

ORDINANCE NO. 2408*Repealed by 3946*

AN ORDINANCE OF THE CITY OF KIRKLAND ADOPTING BY REFERENCE THE UNIFORM BUILDING CODE, 1976 EDITION, THE UNIFORM MECHANICAL CODE, 1976 EDITION, THE UNIFORM HOUSING CODE, 1976 EDITION, AND THE UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS, 1976 EDITION, ALL AS PUBLISHED BY THE INTERNATIONAL CONFERENCE OF BUILDING OFFICIALS, ADOPTING BY REFERENCE THE UNIFORM PLUMBING CODE, 1976 EDITION, AS PUBLISHED BY THE INTERNATIONAL ASSOCIATION OF PLUMBING AND MECHANICAL OFFICIALS, ADOPTING BY REFERENCE THE UNIFORM FIRE CODE, 1976 EDITION, AS PUBLISHED BY WESTERN FIRE CHIEFS ASSOCIATION AND INTERNATIONAL CONFERENCE OF BUILDING OFFICIALS, MAKING CERTAIN AMENDMENTS, MODIFICATIONS AND DELETIONS THERETO AND REPEALING CHAPTERS 21.04, 21.08, 21.12, 21.20, 21.24, 21.28 AND 21.32 OF THE KIRKLAND MUNICIPAL CODE.

Be it ordained by the City Council of the City of Kirkland as follows:

Section 1. COPIES OF CODES ON FILE

The Sections and Subsections of Chapter 21.04, General Provisions of the Kirkland Municipal Code, are hereby repealed and the Kirkland Municipal Code Sections and Subsections set forth below shall read as follows:

"21.04A.010 Copies of Codes On File. The City shall, at all times, keep on file with the Director of Administration and Finance, for reference by the general public, not less than three copies of each of the codes and resolutions, or parts thereof, as herein adopted by reference, together with the amendments and supplements thereto herein made as a part of this Chapter and Chapters 21.08 through 21.32:

- (1) Uniform Building Code and Standards, issued by the International Conference of Building Officials, 1976 Edition;
- (2) Uniform Housing Code, issued by the International Conference of Building Officials, 1976 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, 1976 Edition;
- (5) Uniform Mechanical Code, issued by the International Association of Plumbing and Mechanical Officials and the International Conference of Building Officials, 1976 Edition.

(6) Uniform Code for the Abatement of Dangerous Buildings, issued by the International Conference of Building Officials, 1976 Edition;

(7) Uniform Fire Code, issued by the International Conference of Building Officials and the Western Fire Chiefs Association, 1976 Edition.

The copies of codes on file may be placed by the Director of Administration and Finance in the custody of the office of the Building Official in order to make them more readily available to inspection and use by the general public."

"21.04A.020 Interpretation. Whenever the following underlined words appear in the codes adopted by reference in this chapter and Chapters 21.08 through 21.32, they are to be interpreted as follows:

- (1) "Administrative Authority" as "Building Official";
- (2) "Chief, Fire Chief, or Chief of the Bureau of Fire Prevention" as "Director of Fire Services";
- (3) "Corporation Council" as "Attorney for the City";
- (4) "City Treasurer" as "Director of Administration and Finance";
- (5) "Local Zoning Code" as the "City of Kirkland Zoning Code";
- (6) "Municipality, and the Jurisdiction" as "The City of Kirkland"

Wherever reference is made to local authority, codes, jurisdiction and similar concepts, within the codes adopted by reference in this Chapter and Chapters 21.08 through 21.32, interpretation shall render such reference applicable to the City of Kirkland designation, jurisdiction and authority."

Section 2. BUILDING CODE AND FIRE ZONES

The Sections and Subsections of Chapter 21.08, Building Code, and Fire Zones of the Kirkland Municipal Code, are hereby repealed and the Kirkland Municipal Code Sections and Subsections set forth below shall read as follows:

"21.08A.010 Building Code Adopted. The Uniform Building Code and Standards, issued by the International Conference of Building Officials, 1976 Edition, together with amendments and/or additions thereto hereafter made, is hereby adopted in its entirety, including the Appendix Chapters No. 13

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(Existing Buildings), 23 (Weights of Building Materials), 38 (Fire Extinguishing Systems - Basement Pipe Inlets), 48 (Photographic and X-Ray Films), 49 (Patio Covers), 57 (Regulations Governing Fallout Shelters), and 70 (Excavation and Grading), by this reference as a part of the building code for the city."

"21.08A.015 Uniform Building Code - Defined. The terms "Uniform Building Code" and "U.B.C." shall refer to the adoption by reference in the Kirkland Municipal Code Section 21.08A.010."

"21.08A.020 U.B.C. Section 301(b) Amended. Section 301(b) of the Uniform Building Code, is hereby amended and supplemented by the addition thereof of a new subsection to be known as Subsection 301(b) 8, to read as follows:

"Section 301(b) 8. As much information as required to provide an accurate environmental disclosure pursuant to Ordinance No. 2319 of the City of Kirkland."

"21.08A.021 U.B.C. Section 301(b) Further Amended. Section 301(b) of the Uniform Building Code is hereby amended and supplemented by the addition thereto of a new paragraph to read as follows:

"No application for building permit relating to any construction, including land fill or pier and piling to support same upon privately owned shorelands submerged by the water of Lake Washington shall be accepted for filing with the Building Department, unless there is attached to such application certified copies of the approval of such project by such state and federal agencies as may have jurisdiction or regulatory authority over such proposed project."

"21.08A.030 U.B.C. Section 302(d) Amended. Section 302(d) of the Uniform Building Code is hereby amended and supplemented by the addition thereto of a new paragraph to read:

"Building permits for R-3 and M occupancies shall expire one (1) year from the date of issue. Building permits may be renewed for one half (1/2) of the original permit fee for the first permit issued for such work."

"21.08A.040 U.B.C. Section 304(b) Amended. Section 304(b) of the Uniform Building Code is hereby amended and supplemented by the addition thereto of a new paragraph to read:

"Any person who removes or defaces any notice posted by the Building Official or his authorized representative shall be guilty of a misdemeanor as specified by Section 205."

21.08A.041 U.B.C. Section 304(c) Amended. Section 304(c) of the Uniform Building Code is hereby amended and supplemented by the addition thereto of a new paragraph to read:

"Buildings that have not received a final approval shall not be occupied without written approval of the Building Official."

21.08A.042 U.B.C. Section 304(d) Amended. Section 304(d) of the Uniform Building Code is hereby amended and supplemented to read:

"(d) REQUIRED INSPECTIONS. Reinforcing steel or structural framework of any part of any building or structure shall not be covered or concealed without first obtaining the approval of the Building Official.

The Building Official, upon notification from the permit holder or his agent, shall make the following inspections and shall either approve that portion of the construction as completed or shall notify the permit holder or his agent wherein the same fails to comply with this code.

1. FOUNDATION/SETBACK INSPECTION: to be made after trenches are excavated and forms erected and reinforcing steel is in place and when all materials for the foundation are delivered on the job. When concrete from a central mixing plant (commonly termed "transit mix") is to be used, materials need not be on the job. Building setbacks from property lines to be determined at this time.

2. FRAME INSPECTION: to be made after the roof, all framing, fire-blocking and bracing are in place and all pipes, chimneys and vents are complete, and after plumbing inspection and electrical inspection is approved.

3. LATH AND/OR WALLBOARD INSPECTION: to be made after all lathing and/or wallboard, interior and exterior, is in place; but before any plastering is applied or before wallboard joints and fasteners are taped and finished.

4. FINAL INSPECTION: to be made after building is completed and ready for occupancy."

21.08A.050 U.B.C. Section 306(a) Amended. Section 306(a) of the Uniform Building Code is hereby amended and supplemented by the addition thereto of a new paragraph to read:

"Upon change of tenant, occupant, or business, the Building Official may require a new Certificate of Occupancy to be issued."

21.08A.051 U.B.C. Section 306(c) Amended. Section 306(c) of the Uniform Building Code is hereby amended and supplemented to read:

"(c) Certificate Issued. After final inspection when it is found that the building or structure complies with the provisions of this Code, as well as the provisions of the Zoning and Subdivision Ordinances together with any conditions for improvements made pursuant thereto, including but not limited to roadway and utility improvements, landscaping; grading and related work, the Building Official shall issue a Certificate of Occupancy which shall contain the following:

1. The building permit number.
2. The address of the building.
3. The name and address of the owner.
4. A description of that portion of the building for which the certificate is issued.
5. A statement that the described portion of building complies with the requirements of this Code for group and division of occupancy and the use for which the proposed occupancy is classified.
6. The name of the Building Official."

21.08A.060 U.B.C. Section 512 Added. Chapter 5 of the Uniform Building Code is hereby amended and supplemented by the addition thereto of a new section to be known as Section 512 to read:

"Section 512. For fire alarm installation requirements based on occupancy see Chapter 55."

21.08A.070 U.B.C. Section 1102(b) Amended. Section 1102(b) of the Uniform Building Code is hereby amended and supplemented thereto by the addition of a new paragraph to read:

"If two or more tenants of different hazard classifications as defined by U.B.C. Standard 38-1, occupy the same building they shall be separated from each other by no less than one hour fire resistive construction. Doors may open into a common corridor provided the corridor complies with Section 3304(g) and Section 3304(h) regardless of occupant load.

EXCEPTION: Buildings containing an approved automatic fire extinguishing system throughout."

21.08A.080 U.B.C. Section 1302(b) Amended. Subsection 1302(b) of the Uniform Building Code is hereby amended to read:

"(b) Special Provisions. Group R, Division 1 occupancies shall be not less than one hour fire-resistive construction throughout.

Every apartment house three stories or more in height and containing more than 15 apartments and every hotel containing 20 or more guest rooms, shall have approved manual fire alarm stations installed at approved locations as part of the fire alarm system required in Chapter 55.

For Group R, Division 1 occupancies with a Group B, Division 1 parking garage in the basement or first floor, see Section 1102(a).

Attic space partitions and draft stops conforming to Section 3205 shall be located above each wall separating dwelling units.

Exterior balconies extending beyond the floor area as defined in Section 407 shall be constructed of non-combustible materials or of combustible one-hour fire-resistive construction.

Exterior and interior doors opening onto a common corridor, stairway, yard, exterior or interior exit balcony, exit court, or similar area serving 2 or more dwelling units shall be protected as specified in Section 3304(h)."

21.08A.090 U.B.C. Section 1310(a) Amended. Section 1310(a) of the Uniform Building Code is hereby amended and supplemented by the addition thereto of a new paragraph to read:

"All detectors and detector systems shall also conform to Chapter 55 of this Code. Public portions of R-1 occupancies, all common laundry and storage rooms separate from dwelling units shall be provided with detectors conforming to requirements of Chapter 55."

21.08A.100 U.B.C. Section 1603(c) Amended. Subsection 1603(c) of the Uniform Building Code is hereby amended and changed to read:

"(c) Occupancies Prohibited. No Group H, Division 1 or 5 occupancies shall be permitted in Fire Zone No. 2.

EXCEPTION: The Building Official may issue a special permit for such occupancies where it appears in his judgement there will be no undue danger to persons or property."

21.08A.110 U.B.C. Section 1704 Amended. Section 1704 of the Uniform Building Code is hereby amended and changed to read:

"Section 1704. Roof coverings shall be fire retardant except in Type V non-rated buildings housing groups R-2 and M occupancies located in Fire Zone 3, where it may be as specified in Section 3203(f).

EXCEPTION: Group R-1, R-3 and M occupancies of Type V 1 HR construction located in Fire Zone 2 and 3 may have roof coverings of No. 1 cedar or redwood shakes and No. 1 shingles constructed in accordance with the requirements of U.B.C. Standards for Special Purpose Roofs.

Skylights shall be constructed as required in Chapter 34. Penthouses shall be constructed as required by Chapter 36.

For use of plastics in roofs see Chapter 52.

For Attics: Access and Area, see Section 1302(b) as amended and Section 3205. For Roof Drainage, see Section 3207."

21.08A.120 U.B.C. Section 1714 Amended. Section 1714 of the Uniform Building Code is hereby amended and supplemented by the addition thereto of a new paragraph to read:

"Hoods and fans of the ducted type shall be installed over or near domestic type cooking facilities, and shall exhaust directly to the outside. Under no circumstances shall the ducts terminate in any attic or any concealed space."

21.08A.130 U.B.C. Section 1718 Added. Chapter 17 of the Uniform Building Code is hereby amended and supplemented by the addition thereto of a new section to be known as Section 1718, to read:

"ADDRESS NUMBERS

Section 1718. All buildings shall have the assigned address posted in a conspicuous place, near the main entry, and visible from the street. If the building is not visible from the street from which it is addressed, the address must then be also posted at the driveway giving access to the building. The address numbers and/or letters shall have a minimum height of 3 inches and shall have a contrasting background. The address posted must correspond with the address issued by the City of Kirkland."

21.08A.140 U.B.C. Section 1807 Amended. The title of Section 1807 of the Uniform Building Code is hereby amended to read:

"SPECIAL PROVISIONS FOR ALL BUILDINGS FIVE OR MORE STORIES IN HEIGHT"

21.08A.141 U.B.C. Section 1807 Further Amended. The first paragraph of Subsection 1807(a) of the Uniform Building Code is hereby amended to read:

"Section 1807(a) Scope. These requirements apply to all buildings five or more stories in height."

21.08A.142 U.B.C. Section 1807 Further Amended. The last sentence of Subsection 1807(b) of the Uniform Building Code is hereby amended to read:

"Fire sprinkler requirements, see Section 1807(m)."

21.08A.143 U.B.C. Section 1807 Further Amended. The title and first sentence of Subsection 1807(m) of the Uniform Building Code is hereby amended and supplemented to read:

"(m) Fire Sprinkler Required. Sprinkler protection conforming to the following shall be provided in addition to compartmentation."

21.08A.150 U.B.C. Section 1907 Amended. The title of Section 1907 of the Uniform Building Code is hereby amended to read:

"SPECIAL PROVISIONS FOR ALL BUILDINGS FIVE OR MORE STORIES IN HEIGHT!"

21.08A.160 U.B.C. Section 3205(b) Amended. Section 3205(b) of the Uniform Building Code is hereby amended and supplemented by the addition of a new paragraph to read:

"Where enclosed eaves or cornices which extend beyond the exterior wall form a concealed horizontal draft space, such spaces shall be provided with continuation of required draft stops or draft stops at intervals not to exceed 30 feet."

21.08A.170 U.B.C. Section 3802(b)12 Added. Section 3802 of the Uniform Building Code is hereby amended and supplemented by the addition thereof of a new subsection to be known as Subsection 3802(b)12, to read:

"12. In all buildings or structures supported by piers or piling which extend over water and are more than 250 feet from an improved public street or alley giving access thereto for fire engines and/or other fire fighting equipment.

EXCEPTION: Any one story structure used solely for the moorage of boats or having Type I F.R. or Type II F.R. construction throughout need not have a sprinkler system installed unless otherwise required by other provisions of this Code."

21.08A.180 U.B.C. Section 3804 Amended. Subsection 3804(b) of the Uniform Building Code is hereby amended and supplemented thereto by the addition of a new paragraph to read:

"In lieu of wet standpipes, the Director of Fire Services may, in writing, require the use of dry standpipes. The size and number of outlets, location of inlets and outlets, and location of piping and fittings shall be approved by the Director of Fire Services."

21.08A.190 U.B.C. Section 3805 Amended. Subsection 3805(b) of the Uniform Building Code is hereby amended and supplemented to read:

"(b) Where Required. One combination standpipe shall be required for every stairway or smokeproof enclosure that extends from ground floor to the roof in buildings five or more stories in height."

21.08A.200 U.B.C. Section 4306 Amended. The definition of "FIRE ASSEMBLY, AUTOMATIC CLOSING" as contained in subsection 4306(b) of the Uniform Building Code, is hereby amended and supplemented to read:

"FIRE ASSEMBLY, AUTOMATIC CLOSING, is a fire assembly which may remain in an open position and which will close automatically upon activation of a smoke detector conforming to the requirements specified in U.B.C. Standard No. 43-6 or upon activation of Fire Alarm System as specified in Chapter 55.

EXCEPTION: The Building Official may, in writing, permit the installation of a closing device that will activate upon an increase in temperature. Unless otherwise specified the closing device shall be rated at a maximum temperature of 165° F."

21.08A.210 U.B.C. Chapter 55 Added. Part XI of the Uniform Building Code is hereby amended and supplemented thereto by the addition of a new Chapter to read:

"CHAPTER 55: FIRE ALARM SYSTEMS"

"21.08A.211 U.B.C. Section 5501(a) General. The requirements set forth in this chapter shall regulate the installation and maintenance of Fire Alarm Systems for all occupancies."

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"21.08A.212 U.B.C. Section 5501(b) Definitions. For the purpose of this Chapter, certain terms are defined as follows:

FIRE ALARM SYSTEMS, are fire alarms employing detector systems and components constructed and installed in strict accordance with U.B.C. Standard No. 43-6 and in conformance with rules and regulations published by the Building Official."

"21.08A.213 U.B.C. Section 5501(c) Where Required. Fire Alarm Systems shall be installed in all R-1 occupancies containing interior exit corridors, or 13 or more units, and in all other buildings when the total floor area of all floors exceeds 6000. square feet.

EXCEPTIONS: 1. A structure used exclusively for the parking or storage of passenger motor vehicles having a capacity of not more than nine persons per vehicle and all occupancies that fall within the classification of M-3 as listed in Appendix Chapter 15 need not have a Fire Alarm System. 2. Occupancies H and B containing an approved automatic fire extinguishing system throughout."

"21.08A.214 U.B.C. Section 5501(d) System Approval Required. Prior to the installation of a Fire Alarm System, plans shall be submitted to the Building Official for approval. The plans shall indicate the layout of all equipment to be used in the installation. The manufacturer and the model number of each component of the system shall be indicated.

Prior to occupancy of the building, the Fire Alarm System shall be tested in the presence of the Building Official or his authorized representative."

"21.08A.215 U.B.C. Section 5501(e) Rules to be Developed. The Building Official is hereby directed to develop and publish rules and regulations for the installation of Fire Alarm Systems. The rules and regulations shall indicate the type and configuration of systems based on occupancy and shall be developed from nationally recognized standards. No less than three copies shall be available for public inspection and review in the Building Department office. The Building Official may offer the rules and regulations for sale at a reasonable cost to cover printing and handling."

"21.08A.220 U.B.C. Chapter Added. Part XI of the Uniform Building Code is hereby amended and supplemented thereto by the addition of a new chapter to read:

"CHAPTER 56: OVERWATER STRUCTURES
PIERS, WHARVES, AND BUILDINGS"

"21.08A.221 U.B.C. Section 5601 Scope. Overwater structures shall be subject to all the requirements of this Code relating to other structures except as limited, added to, or other wise specified in this Chapter.

For Occupancy Separations see Table No. 5-B.

EXCEPTION: Fire-resistive walls as specified in Section 5606(f) may be considered as "One Hour Fire Resistive Occupancy Separations".

For Occupant Load, see Section 3302 and Table No. 33-A."

"21.08A.222 U.B.C. Section 5602 Definitions. (a) OVERWATER STRUCTURES. For the purpose of this Chapter, overwater structures shall include all structures which have twenty per cent (20%) or more of their area over water, or a structure which has 8,000 square feet over water.

(b) DOCK. A dock is a natural open or artificially closed basin in which vessels may remain afloat when berthed at a wharf or pier.

(c) PIER. A pier is a structure, usually of greater length than width, of timber, stone, concrete or other material having a deck, and projecting from the shore into navigable waters so that vessels may be moored alongside for loading and unloading or for storage or repairs.

(d) SUBSTRUCTURE. The substructure is that portion of the construction below and including the deck.

(e) SUPERSTRUCTURE. The superstructure is that portion of the construction above the deck.

(f) WHARF OR QUAY. A wharf or quay is a structure of timber, stone, concrete or other material having a platform built along and parallel to navigable waters so that vessels may be moored alongside for loading and unloading, or for storage or repair."

"21.08A.223 U.B.C. Section 5606 Area and Height Allowable for Overwater Structures. Height and areas shall comply with requirements of Tables 5-C and 5-D, except that the increase allowed in Section 506 is not applicable to overwater structures.

EXCEPTIONS: (1) Type IV H.T. or Type III, 1 hour construction of one (1) or two (2) stories and B occupancy may be unlimited in area.

(2) In covered boat moorages where water covers more than fifty per cent (50%) of the floor area of

the structure, the areas in Table 5-C may be increased not to exceed four hundred per cent (400%) when completely sprinklered.

(3) Each covered area of a boat moorage may be considered as a separate building, subject to the following conditions:

(a) Maximum individual areas shall be eight thousand (8000) square feet.

(b) Walkways, finger piers and other decked areas shall not exceed thirty per cent (30%) of the area of the roof that extends over water.

(c) Covered areas shall be separated a minimum of sixteen (16) feet.

(d) Maximum width of connecting walkways shall be ten (10) feet.

(e) Each covered area shall be provided with the following:

1. Vents or monitors of not less than five per cent (5%) of the roof area.

2. An approved draft stop across the end of each roof area when such end is within thirty (30) feet of an adjacent building. The draft stop shall extend to a line of the lower edge of the roof. A draft stop constructed in accordance with Section 5605 shall be provided in the walkway between individual roofed areas.

(f) There shall be no storage on the piers or walkways within the covered areas. Uses accessory to the principal occupancy shall be permitted, provided they are conducted in an area separated from the moorage area by a minimum of sixteen (16) feet, and that the exposed side of the moorage area is protected by a one (1) hour fire separation extending two and one-half (2½) feet above the roof line and below the deck to low water. One (1) story super-structures shall be permitted for accessory uses, but shall not exceed one thousand (1,000) square feet in area nor twenty (20) feet in height."

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"21.08A.224 U.B.C. Section 5604 Location On Property. Except when overwater structures are separated by a deck on the same property and of a width of not less than that required in Section 5603 from an unprotected opening to a property line, exterior walls and openings shall have a fire-resistive protection as determined by location on property.

EXCEPTION: In covered boat moorages, exterior walls which are entirely built over water may be 2 x 6 T.G. noncombustible both sides regardless of proximity to property lines. Where such walls (even though part of such covered boat moorage) are built on land, this exception shall not apply."

"21.08A.225 U.B.C. Section 5605 Substructure. (a) Construction. Substructures may be of any type construction permitted in this Code subject to the area limitation of Section 5603 except that of wood, exclusive of piling, the members shall be not less in least dimension than the following:

| Member | Nominal Size Unlimited Use | Piers for Boat Mooring Only. Not Exceeding 10 feet in Width |
|------------------------------------|---|---|
| Caps and Girders | 8" | 6" |
| Joists, Beams and Other Members | 4" | 3" |
| Flooring or Deck | 3" T & G or splined or 4" square edged | 2" |
| Bracing | 3" | 2" |

If under roof there shall be applied over the flooring or deck a tight fitting wearing floor, of soft wood not less than two inches (2") thick and not more than six inches (6") wide; or of 1" thick hardwood; or of other material with equivalent fire resistance.

EXCEPTION: Covered piers for moorage only need not have a wearing floor."

"(b) Draft Stops. Draft stops shall be installed in all substructures constructed of combustible materials, exclusive of piling and pile bracing. They shall be placed not over one hundred feet (100') apart measured along the main axis of the pier or wharf. They shall fit tightly around all joists, beams, etc. and extend from the underside of the deck to low water with a maximum required depth of 6 feet. See Section 5606(f) for draft stops under fire-resistive walls in superstructure.

Substructure draft stops shall be constructed of not less than two (2) thicknesses of two inch (2") nominal thickness lumber laid with broken joints or materials of equal fire resistance.

(c) Automatic Sprinklers. Automatic sprinklers shall be installed under the substructure of every overwater structure in accordance with the requirements of Chapter 38.

EXCEPTIONS: Automatic sprinklers are not required under the following categories of substructure:

- i. Combustible substructures having no superstructures.
- ii. Noncombustible substructures with or without superstructures.
- iii. Substructures resulting from walkways or finger piers when width does not exceed 10 feet.

(d) Dry Standpipes. When a distance of travel to fire apparatus access exceeds two hundred fifty (250) feet, an approved minimum four (4) inch dry standpipe with two and one-half (2½) inch outlets at a maximum of one hundred (100) feet on center shall be provided. There shall be a Siamese connection at the shore end and direct access for Fire Department pumping apparatus shall be provided. Standards for installation to be set by the Director of Fire Services."

"21.08A.226 U.B.C. Section 5606 Superstructure. (a) Construction. Superstructures shall be of Type I FR, II FR, II 1 HR, III 1 HR, IV HT or V 1 HR construction, subject to the height and area limitations of Section 5603 and the following requirements or modifications.

(b) Floors. See Section 5605.

(c) Exterior Walls. Exterior walls of Type IV H.T. buildings, when not subject to the requirements of Section 5604 because of their proximity to property lines, may be constructed of matched or lapped lumber not less than two inches (2") thick and not more than six inches (6") wide, or the exterior walls may be constructed of matched or lapped lumber not less than one inch (1") thick with a weather covering applied directly to the wood of noncombustible material. Fire stops shall be required in stud walls to cut off all concealed draft openings both vertical and horizontal as specified in Chapter 25. Openings in exterior walls shall be of the construction required for the fire-resistive construction of the walls.

(d) Roof Covering. Roof covering shall be "fire-retardant" roofing as specified in Section 3203. See Section 104(f) for repairs.

(e) Roof Construction. In Type IV H.T. the roof may be constructed of corrugated galvanized steel or approved equivalent attached directly to steel or wood purlins in lieu of the lumber covering specified in Section 2006.

(f) Fire-Resistive Walls. In Type II 1 HR, IV HT, and V 1 HR buildings, there shall be at least one fire-resistive wall from the deck to at least three feet (3') above the roof for each five hundred feet (500 ft.) of length. Areas greater than 100,000 square feet shall be divided with such fire-resistive walls. There shall be a draft stop constructed in accordance with Section 5605(b), installed in the substructure immediately below every required fire-resistive wall when the deck is of combustible materials.

"Fire-resistive" walls shall be constructed of not less than two thicknesses of two inch (2") T & G or splined lumber not over six inches (6") in width placed vertically with broken joints and galvanized metal between or of equally fire-resistive construction.

Openings in fire-resistive walls shall be protected with 1½ hour rated fire doors without glass and shall be automatic closing.

(g) Draft Stops. Draft stops shall be installed in accordance with the requirements of Section 3205 except that they shall be installed not over one hundred feet (100') apart, measured along the main axis of the building.

(h) Stairs and Exits. Stairs and exits shall be provided as specified in Chapter 33.

EXCEPTIONS: 1. An exterior exit shall be considered to be the point of termination of stairs at the deck or they may terminate at the side other than street front of an overwater structure if an open deck at least ten feet (10') in width extends from the exit to a public way, except in A Occupancies. Exterior stairs shall not be permitted in A Occupancies.

2. In A Occupancies exterior exits other than the main exits as required by Section 3316 may terminate at the side other than street front of an overwater structure if an open deck at least ten feet (10') in width extends from the exit to a public way.

3. The distance of travel permitted in Section 3302(d) shall be reduced by twenty-five per cent (25%) in A Occupancies.

4. Boat moorages which have no sales, service or repair facilities may have a single exit not less than 3 feet wide and shall be exempt from the maximum distance of travel limitations of Section 3302(d).

(i) Light and Ventilation. All portions of overwater buildings customarily used by human beings shall be provided with light and ventilation by means of windows or skylights with

an area not less than 10% of the total floor area or shall be provided with artificial light and a mechanically operating ventilating system. (See Chapter 5 for court requirements).

(j) Automatic Sprinklers. Automatic sprinklers shall be installed in the superstructure of every overwater building in accordance with the requirements of Chapter 38. No allowable area or height increases shall be permitted due to sprinkler systems.

EXCEPTION: Automatic sprinklers shall not be required in one story superstructures which do not exceed 1,000 square feet per floor in area nor twenty feet in height."

21.08A.230 U.B.C. Section 7003 Amended. Section 7003 of the Uniform Building Code is amended and supplemented to read:

"Section 7003. PERMITS REQUIRED. No person shall do any Land Surface Modification or Grading without first having obtained a grading permit or, when required, a building permit from the Building Official except for the following:

(1) Land Surface Modification performed in the normal course of maintaining existing landscaping on a lot associated with an existing building or buildings, provided such work does not modify any drainage course.

(2) Any excavation below finished grade for basements and footings of a building, retaining wall or other structure authorized by a valid Building Permit. This shall not exempt any fill made with the material from such excavation when the material is removed from the lot or any fill material which is placed on the lot.

(3) Cemetary graves.

(4) Fill deposited on previously approved disposal sites under the control of other City Administrative Departments.

(5) Excavations for wells or tunnels, or utilities or other work performed within a public right-of-way and supervised by the City of Kirkland.

(6) Mining, quarrying, excavating, processing, stockpiling of rock, sand gravel, aggregate or clay where a permit has been issued by the State of Washington, Department of Natural Resources.

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(7) Exploratory excavations under the direction of soil engineers or engineering geologists.

(8) Normal maintenance and repair of the facilities of a common carrier by rail in interstate commerce within its existing right-of-way.

(9) Excavations for utility service connections to serve existing and/or new structures.

(10) Correction of drainage problems when supervised by the Department of Public Works."

21.08A.231 U.B.C. Section 7005 Amended. Section 7005 of the Uniform Building Code is hereby amended and supplemented by the addition of the following definition:

"LAND SURFACE MODIFICATION shall include clearing or removal of trees, shrubs, ground cover and other vegetation, and all grading, excavation and filling of materials. The removal of overhanging vegetation and fire hazards as specified in Chapter 9.12, of the Kirkland Municipal Code and the removal of dead, dangerous, or diseased trees or blackberry vines when authorized by the Building Official shall not be deemed to be Land Surface Modification."

21.08A.232 U.B.C. Section 7006 Amended. Subsection 7006(a) of the Uniform Building Code is amended and supplemented to read:

"Section 7006(a). PERMITS REQUIRED. Except as exempted in Section 7003 of this Code, no person shall do any Land Surface Modification or Grading without first obtaining a Grading Permit from the Building Official. No Land Surface Modification or Grading Permit shall be issued:

(1) Prior to the approval of a preliminary plat or short plat. After the approval of a preliminary plat or short plat, a Land Surface Modification or Grading permit may be issued for land surface modification or grading work to be done within rights-of-way, utility easements or access easements as designated on the approved preliminary plat drawings. The Building Official may permit a limited amount of grading and stockpiling of materials on individual lots with the concurrence of the departments that normally review development permit applications.

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(2) Prior to the issuance of a building permit. After the issuance of a building permit, a land surface modification or grading permit may be issued only for the minimum land surface modification or grading necessary to locate structures or other associated improvements designated on the approved building permit plans.

(3) In areas served by inadequate water, sewer, storm drainage or transportation systems as determined by the Public Service Department, unless such action proposes the improvement of any deficient system to minimum city standards and at the expense of the private sponsor and such improvements are associated with the issuance of a valid building permit.

(4) Prior to the approval of an Unclassified Use Permit, in compliance with Ordinance No. 2183, as amended, where no building permit is required.

(5) Prior to the approval of a preliminary Planned Unit Development. After the approval of a preliminary Planned Unit Development, a Land Surface Modification or Grading Permit may be issued for land surface modification or grading work to be done within rights-of-way, utility easements, access easements or other major components of the internal vehicular circulation system so designated in the approved preliminary Planned Unit Development drawings. The Building Official may permit a limited amount of trading and stockpiling of materials on site with the concurrence of the Departments that normally review development permit applications."

21.08A.233 U.B.C. Section 7008 Amended. Section 7008 of the Uniform Building Code is hereby amended and supplemented by the addition of a paragraph to read:

"A bond shall be filed with the Building Official adequate in amount and conditions to guarantee restoration of the site and to prevent erosion, hazards to adjacent properties, or an increase of sediments in water courses in the event the site is modified and construction does not occur within the time required to complete such project as specified on the face of the permit and/or pursuant to other appropriate Kirkland Ordinances."

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"21.08A.300 Fire Zones Established. Pursuant to Chapter 16, Section 1601(a) of the Uniform Building Code, the following fire zones are hereby created:

(1) Fire Zone 1 (Reserved)

(2) Fire Zone 2: All areas of the City lying in the following land use zones established by Section 23.06.010 of the Kirkland Municipal Code (Zoning Ordinance):

(a) Single Family Dwelling Zone, 5,000 square feet (RS 5.0)

(b) Multi-Family Dwelling Zone, all divisions

(c) Waterfront District I (WD I)

(d) Professional Residential (PR)

(e) Professional Office (PO)

(f) Neighborhood Business Zone (BN)

(g) Community Business (BC)

(h) Central Business District (CBD)

(i) Light Industrial (LI)

(j) Planned Area (PLA)

(3) Fire Zone 3: All other land use zones lying within the City.

(4) The land use classification as shown on the official zoning map of the city shall establish the fire zone district as to any particular property or area within the city. A change in land use classification shall, where required by this Chapter and Chapters 21.12 through 21.24, automatically change the fire zone district.

EXCEPTION: Fire Zone 2 shall also include all areas of the city and buildings constructed within such areas which are subject to the following special zoning or development permit provisions of the Zoning Ordinance (Ordinance No. 2183) unless the council resolution authorizing such special zoning or development permit establishes a different fire zone: Rezone by resolution of intent (Chapter 23.62), Ordinance 2183); Conditional Use Permit (Chapter 23.56, Ordinance 2183); Unclassified Use Permit (Chapter 23.30, Ordinance 2183).

(5) All buildings and structures within the fire zones established by this chapter shall conform to the requirements of Part V, Volume I, Uniform Building Code."

Section 3. HOUSING CODE

The Sections and Subsections of Chapter 21.12, Housing Code, are hereby repealed and the Kirkland Municipal Code Sections and Subsections set forth below shall read as follows:

"21.12A.010 Housing Code Adopted. The Uniform Housing Code issued by the International Conference of Building Officials, 1976 Edition, together with amendments and/or additions thereto hereafter made, is hereby adopted in its entirety by this reference as the housing code for the city."

"21.12A.015 Uniform Housing Code Defined. The terms "Uniform Housing Code" and "U.H.C." shall refer to the adoption by reference in Kirkland Municipal Code Section 21.12A.010."

21.12A.020 U.H.C. Section 1001(m) amended. Section 1001(m) of the Uniform Housing Code, is hereby amended and supplemented to read as follows:

"(m) Inadequate exits. All buildings or portions thereof not provided with adequate exit facilities as required by this code, except those buildings or portions thereof whose exit facilities conformed with all applicable laws at the time of their construction and which have been adequately maintained and increased in relation to any increase in occupant load, alteration, or addition, or any change in occupancy.

When an unsafe condition exists through lack of or improper location of exits, a system for the detection of products of combustion other than heat and conforming to the Uniform Building Code Standards, No. 43-6, and/or additional exits may be required to be installed."

Section 4. PLUMBING CODE

The Sections and Subsections of Chapter 21.20, Plumbing Code, are hereby repealed and the Kirkland Municipal Code Sections and Subsections set forth below shall read as follows:

"21.20A.010 Plumbing Code Adoption. The Uniform Plumbing Code, issued by the International Association of Plumbing and Mechanical Officials, 1976 Edition, together with amendments and/or additions thereto hereafter made, is hereby adopted in part as listed herein by this reference as part of the Plumbing Code for the City. The following listed chapters are hereby adopted:

Chapter 1 - Definitions

Chapter 2 - Materials and Alternates

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- Chapter 3 - General Regulations
- Chapter 4 - Drainage Systems
- Chapter 5 - Vents and Venting
- Chapter 6 - Indirect and Special Wastes
- Chapter 7 - Traps and Interceptors
- Chapter 8 - Joints and Connections
- Chapter 9 - Plumbing Fixtures
- Chapter 10 - Water Distribution
- Chapter 13 - Water Heaters and Vents

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."

"21.20A.015 Uniform Plumbing Code - Defined. The terms "Uniform Plumbing Code" and "U.P.C." shall refer to adoption by reference in Kirkland Municipal Code Section 21.20A.010."

"21.20A.020 County Rules and Regulations Adopted - Relating to On-Site Sewage Disposal Systems. In areas not served by sanitary sewers as specified by Section 15.12.010 of the Kirkland Municipal Code, septic tanks and drainfields conforming to most currently adopted rules and regulations of the King County Board of Health shall be installed."

"21.20A.030 Administration. In addition to the regulations set forth in the Uniform Plumbing Code, administrative regulations are hereby adopted to read as follows:

"21.20A.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."

"21.20A.032 Right of Entry. Building Official or this 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."

"21.20A.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.

"21.20A.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 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 therefore 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 R-3 and M 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.

"21.20A.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.

"21.20A.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 herein before 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.

"21.20A.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.

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"21.20A.038 Application for Permit. Any person legally entitled to apply for and receive a permit shall make such application on 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 are in compliance with this code, he shall issue the permit applied for upon payment of the required fee.

"21.20A.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 classification 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 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 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 back flow 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 21.20A.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."

21.20A.040 U.P.C. Section 401 Amended. Subsection 401(a) of the Uniform Plumbing Code is hereby amended and supplemented to read:

"(a) Drainage pipe shall be cast iron, galvanized steel, galvanized wrought iron, lead, copper, brass, ABS, PVC, or other approved materials having a smooth and uniform bore, except:

1. That no galvanized wrought iron or galvanized steel pipe shall be used underground and shall be kept at least six inches above ground.

2. ABS and PVC pipe and fittings are approved only for use in R-1, R-3, and M occupancies as listed in the Uniform Building Code. ABS and PVC pipe and fittings shall not be installed in Type I and II construction, in area separation walls, in fire resistive walls surrounding stairwells and in occupancy separation walls and floors where more than one hour fire resistive construction is required."

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21.20A.050 U.P.C. Section 503 Amended. Subsection 503(a) of the Uniform Plumbing Code is hereby amended and supplemented to read:

"(a) Vent pipe shall be cast iron, galvanized steel, galvanized wrought iron, lead, copper, brass, ABS, PVC, or approved materials; EXCEPT:

1. That no galvanized wrought iron or galvanized steel pipe shall be used underground and shall be kept at least six inches above ground.

2. ABS and PVC pipe and fittings are approved only for use in R-1, R-3, and M occupancies as listed in the Uniform Building Code. ABS and PVC pipe and fittings shall not be installed in Type I and II construction, in area separation walls, in fire resistive wall surrounding stairwells, and in occupancy separation walls and floors where more than one hour fire resistive construction is required. Vertical soil and vent pipes shall not exceed thirty feet in height. Thirty feet shall be calculated from the base of the vent at the finished floor level to the ceiling of the top floor."

21.20A.060 U.P.C. Section 1007 Amended. Subsection 1007(f) of the Uniform Plumbing Code is hereby amended and supplemented to read:

"(f) Each water heating device with a tank and having required valves between the heater and supply lines shall be provided with an approved water pressure relief valve and appropriate piping as specified in Section 1007(e)."

21.20A.070 U.P.C. Section 1301 Amended. Section 1301 of the Uniform Plumbing Code is hereby amended and supplemented to read:

"Section 1301: General. 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 Building Official."

Section 5: MECHANICAL CODE

The Sections and Subsections of Chapter 21.24, Mechanical Code, are hereby repealed and the Kirkland Municipal Code Sections and Subsections set forth below shall read as follows:

"21.24A.010 Adoption. The Uniform Mechanical Code, issued by the International Association of Plumbing and Mechanical Officials and the International Conference of Building Officials, 1976 Edition, together with amendments and/or additions thereto hereafter made, is hereby adopted in its entirety by this reference as a part of the Mechanical Code for the city, including appendix Chapter 22 relating to gas fuel piping."

"21.24A.015 Uniform Mechanical Code - Defined. The terms "Uniform Mechanical Code" and "U.M.C." shall refer to the adoption by reference in the Kirkland Municipal Code Section 21.24A.010."

21.24A.020 U.M.C. Section 304 Amended - Schedule of Fees. Section 304 of the Uniform Mechanical Code is hereby amended as to the following subsections only:

- "1. For the issuance of each permit (when not part of a building permit) ----- \$ 3.00
- 2. This item deleted.
- 3. For the installation or relocation of each forced air or gravity-type furnace or burner, including ducts and vents attached to such appliance ----- 5.00
- 22. For the installation or relocation or each oil storage tank, including vent and supply piping as specified by U.M.C. Standards No. 5-1 ----- 5.00
- 23. For the installation or relocation of each gasoline storage tank, including vent and supply piping as specified by U.B.C. Standard No. 10-1 ----- 7.00
- 24. For the installation of gas piping systems under 100 feet in length ----- 2.00
- 25. For the installation of gas piping systems over 100 feet, but less than 300 feet in length ----- 3.50
- 26. For the installation of gas piping systems over 300 feet in length, for each 100 feet ----- 1.00"

21.24A.030 U.M.C. Section 806 Amended. Subsection 806(a) of the Uniform Mechanical Code is hereby amended by the addition of item 3 which reads:

"3. With a minimum of 7 foot clearance from the floor to the bottom of the unit in areas subject to human impact and exit ways." (Ord. 2266 S4(part), 1974)

Section 6: DANGEROUS BUILDING CODE

The Sections and Subsections of Chapter 21.28, Dangerous Building Code, are hereby repealed and the Kirkland Municipal Code Sections and Subsections set forth below shall read as follows:

"21.28A.010 Adoption. The Uniform Code for the Abatement of Dangerous Buildings issued by the International Conference of Building Officials, 1976 Edition, together with amendments and/or additions thereto hereinafter made, is adopted in its entirety by this reference as the Dangerous Building Code for the City."

"11.28A.015 Uniform Code for the Abatement of Dangerous Buildings - Defined. The term "Uniform Code for the Abatement of Dangerous Buildings" shall refer to the adoption by reference in the Kirkland Municipal Code Section 21.24A.010."

21.28A.020 Subsection 401(b)6 Added. Section 401 of the Uniform Code for the Abatement of Dangerous Buildings, is amended and supplemented by the addition thereto of a new subsection to be known as Subsection 401(b)6 to read as follows:

"The Building Official, together with the Director or delegate of the following City departments: Community Development, Fire Services, Police Department, and Public Service, shall upon written request filed with the Building Official by any interested person (including the Building Official) conduct an informal conference relative to the matters set forth in the notice and order. All interested persons shall be given notice of such conference and may attend and participate. Following such informal conference, the Building Official shall, within ten days thereof, file an amended or supplemental order and the time within which to appeal may be requested shall be extended to thirty days from the date of such informal conference of fifteen days from service of the amended or supplemented order, whichever shall last occur."

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21.28A.030 Service of Notice and Order. Section 401(c) of the Uniform Code for the Abatement of Dangerous Buildings is hereby amended to read as follows:

"The notice and order and any amended or supplemental notice and/or order shall be served upon the record owner and posted on the property.

The record owner for the purposes of the procedures of this chapter shall be the person listed in the records of the King County Department of Finance for the purposes of mailing real property tax statements. The Building Official shall also serve one copy on each of the following, if known to the Building Official or disclosed from the records of the King County Department of Finance, including the records maintained in relation to the 1% real estate excise sales tax: the holder of any mortgage, deed of trust, leasehold, contract purchaser, or contract seller.

The failure of the Building Official to serve any person required herein to be served shall not invalidate any proceedings hereunder as to any other person duly served or relieve any such person from any duty or obligation imposed on him by the provisions of this section."

21.28A.040 Report on Costs and Expenses. Section 901 of the Uniform Code for the Abatement of Dangerous Buildings is hereby amended to read as follows:

"Section 901. The Building Official shall keep an itemized account of the expenses incurred by the City in the repair or demolition of any building done pursuant to the provisions of Section 701(c)(3) of this Code. Upon the completion of the work of repair or demolition the Building Official shall prepare and file with the Director of Administration and Finance a report specifying the work done, the itemized and total cost of the work, including an administration and collection fee in the amount of two hundred (200) dollars to cover the cost of publication, recording, and service of all notices and the cost incurred by the City in the collection of the assessment or obligation as determined by Section 905 of this Code, a description of the real property upon which the building or structure is or was located, and the names and addresses of the persons entitled to notice pursuant to Section 401(c)."

21.28A.050 Collection of Assessment. Section 909 of the Uniform Code for the Abatement of Dangerous Buildings is hereby amended to read as follows:

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"A copy of the ordinance confirming the special assessment shall be filed with the Department of Administration and Finance. A certified copy of said ordinance shall be recorded with the King County Department of Elections and Records. The Director of Administration and Finance upon receipt of said ordinance shall proceed to collect the special assessment in the same manner as local improvement district assessments, including installments thereof, are collected, provided however, that the thirty days prepayments notice need not be published but shall be mailed to the owner of record."

Sections 910 and 911 of the Uniform Code for the Abatement of Dangerous Buildings hereinabove adopted by reference; being inconsistent with the procedure for collection of assessments herein established, are hereby repealed.

Section 7: FIRE PROTECTION CODE

The Sections and Subsections of Chapter 21.32, Fire Code, are hereby repealed and the Kirkland Municipal Code Sections and Subsections set forth below shall read as follows:

"21.32A.010 Fire Code Adopted. The Uniform Fire Code, issued by the International Conference of Building Officials and the Western Fire Chiefs Association, 1976 Edition, together with amendments and/or additions thereto hereafter made, is hereby adopted in its entirety including the Appendix Chapters A (Recommended Safeguards and Safe Practices for the Protection of Tanks Containing Flammable or Combustible Liquids in Locations that may be Flooded), B (Recommended Guide to Safe Practice Protection from Corrosion for Underground Pipe, Fittings and Tanks containing Flammable Liquids), C (Rifle Ranges), D (Standards and Publications Representing Nationally Recognized Good Practice), E (Suppression and Control of Hazardous Fire Areas), F (Marinas), and G (Test Procedures for Fire Extinguishing Systems) except as hereinafter deleted, modified or amended, as a part of the Fire Protection Code for the City."

"21.32A.015 Uniform Fire Code - Defined. The terms "Uniform Fire Code" and "U.F.C." shall refer to the adoption by reference in the Kirkland Municipal Code Section 21.32A.010."

21.32A.020 U.F.C. Section 1.215 Amended. Section 1.215 of the Uniform Fire Code is hereby amended to read:

"Section 1.215. Whenever the Director of Fire Services disapproves an application or refuses to grant a permit applied for, or when it is claimed that the provisions of the Fire Protection Code do

not apply or that the true intent and meaning of the Fire Protection Code have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the Director of Fire Services to the Building and Mechanical Codes Board of Appeals, within thirty days from the date of the decision appealed."

21.32A.030 U.F.C. Section 11.106 Amended. Subsection 11.106(b) of the Uniform Fire Code is hereby amended and supplemented by the addition of a new paragraph to read as follows:

"The storage of explosives and blasting agents within the City is prohibited.

EXCEPTION: The Director of Fire Services may issue a special permit for such storage where it appears in his judgement there will be no undue danger to persons or property."

21.32A.040 U.F.C. Section 13.208 Amended. Subsection 13.208(a) of the Uniform Fire Code is hereby amended to read as follows:

"Section 13.208(a). Every building hereafter constructed shall be accessible to Fire Department apparatus by way of access roadways with all-weather driving surface of not less than 20 feet of unobstructed width, with adequate roadway turning radius capable of supporting the imposed loads of fire apparatus and having a minimum of 13 feet, 6 inches of vertical clearance.

EXCEPTION: When there are not more than two Group R-3 or M occupancies as defined in the Building Code, the requirement of this Section may be modified when, in the opinion of the Director of Fire Services, firefighting or rescue operations would not be impaired."

21.32A.050 U.F.C. Section 13.307 Deleted. Section 13.307 of the Uniform Fire Code relating to fire alarm systems is hereby deleted.

21.32A.060 U.F.C. Section 15.201 Amended. Subsection 15.201(a) of the Uniform Fire Code is hereby amended to read:

"Section 15.201(a). The storage of (Class I) flammable liquids in aboveground tanks outside of buildings is prohibited.

EXCEPTION: The Director of Fire Services may issue a special permit for such storage where it appears in his judgement there will be no undue danger to persons or property."

21.32A.070 U.F.C. Section 15.601 Amended. Section 15.601 of the Uniform Fire Code is hereby amended to read:

"Section 15.601 No new bulk plants for flammable or combustible liquids shall be constructed within the City.

EXCEPTION: The Director of Fire Services may issue a special permit for such storage where it appears in his judgement there will be no undue danger to persons or property."

21.32A.080 U.F.C. Section 20.105 Amended. Subsection 20.105(a) of the Uniform Fire Code is hereby amended to read:

"Section 20.105(a). The aggregate capacity of any one installation which contains more than 2000 water gallons of liquified petroleum gas is prohibited within the city..

EXCEPTION: The Director of Fire Services may issue a special permit for such storage where it appears in his judgement there will be no undue danger to persons or property."

21.32A.090 U.F.C. Section 26.101 Deleted. Section 26.101 of the Uniform Fire Code relating to permit requirements for places of assembly is hereby deleted.

21.32A.100 U.F.C. Section 27.101 Amended. Subsection 27.101(a) of the Uniform Fire Code is hereby amended to read:

"Section 27.101(a). Permit Required. No person, firm, or corporation shall kindle or maintain any open fire or authorize any such fire to be kindled or maintained without a permit or other proper authorization. During construction or demolition of buildings or structures no waste material or rubbish shall be disposed of by burning on the premises or in the immediate vicinity without having obtained a permit or other proper authorization.

EXCEPTION: Cooking and ceremonial fires.

Such permits shall be issued upon request, without charge, by the persons authorized by the City Council to whom authority therefore may have been delegated, when the issuing officer deems it safe to do so. The permit shall designate the premises and the exact location thereon where the fire may be started and continued; the nature of the material to be burned; the time limit of the permit; and may contain any

special requirements pertaining to the fire and the control thereof as the issuing officer, or the Director of Fire Services, deem necessary for safety.

The permittee shall comply with all the terms and conditions of the permit, and shall keep a responsible person, who shall be 18 years of age or older, in charge of the fire at all times, who shall hold the fire under control and not permit it to spread to other property or structures, and shall thoroughly extinguish the fire when the authorized burning is completed. The possession of such a permit shall not relieve the permittee from civil liability for any damages resulting from the fire for which he may be liable otherwise."

21.32A.110 U.F.C. Appendix D Amended. The first sentence of Appendix D of the Uniform Fire Code is hereby amended to read:

"The most recent edition or supplement of the following Standards and Publications shall be used that are in effect on the date of the adoption of this Code."

"21.32A.120 New Materials, Process or Occupancies Which May Require Permits. The City Manager, the Building Department Manager, and the Director of Fire Services shall act as a committee to determine and specify, after giving affected persons an opportunity to be heard, any new materials, processes or occupancies which shall require permits, in addition to those now enumerated in the Uniform Fire Code. The Director of Fire Services shall post such list in a conspicuous place and distribute copies thereof to interested persons."

"21.32A.130 Additions to Code -- Structures Over Water. No portion of any building or other structure supported by piers or piling and extending over water shall be more than two hundred fifty feet from an improved public street or alley giving access thereto for fire engines and other fire fighting equipment; provided, however, that the foregoing limitation shall not apply as to any one-story structure used solely for the moorage of boats and

- (1) Of type 1 construction; or
- (2) of type 2 construction; or
- (3) having installed throughout the structure an approved automatic sprinkler system.

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Section 8: 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 9: 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 10: EFFECTIVE DATE.

Except as provided in Section 9, 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.

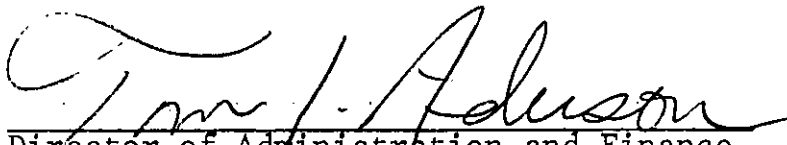
PASSED by the Kirkland City Council in regular meeting on the 5th day of September, 1978.

SIGNED in authentication thereof on the 5th day of September, 1978.




Mayor

ATTEST:



Director of Administration and Finance
(ex officio City Clerk)

APPROVED as to form:



City Attorney