enforcement of the notice and order until the appeal is heard by the Hearings Examiner.

(D) Amended. The International Fire Code as adopted in Section 1 is amended to read as follows:

Section 101.1, Title.

These regulations shall be known as the Fire Code of the City of Chehalis hereinafter referred to as “this code.”

i. Wherever the word “jurisdiction” is used in the International Fire Code, it means the City of Chehalis.

ii. Wherever the term “corporate counsel” is used in the International Fire Code, it means the attorney for the City of Chehalis.

iii. “Fire Department” means the ~~Riverside Fire Authority~~ Chehalis Fire Department.

iv. “Fire Chief” means the chief of the Chehalis Fire Department or his/her designee.

b. Section 3404.2.9.5.1, Locations where above-ground tanks are prohibited.

The limits referred to in Section 3404.2.9.5.1 of the International Fire Code in which storage of Class I and Class II liquids outside in aboveground storage tanks is prohibited, are established as [insert zones, areas, etc.], except for tanks that comply with Section 3404.2.8 Vaults.

c. Section 3804.2, Maximum capacity within established limits.

The limits referred to in Section 3804.2 of the International Fire Code in which liquefied petroleum gas is restricted are established in Table 3804.3 when referring to above-ground containers.

d. Appendix B, Section B105, Fire-Flow Requirements for Buildings.

B105.1 One and two family dwellings. Water tender credit, as established by the Washington Surveying and Rating Bureau, shall be permitted to satisfy the minimum fire-flow and flow duration requirements for one and two family dwellings in the Urban Growth Area (UGA).

2. The following sections of the International Fire Code are deleted:
 - a. Section 108, Board of appeals.
 - b. Section 109.2, Notice of violation.
 - c. Section 109.2.1, Service.
 - d. Section 109.2.2, Compliance with orders and notices.
 - e. Section 109.2.3, Prosecution of violations.
 - f. Section 109.3, Violation penalties.
 - g. Section 109.3.1, Abatement of violations.

Section 3: Building Code Review and Permit Fees. The determination of value or valuation under any of the provisions of this code shall be made by the building official based on the valuation data established by the International Code Council (ICC) or other nationally recognized building organizations under the provisions of building standards valuation data for commercial projects, and as established in the city of Chehalis standardized table for residential projects. The value to be used in computing the building and building plan review fees shall be the total of all construction work for which the permit is issued as well as all finish work, painting, roofing, electrical, plumbing, heating, air conditioning, elevators, and other permanent equipment.

All building code review and permit fees are established by the ordinance by the City Council as currently adopted or amended in the future.

Section 4: Fire Code Permit, Plan Review and Inspection Fees.

A. For installation or alteration of any of the following systems or devices, the fee will be based on the Chehalis Fee Schedule as adopted by the City Council or amended in the future.

*Contact Chehalis Fire Department for fees.

1. Fire alarm systems.
2. Fire extinguishing systems.
3. Smoke removal systems.
4. Kitchen hood and duct systems.
5. Dust removal systems.
6. Flammable/combustible liquids.
7. Application of flammable/combustible finishes.
8. Commercial drying ovens.
9. Compressed gas systems.
10. Explosives/magazines.
11. LPG installations.
12. Hazardous materials storage.
13. Refrigeration systems.
14. Technical assistance provisions of UFC 103.1.1.
15. All other fire protection requirements such as access, calculation of fire flow or life safety requirements or other reviews conducted pursuant to the international codes, standards and ordinances adopted by the city.

Section 5: Violations, Abatement and Penalties.

A. Investigation of Complaint. Upon receipt of information or upon personal observation that a violation exists as defined in this chapter, the enforcement officer shall cause an investigation of the matter and premises involved. All entries upon

premises for the purpose of this chapter shall be subject to subsection (I) of this section.

B. Abatement Procedure. After having made a finding that a violation exists, the enforcement officer shall require the owner of the premises involved, as listed by the Lewis County assessor's office, to abate the violation at his or her own cost and expense, in whole or in part. The enforcement officer shall give written notice to the owner describing the property involved, the condition to be corrected, and a specified reasonable time within which the owner must correct the condition, which shall not be less than fourteen days from the date of service by mail as evidenced by the postmark on the notice. In the event of an emergency condition, of which the enforcement officer shall be the sole judge, the time of compliance may be reduced to twenty-four hours. The notice must further specify:

1. That if the owner fails to abate the violation within the specified period of time, the city shall cause the work to be performed and shall assess all or any portion of the cost thereof against the owner;
2. That the owner may be liable for civil penalties for each day or part of day that the condition continues to exist following the notice; and
3. That the owner additionally may be liable to criminal prosecution, as provided in this chapter.

C. Service of Notice of Violation. The notice given by the enforcement officer to the owner shall be deposited in the United States Mail by certified mail with a return receipt requested or shall be personally served by delivering a copy thereof to the owner or by leaving the same with a person of suitable age (eighteen years or older) and discretion at the owner's place of residence. If the owner is not a resident of the city, the notice shall be served by leaving the same with the tenant in possession of the property or, if there is no such tenant, by posting a copy of the notice in a conspicuous place on the property involved, and by mailing a copy thereof to the owner at his or her last known address as listed by the Lewis County assessor's office, if any. Service by mail will be deemed complete at the end of the third full day following its deposit in the U.S. Mail, postage prepaid.

D. Failure to Comply with Notice of Violation. After the time for compliance and a notice of violation has expired, the code enforcement officer shall reinspect the premises and determine if the violation has been abated as required in the notice of violation. In the event of no action or insufficient action to abate the violation, the code enforcement officer may take any and all means necessary to enforce the applicable code, including but not limited to: issuance of civil infractions, issuance of criminal citations, commencement of civil, criminal, and equitable proceedings with the assistance of the city attorney to abate a violation and have the violation abated by the city.

E. Liability for Costs of Abatement. The property owner shall be liable for all costs and expenses associated with a violation abatement conducted by the city of any building, structure or on the premises. In all cases where the city abates any such violation, the enforcement officer shall keep an account of all costs and expenses attending such abatement. The amount of the cost of such abatement shall be assessed against the real property upon which such cost was incurred unless such amount is previously paid. Upon certification to the Lewis County treasurer by the finance director of the city of Chehalis, the treasurer shall enter the amount of such assessment upon the tax rolls against the property for the current year and the same shall become a part of the general taxes for that year to be collected at the same time and with interest at such rates and in such manner as provided for delinquent taxes, and when collected to be deposited to the credit of the general fund of the municipality. The assessment shall constitute a lien against the property which shall be of equal rank with state, county and municipal taxes. The city shall reserve the right to negotiate with property owners to recover the costs of abatement.

F. Liability for Continuing Violation. Every successive owner or occupant of property who neglects to abate a continuing violation upon or in the use of such property caused by a former owner is liable thereof in the same manner as the owner who created it.

G. Cumulative Effect of Chapter. The provisions of this chapter shall be cumulative and in addition to the provisions of the now existing ordinances of the city, and shall not have the effect of repealing any ordinance of the city now in effect.

H. Violations—Civil Infraction—Misdemeanor—Gross Misdemeanor.

1. Any person, firm or corporation who knowingly violates or fails to comply with any term or provision of this chapter shall be deemed to have committed the following:

a. First Offense. Constitutes a Class 1 civil infraction with the maximum assessment not to exceed the amount of two hundred fifty dollars, not including statutory assessments.

b. Second Offense. Constitutes a misdemeanor and, if found guilty, shall be subject to a fine not to exceed one thousand dollars, plus costs and assessments, and/or imprisonment not to exceed ninety days or to both such fine and imprisonment. A second offense shall mean a violation of this chapter which is committed at the same location by the same individual within one calendar year of the first offense.

c. Third or Subsequent Offenses. Constitutes a gross misdemeanor and, if found guilty, shall be subject to a fine not to exceed five thousand dollars, plus costs and assessments, and/or imprisonment not to exceed three hundred and sixty-five days or both such fine and imprisonment. A third or subsequent offense shall mean a violation of this chapter which is committed at the same location by the same individual within one calendar year of the first offense.

I. Right of Entry for Inspection and Code Enforcement. Whenever necessary to make an inspection to enforce any provision of this code, or whenever there is reasonable cause to believe that there exists a violation of this code in any building or upon any premises within the jurisdiction of the city, any authorized official of the city may, upon presentation of proper credentials, enter such building or premises at all reasonable times to inspect the same or to perform any duty imposed upon him or her by this code; provided, that except in emergency situations, he or she shall first give the owner and/or occupant, if they can be located after reasonable effort, seventy-two hours' written notice of the authorized official's intention to inspect. In the event the owner and/or occupant refuses entry, the official is empowered to seek assistance from any court of competent jurisdiction in obtaining such entry.

Section 6: Hearings Examiner—Powers and duties. All appeals authorized by the codes shall be to the city's hearing examiner as established by Chapter 2.50 CMC. The hearing examiner shall utilize the procedures and penalties set forth in this chapter. The hearing examiner shall serve in lieu of all boards of appeals mentioned or described in the codes as adopted and amended by the city.

Section 7: Conflicts. The penalties provided in this chapter are intended to be in addition to, and not to supersede, any penalties provided in any of the codes adopted in CMC 17.10.010. In the event of a conflict between the penalty provisions of this chapter and the penalty provisions in any of the codes, this chapter shall control.

Section 8: Definition of Code Official. The term “code official” for purposes of all codes within this chapter shall mean the Director of Community Development (or equivalent position) or his/her designee.

Section 9: Ordinance No’s 988B § 1, 976B § 1, 925B §§ 1-2, 858B § 13, 819B § 11, 769B §26, , shall be, and the same are repealed.

Section 10: The summary attached hereto is approved for publication.

PASSED by the City Council of the City of Chehalis, Washington, and **APPROVED** by its Mayor, at a regularly scheduled open public meeting thereof this 28th day of June, 2006.

By: _____
Mayor

Attest:

Approved as to form:

City Clerk-Treasurer

City Attorney, WSBA #42883

Chapter 17.10

ADOPTION OF INTERNATIONAL BUILDING CODES AND STANDARD SPECIFICATIONS

Sections:

- 17.10.010 Codes adopted—Copies on file.
- 17.10.020 Building code review and permit fees.
- 17.10.030 Fire code permit, plan review and inspection fees.
- 17.10.040 Violations, abatement and penalties.
- 17.10.050 Hearings examiner—Powers and duties.
- 17.10.060 Conflicts.
- 17.10.070 Definition of code official.

17.10.010 Codes adopted—Copies on file.

A. The International Building Code, 2018 Edition, as amended by Chapter 51-50 WAC, including the Appendix Chapters G, Flood Resistant Construction; I, Patio Covers; and J, Grading.

1. The following sections of the International Building Code, 2018 Edition, are amended to read as follows:

a. Section 101.1.

These regulations shall be known as the Building Code of the City of Chehalis, Washington, hereinafter referred to as “this code.”

b. Section 101.4.1, Electrical.

The provisions of the 2017 National Electric Code as adopted in City of Chehalis Municipal Code Chapter 17.10.010(C) shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto.

c. Section 101.4.4, Plumbing.

The provisions of the 2018 Uniform Plumbing Code as adopted by City of Chehalis Municipal Code Chapter 17.10.010(D) shall apply to the installation, alteration, repair and replacement of plumbing systems, including equipment, appliances, fixtures, fittings and appurtenances, and where connected to a water or sewage system and all aspects of a medical gas system. The provisions of the State of Washington requirements for private sewage disposal shall apply to private sewage disposal systems.

d. Section 101.4.5, 2018 International Property Maintenance Code.

The provisions of the 2018 International Property Maintenance Code as adopted by City of Chehalis Municipal Code Chapter 17.10.010(F) shall apply to existing structures and premises; equipment and facilities; light, ventilation, space heating, sanitation, life and fire safety hazards, responsibilities of owners, operators and occupants; and occupancy of existing premises and structures.

e. Section 101.4.7, 2018 Washington State Energy Code.

The provisions of the 2018 Washington International Energy Conservation Code/Washington State Energy Code adopted by City of Chehalis Chapter 17.10.010(G) shall apply to all matters governing the design and construction of buildings for energy efficiency and will be known as the Washington State Energy Code.

f. Section 105.5, Expiration.

Every permit issued shall become invalid unless the work authorized by such permit is inspected within 180 days after its issuance, and within 180 days thereafter for all required inspections per section 109. If the work authorized by such permit is suspended or abandoned for a period of 180 days after the last required inspection the building official is authorized to grant, in writing, up to two extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

- g. Section 108.3 shall have a new sentence added to the end of the paragraph as follows:

The value for commonly built structures shall be determined by using the Building Code and Permit fees as established in Chehalis Municipal Code 17.10.020.

- h. Section 109.3.9, Special inspections.

Special inspections required by this code and Section 1704 shall be made by Special Inspection Labs and Inspectors certified and approved by Washington Association of Building Officials (WABO) or based upon adequate documentation and approved national certification, the Building Official can approve an Agency for inspection and testing work.

2. The following sections of the International Building Code, 2018 Edition, are deleted:

- a. Section 112—Board of appeals.
- b. Section 113.2—Notice of violation.
- c. Section 113.3—Prosecution of violation.
- d. Section 113.4—Violation penalties.

B. The International Residential Code, 2018 Edition, as amended by Chapter 51-51 WAC, including Appendix Chapters G, Swimming Pools, Spas, and Hot Tubs; H, Patio Covers and U-Dwelling Unit Fire Sprinkler Systems, V- Fire Sprinklers, ~~excluding nonmandatory provisions for sprinkling systems. In addition to the adoption of Appendices U and V above, any addition, alteration or restoration of one and two family dwelling units and townhomes exceeding 50 percent of the value shall be required to comply with requirements for new dwelling units.~~

The following sections of the International Residential Code are amended to read as follows:

1. Section 105.5, Expiration.

Every permit issued shall become invalid unless the work authorized by such permit is inspected within 180 days after its issuance, and within 180 days thereafter for all required inspections per section 109. If the work authorized by such permit is suspended or abandoned for a period of 180 days after the last required inspection the building official is authorized to grant, in writing, up to two extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

2. R109.2, Inspection agencies.

The building official is authorized to accept reports of approved agencies, provided such agencies satisfy the requirements as to qualifications and reliability as required by Washington Association of Building Officials (WABO) requirements for Special Inspection Agencies or based upon adequate documentation and approved national certification the Building Official can approve an Agency for inspection and testing work.

3. Table R301.2(a), Climatic and Geographic Design Criteria, to be filled in as follows:

Ground Snow Load: 25 psf. Minimum design is 25 psf.

Wind Speed (mph): 85 mph 3-second gust

Seismic Design Category: D1

Subject to Damage From Weathering: Moderate

Frost Line Depth: 12"

Termite: Slight to moderate

Decay: moderate to severe

Winter Design Temp.: 25° F

Air Freezing Index: 172

Mean Annual Temperature: 52° F

- C. The National Electric Code, 2017 Edition.
- D. The Uniform Plumbing Code, 2018 Edition.
- E. The International Mechanical Code, 2018 Edition.
- F. The International Property Maintenance Code, 2018 Edition.

The following sections of the International Property Maintenance Code, 2018 Edition, are amended:

1. Section 103.1, General.

[A] 103.1 General. The department of property maintenance inspection is hereby created and the executive official in charge thereof shall be known as the Director of Community Development (or equivalent position) or his/her designee. All references to "code official" shall mean the Director of Community Development (or equivalent position) or his/her designee.

2. Section 103.2, Appointment.

[A] 103.2 Appointment. The Director of Community Development (or equivalent position) is hereby appointed as the "code official."

3. Section 106, Violations, shall be reinstated in its entirety with the following amendments:

[A] 106.3 Prosecution of violation. Any person failing to comply with a notice of violation or order served in accordance with Section 107 shall be deemed guilty of a misdemeanor or civil infraction as indicated in CMC Chapter 17.10.040, and the violation shall be deemed a strict liability offense. If the notice of violation is not complied with, the code official shall 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 structure in violation of the provisions of this code or of the order or direction made pursuant thereto. Any action taken by the authority having jurisdiction on such premises shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

[A] 106.4 Violation penalties. Any person who shall violate a provision of this code, or fail to comply therewith, or with any of the requirements thereof, shall be prosecuted in accordance with CMC Chapter 17.10.040. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

4. Section 107, Notices and orders, shall be reinstated in its entirety with the following amendment:

[A] 107.5 Penalties. Penalties for noncompliance with orders and notices shall be as set forth in CMC Chapter 17.10.040.

5. Section 111, Means of appeals.

[A] 111.1 Application for appeal. Any person directly affected by a decision of the code official or a notice or order issued under this code shall have the right to appeal to the Hearings Examiner, provided that a written application for appeal is filed within 20 days after the day the decision, notice or order was served. 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 the requirements of this code are adequately satisfied by other means.

[A] 111.4 Open hearing. Hearings before the Hearings Examiner shall be open to the public. The appellant, the appellant's representative, the code official and any person whose interests are affected shall be given an opportunity to be heard.

[A] 111.5 Postponed hearing. Postponement or continuance of an appeal maybe requested by either Party to the matter. All postponements or continuances of a hearing shall be approved or denied by the Hearings Examiner.

[A] 111.6.1 Records and copies. The decision of the Hearings Examiner shall be recorded. Copies shall be furnished to the appellant and to the code official.

[A] 111.6.2 Administration. The code official shall take immediate action in accordance with the decision of the board.

[A] 111.7 Court review. Any person, whether or not a previous party of the appeal, shall have the right to apply to the appropriate court for a writ of certiorari to correct errors of law. Application for review shall be made in the manner and time required by law following the filing of the decision in the office of the chief administrative officer.

[A] 111.8 Stays of enforcement. Appeals of notice and orders (other than Imminent Danger notices) shall stay the enforcement of the notice and order until the appeal is heard by the Hearings Examiner.

G. The 2018 Washington International Energy Conservation Code as adopted by the state.

H. The International Mechanical Code, 2018 Edition, as amended by Chapter 51-52 WAC, published by the International Code Council, and the International Fuel Gas Code, 2018 Edition, except that the standards for liquefied petroleum gas installations shall be NFPA 58 (Storage and Handling of Liquefied Petroleum Gases) and ANSI Z223.1/NFPA 54 (National Fuel Gas Code), as the mechanical code of the city.

I. The Uniform Plumbing Code, 2018 Edition, as amended by Chapter 51-56 WAC, published by the International Association of Plumbing and Mechanical Officials, as amended by Chapter 51-56 WAC, including Appendix M as amended; provided, that any provisions of such code affecting fuel gas piping are not adopted, is adopted as the plumbing code for the city.

J. The International Existing Building Code, 2018 Edition, published by the International Code Council.

K. The 2018 Edition of the International Fire Code, as amended.

L. The International Fire Code, 2018 Edition, as amended by Chapter 51-54 WAC, including those standards of the National Fire Protection Association specifically referenced in the International Fire Code; provided, that, notwithstanding any wording in this code, participants in religious ceremonies shall not be precluded from carrying handheld candles. Section 308.3.1, Open-flame cooking devices, is deleted in its entirety. Section 503, Fire apparatus access roads, is also adopted. Finally, such adoption shall include appendices.

1. The following sections of the International Fire Code are amended to read as follows:

a. Section 101.1, Title.

These regulations shall be known as the Fire Code of the City of Chehalis hereinafter referred to as "this code."

i. Wherever the word "jurisdiction" is used in the International Fire Code, it means the City of Chehalis.

ii. Wherever the term "corporate counsel" is used in the International Fire Code, it means the attorney for the City of Chehalis.

iii. "Fire Department" means the Chehalis Fire Department.

iv. "Fire Chief" means the chief of the Chehalis Fire Department or his/her designee.

b. Section 3404.2.9.5.1, Locations where above-ground tanks are prohibited.

The limits referred to in Section 3404.2.9.5.1 of the International Fire Code in which storage of Class I and Class II liquids outside in aboveground storage tanks is prohibited, are established as [insert zones, areas, etc.], except for tanks that comply with Section 3404.2.8 Vaults.

c. Section 3804.2, Maximum capacity within established limits.

The limits referred to in Section 3804.2 of the International Fire Code in which liquefied petroleum gas is restricted are established in Table 3804.3 when referring to above-ground containers.

d. Appendix B, Section B105, Fire-Flow Requirements for Buildings.

B105.1 One and two family dwellings. Water tender credit, as established by the Washington Surveying and Rating Bureau, shall be permitted to satisfy the minimum fire-flow and flow duration requirements for one and two family dwellings in the Urban Growth Area (UGA).

2. The following sections of the International Fire Code are deleted:

a. Section 108, Board of appeals.

b. Section 109.2, Notice of violation.

c. Section 109.2.1, Service.

d. Section 109.2.2, Compliance with orders and notices.

e. Section 109.2.3, Prosecution of violations.

f. Section 109.3, Violation penalties.

g. Section 109.3.1, Abatement of violations.C

M. International Urban-Wildland Interface Code, Chapters 2, 3, and 4 and Appendix E, as published by the International Code Council.

17.10.020 Building code review and permit fees.

The determination of value or valuation under any of the provisions of this code shall be made by the building official based on the valuation data established by the International Code Council (ICC) or other nationally

recognized building organizations under the provisions of building standards valuation data for commercial projects, and as established in the city of Chehalis standardized table for residential projects. The value to be used in computing the building and building plan review fees shall be the total of all construction work for which the permit is issued as well as all finish work, painting, roofing, electrical, plumbing, heating, air conditioning, elevators, and other permanent equipment.

All building code review and permit fees are established by the ordinance by the City Council as currently adopted or amended in the future.

17.10.030 Fire code permit, plan review and inspection fees.

A. For installation or alteration of any of the following systems or devices, the fee will be based on the Chehalis Fee Schedule as adopted by the City Council or amended in the future.

*Contact Chehalis Fire Department for fees.

1. Fire alarm systems.
2. Fire extinguishing systems.
3. Smoke removal systems.
4. Kitchen hood and duct systems.
5. Dust removal systems.
6. Flammable/combustible liquids.
7. Application of flammable/combustible finishes.
8. Commercial drying ovens.
9. Compressed gas systems.
10. Explosives/magazines.
11. LPG installations.
12. Hazardous materials storage.
13. Refrigeration systems.
14. Technical assistance provisions of UFC 103.1.1.
15. All other fire protection requirements such as access, calculation of fire flow or life safety requirements or other reviews conducted pursuant to the international codes, standards and ordinances adopted by the city.

17.10.040 Violations, abatement and penalties.

A. Investigation of Complaint. Upon receipt of information or upon personal observation that a violation exists as defined in this chapter, the enforcement officer shall cause an investigation of the matter and premises involved. All entries upon

premises for the purpose of this chapter shall be subject to subsection (I) of this section.

B. Abatement Procedure. After having made a finding that a violation exists, the enforcement officer shall require the owner of the premises involved, as listed by the Lewis County assessor's office, to abate the violation at his or her own cost and expense, in whole or in part. The enforcement officer shall give written notice to the owner describing the property involved, the condition to be corrected, and a specified reasonable time within which the owner must correct the condition, which shall not be less than fourteen days from the date of service by mail as evidenced by the postmark on the notice. In the event of an emergency condition, of which the enforcement officer

shall be the sole judge, the time of compliance may be reduced to twenty-four hours. The notice must further specify:

1. That if the owner fails to abate the violation within the specified period of time, the city shall cause the work to be performed and shall assess all or any portion of the cost thereof against the owner;
2. That the owner may be liable for civil penalties for each day or part of day that the condition continues to exist following the notice; and
3. That the owner additionally may be liable to criminal prosecution, as provided in this chapter.

C. **Service of Notice of Violation.** The notice given by the enforcement officer to the owner shall be deposited in the United States Mail by certified mail with a return receipt requested or shall be personally served by delivering a copy thereof to the owner or by leaving the same with a person of suitable age (eighteen years or older) and discretion at the owner's place of residence. If the owner is not a resident of the city, the notice shall be served by leaving the same with the tenant in possession of the property or, if there is no such tenant, by posting a copy of the notice in a conspicuous place on the property involved, and by mailing a copy thereof to the owner at his or her last known address as listed by the Lewis County assessor's office, if any. Service by mail will be deemed complete at the end of the third full day following its deposit in the U.S. Mail, postage prepaid.

D. **Failure to Comply with Notice of Violation.** After the time for compliance and a notice of violation has expired, the code enforcement officer shall reinspect the premises and determine if the violation has been abated as required in the notice of violation. In the event of no action or insufficient action to abate the violation, the code enforcement officer may take any and all means necessary to enforce the applicable code, including but not limited to: issuance of civil infractions, issuance of criminal citations, commencement of civil, criminal, and equitable proceedings with the assistance of the city attorney to abate a violation and have the violation abated by the city.

E. **Liability for Costs of Abatement.** The property owner shall be liable for all costs and expenses associated with a violation abatement conducted by the city of any building, structure or on the premises. In all cases where the city abates any such violation, the enforcement officer shall keep an account of all costs and expenses attending such abatement. The amount of the cost of such abatement shall be assessed against the real property upon which such cost was incurred unless such amount is previously paid. Upon certification to the Lewis County treasurer by the finance director of the city of Chehalis, the treasurer shall enter the amount of such assessment upon the tax rolls against the property for the current year and the same shall become a part of the general taxes for that year to be collected at the same time and with interest at such rates and in such manner as provided for delinquent taxes, and when collected to be deposited to the credit of the general fund of the municipality. The assessment shall constitute a lien against the property which shall be of equal rank with state, county and municipal taxes. The city shall reserve the right to negotiate with property owners to recover the costs of abatement.

F. **Liability for Continuing Violation.** Every successive owner or occupant of property who neglects to abate a continuing violation upon or in the use of such property caused by a former owner is liable thereof in the same manner as the owner who created it.

G. **Cumulative Effect of Chapter.** The provisions of this chapter shall be cumulative and in addition to the provisions of the now existing ordinances of the city, and shall not have the effect of repealing any ordinance of the city now in effect.

H. **Violations—Civil Infraction—Misdemeanor—Gross Misdemeanor.**

1. Any person, firm or corporation who knowingly violates or fails to comply with any term or provision of this chapter shall be deemed to have committed the following:
 - a. **First Offense.** Constitutes a Class 1 civil infraction with the maximum assessment not to exceed the amount of two hundred fifty dollars, not including statutory assessments.
 - b. **Second Offense.** Constitutes a misdemeanor and, if found guilty, shall be subject to a fine not to exceed one thousand dollars, plus costs and assessments, and/or imprisonment not to exceed ninety days

or to both such fine and imprisonment. A second offense shall mean a violation of this chapter which is committed at the same location by the same individual within one calendar year of the first offense.

c. **Third or Subsequent Offenses.** Constitutes a gross misdemeanor and, if found guilty, shall be subject to a fine not to exceed five thousand dollars, plus costs and assessments, and/or imprisonment not to exceed three hundred and sixty-five days or both such fine and imprisonment. A third or subsequent offense shall mean a violation of this chapter which is committed at the same location by the same individual within one calendar year of the first offense.

I. **Right of Entry for Inspection and Code Enforcement.** Whenever necessary to make an inspection to enforce any provision of this code, or whenever there is reasonable cause to believe that there exists a violation of this code in any building or upon any premises within the jurisdiction of the city, any authorized official of the city may, upon presentation of proper credentials, enter such building or premises at all reasonable times to inspect the same or to perform any duty imposed upon him or her by this code; provided, that except in emergency situations, he or she shall first give the owner and/or occupant, if they can be located after reasonable effort, seventy-two hours' written notice of the authorized official's intention to inspect. In the event the owner and/or occupant refuses entry, the official is empowered to seek assistance from any court of competent jurisdiction in obtaining such entry.

17.10.050 Hearings examiner—Powers and duties.

All appeals authorized by the codes shall be to the city's hearing examiner as established by Chapter 2.50 CMC. The hearing examiner shall utilize the procedures and penalties set forth in this chapter. The hearing examiner shall serve in lieu of all boards of appeals mentioned or described in the codes as adopted and amended by the city.

17.10.060 Conflicts.

The penalties provided in this chapter are intended to be in addition to, and not to supersede, any penalties provided in any of the codes adopted in CMC 17.10.010. In the event of a conflict between the penalty provisions of this chapter and the penalty provisions in any of the codes, this chapter shall control.

17.10.070 Definition of code official.

The term "code official" for purposes of all codes within this chapter shall mean the Director of Community Development (or equivalent position) or his/her designee.