

Repealed By 2408, Date: \_\_\_\_\_ORDINANCE NO. 2291

AN ORDINANCE OF THE CITY OF KIRKLAND ADOPTING BY REFERENCE THE UNIFORM PLUMBING CODE, 1973 EDITION AS PUBLISHED BY THE INTERNATIONAL ASSOCIATION OF PLUMBING AND MECHANICAL OFFICIALS, MAKING CERTAIN AMENDMENTS, MODIFICATIONS AND AMENDING CHAPTERS 21.04 and 21.20 OF THE KIRKLAND MUNICIPAL CODE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF KIRKLAND AS FOLLOWS:

## SECTION I. Copies of codes on file:

Section 21.04.010 Kirkland Municipal Code is amended to read as follows:

"21.04.010 Copies of codes on file. The City shall at all times keep on hand and available for public inspection not less than three copies of each of the codes and resolutions, or parts thereof, adopted by reference as a part of this chapter and chapters 21.08 through 21.24:

- (1) Uniform Building Code and Standards, issued by the International Conference of Building Officials, 1973 Edition; Third printing;
- (2) Uniform Housing Code issued by the International Conference of Building Officials, 1973 edition;
- (3) Volume VI, Signs, Uniform Building Code, issued by the International Conference of Building Officials, 1967 edition;
- (4) Uniform Plumbing Code, issued by the International Association of Plumbing and Mechanical Officials, [1970] 1973 Edition; Second printing;
- (5) Uniform Mechanical Code, issued by the International Association of Plumbing and Mechanical Officials, and the International Conference of Building Officials, 1973 Edition, including NFPA Pamphlet 96.
- (6) Chapter 56, Sections 5601 through 5606, inclusive, Waterfront Structures, Piers, Wharves and Buildings of King County Resolution No. 34643, adopted January 8, 1968.

21.04.020 Interpretation. Whenever the following words appear in the codes adopted by reference in this Chapter and Chapters 21.08 through 21.24, they are changed as follows:

- (1) "City Treasurer" to "Director of Administration and Finance;"
- (2) "Local Zoning Code" to the "City of Kirkland Zoning Code;"
- (3) "Administrative authority" to [~~Director of Public Services~~] Building Official
- (4) "Assistant to Administrative Authority" to "Plumbing Inspector".

## SECTION II. Plumbing Code:

The Sections and subsections of Chapter 21.20, Plumbing Code of the Kirkland Municipal Code set forth below are hereby amended:

"Section 21.20.010 Plumbing Code Adoption. The Uniform Plumbing Code, issued by the International Association of Plumbing and Mechanical Officials, [1970] 1973 Edition, Second printing, together with amendments and/or additions thereto hereafter made, is hereby adopted in its entirety by this reference as part of

the Plumbing Code for the City. Provided, that notwithstanding any wording in this code, nothing in this code shall apply to the installation of any gas piping, or vents for water heaters.

Section 21.20.020 Plastic Pipe and Fittings. (a) Acrylonitrilebutadiene-styrene (ABS)-DWV pipe and fittings are approved for use in H, I, and J occupancies for above and below ground drain, waste and vent installations. Plastic pipe and fittings are not approved in types I and II construction, area separation floors and walls, fire resistive walls surrounding stairwells and occupancy separation floors and walls where more than one hour of fire resistance is required. Vertical soil and vent stacks shall not exceed thirty feet in height. Thirty feet shall be figured from the base of the stack at the finish floor level to the ceiling of the top floor.

(b) The extension of vents through the roof above the top floor ceiling may be of A.B.S. material.

Section 21.20.030. Administration. In addition to the regulations set forth in the Uniform Plumbing Code, Administrative regulations are hereby adopted to read as follows:

21.20.031 Application and Scope. The provisions of this code shall apply to all new construction, relocated buildings, and to any alterations, repairs, or reconstruction, except as provided for otherwise in this code.

21.20.032 Right of Entry. Building Official or his designated agent shall have the right of entry, during usual business hours, to inspect any and all buildings and premises in the performance of his duties.

21.20.033 Dangerous and Insanitary Construction. (a) Any portion of a plumbing system found by the Building Official to be insanitary as defined herein is hereby declared to be a public nuisance.

(b) Any plumbing system lawfully installed prior to the effective date of this code may have its existing use, maintenance or repair continued if the use, maintenance or repair is in accordance with the original design and location and no hazard to the public health, safety or welfare has been created by such system.

(c) The owner or his designated agent shall be responsible for the maintenance of the Plumbing system in a safe and sanitary condition.

(d) When any plumbing system is determined to be insanitary and in violation of any notice issued pursuant to the provisions of this chapter, the Building Official shall institute an abatement as prescribed by Chapter 21.28 of the Kirkland Municipal Code.

21.20.034 Violations and Penalties. Any person, firm or corporation violating any provision of this code shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine or imprisonment or both by fine and imprisonment. Each separate day or any portion thereof during which any violation of this code occurs or continues shall be deemed to constitute a separate offense.

The issuance or granting of a permit or approval of plans and specifications shall not be deemed or construed to be a permit for, or an approval of, any violation of any of the provisions of this code. No permit presuming to give authority to violate or cancel the provisions of this code shall be valid, except insofar as the work or use which it authorized is lawful.

The issuance or granting of a permit or approval of plans shall not prevent the Building Official from thereafter requiring the correction of errors in the plans and specifications or from preventing construction operations from being carried on when in violation of this code or any other ordinance or from revoking any certificate of approval when issued in error.

Every permit issued by the Building Official under the provisions of the code shall expire by limitation and become null and void if the work authorized by such permit is not commenced within one-hundred and twenty (120) days. Before such work can be recommenced a new permit shall be first obtained and the fee therefor shall be one-half the amount required for a new permit for such work provided no changes have been made, or will be made in the original plans and specifications for such work; and provided, further, that such suspension or abandonment has not exceeded one (1) year. Plumbing permits for I & J occupancies shall expire one (1) year from the date of issue. Plumbing permits may be renewed for one half (1/2) of the amount of the original permit fee for the first permit issued for such work.

21.20.035 Permit Required. (a) It shall be unlawful for any person to install, remove, alter, repair or replace or cause to be installed, removed, altered, repaired or replaced any plumbing, or drainage piping work or any fixture or water treating equipment in a building or premises without first obtaining a permit to do such work from the Building Official.

(b) A separate permit shall be obtained for each building or structure.

(c) No person shall allow any other person to do or cause to be done any work under a permit secured by a Permittee except persons in his employ.

(d) A signed affidavit shall be furnished to the Plumbing Inspector by the person doing plumbing work to indicate compliance with licensing provisions of Chapter 18.106 revised code of Washington.

21.20.036 Work Not Requiring Permit: No permit shall be required in the case of any repair work as follows: The stopping of leaks in drains, soil, waste or vent pipe, provided, however, that should any drainpipe, soil, waste or vent pipe be or become defective and it becomes necessary to remove and replace the same with new material in any part or parts, the same shall be considered as such new work and a permit shall be procured and inspection made as hereinbefore provided. No permit shall be required for the clearing of stoppages or the repairing of leaks in pipes, valve or fixtures, when such repairs do not involve or require the replacement or rearrangement of pipes.

21.20.037 To Whom Permits May Be Issued. A permit may be issued to a properly licensed person in conformance with current State Contractor licensing laws; RCW 18.27. A licensed General Contractor or owner shall be issued a plumbing permit as a portion of the required building permit when approved plans indicate plumbing fixtures.

21.20.038 Application for Permit. Any person legally entitled to apply for and receive a permit shall make such application of the form provided for that purpose. He shall give a description of the character of the work proposed to be done, and the location, ownership, occupancy and use of the premises in connection therewith. The Building Official may require plans, specifications or drawings and such other information as he may deem necessary.

If the Building Official determines that the plans, specifications, drawings, descriptions or information furnished by the applicant is in compliance with this code, he shall issue the permit applied for upon payment of the required fee.

21.20.039 Cost of Permit. Every applicant for a permit to do work regulated by this code shall indicate in writing, on the application form provided for that purpose, the character of work proposed to be done and the number and kind of fixtures proposed, together with as much pertinent information as may be required.

Such applicant shall pay for each permit issued at the time of issuance, a fee in accordance with the following schedule, and at the rate provided for each classifications shown:

For issuing each permit (when not part of a Building Permit)-----\$ 3.00

In addition:

For each plumbing fixture or trap or set of fixtures on one trap (including water, drainage piping and backflow protection therefore)-----\$ 2.00

Rainwater systems - per drain (inside building)-----\$ 2.00

For each private sewage disposal system or repair-----\$10.00

For each water heater and/or vent-----\$ 2.00

For each industrial waste pre-treatment interceptor, including its trap and vent excepting kitchen type grease interceptors functioning as fixture traps-----\$ 2.00

For installation, alteration or repair of water piping and or water treating equipment-----\$ 2.00

For repair or alteration of drainage or vent piping-----\$ 2.00

For each lawn sprinkler system or any one meter including backflow protection devices therefore-----\$ 2.00

For vacuum brakers or backflow protective devices on tanks, vats, etc. or for installation on unprotected plumbing fixtures including necessary water piping one (1) to five (5)-----\$ 2.00

over five (5), each-----\$ 1.00

Any person who shall commence any work for which a permit is required by this code without first having obtained a permit shall pay double the permit fee fixed by this section for such work. Such double permit fee shall be in addition to any penalty for violation provided for in Section 21.20.034 KMC.

For the purpose of this section a sanitary plumbing outlet on or to which a plumbing fixture or appliance may be set or attached shall be construed to be a fixture. Fees for reconnection and retest of existing plumbing systems in relocated buildings shall be based on the number of plumbing fixtures involved.

Section 21.20.040 Chapter 13, Section 1301 Amended - - General. Chapter 13, Section 1301 General, [~~1970~~] 1973 Uniform Plumbing Code, is hereby amended to read as follows:

"The regulations of this chapter shall govern the construction, location and installation of all fuel burning and other water heaters heating potable water. The venting of water heaters shall be governed by the Uniform Mechanical Code. All design, construction and workmanship shall be in conformity with accepted engineering practices and shall be of such character as to secure the results sought to be obtained by this code. No water heater shall be hereinafter installed which does not comply in all respects with the type and model of each size thereof approved by the Administrative Authority."

Section 21.20.050 License Schedule. Section is repealed.

SECTION III Savings Clause:

Should any section, paragraph, sentence or word of this Ordinance or the codes herein adopted be declared for any reason to be invalid, it is the intent of the City Council that it would have passed all other portions of this Ordinance independent of the elimination herefrom of any such section, subsection, paragraph, sentence or word as may be declared invalid.

SECTION IV Houghton Community Council Jurisdiction:

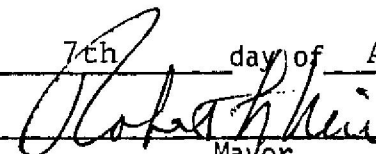
To the extent that the subject matter or any portion thereof of this Ordinance is subject to the disapproval, jurisdiction of the Houghton Community Council as created by Ordinance No. 2001, this Ordinance shall become effective within the Houghton Municipal Community, either on approval of the Houghton Community Council, or failure of said Community Council to disapprove within sixty days of the date of passage of this Ordinance.

SECTION V Effective Date:

Except as provided in Section 4, this Ordinance shall be in full force and effective five days from and after its passage by the Council and publication as required by law.

PASSED by the Kirkland City Council in regular meeting on the 7th day of April, 1975.

SIGNED in authentication thereof on the 7th day of April, 1975.

  
\_\_\_\_\_  
Mayor

ATTEST   
\_\_\_\_\_  
Director of Administration and Finance

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(ex officio City Clerk)

APPROVED as to Form:   
\_\_\_\_\_  
City Attorney

## ENVIRONMENTAL ASSESSMENT

### Adoption and Amendments to the Uniform Plumbing Code 1973 Edition.

#### A. PROPOSED ACTION

1. The proposed legislative action is to adopt, with certain amendments the Uniform Plumbing Code, 1973 Edition, to replace the existing 1970 Edition of the Uniform Plumbing Code. The purpose of this legislation is to update the currently adopted codes which are designed to provide minimum standards to safeguard life, health, property, and public welfare by regulating and controlling the design, construction, quality of materials, and maintenance of all plumbing systems within the city.
2. The State legislature's most recent session adopted the 1973 edition of the Uniform Plumbing Code as a plumbing code to be used through-out the entire State of Washington. This legislature also adopted the Uniform Mechanical Code 1973 edition to be used through-out the State as the code relating to installation of mechanical equipment and gas piping. The action proposed here then would implement the mandate of the State Legislature.
3. The public participation. As this is an ordinance, the proposed legislation must of course be passed by the City Council at a public meeting. Then signed into law by the Mayor. A great deal of public input, especially from construction lobbyists, was involved prior to the time of the State Legislature enacting State Legislation adopting the plumbing code. A meeting was also held with local plumbing contractors to review this ordinance.

4. Relationship with existing laws, policies and plans. Currently the City of Kirkland has adopted a 1973 edition of the Uniform Building Code and the 1973 edition of the Uniform Mechanical Code. As previously stated, the 1973 edition of the Uniform Plumbing Code will bring the City of Kirkland in line with the State of Washington.
5. The actions/decisions remaining prior to the adoption of the codes referenced in this document are as follows:
  - a. Negative Declaration by the Responsible Official on this Environmental Assessment or the preparation of a full Environmental Impact Statement.
  - b. Publication in the Eastside Journal to the effect that these codes will be adopted by the City Council at a specific hearing date.
  - c. The adoption by the City Council at a Public Hearing by Ordinance of the codes referenced in this document.
6. This is a portion of the proposed larger project which will consist of adoption of the American National Standards Institute Inc. Specifications as set forth in the State building code in relation to the accessibility for buildings by the physically handicapped. An individual Environmental Assessment will be prepared if and when such other action occur. Public hearings will be held prior to that adoption similar to this proposed legislative action.
7. Planning that has taken place. As the Uniform Plumbing Code develops as a code it is assembled by votes of Class A members. Class A members are cities, towns, and counties such as Kirkland, which meet annually in committee sessions, to evaluate present codes and recommendations for revisions. The proposed amendments are currently adopted in our existing plumbing code ordinance

B. EXISTING CONDITIONS

1. Existing legislation is under Title 21 of the City of Kirkland Municipal Code. The proposed changes come from primarily Chapter 21.04.010 and 21.20 dealing with the Plumbing Code.
2. The conditions that exist due to our currently adopted legislation is the fact that the city has a plumbing code which, due to State Legislative mandate has become obsolete. The proposed amendment to the Uniform Plumbing Code will provide the Building Official an administrative section which was omitted from this edition of the code.

C. ENVIRONMENTAL IMPACT OF THE PROPOSED ACTION

It is not felt that substantial controversy originating from agencies or citizen groups would evolve. Since this action updates our currently adopted plumbing code. It is felt that most controversy from these interested groups has occurred during various lobbying activities prior to the adoption of the documents by the State Legislature.

It is not felt that any existing community social patterns or traditions would be effected by this legislation. No potential changes to existing land use by this legislation would be effected.

Section II of the proposed ordinance adopts by reference the 1973 edition of the Uniform Plumbing Code. The amendment to provide a Fee Schedule is proposed to reflect a realistic department operating cost. The other amendments are the same as in previous plumbing code. The licensing provision has been dropped as the State has pre-empted cities from this function.

Individuals or groups that may be affected by this proposed legislation could possibly be plumbers who operate outside the licensing provisions of

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the State Law. The requirements set forth by the proposed amendment would all benefit the owners and purchasers or tenants of structures constructed in conformance with these regulations. This proposed legislation would not adversely effect the City government on a budgetary basis. The code as proposed provides funds for operation.

#### CONCLUSION

##### D. ALTERNATIVES TO THE PROPOSED ACTION

A possible alternative action would be to strike one or all of the proposed amendments and adopt the code strictly as written. However, the code is only a model code designed to be modified locally to meet local needs. The amendments proposed are based on our local needs as previously discussed in this document.

A second alternative would be to adopt a different model code similar to the codes adopted by the eastern or southern parts of the United States. These codes are historically restrictive to the point of being very inflexible and allow very little variation for new techniques and materials.

The other alternative action would be to take no action on this proposed legislation. This would have the effect of having a code as a portion of the Municipal Code that is no longer enforceable. This no action approach will have the City of Kirkland in conflict with the State of Washington which adopted this proposed edition as the State Plumbing Code.

It is felt that none of the above alternatives would be acceptable. The needs of the City of Kirkland are such that the code should be adopted as presented.

E. SHORT TERM USE VERSUS LONG TERM USE PRODUCTIVITY

This action proposed is of approximately three year duration. The make-up of the Uniform Plumbing Code and the International Association of Plumbing and Mechanical Officials is such that the code is completely re-written every three years. A new code will be published as the 1975 edition which at that time will be reviewed for adoption by local agencies.

F. IRREVERSIBLE COMMITMENTS

This proposed legislation does not have irreversible commitments. The city council, as a legislative body may alter, amend, or completely delete this type of legislation at any time. However, should the code be deleted completely, the city would thereby be required to enforce the 1973 edition as adopted by the State Legislature.



CERTIFICATION BY APPLICANT:

I hereby certify that the information furnished in this environmental information worksheet is true and accurate to the best of my knowledge.

\_\_\_\_\_  
Signature and Title

\_\_\_\_\_  
Date

Project Name: \_\_\_\_\_

Project Address: \_\_\_\_\_

ACTION BY RESPONSIBLE OFFICIALS:

- |                          |                   |           |                         |
|--------------------------|-------------------|-----------|-------------------------|
| 1. Date of Staff Review: | Building _____    | by: _____ | Check one<br>(+) or (-) |
|                          | Planning _____    | by: _____ | (+) or (-)              |
|                          | Engineering _____ | by: _____ | (+) or (-)              |
|                          | Police _____      | by: _____ | (+) or (-)              |
|                          | Fire _____        | by: _____ | (+) or (-)              |

2. Staff review of (project description) determined that:

- \_\_\_\_\_ The project is exempt by definition.
- \_\_\_\_\_ The project has no significant environmental impact and application should be processed without further consideration of environmental effects.
- \_\_\_\_\_ The project has significant environmental impact and a complete environmental impact statement must be prepared prior to further action on request for permit.

\_\_\_\_\_  
Signature and Title of Responsible Official

\_\_\_\_\_  
Date

3. Applicant was notified of decision on:

\_\_\_\_\_ by \_\_\_\_\_ by \_\_\_\_\_  
Date Staff Person Letter, phone

In accordance with Washington State Environmental Policy Act and City of Kirkland Resolution No. 2181.