

ORDINANCE O-4524

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO MODIFICATIONS TO TITLE 21 OF THE KIRKLAND MUNICIPAL CODE REGARDING BUILDING AND CONSTRUCTION.

1 The City Council of the City of Kirkland do ordain as follows:

2 Section 1. Kirkland Municipal Code Section 21.06.020 is
3 amended to read as follows:

4

5 **21.06.020 Scope.**

6 (a) This chapter establishes the administrative, organizational and
7 enforcement rules and regulations for the technical codes which
8 regulate site preparation and construction, alteration, moving,
9 demolition, repair, use and occupancy of buildings, structures and
10 building service equipment within the corporate limits of the city. The
11 provisions of this chapter shall apply to the administration of the
12 following technical codes:

13 (1) ~~2012~~ 2015 International Building Code—Chapter 51-50 WAC;

14 (2) ~~2012~~ 2015 International Residential Code—Chapter 51-51
15 WAC;

16 (3) ~~2012~~ 2015 International Mechanical Code—Chapter 51-52
17 WAC;

18 (4) ~~2012~~ 2015 National Fuel Gas Code (NFPA 54)—Chapter 51-52
19 WAC;

20 (5) Kirkland Electrical Code;

21 (6) 2008 Liquefied Petroleum Gas Code (NFPA 58)—Chapter 51-52
22 WAC;

23 (7) ~~2012~~ 2015 International Fuel Gas Code—Chapter 51-52 WAC;

24 (8) ~~2012~~ 2015 Uniform Plumbing Code—Chapters 51-56 and 51-
25 57 WAC;

26 (9) ~~2012 International Energy Conservation Code—Chapters 51-
27 11C and 51-11R WAC.~~

28

29 Section 2. Kirkland Municipal Code Section 21.06.025 is
30 amended to read as follows:

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32 **21.06.025 Definitions.**

33 For the purpose of this chapter, certain terms, phrases, words and their
34 derivatives shall have the meanings set forth in this section or in the
35 definitions provisions of the technical codes. Where terms are not
36 defined, they shall have their ordinary accepted meanings within the

context with which they are used. Webster's Third International Dictionary of the English Language, Unabridged, latest edition, shall be considered as providing ordinary accepted meanings. Words used in the singular include the plural and the plural the singular. Words used in the masculine gender include the feminine and the feminine the masculine.

(1) "Action" means a specific response complying fully with a specific request by the jurisdiction.

(2) "Existing Structure" means a structure erected prior to the date of adoption of the appropriate code, or one for which a legal building permit has been issued.

(3) "Building service equipment" means and refers to the plumbing, mechanical and electrical equipment including piping, wiring, fixtures, and other accessories which provide sanitation, lighting, heating, ventilation, cooling, refrigeration, fire fighting, and transportation facilities essential to the occupancy of the building or structure for its designated use.

(4) "Complete response" means an adequate response to all requests from city staff in sufficient detail to allow the application to be processed.

(5) "Energy code" means the International Energy Conservation Code promulgated by the International Code Council as adopted by the city.

(6) "IBC" means the latest edition of the International Building Code promulgated by the International Code Council as adopted by the city.

(7) "IEBC" means the latest edition of the International Existing Building Code promulgated by the International Code Council.

~~(7)~~ (8) "IMC" means the latest edition of the International Mechanical Code promulgated by the International Code Council as adopted by the city.

(9) "ISPSC" means the latest edition of the International Swimming Pool and Spa Code promulgated by the International Code Council as adopted by the city.

~~(8)~~ (10) "IRC" means the latest edition of the International Residential Code promulgated by the International Code Council as adopted by the city.

~~(9)~~ (11) "KMC" means the Kirkland Municipal Code.

(12) "KPMC" means the Kirkland Property Maintenance Code.

~~(10)~~ (13) "NEC" means the latest edition of the National Electrical Code promulgated by the National Fire Protection Association as amended by the Washington Cities Electrical Code as adopted by the city.

~~(11)~~ (14) "Occupancy" means the purpose for which a building, or part thereof, is used or intended to be used.

~~(12)~~ (15) "Shall," as used in this chapter, is mandatory.

~~(13)~~ (16) "Technical codes" are the codes, appendices and referenced code standards adopted by the jurisdiction.

(14) (17) "UPC" means the latest edition of the Uniform Plumbing Code promulgated by the International Association of Plumbing and Mechanical Officials as adopted by the jurisdiction.

(15) (18) "Valuation" or "value," used in computing the plan review and permit (inspection) fees, means the total value of all construction work, including labor and materials, for which the permit is issued, as well as all finish work, painting, roofing, electrical, plumbing, heating, air conditioning, elevators, fire-extinguishing systems, or any other permanent work or permanent equipment.

Section 3. Kirkland Municipal Code Section 21.06.035 is amended to read as follows:

21.06.035 Intent.

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

Section 4. Kirkland Municipal Code Section 21.06.045 is amended to read as follows:

21.06.045 International Building Code—Scope.

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

Exceptions:

(1) Detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories above grade plane in height with separate means of egress and their accessory structures not more than three stories above grade plane in height, shall comply with the International Residential Code.

(2) Roads, bridges, sidewalks, drainage structures, retaining walls, street lighting poles, traffic signal poles and similar structures regulated, approved and inspected by the city's public works department.

(3) Electrical transmission towers and telephone poles (not including cell towers) under the control of a utility.

Section 5. Kirkland Municipal Code Section 21.06.050 is amended to read as follows:

21.06.050 International Residential Code—Scope.

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

Exceptions:

1. Live/work units located in townhouses and complying with the requirements of Section 419 of the International Building Code shall be permitted to be built as one- constructed in accordance with the International Residential Code for One- and two family dwellings or townhouses. ~~Two-Family Dwellings. and two family dwellings or townhouses.~~ Fire suppression required by Section 419.5 of the International Building Code ~~when~~ where constructed under the International Residential Code for One- and Two-Family Dwellings shall conform to Section 903.3.1.3 of the International Building Code.

2. Owner-occupied lodging houses with one or two guestrooms shall be permitted to be constructed in accordance with the International Residential Code for One- and Two-Family Dwellings.

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

Section 6. Kirkland Municipal Code Chapter 21.06 is amended to include a new section 21.06.071 to read as follows:

21.06.071 Property Maintenance - Scope.

The provisions of the Kirkland Property Maintenance Code 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 7. Kirkland Municipal Code Section 21.06.075 is amended to read as follows:

21.06.075 Energy—Scope.

176 The provisions of the ~~International Energy Conservation~~ Washington
 177 State Energy Code shall apply to all matters governing the design and
 178 construction of buildings for energy efficiency.

179 Section 8. Kirkland Municipal Code Chapter 21.06 is amended to
 180 include a new section 21.06.076 to read as follows:
 181

182 **21.06.76 Existing Structures - Scope.**

183 The provisions of the International Existing Building Code shall apply to
 184 matters governing the repair, alteration, change of occupancy, addition
 185 to and relocation of existing structures.
 186

187 Section 9. Kirkland Municipal Code Section 21.06.115 is
 188 amended to read as follows:
 189

190 **21.06.115 Existing structures.**

191 The legal occupancy of any structure existing on the date of adoption
 192 of the technical codes shall be permitted to continue without change,
 193 except as is otherwise specifically covered provided in this chapter, the
 194 International Fire Code, or as is deemed necessary by the building
 195 official or fire official for the general safety and welfare of the occupants
 196 and the public. ~~Modifications to existing structures shall be permitted to~~
 197 ~~be performed in accordance with WAC 51-50-480000 (International~~
 198 ~~Existing Building Code).~~

199 **(1) Additions, alterations or repairs.** Additions, alterations or
 200 repairs to any structure shall conform to the requirements for a new
 201 structure without requiring the existing structure to comply with the
 202 requirements of this code, unless otherwise stated. Additions,
 203 alterations or repairs and relocations shall not cause an existing
 204 structure to become unsafe or adversely affect the performance of the
 205 building.

206 **EXCEPTIONS:**

207 1. Additions with less than 500 square feet of conditioned floor area are
 208 exempt from the requirements for Whole House Ventilation Systems,
 209 Section M1508.

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

214 **(2) Buildings not previously occupied.** A building or portion of a
 215 building that has not been previously occupied or used for its intended
 216 purpose in accordance with the laws in existence at the time of its
 217 completion shall comply with the provisions of the International Building
 218 Code or International Residential Code, as applicable, for new
 219 construction or with any current permit for such occupancy.

220 **(3) Buildings previously occupied.** The legal occupancy of any
 221 building existing on the date of adoption of this code shall be permitted
 222 to continue without change, except as otherwise specifically provided in

this code, the International Fire Code or International Property Maintenance Code, or as is deemed necessary by the building official for the general safety and welfare of the occupants and the public.

Section 10. Kirkland Municipal Code Chapter 21.06 is amended to include a new section 21.06.116 to read as follows:

21.06.116 Moved buildings—Building, Mechanical, Plumbing, Energy.

Buildings or structures moved into or within a jurisdiction shall comply with the provisions of this chapter, the International Building Code (chapter 51-50 WAC), the International Residential Code (chapter 51-51 WAC), the International Mechanical Code (chapter 51-52 WAC), the International Fire Code (chapter 51-54 WAC), the Uniform Plumbing Code and Standards (chapter 51-56 WAC), and the Washington State Energy Code (chapter 51-11R WAC) for new buildings or structures.

EXCEPTION: IRC buildings or structures are not required to comply if:

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

Section 11. Kirkland Municipal Code Section 21.06.160 is amended to read as follows:

21.06.160 Right of entry.

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

Section 12. Kirkland Municipal Code Section 21.06.170 is amended to read as follows:

21.06.170 Liability.

(1) The building official or employee charged with the enforcement of this chapter and the technical codes, while acting for the jurisdiction in good faith and without malice in the discharge of the duties required by this chapter or other pertinent law or ordinance, shall not thereby be civilly or criminally rendered liable personally and is hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties. Any suit instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this chapter shall be defended by legal representative of the jurisdiction until the final termination of the proceedings. The building official or any subordinate shall not be liable for cost in any action, suit or proceeding that is instituted in pursuance of the provisions of this chapter and the technical codes.

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

Section 13. Kirkland Municipal Code Section 21.06.180 is amended to read as follows:

21.06.180 Used materials and equipment.

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

Section 14. Kirkland Municipal Code Section 21.06.185 is amended to read as follows:

21.06.185 Modifications.

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

318 Section 15. Kirkland Municipal Code Section 21.06.190 is
319 amended to read as follows:

320 **21.06.190 Alternative materials, design and methods of**
321 **construction and equipment.**

322 The provisions of this chapter and the technical codes are not intended
323 to prevent the installation of any material or to prohibit any design or
324 method of construction not specifically prescribed by this chapter and
325 the technical codes; provided, that any such alternative has been
326 approved. An alternative material, design or method of construction
327 shall be approved where the building official finds that the proposed
328 design is satisfactory and complies with the intent of the provisions of
329 this chapter and the technical codes, and that the material, method or
330 work offered is, for the purpose intended, ~~at least~~ not less than the
331 equivalent of that prescribed in the technical codes in quality, strength,
332 effectiveness, fire resistance, durability and safety. Where the
333 alternative material, design or method of construction is not approved,
334 the building official shall respond in writing, stating the reasons why the
335 alternative was not approved. The building official is authorized to
336 charge an additional fee to evaluate any proposed alternate under the
337 provisions of this section.
338

339 Section 16. Kirkland Municipal Code Section 21.06.205 is
340 amended to read as follows:

341
342 **21.06.205 Required.**

343 Any owner or owner's authorized agent who intends to construct,
344 enlarge, alter, repair, move, demolish, or change the occupancy of a
345 building or structure, or to erect, install, enlarge, alter, repair, remove,
346 convert or replace any electrical, gas, mechanical or plumbing system,
347 the installation of which is regulated by this chapter or one of the
348 technical codes, or to cause any such work to be ~~done~~ performed, shall
349 first make application to the building official and obtain the required
350 permit. A separate permit is required for each building or structure.
351 Exception: When deemed appropriate by the building official, accessory
352 buildings and structures may be included under the permit of the main
353 building or structure.
354

355 Section 17. Kirkland Municipal Code Section 21.06.215 is
356 amended to read as follows:

357
358 **21.06.215 Work exempt from permit.**

359 Exemptions from permit requirements of this chapter shall not be
360 deemed to grant authorization for any work to be done in any manner
361 in violation of the provisions of the technical codes or any other laws or
362 ordinances of this jurisdiction. Permit exemptions shall not apply to
363 areas of flood hazard or city land use critical areas and their required
364 buffers. Permits shall not be required for the following:

- 365 (1) Building.
366 (A) Accessory structures.
- 367 (i) One-story detached IRC accessory structures used as tool and
368 storage sheds, one-story tree-supported play structures, playhouses
369 and similar use, but not including vehicle storage, provided the floor
370 area does not exceed two hundred square feet, and, except one-story
371 tree-supported play structures, the height does not exceed twelve feet
372 from the grade plane to the highest point of the roof.
- 373 (ii) One-story detached IBC accessory structures used as tool and
374 storage sheds, one-story tree-supported play structures, playhouses
375 and similar uses, but not including vehicle storage, provided the floor
376 area does not exceed one hundred twenty square feet and, except one-
377 story tree-supported play structures, the height does not exceed twelve
378 feet from the grade plane to the highest point of the roof.
- 379 (B) Fences not over six feet high.
380 (C) Oil derricks.
381 (D) Retaining walls which are not over four feet in height measured
382 from the bottom of the footing to the top of the wall, unless
383 supporting a surcharge or impounding Class I, II or III-A liquids.
384 (E) Water tanks supported directly on grade if the capacity does not
385 exceed five thousand gallons and the ratio of height to diameter
386 or width does not exceed two to one.
387 (F) Sidewalks, decks and driveways not more than thirty inches
388 above grade and not over any basement or story below and
389 which are not part of an accessible route.
390 (G) Replacement of nonstructural siding on IRC structures except for
391 veneer, stucco or exterior finish and insulation systems (EFIS).
392 (H) In-kind re-roofing of one- and two-family dwellings, provided the
393 roof sheathing is not removed or replaced.
394 (I) Painting, papering, tiling, carpeting, cabinets, countertops and
395 similar finish work; provided, that existing accessibility features
396 are not altered.
397 (J) Temporary motion picture, television and theater stage sets and
398 scenery.
399 (K) Prefabricated swimming pools accessory to a one- and two-
400 family dwelling which are less than twenty-four inches deep, do
401 not exceed five thousand gallons and are installed entirely above
402 ground.
403 (L) Swings, slides and other similar playground equipment.
404 (M) Window awnings supported by an exterior wall of one- and two-
405 family dwellings which do not project more than fifty-four inches
406 from the exterior wall and do not require additional support.
407 (N) In-kind window replacement for IRC structures where no
408 alteration of structural members is required and when the
409 window U-values meet the current prescriptive requirements of
410 the International Energy Conservation Code.
411 (O) Nonfixed and movable cases, counters and partitions not over
412 five feet, nine inches in height.

- 413 (P) Satellite earth station antennas six and one-half feet or less in
- 414 diameter or diagonal in zones other than residential zones.
- 415 (Q) Satellite earth station antennas three and one-quarter feet or
- 416 less in diameter in residential zones.
- 417 (R) Video programming service antennas three and one-quarter feet
- 418 or less in diameter or diagonal dimension, regardless of zone.
- 419 (S) Job shacks that are placed at a permitted job site during
- 420 construction may be allowed on a temporary basis and shall be
- 421 removed upon final approval of construction. A job shack is a
- 422 portable structure for which the primary purpose is to house
- 423 equipment and supplies, and which may serve as a temporary
- 424 office during construction for the purposes of the construction
- 425 activity.
- 426 (T) Flag and light poles that do not exceed twenty feet in height. (An
- 427 electrical permit may still be required.)
- 428 (2) Electrical.
- 429 (A) Portable motors or other portable appliances energized by means
- 430 of a cord or cable having an attachment plug end to be connected
- 431 to an approved receptacle when that cord or cable is permitted
- 432 by the National Electrical Code;
- 433 (B) Repair or replacement of fixed motors, transformers or fixed
- 434 approved appliances or devices rated fifty amps or less which are
- 435 like-in-kind in the same location;
- 436 (C) Temporary decorative lighting, when used for a period not to
- 437 exceed ninety days and removed at the conclusion of the ninety-
- 438 day period;
- 439 (D) Repair or replacement of current-carrying parts of any switch,
- 440 conductor or control device which are like-in-kind in the same
- 441 location;
- 442 (E) Repair or replacement of attachment plug(s) and associated
- 443 receptacle(s) rated fifty amperes or less which are like-in-kind in
- 444 the same location;
- 445 (F) Repair or replacement of any over current device which is like-
- 446 in-kind in the same location;
- 447 (G) Repair or replacement of electrodes or transformers of the same
- 448 size and capacity for signs or gas tube systems;
- 449 (H) Removal of electrical wiring;
- 450 (I) All wiring for low voltage installations within a one-family dwelling
- 451 unit or its accessory structure except wired security, fire or smoke
- 452 alarm systems, provided the power is supplied by a listed Class 2
- 453 power supply and none of the wiring penetrates the wall or
- 454 ceiling between the dwelling unit and an attached garage or wall
- 455 separating two dwelling units;
- 456 (J) The installation, alteration or repair of electrical wiring, apparatus
- 457 or equipment or the generation, transmission, distribution or
- 458 metering of electrical energy or in the operation of signals or the
- 459 transmission of intelligence by a public or private utility in the
- 460 exercise of its function as a serving utility;

- 461 (K) Portable generators serving only cord- and plug-connected loads
- 462 supplied through receptacles on the generator;
- 463 (L) Travel trailers;
- 464 (M) Like-in-kind replacement of one or more of the following:
- 465 contactor, relay, timer, starter, circuit board, or similar control
- 466 component; household appliance; circuit breaker; fuse;
- 467 residential luminaire; lamp; snap switch; dimmer; receptacle
- 468 outlet; thermostat; heating element; luminaire ballast with an
- 469 exact same ballast; component(s) of electric signs, outline
- 470 lighting, skeleton neon tubing when replaced on site by an
- 471 appropriate electrical contractor and when the sign, outline
- 472 lighting or skeleton neon tubing electrical system is not modified;
- 473 ten-horsepower or smaller motor; and induction detection loops
- 474 described in WAC 296-46B-300(2) and used to control gate
- 475 access devices.
- 476 (3) Mechanical.
- 477 (A) Portable heating, cooking, or clothes drying appliances.
- 478 (B) Portable ventilation equipment.
- 479 (C) Portable cooling unit.
- 480 (D) Steam, hot or chilled water piping within any heating or cooling
- 481 equipment regulated by this chapter.
- 482 (E) Replacement of any part which does not alter its approval or
- 483 make it unsafe.
- 484 (F) Portable evaporative cooler.
- 485 (G) Self-contained refrigeration system containing ten pounds or less
- 486 of refrigerant and actuated by motors of one horsepower or less.
- 487 (H) Portable fuel cell appliances that are not connected to a fixed
- 488 piping system and are not interconnected.
- 489 (4) Plumbing.
- 490 (A) The stopping and/or repairing of leaks in drains, water, soil,
- 491 waste or vent pipe; provided, however, that should any
- 492 concealed trap, drain pipe, water, soil, waste or vent pipe
- 493 become defective and it becomes necessary to remove and
- 494 replace the same with new material, the same shall be considered
- 495 as new work and a permit shall be obtained and inspection made
- 496 as provided in this chapter.
- 497 (B) The clearing of stoppages, or the repairing of leaks in pipes,
- 498 valves or fixtures and the removal and reinstallation of water
- 499 closets, provided such repairs do not involve or require
- 500 replacement or rearrangement of valves, pipes or fixtures.
- 501 (C) Reinstallation or replacement of prefabricated fixtures that do not
- 502 involve or require the replacement or rearrangement of valves or
- 503 pipes.

504 Section 18. Kirkland Municipal Code Section 21.06.250 is
 505 amended to read as follows:

506 **21.06.250 Validity of permit.**

The issuance or granting of a permit shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this chapter or of any other ordinance of the jurisdiction. Permits presuming to give authority to violate or cancel the provisions of this chapter or other ordinances of the jurisdiction shall not be valid. The issuance of a permit based on construction documents and other data shall not prevent the building official from requiring the correction of errors in the construction documents and other data. The building official is ~~also~~ authorized to prevent occupancy or use of a structure where in violation of this chapter or of any other ordinances of this jurisdiction.

Section 19. Kirkland Municipal Code Section 21.06.255 is amended to read as follows:

21.06.255 Permit expiration.

(a) Every building permit and its associated ancillary permits issued for an IRC permitted structure or for a tenant space within an existing building shall expire in two years from the date of issuance. Within two years of the issuance of the permit for an IRC structure, the outside must be complete including roofing, siding, windows, exterior doors and applicable site and right-of-way improvements. The two years to complete the IRC structure may not be extended.

(b) Every LSM permit and every building permit and its associated ancillary permits issued for a commercial, educational, institutional, multifamily, public, industrial or similar structure shall expire in three years from the date of issuance.

(c) Sign permits and electrical, mechanical, and plumbing permits not associated with a building permit shall expire one year from the date of issuance.

(d) The building official may grant a thirty-day extension of time for permits when only the final inspection is remaining and all other work has been approved.

(e) It is a violation of this chapter to allow a permit to expire without first obtaining an approved final inspection.

Exception 1: A new building permit approved to current code and issued for an IRC structure to complete the work covered by a previous, expired permit shall expire in:

(1) One year if the framing inspection was not approved on the previous permit; or

(2) Six months if the framing inspection was approved on the previous permit and the exterior of the structure is not completed per subsection (3) of this section; or

(3) Two years if the outside of the structure is complete including roofing, siding, windows, exterior doors and applicable site and right-of-way improvements.

553 Exception 2: For permits resulting from work without a permit or other
 554 code enforcement action(s), the expiration date will be determined by
 555 the building official.

556 Section 20. Kirkland Municipal Code Section 21.06.256 is
 557 amended to read as follows:
 558

559 **21.06.256 Permit renewals.**

560 An existing building permit may be renewed one time, without a loss of
 561 vesting, for a fee of one-half the original permit fee, provided the permit
 562 has not been expired for more than one year and the framing inspection
 563 has been approved. Permit renewals shall expire in:

- 564 (1) Six months if the exterior of the structure is not completed per
 565 subsection (2) of this section; or
 566 (2) Two years if the outside of the structure is complete including
 567 roofing, siding, windows, exterior doors and applicable site and right-
 568 of-way improvements.
 569

570 Section 21. Kirkland Municipal Code Section 21.06.257 is hereby
 571 repealed.
 572

573 Section 22. Kirkland Municipal Code Section 21.06.267 is
 574 amended to read as follows:
 575

576 **21.06.267 Floor and roof design loads.**

577 (a) Live Loads Posted. ~~Where the live loads~~ In commercial or industrial
 578 buildings, for which each floor or portion thereof ~~of a commercial or~~
 579 ~~industrial building is or has been~~ designed to exceed for live loads
 580 exceeding ~~fifty~~ 50 psf (2.40kN/m²), such design live loads shall be
 581 conspicuously posted by the owner or the owner's authorized agent in
 582 that part of each story in which they apply, using durable signs. It shall
 583 be unlawful to remove or deface such notices.

584 (b) Issuance of Certificate of Occupancy. A certificate of occupancy
 585 required by Section 21.06.540 shall not be issued until the floor load
 586 signs required by this section have been installed.

587 (c) Restrictions on Loading. It shall be unlawful to place, cause or
 588 permit to be placed, on any floor or room of a building structure or
 589 portion thereof, a load greater than is permitted by this code.
 590

591 Section 23. Kirkland Municipal Code Section 21.06.275 is
 592 amended to read as follows:
 593

594 **21.06.275 Information on construction documents.**

595 Construction documents shall be dimensioned and submitted
 596 electronically. ~~drawn upon suitable material.~~ ~~Electronic media~~
 597 Construction documents printed on suitable material are permitted to
 598 be submitted when approved by the building official. Construction
 599 documents shall be of sufficient clarity to indicate the location, nature

and extent of the work proposed and show in detail that it will conform to the provisions of this chapter and relevant laws, ordinances, rules and regulations. The plans must include the relevant items listed in this section and any other information or documents deemed necessary by the building official.

(1) Building.

(A) Fire Protection System Shop Drawings. Shop drawings for the fire protection system(s) shall be submitted to indicate conformance with this chapter and the construction documents and shall be approved prior to the start of system installation. Shop drawings shall contain all information as required by the referenced installation standards in Chapter 9 of the IBC. Shop drawings shall be prepared by a certified individual as required by the state of Washington.

(B) Means of Egress. The construction documents shall show in sufficient detail the location, construction, size and character of all portions of the means of egress in compliance with the provisions of this chapter. In occupancies within the scope of the International Building Code, the construction documents shall designate the number of occupants to be accommodated on every floor, and in all rooms and spaces.

(C) Exterior Wall Envelope. Construction documents for all buildings shall describe the exterior wall envelope in sufficient detail to determine compliance with this chapter. The construction documents shall provide details of the exterior wall envelope as required, including flashing, intersections with dissimilar materials, corners, end details, control joints, intersections at roof, eaves or parapets, means of drainage, water-resistant membrane and details around openings. The construction documents shall include manufacturer's installation instructions that provide supporting documentation that the proposed penetration and opening details described in the construction documents maintain the weather resistance of the exterior wall envelope. The supporting documentation shall fully describe the exterior wall system ~~which~~ that was tested, where applicable, as well as the test procedure used.

Exception: Subject to the approval of the building official, one- and two-family dwellings and private garages may be exempt from the detailing requirements of this section.

(D) Building Enclosure Design Requirements of Chapter 64.55 RCW (~~Otherwise Known as Engrossed House Bill (EHB) 1848~~). Building enclosure design documents of new or rehabilitated multifamily buildings that are subject to regulations of ~~Engrossed House Bill 1848~~ Chapter 64.55 RCW must be submitted at the time of permit application. All applications for building construction or rehabilitation shall include design documents prepared and stamped by an architect or engineer that identify the building enclosure (building enclosure documents), including, but not limited to, waterproofing, weatherproofing and/or otherwise protected from water or moisture intrusion, unless a recorded irrevocable sale prohibition covenant is submitted to the city.

648 The city is prohibited from issuing a permit for construction or
649 rehabilitative construction unless the building enclosure documents
650 contain a stamped statement by the person stamping the building
651 enclosure design documents in substantially the following form: "The
652 undersigned has provided building enclosure documents that in my
653 professional judgment are appropriate to satisfy the requirements of
654 ~~sections 1 through 10 of EHB 1848~~ RCW 64.55.005 through 64.55.090."
655 The city is not responsible for determining whether the building
656 enclosure design documents or the inspections performed are adequate
657 or appropriate to satisfy the requirements of the act.

658 (E) Site Plan. The construction documents submitted with the
659 application for permit shall be accompanied by a site plan showing to
660 scale the size and location of new construction and existing structures
661 on the site, significant trees, distances from lot lines, easements, the
662 established street grades and the proposed finished grades and, as
663 applicable, flood hazard areas, floodways, and design flood elevations;
664 and it shall be drawn in accordance with an accurate boundary line
665 survey. Where design flood elevations are not specified, they shall be
666 established in accordance with Section 1612.3.1 of the IBC; in the case
667 of demolition, the site plan shall show construction to be demolished
668 and the location and size of existing structures and construction that are
669 to remain on the site or plot. The building official is authorized to waive
670 or modify the requirement for a site plan ~~when~~ where the application
671 for permit is for alteration or repair or ~~when~~ where otherwise warranted.

672 (F) Structural information. For structures designed to the IBC, the
673 construction documents shall provide the information specified in
674 Section 1603. For structures designed to the IRC, buildings and
675 structures utilizing braced wall design, and where required by the
676 building official, braced wall lines shall be identified on the construction
677 documents. Pertinent information including, but not limited to, bracing
678 methods, location and length of braced wall panels and foundation
679 requirements of braced wall panels at top and bottom shall be provided.

680 (2) Electrical.

681 (A) Electrical Engineer. Electrical plans for the following installations
682 shall be prepared by, or under the direction of, a consulting electrical
683 engineer registered under Chapter 18.43 RCW and Chapters 392-344,
684 246-320, and 388-97 WAC. All electrical plans must bear the engineer's
685 stamp and signature.

686 (i) All educational facilities, hospitals and nursing homes;

687 (ii) All services or feeders rated one thousand six hundred amperes or
688 larger;

689 (iii) All installations identified in the National Electrical Code requiring
690 engineering supervision;

691 (iv) As required by the building official for installations which by their
692 nature are complex, hazardous or pose unique design problems.

693 (B) Information on Construction Documents. Construction documents
694 shall identify the name and classification of the facility and clearly show
695 the electrical installation or alteration in floor plan view, include all

switchboard and panelboard schedules and, when a service or feeder is to be installed or altered, must include a riser diagram, load calculation, fault current calculation, and interrupting rating of equipment.

(C) Penetrations. Construction documents shall indicate where penetrations will be made for electrical systems and shall indicate the materials and methods for maintaining required structural safety, fire-resistance rating and fireblocking.

(D) Load Calculations. Where an addition or alteration is made to an existing electrical system, an electrical load calculation shall be prepared to determine if the existing electrical service has the capacity to serve the added load.

(E) Site Plan. The construction documents submitted with the application for permit shall be accompanied by a site plan showing to scale the size and location of new construction and existing structures and equipment and distances from lot lines.

(F) Plan Review Required. Electrical plan review is required for all new or altered electrical projects in the following occupancies and/or installations:

Exception: Subject to the approval of the building official, electrical plan review is not required for the occupancies and/or installations listed below when the scope of work is for conduit(s) only and electrical plans for the project have been submitted for review.

(i) Educational, institutional, or health care facilities/buildings as follows:

- a. Hospital;
- b. Nursing home unit or long-term care unit;
- c. Boarding home;
- d. Assisted living facility;
- e. Private alcoholism hospital;
- f. Alcoholism treatment facility;
- g. Private psychiatric hospital;
- h. Maternity home;
- i. Ambulatory surgery facility;
- j. Renal hemodialysis clinic;
- k. Residential treatment facility for psychiatrically impaired children and youth;
- l. Adult residential rehabilitation center;
- m. Educational facilities;
- n. Institutional facilities.

Exception: Electrical plan review is not required for the above educational, institutional, or health care facilities/buildings where:

- a. Lighting specific projects that result in an electrical load reduction on each feeder involved in the project;
- b. Low voltage systems;
- c. Modification to existing electrical installations where all of the following conditions are met:
 1. Service or distribution equipment involved is rated less than one hundred amperes and does not exceed two hundred fifty volts;

2. Does not involve emergency systems other than listed unit equipment per NEC 700.12(F);
3. Does not involve branch circuits or feeders of an essential electrical system as defined in NEC 517.2; and
4. Service and feeder load calculations are increased by five percent or less;
- d. Stand-alone utility fed services that do not exceed two hundred fifty volts and less than one hundred amperes where the project's distribution system does not include:
 1. Emergency systems other than listed unit equipment per NEC 700.12(F);
 2. Critical branch circuits or feeders as defined in NEC 517.2; or
 3. A required fire pump system.
- (ii) Installations in occupancies, except one- and two-family dwellings, where a service or feeder rated one hundred amperes or greater is installed or altered or if more than one hundred amperes are added to the service or feeder.
- (iii) All work on electrical systems operating at/over six hundred volts.
- (iv) All commercial generator installations or alterations.
- (v) All work in areas determined to be hazardous (classified) locations by the NEC.
- (vi) If sixty percent or more of luminaires change, and there is an increase in the lighting load.
- (vii) Installations of switches or circuit breakers rated four hundred amperes or over except for one- and two-family dwellings.
- (ix) Solar photovoltaic systems.
- (x) Any proposed installation which cannot be adequately described in the application form.
- (xi) Temporary electrical services exceeding four hundred amps.
- (3) Plumbing. Plans must be submitted for review and approval whenever the work exceeds the thresholds shown on the MyBuildingPermit.com tipsheet.
- (4) Mechanical. Plans must be submitted for review and approval whenever the work exceeds the thresholds shown on the MyBuildingPermit.com tipsheet.

Section 24. Kirkland Municipal Code Section 21.06.335 is amended to read as follows:

21.06.335 Approval of construction documents.

When the building official issues a permit, the construction documents shall be approved, in writing, label or by stamp, as "Reviewed By" or other similar words. One set of construction documents so reviewed shall be retained by the building official. ~~The other~~ Another set shall be returned to the applicant, shall be kept at the site of work and shall be available for inspection by the building official or a duly authorized representative.

791 Section 25. Kirkland Municipal Code Section 21.06.345 is
 792 amended to read as follows:
 793

794 **21.06.345 Design professional in responsible charge—General.**

795 ~~When~~ Where it is required that documents be prepared by a qualified
 796 registered design professional, the building official shall be authorized
 797 to require the owner or the owner's authorized agent to engage and
 798 designate on the building permit application a registered design
 799 professional who shall act as the registered design professional in
 800 responsible charge. If the circumstances require, the owner or the
 801 owner's authorized agent shall designate a substitute registered design
 802 professional in responsible charge who shall perform the duties required
 803 of the original registered design professional in responsible charge. The
 804 building official shall be notified in writing by the owner or the owner's
 805 authorized agent if the registered design professional in responsible
 806 charge is changed or is unable to continue to perform the duties. The
 807 registered design professional in responsible charge shall be responsible
 808 for reviewing and coordinating submittal documents prepared by others,
 809 including phased and deferred submittal items, for compatibility with the
 810 design of the building. Where structural observation is required by
 811 Chapter 17 of the IBC, the inspection program shall name the individual
 812 or firms who are to perform structural observation and describe the
 813 stages of construction at which structural observation is to occur.
 814

815 Section 26. Kirkland Municipal Code Section 21.06.390 is
 816 amended to read as follows:
 817

818 **21.06.390 Schedule of permit fees.**

819 On buildings, grading, structures, signs, electrical, gas, mechanical, and
 820 plumbing systems or alterations requiring a permit, a fee for each permit
 821 shall be paid as required, in accordance with the schedule as established
 822 by the Kirkland city council City Council.
 823

824 Section 27. Kirkland Municipal Code Section 21.06.420 is
 825 amended to read as follows:
 826

827 **21.06.420 General.**

828 Construction or work for which a permit is required shall be subject to
 829 inspection by the building official and such construction or work shall
 830 remain accessible and exposed for inspection purposes until approved.
 831 Approval as a result of an inspection shall not be construed to be an
 832 approval of a violation of the provisions of this chapter or of other
 833 ordinances of the jurisdiction. Inspections presuming to give authority
 834 to violate or cancel the provisions of this chapter or of other ordinances
 835 of the jurisdiction shall not be valid. It shall be the duty of the ~~permit~~
 836 ~~applicant~~ owner or the owner's authorized agent to cause the work to
 837 remain accessible and exposed for inspection purposes. Neither the
 838 building official nor the jurisdiction shall be liable for expense entailed

in the removal or replacement of any material required to allow inspection.

The building official is authorized to establish a self-certification program whereby certain installations, by approved contractors, will only be subject to spot inspections.

Section 28. Kirkland Municipal Code Section 21.06.480 is amended to read as follows:

21.06.480 Exterior finish and insulation systems (EFIS), lath inspection and gypsum board and gypsum panel product inspection.

EFIS, ~~lath and~~ lath, gypsum board and gypsum panel product inspections shall be made after backing, lathing or gypsum board and gypsum panel products, interior and exterior, ~~is~~ are in place, but before any plastering is applied or gypsum board and gypsum panel product joints and fasteners are taped and finished.

Exception: Interior gypsum board and gypsum panel products that is are not part of a fire-resistance-rated assembly or a shear assembly.

Section 29. Kirkland Municipal Code Section 21.06.530 is amended to read as follows:

21.06.530 Approval required.

Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the building official. The building official, upon notification, shall make the requested inspections and shall either indicate the portion of the construction that is satisfactory as completed, or notify the permit holder or his or her agent wherein the same fails to comply with this chapter. Any portions that do not comply shall be corrected within the time frame established by the building official and such portion shall not be covered or concealed until authorized by the building official.

Section 30. Kirkland Municipal Code Section 21.06.535 is amended to read as follows:

21.06.535 Use and occupancy.

~~No~~ A building or structure shall not be used or occupied, and ~~no~~ a change in the existing use or occupancy classification of a building or structure or portion thereof shall not be made until the building official has issued a certificate of occupancy therefor as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this chapter or of other ordinances of the jurisdiction.

(1) Work exempt from permits per Section 21.06.215.

(2) For single-family dwellings and their accessory structures, the city-issued building permit inspection record may serve as the certificate of

occupancy when the final inspection has been approved by the building official or the building official's designee.

Section 31. Kirkland Municipal Code Section 21.06.540 is amended to read as follows:

21.06.540 Certificate issued.

After the building official inspects the building or structure and ~~finds no~~ does not find violations of the provisions of this chapter or other laws that are enforced by the planning and building department, the building official shall issue a certificate of occupancy that contains the following:

- (1) The building permit number.
- (2) The address of the structure.
- (3) The name and address of the owner or the owner's authorized agent.
- (4) A description of that portion of the structure for which the certificate is issued.
- (5) A statement that the described portion of the structure has been inspected for compliance with the requirements of this chapter for the occupancy and division of occupancy and the use for which the proposed occupancy is classified.
- (6) The name of the building official.
- (7) The edition of the code under which the permit was issued.
- (8) The use and occupancy.
- (9) The type of construction.
- (10) The design occupant load where applicable.
- (11) If an automatic sprinkler system is provided, and whether the sprinkler system is required and for what reason.
- (12) Any special stipulations and conditions of the building permit.

Section 32. Kirkland Municipal Code Section 21.06.555 is amended to read as follows:

21.06.555 Connection of service utilities.

~~No~~ A person shall not make connections from a utility, source of energy, fuel or power to any building or system that is regulated by this chapter for which a permit is required, until approval is given by the building official.

Section 33. Kirkland Municipal Code Section 21.06.565 is amended to read as follows:

21.06.565 Authority to disconnect service utilities.

The building official shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this chapter and the codes referenced in case of emergency where necessary to eliminate an immediate hazard to life or property, or ~~when~~ where such utility connection has been made without the required

approval. The building official shall notify the serving utility, and wherever possible the owner and occupant of the building, structure or service system, of the decision to disconnect prior to taking such action. If not notified prior to disconnecting, the owner or occupant of the building, structure or service system shall be notified in writing, as soon as practical thereafter.

Section 34. Kirkland Municipal Code Section 21.06.615 is amended to read as follows:

21.06.615 Issuance.

The stop work order shall be in writing and shall be given to the owner of the property involved, ~~or to the owner's agent,~~ authorized agent or to the person doing performing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the ~~order,~~ order and the conditions under which the cited work will be permitted to resume.

Section 35. Kirkland Municipal Code Section 21.06.630 is amended to read as follows:

21.06.630 Unsafe structures and equipment.

Structures or existing equipment that are or hereafter become unsafe, unsanitary or deficient because of inadequate means of egress facilities, inadequate light and ventilation, or ~~which~~ that constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or that involve illegal or improper occupancy or inadequate maintenance, shall be deemed an unsafe condition. Unsafe structures shall be taken down and removed or made safe, as the building official deems necessary and as provided for in Chapter 21.41 the ~~1997 Edition of the Uniform Code for the Abatement of Dangerous Buildings or the 1997 Edition of the Uniform Housing Code~~ current edition of the Kirkland Property Maintenance Code. A vacant structure that is not secured against entry shall be deemed unsafe.

Section 36. Kirkland Municipal Code Section 21.08.010 is amended to read as follows:

21.08.010 International Building Code adopted.

The ~~2012~~2015 Edition of the International Building Code, as adopted by the State Building Code Council in Chapter 51-50 WAC, as published by the International Code Council, excluding Chapter 1, "Administration," is adopted, together with the following amendments. The Construction Administrative Code, as set forth in Chapter 21.06 KMC, shall be used in place of IBC Chapter 1, Administration.

Section 37. Kirkland Municipal Code Section 21.08.017 is amended to read as follows:

983 **21.08.017 ~~Special requirements for standby power systems~~**
 984 **IBC Section 403.4.8.1 amended.**

985 Section ~~403.4.7.1~~ 403.4.8.1 of the IBC is amended to read:

986 ~~Special requirements for standby power systems~~ Equipment Room. If
 987 the standby system is a generator set inside a building, the system shall
 988 be located in a separate room enclosed with 2-hour fire barriers
 989 constructed in accordance with Section ~~403.4.7.1.1~~ 403.4.8.1.1 and
 990 Section 707 or horizontal assemblies constructed in accordance with
 991 Section ~~712~~ 711, or both. System supervision with manual start and
 992 transfer features shall be provided at the fire command center.

993 Exception: In Group I-2, Condition 2, manual start and transfer features
 994 for the critical branch of the emergency power are not required to be
 995 provided at the fire command center.

996 Section 38. Kirkland Municipal Code Section 21.08.018 is
 997 amended to read as follows:

998
 999 **21.08.018 Penetrations.**

1000 A new Section ~~403.4.7.1.1~~ 403.4.8.1.1 is added to the IBC to read:

1001 Penetrations. Penetrations into and openings through a room containing
 1002 a standby power system are prohibited except for required exit doors,
 1003 equipment and ductwork necessary for heating, cooling or ventilation,
 1004 sprinkler branch line piping, or electrical raceway serving the standby
 1005 power system or being served by the standby power system. Such
 1006 penetrations shall be protected in accordance with Section ~~713~~ 714.

1007 Exception: Metallic piping with no joints or openings where it passes
 1008 through the standby power system room.

1009 Section 39. Kirkland Municipal Code Section 21.08.020 is
 1010 amended to read as follows:

1011
 1012 **21.08.020 IBC Section ~~403.4.7.2~~ 403.4.8.3 amended.**

1013 Section ~~403.4.7.2~~ 403.4.8.3 of the IBC is amended to read:

1014 ~~403.4.7.2~~ 403.4.8.3 Standby power loads. The following are classified
 1015 as standby power loads:

1016 1. Power and lighting for the fire command center required by Section
 1017 ~~403.4.5~~ 403.4.6;

- 1018 ~~2. Electrically powered fire pumps;~~
- 1019 3. Ventilation and automatic fire detection equipment for smokeproof
1020 enclosures;
- 1021 4. Smoke control systems.
- 1022 ~~5. Standby power shall be provided for elevators in accordance with~~
1023 ~~Sections 1007.4, 3003, 3007 and 3008. Elevators.~~
- 1024 6. Where elevators are provided in a high-rise building for accessible
1025 means of egress, fire service access or occupant self-evacuation, the
1026 standby power system shall also comply with Sections 1009.4, 3007 or
1027 3008, as applicable.

1028 Fuel-fired emergency generator sets and associated fuel storage,
1029 including optional generator sets, located more than 75 feet above the
1030 lowest level of Fire Department vehicle access requires the approval of
1031 the Fire Code Official.

1032 Section 40. Kirkland Municipal Code Section 21.08.025 is
1033 amended to read as follows:

1034

1035 **21.08.025 IBC Section ~~403.15~~ amended 403.7 added.**

1036 Chapter 4 of the IBC is amended and supplemented by the addition of
1037 a new Section ~~403.15~~ 403.7 to read:

1038 ~~403.15~~ 403.7 Smoke control. A smoke control system meeting the
1039 requirements of Section 909 shall be provided in buildings that exceed
1040 ten stories, or contain a use requiring defend-in-place firefighting
1041 operations in which occupants of some area cannot readily evacuate
1042 that area. This includes portions of facilities housing functions essential
1043 to continuity of public safety operations, and Group I and LC
1044 Occupancies where in the judgment of the Building Official and Fire
1045 Code Official, occupants having limited capacity for self-preservation are
1046 located on floors more than 75' above the lowest level of Fire
1047 Department vehicle access. A smoke control system for a defend-in-
1048 place use may be a performance-based design to protect that use
1049 without providing smoke control throughout the entire building, but shall
1050 otherwise comply with Section 909.

1051 Exception: Smoke control may be omitted when approved
1052 by the Building Official and Fire Code Official.

1053 Section 41. Kirkland Municipal Code Section 21.08.030 is
1054 amended to read as follows:

1055

1056 **21.08.030 IBC Section 405.8 amended.**

1057 Section 405.8 of the IBC is amended to read:

1058 405.8 Standby Power and emergency power. A standby power system
 1059 complying with Section 2702 shall be provided for standby power loads
 1060 specified in Section ~~405.9.1~~ 405.8.1. An emergency power system
 1061 complying with Section 2702 shall be provided for the emergency power
 1062 loads specified in Section 405.8.2.

1063 Fuel-fired emergency generator sets and associated fuel storage,
 1064 including optional generator sets, located more than 30 feet below the
 1065 lowest level of exit discharge requires the approval of the Fire Code
 1066 Official.

1067 Section 42. Kirkland Municipal Code Section 21.08.035 is hereby
 1068 repealed.

1070 Section 43. Kirkland Municipal Code Section 21.08.040 is
 1071 amended to read as follows:

1072 **21.08.040 IBC Section ~~708.2~~ Exception ~~2.1~~ 712.1.3.1 amended.**

1074 Section ~~708.2~~ Exception ~~2.1~~ 712.1.3.1 of the International Building Code
 1075 is hereby amended to read:

1076 ~~2.1.~~ Opening size. Where the area of the floor opening between stories
 1077 does not exceed twice the horizontal projected area of the escalator or
 1078 stairway and the opening is protected by a draft curtain and closely
 1079 spaced sprinklers in accordance with NFPA 13. This application is limited
 1080 to openings that do not connect more than four stories in buildings not
 1081 required to have smoke control systems. In buildings that are required
 1082 to have smoke control systems, escalators are limited to openings that
 1083 do not connect more than four stories and non-egress stairs are limited
 1084 to openings that do not atmospherically connect more than two stories.

1085 Section 44. Kirkland Municipal Code Section 21.08.070 is
 1086 amended to read as follows:

1088 **21.08.070 Penetrations into fire command centers.**

1089 Chapter 9 of the IBC is amended and supplemented with the addition
 1090 of a new Section 911.2 to read as follows:

1091 911.2 Penetrations. Penetrations into and openings through a fire
 1092 command center are prohibited except for required exit doors,
 1093 equipment and ductwork necessary for heating, cooling or ventilation,
 1094 sprinkler branch line piping, electrical raceway for fire department
 1095 communication and control and electrical raceway serving the fire
 1096 command center or being controlled from the fire command center. Such
 1097 penetrations shall be protected in accordance with Section ~~713~~ 714.

1098 Exception: Metallic piping with no joints or openings.

1099 Section 45. Kirkland Municipal Code Chapter 21.08 is amended
1100 to include a new section 21.08.050 to read as follows:

1101

1102 **21.08.050 IBC Section 1104.4 amended.**

1103 Section 1104.4 of the IBC is amended to read:

1104 1104.4 Multistory buildings and facilities. At least one accessible route
1105 shall connect each accessible level and mezzanine in multilevel buildings
1106 and facilities.

1107 Section 46. Kirkland Municipal Code Section 21.10.010 is
1108 amended to read as follows:

1109

1110 **21.10.010 International Residential Code adopted.**

1111 The ~~2012~~2015 Edition of the International Residential Code, as adopted
1112 by the State Building Code Council in Chapter 51-51 WAC, as published
1113 by the International Code Council, excluding Chapter 1,
1114 "Administration," is ~~adopted.~~ adopted, together with the following
1115 amendments. The Construction Administrative Code, as set forth in
1116 Chapter 21.06 KMC, shall be used in place of IRC Chapter 1,
1117 Administration.

1118

1119 Section 47. Kirkland Municipal Code Section 21.10.020 is
1120 amended to read as follows:

1121

1122 **21.10.020 IRC Table R301.2(1) amended.**

1123 IRC Table R301.2(1) is amended to read:

1124 **IRC Table R301.2(1)**

1125 **Climatic and Geographic Design Criteria**

Ground Snow Load (PSF)	Wind Design				Seismic Design Category ^f
	Speed ^d (mph)	Topographic Effects ^k	Special wind region ^l	Wind-borne debris zone ^m	
25	110	No	No	No	D2

Subject To Damage From			Winter Design Temp ^e	Ice Barrier Underlayment Required ^h	Flood Hazards ^g	Air Freezing Index ⁱ	Mean Annual Temp ^j
Weathering ^a	Frost Line Depth ^b	Termite ^c					
Moderate	12 inches	Slight to Moderate	17	No	See KMC 21.56	144	49

1126 a. Weathering may require a higher strength concrete or grade of
1127 masonry than necessary to satisfy the structural requirements of this
1128 code. The weathering column shall be filled in with the weathering index
1129 (i.e., "negligible," "moderate" or "severe") for concrete as determined

- 1130 from the Weathering Probability Map [Figure R301.2(3)]. The grade of
 1131 masonry units shall be determined from ASTM C 34, C 55, C 62, C 73,
 1132 C 90, C 129, C 145, C 216 or C 652.
- 1133 b. The frost line depth may require deeper footings than indicated in
 1134 Figure R403.1(1). The jurisdiction shall fill in the frost line depth column
 1135 with the minimum depth of footing below finish grade.
- 1136 c. The jurisdiction shall fill in this part of the table to indicate the need
 1137 for protection depending on whether there has been a history of local
 1138 subterranean termite damage.
- 1139 d. The jurisdiction shall fill in this part of the table with the wind speed
 1140 from the basic wind speed map [Figure R301.2(4)A]. Wind exposure
 1141 category shall be determined on a site-specific basis in accordance with
 1142 Section R301.2.1.4.
- 1143 e. The outdoor design dry-bulb temperature shall be selected from
 1144 ~~the columns of 97 1/2 percent values for winter~~ Table C-1 (Redmond)
 1145 ~~from in~~ Appendix D C of the International Plumbing Washington State
 1146 Energy Code. Deviations from the Appendix D C temperatures shall be
 1147 permitted to reflect local climates or local weather experience as
 1148 determined by the building official.
- 1149 f. The jurisdiction shall fill in this part of the table with the seismic
 1150 design category determined from Section R301.2.2.1.
- 1151 g. The jurisdiction shall fill in this part of the table with (a) the date
 1152 of the jurisdiction's entry into the National Flood Insurance Program
 1153 (date of adoption of the first code or ordinance for management of flood
 1154 hazard areas), (b) the date(s) of the Flood Insurance Study and (c) the
 1155 panel numbers and dates of all currently effective FIRMs and FBFMs or
 1156 other flood hazard map adopted by the authority having jurisdiction, as
 1157 amended.
- 1158 h. In accordance with Sections R905.2.7.1, R905.4.3.1, R905.5.3.1,
 1159 R905.6.3.1, R905.7.3.1 and R905.8.3.1, where there has been a history
 1160 of local damage from the effects of ice damming, the jurisdiction shall
 1161 fill in this part of the table with "YES." Otherwise, the jurisdiction shall
 1162 fill in this part of the table with "NO."
- 1163 i. The jurisdiction shall fill in this part of the table with the 100-year
 1164 return period air freezing index (BF-days) from Figure R403.3(2) or from
 1165 the 100-year (99 percent) value on the National Climatic Data Center
 1166 data table "Air Freezing Index-USA Method (Base 32°F)" at
 1167 www.ncdc.noaa.gov/fpsf.html.
- 1168 j. The jurisdiction shall fill in this part of the table with the mean
 1169 annual temperature from the National Climatic Data Center data table

1170 "Air Freezing Index-USA Method (Base 32°F)" at
1171 www.ncdc.noaa.gov/fpsf.html.

1172 k. In accordance with Section R301.2.1.5, where there is local
1173 historical data documenting structural damage to buildings due to
1174 topographic wind speed-up effects, the jurisdiction shall fill in this part
1175 of the table with "YES." Otherwise, the jurisdiction shall indicate "NO"
1176 in this part of the table.

1177 l. In accordance with Figure R301.2(4)A, where there is local historical
1178 data documenting unusual wind conditions, the jurisdiction shall fill in
1179 this part of the table with "YES" and identify any specific requirements.
1180 Otherwise, the jurisdiction shall indicate "NO" in this part of the table.
1181 m. In accordance with Section R301.2.1.2.1, the jurisdiction shall
1182 indicate the wind-borne debris wind zone(s). Otherwise, the jurisdiction
1183 shall indicate "NO" in this part of the table.

1184
1185 Section 48. Kirkland Municipal Code Section 21.16.010 is
1186 amended to read as follows:
1187

1188 **21.16.010 International Mechanical Code adopted.**

1189 The ~~2012~~ 2015 Edition of the International Mechanical Code, as adopted
1190 by the State Building Code Council in Chapter 51-52 WAC, as published
1191 by the International Code Council, excluding Chapter 1,
1192 "Administration," is adopted. The Construction Administrative Code, as
1193 set forth in Chapter 21.06 KMC, shall be used in place of IMC Chapter
1194 1, Administration.

1195
1196 Section 49. Kirkland Municipal Code Section 21.20.010 is
1197 amended to read as follows:
1198

1199 **21.20.010 International Fire Code adopted.**

1200 The ~~2012~~2015 Edition of the International Fire Code, as adopted by the
1201 State Building Code Council in Chapter 51-54A WAC, as published by
1202 the International Code Council is adopted.* Further, the following
1203 Appendix chapters are specifically adopted as part of the Kirkland Fire
1204 Code: Appendix Chapter B (Fire Flow Requirements for Buildings) and
1205 Appendix Chapter C (Fire Hydrant Locations and Distribution).

1206 *—Code reviser's note: The language "is adopted" has been added to
1207 this section to clarify the intent of Ordinance 4410 to adopt the fire code.
1208 Ordinance 4410 also inadvertently omitted the following note, originally
1209 added by Ordinance 4326, which has been updated with the applicable
1210 WAC reference:

1211 ~~FPN: WAC 51-54A-0503 identifies that fire apparatus access roads shall~~
1212 ~~be provided and maintained in accordance with locally adopted street,~~
1213 ~~road and access standards, and further, Sections 501.1.1 through 503.4~~
1214 ~~are not adopted. The city of Kirkland has established criteria for fire~~

1215 apparatus access roads in Operating Policy #6 which is available on the
1216 Internet and at City Hall.

1217

1218 Section 50. Kirkland Municipal Code Section 21.20.025 is
1219 amended to read as follows:

1220 **21.20.025 IFC Section 104.11.2 is amended.**

1221 104.11.2 Obstructing operations. No person shall obstruct the
1222 operations of the fire department in connection with extinguishment,
1223 investigation, or control, or investigation of any fire, or actions relative
1224 to other emergencies, or disobey any lawful command of the fire
1225 department or officer of the fire department in charge of the emergency,
1226 or any part thereof, or any lawful order of a police officer assisting the
1227 fire department.

1228 Section 51. Kirkland Municipal Code Section 21.20.030 is
1229 amended to read as follows:

1230

1231 **21.20.030 IFC Section ~~105.7~~ 105.8 is amended.**

1232 ~~105.7~~ 105.8 Flammable and combustible liquids.

1233

1234 A construction permit is required:

1235

1236 1. To repair or modify a pipeline for the transportation of flammable
1237 or combustible liquids.

1238

1239 2. To install, construct or alter tank vehicles, equipment, tanks,
1240 plants, terminals, wells, fuel-dispensing stations, refineries,
1241 distilleries and similar facilities where flammable and
1242 combustible liquids are produced, processed, transported,
1243 stored, dispensed or used.

1244

1245 3. To install, alter, remove, abandon or otherwise dispose of a
1246 flammable or combustible liquid tank.

1247

1248 Exception: A permit is not required for the abandonment or removal
1249 of underground storage tanks previously used to store fuel oil for
1250 residential heating. It is the property owner's responsibility to make the
1251 decision on how to proceed with abatement.

1252

1253 Section 52. Kirkland Municipal Code Section 21.20.032 is
1254 repealed.

1255

1256 Section 53. Kirkland Municipal Code Chapter 21.20 is amended
1257 to include a new section 21.20.055 to read as follows:

1258

1259 **21.20.055 IFC Section 503.1 is amended.**

1260 503.1 Where required. Fire apparatus access roads shall be provided
 1261 and maintained in accordance with locally adopted street, road, and
 1262 access standards. The city of Kirkland has established criteria for fire
 1263 apparatus access roads in Operating Policy #6 which is available on the
 1264 city of Kirkland Website and at City Hall.

1265
 1266 Section 54. Kirkland Municipal Code Section 21.20.065 is
 1267 amended to read as follows:

1268 **21.20.065 IFC Section 510 is amended.**

1269 Section 510 of the International Fire Code is amended to read as
 1270 follows:

1271 Section 510.1 Emergency Responder Radio Coverage in
 1272 Buildings

1273 510.1 Emergency Responder Radio Coverage. All new
 1274 buildings shall have approved radio coverage for
 1275 emergency responders within the any building installed in
 1276 accordance with ~~Section 510 of this code and with~~
 1277 ~~applicable provisions of NFPA 72, National Fire Alarm~~
 1278 ~~Signaling Code. This section shall not require improvement~~
 1279 ~~of the existing public safety communication system.~~
 1280 meeting any of the following conditions.

- 1281 1. There are more than five stories above grade plane (as defined by
- 1282 the International Building Code, Section 202);
- 1283 2. The total building area is 50,000 square feet or more;
- 1284 3. The total basement area is 10,000 square feet or more;
- 1285 Or
- 1286 4. There are floors used for human occupancy more than 30 feet below
- 1287 the finish floor of the lowest level of exit discharge.

1288 Exceptions:

1289 1. Buildings and area of buildings that have minimum radio
 1290 coverage signal strength levels of the King County Regional
 1291 800 MHz Radio System within the building in accordance
 1292 with Section 510.4.1.

1293 ~~2. Buildings constructed primarily of wood frame that do~~
 1294 ~~not have storage or parking areas that extend more than~~
 1295 ~~one level below grade.~~

1296 ~~3. Buildings thirty five (35) feet high (As defined by~~
 1297 ~~International Building Code Section 502) or less that do not~~
 1298 ~~have below grade storage or parking areas that extend~~
 1299 ~~more than one level below grade. If a building is thirty five~~
 1300 ~~(35) feet high or less, but includes subterranean storage~~

1301 ~~or parking, then the requirement for radio coverage shall~~
 1302 ~~apply only to the subterranean areas.~~

1303 ~~4. One and two family dwellings and townhouses.~~

1304 The radio system shall be installed in accordance with
 1305 Section 510 of this code and with applicable provisions of
 1306 NFPA 72, National Fire Alarm Signaling Code. This section
 1307 shall not require improvement of the existing public safety
 1308 communication system.

1309 510.2 Emergency responder radio coverage in existing
 1310 buildings. Existing buildings shall be provided with
 1311 approved radio coverage for emergency responders as
 1312 required in Chapter 11.

1313 510.3 Construction permit.

1314 A construction permit is required for installation of or
 1315 modification to emergency responder radio coverage
 1316 systems and related equipment. Maintenance performed in
 1317 accordance with this code is not considered a modification
 1318 and does not require a permit.

1319 510.4 Criteria for Installation and Maintenance of
 1320 Emergency Radio Systems is provided in Kirkland Fire
 1321 Department Operating Policy #12 which is available on the
 1322 Internet and at City Hall.

1323 Section 55. Kirkland Municipal Code Section 21.20.080 is
 1324 amended to read as follows:

1325
 1326 **21.20.080 IFC Section 901.7 is amended**

1327 Section 901.7. Systems out of service. Where a ~~required~~ fire protection
 1328 system is out of service, the fire department and the fire code official
 1329 shall be notified immediately and, where required by the fire code
 1330 official, the building shall either be evacuated or an approved fire watch
 1331 shall be provided for all occupants left unprotected by the shut down
 1332 until the fire protection system has been returned to service. Where
 1333 utilized, fire watches shall be provided with at least one approved means
 1334 for notification of the fire department and their only duty shall be to
 1335 perform constant patrols of the protected premises and keep watch for
 1336 fires.

1337
 1338 Section 56. Kirkland Municipal Code Chapter 21.20 is amended
 1339 to include a new section 21.20.083 to read as follows:

1340
 1341 **21.20.083 IFC Section 903.2 is amended**

903.2 Where required. Approved automatic sprinkler systems in new buildings and structures shall be provided in the locations described in Sections 903.2.1 through 903.2.12 and in all buildings as noted in KMC 21.33 Fire Extinguishing Systems.

Section 57. Kirkland Municipal Code Chapter 21.20 is amended to include a new section 21.20.085 to read as follows:

21.20.085 IFC Section 903.3.1.1.1 is amended

903.3.1.1.1 Exempt locations. Automatic sprinklers shall not be required in the following rooms or areas where such rooms or areas are protected with an approved automatic fire detection system in accordance with Section 907.2 that will respond to visible or invisible particles of combustion. Sprinklers shall not be omitted from a room merely because it is damp, of fire-resistance-rated construction or contains electrical equipment.

1. A room where the application of water, or flame and water, constitutes a serious life or fire hazard.

2. A room or space where sprinklers are considered undesirable because of the nature of the contents, where approved by the fire code official.

3. Generator and transformer rooms separated from the remainder of the building by walls and floor/ceiling or roof/ceiling assemblies having a fire-resistance rating of not less than 2 hours.

4. Rooms or areas that are of noncombustible construction with wholly noncombustible contents.

5. Fire service access elevator machine rooms and machinery spaces.

6. Machine rooms, machinery spaces, control rooms and control spaces associated with evacuation elevators that are not of the hydraulic type and are designed in accordance with Section 3008 of the International Building Code.

Section 58. Kirkland Municipal Code Chapter 21.20 is amended to include a new section 21.20.087 to read as follows:

21.20.087 IFC Section 903.3.1.2 is amended

903.3.1.2 NFPA 13R sprinkler systems. Automatic sprinkler systems in Group R occupancies up to and including four stories in height in buildings not exceeding 60 feet (18 288 mm) in height above grade plane shall be permitted to be installed throughout in accordance with NFPA 13R.

The number of stories of Group R occupancies constructed in accordance with Sections 510.2 and 510.4 of the International Building Code shall be measured from the lowest level of fire department access.

Section 59. Kirkland Municipal Code Section 21.20.090 is amended to read as follows:

21.20.090 IFC Section 903.4.2 is amended

Section 903.4.2. Alarms. Approved audible and visible alarm notification appliances shall be provided for every automatic sprinkler system in accordance with Section 907 and throughout areas designated by the Fire Code Official. Sprinkler water-flow alarm devices shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Alarm devices shall be provided on the exterior of the building in an approved location. Where a fire alarm system is installed, actuation of the automatic sprinkler system shall actuate the building fire alarm system.

Exception: ~~With approval of the Fire Code Official, interior audible and visible alarm notification appliances may be omitted for approved residential sprinkler systems in 1 or 2 dwelling units if not otherwise specifically required.~~ Audible and visible notification devices are not required in NFPA 13D systems.

Section 60. Kirkland Municipal Code Chapter 21.20 is amended to include a new section 21.20.091 to read as follows:

21.20.091 IFC Section 903.4.2 is amended

Section 903.4.3. Floor control valves. Approved supervised indicating control valves shall be provided at the point of connection to the riser on each floor.

Exception: When approved by the Fire Code Official in NFPA 13D and NFPA 13R systems.

Section 61. Kirkland Municipal Code Chapter 21.20 is amended to include a new section 21.20.095 to read as follows:

21.20.095 IFC Section 903.5.1 is amended

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

Exception: this requirement does not apply to systems installed in one and two family dwellings and townhouses.

Section 62. Kirkland Municipal Code Section 21.20.100 is amended to read as follows:

21.20.100 IFC Section 905.4 is amended

905.4 Location of Class I standpipe hose connections.

1433 Class I standpipe hose connections shall be provided in all of the
1434 following locations:

1435

1436 1. In every required stairway, a hose connection shall be provided for
1437 each ~~floor level~~ story above or below grade. Hose connections shall
1438 be located at an intermediate floor level landing between floors,
1439 unless otherwise approved by the fire code official.

1440

1441 2. On each side of the wall adjacent to the exit opening of a horizontal
1442 exit.

1443

1444 Exception 1:

1445 Where floor areas adjacent to a horizontal exit are reachable from exit
1446 stairway hose connections by a 30-foot (9144 mm) hose stream from a
1447 nozzle attached to 100 feet (30 480 mm) of hose, a hose connection
1448 shall not be required at the horizontal exit.

1449

1450 Exception 2:

1451 When the Fire Code Official determines that a standpipe connection is
1452 not needed.

1453

1454 3. In every exit passageway, at the entrance from the exit passageway
1455 to other areas of a building.

1456

1457 Exception: Where floor areas adjacent to an exit passageway are
1458 reachable from exit stairway hose connections by a 30-foot (9144 mm)
1459 hose stream from a nozzle attached to 100 feet (30 480 mm) of hose,
1460 a hose connection shall not be required at the entrance from the exit
1461 passageway to other areas of the building.

1462

1463 4. In covered mall buildings, adjacent to each exterior public entrance
1464 to the mall and adjacent to each entrance from an exit passageway or
1465 exit corridor to the mall. In open mall buildings, adjacent to each public
1466 entrance to the mall at the perimeter line and adjacent to each entrance
1467 from an exit passageway or exit corridor to the mall.

1468

1469 5. Where the roof has a slope less than four units vertical in 12 units
1470 horizontal (33.3-percent slope), a hose connection shall be located to
1471 serve the roof or at the highest landing of a stairway with stair access
1472 to the roof provided in accordance with Section ~~1009.16~~ 1011.12.

1473

1474 6. Where the most remote portion of a nonsprinklered floor or story is
1475 more than 150 feet (45 720 mm) from a hose connection or the most
1476 remote portion of a sprinklered floor or story is more than 200 feet (60
1477 960 mm) from a hose connection, the fire code official is authorized to
1478 require that additional hose connections be provided in approved
1479 locations.

1480 905.4.1 Protection.

1481 Risers and laterals of Class I standpipe systems not located within
1482 an enclosed stairway or pressurized enclosure shall be protected by a
1483 degree of fire resistance equal to that required for vertical enclosures in
1484 the building in which they are located.

1485 Exception: In buildings equipped throughout with an approved
1486 automatic sprinkler system, laterals that are not located within an
1487 enclosed stairway or pressurized enclosure are not required to be
1488 enclosed within fire-resistance-rated construction.

1489

1490 905.4.2 Interconnection.

1491 In buildings where more than one standpipe is provided, the
1492 standpipes shall be interconnected in accordance with NFPA 14.

1493

1494 Section 63. Kirkland Municipal Code Chapter 21.20 is amended
1495 to include a new section 21.20.103 to read as follows:

1496

1497 **21.20.103 IFC Section 905.8 is amended**

1498 905.8 Dry standpipes. Dry standpipes shall not be installed.

1499

1500 Exception: Where subject to freezing and in accordance with NFPA
1501 14 and when approved by the fire code official.

1502

1503 Section 64. Kirkland Municipal Code Chapter 21.20 is amended
1504 to include a new section 21.20.105 to read as follows:

1505

1506 **21.20.105 IFC Section 907.1 is amended**

1507 907.1 General. This section covers the application, installation,
1508 performance and maintenance of fire alarm systems and their
1509 components in new and existing building and structures. The
1510 requirements of Section 907.2 are applicable to new buildings and
1511 structures and new fire alarm systems including replacement of existing
1512 fire alarm control panels being installed in existing structures. The
1513 requirements of Section 907.9 are applicable to existing buildings and
1514 structures.

1515

1516 For the purpose of this section, fire barriers shall not be considered
1517 to create a separate building.

1518

1519 Buildings required by this section to be provided with a fire alarm
1520 system shall be provided with a single fire alarm system unless
1521 otherwise approved by the fire code official.

1522

1523 Section 65. Kirkland Municipal Code Section 21.20.110 is
1524 amended to read as follows:

1525

1526 **21.20.110 IFC Section ~~907.6.5~~ 907.6.6 is amended**

1527 Section ~~907.6.5~~ 907.6.6. Monitoring. All required fire alarm systems in
 1528 new and existing buildings shall be monitored and supervised by a local
 1529 central station, acceptable to the fire department, or a proprietary or
 1530 remote station and shall have a local alarm which will give an audible
 1531 signal. As of July 1, 1997, all buildings with existing systems must meet
 1532 the standards of this section, if not specifically required to do so earlier.

1533

1534 Exception: Supervisory service is not required for:

1535 1. Single- and multiple-station smoke alarms required by Section
 1536 ~~907.2.10~~ 907.2.11.

1537

1538 2. Automatic sprinkler systems in one- and two-family dwellings.

1539

1540 Section 66. Kirkland Municipal Code Chapter 21.20 is amended
 1541 to include a new section 21.20.330 to read as follows:

1542

1543 **21.20.330 IFC Section 3308 is amended**

1544 3308 Owner's responsibility for fire protection.

1545

1546 3308.1 Program superintendent. The owner shall designate a person to
 1547 be the fire prevention program superintendent who shall be responsible
 1548 for the fire prevention program and ensure that it is carried out through
 1549 completion of the project. The fire prevention program superintendent
 1550 shall have the authority to enforce the provisions of this chapter and
 1551 other provisions as necessary to secure the intent of this chapter.
 1552 Where guard service is provided, the superintendent shall be
 1553 responsible for the guard service.

1554

1555 3308.2 Prefire plans. The fire prevention program superintendent shall
 1556 develop and maintain an approved prefire plan in cooperation with the
 1557 fire chief. The fire chief and the fire code official shall be notified of
 1558 changes affecting the utilization of information contained in such prefire
 1559 plans.

1560

1561 3308.3 Training. Training of responsible personnel in the use of fire
 1562 protection equipment shall be the responsibility of the fire prevention
 1563 program superintendent.

1564 3308.4 Fire protection devices. The fire prevention program
 1565 superintendent shall determine that all fire protection equipment is
 1566 maintained and serviced in accordance with this code. The quantity and
 1567 type of fire protection equipment shall be approved.

1568

1569 3308.5 Hot work operations. The fire prevention program
 1570 superintendent shall be responsible for supervising the permit system
 1571 for hot work operations in accordance with Chapter 35.

1572

1573 3308.6 Impairment of fire protection systems. Impairments to any fire
 1574 protection system shall be in accordance with Section 901.

1575 3308.7 Temporary covering of fire protection devices. Coverings placed
 1576 on or over fire protection devices to protect them from damage during
 1577 construction processes shall be immediately removed upon the
 1578 completion of the construction processes in the room or area in which
 1579 the devices are installed.

1580
 1581 3308.8 Additional Requirements for high-rise buildings and wood-frame
 1582 buildings more than 50,000 square feet in area.

1583
 1584 3308.8.1 Job Site Security. After above grade combustible construction
 1585 has begun, the job site shall be secured with controlled access. In
 1586 addition, off hours guard service and/or motion controlled surveillance
 1587 may be required at the discretion of the fire code official.

1588 3308.8.2 Job shacks and other temporary structures. Job shacks and
 1589 other temporary structures located within or less than 20' from the
 1590 permanent building shall be:

- 1591 • Constructed of non-combustible materials or 1 hour fire-
 1592 resistive construction.
- 1593 • Shall not be equipped with fuel fired heaters
- 1594 • Shall be equipped with monitored fire alarm system when
 1595 located below grade
- 1596 • Shall not function as offices unless protected with
 1597 automatic sprinkler systems

1598
 1599 3308.8.2 Construction mitigations. For wood frame buildings exceeding
 1600 350,000 square feet; or 200,000 square feet when the building exceeds
 1601 50 feet in height, the following additional requirements apply:

1602
 1603 1. Mitigating fire protection barriers consisting of at least one layer of
 1604 5/8-inch gypsum board or other equivalent fire resistive materials shall
 1605 be installed such that the mitigating fire protection barrier(s) enclose
 1606 area(s) of not less than 10,000 square feet and not more than 50,000
 1607 square feet.

1608
 1609 2. When exposures exists within 60' of a building under construction,
 1610 the exterior wall of the building under construction shall be covered with
 1611 5/8-inch gypsum sheathing to include windows, doors or other openings
 1612 until interior framing members have been covered with gypsum board
 1613 or finish materials as approved in the building permit.

1614
 1615 Exception: A mitigation plan developed by a Washington State Licensed
 1616 Fire Protection Engineer. The mitigation plan may rely on temporary,
 1617 permanent and/or active measures.

1618
 1619 Section 67. Kirkland Municipal Code Chapter 21.20 is amended
 1620 to include a new section 21.20.500 to read as follows:

1621
 1622 **21.20.500 IFC Section 5003.9 is amended**

1623 Section 5003.9. General safety precautions. General precautions for the
 1624 safe storage, handling or care of hazardous materials shall be in
 1625 accordance with Sections 5003.9.1 through 5003.9.11.
 1626

1627 5003.9.11 Manufacturers Limitations. The storage and use of hazardous
 1628 material shall not exceed the manufacturer's limitations on shelf life and
 1629 any other restrictions on use.
 1630

1631 Section 68. Kirkland Municipal Code Chapter 21.20 is amended
 1632 to include a new section 21.20.530 to read as follows:
 1633

1634 **21.20.530 IFC Section 5307.2 is amended**

1635 5307.5.2 Emergency alarm system. An emergency alarm system
 1636 shall comply with all of the following:
 1637

1638 1. Continuous gas detection shall be provided to monitor areas where
 1639 carbon dioxide can accumulate.
 1640

1641 2. The threshold for activation of an alarm shall not exceed 5,000 parts
 1642 per million (9,000 mg/m3).
 1643

1644 3. Activation of the emergency alarm system shall initiate a local alarm
 1645 at the entrance to and within the room or area in which the system is
 1646 installed.
 1647

1648 4. A warning sign shall be installed at the entrance to such rooms: "If
 1649 Carbon Dioxide Alarm Sounds, Do Not Enter, Call 911."
 1650

1651 Section 69. Kirkland Municipal Code Section 21.24.010 is
 1652 amended to read as follows:
 1653

1654 **21.24.010 Uniform Plumbing Code adopted.**

1655 The ~~2012~~ 2015 Edition of the Uniform Plumbing Code, as adopted by
 1656 the State Building Code Council in Chapters 51-56 and 51-57 WAC, as
 1657 published by the International Association of Plumbing and Mechanical
 1658 Officials, excluding Chapter 1, "Administration," is adopted, together
 1659 with Appendix Chapters A, "Recommended Rules for Sizing the Water
 1660 Supply System," B, "Explanatory Notes on Combination Waste and Vent
 1661 Systems," C, "Alternate Plumbing Systems," excluding Sections C5
 1662 through C7 of Appendix C, and I, "Installation Standards."
 1663

1664 Section 70. Kirkland Municipal Code Section 21.24.020 is
 1665 amended to read as follows:
 1666

1667 **21.24.020 UPC Section ~~1101.11.2.2~~ 1101.12.2.2 amended.**

1668 Section ~~1101.11.2.2~~ 1101.12.2.2 of the UPC is amended to read:

1669 ~~1101.11.2.2(B)~~ 1101.12.2.2.2 Combined System. The secondary roof
 1670 drains shall connect to the vertical piping of the primary storm drainage
 1671 conductor downstream of ~~any~~ the last horizontal offset below the roof.
 1672 The primary storm drainage system shall connect to the building storm
 1673 water that connects to an underground public storm sewer. The
 1674 combined secondary and primary roof drain systems shall be sized in
 1675 accordance with Section ~~1106.0~~ 1103.0 based on double the rainfall for
 1676 the local area. A relief drain shall be connected to the vertical drain
 1677 piping using a wye type fitting piped to daylight on the exterior of the
 1678 building. The piping shall be sized as required for a secondary drain with
 1679 a 4" maximum.

1680 Section 71. Kirkland Municipal Code Section 21.28.010 is
 1681 amended to read as follows:

1682 **21.28.010 National Fuel Gas Code (NFPA 54) adopted.**

1683 The ~~2012~~ 2015 Edition of the National Fuel Gas Code, as adopted by the
 1684 State Building Code Council in Chapter 51-52 WAC, as published by
 1685 NFPA, is adopted.

1686
 1687 Section 72. Kirkland Municipal Code Section 21.32.010 is
 1688 amended to read as follows:

1689
 1690 **21.32.010 Liquefied Petroleum Gas Code (NFPA 58) adopted.**

1691 The ~~2008~~ 2014 Edition of the National Fuel Gas Code, as adopted by the
 1692 State Building Code Council in Chapter 51-52 WAC, as published by
 1693 NFPA, is adopted.

1694
 1695 Section 73. Kirkland Municipal Code Section 21.36.010 is
 1696 amended to read as follows:

1697 **21.36.010 International Fuel Gas Code adopted.**

1698 The ~~2012~~ 2015 Edition of the International Fuel Gas Code, as adopted
 1699 by the State Building Code Council in Chapter 51-52 WAC, as published
 1700 by the International Code Council, excluding Chapter 1,
 1701 "Administration," is adopted.

1702
 1703 Section 74. Kirkland Municipal Code Section 21.37 is amended
 1704 to read as follows:

1705 **Chapter 21.37**

1706 **INTERNATIONAL ENERGY CONSERVATION WASHINGTON**
 1707 **STATE ENERGY CODE**

1708 **21.37.010 International Energy Conservation Washington**
 1709 **State Energy Code adopted.**

1710 The ~~International Energy Conservation~~ Washington State Energy Code,
 1711 as adopted by the State Building Code Council in Chapters 51-11C and
 1712 51-11R WAC, and hereafter amended, is adopted. The Construction

1713 Administrative Code, as set forth in Chapter 21.06 KMC, shall be used
 1714 for the administration of the Washington State Energy Code.

1715 (1) Sections R107, Fees; R108, Stop Work Order; R109, Board of
 1716 appeals; R110, Violations; and R111, Liability, are not adopted.

1717 (2) Sections C107, Fees; C108, Stop Work Order; C109, Board of
 1718 appeals; C110, Violations; and C111, Liability, are not adopted.

1719
 1720 Section 75. Kirkland Municipal Code Section 21.41.101 is
 1721 amended to read as follows:

1722 **21.41.101 General.**

1723 (a) Title. These regulations shall be known as the Kirkland property
 1724 maintenance code, hereinafter referred to as "this code."

1725 (b) Scope. The provisions of this code shall apply to all existing
 1726 residential and nonresidential structures and all existing premises and
 1727 constitute minimum requirements and standards for premises,
 1728 structures, equipment and facilities for light, ventilation, space, heating,
 1729 sanitation, protection from the elements, ~~life safety~~, a reasonable level
 1730 of safety from fire and other hazards, and for safe and a reasonable
 1731 level of sanitary maintenance; the responsibility of owners, an owner's
 1732 authorized agent, operators and occupants; the occupancy of existing
 1733 structures and premises, and for administration, enforcement and
 1734 penalties.

1735 (c) Intent. This code shall be construed to secure its expressed
 1736 intent, which is to ensure public health, safety and welfare insofar as
 1737 they are affected by the continued occupancy and maintenance of
 1738 structures and premises. Existing structures and premises that do not
 1739 comply with these provisions shall be altered or repaired to provide a
 1740 minimum level of health and safety as required herein.

1741 (d) Severability. If a section, subsection, sentence, clause or phrase
 1742 of this code is, for any reason, held to be unconstitutional, such decision
 1743 shall not affect the validity of the remaining portions of this code.

1744
 1745 Section 76. Kirkland Municipal Code Section 21.41.102 is
 1746 amended to read as follows:

1747 **21.41.102 Applicability.**

1748 (a) General. Where there is a conflict between a general
 1749 requirement and a specific requirement, the specific requirement shall
 1750 govern. Where differences occur between provisions of this code and
 1751 the referenced standards, the provisions of this code shall apply. Where,
 1752 in a specific case, different sections of this code specify different
 1753 requirements, the most restrictive shall govern.

1754 (b) Maintenance. Equipment, systems, devices and safeguards
 1755 required by this code or a previous regulation or code under which the
 1756 structure or premises was constructed, altered or repaired shall be
 1757 maintained in good working order. No owner, owner's authorized agent,
 1758 operator or occupant shall cause any service, facility, equipment or
 1759 utility ~~which that~~ is required under this section to be removed from, or

1760 shut off from or discontinued for any occupied dwelling, except for such
 1761 temporary interruption as necessary while repairs or alterations are in
 1762 progress. The requirements of this code are not intended to provide the
 1763 basis for removal or abrogation of fire protection and safety systems
 1764 and devices in existing structures. Except as otherwise specified herein,
 1765 the owner or the owner's ~~designated~~ authorized agent shall be
 1766 responsible for the maintenance of buildings, structures and premises.

1767 (c) Application of Other Codes. Repairs, additions or alterations to
 1768 a structure, or changes of occupancy, shall be done in accordance with
 1769 the procedures and provisions of the Kirkland Municipal Code and the
 1770 Kirkland Zoning Code.

1771 (d) Existing Remedies. The provisions in this code shall not be
 1772 construed to abolish or impair existing remedies of the jurisdiction or its
 1773 officers or agencies relating to the removal or demolition of any
 1774 structure ~~which~~ that is dangerous, unsafe and insanitary.

1775 (e) Workmanship. Repairs, maintenance work, alterations or
 1776 installations ~~which~~ that are caused directly or indirectly by the
 1777 enforcement of this code shall be executed and installed in a
 1778 workmanlike manner and installed in accordance with the
 1779 manufacturer's installation instructions.

1780 (f) Historic Buildings. The provisions of this code shall not be
 1781 mandatory for existing buildings or structures designated as historic
 1782 buildings, as defined in the International Existing Building Code, ~~when~~
 1783 where such buildings or structures are judged by the code official to be
 1784 safe and in the public interest of health, safety and welfare.

1785 (g) Referenced Codes and Standards. The codes and standards
 1786 referenced in this code shall be those that are listed in Article VIII and
 1787 considered part of the requirements of this code to the prescribed extent
 1788 of each such reference. Where differences occur between provisions of
 1789 this code and the referenced standards, the provisions of this code shall
 1790 apply.

1791 Exception: Where enforcement of a code provision would violate the
 1792 conditions of the listing of the equipment or appliance, the conditions of
 1793 the listing shall apply.

1794 (h) Requirements Not Covered by Code. Requirements necessary
 1795 for the strength, stability or proper operation of an existing fixture,
 1796 structure or equipment, or for the public safety, health and general
 1797 welfare, not specifically covered by this code, shall be determined by
 1798 the code official.

1799 (i) Application of References. References to chapter or section
 1800 numbers, or to provisions not specifically identified by number, shall be
 1801 construed to refer to such chapter, section or provision of this code.

1802 (j) Other Laws. The provisions of this code shall not be deemed to
 1803 nullify any provisions of local, state or federal law.

1804
 1805 Section 77. Kirkland Municipal Code Section 21.41.103 is
 1806 amended to read as follows:

21.41.103 Property maintenance inspection.

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

(b) Liability. The code official, hearing examiner or employee charged with the enforcement of this code, while acting for the jurisdiction, in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered liable personally, and is hereby relieved from all personal liability for any damage accruing to persons or property as a result of an act or by reason of an act or omission in the discharge of official duties. ~~Any suit instituted against any officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by the legal representative of the jurisdiction until the final termination of the proceedings. The code official or any subordinate shall not be liable for costs in an action, suit or proceeding that is instituted in pursuance of the provisions of this code.~~

(1) Legal defense. Any suit or criminal complaint instituted against any officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by the legal representative of the jurisdiction until the final termination of the proceedings. The code official or any subordinate shall not be liable for costs in an action, suit or proceeding that is instituted in pursuance of the provisions of this code.

(c) Fees. The fees for activities and services performed by the code official in carrying out the responsibilities under this code shall be as adopted by the Kirkland city council City Council.

Section 78. Kirkland Municipal Code Section 21.41.104 is amended to read as follows:

21.41.104 Duties and powers of the code official.

(a) Inspections. The code official is authorized to make all of the required inspections, or accept reports of inspection by approved agencies or individuals. ~~All~~ Reports of such inspections shall be in writing and be certified by a responsible officer of such approved agency or by the responsible individual. The code official is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise, subject to the approval of the appointing authority.

(b) Right of Entry. Where it is necessary to make an inspection to enforce the provisions of this code, or whenever the code official has

1854 reasonable cause to believe that there exists in a structure or upon a
 1855 premises a condition in violation of this code, the code official is
 1856 authorized to enter the structure or premises at reasonable times to
 1857 inspect or perform the duties imposed by this code; provided, that if
 1858 such structure or premises is occupied the code official shall present
 1859 credentials to the occupant and request entry. If such structure or
 1860 premises is unoccupied, the code official shall first make a reasonable
 1861 effort to locate the owner, owner's authorized agent, or other person
 1862 having charge or control of the structure or premises and request entry.
 1863 If entry is refused, the code official shall have recourse to the remedies
 1864 provided by law to secure entry.

1865 (c) Identification. The code official shall carry proper identification
 1866 when inspecting structures or premises in the performance of duties
 1867 under this code.

1868 (d) Notices and Orders. The code official shall issue all necessary
 1869 notices or orders to ensure compliance with this code.

1870 (e) Department Records. The code official shall keep official records
 1871 of all business and activities of the department specified in the
 1872 provisions of this code. Such records shall be retained in the official
 1873 records for the period required for retention of public records.
 1874

1875 Section 79. Kirkland Municipal Code Section 21.41.105 is
 1876 amended to read as follows:

1877 **21.41.105 Approval.**

1878 (a) Modifications. Whenever there are practical difficulties involved
 1879 in carrying out the provisions of this code, the code official shall have
 1880 the authority to grant modifications for individual cases upon application
 1881 of the owner or owner's ~~representative~~ authorized agent, provided the
 1882 code official shall first find that special individual reason makes the strict
 1883 letter of this code impractical, ~~and~~ the modification is in compliance with
 1884 the intent and purpose of this code and that such modification does not
 1885 lessen health, life and fire safety requirements. The details of action
 1886 granting modifications shall be recorded and entered in the department
 1887 files.

1888 (b) Alternative Materials, Methods and Equipment. The provisions
 1889 of this code are not intended to prevent the installation of any material
 1890 or to prohibit any method of construction not specifically prescribed by
 1891 this code; provided, that any such alternative has been approved. An
 1892 alternative material or method of construction shall be approved where
 1893 the code official finds that the proposed design is satisfactory and
 1894 complies with the intent of the provisions of this code, and that the
 1895 material, method or work offered is, for the purpose intended, at least
 1896 the equivalent of that prescribed in this code in quality, strength,
 1897 effectiveness, fire resistance, durability and safety. Where the
 1898 alternative material, design or method of construction is not approved,
 1899 the code official shall respond in writing, stating the reasons the
 1900 alternative was not approved.

(c) Required Testing. Whenever there is insufficient evidence of compliance with the provisions of this ~~code~~, code or evidence that a material or method does not conform to the requirements of this code, or in order to substantiate claims for alternative materials or methods, the code official shall have the authority to require tests to be made as evidence of compliance at no expense to the jurisdiction.

(1) Test Methods. Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the code official shall be permitted to approve appropriate testing procedures performed by an approved agency.

(2) Test Reports. Reports of tests shall be retained by the code official for the period required for retention of public records.

(d) Used Material and Equipment. The use of used materials ~~which~~ that meet the requirements of this code for new materials is permitted. Materials, equipment and devices shall not be reused unless such elements are in good repair or have been reconditioned and tested ~~when~~ where necessary, placed in good and proper working condition and approved by the code official.

(e) Approved Materials and Equipment. Materials, equipment and devices approved by the code official shall be constructed and installed in accordance with such approval.

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

Section 80. Kirkland Municipal Code Section 21.41.107 is amended to read as follows:

21.41.107 Notices and orders (condemnation and demolition).

(a) Notice to Person Responsible. Whenever the code official is required to provide notice per Section 21.41.108(c) or Section 21.41.110(b), notice shall be given in the manner prescribed in subsections (b) and (c) of this section to the person responsible for the violation as specified in this code.

(b) Form. Such notice prescribed in subsection (a) of this section shall be in accordance with all of the following:

(1) Be in writing.

(2) Include a description of the real estate sufficient for identification.

(3) Include a statement of the violation or violations and why the notice is being issued.

(4) Include a correction order allowing a reasonable time to make the repairs and improvements required to bring the dwelling unit or structure into compliance with the provisions of this code.

(5) Inform the property owner or owner's authorized agent of the right to appeal.

(6) Include a statement of the right to file a lien in accordance with Chapter 1.12.

(c) Method of Service. Such notice shall be deemed to be properly served if a copy thereof is:

(1) Delivered personally;

(2) Sent by certified or first-class mail addressed to the last known address; or

(3) If the notice is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice.

(d) Unauthorized Tampering. Signs, tags or seals posted or affixed by the code official shall not be mutilated, destroyed or tampered with, or removed without authorization from the code official.

(e) Penalties. Penalties for noncompliance with orders and notices shall be as set forth in Chapter 1.12.

(f) Transfer of Ownership. It shall be unlawful for the owner of any dwelling unit or structure who has received a compliance order or upon whom a notice of violation has been served to sell, transfer, mortgage, lease or otherwise dispose of such dwelling unit or structure to another until the provisions of the compliance order or notice of violation have been complied with, or until such owner or the owner's authorized agent shall first furnish the grantee, transferee, mortgagee or lessee a true copy of any compliance order or notice of violation issued by the code official and shall furnish to the code official a signed and notarized statement from the grantee, transferee, mortgagee or lessee, acknowledging the receipt of such compliance order or notice of violation and fully accepting the responsibility without condition for making the corrections or repairs required by such compliance order or notice of violation.

(g) Means of Appeal. Any person directly affected by a decision of the code official or a notice or order issued under this section shall have the right to appeal as set forth in Chapter 1.12.

Section 81. Kirkland Municipal Code Section 21.41.108 is amended to read as follows:

21.41.108 Unsafe structures and equipment.

(a) General. When a structure or equipment is found by the code official to be unsafe, or when a structure is found unfit for human occupancy, or is found unlawful, the code official is authorized to condemn such structure pursuant to the provisions of this code.

(1) Unsafe Structures. An unsafe structure is one that is found to be dangerous to the life, health, property or safety of the public or the occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire, or because such structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation that partial or complete collapse is possible.

(2) Unsafe Equipment. Unsafe equipment includes any boiler, heating equipment, elevator, moving stairway, electrical wiring or

1995 device, flammable liquid containers or other equipment on the premises
 1996 or within the structure which is in such disrepair or condition that such
 1997 equipment is a hazard to life, health, property or safety of the public or
 1998 occupants of the premises or structure.

1999 (3) Structure Unfit for Human Occupancy. A structure is unfit for
 2000 human occupancy whenever the code official finds that such structure
 2001 is unsafe, unlawful or, because of the degree to which the structure is
 2002 in disrepair or lacks maintenance, is insanitary, vermin- or rat-infested,
 2003 contains filth and contamination, or lacks ventilation, illumination,
 2004 sanitary or heating facilities or other essential equipment required by
 2005 this code, or because the location of the structure constitutes a hazard
 2006 to the occupants of the structure or to the public.

2007 (4) Unlawful Structure. An unlawful structure is one found in whole
 2008 or in part to be occupied by more persons than permitted under this
 2009 code, or that was erected, altered or occupied contrary to law.

2010 (5) Dangerous Structure or Premises. For the purpose of this code,
 2011 any structure or premises that has any or all of the conditions or defects
 2012 described below shall be considered dangerous:

2013 (A) Any door, aisle, passageway, stairway, exit or other means of
 2014 egress that does not conform to the approved building or fire code of
 2015 the jurisdiction as related to the requirements for existing buildings.

2016 (B) The walking surface of any aisle, passageway, stairway, exit or
 2017 other means of egress is so warped, worn loose, torn or otherwise
 2018 unsafe as to not provide safe and adequate means of egress.

2019 (C) Any portion of a building, structure or appurtenance that has
 2020 been damaged by fire, earthquake, wind, flood, deterioration, neglect,
 2021 abandonment, vandalism or by any other cause to such an extent that
 2022 it is likely to partially or completely collapse, or to become detached or
 2023 dislodged.

2024 (D) Any portion of a building, or any member, appurtenance or
 2025 ornamentation on the exterior thereof, that is not of sufficient strength
 2026 or stability, or is not so anchored, attached or fastened in place, so as
 2027 to be capable of resisting natural or artificial loads of one and one-half
 2028 times the original designed value.

2029 (E) The building or structure, or part of the building or structure,
 2030 because of dilapidation, deterioration, decay, faulty construction, the
 2031 removal or movement of some portion of the ground necessary for the
 2032 support, or for any other reason, is likely to partially or completely
 2033 collapse, or some portion of the foundation or underpinning of the
 2034 building or structure is likely to fail or give way.

2035 (F) The building or structure, or any portion thereof, is clearly
 2036 unsafe for its use and occupancy.

2037 (G) The building or structure is neglected, damaged, dilapidated,
 2038 unsecured or abandoned so as to become an attractive nuisance to
 2039 children who might play in the building or structure to their danger,
 2040 becomes a harbor for vagrants, criminals or immoral persons, or enables
 2041 persons to resort to the building or structure for committing a nuisance
 2042 or an unlawful act.

2043 (H) Any building or structure that has been constructed, exists or
 2044 is maintained in violation of any specific requirement or prohibition
 2045 applicable to such building or structure provided by the approved
 2046 building or fire code of the jurisdiction, or of any law or ordinance to
 2047 such an extent as to present either a substantial risk of fire or building
 2048 collapse or any other threat to life and safety.

2049 (I) A building or structure, used or intended to be used for dwelling
 2050 purposes, because of inadequate maintenance, dilapidation, decay,
 2051 damage, faulty construction or arrangement, inadequate light,
 2052 ventilation, mechanical or plumbing system, or otherwise, is determined
 2053 by the code official to be unsanitary, unfit for human habitation or in
 2054 such a condition that is likely to cause sickness or disease.

2055 (J) Any building or structure, because of a lack of sufficient or
 2056 proper fire-resistance-rated construction, fire protection systems,
 2057 electrical system, fuel connections, mechanical system, plumbing
 2058 system or other cause, is determined by the code official to be a threat
 2059 to life or health.

2060 (K) Any portion of a building remains on a site after the demolition
 2061 or destruction of the building or structure or whenever any building or
 2062 structure is abandoned so as to constitute such building or portion
 2063 thereof as an attractive nuisance or hazard to the public.

2064 (6) Drug Properties and Structures. It is hereby declared that any
 2065 building, structure and/or associated property wherein or upon which
 2066 the manufacture, distribution, production or storage of illegal drugs or
 2067 the precursors to create illegal drugs has taken place in a manner which
 2068 could endanger the public, such building, structure and/or associated
 2069 property is not only a dangerous property but is also of a classification
 2070 of property calling for the special procedures set forth in this section.
 2071 The code official is authorized to abate such dangerous buildings,
 2072 structures and/or associated properties in accordance with the
 2073 dangerous building procedures set forth in such code, with the following
 2074 modifications:

2075 (A) Due to public safety hazard in drug-production facilities, the
 2076 utilities shall be disconnected;

2077 (B) Building(s) and structures will be inspected to determine
 2078 compliance with all city ordinances and codes;

2079 (C) Building(s) and any entry gates to the property will be secured
 2080 against entry.

2081 No reconnection of utilities or re-occupancy of the building(s),
 2082 structures or property shall be allowed until all violations have been
 2083 remedied and all dangerous conditions abated to the satisfaction of the
 2084 code official and a notice of release for re-occupancy has been received
 2085 from the health department.

2086 (b) Closing of Vacant Structures. If the structure is vacant and unfit
 2087 for human habitation and occupancy, and is not in danger of structural
 2088 collapse, the code official is authorized to post a placard of
 2089 condemnation on the premises and order the structure closed up so as
 2090 not to be an attractive nuisance. Upon failure of the owner or owner's

2091 authorized agent to close up the premises within the time specified in
 2092 the order, the code official shall cause the premises to be closed and
 2093 secured through any available public agency or by contract or
 2094 arrangement by private persons and the cost thereof shall be charged
 2095 against the real estate upon which the structure is located and shall be
 2096 a lien upon such real estate and may be collected by any other legal
 2097 resource.

2098 (1) Authority to Disconnect Service Utilities. The code official shall
 2099 have the authority to authorize disconnection of utility service to the
 2100 building, structure or system regulated by this code and the referenced
 2101 codes and standards set forth in Section 21.41.102(g) in case of
 2102 emergency ~~where~~ when necessary to eliminate an immediate hazard to
 2103 life or property or when such utility connection has been made without
 2104 approval. The code official shall notify the serving utility and, whenever
 2105 possible, the owner or owner's authorized agent and occupant of the
 2106 building, structure or service system of the decision to disconnect prior
 2107 to taking such action. If not notified prior to disconnection the owner,
 2108 owner's authorized agent or occupant of the building, structure or
 2109 service system shall be notified in writing as soon as practical thereafter.

2110 (2) Standards for Securing Buildings. To secure a building, all
 2111 doors, window openings, or other openings on floors accessible from
 2112 grade shall be closed and locked, or shuttered to prevent third party
 2113 entry. If openings are damaged so they cannot be secured using normal
 2114 building amenities, they shall be secured by covering with seven-
 2115 sixteenths-inch minimum thickness structural panel cut to fit over the
 2116 building opening and secured with No. 10 wood screws with fender
 2117 washers. The screws shall penetrate the wood framing by a minimum
 2118 of one and one-quarter inches and the screws shall be spaced around
 2119 the perimeter of the opening at no less than twelve inches on center.

2120 (c) Notice. Whenever the code official has condemned a structure
 2121 or equipment under the provisions of this section, notice shall be posted
 2122 in a conspicuous place in or about the structure affected by such notice
 2123 and served on the owner, owner's authorized agent or the person or
 2124 persons responsible for the structure or equipment in accordance with
 2125 Section 21.41.107(c). If the notice pertains to equipment, it shall also
 2126 be placed on the condemned equipment. The notice shall be in the form
 2127 prescribed in Section 21.41.107(b).

2128 (d) Placarding. Upon failure of the owner, owner's authorized agent
 2129 or person responsible to comply with the notice provisions within the
 2130 time given, the code official is authorized to post on the premises or on
 2131 defective equipment a placard bearing the word "Condemned" and a
 2132 statement of the penalties provided for occupying the premises,
 2133 operating the equipment or removing the placard.

2134 (1) Placard Removal. The code official shall remove the
 2135 condemnation placard whenever the defect or defects upon which the
 2136 condemnation and placarding action were based have been eliminated.
 2137 Any person who defaces or removes a condemnation placard without

2138 the approval of the code official shall be subject to the penalties
2139 provided by this code.

2140 (e) Prohibited Occupancy. Any occupied structure condemned and
2141 placarded by the code official shall be vacated as ordered by the code
2142 official. Any person who shall occupy a placarded premises or shall
2143 operate placarded equipment, and any ~~owner~~ owner, owner's
2144 authorized agent or any person responsible for the premises who shall
2145 let anyone occupy a placarded premises or operate placarded
2146 equipment, shall be liable for the penalties provided by this code.

2147 (f) Abatement Methods. The owner, owner's authorized agent,
2148 operator or occupant of a building, premises or equipment deemed
2149 unsafe by the code official shall abate or cause to be abated or corrected
2150 such unsafe conditions, either by repair, rehabilitation, demolition or
2151 other approved corrective action.

2152 (g) Record. The code official shall have authority to cause a report to
2153 be filed on an unsafe condition. The report shall state the occupancy of
2154 the structure and the nature of the unsafe condition.

2155
2156 Section 82. Kirkland Municipal Code Section 21.41.109 is
2157 amended to read as follows:

2158 **21.41.109 Emergency measures.**

2159 (a) Imminent Danger. When, in the opinion of the code official,
2160 there is imminent danger of failure or collapse of a building or structure
2161 ~~which~~ that endangers life, or when any structure or part of a structure
2162 has fallen and life is endangered by the occupation of the structure, or
2163 when there is actual or potential danger to the building occupants or
2164 those in the proximity of any structure because of explosives, explosive
2165 fumes or vapors or the presence of toxic fumes, gases or materials, or
2166 operation of defective or dangerous equipment, the code official is
2167 hereby authorized and empowered to order and require the occupants
2168 to vacate the premises forthwith. The code official is authorized to cause
2169 to be posted at each entrance to such structure a notice reading as
2170 follows: "This Structure Is Unsafe and Its Occupancy Has Been
2171 Prohibited by the Code Official." It shall be unlawful for any person to
2172 enter such structure except for the purpose of securing the structure,
2173 making the required repairs, removing the hazardous condition or of
2174 demolishing the same.

2175 (b) Temporary Safeguards. Notwithstanding other provisions of this
2176 code, whenever, in the opinion of the code official, there is imminent
2177 danger due to an unsafe condition, the code official is authorized to
2178 order the necessary work to be done, including the boarding up of
2179 openings, to render such structure temporarily safe whether or not the
2180 legal procedure herein described has been instituted; and shall cause
2181 such other action to be taken as the code official deems necessary to
2182 meet such emergency.

2183 (c) Closing Streets. When necessary for public safety, the code
2184 official is authorized to temporarily close structures and close, or order

2185 the authority having jurisdiction to close, sidewalks, streets, public ways
 2186 and places adjacent to unsafe structures, and prohibit the same from
 2187 being utilized.

2188 (d) Emergency Repairs. For the purposes of this section, the code
 2189 official is authorized to employ the necessary labor and materials to
 2190 perform the required work as expeditiously as possible.

2191 (e) Costs of Emergency Repairs. Costs incurred in the performance
 2192 of emergency work shall be paid by the jurisdiction. The legal counsel
 2193 of the jurisdiction is authorized to institute appropriate action against
 2194 the owner of the premises or owner's authorized agent where the unsafe
 2195 structure is or was located for the recovery of such costs.

2196 (f) Hearing. Any person ordered to take emergency measures shall
 2197 comply with such order forthwith. Any affected person shall thereafter,
 2198 upon petition directed to the hearing examiner, be afforded a hearing
 2199 as set forth in Chapter 1.12.

2200
 2201 Section 83. Kirkland Municipal Code Section 21.41.110 is
 2202 amended to read as follows:

2203 **21.41.110 Demolition.**

2204 (a) General. The code official is authorized to order the owner or
 2205 owner's authorized agent of any premises upon which is located any
 2206 structure, which in the code official's or owner's authorized agent's
 2207 judgment after review is so deteriorated or dilapidated or has become
 2208 so out of repair as to be dangerous, unsafe, unsanitary or otherwise
 2209 unfit for human habitation or occupancy, and such that it is
 2210 unreasonable to repair the structure, to demolish and remove such
 2211 structure; or if such structure is capable of being made safe by repairs,
 2212 to repair and make safe and sanitary, or to board up and hold for future
 2213 repair or to demolish and remove at the owner's option; or where there
 2214 has been a cessation of normal construction of any structure for a period
 2215 of more than two years, the code official is authorized to order the
 2216 owner or owner's authorized agent to demolish and remove such
 2217 structure, or board up until future repair. Boarding the building up for
 2218 future repair shall not extend beyond one year, unless approved by the
 2219 building official.

2220 (b) Notices and Orders. ~~All notices~~ Notices and orders shall comply
 2221 with Section 21.41.107.

2222 (c) Failure to Comply. If the owner of a premises or owner's
 2223 authorized agent fails to comply with a demolition order within the time
 2224 prescribed, the code official is authorized to cause the structure to be
 2225 demolished and removed, either through an available public agency or
 2226 by contract or arrangement with private persons, and the cost of such
 2227 demolition and removal shall be charged against the real estate upon
 2228 which the structure is located and shall be a lien upon such real estate.

2229 (d) Salvage Materials. When any structure has been ordered
 2230 demolished and removed, the governing body or other designated
 2231 officer under said contract or arrangement aforesaid shall have the right

2232 to sell the salvage and valuable materials ~~at the highest price obtainable.~~
 2233 The net proceeds of such sale, after deducting the expenses of such
 2234 demolition and removal, shall be promptly remitted with a report of such
 2235 sale or transaction, including the items of expense and the amounts
 2236 deducted, for the person who is entitled thereto, subject to any order
 2237 of a court. If such a surplus does not remain to be turned over, the
 2238 report shall so state.

2239
 2240 Section 84. Kirkland Municipal Code Section 21.41.112 is
 2241 amended to read as follows:

2242 **21.41.112 Stop work order.**

2243 (a) Authority. Whenever the code official finds any work regulated
 2244 by this code being performed in a manner contrary to the provisions of
 2245 this code or in a dangerous or unsafe manner, the code official is
 2246 authorized to issue a stop work order.

2247 (b) Issuance. A stop work order shall be in writing and shall be
 2248 given to the owner of the property, to the owner's authorized agent, or
 2249 to the person doing the work. Upon issuance of a stop work order, the
 2250 cited work shall immediately cease. The stop work order shall state the
 2251 reason for the order and the conditions under which the cited work is
 2252 authorized to resume.

2253 (c) Emergencies. Where an emergency exists, the code official shall
 2254 not be required to give a written notice prior to stopping the work.

2255 (d) Failure to Comply. Any person who shall continue any work after
 2256 having been served with a stop work order, except such work as that
 2257 person is directed to perform to remove a violation or unsafe condition,
 2258 shall be deemed guilty of a misdemeanor or civil violation in accordance
 2259 with Chapter 1.12 and the violation shall be deemed a strict liability
 2260 offense.

2261
 2262 Section 85. Kirkland Municipal Code Section 21.41.202 is
 2263 amended to read as follows:

2264 **21.41.202 General definitions.**

2265 "Anchored" means secured in a manner that provides positive
 2266 connection.

2267 "Approved" means ~~approved by~~ acceptable to the code official.

2268 "Basement" means that portion of a building which is partly or
 2269 completely below grade.

2270 "Bathroom" means a room containing plumbing fixtures including a
 2271 bathtub or shower.

2272 "Bedroom" means any room or space used or intended to be used for
 2273 sleeping purposes in either a dwelling or sleeping unit.

2274 "Code official" means the official who is charged with the
 2275 administration and enforcement of this code or portion of this code, or
 2276 any duly authorized representative. The code official may be a
 2277 representative of the planning and community development

2278 department, the public works department or the fire and building
2279 department.

2280 "Condemn" means to adjudge unfit for occupancy.

2281 "Cost of such demolition or emergency repairs" means the actual
2282 costs of the demolition or repair of the structure less revenues obtained
2283 if salvage was conducted prior to demolition or repair. Costs shall
2284 include, but not be limited to, expenses incurred or necessitated related
2285 to demolition or emergency repairs, such as asbestos survey and
2286 abatement if necessary; costs of inspectors, testing agencies or experts
2287 retained relative to the demolition or emergency repairs; costs of
2288 testing; surveys for other materials that are controlled or regulated from
2289 being dumped in a landfill; title searches; mailing(s); postings;
2290 recording; and attorney fees expended for recovering of the cost of
2291 emergency repairs or to obtain or enforce an order of demolition made
2292 by a code official, the governing body or board of appeals.

2293 "Detached" means when a structural element is physically
2294 disconnected from another and that connection is necessary to provide
2295 a positive connection.

2296 "Deterioration" means to weaken, disintegrate, corrode, rust or decay
2297 and lose effectiveness.

2298 "Dwelling unit" means a single unit providing complete, independent
2299 living facilities for one or more persons, including permanent provisions
2300 for living, sleeping, eating, cooking and sanitation.

2301 "Easement" means that portion of land or property reserved for
2302 present or future use by a person or agency other than the legal fee
2303 owner(s) of the property. The easement shall be permitted to be for use
2304 under, on or above said lot or lots.

2305 "Equipment support" means those structural members or assemblies
2306 of members or manufactured elements, including braces, frames, lugs,
2307 snuggers, hangers or saddles, that transmit gravity load, lateral load
2308 and operating load between the equipment and the structure.

2309 "Exterior property" means the open space on the premises and on
2310 adjoining property under the control of owners or operators of such
2311 premises.

2312 "Garbage" means the animal or vegetable waste resulting from the
2313 handling, preparation, cooking and consumption of food.

2314 "Graffiti" means unauthorized markings, visible from premises open
2315 to the public, that have been placed upon any property through the use
2316 of paint, ink, dye or any other substance capable of marking property.

2317 "Guard" means a building component or a system of building
2318 components located at or near the open sides of elevated walking
2319 surfaces that minimizes the possibility of a fall from the walking surface
2320 to a lower level.

2321 "Habitable space" means space in a structure for living, sleeping,
2322 eating or cooking. Bathrooms, toilet rooms, closets, halls, storage or
2323 utility spaces, and similar areas are not considered habitable spaces.

2324 "Historic building" means any building or structure that is listed in the
2325 State or National Register of Historic Places; designated as a historic

2326 property under local or state designation law or survey; certified as a
 2327 contributing resource within a National Register listed or locally
 2328 designated historic district; or with an opinion or certification that the
 2329 property is eligible to be listed on the National or State Register of
 2330 Historic Places either individually or as a contributing building to a
 2331 historic district by the State Historic Preservation Officer or the Keeper
 2332 of the National Register of Historic Places.

2333 "Housekeeping unit" means a room or group of rooms forming a
 2334 single habitable space equipped and intended to be used for living,
 2335 sleeping, cooking and eating which does not contain, within such a unit,
 2336 a toilet, lavatory and bathtub or shower.

2337 "Imminent danger" means a condition which could cause serious or
 2338 life-threatening injury or death at any time.

2339 "Infestation" means the presence, within or contiguous to a structure
 2340 or premises, of insects, rats, vermin or other pests.

2341 "Inoperable motor vehicle" means a vehicle which cannot be driven
 2342 upon the public streets for reason including but not limited to being
 2343 unlicensed, wrecked, abandoned, in a state of disrepair, or incapable of
 2344 being moved under its own power.

2345 "Junk" means old or scrap copper; brass; rope; rags; batteries; paper;
 2346 trash; rubber debris; wastes; machinery; scrap wood; junked,
 2347 dismantled or wrecked automobiles, or parts thereof; iron; steel; and
 2348 other old or scrap ferrous or nonferrous material.

2349 "Labeled" means equipment, materials or products to which have
 2350 been affixed a label, seal, symbol or other identifying mark of a
 2351 nationally recognized testing laboratory, inspection agency or other
 2352 organization concerned with product evaluation that maintains periodic
 2353 inspection of the production of the above labeled items and whose
 2354 labeling indicates either that the equipment, material or product meets
 2355 identified standards or has been tested and found suitable for a specified
 2356 purpose.

2357 "Let for occupancy" or "let" means to permit, provide or offer
 2358 possession or occupancy of a dwelling, dwelling unit, rooming unit,
 2359 building, premises or structure by a person who is or is not the legal
 2360 owner of record thereof, pursuant to a written or unwritten lease,
 2361 agreement or license, or pursuant to a recorded or unrecorded
 2362 agreement of contract for the sale of land.

2363 "Neglect" means the lack of proper maintenance for a building or
 2364 structure.

2365 "Occupancy" means the purpose for which a building or portion
 2366 thereof is utilized or occupied.

2367 "Occupant" means any individual living or sleeping in a building, or
 2368 having possession of a space within a building.

2369 "Openable area" means that part of a window, skylight or door which
 2370 is available for unobstructed ventilation and which opens directly to the
 2371 outdoors.

2372 "Operator" means any person who has charge, care or control of a
 2373 structure or premises which is let or offered for occupancy.

2374 "Owner" means any person, agent, operator, firm or corporation
 2375 having a legal or equitable interest in the property; or recorded in the
 2376 official records of the state, county or municipality as holding title to the
 2377 property; or otherwise having control of the property, including the
 2378 guardian of the estate of any such person, and the executor or
 2379 administrator of the estate of such person if ordered to take possession
 2380 of real property by a court.

2381 "Person" means an individual, corporation, partnership or any other
 2382 group acting as a unit.

2383 "Pest elimination" means the control and elimination of insects,
 2384 rodents or other pests by eliminating their harborage places; by
 2385 removing or making inaccessible materials that serve as their food or
 2386 water; by other approved pest elimination methods.

2387 "Premises" means a lot, plot or parcel of land, easement or public
 2388 way, including any structures thereon.

2389 "Public way" means any street, alley or similar parcel of land
 2390 essentially unobstructed from the ground to the sky, which is deeded,
 2391 dedicated or otherwise permanently appropriated to the public for public
 2392 use.

2393 "Rooming house" means a building arranged or occupied for lodging,
 2394 with or without meals, for compensation and not occupied as a one- or
 2395 two-family dwelling.

2396 "Rooming unit" means any room or group of rooms forming a single
 2397 habitable unit occupied or intended to be occupied for sleeping or living,
 2398 but not for cooking purposes.

2399 "Rubbish" means combustible and noncombustible waste materials,
 2400 except garbage; the term shall include the residue from the burning of
 2401 wood, coal, coke and other combustible materials, paper, rags, cartons,
 2402 boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings,
 2403 tin cans, metals, mineral matter, glass, crockery and dust and other
 2404 similar materials.

2405 "Sleeping unit" means a room or space in which people sleep, which
 2406 can also include permanent provisions for living, eating and either
 2407 sanitation or kitchen facilities, but not both. Such rooms and spaces that
 2408 are also part of a dwelling unit are not sleeping units.

2409 "Strict liability offense" means an offense in which the prosecution in
 2410 a legal proceeding is not required to prove criminal intent as a part of
 2411 its case. It is enough to prove that the defendant either did an act which
 2412 was prohibited, or failed to do an act which the defendant was legally
 2413 required to do.

2414 "Structure" means that which is built or constructed or a portion
 2415 thereof.

2416 "Tenant" means a person, corporation, partnership or group, whether
 2417 or not the legal owner of record, occupying a building or portion thereof
 2418 as a unit.

2419 "Toilet room" means a room containing a water closet or urinal but
 2420 not a bathtub or shower.

2421 "Ultimate deformation" means the deformation at which failure occurs
 2422 and which shall be deemed to occur if the sustainable load reduces to
 2423 eighty percent or less of the maximum strength.

2424 "Ventilation" means the natural or mechanical process of supplying
 2425 conditioned or unconditioned air to, or removing such air from, any
 2426 space.

2427 "Workmanlike" means executed in a skilled manner; e.g., generally
 2428 plumb, level, square, in line, undamaged and without marring adjacent
 2429 work.

2430 "Yard" means an open space on the same lot with a structure.

2431

2432 Section 86. Kirkland Municipal Code Section 21.41.301 is
 2433 amended to read as follows:

2434 **21.41.301 General.**

2435 (a) Scope. The provisions of this article shall govern the minimum
 2436 conditions and the responsibilities of persons for maintenance of
 2437 structures, equipment and exterior property.

2438 (b) Responsibility. The owner of the premises shall maintain the
 2439 structures and exterior property in compliance with these requirements,
 2440 except as otherwise provided for in this code. A person shall not occupy
 2441 as owner-occupant or permit another person to occupy premises ~~which~~
 2442 that are not in a sanitary and safe condition and ~~which that~~ do not
 2443 comply with the requirements of this article. Occupants of a dwelling
 2444 unit, rooming unit or housekeeping unit are responsible for keeping in
 2445 a clean, sanitary and safe condition that part of the dwelling unit,
 2446 rooming unit, housekeeping unit or premises which they occupy and
 2447 control.

2448 (c) Vacant Structures and Land. ~~All vacant~~ Vacant structures and
 2449 premises thereof or vacant land shall be maintained in a clean, safe,
 2450 secure and sanitary condition as provided herein so as not to cause a
 2451 blighting problem or adversely affect the public health or safety.

2452

2453 Section 87. Kirkland Municipal Code Section 21.41.302 is
 2454 amended to read as follows:

2455 **21.41.302 Exterior property areas.**

2456 (a) Sanitation. ~~All exterior~~ Exterior property and premises shall be
 2457 maintained in a clean, safe and sanitary condition. The occupant shall
 2458 keep that part of the exterior property ~~which that~~ such occupant
 2459 occupies or controls in a clean and sanitary condition.

2460 (b) Grading and Drainage. ~~All premises~~ Premises shall be graded
 2461 and maintained to prevent the erosion of soil and to prevent the
 2462 accumulation of stagnant water thereon, or within any structure located
 2463 thereon.

2464 Exception: Approved retention areas and reservoirs.

2465 (c) Sidewalks and Driveways. ~~All sidewalks,~~ Sidewalks, walkways,
 2466 stairs, driveways, parking spaces and similar areas shall be kept in a
 2467 proper state of repair, and maintained free from hazardous conditions.

2468 (d) Control of Overgrown Vegetation. Overgrown vegetation shall
 2469 comply with subsections (d)(1) and (d)(2) of this section.

2470 (1) Removal of Overhanging Vegetation and Fire Hazards.

2471 (A) The owner of any property in the city shall remove or destroy,
 2472 in a manner permitted by law, all vegetation or parts thereof that
 2473 overhang or are growing on any sidewalk or street in a manner that
 2474 obstructs or impairs the free and full use of the sidewalk or street by
 2475 the public. Prior authorization is required from the city to the extent
 2476 pruning or removal of trees is required.

2477 (B) The owner of any property in the city shall remove or destroy,
 2478 in a manner permitted by law, all vegetation growing or which has
 2479 grown and died or debris upon property owned or occupied by them
 2480 that is a fire hazard or a menace to public health, safety or welfare.
 2481 Such work, when proposed in a critical area or its buffer, requires prior
 2482 approval from the department of planning and community development.
 2483 Prior authorization also is required from the city to the extent pruning
 2484 or removal of trees is required.

2485 (2) Weeds and Grass. ~~All premises~~ Premises and exterior property
 2486 shall be maintained free from weeds and grass in excess of eighteen
 2487 inches.

2488 Upon failure to comply with this section, any duly authorized
 2489 employee of the jurisdiction or contractor hired by the jurisdiction shall
 2490 be authorized to enter upon the property in violation and cut and
 2491 destroy the weeds or plants growing thereon that are over eighteen
 2492 inches tall, and the costs of such removal shall be paid by the owner or
 2493 agent responsible for the property.

2494 (e) Duty to Keep Buildings and Premises Free of Rodents—Right of
 2495 Entry for Inspection. The owner or occupant of real property shall keep
 2496 ~~all buildings~~ buildings and premises free from rats, mice and other
 2497 rodents, to the extent reasonably possible, as determined by the
 2498 building official. A property owner or occupant shall take all necessary
 2499 measures to ensure that rats, mice or other rodents do not come into
 2500 contact with food, food products, goods or merchandise. Subject to
 2501 applicable constitutional and statutory constraints on entry, the building
 2502 official or his appointed representative shall be permitted access to
 2503 property or buildings for the purpose of ascertaining the presence of
 2504 rats, mice and other rodents.

2505 (1) Duty to Eradicate Rodent Infestation. If rat, mice or other
 2506 rodent infestation occurs, a property owner or occupant shall take all
 2507 necessary measures to eradicate the infestation and prevent future
 2508 infestation. In addition, the owner or occupant of the property shall
 2509 perform all eradication measures as reasonably required by the building
 2510 official. The provisions of this section shall not apply to wetlands,
 2511 unimproved parks, greenbelts or other unimproved property if the

2512 property owner or occupant has not committed any acts or omissions
2513 that increase the likelihood of rat, mice or other rodent infestation.

2514 (2) Rat Baiting. All applicants for a demolition or a land surface
2515 modification permit and those persons undertaking a land clearing
2516 project shall initiate a rat baiting program on the project site at least
2517 fifteen days prior to the start of demolition, clearing or land surface
2518 modification activity. The baiting program must continue at least until
2519 the project begins; however, no demolition, clearing or land surface
2520 modification work shall commence until all significant rat activity has
2521 been abated even if it has been fifteen or more days since the initiation
2522 of the rat baiting program, unless approved by the building official. The
2523 rat baiting program shall be approved by a qualified pest control agent
2524 and be consistent with the Seattle-King County Health Department
2525 guidelines and recommendations for rat baiting. The use of any
2526 pesticides shall fully comply with WAC 162-28-1380. The building official
2527 shall not issue or deliver any demolition or land surface modification
2528 permit, nor shall any land clearing begin, until the applicant has filed
2529 with the city a copy of the rat baiting program and a declaration, under
2530 penalty of perjury, that the requirements of this section have been
2531 complied with. The rat baiting program may be terminated at any time,
2532 due to the lack of rat activity, upon a written recommendation of the
2533 pest control agent or upon approval of the building official; however,
2534 the program must be reinstated upon discovery of additional rat activity
2535 by the pest control agent or the building official and all work may be
2536 required to be stopped until the additional rat activity has been abated
2537 as determined in writing by the pest control agent or upon approval of
2538 the building official. At the discretion of the building official, a project
2539 unlikely to disturb a nesting place of rats may be exempted from the
2540 requirements of this section.

2541 (f) Exhaust Vents. Pipes, ducts, conductors, fans or blowers shall
2542 not discharge gases, steam, vapor, hot air, grease, smoke, odors or
2543 other gaseous or particulate wastes directly upon abutting or adjacent
2544 public or private property or that of another tenant.

2545 (g) Accessory Structures. ~~All accessory~~ Accessory structures,
2546 including detached garages, fences and walls, shall be maintained
2547 structurally sound and in good repair.

2548 (h) Motor Vehicles. Except as provided for in other regulations, no
2549 inoperative or unlicenseable motor vehicle shall be parked, kept or
2550 stored on any premises unless parked or stored in a building complying
2551 with the Kirkland Building Code. No vehicle shall at any time be in a
2552 state of major disassembly, disrepair, or in the process of being stripped
2553 or dismantled. Painting of vehicles is prohibited unless conducted inside
2554 an approved spray booth.

2555 Exception: A vehicle of any type is permitted to undergo major
2556 overhaul, including body work; provided, that such work is performed
2557 inside a structure or similarly enclosed area designed and approved for
2558 such purposes.

2559 (i) Defacement of Property. No person shall willfully or wantonly
 2560 damage, mutilate or deface any exterior surface of any structure or
 2561 building on any private or public property by placing thereon any
 2562 marking, carving or graffiti.

2563 It shall be the responsibility of the owner to restore said surface to an
 2564 approved state of maintenance and repair.

2565
 2566 Section 88. Kirkland Municipal Code Section 21.41.303 is
 2567 amended to read as follows:

2568 **21.41.303 Swimming pools, spas and hot tubs.**

2569 (a) Swimming Pools. Swimming pools shall be maintained in a clean
 2570 and sanitary condition, and in good repair.

2571 (b) Enclosures. Private swimming pools, hot tubs and spas,
 2572 containing water more than twenty-four inches (six hundred ten
 2573 millimeters) in depth shall be completely surrounded by a fence or
 2574 barrier ~~at least~~ not less than forty-eight inches (one thousand two
 2575 hundred nineteen millimeters) in height above the finished ground level
 2576 measured on the side of the barrier away from the pool. Gates and doors
 2577 in such barriers shall be self-closing and self-latching. Where the self-
 2578 latching device is less than fifty-four inches (one thousand three
 2579 hundred seventy-two millimeters) above the bottom of the gate, the
 2580 release mechanism shall be located on the pool side of the gate. Self-
 2581 closing and self-latching gates shall be maintained such that the gate
 2582 will positively close and latch when released from an open position of
 2583 six inches (one hundred fifty-two millimeters) from the gatepost. No
 2584 existing pool enclosure shall be removed, replaced or changed in a
 2585 manner that reduces its effectiveness as a safety barrier.

2586 Exception: Spas or hot tubs with a safety cover that complies with ASTM
 2587 F1346 shall be exempt from the provisions of this section.

2588
 2589 Section 89. Kirkland Municipal Code Section 21.41.304 is
 2590 amended to read as follows:

2591 **21.41.304 Exterior structure.**

2592 (a) General. The exterior of a structure shall be maintained in good
 2593 repair, structurally sound and sanitary so as not to pose a threat to the
 2594 public health, safety or welfare.

2595 (1) Unsafe Conditions. The following conditions shall be determined
 2596 as unsafe and shall be repaired or replaced to comply with the
 2597 International Building Code or the International Existing Building Code
 2598 as required for existing buildings:

2599 (A) The nominal strength of any structural member is exceeded by
 2600 nominal loads, the load effects or the required strength;

2601 (B) The anchorage of the floor or roof to walls or columns, and of
 2602 walls and columns to foundations, is not capable of resisting all nominal
 2603 loads or load effects;

- 2604 (C) Structures or components thereof that have reached their limit
 2605 state;
- 2606 (D) Siding and masonry joints including joints between the building
 2607 envelope and the perimeter of windows, doors and skylights are not
 2608 maintained, weather resistant or water tight;
- 2609 (E) Structural members that have evidence of deterioration or that
 2610 are not capable of safely supporting all nominal loads and load effects;
- 2611 (F) Foundation systems that are not firmly supported by footings,
 2612 are not plumb and free from open cracks and breaks, are not properly
 2613 anchored or are not capable of supporting all nominal loads and resisting
 2614 all load effects;
- 2615 (G) Exterior walls that are not anchored to supporting and
 2616 supported elements or are not plumb and free of holes, cracks or breaks
 2617 and loose or rotting materials, are not properly anchored or are not
 2618 capable of supporting all nominal loads and resisting all load effects;
- 2619 (H) Roofing or roofing components that have defects that admit
 2620 rain, roof surfaces with inadequate drainage, or any portion of the roof
 2621 framing that is not in good repair with signs of deterioration or fatigue
 2622 or without proper anchorage and incapable of supporting all nominal
 2623 loads and resisting all load effects;
- 2624 (I) Flooring and flooring components with defects that affect
 2625 serviceability or flooring components that show signs of deterioration or
 2626 fatigue, are not properly anchored or are incapable of supporting all
 2627 nominal loads and resisting all load effects;
- 2628 (J) Veneer, cornices, belt courses, corbels, trim, wall facings and
 2629 similar decorative features not properly anchored or that are anchored
 2630 with connections not capable of supporting all nominal loads and
 2631 resisting all load effects;
- 2632 (K) Overhang extensions or projections including, but not limited
 2633 to, trash chutes, canopies, marquees, signs, awnings, fire escapes,
 2634 standpipes and exhaust ducts not properly anchored or that are
 2635 anchored with connections not capable of supporting all nominal loads
 2636 and resisting all load effects;
- 2637 (L) Exterior stairs, decks, porches, balconies and all similar
 2638 appurtenances attached thereto, including guards and handrails, are not
 2639 structurally sound, not properly anchored or that are anchored with
 2640 connections not capable of supporting all nominal loads and resisting all
 2641 load effects; or
- 2642 (M) Chimneys, cooling towers, smokestacks and similar
 2643 appurtenances not structurally sound or not properly anchored, or that
 2644 are anchored with connections not capable of supporting all nominal
 2645 loads and resisting all load effects.
- 2646 Exceptions:
- 2647 (i) ~~When~~ Where substantiated otherwise by an approved method.
- 2648 (ii) Demolition of unsafe conditions shall be permitted ~~When~~ Where
 2649 approved by the code official.
- 2650 (b) Protective Treatment. ~~All exterior~~ Exterior surfaces, including
 2651 but not limited to doors, door and window frames, cornices, porches,

2652 trim, and balconies, shall be maintained in good condition. Exterior
 2653 wood surfaces, other than decay resistant woods, shall be protected
 2654 from the elements and decay by painting or other protective covering
 2655 or treatment. Peeling, flaking and chipped paint shall be eliminated and
 2656 surfaces repainted. ~~All siding~~ siding and masonry joints, as well as those
 2657 between the building envelope and the perimeter of windows, doors and
 2658 skylights, shall be maintained weather resistant and water tight. ~~All~~
 2659 ~~metal~~ Metal surfaces subject to rust or corrosion shall be coated to
 2660 inhibit such rust and corrosion, and ~~all~~-surfaces with rust or corrosion
 2661 shall be stabilized and coated to inhibit future rust and corrosion.

2662 (c) Premises Identification. Buildings shall have approved address
 2663 numbers placed in a position to be plainly legible and visible from the
 2664 street or road fronting the property. These numbers shall contrast with
 2665 their background. Address numbers shall be Arabic numerals or
 2666 alphabet letters. Numbers shall be ~~a minimum of~~ not less than four
 2667 inches (one hundred two millimeters) high with a minimum stroke width
 2668 of one-half inch (12.7 millimeters).

2669 Exception: Buildings constructed under the International Residential
 2670 Code, prior to July 1, 2010, are permitted to have the address number
 2671 size be a minimum of three inches high.

2672 (d) Structural Members. ~~All structural~~ Structural members shall be
 2673 maintained free from deterioration, and shall be capable of safely
 2674 supporting the imposed dead and live loads.

2675 (e) Foundation Walls. ~~All foundation~~ Foundation walls shall be
 2676 maintained plumb and free from open cracks and breaks and shall be
 2677 kept in such condition so as to prevent the entry of rodents and other
 2678 pests.

2679 (f) Exterior Walls. ~~All exterior~~ Exterior walls shall be free from holes,
 2680 breaks, and loose or rotting materials; and maintained weatherproof
 2681 and properly surface coated where required to prevent deterioration.

2682 (g) Roofs and Drainage. The roof and flashing shall be sound, tight
 2683 and not have defects that admit rain. Roof drainage shall be adequate
 2684 to prevent dampness or deterioration in the walls or interior portion of
 2685 the structure. Roof drains, gutters and downspouts shall be maintained
 2686 in good repair and free from obstructions. Roof water shall not be
 2687 discharged directly onto any other private property, public right-of-way
 2688 or in a manner that creates a public nuisance.

2689 (h) Decorative Features. ~~All cornices,~~ Cornices, belt courses,
 2690 corbels, terra cotta trim, wall facings and similar decorative features
 2691 shall be maintained in good repair with proper anchorage and in a safe
 2692 condition.

2693 (i) Overhang Extensions. ~~All overhang~~ Overhang extensions
 2694 including, but not limited to, canopies, marquees, signs, metal awnings,
 2695 fire escapes, standpipes and exhaust ducts shall be maintained in good
 2696 repair and be properly anchored so as to be kept in a sound condition.
 2697 ~~When~~ Where required, all exposed surfaces of metal or wood shall be
 2698 protected from the elements and against decay or rust by periodic

2699 application of weather-coating materials, such as paint or similar surface
2700 treatment.

2701 (j) Stairways, Decks, Porches and Balconies. Every exterior
2702 stairway, deck, porch and balcony, and all appurtenances attached
2703 thereto, shall be maintained structurally sound, in good repair, with
2704 proper anchorage and capable of supporting the imposed loads.

2705 (k) Chimneys and Towers. ~~All chimneys,~~ Chimneys, cooling towers,
2706 smokestacks, and similar appurtenances shall be maintained structurally
2707 safe and sound, and in good repair. ~~All-exposed~~ Exposed surfaces of
2708 metal or wood shall be protected from the elements and against decay
2709 or rust by periodic application of weather-coating materials, such as
2710 paint or similar surface treatment.

2711 (l) Handrails and Guards. Every handrail and guard shall be firmly
2712 fastened and capable of supporting normally imposed loads and shall
2713 be maintained in good condition.

2714 (m) Window, Skylight and Door Frames. Every window, skylight,
2715 door and frame shall be kept in sound condition, good repair and
2716 weather tight.

2717 (1) Glazing. ~~All-glazing~~ Glazing materials shall be maintained free
2718 from cracks and holes.

2719 (2) Openable Windows. Every window, other than a fixed window,
2720 shall be easily openable and capable of being held in position by window
2721 hardware.

2722 (n) Doors. ~~All-exterior~~ Exterior doors, door assemblies and hardware
2723 shall be maintained in good condition. Locks at all entrances to dwelling
2724 units and sleeping units shall tightly secure the door. Locks on means
2725 of egress doors shall be in accordance with Section 21.41.702(c).
2726

2727 Section 90. Kirkland Municipal Code Section 21.41.305 is
2728 amended to read as follows:

2729 **21.41.305 Interior structure.**

2730 (a) General. The interior of a structure and equipment therein shall
2731 be maintained in good repair, structurally sound and in a sanitary
2732 condition. Occupants shall keep that part of the structure ~~which~~ that
2733 they occupy or control in a clean and sanitary condition. Every owner of
2734 a structure containing a rooming house, housekeeping units, a hotel, a
2735 dormitory, two or more dwelling units or two or more nonresidential
2736 occupancies shall maintain, in a clean and sanitary condition, the shared
2737 or public areas of the structure and exterior property.

2738 (1) Unsafe Conditions. The following conditions shall be determined
2739 as unsafe and shall be repaired or replaced to comply with the
2740 International Building Code or the International Existing Building Code
2741 as required for existing buildings:

2742 (A) The nominal strength of any structural member is exceeded by
2743 nominal loads, the load effects or the required strength;

(B) The anchorage of the floor or roof to walls or columns, and of walls and columns to foundations, is not capable of resisting all nominal loads or load effects;

(C) Structures or components thereof that have reached their limit state;

(D) Structural members are incapable of supporting nominal loads and load effects;

(E) Stairs, landings, balconies and all similar walking surfaces, including guards and handrails, are not structurally sound, not properly anchored or are anchored with connections not capable of supporting all nominal loads and resisting all load effects;

(F) Foundation systems that are not firmly supported by footings are not plumb and free from open cracks and breaks, are not properly anchored or are not capable of supporting all nominal loads and resisting all load effects.

Exceptions:

(i) ~~When~~ Where substantiated otherwise by an approved method.

(ii) Demolition of unsafe conditions shall be permitted when approved by the code official.

(b) Structural Members. ~~All structural~~ Structural members shall be maintained structurally sound, and be capable of supporting the imposed loads.

(c) Interior Surfaces. ~~All interior~~ Interior surfaces, including windows and doors, shall be maintained in good, clean and sanitary condition. Peeling, chipping, flaking or abraded paint shall be repaired, removed or covered. Cracked or loose plaster, decayed wood, mold and other defective surface conditions shall be corrected.

(d) Stairs and Walking Surfaces. Every stair, ramp, landing, balcony, porch, deck or other walking surface shall be maintained in sound condition and good repair.

(e) Handrails and Guards. Every handrail and guard shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

(f) Interior Doors. Every interior door shall fit reasonably well within its frame and shall be capable of being opened and closed by being properly and securely attached to jambs, headers or tracks as intended by the manufacturer of the attachment hardware.

Section 91. Kirkland Municipal Code Section 21.41.306 is amended to read as follows:

21.41.306 Component serviceability.

(a) General. The components of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition.

(1) Unsafe Conditions. Where any of the following conditions cause the component or system to be beyond its limit state, the component or system shall be determined as unsafe and shall be repaired or replaced

- 2791 to comply with the International Building Code or the International
 2792 Existing Building Code as required for existing buildings:
- 2793 (A) Soils that have been subjected to any of the following
 2794 conditions:
- 2795 (i) Collapse of footing or foundation system;
 - 2796 (ii) Damage to footing, foundation, concrete or other structural
 2797 element due to soil expansion;
 - 2798 (iii) Adverse effects to the design strength of footing, foundation,
 2799 concrete or other structural element due to a chemical reaction from the
 2800 soil;
 - 2801 (iv) Inadequate soil as determined by a geotechnical investigation;
 - 2802 (v) Where the allowable bearing capacity of the soil is in doubt; or
 - 2803 (vi) Adverse effects to the footing, foundation, concrete or other
 2804 structural element due to the ground water table.
- 2805 (B) Concrete that has been subjected to any of the following
 2806 conditions:
- 2807 (i) Deterioration;
 - 2808 (ii) Ultimate deformation;
 - 2809 (iii) Fractures;
 - 2810 (iv) Fissures;
 - 2811 (v) Spalling;
 - 2812 (vi) Exposed reinforcement; or
 - 2813 (vii) Detached, dislodged or failing connections.
- 2814 (C) Aluminum that has been subjected to any of the following
 2815 conditions:
- 2816 (i) Deterioration;
 - 2817 (ii) Corrosion;
 - 2818 (iii) Elastic deformation;
 - 2819 (iv) Ultimate deformation;
 - 2820 (v) Stress or strain cracks;
 - 2821 (vi) Joint fatigue; or
 - 2822 (vii) Detached, dislodged or failing connections.
- 2823 (D) Masonry that has been subjected to any of the following
 2824 conditions:
- 2825 (i) Deterioration;
 - 2826 (ii) Ultimate deformation;
 - 2827 (iii) Fractures in masonry or mortar joints;
 - 2828 (iv) Fissures in masonry or mortar joints;
 - 2829 (v) Spalling;
 - 2830 (vi) Exposed reinforcement; or
 - 2831 (vii) Detached, dislodged or failing connections.
- 2832 (E) Steel that has been subjected to any of the following conditions:
- 2833 (i) Deterioration;
 - 2834 (ii) Elastic deformation;
 - 2835 (iii) Ultimate deformation;
 - 2836 (iv) Metal fatigue; or
 - 2837 (v) Detached, dislodged or failing connections.

(F) Wood that has been subjected to any of the following conditions:

- (i) Ultimate deformation;
- (ii) Deterioration;
- (iii) Damage from insects, rodents and other vermin;
- (iv) Fire damage beyond charring;
- (v) Significant splits and checks;
- (vi) Horizontal shear cracks;
- (vii) Vertical shear cracks;
- (viii) Inadequate support;
- (ix) Detached, dislodged or failing connections; or
- (x) Excessive cutting and notching.

Exceptions:

- (i) ~~When~~ Where substantiated otherwise by an approved method.
- (ii) Demolition of unsafe conditions shall be permitted ~~when~~ where approved by the code official.

Section 92. Kirkland Municipal Code Section 21.41.307 is amended to read as follows:

21.41.307 Handrails and guardrails.

(a) General. Every exterior and interior flight of stairs having more than four risers shall have a handrail on one side of the stair and every open portion of a stair, landing, balcony, porch, deck, ramp or other walking surface ~~which~~ that is more than thirty inches (seven hundred sixty-two millimeters) above the floor or grade below shall have guards. Handrails shall ~~not~~ be not less than thirty inches (seven hundred sixty-two millimeters) high or more than forty-two inches (one thousand sixty-seven millimeters) high measured vertically above the nosing of the tread or above the finished floor of the landing or walking surfaces. Guards shall ~~not~~ be not less than thirty inches (seven hundred sixty-two millimeters) high above the floor of the landing, balcony, porch, deck, or ramp or other walking surface.

Exception: Guards and handrails shall not be required where exempted by the adopted building code.

Section 93. Kirkland Municipal Code Section 21.41.308 is amended to read as follows:

21.41.308 Rubbish, junk and garbage.

(a) Accumulation of Rubbish, Junk or Garbage. ~~All exterior~~ Exterior property and premises, and the interior of every structure, shall be free from any accumulation of rubbish, junk or garbage.

(b) Disposal of Rubbish and Garbage. Every occupant of a structure shall dispose of all rubbish and garbage in a clean and sanitary manner by placing such rubbish and garbage in approved containers as set forth in Chapter 16.08.

2883 (1) Rubbish Storage Facilities. The owner of every occupied
 2884 premises shall supply approved covered containers for rubbish and
 2885 garbage, and the owner of the premises shall be responsible for the
 2886 removal of rubbish and garbage.

2887 (2) Refrigerators. Refrigerators and similar equipment not in
 2888 operation shall not be discarded, abandoned or stored on premises
 2889 without first removing the doors and are defined as a public nuisance
 2890 as set forth in Chapter 11.24.
 2891

2892 Section 94. Kirkland Municipal Code Section 21.41.309 is
 2893 amended to read as follows:

2894 **21.41.309 Pest elimination.**

2895 (a) Infestation. ~~All structures~~ Structures shall be kept free from
 2896 insect and rodent infestation. ~~All structures~~ Structures in which insects
 2897 or rodents are found shall be promptly exterminated by approved
 2898 processes that will not be injurious to human health. After
 2899 extermination, proper precautions shall be taken to prevent
 2900 reinfestation.

2901 (b) Owner. The owner of any structure shall be responsible for
 2902 extermination within the structure prior to renting or leasing the
 2903 structure.

2904 (c) Single Occupant. The occupant of a one-family dwelling or of a
 2905 single-tenant nonresidential structure shall be responsible for
 2906 extermination on the premises.

2907 (d) Multiple Occupancy. The owner of a structure containing two or
 2908 more dwelling units, a multiple occupancy, a rooming house or a
 2909 nonresidential structure shall be responsible for extermination in the
 2910 public or shared areas of the structure and exterior property. If
 2911 infestation is caused by failure of an occupant to prevent such
 2912 infestation in the area occupied, the occupant and owner shall be
 2913 responsible for extermination.

2914 (e) Occupant. The occupant of any structure shall be responsible
 2915 for the continued rodent and pest-free condition of the structure.

2916 Exception: Where the infestations are caused by defects in the
 2917 structure, the owner shall be responsible for extermination.
 2918

2919 Section 95. Kirkland Municipal Code Section 21.41.402 is
 2920 amended to read as follows:

2921 **21.41.402 Light.**

2922 (a) Habitable Spaces. Every habitable space shall have ~~at least not~~
 2923 less than one window of approved size facing directly to the outdoors
 2924 or to a court. The minimum total glazed area for every habitable space
 2925 shall be eight percent of the floor area of such room. Wherever walls or
 2926 other portions of a structure face a window of any room and such
 2927 obstructions are located less than three feet (nine hundred fourteen
 2928 millimeters) from the window and extend to a level above that of the

ceiling of the room, such window shall not be deemed to face directly to the outdoors nor to a court and shall not be included as contributing to the required minimum total window area for the room.

Exception: Where natural light for rooms or spaces without exterior glazing areas is provided through an adjoining room, the unobstructed opening to the adjoining room shall be ~~at least~~ not less than eight percent of the floor area of the interior room or space, but not less than twenty-five square feet (2.33 square meters). The exterior glazing area shall be based on the total floor area being served.

(b) Common Halls and Stairways. Every common hall and stairway in residential occupancies, other than in one- and two-family dwellings, shall be lighted at all times with ~~at least~~ not less than a sixty-watt standard incandescent light bulb for each two hundred square feet (nineteen square meters) of floor area or equivalent illumination; provided, that the spacing between lights shall not be greater than thirty feet (nine thousand one hundred forty-four millimeters). In other than residential occupancies, means of egress, including exterior means of egress, and stairways shall be illuminated at all times the building space served by the means of egress is occupied with a ~~minimum~~ not less than of one foot candle (eleven lux) at floors, landings and treads.

(c) Other Spaces. All other spaces shall be provided with natural or artificial light sufficient to permit the maintenance of sanitary conditions, and the safe occupancy of the space and utilization of the appliances, equipment and fixtures.

Section 96. Kirkland Municipal Code Section 21.41.403 is amended to read as follows:

21.41.403 Ventilation.

(a) Habitable Spaces. Every habitable space shall have ~~at least~~ not less than one operable window. The total operable area of the window in every room shall be equal to ~~at least~~ not less than forty-five percent of the minimum glazed area required in Section 21.41.402(a).

Exception: Where rooms and spaces without openings to the outdoors are ventilated through an adjoining room, the unobstructed opening to the adjoining room shall be ~~at least~~ not less than eight percent of the floor area of the interior room or space, but not less than twenty-five square feet (2.33 square meters). The ventilation openings to the outdoors shall be based on a total floor area being ventilated.

(b) Bathrooms and Toilet Rooms. Every bathroom and toilet room shall comply with the ventilation requirements for habitable spaces as required by subsection (a) of this section, except that a window shall not be required in such spaces equipped with a mechanical ventilation system. Air exhausted by a mechanical ventilation system from a bathroom or toilet room shall discharge to the outdoors and shall not be recirculated.

(c) Cooking Facilities. Unless approved through the certificate of occupancy, cooking shall not be permitted in any rooming unit or

dormitory unit, and a cooking facility or appliance shall not be permitted to be present in the rooming unit or dormitory unit.

Exceptions:

(1) Where specifically approved in writing by the code official.

(2) Devices such as coffee pots and microwave ovens shall not be considered cooking appliances.

(d) Process Ventilation. Where injurious, toxic, irritating or noxious fumes, gases, dusts or mists are generated, a local exhaust ventilation system shall be provided to remove the contaminating agent at the source. Air shall be exhausted to the exterior and not be recirculated to any space.

(e) Clothes Dryer Exhaust. Clothes dryer exhaust systems shall be independent of all other systems and shall be exhausted outside the structure in accordance with the manufacturer's instructions.

Exception: Listed and labeled condensing (ductless) clothes dryers.

Section 97. Kirkland Municipal Code Section 21.41.404 is amended to read as follows:

21.41.404 Occupancy limitations.

(a) Privacy. Dwelling units, hotel units, housekeeping units, rooming units and dormitory units shall be arranged to provide privacy and be separate from other adjoining spaces.

(b) Minimum Room Widths. A habitable room, other than a kitchen, shall not be less than seven feet (two thousand one hundred thirty-four millimeters) in any plan dimension. Kitchens shall have a clear passageway of not less than three feet (nine hundred fourteen millimeters) between counter fronts and appliances or counter fronts and walls.

(c) Minimum Ceiling Heights. Habitable spaces, hallways, corridors, laundry areas, bathrooms, toilet rooms and habitable basement areas shall have a clear ceiling height of not less than seven feet (two thousand one hundred thirty-four millimeters).

Exceptions:

(1) In one- and two-family dwellings, beams or girders spaced not less than four feet (one thousand two hundred nineteen millimeters) on center and projecting not more than six inches (one hundred fifty-two millimeters) below the required ceiling height.

(2) Basement rooms in one- and two-family dwellings occupied exclusively for laundry, study or recreation purposes, having a ceiling height of not less than six feet eight inches (two thousand thirty-three millimeters) with not less than six feet four inches (one thousand nine hundred thirty-two millimeters) of clear height under beams, girders, ducts and similar obstructions.

(3) Rooms occupied exclusively for sleeping, study or similar purposes and having a sloped ceiling over all or part of the room, with a clear ceiling height of at least seven feet (two thousand one hundred thirty-four millimeters) over not less than one-third of the required

3023 minimum floor area. In calculating the floor area of such rooms, only
 3024 those portions of the floor area with a clear ceiling height of five feet
 3025 (one thousand five hundred twenty-four millimeters) or more shall be
 3026 included.

3027 (d) Bedroom and Living Room Requirements. Every bedroom and
 3028 living room shall comply with the requirements of subsections (d)(1)
 3029 through (d)(5) of this section.

3030 (1) Room Area. Every living room shall contain at least one hundred
 3031 twenty square feet (11.2 square meters) and every bedroom shall
 3032 contain at least seventy square feet (6.5 square meters).

3033 (2) Access from Bedrooms. Bedrooms shall not constitute the only
 3034 means of access to other bedrooms or habitable spaces and shall not
 3035 serve as the only means of egress from other habitable spaces.

3036 Exception: Units that contain fewer than two bedrooms.

3037 (3) Water Closet Accessibility. Every bedroom shall have access to
 3038 ~~at least~~ not less than one water closet and one lavatory without passing
 3039 through another bedroom. Every bedroom in a dwelling unit shall have
 3040 access to ~~at least~~ not less than one water closet and lavatory located in
 3041 the same story as the bedroom or an adjacent story.

3042 (4) Prohibited Occupancy. Kitchens and non-habitable spaces shall
 3043 not be used for sleeping purposes.

3044 (5) Other Requirements. Bedrooms shall comply with the applicable
 3045 provisions of this code including, but not limited to, the light, ventilation,
 3046 room area, ceiling height and room width requirements of this chapter;
 3047 the plumbing facilities and water-heating facilities requirements of
 3048 Article V; the heating facilities and electrical receptacle requirements of
 3049 Article VI; and the smoke detector and emergency escape requirements
 3050 of Article VII of this code.

3051 (e) Overcrowding. The number of persons occupying a dwelling
 3052 unit shall not create conditions that, in the opinion of the code official,
 3053 endanger the life, health, safety or welfare of the occupants.

3054 (f) Efficiency Unit. Nothing in this section shall prohibit an efficiency
 3055 living unit from meeting the following requirements:

3056 (1) A unit occupied by not more than two occupants shall have a
 3057 clear floor area of not less than two hundred twenty square feet (20.4
 3058 square meters). A unit occupied by three occupants shall have a clear
 3059 floor area of not less than three hundred twenty square feet (29.7
 3060 square meters). These required areas shall be exclusive of the areas
 3061 required by subsections (f)(2) and (3) of this section.

3062 (2) The unit shall be provided with a kitchen sink, cooking appliance
 3063 and refrigeration facilities, each having a clear working space of not less
 3064 than thirty inches (seven hundred sixty-two millimeters) in front. Light
 3065 and ventilation conforming to this code shall be provided.

3066 (3) The unit shall be provided with a separate bathroom containing
 3067 a water closet, lavatory and bathtub or shower.

3068 (4) The maximum number of occupants shall be three.

3069 (g) Food Preparation. All spaces to be occupied for food preparation
 3070 purposes shall contain suitable space and equipment to store, prepare

3071 and serve foods in a sanitary manner. There shall be adequate facilities
 3072 and services for the sanitary disposal of food wastes and refuse,
 3073 including facilities for temporary storage.
 3074

3075 Section 98. Kirkland Municipal Code Section 21.41.502 is
 3076 amended to read as follows:

3077 **21.41.502 Required facilities.**

3078 (a) Dwelling Units. Every dwelling unit shall contain its own bathtub
 3079 or shower, lavatory, water closet and kitchen sink, ~~which that~~ shall be
 3080 maintained in a sanitary, safe working condition. The lavatory shall be
 3081 placed in the same room as the water closet or located in close proximity
 3082 to the door leading directly into the room in which such water closet is
 3083 located. A kitchen sink shall not be used as a substitute for the required
 3084 lavatory.

3085 (b) Rooming Houses. ~~At least~~ Not less than one water closet,
 3086 lavatory and bathtub or shower shall be supplied for each four rooming
 3087 units.

3088 (c) Hotels. Where private water closets, lavatories and baths are
 3089 not provided, one water closet, one lavatory and one bathtub or shower
 3090 having access from a public hallway shall be provided for each ~~ten~~ 10
 3091 occupants.

3092 (d) Employees' Facilities. ~~A minimum of~~ Not less than one water
 3093 closet, one lavatory and one drinking facility shall be available to
 3094 employees.

3095 (1) Drinking Facilities. Drinking facilities shall be a drinking
 3096 fountain, water cooler, bottled water cooler or disposable cups next to
 3097 a sink or water dispenser. Drinking facilities shall not be located in toilet
 3098 rooms or bathrooms.

3099 (e) Public Toilet Facilities. Public toilet facilities shall be maintained in
 3100 a ~~safe~~ safe, sanitary and working condition in accordance with Chapter
 3101 21.24. Except for periodic maintenance or cleaning, public access and
 3102 use shall be provided to the toilet facilities at all times during occupancy
 3103 of the premises.
 3104

3105 Section 99. Kirkland Municipal Code Section 21.41.504 is
 3106 amended to read as follows:

3107 **21.41.504 Plumbing systems and fixtures.**

3108 (a) General. ~~All plumbing~~ Plumbing fixtures shall be properly
 3109 installed and maintained in working order, and shall be kept free from
 3110 obstructions, leaks and defects and be capable of performing the
 3111 function for which such plumbing fixtures are designed. ~~All plumbing~~
 3112 Plumbing shall be maintained in a safe, sanitary and functional
 3113 condition.

3114 (b) Fixture Clearances. Plumbing fixtures shall have adequate
 3115 clearances for usage and cleaning.

(c) Plumbing System Hazards. Where it is found that a plumbing system in a structure constitutes a hazard to the occupants or the structure by reason of inadequate service, inadequate venting, cross connection, backsiphonage, improper installation, deterioration or damage or for similar reasons, the code official shall require the defects to be corrected to eliminate the hazard.

Section 100. Kirkland Municipal Code Section 21.41.505 is amended to read as follows:

21.41.505 Water system.

(a) General. Every sink, lavatory, bathtub or shower, drinking fountain, water closet or other plumbing fixture shall be properly connected to either a public water system or to an approved private water system. ~~All kitchen~~ Kitchen sinks, lavatories, laundry facilities, bathtubs and showers shall be supplied with hot or tempered and cold running water in accordance with Chapter 21.24.

(b) Contamination. The water supply shall be maintained free from contamination, and all water inlets for plumbing fixtures shall be located above the flood-level rim of the fixture. Shampoo basin faucets, janitor sink faucets and other hose bibs or faucets to which hoses are attached and left in place shall be protected by an approved atmospheric-type vacuum breaker or an approved permanently attached hose connection vacuum breaker.

(c) Supply. The water supply system shall be installed and maintained to provide a supply of water to plumbing fixtures, devices and appurtenances in sufficient volume and at pressures adequate to enable the fixtures to function properly, safely, and free from defects and leaks.

(d) Water Heating Facilities. Water heating facilities shall be properly installed, maintained and capable of providing an adequate amount of water to be drawn at every required sink, lavatory, bathtub, shower and laundry facility at a temperature of not less than one hundred ten degrees Fahrenheit (forty-three degrees Celsius). A gas-burning water heater shall not be located in any bathroom, toilet room, bedroom or other occupied room normally kept closed, unless adequate combustion air is provided. An approved combination temperature and pressure-relief valve and relief valve discharge pipe shall be properly installed and maintained on water heaters.

Section 101. Kirkland Municipal Code Section 21.41.506 is amended to read as follows:

21.41.506 Sanitary drainage system.

(a) General. ~~All plumbing~~ Plumbing shall be properly connected to either a public sewer system or to an approved private sewage disposal system.

(b) Maintenance. Every plumbing stack, vent, waste and sewer line shall function properly and be kept free from obstructions, leaks and defects.

(c) Grease Interceptors. ~~Where it has been determined that a grease interceptor is not being maintained and serviced as intended by this code and the manufacturer's instructions, an approved interceptor monitoring system shall be provided or a maintenance program shall be established with documentation submitted to the code official. Grease interceptors and automatic grease removal devices shall be maintained in accordance with this code and the manufacturer's installation instructions. Grease interceptors and automatic grease removal devices shall be regularly serviced and cleaned to prevent the discharge of oil, grease, and other substances harmful or hazardous to the building drainage system, the public sewer, the private sewage disposal system or the sewage treatment plant or processes. Records of maintenance, cleaning and repairs shall be available for inspection by the code official.~~

Section 102. Kirkland Municipal Code Section 21.41.601 is amended to read as follows:

21.41.601 General.

(a) Scope. The provisions of this article shall govern the minimum mechanical and electrical facilities and equipment to be provided.

(b) Responsibility. The owner of the structure shall provide and maintain mechanical and electrical facilities and equipment in compliance with these requirements. A person shall not occupy as owner-occupant or permit another person to occupy any premises which ~~that~~ does not comply with the requirements of this article.

Section 103. Kirkland Municipal Code Section 21.41.603 is amended to read as follows:

21.41.603 Mechanical equipment.

(a) Mechanical Appliances. ~~All mechanical~~ Mechanical appliances, fireplaces, solid fuel-burning appliances, cooking appliances and water heating appliances shall be properly installed and maintained in a safe working condition, and shall be capable of performing the intended function.

(b) Removal of Combustion Products. ~~All fuel-burning~~ Fuel-burning equipment and appliances shall be connected to an approved chimney or vent.

Exception: Fuel-burning equipment and appliances ~~which~~ that are labeled for unvented operation.

(c) Clearances. ~~All required~~ Required clearances to combustible materials shall be maintained.

(d) Safety Controls. ~~All safety~~ Safety controls for fuel-burning equipment shall be maintained in effective operation.

(e) Combustion Air. A supply of air for complete combustion of the fuel and for ventilation of the space containing the fuel-burning equipment shall be provided for the fuel-burning equipment.

(f) Energy Conservation Devices. Devices intended to reduce fuel consumption by attachment to a fuel-burning appliance, to the fuel supply line thereto, or to the vent outlet or vent piping therefrom, shall not be installed unless labeled for such purpose and the installation is specifically approved.

Section 104. Kirkland Municipal Code Section 21.41.605 is amended to read as follows:

21.41.605 Electrical equipment.

(a) Installation. ~~All electrical~~ Electrical equipment, wiring and appliances shall be properly installed and maintained in a safe and approved manner.

(b) Receptacles. Every habitable space in a dwelling shall contain ~~at least~~ not less than two separate and remote receptacle outlets. Every laundry area shall contain ~~at least~~ not less than one ~~grounded-type~~ grounding-type receptacle or a receptacle with a ground fault circuit interrupter. Every bathroom shall contain ~~at least~~ not less than one receptacle. Any new bathroom receptacle outlet shall have ground fault circuit interrupter protection.

(c) Luminaires. Every public hall, interior stairway, toilet room, kitchen, bathroom, laundry room, boiler room and furnace room shall contain ~~at least~~ not less than one electric luminaire. Pool and spa luminaires over 15 V shall have ground fault circuit interrupter protection.

(d) Extension Cords. Extension cords shall not be used for permanent wiring. Extension cords shall not extend from one room to another; be placed across a doorway; extend through a wall or partition; or be used in any area where such cord may be subject to physical damage.

Section 105. Kirkland Municipal Code Section 21.41.606 is amended to read as follows:

21.41.606 Elevators, escalators and dumbwaiters.

(a) General. Elevators, dumbwaiters and escalators shall be maintained in compliance with ASME A17.1. The most current certificate of inspection shall be on display at all times within the elevator or attached to the escalator or dumbwaiter, be available for public inspection in the office of the building operator or be posted in a publicly conspicuous location approved by the code official. The inspection and tests shall be performed at not less than the periodic intervals listed in ASME A17.1, Appendix N, except where otherwise specified by the Washington State Department of Labor and Industries.

(b) Elevators. In buildings equipped with passenger elevators, at least not less than one elevator shall be maintained in operation at all times when the building is occupied.

Exception: Buildings equipped with only one elevator shall be permitted to have the elevator temporarily out of service for testing or servicing.

Section 106. Kirkland Municipal Code Section 21.41.702 is amended to read as follows:

21.41.702 Means of egress.

(a) General. A safe, continuous and unobstructed path of travel shall be provided from any point in a building or structure to the public way. Means of egress shall comply with Chapter 21.20.

(b) Aisles. The required width of aisles in accordance with Chapter 21.20 shall be unobstructed.

(c) Locked Doors. ~~All means~~ Means of egress doors shall be readily openable from the side from which egress is to be made without the need for keys, special knowledge or effort, except where the door hardware conforms to that permitted by Chapters 21.08 and 21.10.

(d) Emergency Escape Openings. Required emergency escape openings shall be maintained in accordance with the code in effect at the time of construction, and the following. Required emergency escape and rescue openings shall be operational from the inside of the room without the use of keys or tools. Bars, grilles, grates or similar devices are permitted to be placed over emergency escape and rescue openings, provided the minimum net clear opening size complies with the code that was in effect at the time of construction and such devices shall be releasable or removable from the inside without the use of a key, tool or force greater than that which is required for normal operation of the escape and rescue opening.

Section 107. Kirkland Municipal Code Section 21.41.704 is amended to read as follows:

21.41.704 Fire protection systems.

(a) General. ~~All systems~~ Systems, devices and equipment to detect a fire, actuate an alarm, or suppress or control a fire or any combination thereof shall be maintained in an operable condition at all times in accordance with the International Fire Code.

(1) Automatic Sprinkler Systems. Inspection, testing and maintenance of automatic sprinkler systems shall be in accordance with NFPA 25.

(2) Fire department connection. Where the fire department connection is not visible to approaching fire apparatus, the fire department connection shall be indicated by an approved sign mounted on the street front or on the side of the building. Such sign shall have the letters "FDC" not less than 6 inches (152 mm) high and words in letters not less than 2 inches (51 mm) high or an arrow to indicate the

3299 location. Such signs shall be subject to the approval of the fire code
 3300 official.

3301 (b) Single-and multiple-station smoke alarms. Single-and multiple-
 3302 station smoke alarms shall be installed in existing Group I-1 and R
 3303 occupancies in accordance with Sections (1) through (3).

3304 (1) Where required. Existing Group I-1 and R occupancies shall be
 3305 provided with single-station smoke alarms in accordance with Sections
 3306 (A) through (D) Interconnection and power sources shall be in
 3307 accordance with Sections (2) and (3).

3308 Exceptions:

3309 (i) Where the code that was in effect at the time of construction
 3310 required smoke alarms and smoke alarms complying with those
 3311 requirements are already provided.

3312 (ii) Where smoke alarms have been installed in occupancies and
 3313 dwellings that were not required to have them at the time of
 3314 construction, additional smoke alarms shall not be required provided
 3315 that the existing smoke alarms comply with requirements that were in
 3316 effect at the time of installation.

3317 (iii) Where smoke detectors connected to a fire alarm system have
 3318 been installed as a substitute for smoke alarms.

3319 (A) Group R-1. Single- or multiple-station smoke alarms shall be
 3320 installed in all of the following locations in Group R-1:

3321 (i) In sleeping areas.

3322 (ii) In every room in the path of the means of egress from the
 3323 sleeping area to the door leading from the sleeping unit.

3324 (iii) In each story within the sleeping unit, including basements. For
 3325 sleeping units with split levels and without an intervening door
 3326 between the adjacent levels, a smoke alarm installed on the upper
 3327 level shall suffice for the adjacent lower level provided that the lower
 3328 level is less than one full story below the upper level.

3329 (B) Groups R-2, R-3, R-4 and I-1. Single or multiple-station smoke
 3330 alarms shall be installed and maintained in Groups R-2, R-3, R-4 and
 3331 I-1 regardless of occupant load at all of the following locations:

3332 (i) On the ceiling or wall outside of each separate sleeping area in
 3333 the immediate vicinity of bedrooms.

3334 (ii) In each room used for sleeping purposes.

3335 (iii) In each story within a dwelling unit, including basements but not
 3336 including crawl spaces and uninhabitable attics. In dwellings or
 3337 dwelling units with split levels and without an intervening door
 3338 between the adjacent levels, a smoke alarm installed on the upper
 3339 level shall suffice for the adjacent lower level provided that the lower
 3340 level is less than one full story below the upper level.

3341 (C) Installation near cooking appliances. Smoke alarms shall not be
 3342 installed in the following

3343 locations unless this would prevent placement of a smoke alarm in a
 3344 location required by Section (A) or (B):

3345 (i) Ionization smoke alarms shall not be installed less than 20 feet
 3346 (6096 m) horizontally from a permanently installed cooking appliance.

3347 (ii) Ionization smoke alarms with an alarm-silencing switch shall not
3348 be installed less than 10 feet (3048 mm) horizontally from a
3349 permanently installed cooking appliance.
3350 (iii) Photoelectric smoke alarms shall not be installed less than 6 feet
3351 (1829 mm) horizontally from a permanently installed cooking
3352 appliance.
3353 (D) Installation near bathrooms. Smoke alarms shall be installed not
3354 less than 3 feet (914 mm) horizontally from the door or opening of a
3355 bathroom that contains a bathtub or shower unless this would
3356 prevent placement of a smoke alarm required by Section (A) or (B).
3357 (2) Interconnection. Where more than one smoke alarm is required
3358 to be installed within an individual dwelling or sleeping unit, the
3359 smoke alarms shall be interconnected in such a manner that the
3360 activation of one alarm will activate all of the alarms in the individual
3361 unit. Physical interconnection of smoke alarms shall not be required
3362 where listed wireless alarms are installed and all alarms sound upon
3363 activation of one alarm. The alarm shall be clearly audible in all
3364 bedrooms over background noise levels with all intervening doors
3365 closed.
3366 Exceptions:
3367 (i) Interconnection is not required in buildings that are not
3368 undergoing alterations, repairs or construction of any kind.
3369 (ii) Smoke alarms in existing areas are not required to be
3370 interconnected where alterations or repairs do not result in the
3371 removal of interior wall or ceiling finishes exposing the structure,
3372 unless there is an attic, crawl space or basement available that could
3373 provide access for interconnection without the removal of interior
3374 finishes.
3375 (3) Power source. Single-station smoke alarms shall receive their
3376 primary power from the building wiring provided that such wiring is
3377 served from a commercial source and shall be equipped with a battery
3378 backup. Smoke alarms with integral strobes that are not equipped
3379 with battery backup shall be connected to an emergency electrical
3380 system. Smoke alarms shall emit a signal when the batteries are low.
3381 Wiring shall be permanent and without a disconnecting switch other
3382 than as required for overcurrent protection.
3383 Exceptions:
3384 (i) Smoke alarms are permitted to be solely battery operated in
3385 existing buildings where no construction is taking place.
3386 (ii) Smoke alarms are permitted to be solely battery operated in
3387 buildings that are not served from a commercial power source.
3388 (iii) Smoke alarms are permitted to be solely battery operated in
3389 existing areas of buildings undergoing alterations or repairs that do
3390 not result in the removal of interior walls or ceiling finishes exposing
3391 the structure, unless there is an attic, crawl space or basement
3392 available that could provide access for building wiring without the
3393 removal of interior finishes.

(4) Smoke detection system. Smoke detectors listed in accordance with UL 268 and provided as part of the building's fire alarm system shall be an acceptable alternative to single- and multiple-station smoke alarms and shall comply with the following:

(i) The fire alarm system shall comply with all applicable requirements in Section 907 of the International Fire Code.

(ii) Activation of a smoke detector in a dwelling or sleeping unit shall initiate alarm notification in the dwelling or sleeping unit in accordance with Section 907.5.2 of the International Fire Code.

(iii) Activation of a smoke detector in a dwelling or sleeping unit shall not activate alarm notification appliances outside of the dwelling or sleeping unit, provided that a supervisory signal is generated and monitored in accordance with Section 907.6.5 of the International Fire Code.

Section 108. Kirkland Municipal Code Title 21 is amended to include a new Chapter 21.48 to read as follows:

Chapter 21.48

INTERNATIONAL SWIMMING POOL AND SPA CODE

21.48.010 International Swimming Pool and Spa Code adopted.

The 2015 Edition of the International Swimming Pool and Spa Code (ISPSC), as published by ICC is adopted. Sections 103, Department of Building Safety; 104, Duties and Powers of the Code Official; 105, Permits; 106, Inspections; 107, Violations; 108, Means of Appeal; 303, Energy; and 304, Flood Hazard Areas; are not adopted.

21.48.020 ISPSC Section 201.3 is amended.

201.3 Terms defined in other codes. Where terms are not defined in this code and are defined in the International Building Code, International Energy Conservation Code, International Fire Code, International Fuel Gas Code, International Mechanical Code, Uniform Plumbing Code or International Residential Code, such terms shall have the meanings ascribed to them as in those codes.

21.48.030 ISPSC Section 302.1 is amended.

302.1 Electrical. Electrical requirements for aquatic facilities shall be in accordance with the Kirkland Electrical Code.

Exception: Internal wiring for portable residential spas and portable residential exercise spas.

21.48.035 ISPSC Section 302.2 is amended.

302.2 Water service and drainage. Piping and fittings used for water service, makeup and drainage piping for pools and spas shall comply

with the Uniform Plumbing Code. Fittings shall be approved for installation with the piping installed.

21.48.040 ISPSC Section 302.5 is amended.

302.5 Backflow protection. Water supplies for pools and spas shall be protected against backflow in accordance with the Uniform Plumbing Code or the International Residential Code, as applicable in accordance with Section 102.7.1.

21.48.045 ISPSC Section 302.6 is amended.

302.6 Waste-water discharge. Where waste water from pools and spas, backwash from filters and water from deck drains discharge to the building drainage system, such installation shall be in accordance with the Uniform Plumbing Code or the International Residential Code, as applicable in accordance with Section 102.7.1.

21.48.050 ISPSC Section 302.9.1 is amended.

306.9.1 Hose bibbs. Hose bibbs shall be provided for rinsing down the entire deck and shall be installed in accordance with the Uniform Plumbing Code or International Residential Code, as applicable in accordance with Section 102.7.1, and shall be located not more than 150 feet (45 720 mm) apart. Water-powered devices, such as water-powered lifts, shall have a dedicated hose bibb water source.

Exception: Residential pools and spas shall not be required to have hose bibbs located at 150-foot (45 720 mm) intervals, or have a dedicated hose bibb for waterpowered devices.

21.48.055 ISPSC Section 318.2 is amended.

318.2 Protection of potable water supply. Potable water supply systems shall be designed, installed and maintained so as to prevent contamination from nonpotable liquids, solids or gases being introduced into the potable water supply through cross-connections or other piping connections to the system. Means of protection against backflow in the potable water supply shall be provided through an air gap complying with ASME A112.1.2 and the International Residential Code or the Uniform Plumbing Code, as applicable in accordance with Section 102.7.1.

21.48.060 ISPSC Section 410 is amended.

SECTION 410 DRESSING AND SANITARY FACILITIES

410.1 Dressing and sanitary facilities. Dressing and sanitary facilities shall be provided for Class A and B pools as required by the International Building Code and Uniform Plumbing Code.

Section 109. Kirkland Municipal Code Section 21.74.030 is amended to read as follows:

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21.74.030 General provisions for construction and permit fees.

(a) Scope. These general provisions apply to all permits issued by the fire department and planning and building department.

(b) Miscellaneous Inspections and Other Fees. Table 2 is used to calculate fees for miscellaneous inspections and additional plan review.

Table 2—Miscellaneous Inspections and Other Fees

Based on an Hourly Rate of \$120 Per Hour

Type	Per Hour	Minimum Fee	Due
Inspection or plan review outside normal hours (in addition to the normal inspection and plan review fee)	Hourly Rate x 1.5	1.5 hours	Within 5 days of notification
Plan review resulting from changes to approved plans (in addition to the normal fees associated with a change in scope of work)	Hourly Rate	.5 hour	At revision issuance
Additional plan review required when requested correction items are not made	Hourly rate	.5 hour	Prior to issuance
Expedited single-family plan review (in addition to regular plan review fee)		\$1,700	At intake
<u>Green Priority Review single-family plan review (in addition to regular plan review fee)</u>		<u>\$1,700</u>	<u>Prior to Final if failure to certify as Green</u>
Energy/Indoor Air Quality Code		\$77.00 + \$0.01/square foot	At permit issuance
Washington State Building Code Council surcharge		\$4.50 for first dwelling unit + \$2.00 each additional unit	

Table 2—Miscellaneous Inspections and Other Fees
Based on an Hourly Rate of \$120 Per Hour

Type	Per Hour	Minimum Fee	Due
Permit renewals		1/2 the original permit fee	
Reinspection fee (in addition to the normal inspection fee)	Hourly rate	1 hour	Within 5 days of notification
Landlord/tenant inspections conducted pursuant to RCW 59.18.115		\$15.00	At application submittal
Adult family home inspection (WABO checklist)		\$100	Prior to the inspection

3491 Section 110. If any provision of this ordinance or its application
3492 to any person or circumstance is held invalid, the remainder of the
3493 ordinance or the application of the provision to other persons or
3494 circumstances is not affected.

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3496 Section 111. This ordinance shall be in force and effect five days
3497 from and after its passage by the Kirkland City Council and publication
3498 pursuant to Section 1.08.017, Kirkland Municipal Code in the summary
3499 form attached to the original of this ordinance and by this reference
3500 approved by the City Council.

3501
3502 Passed by majority vote of the Kirkland City Council in open
3503 meeting this 5th day of July, 2016.

3504
3505 Signed in authentication thereof this 5th day of July, 2016.


MAYOR

Attest:

Publication Date: July 11, 2016


City Clerk

Approved as to Form:

Kwiri Raymond

City Attorney

PUBLICATION SUMMARY
OF ORDINANCE O-4524

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO MODIFICATIONS TO TITLE 21 OF THE KIRKLAND MUNICIPAL CODE REGARDING BUILDING AND CONSTRUCTION.

SECTIONS 1 - 35. Amends and adds new sections to Chapter 21.06 of the Kirkland Municipal Code (KMC) relating to the Construction Administrative Code.

SECTIONS 36 - 45. Amends, adds and repeals sections of Chapter 21.08 of the KMC relating to the International Building Code.

SECTIONS 46 - 47. Amends sections of Chapter 21.10 of the KMC relating to the International Residential Code.

SECTION 48. Amends Section 21.16.010 of the KMC relating to the International Mechanical Code.

SECTIONS 49 - 68. Amends, adds and repeal sections of Chapter 21.20 of the KMC relating to the International Fire Code.

SECTIONS 69 - 70. Amends sections of Chapter 21.24 of the KMC relating to the Uniform Plumbing Code.

SECTION 71. Amends Section 21.28.010 of the KMC relating to the National Fuel Gas Code.

SECTION 72. Amends Section 21.32.010 of the KMC relating to the Liquefied Petroleum Gas Code.

SECTION 73. Amends Section 21.36.010 of the KMC relating to the International Fuel Gas Code.

SECTION 74. Amends Chapter 21.37 of the KMC relating to the Washington State Energy Code.

SECTIONS 75 - 107. Amends sections of Chapter 21.41 of the KMC relating to the Kirkland Property Maintenance Code.

SECTION 108. Amends Title 21 of the KMC adding a new Chapter 21.48 entitled "International Swimming Pool and Spa Code."

SECTION 109. Amends Section 21.74.030 of the KMC relating to Development Fees.

SECTION 110. Provides a severability clause for the ordinance.

SECTION 111. Authorizes publication of the ordinance by summary, which summary is approved by the City Council pursuant to

Section 1.08.017 Kirkland Municipal Code and establishes the effective date as five days after publication of summary.

The full text of this Ordinance will be mailed without charge to any person upon request made to the City Clerk for the City of Kirkland. The Ordinance was passed by the Kirkland City Council at its meeting on the 5th day of July, 2016.

I certify that the foregoing is a summary of Ordinance O-4524 approved by the Kirkland City Council for summary publication.



City Clerk