

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO BUILDINGS AND CONSTRUCTION, ADOPTION OF THE UNIFORM BUILDING CODE, UNIFORM HOUSING CODE, UNIFORM SIGN CODE, UNIFORM PLUMBING CODE, UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS AND UNIFORM FIRE CODE AND AMENDING OR REPEALING PORTIONS OF CHAPTERS 21.04, 21.08, 21.12, 21.16, 21.20, 21.24, 21.28, 21.32, 21.35 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 of the Kirkland Municipal Code set forth below are hereby amended to read as follows:

21.04.010 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 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, ~~1982~~ 1985 Edition;

(2) Uniform Housing Code, issued by the International Conference of Building Officials, ~~1983~~ 1985 Edition;

(3) Uniform Sign Code, issued by the International Conference of Building Officials, ~~1983~~ 1985 Edition;

(4) Uniform Plumbing Code, issued by the International Association of Plumbing and Mechanical Officials, ~~1982~~ 1985 Edition;

(5) Uniform Mechanical Code, issued by the International Conference of Building Officials, ~~1982~~ 1985 Edition;

(6) Uniform Code for the Abatement of Dangerous Buildings, issued by the International Conference of Building Officials, ~~1982~~ 1985 Edition;

(7) Uniform Fire Code, issued by the International Conference of Building Officials and the Western Fire Chiefs Association, ~~1982~~ 1985 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.

21.04.15 Purpose Added Chapter 21.04 of the Kirland Municipal Code is Amended and supplemented by a new section to read:

"21.04.15 Purpose. The propose of these codes as adopted in Title 21 is to provide for, and promote the health, safety and welfare of the general public, and not to create to otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefited by the terms of these codes."

Section 2. BUILDING CODE ADOPTED

The Sections and Subsections of Chapter 21.08 of the Kirkland Municipal Code set forth below are hereby amended to read as follows:

21.08.010 Building Code Adopted. The Uniform Building Code and Standards, issued by the International Conference of Building Officials, 1982 1985 Edition, together with amendments and/or additions thereto, is adopted in its entirety, including Appendix Chapter No. 7 (Covered Mall Buildings), 11 (Agriculture Buildings), 32 (reroofing), ~~38-(Basement-Ripe-Inlets)~~, 49 (Patio Covers), 55 (Membrane Structures), 57 (Regulations Governing Fallout Shelters), 70 (Excavation and Grading), by this reference as part of the Building Code for the City.

21.08.018 UBC Section 102 Amended. Section 102 of the Uniform Building Code is amended and supplemented by the Addition of a new paragraph to read:

"The purpose of this building code is to provide for, and promote the health, safety and welfare of the general public, and not to create or to otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefited by the terms of this building code."

21.08.020 UBC, SECTION 302(a) Amended. Section 302 (a) of the Uniform Building code, is amended and supplemented by the addition thereof of a new subsection to be known as Subsection 302(a) 8, to read as follows:

"Section 302(a) 8. As much information as required to provide an accurate environmental disclosure pursuant to Ordinance No. ~~2473~~ 2830 as amended of the City of Kirkland."

21.08.025 UBC Section 303 (a) Amended. Section 303 (a) of the Uniform Building Code is hereby amended and supplemented by the addition of a new paragraph to read:

"When the size of the building is increased or the scope for which the permit was issued is changed the Building Official may amend the building permit. When such fees specified in section 304 have been paid, and when changes to the plans and application are approved the building official shall issue an "amending permit", which includes the approved changes as well as the original plans and specifications. The issuance of such amending permit shall void the original permit. The amended permit shall be identified with the original permit number and identifier A."

21.08.055 TABLE 3-A AMENDED: Table 3-A of the Uniform Building Code is amended and supplemented to read:

TABLE NO. 3-A BUILDING PERMIT FEES

<u>Total Valuation</u>	<u>Fee</u>
<u>\$1.00 to \$500.00</u>	<u>\$11.00</u>
<u>\$501.00 to \$2,000.00</u>	<u>\$11.00 for the first \$500.00 plus \$1.65 for each additional \$100.00 or fraction thereof, to and including \$2000.00</u>
<u>\$2,001.00 to \$25,000.00</u>	<u>\$35.75 for the first \$2,000.00 plus \$6.60 for each additional \$1,000.00 or fraction thereof, to and including \$25,000.00</u>
<u>\$25,001.00 to \$50,000.00</u>	<u>\$187.55 for the first \$25,000.00 plus \$4.95 for each additional \$1,000.00 or fraction thereof, to and including \$50,000.00</u>
<u>\$50,001.00 to \$100,000.00</u>	<u>\$311.30 for the first \$50,000.00 plus \$3.30 of each additional \$1,000.00 or fraction thereof, to and including \$100,000.00</u>
<u>\$100,001.00 and up</u>	<u>\$476.30 for the first \$100,000.00 plus \$2.75 for each additional \$1,000.00 or fraction thereof</u>

21.08.080 UBC; SECTION 1202(b) Amended: Section 1202(b) of the Uniform Building code is amended to read:

"(b) Special Provisions. Notwithstanding other provisions of this code all Group R, Division 1 occupancies, and Group R, Division 3 occupancies any portion of which is located within three feet of a property line, shall be not less than one-hour fire-resistive construction throughout. Exception:--The ceiling of the top story need not be of fire-resistive construction in Type V buildings. Exterior balconies extending beyond the floor area as defined in Section 407 shall be constructed of noncombustible materials or of combustible one-hour fire-resistive construction."

Exception: Group R, Division 1 occupancies that consist of four or fewer units, that do not exceed two stories in height, that are less than five thousand square feet total area, and that have a one-hour fire-resistive occupancy separation between units.

Storage or laundry rooms that are within Group R, Division 1 Occupancies that are used in common by tenants shall be separated from the rest of the building by not less than one-hour fire-resistive occupancy separation.

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

Exception: An alarm system need not be installed in buildings not over two stories in height when all individual dwelling units and contiguous attic and crawl spaces are separated from each other and from public or common areas by at least one-hour fire-resistive occupancy separations and each individual dwelling unit has an exit direct to a yard or public way.

For Group R, Division 1 occupancies with a Group B, Division 1 parking garage in the basement or first floor, see Section 702(a).

For attic space partitions of not less than one-hour fire-resistive construction shall be located above each wall separating dwelling units and shall extend from the top of the wall to the underside of the roof sheathing and draft stops; see Section 2516(f).

Exterior balconies in Group R, Division 1 occupancies extending beyond the floor area as defined in Section 407 shall be constructed of noncombustible materials or of combustible one-hour fire-resistive construction.

Exterior and interior doors and windows opening onto a common corridor, stairway, yard, exterior or interior exit balcony, exit court, or similar area serving 2 5 of more dwelling units shall be protected as specified in Section 33045(h)."

21:08:177 UBC; Section 3802(b) Amended. Section 3802(b) is amended and supplemented by the addition of another item or subsection to be known as Subsection 3802(b) 65 to read:

"65. All buildings four or more stories in height. For the purposes of this section, a story shall be defined as "that portion of a building included between the upper surface of any floor and the surface of next floor or roof above."

21:08:230 UBC; 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) Cemetery 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 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.

(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; and the installation of approved preliminary plat and short plat improvements as permitted by Section 7006(A)(1).

21:08:232 UBC; 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 buildig official or the department of public works as to activities described in subsection (1) below. 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 may be permitted and stockpiling of materials on individual lots with the concurrence of the departments that normally review

development permit applications. Permits to be issued for activities covered by this subparagraph shall be issued by the department of public works who shall with respect to such activities, have full authority to administer and enforce the provisions of Appendix Chapter 70 of the Uniform Building Code as herein amended and supplemented.

(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 Works 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 specified in Section 1115.75, Kirkland Zoning Code, 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.

Section 3. HOUSING CODE

The Sections and Subsections of Chapter 21.12 of the Kirkland Municipal Code set forth below are hereby amended to read as follows:

21.12.010 Housing Code Adopted. The Uniform Housing Code issued by the International Conference of Building Officials, ~~{1982}~~ 1985 Edition, together with amendments and/or additions thereto, is adopted in its entirety by this reference as the Housing Code for the City.

Section 4. SIGN CODE

The Sections and Subsections of Chapter 21.16 of the Kirkland Municipal Code set forth below are hereby amended to read as follows:

21.16.010 Sign Code Adopted. The Sign Code issued by the International Conference of Building Officials, 1982 1985 Edition, together with amendments and/or additions thereto, is adopted in its entirety by this reference as the Sign Code for the City.

Section 5. PLUMBING CODE

The Sections and Subsections of Chapter 21.20 of the Kirkland Municipal Code set forth below are hereby amended to read as follows:

21.20.010 Plumbing Code Adopted. The Uniform Plumbing Code issued by the International Association of Plumbing and Mechanical Officials, (~~1982~~) 1985 Edition, together with amendments and/or additions hereto, is adopted, in part, as listed herein by this reference as part of the Plumbing Code for the City. The following listed chapters are adopted:

- Chapter 1 - Definitions
- Chapter 2 - Materials and Alternates
- 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.

21.20.039 Amended Section 21.20.039 of the Kirkland Municipal Code is hereby amended to read:

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 classification shown:

For issuing each permit (when not part of a Building Permit)-----20.00

In addition:

For each plumbing fixture or trap or set of fixtures on one trap (including water, drainage piping and backflow protection therefore) -----~~3.00~~ 4.00

Rainwater systems - per drain -----~~3.00~~ 4.00
(inside building)

For each water heater and/or vent -----3.00 4.00

For each industrial waste pre-treatment
interceptor, including its trap and vent
excepting interceptors functioning as
fixture traps -----3.00 4.00

For installation, alteration or repair
of water piping and/or water treating
equipment -----3.00 4.00

For repair or alteration of drainage or
vent piping -----3.00 4.00

For each lawn sprinkler system or any
one meter including backflow protection
devices therefore -----3.00 4.00

For vacuum breakers or backflow protective
devices on tanks, vats, etc., or for
installation on unprotected plumbing
fixtures including necessary water piping

one (1) to five (5) -----3.00 4.00 ea.
over five (5) -----2.00/3.00 ea.

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 fee permit fee shall be in addition to any penalty for violation provided for in Section 21.20.034(a), 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 building shall be based on the number of plumbing fixtures involved."

Section 6. MECHANICAL CODE

The Sections and Subsections of Chapter 21.24 of the Kirkland Municipal Code set forth below are hereby amended to read as follows:

21.24.010 Mechanical Code Adopted. The Uniform Mechanical Code, issued by the International Conference of Building Officials, 1982 1985 Edition, together with amendments and/or additions thereto hereafter made, is 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.

Section 7. DANGEROUS BUILDING CODE

The Sections and Subsections of Chapter 21.28 of the Kirkland Municipal Code set forth below are hereby amended to read as follows:

21.28.010 Adoption. The Uniform Code for the Abatement of Dangerous Buildings issued by the International Conference of Building Officials, (~~1982~~) 1985 Edition, together with amendments and/or additions thereto is adopted in its entirety by this reference as the Dangerous Building Code for the City.

Section 8. FIRE CODE

The Sections and Subsections of Chapter 21.32 of the Kirkland Municipal Code set forth below are hereby amended to read as follows:

21.32.010 Fire Code Adopted. The Uniform Fire Code, issued by the International Conference of Building Officials and the Western Fire Chiefs Association, (~~1982~~) 1985 Edition, together with amendments and/or additions thereto, is adopted in its entirety including Appendix IIB (Protection of Flammable or Combustible Liquids in Tanks in Locations that may be Flooded), IIC (Marinas) and II D (Rifle Ranges) by this reference as part of the Fire Code for the City; provided, however, Article 78-Fire Works is not adopted.

21.32.040 UFC, Section 10.306 ~~10.307~~ Deleted. Section 10.306 ~~10.307~~ of the Uniform Fire Code relating to fire alarm systems is deleted as it is replaced by Kirkland Municipal Code Chapter 21.35 Uniform-Building-Code-Requirements.

21.32.050 UFC Section 10.311 ~~10.312(d)~~ Amended. Section 10.311 ~~10.312(d)~~ of the Uniform Fire Code is amended and supplemented thereto by the addition of a new paragraph to read:

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

21.32.065 UFC, Section 13.103 Amended. Section 13.103 of the Uniform Fire Code is amended and supplemented thereto by the addition of a new paragraph to read:

"The Director of Fire Services is empowered and authorized to order the owner or occupant in writing, to designate smoking and nonsmoking areas and to post those areas with appropriate signs as defined and required in Title 70 RCW as it relates to the Washington Clean Indoor Air Act."

Section 9. Fire Alarms

The Sections and Subsections of Chapter 21.35 of the Kirkland Municipal Code set forth below are hereby amended to read as follows:

The title of Chapter 21.35 is hereby amended to read:

"Fire Alarms in Existing Buildings

21.35.010 Purpose Amended Section 21.35.010 of the Kirkland Municipal Code is hereby amended to read:

"21.35.010 Purpose The purpose of this chapter is to provide minimum standards to safeguard life-or-limb-and the health, safety and welfare of the general public welfare by regulating and controlling the design, installation, quality of materials, location and maintenance of fire alarms and fire alarm systems within existing multifamily, rooming-house, motel/hotel, and institutional-dwelling-buildings for all occupancies. This Chapter is not intended to create or otherwise establish or designate any particular class or group of persons who will be or should be especially protected or benefited by the terms of this chapter."

21.35.020 Scope Amended Section 21.35.020 of the Kirkland Municipal Code is hereby amended to read:

"21.35.020 Scope The provisions of this chapter shall apply to every apartment house three or more stories in height or containing 15 or more dwelling units and every hotel three or more stories in height or containing 20 or more guestrooms and all other buildings having a total floor area of 6000 square feet or more. A fire alarm system shall be installed in these buildings.

Exception: (1) Group B and H occupancies that have automatic fire extinguishing systems installed throughout, provided; that the Director of Fire Services may require the installation of a complete or partial fire alarm system when undue hazard from fire to the occupants could occur.

Exception: (2) In Group A occupancies, the Director of Fire Services may, in writing, allow the exclusion or modification of an alarm system where there are practical difficulties; provided that the spirit of the code is complied with and public safety is not compromised.

All-existing-buildings-that:

(1)-Are-classified-as-Group-R-1-or-I-2-and-contain-interior-corridors-as-the-primary-means-of-exit--In-such-buildings-an-automatic-fire-alarm-system-shall-be-installed-to-monitor-all-interior-areas-that-provide-exit-pathways-from-the-building--Individual-smoke-detectors-shall-be-installed-within-each-dwelling-unit-or-guestroom;or

(2)-Are-classified-as-Group-R-1-or-I-2-and-do-not-contain-interior-corridors-as-the-primary-means-of-exit--in-such-buildings-individual-smoke-detectors-shall-be-installed-in-each-dwelling-unit-or-guest-room.

~~The occupancy designations and the definitions shall be that of the Uniform Building Code and the Uniform Fire Code as adopted by the City.~~

21.35.025 Definitions Created A new section to be known as Section 21.35.025, Definitions, is hereby added to read:

"21.35.025 Definitions For the purposes of this chapter, certain terms are defined as follows;

"FIRE ALARM SYSTEMS, are systems and components of approved compatible devices, central panels, audible and visual devices, and other equipment together with the necessary electrical energy designed and wired to produce an alarm in the event of fire or special system activation.

"The occupancy classifications and other definitions shall be that contained in the Uniform Building Code, the Uniform Mechanical Code and the Uniform Fire Code as adopted by the City of Kirkland."

21.35.030 Rules to be developed amended Section 21.35.030 of the Kirkland Municipal Code is hereby amended to read:

"21.35.030 Rules to be developed. The Director of Fire Services Building-Official is directed to develop and publish rules and regulations for fire alarm systems. -in-existing-buildings The rules and regulations shall indicate the type and configuration of systems based on occupancy specify the requirements of systems and shall be developed from nationally recognized standards. No less than three copies shall be available for public inspection and review in the Fire Building-Department office. The Director of Fire Services Building-Official may offer the rules and regulations for sale at a reasonable cost to cover printing and handling.

21.35.040 Approval required amended Section 21.35.040 of the Kirkland Municipal Code is hereby amended to read:

"21.35.040 Approval required. Prior to the installation of a fire alarm system, or individual-smoke-detectors-modification of a previously approved system, plans shall be submitted to the Director of Fire Services 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 in the system shall be indicated.

The application, plans and specifications, and other data filed by an applicant for a fire alarm system ~~or individual-smoke-detector permit~~, shall be reviewed by the Director of Fire Services Building-Official or authorized representative. If the Director of Fire Services-Building-Official finds that the work described in the application for a fire alarm system ~~or individual-smoke~~

~~deteeter~~ permit and the plans, specifications, and other data filed therewith conform to the requirements of this chapter and the rules and regulations as specified herein, he shall collect the permit fee and issue a fire alarm system ~~or-individual~~ ~~smoke-deteeter~~ permit.

The permit fee shall be:

For issuing each permit	<u>\$20.00</u>	\$10.00
<u>For a new installation</u>		
<u>Plus For each zone</u>	<u>\$10.00</u>	5.00
<u>For issuing a permit for a tenant improvement or modification to a previously approved fire alarm system</u>	<u>\$20.00</u>	

21.35.050 Validity of permit Amended. Section 21.35.050 of the Kirkland Municipal Code is hereby amended to read:

"21.35.050 Validity of permit. The issuance of a permit or approval of plans and specifications shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of the chapter or the technical codes, or of any other ordinance of the city. No permit presuming to give authority to violate or cancel the provisions of these codes shall be valid.

The issuance of a permit based upon plans, specifications, and other data shall not prevent the Director of Fire Services ~~building-official~~ from thereafter requiring the correction of errors in said plans, specifications, and other data, or from preventing the installation being carried on thereunder when in violation of this chapter or of any ordinances of the City."

Section 10. The following sections of Title 21 are each hereby repealed:

<u>Chapter 21.08</u> <u>Building Code</u> <u>Sections</u> <u>Repealed</u>	<u>Chapter 21.24</u> <u>Mechanical Code</u> <u>Sections</u> <u>Repealed</u>	<u>Chapter 21.32</u> <u>Fire Code</u> <u>Sections</u> <u>Repealed</u>	<u>Chapter 21.35</u> <u>Fire Alarms</u> <u>Sections</u> <u>Repealed</u>
21.08.060	21.24.060	21.32.080	21.35.060
21.08.062			21.35.070
21.08.090			
21.08.210			
21.08.211			
21.08.212			
21.08.213			
21.08.214			
21.08.215			

Section 11. Should any section, paragraph, sentence or word of this ordinance or the codes herein adopted or amended 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 12. This ordinance shall be in force and effect five days from and after its passage by the Kirkland City Council and publication pursuant to Section 1.08.017, Kirkland Municipal Code in the summary form attached to the original of this ordinance and by this reference approved by the City Council.

PASSED by majority vote of the Kirkland City Council in regular, open meeting this 7th day of April, 1986.

SIGNED IN AUTHENTICATION thereof this 7th day of April, 1986.

Doris Cooper
Mayor

ATTEST:

Tom J. Aderson
Director of Administration & Finance
(ex officio City Clerk)

APPROVED AS TO FORM:

Ralph [Signature]
City Attorney

9867B/248A/BL:dc



BUILDING CODE AMENDMENTS

21.04.010 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 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, 1982 Edition;
- (2) Uniform Housing Code, issued by the International Conference of Building Officials, 1982 Edition;
- (3) Uniform Sign Code, issued by the International Conference of Building Officials, 1982 Edition;
- (4) Uniform Plumbing Code, issued by the International Association of Plumbing and Mechanical Officials, 1982 Edition;
- (5) Uniform Mechanical Code, issued by the International Conference of Building Officials, 1982 Edition;
- (6) Uniform Code for the Abatement of Dangerous Buildings, issued by the International Conference of Building Officials, 1982 Edition;
- (7) Uniform Fire Code, issued by the International Conference of Building Officials and the Western Fire Chiefs Association, 1982 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.

21.04.020 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."

This section has been amended to reflect the 1985 edition of the referenced codes.

No change

Whenever reference is made to local authority, codes, jurisdiction and similar concepts, within the codes adopted by reference is this chapter and Chapters 21.08 through 21.32, interpretation shall render such reference applicable to the city designation, jurisdiction and authority.

21.04.030 Penalty for violation. In addition to the administrative remedies provided for in this title, any person found by a court of competent jurisdiction to be in violation of or to have violated any mandatory provision of this title shall be guilty of a misdemeanor. Each day that a violation is found to exist shall be deemed a separate offense.

No change

Any person convicted of a misdemeanor under the provisions of this title shall be subject to the penalties provided by Section 1.04.010A; provided, however, upon any subsequent conviction, such person shall be subject to the penalties provided by Section 1.040.010B (Serious Crimes).

Section 2. BUILDING CODE ADOPTED

21.08.010 Building Code Adopted. The Uniform Building Code and Standards, issued by the International Conference of Building Officials, 1982 Edition, together with amendments and/or additions thereto, is adopted in its entirety, including Appendix Chapters No. 7 (Covered Mall Buildings), 11 (Agriculture Buildings), 32 (Re-roofing), 38 (Basement Pipe Inlets), 49 (Patio Covers), 55 (Membrane Structures), 57 (Regulations Governing Fall-out Shelters), 70 (Excavation and Grading), by this reference as part of the building code for the city.

This section has been amended to reflect the 1985 edition. Appendix Chapter 38 has been deleted as it is not necessary

21.08.015 Uniform Building Code--Defined. The terms "Uniform Building Code" and "UBC" shall refer to the adoption by reference in the Kirkland Municipal Code Section 21.08.010.

No change

21.08.020 UBC, Section 302(a) Amended. Section 302(a) of the Uniform Building code, is amended and supplemented by the addition thereof of a new subsection to be known as Subsection 302(a) 8, to read as follows:

This section as been amended to reflect the revised SEPA ordinance.

"Section 302(a) 8. As much information as required to provide an accurate environmental disclosure pursuant to Ordinance No. 2473 as amended of the City of Kirkland."

21.08.021 UBC, Section 302(a) Further Amended. Section 302(a) of the Uniform Building Code is further amended and supplemented by the addition thereto of a new paragraph to read as follows:

No Change

"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 of such project by such state and federal agencies as may have jurisdiction or regulatory authority over such proposed project."

21.08.030 UBC, Section 30(2)3(d) Amended. Section 302(d) of the Uniform Building Code is amended and supplemented by the addition thereto of a new paragraph to read:

No change

"Land surface modification (grading) permits, 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."

21.08.041 UBC, Section 305(d) Amended. Section 305(d) of the Uniform Building Code is amended and supplemented by the addition thereto of a new paragraph to read:

No change

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

21.08.050 UBC, Section 307(a) Amended. Section 307(a) of the Uniform Building code is amended and supplemented by the addition thereto of a new paragraph to read:

No change

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

21.08.051 UBC, Section 307(c) Amended. Section 307(c) of the Uniform Building Code is amended and supplemented to read:

No change

"(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 contains at least the following:

- (1) Occupancy name and address.
- (2) The use classification, occupancy group, type of constructions and use zone.
- (3) The occupancy permit number.
- (4) Owner of the occupancy and address.
- (5) Owner of the building and address.

21.08.060 UBC, Section 513 Amended. Section 513 of the Uniform Building Code is amended to read:

"ADDRESS NUMBERS

Section 513. 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."

This section has been deleted due to possible conflict with the State Building Code Act. Adequate wording now appears in the Building Code and will be supplemented with an operating policy.

21.08.062 UBC, Section 514 Added. Chapter 5 of the Uniform Building Code is amended and supplemented by the addition thereto of a new section to be known as Section 514 to read:

"Section 514. For fire alarm installation requirements based on occupancy see Chapter 55."

This section has been deleted due to possible conflicts with the State Building Code Act. Requirements have been moved to a separate KMC Chapter.

21.08.070 UBC, Section 702(b) Amended. Section 702(b) of the Uniform Building Code is amended and supplemented thereto by the addition of a new paragraph to read:

No change

"If two or more tenants of different hazard classifications as defined by UBC 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 3305(g) and Section 3305(h) regardless of occupant load."

21.08.080 UBC, Section 1202(b) Amended. Section 1202(b) of the Uniform Building Code is amended to read:

This section has been amended to provide conformance to the State Building Code Act.

"(b) Special Provisions. All Group R, Division 1 occupancies, and Group R, Division 3 occupancies any portion of which is located within three feet of a property line, shall be not less than one hour fire resistive construction throughout.

EXCEPTION: The ceiling of the top story need not be of fire resistive construction in Type V Buildings.

Every apartment house three stories or more in height and containing more than fifteen (15) apartments, and every hotel containing twenty (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 702(a).

Attic space partitions of not less than one hour fire resistive construction shall be located above each wall separating dwelling units and shall extend from the top of the wall to the underside of the roof sheathing.

Exterior balconies in Group R, Division 1 occupancies 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 and windows 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 3305(h)."

21.08.090 UBC, Section 1210(a) Amended. Section 1210(a) of the Uniform Building Code is amended and supplemented by the addition thereto of a new paragraph to read:

This section has been deleted. Smoke detector requirements have been moved to a separate KMC Chapter.

"In R-1 occupancies, all smoke detectors and smoke 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 the requirements of Chapter 55."

21.08.140 UBC, Section 1807 Amended. The title of Section 18.07 of the Uniform Building Code is amended to read:

No Change

"SPECIAL PROVISIONS FOR ALL BUILDINGS SEVEN OR MORE STORIES IN HEIGHT."

21.08.141 UBC, Section 1807(a) Further Amended. Section 1807 of the Uniform Building Code is amended to read:

No change

"Section 1807(a) Scope. This section shall apply to all buildings seven or more stories in height. Such buildings shall be provided with an approved sprinkler system in accordance with Section 1807(c)."

21.08.142 UBC Section 1807(g) Further Amended. Section 1807(g) of the Uniform Building Code is amended to read:

No Change

"(g) Smoke Control. Natural or mechanical ventilation for the removal of products of combustion shall be provided in every story and shall consist of one of the following:

1. Panels or windows in the exterior walls which can be opened remotely from an approved location other than the fire floor. Such venting facilities shall be provided at the rate of 20 square feet per 50 lineal feet of exterior wall in each story and shall be distributed around the perimeter at not more than fifty (50) foot intervals. Such windows or panels and their controls shall be clearly identified.

2. When a complete and approved automatic sprinkler system is installed, the mechanical air-handling equipment may be designed to accomplish smoke removal. Under fire conditions, the return and exhaust air shall be moved directly to the outside without recirculation to other compartments of the building. The exhaust air handling system shall provide a minimum of one exhaust air change each ten (10) minutes for the compartment involved. Provisions shall also be made in the air-handling system to provide positive air pressure in the unaffected compartments on the fire floor in addition to providing positive air pressure on the floor above and below the fire floor. The positive pressure air handling system must be capable of maintaining a positive pressure of 0.05 inch of water column. The air intake(s) shall be located to minimize the possibility of smoke intake.

3. Any other approved design which will produce equivalent results."

21.08.144 UBC, Section 1807(m) Further Amended. Section 1807(m) of the Uniform Building Code is amended to read:

No Change

"(m) Automatic Sprinkler Alternatives. As a complete approved automatic sprinkler complying with this section is installed, the following modifications of code requirements are permitted:

1. The fire resistive time periods set forth in Table No. 17-A may be reduced by one hour for interior bearing walls, exterior bearing and non-bearing walls, roofs and beams supporting roofs, provided they do not frame into columns. Vertical shafts other than stairway enclosures and elevator shafts may be reduced to one hour when sprinklers are installed within the shafts at alternate floors.

2. Travel distance from the most remote point in the floor area to a horizontal exit or to an enclosed stairway may be 300 feet.

3. Smokeproof enclosures are not required, but all required stairways shall be pressurized to a minimum of 0.15 inch of water column.

4. Emergency windows required by Section 1204 are not required."

21.08.145 UBC, Section 1807 Further Amended. Section 1807 of the Uniform Building Code is further amended by a new subsection to be known as Section 1807(n) and shall read:

No change

"Section 1807(n) Application to Existing Buildings. When buildings of Type I construction are extended to five (5) or more, but not more than twelve (12) stories in height, the requirements for the following items, when specifically approved by the building official may be modified:

1. Sprinkler System.
2. Onsite Water Supply.
3. Voice Alarm System.
4. Smoke Control Systems.
5. Elevator Lobbies.
6. Areas of Refuge.

21.08.150 UBC, Section 1907 Amended. The title of Section 1907 of the Uniform Building Code is amended to read:

No change

"SPECIAL PROVISIONS FOR ALL BUILDINGS SEVEN OR MORE STORIES IN HEIGHT."

21.08.155 UBC Section 2905(f) amended. Section 2905(f) of the Uniform Building Code is hereby amended to read:

"(f) Drainage. Provisions shall be made for the control and drainage of surface water around buildings.

No Change

Adequate provisions shall be made to insure that under-floor spaces remain free of running or standing water by the installation of drains. As a minimum, such drains shall be installed around the perimeter of the building at the footings. Additional drains may be required in the under-floor space. The drain pipes shall be of sufficient size to adequately convey water to an approved location, but shall be a minimum size of 4 inches. Provisions shall be made to prevent the drainage system from becoming blocked with soil."

21.08.160 UBC, Section 3202(b) Amended. Section 3202(b) of the Uniform Building Code is amended to read:

No change

(b) Fire Retardancy, when required. Roof coverings shall be fire retardant, except in Type V buildings it may be as follows:

(1) Ordinary roof coverings may be used on Group R, Division 3, and Group M occupancies constructed on a single family dwelling zoned lot and the exterior walls of which are located five (5) or more feet from a property line.

(2) Class C roof coverings which comply with UBC Standard No. 32-7 and Roofs of No. 1 cedar or redwood shakes and No. 1 shingles constructed in accordance with the requirements of UBC Standard No. 32-14 for special purpose roofs may be used on Group R, Division 1 occupancies of one (1) hour fire resistive construction.

Skylights shall be constructed as required in Chapter 34.

Penthouses shall be constructed as required in Chapter 36.

For use of plastics in roofs, see Chapter 52. For attics, access and area, see Section 3205. For roof drainage, see Section 3207.

For solar energy collectors located above or upon a roof, see Section 1714.

21.08.170 UBC, Section 3802(b) 5 Added. Section 3802 of the Uniform Building Code is amended and supplemented by the addition thereof of a new subsection to be known as Subsection 3802(b) 5 to read:

No change

"5. In all buildings or structures supported by piers or piling which extend over water and any portion of the building is more than 250 feet from an improved public street or alley giving access thereto for fire fighting equipment.

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

21.08.177 UBC, Section 3802(b) Amended. Section 3802(b) is amended and supplemented by the addition of another item or subsection to be known as Subsection 3802(b) 6 to read:

This section has been amended to clarify what is meant by story for the purpose of this section.

"6. All buildings four or more stories in height."

21.08.180 UBC, Section 3805(b) Amended. Section 3805(b) of the Uniform Building Code is amended and supplemented thereto by the addition of a new paragraph to read:

No change

"In lieu of Class II standpipes, the Director of Fire Services may, in writing, require the use of Class I 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."

21.08.200 UBC, Section 4306 Amended. The definition of "FIRE ASSEMBLY, AUTOMATIC CLOSING" as contained in Subsection 4306(b) of the Uniform Building Code, is amended and supplemented to read:

No change

"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 requirements specified in UBC 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 degrees F."

21.08.210 UBC, Chapter 55 Added. Part XI of the Uniform Building Code is amended and supplemented thereto by the addition of a new chapter to read:

"CHAPTER 55: FIRE ALARM SYSTEMS."

21.08.211 UBC, Section 5501(a) General. "The requirements set forth in this chapter shall regulate the installation and maintenance of Fire Alarm Systems for all occupancies."

21.08.212 UBC, 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 UBC Standard No. 43-6 and in conformance with rules and regulations published by the Building Official."

21.08.213 UBC, 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, unless the fire extinguishing system is otherwise required by this code."

21.08.214 UBC, 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."

These sections have been deleted due to possible conflict with the State Building Code Act. Fire alarm requirements have been moved to a separate KMC Chapter.

This section has been deleted.

This section has been deleted.

This section has been deleted.

21.08.215 UBC, 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."

This section has been deleted.

21.08.220 UBC, Chapter 56 Added. Part XI of the Uniform Building Code is amended and supplemented thereto by the addition of a new chapter to read:

No change

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

21.08.222 UBC, Section 5602 Definitions. "(a) OVERWATER STRUCTURES. For the purpose of this Chapter, overwater structures shall include all structures which have twenty percent (20%) or more of their area over water, or a structure which has 8,000 square feet over water.

No change

(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."

21.08.225 UBC, 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:

No change

Member	Normal Size Unlimited Use	Piers for Boat Mooring Only. Not Exceeding 10' in Width
Caps and Girders	8"	6"
Joists, Beams & Other Members	4"	3"
Flooring or Deck	3" T & G or Splined or 4" sq. 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.

No Change

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 superstructures.

Substructure draft stops shall be constructed of not less than two (2) thicknesses of 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 (2 1/2) inch outlets as 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."

21.08.230 UBC, 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) Cemetery 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 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.

(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.

21.08.231 UBC, Section 7005 Amended. Section 7005 of the Uniform Building Code is 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."

This section has been amended by the inclusion of plat improvements. The Public Works Dept. will administer the development of new plats.

No change

21.08.232 UBC, 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.

(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 specified in Section 1115.75, Kirkland Zoning Code, 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."

21.08.233 UBC, Section 7008 Amended. Section 7008 of the Uniform Building Code is 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. The bond shall be held in the office of the Director of Administration and Finance and shall be released upon written authorization of the Building Official."

This section has been amended by the deletion of Item #1. The Public Works Dept. will be administering grading of plats and short plats.

No change

Section 3. HOUSING CODE

21.12.010 Housing Code Adopted. The Uniform Housing Code issued by the International Conference of Building Officials, 1982 Edition, together with amendments and/or additions thereto, is adopted in its entirety by this reference as the Housing Code for the City.

This section has been amended to reflect the 1985 edition.

21.12.015 Uniform Housing Code Defined. The terms "Uniform Housing Code" and "UHC" shall refer to the adoption by reference in Kirkland Municipal Code, Section 21.12.010.

No change

21.12.020 UHC, Section 1001(m) Amended. Section 1001(m) of the Uniform Housing Code, is amended and supplemented to read as follows:

No change

(m) Inadequate exits. All buildings or portions thereof not provided with adequate exit facilities as required by the 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. SIGN CODE

21.16.010 Sign Code Adopted. The Sign Code issued by the International Conference of Building Officials, 1982 Edition, together with amendments and/or additions thereto, is adopted in its entirety by this reference as the Sign Code for the City.

This section has been amended to reflect the 1985 edition.

21.16.011 Conflict with Ordinance 2740. If any provision of the Uniform Sign Code is in conflict with any provision of Ordinance No. 2740 as amended, the applicable provisions of Ordinance No. 2740, as amended, shall govern.

No change

21.16.020 Permit and Checking Fees. The Sign Permit fee and Plan Checking fee authorized by Section 304 of the Uniform Sign Code, adopted by reference, shall be the same as the fee schedule contained in Section 303 (and Table 3-A) of the Uniform Building Code, as listed in Section 21.04.010, Kirkland Municipal Code; provided:

No change

(1) A minimum twenty dollar fee shall be charged for each marquee or building mounted sign.

(2) A minimum forty dollar fee shall be charged for each free-standing or pole mounted sign.

(3) A minimum ten dollar plan check fee shall be charged for each sign for which a permit is applied.

21.16.050 Duties of Building Official. (a) Applications for the erection of exterior signs shall be filed with the Building Department. Such applications shall be accompanied by drawings which clearly delineate the sign, its size, shape, materials, color, lettering, number and wattage of lights, or other devices which are a part of the installation. The drawings shall show the method of fastening or anchoring the sign to a building or the footings and foundation and column designed for free-standing signs. Drawings shall also be submitted indicating the relationship of a proposed sign to the total structure to which it would be attached.

No change

(b) Upon Approval by the Planning Official the Building Department shall review the drawings and may inspect the site or the building upon which the sign is to be applied and determine that the anchoring or fastening methods are sufficiently safe and meet the requirements of the City Building Code, including the Uniform Sign Code chapter and the requirements of this chapter.

Section 5. PLUMBING CODE

21.20.010 Plumbing Code Adopted. The Uniform Plumbing Code, issued by the International Association of Plumbing and Mechanical Officials, 1982 Edition, together with amendments and/or additions thereto, is adopted, in part, as listed herein by this reference as part of the Plumbing Code for the City. The following listed chapters are adopted:

This section has been changed to reflect the 1985 edition.

- Chapter 1 - Definitions
- Chapter 2 - Materials and Alternates
- 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.

21.20.015 Uniform Plumbing Code Defined. The terms "Uniform Plumbing Code" and "UPC" shall refer to the adoption by reference in Kirkland Municipal Code, Section 21.20.010.

No change

21.20.020 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.

No change

21.20.030 Administration. In addition to the regulations set forth in the Uniform Plumbing Code, administrative regulations are adopted to read as set forth in Sections 21.20.031 through 21.20.039.

No change

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."

No change

21.20.032 Right of Entry. "The 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."

No change

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.

No change

(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.

No change

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 (1/2) 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."

21.20.035 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.

No change

(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:

No change

The stopping of leaks in drains, soil, waste or vent pipe, provided, however, that should any drain pipe, 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."

21.20.037 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."

No change

21.20.038 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.

No change

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."

21.20.039 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.

This section amended to reflect a fee increase of \$.100 per fixture.

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)-----20.00

In addition:

For each plumbing fixture or trap or set of fixtures on one trap (including water, drainage piping and backflow protection therefore) -----3.00

Rainwater systems - per drain -----3.00
(inside building)

For each private sewage disposal system or repair-----25.00

For each water heater and/or vent -----3.00

For each industrial waste pre-treatment interceptor, including its trap and vent excepting interceptors functioning as fixture traps -----3.00

For installation, alteration or repair of water piping and/or water treating equipment -----3.00

For repair or alteration of drainage or vent piping -----3.00

For each lawn sprinkler system or any one meter including backflow protection devices therefore --3.00

For vacuum breakers or backflow protective devices on tanks, vats, etc., or for installation on unprotected plumbing fixtures including necessary water piping:

one (1) to five (5) -----3.00
over five (5) -----2.00/ea.

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 fee 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."

21.20.040 UPC, Section 401 Amended. Subsection 401(a) of the Uniform Plumbing Code is amended and supplemented to read:

No change

"(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 DWV piping installations shall be limited to those structures where combustible construction is allowed. 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 by the Uniform Building Code."

21.20.050 UPC, Section 503(a) Amended. Subsection 503(a) of the Uniform Plumbing Code is amended and supplemented to read:

No change

"(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 DWV piping installations shall be limited to those structures where combustible construction is allowed. ABS and PVC pipe and fittings shall not be installed in Type I and II construction, in area stairwells and in occupancy separation walls and floors required by the Uniform Building Code.

21.20.200 Definitions. (1) Backflow. "Backflow" means a flow, other than the intended direction of flow, of any foreign liquids, gases, or substances into the distribution system of a public water supply.

No change

(2) Backflow Prevention Device. "Backflow prevention device" means a device approved by the State of Washington, Department of Social and Health Services or such other state department as shall have jurisdiction over the subject matter, and by the American Water Works Association, used to counteract back pressure or prevent back siphonage into the distribution system of a public water supply.

(3) Cross-connection. "Cross-connection" means any physical arrangement whereby a public water supply is connected, directly or indirectly, with any other water supply system, sewer, drain, conduit, pool, storage reservoir, plumbing fixture, or other device which contains or may contain contaminated water, sewage, or other wastes or liquids of unknown or unsafe quality, which may be capable of imparting contamination to a public water supply as a result of backflow.

21.20.210 Cross-Connections Declared Unlawful. The installation or maintenance of a cross-connection, which in the opinion of the Director of Public Works, or Building Official or any staff member that he or she shall designate who is qualified in protection of municipal water quality, will endanger the water quality of the potable water supply of the city, is declared to be unlawful.

No change

21.20.220 Backflow Prevention Devices to be Installed. Backflow prevention devices, when required to be installed in the opinion of the Director of Public Works, or Building Official or his designated

No change

representative, shall be installed and maintained by the service customer on any service connection to the city water supply system where said backflow prevention devices are necessary for the protection of the city water supply.

21.20.230 Regulation of Private Water Supplies. Use or operation of a private water supply system, contrary to the provisions of the ordinances of the city, or the laws of the State of Washington or the rules and regulations of the State Board of Health regarding public water supplies where said private system is served by the city public water supply, are hereby declared to be unlawful.

No change

21.20.240 Adoption of State Regulations. Rules and regulations of the State Board of Health regarding public water supplies, entitled "Cross-Connection Control Regulation in Washington State" WAC 248-54-250 through WAC 248-54-500, and the American Water Works Association, Pacific Northwest Section's Second Edition of "Accepted Procedure and Practice in Cross-Connection Manual" as they presently exist and as they may, from time to time, be amended in the future, are hereby adopted by this reference as if set forth in full.

No change

21.20.250 Abatement of Unlawful Cross-Connections and Installation of Backflow Prevention Devices--Procedures. Cross-connections declared in this chapter to be unlawful whether presently existing or hereinafter installed and/or services requiring backflow prevention devices and/or unlawful use or operation of a private water supply system served by the city public water supply system are hereby declared to be public nuisances, and in addition to any other provisions of the city code or the ordinances of the city regarding the abatement of public nuisances, shall be subject to abatement in accordance with the following procedure:

No change

(1) In the event that the Director of Public Works, or the Building Official or his designee determines that a nuisance as provided in this section does exist, written notice shall be sent to the person in whose name the water service is established under the records of the city water department, or alternatively, a copy of such written notice shall be posted on the premises served.

(2) The notice shall provide that the nuisance described in this section shall be corrected within thirty days of the date said notice is mailed or posted on the premises.

(3) In the event said nuisance is not abated within the prescribed time, water service to said premises shall be discontinued.

(4) In the event that the nuisance, in the opinion of the Director of Public Works, or Building Official or his designated representative, presents an immediate danger of contamination to the public water supply, service from the city water supply system to the premises may be terminated without prior notice, provided, however, notice will be posted on the premises in the manner heretofore provided at the time said service is terminated.

21.20.260 Penalties. In addition to the remedies set forth in this chapter, any person found guilty of violating any of the provisions of this chapter shall be subject to the penalties as set forth in Section 21.20.034.

No change

Section 6. MECHANICAL CODE

21.24.010 Mechanical Code Adopted. The Uniform Mechanical Code, issued by the International Conference of Building Officials, 1982 Edition, together with amendments and/or additions thereto hereafter made, is adopted in its entirety by this reference as part of the Mechanical Code for the City, including Appendix Chapter 22 relating to gas fuel piping.

This section has been amended to reflect the 1985 edition.

21.24.015 Uniform Mechanical Code—Defined. The terms "Uniform Mechanical Code" and "UMC" shall refer to the adoption by reference in the Kirkland Municipal Code, Section 21.24.010.

No change

21.24.020 UMC, Table No. 3-A Amended—Mechanical Permit Fees. Table No. 3-A of the Uniform Mechanical Code is amended as to the following items only:

No change

"Permit Issuance

1. For the issuance of each permit (when not part of a Building Permit) -----\$20.00
2. For the issuance of each permit (when part of a Building Permit) -----N/C

Unit Fee Schedule

1. For the installation or relocation of each forced air or gravity-type furnace or burner including ducts and vents attached to such appliance -----6.00
2. For the installation of each residential heat pump -----5.00
21. For the installation of gas piping systems under 100 feet in length -----2.00
22. For the installation of gas piping systems under 100 feet, but less than 300 feet in length -----3.50
23. For the installation of gas piping systems over 300 feet in length, for each 100 feet -----1.00
24. For the installation of or relocation of each oil storage tank, including vent and flammable or combustible liquid tank, or LP gas tank -----10.00"

21.24.030 UMC, Section 806 Amended. Subsection 806(a) of the Uniform Mechanical Code is amended by the addition of Item 3, which reads:

No change

"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."

21.24.060 UMC, Section 1901 Amended. Section 1901 of the Uniform Mechanical Code is amended and supplemented by the addition thereto of a new paragraph to be known as Subsection 1901(c) to read:

This section has been deleted as adequate wording is now in the Uniform Mechanical Code.

"(c) Domestic Hoods. Hoods and fans when 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."

Section 7. DANGEROUS BUILDING CODE

21.28.010 Adoption. The Uniform Code for the Abatement of Dangerous Buildings issued by the International Conference of Building Officials, 1982 Edition, together with amendments and/or additions thereto, is adopted in its entirety by this reference as the Dangerous Building Code for the City.

This section has been amended to reflect the 1985 edition.

21.28.015 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 21.28.010.

No change

21.28.020 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:

No change

"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."

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

No change

"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% estate excise sales tax: the holder of any mortgage, deed of trust, leasehold, contract purchases, 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."

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

No change

"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)."

21.28.050 Collection of assessment. Section 909 of the Uniform Code for the Abatement of Dangerous Buildings is amended to read as follows:

No change

"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 repealed.

Section 8. FIRE CODE

21.32.010 Fire Code Adopted. The Uniform Fire Code, issued by the International Conference of Building Officials and the Western Fire Chiefs Association, 1982

This section has been amended to reflect the 1985 edition.

Edition, together with amendments and/or additions thereto, is adopted in its entirety including Appendix IIB (Protection of Flammable or Combustible Liquids in Tanks in Locations that may be Flooded), II C (Marinas) and II D (Rifle Ranges) by this reference as part of the fire code for the city; provided, however, Article 78-Fire Works is not adopted.

21.32.015 Uniform Fire Code--Defined. The terms "Uniform Fire Code" and "UFC" shall refer to the adoption by reference in the Kirkland Municipal Code, Section 21.32.010.

No change

21.32.020 UFC, Section 2.302 Amended. Section 2.302 of the Uniform Fire Code is amended to read as follows:

No change

"Section 2.302. 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 Prevention Code do not apply or that the true intent and meaning of the Fire Prevention Code have been misconstrued or wrongly interpreted, the applicant may appeal 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."

21.32.040 UFC, Section 10.307 Deleted. Section 10.307 of the Uniform Fire Code relating to fire alarm systems is deleted as it is replaced by Uniform Building Code requirements.

This section has been amended to reflect having fire alarms in separate KMC Chapter.

21.32.050 UFC, Section 10.312(d) Amended. Section 10.312(d) of the Uniform Fire Code is amended and supplemented thereto by the addition of a new paragraph to read:

No change

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

21.32.060 UFC, Section 11.101(a) Amended. Section 11.101(a) of the Uniform Fire Code is amended to read as follows:

No change

"Section 11.010(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 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 eighteen (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 or smoke for which he may be liable otherwise."

21.32.062 UFC, Section 11.101(b) Amended. Section 11.101(b) of the Uniform Fire Code is amended to read as follows:

No change

Section 11.101(b) Location Restricted. No person shall kindle or maintain any bonfire or rubbish fire or authorize any such fire to be kindled or maintained on any private land unless (1) The location is not less than 50 feet from any structure and adequate provision is made to prevent fire from spreading to within 50 feet of any structure, or (2) The fire is contained in an approved waste burner located safely not less than 15 feet from any structure.

EXCEPTION: When conditions make it difficult to provide the required distance, the requirements of this section may be modified when, in the opinion of the Director of Fire Services, undue hazard from fire to structures would not occur.

21.32.070 UFC, Section 25.101 Deleted. Section 25.101 of the Uniform Fire Code relating to permit requirements for places of assembly is deleted as a Certificate of Occupancy is required by the building code.

No change

21.32.080 UFC, Section 25.118(b) 4 Amended. Section 25.117(b) 4 of the Uniform Fire Code is amended to read as follows:

This section has been deleted as the UFC now contains adequate wording.

"4. Candles held in persons hands are especially dangerous and shall not be allowed without a fire department permit. Battery operated simulated candles are available and may be used. No permit is required for battery operated candles or other electric candles."

21.32.090 UFC, Section 77.106(b) Amended. Section 77.106(b) of the Uniform Fire Code is amended to read as follows:

No change

"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 judgment there will be no undue danger to persons or property."

21.22.100 UFC, Section 79.501 Amended. Section 79.501 of the Uniform Fire Code is amended to read as follows:

No change

"Section 79.501. The storage of Classes I and II 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 judgment there will be no undue danger to persons or property."

21.32.120 UFC, Section 82.105(a) Amended. Section 82.105(a) of the Uniform Fire Code is amended to read as follows:

No change

"Section 82.105(a). The aggregate capacity of any one installation which contains more than 2,000 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 judgment there will be no undue danger to persons or property." (Ord 2519 #8 (part), # 8.2 (part), 1980: Ord. 2408 #7 (part), 1978).

21.32.140 New Materials, Processes 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.

No change

21.32.150 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 firefighting equipment; provided, however, that the foregoing limitation shall not apply to any one-story structure used solely for the moorage of boats and:

No change

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

5954B/0192A

SUMMARY OF ORDINANCE 2945

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO BUILDINGS AND CONSTRUCTION, ADOPTION OF UNIFORM BUILDING CODE, UNIFORM HOUSING CODE, UNIFORM SIGN CODE, UNIFORM CODE FOR ABATEMENT OF DANGEROUS BUILDINGS AND UNIFORM FIRE CODE, AND AMENDING OR REPEALING PORTIONS OF CHAPTERS 21.04, 21.08, 21.12, 21.16, 21.20, 21.24, 21.28, 21.32, 21.35 OF THE KIRKLAND MUNICIPAL CODE.

Section 1: Declares the purpose of Title 21 of the Kirkland Municipal Code relating to buildings and construction to be protection for the health, safety and welfare of the general public, and provides for maintaining copies of the 1985 editions of each of the Uniform Building Codes itemized in the title of the ordinance, to be on file with the City and available for utilization by members of the public.

Section 2 - Building Code: Adopts by reference the 1985 Edition of the Uniform Building Code and amends supplements and modifies the following sections thereof:

<u>UBC Section</u> <u>Amended</u>	<u>KMC</u> <u>Section</u>
102	21.08.018
302(a)	21.08.020
303(a)	21.08.025
Table 3-A (permit fees)	21.08.055
1202(b)	21.08.080
3802(b)	21.08.177
7003	21.08.230
7006(a)	21.08.232

Section 3 - Housing Code: Amends KMC Section 21.12.010 to adopt by reference the 1985 Edition of the Uniform Housing Code.

Section 4 - Sign Code: Amends Kirkland Municipal Code Section 21.16.010 to adopt 1985 Edition of the Uniform Sign Code issued by the International Conference of Building Officials.

Section 5 - Plumbing Code: Amends Kirkland Municipal Code Section 21.20.010 to adopt the 1985 Edition of the Uniform Plumbing Code issued by the International Association of Plumbing and Mechanical Officials and amends Kirkland Municipal Code Section 21.20.039 to increase the cost of certain plumbing permit fixture or system fees by one dollar.

Section 6 - Mechanical Code: Amends Section 21.24.010 of the Kirkland Municipal Code to adopt the 1985 Edition of the Uniform Mechanical Code.

Section 7 - Dangerous Building Code: Amends Kirkland Municipal Code, Section 21.28.010 to adopt the 1985 Edition of the Uniform Code for the Abatement of Dangerous Buildings.

Section 8 - Fire Code: Amends Kirkland Municipal Code Section 21.32.010 to adopt by reference the 1985 Edition of the Uniform Fire Code (Article 78 - Fireworks not adopted). Amends KMC Section 21.32.040 to delete Uniform Fire Code Section 10.306 relating to fire alarm systems. Amends KMC Section 21.32.065 supplementing Uniform Fire Code Section 13.103 to authorize the director of fire services to require designation of smoking and nonsmoking work areas when required by RCW Title 70 (Washington Clean Air Act).

Section 9 - Fire Alarms: Amends the following sections of Kirkland Municipal Code Chapter 21.35 relating to fire alarms in order to provide within said chapter, the fire alarm requirements and regulations for both existing buildings and new construction: Sections 21.35.010 - Purpose; 21.35.020 - Scope; 21.35.025 - Definitions (fire alarm systems); 21.35.030 - Director of Fire Services given rule-making authority; 21.35.040 - Permits Required, Fees; 21.35.050.


Section 10 - Repeals inconsistent and/or obsolete sections in Chapters 21.08 - Building Code; Chapter 21.32 - Fire Code; Chapter 21.35 - Fire Alarms; Chapter 21.24 - Mechanical Code.

Section 11 - Provides that if any section or portion of the ordinance is found to be invalid, such declaration shall not invalidate the remaining provisions of the ordinance.

Section 12 - Authorizes publication by summary, approves the summary to be published, and establishes the effective date of the ordinance as five days after passage and publication of the summary.

The full text of this ordinance will be mailed without charge to any person upon request made to the Director of Administration and Finance for the City of Kirkland. The ordinance was passed by the Kirkland City Council at its regular meeting on the 7th day of April, 1986.

I certify that the foregoing is the summary of Ordinance No. 2945, approved by the Kirkland City Council for summary publication.



DIRECTOR, ADMINISTRATION AND
FINANCE (ex officio City Clerk)
City of Kirkland