ORDINANCE O-4751

AN ORDINANCE OF THE CITY OF KIRKLAND MAKING AMENDMENTS TO THE CITY'S BUILDING AND CONSTRUCTION CODES, AMENDING KIRKLAND MUNICIPAL CODE TITLE 21 AND KIRKLAND ZONING CODE CHAPTER 110.10; DECLARING AN EMERGENCY AND ESTABLISHING AN IMMEDIATE EFFECTIVE DATE.

WHEREAS, the City Council of the City of Kirkland has adopted by reference numerous building codes for the health, safety and welfare of the community as set forth in the Kirkland Municipal Code Title 21; and Zoning Code Chapter 110.10; and

WHEREAS, the State of Washington established the State Building Code as set forth in RCW 19.27.031; and

WHEREAS, a new version of the State Building Code will go into effect on February 1, 2021; and

WHEREAS, adoption of the amendments made within Title 21, Buildings and Construction conforms to SEPA requirements set forth in WAC 167-800-19; and

WHEREAS, the City Council wishes to provide consistency in the administration of the construction codes and zoning codes; and

WHEREAS, the City Council wishes to provide standards for the maintenance of buildings and property within the City to protect the public health, safety and welfare.

NOW, THEREFORE, the City Council of the City of Kirkland do ordain as follows:

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

21.06.020 Scope.

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

(1) ~~2015~~ 2018 International Building Code—Chapter 51-50 WAC;

(2) ~~2015~~ 2018 International Residential Code—Chapter 51-51 WAC;

(3) ~~2015~~ 2018 International Mechanical Code—Chapter 51-52 WAC;

(4) ~~2015~~ 2018 National Fuel Gas Code (NFPA 54)—Chapter 51-52 WAC;

(5) Kirkland Electrical Code;
(6) ~~2008~~ 2017 Liquefied Petroleum Gas Code (NFPA 58)—Chapter 51-52 WAC;
(7) ~~2015~~ 2018 International Fuel Gas Code—Chapter 51-52 WAC;
(8) ~~2015~~ 2018 Uniform Plumbing Code—Chapters 51-56 and 51-57 WAC.
(9) 2018 Washington State Energy Code – Chapters 51-11C and 51-11R
(10) 2018 International Existing Building Code – WAC 51-50-48000
(11) 2018 International Swimming Pool and Spa Code – WAC 51-50-3109 and WAC 51-51-0329

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

21.06.025 Definitions.

For the purpose of this chapter, certain terms, phrases, words and their derivatives shall have the meanings set forth in this section or in the definitions provisions of the technical codes. Where terms are not defined, they shall have their ordinary accepted meanings within the context with which they are used. Webster's Third New International Dictionary of the English Language, Unabridged, latest edition, shall be considered as providing ordinary accepted meanings. Words used in the singular include the plural and the plural the singular. ~~Words used in the masculine gender include the feminine and the feminine the masculine.~~

(1) "Action" means a specific response complying fully with a specific request by the jurisdiction.
(2) "Existing structure" means a structure erected prior to the adoption of the appropriate code, or one for which a legal building permit has been issued.
(3) "Building service equipment" means and refers to the plumbing, mechanical and electrical equipment including piping, wiring, fixtures, and other accessories which provide sanitation, lighting, heating, ventilation, cooling, refrigeration, fire fighting, and transportation facilities essential to the occupancy of the building or structure for its designated use.
(4) "Complete response" means an adequate response to all requests from city staff in sufficient detail to allow the application to be processed.
(5) "Energy code" means the International Energy Conservation Code promulgated by the International Code Council as adopted by the city.
(6) "IBC" means the latest edition of the International Building Code promulgated by the International Code Council as adopted by the city.
(7) "IEBC" means the latest edition of the International Existing Building Code promulgated by the International Code Council.
(8) "IMC" means the latest edition of the International Mechanical Code promulgated by the International Code Council as adopted by the city.

(9) "ISPSC" means the latest edition of the International Swimming Pool and Spa Code promulgated by the International Code Council as adopted by the city.
(10) "IRC" means the latest edition of the International Residential Code promulgated by the International Code Council as adopted by the city.
(11) "KMC" means the Kirkland Municipal Code.
(12) "KPMC" means the Kirkland Property Maintenance Code.
(13) "NEC" means the latest edition of the National Electrical Code promulgated by the National Fire Protection Association as amended by the Washington Cities Electrical Code as adopted by the city.
(14) "Occupancy" means the purpose for which a building, or part thereof, is used or intended to be used.
(15) "Shall," as used in this chapter, is mandatory.
(16) "Technical codes" are the codes, appendices and referenced code standards adopted by the jurisdiction.
(17) "UPC" means the latest edition of the Uniform Plumbing Code promulgated by the International Association of Plumbing and Mechanical Officials as adopted by the jurisdiction.
(18) "Valuation" or "value," used in computing the plan review and permit (inspection) fees, means the total value of all construction work, including labor and materials~~,~~ and the contractors overhead and profit for which the permit is issued, as well as all finish work, painting, roofing, electrical, plumbing, heating, air conditioning, elevators, fire-extinguishing systems, or any other permanent work or permanent equipment.

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

21.06.035 Intent.

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

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

21.06.045 International Building Code—Scope.

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

Exceptions:

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

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

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

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

21.06.050 International Residential Code—Scope.

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

Exceptions:

(1) Live/work units located in townhouses and complying with the requirements of Section 419 of the International Building Code shall be permitted to be constructed in accordance with the International Residential Code for One- and Two-Family Dwellings. Fire suppression required by Section 419.5 of the International Building Code where constructed under the International Residential Code for One- and Two-Family Dwellings shall conform to ~~Section 903.3.1.3 of the International Building Code~~ Appendix U.

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

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

Section 6. Kirkland Municipal Code Section 21.06.055 is amended to read as follows:

21.06.055 Mechanical—Scope.

These provisions of the International Mechanical Code shall apply to the installation, alterations, repairs and replacement of mechanical systems, including equipment, appliances, fixtures, fittings and/or

appurtenances, including ventilating, heating, cooling, air-conditioning and refrigeration systems, incinerators and other energy-related systems. References in this code to Group R shall include Group I-1, Condition 2 assisted living facilities licensed by Washington state under chapter 388-78A WAC and Group I-1, Condition 2 residential treatment facilities licensed by Washington state under chapter 246-337 WAC.
Exceptions:
(1) The International Fuel Gas Code—for all installations utilizing natural gas and gaseous hydrogen except those regulated by the IRC and those utilizing LPG.
(2) International Residential Code—for all structures regulated by the IRC except LPG installations.
(3) NFPA 54 and 58—for all LPG installations.

Section 7. Kirkland Municipal Code Section 21.06.075 is amended to read as follows:

21.06.075 Energy—Scope.
The provisions of the Washington State Energy Code shall apply to all matters governing the design and construction of buildings for energy efficiency. References in the commercial energy code to Group R shall include Group I-1, Condition 2 assisted living facilities licensed by Washington state under chapter 388-78A WAC and Group I-1, Condition 2 residential treatment facilities licensed by Washington state under chapter 246-337 WAC. Building areas that contain Group R sleeping units, regardless of the number of stories in height, are required to comply with the commercial sections of the energy code.

Section 8. Kirkland Municipal Code Section 21.06.076 is amended to read as follows:

21.06.076 Existing structures—Scope.
The provisions of the International Existing Building Code shall apply to matters governing the repair, alteration, change of occupancy, addition to and relocation of existing structures.
Exception-Detached one-and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories above grade plane in height with a separate means of egress, and their accessory structures not more than three stories above grade plane in height, shall comply with this code or the International Residential Code.

Section 9. Kirkland Municipal Code Chapter 21.06 is amended to include a new section 21.06.078 to read as follows:

21.06.078 Swimming Pools and Spas - Scope
The provisions of this code shall apply to the construction, alteration, movement, renovation, replacement, repair and maintenance of aquatic recreation facilities, pools and spas. The pools and spas covered by this code are either permanent or temporary and shall be only those that

are designed and manufactured to be connected to a circulation system and that are intended for swimming, bathing or wading. Swimming pools, spas and other aquatic recreation facilities shall comply with the ISPSC, where the facility is one of the following, except that public swimming pool barriers are regulated by WAC 246-260-031(4):
1. For the sole use of residents and invited guests at a single-family dwelling;
2. For the sole use of residents and invited guests of a duplex owned by the residents; or
3. Operated exclusively for physical therapy or rehabilitation and under the supervision of a licensed medical practitioner.
All other "water recreation facilities" as defined in RCW 70.90.110 are regulated under chapters 246-260 and 246-262 WAC.

Section 10. Kirkland Municipal Code Section 21.06.120 is amended to read as follows:

21.06.120 Creation of enforcement agency.

The planning and building department ~~is hereby created and the official in charge thereof shall be known as the building official.~~ shall be responsible for enforcement of the construction codes, under the administrative and operational control of the building official, who shall be designated by the Director; provided, the fire marshal or his or her designee shall be responsible for enforcement of the International Fire Code.

Section 11. Kirkland Municipal Code Section 21.06.150 is amended to read as follows:

21.06.150 Inspections.

The building official shall make ~~all of~~ the required inspections, or the building official shall have the authority to accept reports of inspection by approved agencies or individuals. Reports of such inspections shall be in writing and be certified by a responsible officer of such approved agency or by the responsible individual. The building official is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise at the applicant's expense.

Section 12. Kirkland Municipal Code Section 21.06.190 is amended to read as follows:

21.06.190 Alternative materials, design and methods of construction and equipment.

The provisions of this chapter and the technical codes are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this chapter and the technical codes; provided, that any such alternative has been approved. The building official shall have the authority to approve ~~A~~ an alternative material, design or method of construction upon application of the owner or the owner's authorized agent. The building

official shall first find ~~shall be approved where the building official finds~~ that the proposed design is satisfactory and complies with the intent of the provisions of this chapter and the technical codes, and that the material, method or work offered is, for the purpose intended, not less than the equivalent of that prescribed in the technical codes in quality, strength, effectiveness, fire resistance, durability and safety. Compliance with the specific performance-based provisions of the construction codes shall be an alternative to the specific requirements of the construction codes. Where the alternative material, design or method of construction is not approved, the building official shall respond in writing, stating the reasons why the alternative was not approved. The building official is authorized to charge an additional fee to evaluate any proposed alternate under the provisions of this section.

Section 13. Kirkland Municipal Code Section 21.06.210 is amended to read as follows:

21.06.210 Electrical permit required.

In accordance with Chapter 19.28 RCW, an electrical permit is required for the following installations:

(1) The installation, alteration, repair, replacement, modification or maintenance of all electrical systems, wire and electrical equipment regardless of voltage.

(2) The installation and/or alteration of low voltage systems defined as:

(A) NEC, Class 1 power limited circuits at thirty volts maximum.

(B) NEC, Class 2 circuits powered by a Class 2 power supply as defined in NEC 725.~~41~~ 121(A).

(C) NEC, Class 3 circuits powered by a Class 3 power supply as defined in NEC 725.~~41~~ 121 (A).

(3) Telecommunications Systems.

(A) Installation of telecommunications systems on the customer side of the network demarcation point for projects greater than ten telecommunications outlets.

(B) All backbone installations, regardless of size, and all telecommunications cable or equipment installations involving penetrations of fire barriers or passing through hazardous locations.

(C) The installation of greater than ten outlets and the associated cables along any horizontal pathway from a telecommunications closet to work areas during any continuous ninety-day period requires a permit and inspection.

(D) Backbone installations in multifamily residential dwellings which require penetration of fire barriers, or installation of more than ten outlets in common areas.

(E) Definitions of telecommunications technical terms will come from Chapter 19.28 RCW, the currently adopted WAC rules, EIA/TIA standards, and the National Electrical Code.

Section 14. Kirkland Municipal Code Section 21.06.215 is amended to read as follows:

21.06.215 Work exempt from permit.

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

(1) Building.

(A) Accessory structures.

(i) One-story detached IRC accessory structures used as tool and storage sheds, one-story tree-supported play structures, playhouses and similar uses, but not including vehicle storage, provided the floor area does not exceed two hundred square feet, and, except one-story tree-supported play structures, the height does not exceed twelve feet from the grade plane to the highest point of the roof.

(ii) One-story detached IBC accessory structures used as tool and storage sheds, one-story tree-supported play structures, playhouses and similar uses, but not including vehicle storage, provided the floor area does not exceed one hundred twenty square feet and, except one-story tree-supported play structures, the height does not exceed twelve feet from the grade plane to the highest point of the roof.

(B) Fences not over six feet high.

(C) Oil derricks.

(D) Retaining walls which are not over four feet in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or III-A liquids.

(E) Water tanks supported directly on grade if the capacity does not exceed five thousand gallons and the ratio of height to diameter or width does not exceed two to one.

(F) Sidewalks, decks and driveways constructed under the provisions of the IRC, which are not more than thirty inches above grade and not over any basement or story below. ~~and which are not part of an accessible route.~~

(G) Replacement of nonstructural siding on IRC structures except for veneer, stucco or exterior finish and insulation systems (EFIS). This exemption shall not apply to structures regulated under RCW 64.55.

(H) In-kind re-roofing of one- and two-family dwellings, provided the roof sheathing is not removed or replaced.

(I) Painting, papering, tiling, carpeting, cabinets, countertops and similar finish work; provided, that existing accessibility features are not altered.

(J) Temporary motion picture, television and theater stage sets and scenery.

(K) Prefabricated swimming pools accessory to a one- and two-family dwelling or a Group R-3 occupancy which are less than twenty-four inches deep, do not exceed five thousand gallons and are installed entirely above ground.

(L) Swings, slides and other similar playground equipment.

(M) Window awnings supported by an exterior wall of one- and two-family dwellings which do not project more than fifty-four inches from the exterior wall and do not require additional support.

(N) In-kind window replacement for IRC structures where no alteration of structural members is required, safety glazing is provided where required, window fall protection is provided where required, emergency egress requirements are provided and when the window U-values meet the current prescriptive requirements of the International Energy Conservation Code.

(O) Nonfixed and movable cases, counters and partitions not over five feet, nine inches in height.

(P) Satellite earth station antennas six and one-half feet or less in diameter or diagonal in zones other than residential zones.

(Q) Satellite earth station antennas three and one-quarter feet or less in diameter in residential zones.

(R) Video programming service antennas three and one-quarter feet or less in diameter or diagonal dimension, regardless of zone.

(S) Job shacks that are placed at a permitted job site during construction may be allowed on a temporary basis and shall be removed upon final approval of construction. A job shack is a portable structure for which the primary purpose is to house equipment and supplies, and which may serve as a temporary office during construction for the purposes of the construction activity.

(T) Flag and light poles that do not exceed twenty feet in height. (An electrical permit may still be required.)

(U) Decking replacement on decks without changing or adding any other structural members or removing guardrails.

(V) Photovoltaic (PV) panels meeting all of the following criteria:

1. PV system is designed and proposed for a detached 1- or 2-family dwelling or townhouse not more than 3 stories above grade or detached accessory structure.
2. PV system is being installed by a licensed contractor.
3. Mounting system is engineered and designed for PV.
4. Rooftop is made from lightweight material such as a single layer of composition shingles, metal roofing, or cedar shingles.
5. Panels are mounted no higher than 18 inches above the surface of the roofing to which they are affixed. Except for flat roofs, no portion of the system may exceed the highest point of the roof (or ridge).
6. Total dead load of panels, supports, mountings, raceways, and all other appurtenances weigh no more than 3.5 pounds per square foot.

7. Supports for solar panels are installed to spread the dead load across as many roof-framing members as needed to ensure that at no point loads in excess of 50 pounds are created.
8. The installation will comply with the manufacturer's instructions.
9. Roof and wall penetrations will be flashed and sealed to prevent entry of water, rodents, and insects.
10. Home is code compliant to setbacks and height, or code allows expansion of nonconformity for solar panels.
11. System complies with International Residential Code Chapter 23 for solar thermal energy systems.
12. Roof-mounted collectors and supporting structure are constructed of noncombustible materials or fire-retardant-treated wood equivalent to that required for the roof construction.
13. Roof access points and pathways for firefighters will be provided per IFC 605.11.
14. The PV system has an approved and issued electrical permit

(2) Electrical.

(A) Portable motors or other portable appliances energized by means of a cord or cable having an attachment plug end to be connected to an approved receptacle when that cord or cable is permitted by the National Electrical Code;

(B) Repair or replacement of fixed motors, transformers or fixed approved appliances or devices rated fifty amps or less which are like-in-kind in the same location;

(C) Temporary decorative lighting, when used for a period not to exceed ninety days and removed at the conclusion of the ninety-day period;

(D) Repair or replacement of current-carrying parts of any switch, conductor or control device which are like-in-kind in the same location;

(E) Repair or replacement of attachment plug(s) and associated receptacle(s) rated fifty amperes or less which are like-in-kind in the same location;

(F) Repair or replacement of any over-current device which is like-in-kind in the same location;

(G) Repair or replacement of electrodes or transformers of the same size and capacity for signs or gas tube systems;

(H) Removal of electrical wiring;

(I) All wiring for low voltage installations within a one-family dwelling unit or its accessory structure except wired security, fire or smoke alarm systems, provided the power is supplied by a listed Class 2 power supply and none of the wiring penetrates the wall or ceiling between the dwelling unit and an attached garage or wall separating two dwelling units;

(J) The installation, alteration or repair of electrical wiring, apparatus or equipment or the generation, transmission, distribution or metering of electrical energy or in the operation of signals or the transmission of intelligence by a public or private utility in the exercise of its function as a serving utility;

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

Section 15. Kirkland Municipal Code Section 21.06.230 is amended to read as follows:

21.06.230 Application for permit.
For other than on-line permits, to obtain a permit, the applicant shall first submit a complete application in writing on a form furnished by

the planning and building department for that purpose. Such application shall include:
(1) A description of the work to be covered by the permit for which application is made.
(2) The use and occupancy for which the proposed work is intended.
(3) A legal description of the property upon which the project is located.
(4) The street address of the property.
(5) The tax parcel number.
(6) The property owner's name, address, and phone number.
(7) The prime contractor's business name, address, phone number, and current state contractor registration number.
(8) The valuation of the proposed work.
(9) Proof of a potable water supply for buildings requiring potable water.
(10) Complete Construction documents and other information as required in Article VI.
Exception: The above information is required for building permits, but may not be required for other types of permits such as plumbing, electrical, mechanical, sign, LSM and roofing.
(11) For building projects valued at over five thousand dollars, either:

(A) The name, address and phone number of the office of the lender administering the interim construction financing, if any; or

(B) The name, address and phone number of the office of the lender administering the interim construction financing, if any; or the name and address of the firm that has issued a payment bond, if any, on behalf of the prime contractor for the protection of the owner, if the bond is for an amount not less than fifty percent of the total amount of the construction project; provided, that if any of this information is not available at the time the application is submitted, the applicant shall so state and the lack of said information shall not cause the application to be deemed incomplete for the purposes of this section. However, the applicant shall provide the remaining information prior to the permit being issued.

Section 16. Kirkland Municipal Code Chapter 21.06 is amended to include a new section 21.06.247 to read as follows:

21.06.247 Verification of contractor registration.
Verification of contractor registration. Prior to issuance of a permit for work which is to be done by a contractor required to be registered pursuant to RCW 18.27, the applicant shall provide the City with the contractor's registration number and Kirkland business license number and any other information determined necessary by the City to allow verification that such contractor is currently registered as required by law.

Section 17. Kirkland Municipal Code Chapter 21.06 is amended to include a new section 21.06.248 to read as follows:

21.06.248 Vesting of Construction Codes

The construction codes and construction administrative code that are in effect when the building permit application is deemed complete by the building official shall apply. The City has the authority to establish policies and procedures for establishing the requirements of a complete application. For mechanical, electrical or plumbing permit applications submitted after the ordinance codified in this title has taken effect, but related to the scope of work identified in a building permit application that was complete prior to the effective date of the ordinance codified in this chapter, all applicable construction codes adopted and in force at the time of filing of the complete building permit application will apply.

Section 18. Kirkland Municipal Code Section 21.06.255 is amended to read as follows:

21.06.255 Permit expiration.

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

(b) Every LSM permit and every building permit and its associated ancillary permits issued for a commercial, educational, institutional, multifamily, public, industrial or similar structure shall expire in three years from the date of issuance. LSM permits supporting approved subdivisions, short subdivisions or binding site plans shall expire upon the expiration of the preliminary subdivision, preliminary short subdivision or binding site plan; however, ~~a~~an LSM permit for a recorded subdivision, short subdivision or binding site plan shall not expire until the LSM permit is finaled.

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

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

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

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

(1) One year if the framing inspection was not approved on the previous permit; or
(2) Six months if the framing inspection was approved on the previous permit and the exterior of the structure is not completed per subsection (3) of this section; or
(3) Two years if the outside of the structure is complete including roofing, siding, windows, exterior doors and applicable site and right-of-way improvements.
Exception 2: For permits resulting from work without a permit or other code enforcement action(s), the expiration date will be determined by the building official.
(f) During or after a declared emergency covered under chapter 38.52 RCW, the building official may authorize a 6-month extension to an unexpired permit if the building official finds that the state of emergency resulted in a stoppage of work or substantial construction delays.

Section 19. Kirkland Municipal Code Section 21.06.335 is amended to read as follows:

21.06.335 Approval of construction documents.

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

Section 20. Kirkland Municipal Code Chapter 21.06 is amended to include a new section 21.06.340 to read as follows:

21.06.340 Phased Approval

The building official is authorized to issue a permit for the construction of foundations or any other part of a building or structure before the construction documents for the whole building or structure have been submitted, provided that adequate information and detailed statements have been filed complying with pertinent requirements of the construction codes and the Construction Administrative Code. The holder of such permit for the foundation or other parts of a building or structure shall proceed at the holder's own risk with the building operation and without assurance that a permit for the entire structure will be granted.

Section 21. Kirkland Municipal Code Section 21.06.512 is amended to read as follows:

21.06.512 Building enclosure special inspection requirements of ~~Chapter~~ RCW 64.55 ~~RCW (otherwise known as Engrossed House Bill (EHB) 1848).~~

~~EHB 1848~~ ~~r~~ Requires affected multiunit residential buildings to provide a building enclosure inspection performed by a third-party, independent, and qualified inspector during the course of initial construction and during rehabilitative construction. The city does not verify the qualifications of the inspector or determine whether the building enclosure inspection is adequate or appropriate. However, the city is prohibited from issuing a certificate of occupancy for the building until the inspector prepares a report and submits to the planning and building department a signed letter certifying that the building enclosure has been inspected during the course of construction or rehabilitative construction and that the construction is in substantial compliance with the building enclosure design documents. See Section 107.2.4.1, Building enclosure design requirements, of ~~Chapter~~ RCW 64.55 ~~RCW (EHB 1848)~~ for additional requirements.

Section 22. Kirkland Municipal Code Section 21.08.010 is amended to read as follows:

21.08.010 International Building Code adopted.

The ~~2015~~ 2018 Edition of the International Building Code, as adopted by the State Building Code Council in Chapter 51-50 WAC, as published by the International Code Council, excluding Chapter 1, "Administration," is adopted, together with the following amendments. The Construction Administrative Code, as set forth in Chapter 21.06, shall be used in place of IBC Chapter 1, Administration.

Section 23. Kirkland Municipal Code Section 21.08.016 is amended to read as follows:

21.08.016 IBC Section 202 amended.

Section 202 of the IBC is amended to read:

High-rise Building. Buildings having occupied floors or occupied roof located more than 75 feet (22,860 mm) above the lowest level of fire department vehicle access.

[F] STANDBY POWER SYSTEM. All references to Standby Power Systems shall be considered to indicate Legally Required Power in accordance with the Washington Cities Electrical, and NFPA 70 (National Electrical Code), and shall be in accordance with Chapter 27 Legally Required Standby Power, as a source of automatic electric power of a required capacity and duration to operate requiring building, hazardous material or ventilation systems in the event of a failure of the primary power. Standby Power Systems are required for electrical loads where interruption of the primary power could create hazards or hamper rescue or fire-fighting operations.

Section 24. Kirkland Municipal Code Section 21.08.020 is amended to read as follows:

21.08.020 IBC Section 403.4.8.3 amended.

Section 403.4.8.3 of the IBC is amended to read:

403.4.8.3 Standby power loads. The following are classified as standby power loads:

1. Power and lighting for the fire command center required by Section 403.4.6;

3. Ventilation and automatic fire detection equipment for smokeproof enclosures;

4. Smoke control systems.

5. Elevators.

6. Where elevators are provided in a high-rise building for accessible means of egress, fire service access or occupant self-evacuation, the standby power system shall also comply with Sections 1009.4, 3007 or 3008, as applicable.

7. Sump pumps required by ASME A17.1 serving pit drains at the bottom of elevator hoistways of fire service access or occupant evacuation elevators.

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

Section 25. Kirkland Municipal Code Section 21.08.055 is amended to read as follows:

21.08.055 IBC Section 1608.1 amended.

Section 1608.1 of the International Building Code is hereby amended to read:

1608.1 General. Design ~~snow loads shall not be less than 25 psf, but the design roof loads shall not be less than that determined by Section 1607.~~ Design snow loads shall be determined in accordance with Chapter 7 of ASCE 7, but the design roof load shall not be less than that determined by Section 1607. Furthermore, the design roof snow load shall not be less than 25 pounds per square feet. When using this design roof snow load it will be left to the engineer's judgment whether to consider drift or sliding snow. However, the engineer shall consider a rain on snow surcharge of at least 5 pounds per square feet for roof slopes less than 5 degrees.

Section 26. Kirkland Municipal Code Section 21.08.072 is amended to read as follows:

21.08.072 IBC Chapter 27 amended.

User note:

About this chapter: Electrical systems and components are integral to most structures; therefore it is necessary for the code to address their installation and protection. Structures depend on electricity for the operation of many life safety systems including fire alarm, smoke control and exhaust, fire suppression, fire command and communication systems. Since power supply to these systems is essential, Chapter 27 addresses where standby and emergency power must be provided.

Chapter 27 of the IBC is amended to read as follows:

2701.1 Scope.

~~This chapter governs the electrical components, equipment and systems used in buildings and structures covered by this code. Electrical components, equipment and systems shall be designed and constructed in accordance with the provisions of the Washington Cities Electrical Code.~~

The provisions of this chapter and the Washington Cities Electrical Code shall govern the design, construction, erection and installation of the electrical components, appliances, equipment and systems used in buildings and structures covered by this code. The International Fire Code, International Building Code, and the Washington Cities Electrical Code shall govern the use and maintenance of electrical components, appliances, equipment and systems. The International Existing Building Code and the Washington Cities Electrical Code shall govern the alteration, repair, relocation, replacement and addition of electrical components, appliances, or equipment and systems.

SECTION 2702

EMERGENCY AND LEGALLY REQUIRED STANDBY POWER SYSTEMS

[F] 2702.1 ~~Installation~~ General.

Emergency power systems and legally required standby power systems shall comply with Sections 2702.1.1 through 2702.1.7 and Table 2702.

[F] 2702.1.1 Stationary generators.

Stationary emergency and legally required standby power generators required by this code shall be listed in accordance with UL 2200.

[F] 2702.1.2. Fuel-line piping protection.

Fuel lines supplying a generator set inside a high-rise building shall be separated from areas of the building other than the room the generator is located in by an approved method, or an assembly that has a fire-resistance rating of not less than 2 hours. Where the building is protected throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.1, the required fire-resistance rating shall be reduced to 1 hour.

[F] 2702.1.~~2~~3 ~~Electrical~~ Installation.

Emergency power systems and legally required standby power systems required by this code or the International Fire Code, systems required by this code or the International Fire Code shall be installed in accordance with the International Fire Code, Washington Cities Electrical Code, NFPA 110 and NFPA 111.

[F] 2702.1.~~3~~ 4 Load transfer.

Emergency power systems shall automatically provide secondary power within 10 seconds after primary power is lost, unless specified otherwise in this code. Legally required standby power systems shall automatically provide secondary power within 60 seconds after primary power is lost, unless specified otherwise in this code. Transfer to full emergency or legally required standby power shall take place within the maximum time to energize loads specified in Table 2702.

[F] 2702.1.4 5 Load duration.

Emergency power systems and legally required standby power systems shall be designed to provide the required power for a minimum duration of 8 hours for fire pumps serving high rise buildings in accordance with NFPA 20, and 2 hours for other systems without being refueled or recharged, unless specified otherwise in this code.

Exception: The minimum duration of all required power loads may be reduced to 2 hours for all systems except for fire pumps that require a minimum duration of 8 hours in accordance with NFPA 20.

[F] 2702.1.~~5~~ 6 Uninterruptable power source.

An uninterrupted source of power shall be provided for equipment when required by the manufacturer's

instructions, the listing, this code or applicable referenced standards.

[F] 2702.1.6 7 Interchangeability.

Emergency power systems shall be an acceptable alternative for installations that require legally required standby power systems.

[F] 2702.1.~~7~~ 8 Group I-2 occupancies.

In Group I-2 occupancies, ~~in new construction or where the building is substantially damaged, where an essential electrical system is located in flood hazard areas established in Section~~ occupancies located in flood hazard areas established in 1612.3, where new essential electrical systems are installed, and where new essential electrical system generators are installed, the systems and generators shall be located and installed in accordance with ASCE 24 ~~the system shall be located and installed in accordance with~~ Where connections for hookup of temporary generators are provided, the connections shall be located at or above the elevation required in ASCE 24.

[F] 2702.1.8 9 Equipment room.

If a legally required standby or emergency power system includes a generator set inside or serving a building, the generator set shall be located in a separate room enclosed with 2-hour fire barriers constructed in accordance with Section 707 or horizontal assemblies constructed in accordance with Section 711, or both, to separate it from the remainder of the building, the transfer switches, and from the normal power source including transformers and distribution equipment. The transfer switches shall also be located in a separate room enclosed with 2-hour fire barriers constructed in accordance with Section 707 or horizontal assemblies constructed in accordance with Section 7~~00~~11, or both, to separate it from the remainder of the building. Power distribution from the emergency source to the emergency transfer switch shall be by an independent route from the normal power source. Independent routes shall mean either a physical separation distance of not less than 50 feet, or a minimum of 1-hour fire-resistance rated separation. System supervision with manual start and transfer features shall be provided at the fire command center or an approved location when a fire command center is not required. Such equipment rooms shall be ventilated

directly to the exterior for generator combustion air and radiator cooling air. Any ducts required for such ventilation shall not be dampered and shall be fire-resistance rated to the same level of protection as that required for the equipment room. The requirements of this subsection ~~2701.1.8 do not~~ shall not apply to optional tenant-owned or landlord-owned generator sets.

Exception: ~~Legally required standby or emergency power system generator sets inside a building other than a high rise building in accordance with Section 403 and other than an underground building space in accordance with Section 405, may be located in equipment rooms with a 1 hour fire resistant rating.~~ Transfer switches shall be permitted to be in the same room as the legally required standby or emergency power system generator sets when inside or serving other than: 1) a high-rise building in accordance with Section 403; 2) an underground building in accordance with Section 405; and 3) a hospital in accordance with Section 407.

[F] 2702.1.9 10 ~~Routing of legally required standby and emergency power.~~ Smoke control power systems.

~~Equipment and systems requiring legally required standby or emergency power shall be supplied with two sources of power. Primary power shall be from the normal building power system. Legally required standby power or emergency power shall be from an approved source complying with the Washington Cities Electrical Code. The legally required standby power or emergency power source and its transfer switches shall be in separate rooms from the normal power transformers and switch gears, and ventilated directly to and from the exterior. The room shall be completely enclosed in not less than 1 hour fire barriers constructed in accordance with Section 707, 1 hour horizontal assemblies constructed in accordance with Section 711, or both, except 2 hour fire resistance construction shall be required for high rise and underground buildings per Sections 403 and 405 respectively. Power distribution from the two sources shall be by independent routes to the room containing the automatic transfer switch(s). Independent routes shall mean either a minimum 1 hour fire resistance separation, or a physical distance of not less than 50 feet. Transfer to full emergency power shall be automatic and shall take place within the maximum time to energize loads. The systems shall comply with the~~

~~Washington Cities Electrical Code.~~ Smoke control equipment and systems requiring legally required standby or emergency power shall be supplied with two sources of power. Primary power shall be from the normal building power system. Legally required standby power or emergency power shall be from an approved source complying with the Washington Cities Electrical Code. The legally required standby power or emergency power source and its transfer switches shall be in separate rooms from the normal power transformers and switchgears and ventilated directly to and from the exterior. The room shall be completely enclosed in not less than 1-hour fire barriers constructed in accordance with Section 707, or 1-hour horizontal assemblies constructed in accordance with Section 711, or both, except 2-hour fire-resistance construction shall be required for high-rise and underground buildings per Sections 403 and 405 respectively. Power distribution from the two sources shall be by independent routes to the room containing the automatic transfer switch(s). Independent routes shall mean a physical distance of 50 feet or a minimum 1-hour fire-resistance rated separation. Transfer to full emergency power shall be automatic and shall take place within the maximum time to energize loads. The systems shall comply with the Washington Cities Electrical Code.

Exception: Ventilation is not required for rooms containing only transfer switches.

[F] 2702.1.~~10~~ 11 Fuel-fired generator sets and fuel storage location.

Fuel fired generator sets and associated fuel storage, including optional landlord-owned or tenant-owned generator sets, located more than 75 feet above the lowest level of Fire Department vehicle access, or located at a floor level more than 30 feet below the lowest level of exit discharge, require the approval of the fire code official.

[F] 2702.2 Where required.

Emergency and legally required standby power systems shall be provided where required by Sections 2702.2.1 through 2702.2.~~16~~18 and other sections of this code.

[F] 2702.2.1 ~~Emergency alarm systems.~~ Ambulatory care facilities

~~Emergency power shall be provided for emergency alarm systems as required by Section 415.5.~~ Essential electrical systems for ambulatory care facilities shall comply with Section 422.6.**[F] 2702.2.2 Elevators and platform lifts.**

Legally required standby power shall be provided for elevators and platform lifts used as accessible means of egress as required in Sections 1009.4.1, 1009.5. Emergency power shall be provided for elevators in high-rise buildings as required ~~in Section 403.4.8.4.~~ by Table 2702.

[F] 2702.2.3 Emergency responder radio coverage systems.

Legally Required standby power shall be provided for emergency responder radio coverage systems required in Section 9158 and the International Fire Code. The standby power supply shall be capable of operating the emergency responder radio coverage system for a duration of not less than ~~24 hours~~ 12 hours at 100-percent system operation capacity.

[F] 2702.2.4 Emergency voice/alarm communication systems.

Emergency power shall be provided for emergency voice/alarm communication systems as required in Section 907.5.2.2.5. The system shall be capable of powering the required load for a duration of not less than 24 hours, as required in NFPA 72.

[F] 2702.2.5 Exhaust systems.

Legally required standby power shall be provided for common exhaust systems for domestic kitchens located in multistory structures as required in Section 505.5 of the International Mechanical Code. Legally required standby power shall be provided for common exhaust systems for clothes dryers located in multistory structures as required in Section 504.10 of the International Mechanical Code and Section 614.10 of the International Fuel Gas Code.

[F] 2702.2.~~5~~ 6 Exit signs.

Emergency power shall be provided for exit signs as required in Section 1013.6.3. The system shall be capable of powering the required load for a duration of not less than 90 minutes.

[F] 2702.2.6 7 Gas detection system.

Emergency or legally required standby power shall be provided for gas detection systems in accordance with the International Fire Code.

[F] 2702.2.6 8 Group I-2 occupancies.

Essential electrical systems for Group I-2 occupancies shall be in accordance with Section 407.~~10~~ 11

[F] 2702.2.7 9 Group I-3 occupancies.

Emergency power shall be provided for power-operated doors and locks in Group I-3 occupancies as required in Section 408.4.2.

[F] 2702.2.8 10 Hazardous materials.

Emergency or legally required standby power shall be provided in occupancies with hazardous materials where required by the International Fire Code.

[F] 2702.2.9 11 High-rise buildings.

Emergency and legally required standby power shall be provided in high-rise buildings as required in ~~Sections 403.4.8~~ Table 2702.

~~[F] 2702.2.10 17 Horizontal sliding doors.~~

~~Legally required standby power shall be provided for horizontal sliding doors as required in Section 1010.1.4.3. The standby power supply shall have a capacity to operate not fewer than 50 closing cycles of the door.~~

[F] 2702.2.12 Laboratory suites.

Legally required standby or emergency power shall be provided in accordance with Section 5004.7 of the International Fire Code where laboratory suites are located above the sixth story above grade plane or located in a story below grade plane.

[F] 2702.2.~~11~~ 13 Means of egress illumination.

Emergency power shall be provided for means of egress illumination as required in Section 1008.3. The system shall be capable of powering the required load for a duration of not less than 90 minutes.

[F] 2702.2.~~12~~ 14 Membrane structures.

Legally required standby power shall be provided for auxiliary inflation systems in permanent membrane structures as required in Section 3102.8.2. Legally required standby power shall be provided for a duration of not less than 4 hours. Auxiliary inflation systems in temporary air-supported and air-inflated membrane structures shall be provided in accordance with Section 3103.10.4 of the International Fire Code.

~~**[F] 2702.2.13 Pyrophoric materials.**~~

~~Emergency power shall be provided for occupancies with silane gas in accordance with the International Fire Code.~~

[F] 2702.2.~~14~~ 15 Semiconductor fabrication facilities.

Emergency power shall be provided for semiconductor fabrication facilities as required in Section 415.11.10.

[F] 2702.2.~~15~~ 16 Smoke control systems.

Emergency power shall be provided for smoke control systems as required in Sections 404.7, 909.11, ~~909.20.5.7~~, 909.20.6.2 and 909.21.5. Legally required standby power systems shall be provided for pressurization systems in low-rise buildings in accordance with Washington State Building Code Section 504.4.1 and International Building Code Sections ~~Section~~ 909.20.6 and 909.21.5.

[F] 2702.2.17 Special purpose horizontal sliding, accordion or folding doors.

Legally required standby power shall be provided for special purpose horizontal sliding, accordion or folding doors as required in Section 1010.1.4.3. The standby power supply shall have a capacity to operate not fewer than 50 closing cycles of the door.

[F] 2702.2.~~16~~ 18 Underground buildings.

Emergency and legally required power shall be provided in underground buildings as required in Section 405.

[F] 2702.3 Critical circuits.

~~Cables used for survivability of required critical circuits shall be listed in accordance with UL 2196. Electrical circuit protective systems shall be installed in accordance with their listing requirements.~~

Critical circuits. Required critical circuits shall be protected using one of the following methods:

1. Cables, used for survivability of required critical circuits, that are listed in accordance with UL 2196 and have a fire-resistance rating of not less than 1 hour.
2. Electrical circuit protective systems having a fire-resistance rating of not less than 1 hour. Electrical circuit protective systems are installed in accordance with their listing requirements.
3. Construction having a fire-resistance rating of not less than 1 hour.

[F] 2702.4 Maintenance.

Emergency and legally required standby power systems shall be maintained and tested in accordance with the International Fire Code.

TABLE 2702

LEGALLY REQUIRED STANDBY AND EMERGENCY POWER

Type of Equipment	Maximum Time to Energize Loads	Maximum Run Time (Duration)	IBC Section	IFC or NFPA Section
Emergency Power Systems[1]				
Exit illumination	10 seconds	2 hours	1013.6.~~6~~ 3	604.2.9 High rises 604.2.16 Underground buildings 1013.6.3 Exit signs

				3.4.2.13 Temporary tents, canopies, membrane structures NFPA 70
Exit illumination	10 seconds	2 hours	1008.3	1008.3 604.2.9 High rises 604.2.16 Underground buildings
Any emergency voice/alarm communication including area of refuge communication systems (barrier-free and horizontal exits)	Per NFPA 72	24 hours (battery) 4 hours (generator)	402.7.3, 402.7.4, and 907.5.2.2 Covered mall buildings 403.4.8 and 907.5.2.2 High rises 405.8, and 907.5.2.2 Underground buildings 907.2.1, and 907.5.2.2 Assembly occupancies	907.~~5.2.2~~ 2.19 Covered mall buildings 604.2.9 High rises 604.2.16 Underground buildings 907.2.1.1 Assembly occupancies 907.2.11 Special amusement building NFPA 72
Fire detection and fire alarms	Per NFPA 72	24 hours (battery) 4 hours (generator)	403.4.8 High rises 405.8 Underground buildings 909.20.6.2 Smokeproof enclosures 907	604.2.9 High rises 604.2.16 Underground buildings 907.6.2 907.2.11 Special amusement building NFPA 72

Smoke control systems in high-rise buildings, underground buildings, and covered mall buildings, and atriums, including energy management systems if used for smoke control. or smoke removal	60 seconds	2 hours	403.4.8 High rises 404.7 Atriums 405.8 Underground buildings 909.11 Smoke control	909.11 Emergency power
Fire pumps in high-rise buildings and underground buildings	10 seconds	8 hours (NFPA 20)	403.4.8 High rises 405.8 Underground buildings	604.2.9 High rises and NFPA 20 604.2.16 Underground buildings 913.2 All Fire Pumps
Smokeproof enclosures and elevator shaft pressurization	60 seconds for pressurization	4 hours	403.4.8 High rises 909 and 909.20.6.2	
Any shaft exhaust fans required to run continuously in lieu of dampers in high-rise and underground buildings.	60 seconds	4 hours	717.5.3	
Fire service or occupant evacuation elevator car operation in high-rise and underground buildings (including control system, motor controller, operation control, signal equipment, machine room cooling-heating, etc.)			3003, 3007, and 3008	604.2.16 Underground buildings

Elevator car lighting and communications in high-rise and underground buildings	10 seconds	4 hours	3003, 3007, and 3008	604.2.9 High rises 304.2.16 Underground Buildings 604.2.1 Elevators
Lights, heating and cooling for building fire command center and mechanical equipment rooms serving the fire command center	60 seconds	24 hours		604.2.9 High rises
Power (other than lights, heating and cooling) for building fire command center	60 seconds	4 hours		
Mechanical and electrical systems required by IFC 27 (hazardous materials including UPS rooms)	60 seconds	4 hours		Chapter 27
Legally Required Standby[1]				
Exhaust fans for any loading dock located interior to a building	60 seconds	4 hours		
Transfer vault ventilation equipment	60 seconds	4 hours		
Heat tape for sprinkler lines and heating in sprinkler riser rooms	60 seconds	24 hours		
Fuel pump system for any legally required system	60 seconds	4 hours		

Elevators in high rise or underground buildings used for accessible means of egress	60 seconds	2 hours		
Any shaft exhaust fans required to run continuously in lieu of dampers	60 seconds	4 hours	717.5.3	
Auxiliary inflation systems	60 seconds	2 hours	3102.8.2	3103.10.4
Special purpose horizontal sliding, accordion or folding doors	60 seconds	2 hours	1010.1.4.3	1010.1.4.3
Firefighter air replenishment systems (FARS)	60 seconds	2 hours	919.7.2	919.7.2

TABLE 2702 FOOTNOTE

1. The fuel pump and associated systems for the emergency or legally required generator shall be provided with power from the generator to maintain fuel supply.

Section 27. Kirkland Municipal Code Section 21.10.010 is amended to read as follows:

21.10.010 International Residential Code adopted.

The ~~2015~~ 2018 Edition of the International Residential Code, as adopted by the State Building Code Council in Chapter 51-51 WAC, as published by the International Code Council, excluding Chapter 1, "Administration," is adopted, together with the following amendments. The Construction Administrative Code, as set forth in Chapter 21.06, shall be used in place of IRC Chapter 1, Administration.

Section 28. Kirkland Municipal Code Section 21.08.010 is amended to read as follows:

21.10.020 IRC Table R301.2(1) amended.

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

~~IRC Table R301.2(1)~~

~~Climatic and Geographic Design Criteria~~

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

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

~~a. Weathering may require a higher strength concrete or grade of masonry than necessary to satisfy the structural requirements of this code. The weathering column shall be filled in with the weathering index (i.e., "negligible," "moderate" or "severe") for concrete as determined from the Weathering Probability Map [Figure R301.2(3)]. The grade of masonry units shall be determined from ASTM C 34, C 55, C 62, C 73, C 90, C 129, C 145, C 216 or C 652.~~

~~b. The frost line depth may require deeper footings than indicated in Figure R403.1(1). The jurisdiction shall fill in the frost line depth column with the minimum depth of footing below finish grade.~~

~~c. The jurisdiction shall fill in this part of the table to indicate the need for protection depending on whether there has been a history of local subterranean termite damage.~~

~~d. The jurisdiction shall fill in this part of the table with the wind speed from the basic wind speed map [Figure R301.2(4)A]. Wind exposure category shall be determined on a site specific basis in accordance with Section R301.2.1.4.~~

~~e. The outdoor design dry bulb temperature shall be selected from Table C 1 (Redmond) in Appendix C of the Washington State Energy Code. Deviations from the Appendix C temperatures shall be permitted to reflect local climates or local weather experience as determined by the building official.~~

~~f. The jurisdiction shall fill in this part of the table with the seismic design category determined from Section R301.2.2.1.~~

~~g. The jurisdiction shall fill in this part of the table with (a) the date of the jurisdiction's entry into the National Flood Insurance Program (date of adoption of the first code or ordinance for management of flood hazard areas), (b) the date(s) of the Flood Insurance Study and (c) the panel numbers and dates of all currently effective FIRMs and FBFMs or other flood hazard map adopted by the authority having jurisdiction, as amended.~~

~~h. In accordance with Sections R905.2.7.1, R905.4.3.1, R905.5.3.1, R905.6.3.1, R905.7.3.1 and R905.8.3.1, where there has been a history of local damage from the effects of ice damming, the jurisdiction shall fill in this part of the table with "YES." Otherwise, the jurisdiction shall fill in this part of the table with "NO."~~

~~i. The jurisdiction shall fill in this part of the table with the 100-year return period air freezing index (BF-days) from Figure R403.3(2) or from the 100-year (99 percent) value on the National Climatic Data Center data table "Air Freezing Index-USA Method (Base 32°F)" at www.ncdc.noaa.gov/fpsf.html.~~

~~j. The jurisdiction shall fill in this part of the table with the mean annual temperature from the National Climatic Data Center data table "Air Freezing Index-USA Method (Base 32°F)" at www.ncdc.noaa.gov/fpsf.html.~~

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

~~l. In accordance with Figure R301.2(4)A, where there is local historical data documenting unusual wind conditions, the jurisdiction shall fill in this part of the table with "YES" and identify any specific requirements. Otherwise, the jurisdiction shall indicate "NO" in this part of the table.~~

~~m. In accordance with Section R301.2.1.2.1, the jurisdiction shall indicate the wind-borne debris wind zone(s). Otherwise, the jurisdiction shall indicate "NO" in this part of the table.~~

TABLE R301.2(1)
CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA

ROOF SNOW LOAD (psf)	WIND DESIGN				SEISMIC DESIGN CATEGORY	SUBJECT TO DAMAGE FROM			OUTDOOR DESIGN TEMP (°F) Heat/Cool	ICE BARRIER UNDERLAYMENT REQUIRED	FLOOD HAZARD	AIR FREEZING INDEX	MEAN ANNUAL TEMP
	Speed (mph)	Topographic effects	Special wind region	Windborne debris zone		Weathering	Frost line depth	Termite					
25	110	Yes	No	No	D2	Moderate	12"	Slight to Moderate	85/17	No	N.A.	113	53

MANUAL J DESIGN CRITERIA

Elevation	Latitude	Winter heating	Summer cooling	Altitude correction factor	Indoor design temperature	Design temperature — cooling	Heating temperature difference
154 feet	47°31'26"	72°F max	75°F min	0.99	72°F	75°F	55°F

Cooling temperature difference	Wind velocity heating	Wind velocity cooling	Coincident wet bulb	Daily range	Winter humidity	Summer humidity	
5°F	N.A.	N.A.	66	Medium	71%	55%	

a. "This is the minimum roof snow load. When using this snow load it will be left to the engineer's judgment whether to consider drift or sliding snow. However, rain on snow surcharge of 5 psf must be considered for roof slopes less than 5 degrees."

b. Wind exposure category and Topographic effects (Wind Speed-up Kzt factor) shall be determined on a site-specific basis by the Engineer of Record (components and cladding need not consider topographic effects unless otherwise determined by the engineer of record).

c. "Weathering may require a higher strength concrete or grade of masonry than necessary to satisfy the structural requirements of this code. The grade of masonry units shall be determined from ASTM C 34, C 55, C 62, C 73, C 90, C 129, C 145, C 216 or C 652."

d. "The City of Kirkland participates in the National Flood Insurance Program (NFIP), Regular Program (No Special Flood Hazard Area)."

Section 29. Kirkland Municipal Code Chapter 21.10 is amended to include a new section 21.10.025 to read as follows:

21.10.025 IRC 311.7.7 Stairway walking surface amended.

The walking surface of treads and landings of stairways shall be sloped not steeper than one-unit vertical in 48 inches horizontal (2-percent slope). Stairway treads and landings shall have a solid surface.

Section 30. Kirkland Municipal Code Section 21.16.010 is amended to read as follows:

21.16.010 International Mechanical Code adopted.

The ~~2015~~ 2018 Edition of the International Mechanical Code, as adopted by the State Building Code Council in Chapter 51-52 WAC, as published by the International Code Council, excluding Chapter 1, "Administration," is adopted. The Construction Administrative Code, as set forth in Chapter 21.06, shall be used in place of IMC Chapter 1, Administration. References in this code to Group R shall include Group I-1, Condition 2 assisted living facilities licensed by Washington state under chapter 388-78A WAC and Group I-1, Condition 2 residential treatment facilities licensed by Washington state under chapter 246-337 WAC.

Section 31. Kirkland Municipal Code Section 21.24.010 is amended to read as follows:

21.24.010 Uniform Plumbing Code adopted.

The ~~2015~~ 2018 Edition of the Uniform Plumbing Code, as adopted by the State Building Code Council in Chapters 51-56 and 51-57 WAC, as published by the International Association of Plumbing and Mechanical Officials, excluding Chapter 1, "Administration," is adopted, together with Appendix Chapters A, "Recommended Rules for Sizing the Water Supply System," B, "Explanatory Notes on Combination Waste and Vent Systems," C, "Alternate Plumbing Systems," excluding Sections C5 through C7 of Appendix C, and I, "Installation Standards."

Section 32. Kirkland Municipal Code Section 21.24.018 is amended to read as follows:

21.24.018 Table 6-5 610.3 amended.

Table ~~6-5~~ 610.3 of Chapter 6 is amended to delete "Lawn Sprinkler, each head" from the table.

Section 33. Kirkland Municipal Code Section 21.24.020 is amended to read as follows:

21.24.020 UPC Section 1101.12.2.2.2 amended.

Section 1101.12.2.2.2 of the UPC is amended to read:

1101.12.2.2.2 Combined System. The secondary roof drains shall connect to the vertical piping of the primary storm drainage conductor downstream of the last horizontal offset below the roof. The primary storm drainage system shall connect to the building storm water that connects to an underground public storm sewer. The combined secondary and primary roof drain systems shall be sized in accordance with Section 1103.0 based on double the rainfall for the local area. A relief drain shall be connected to the vertical drain piping using a wye type fitting piped to daylight on the exterior of the building. The piping shall be sized as required for a secondary drain with a 4" maximum.

Section 34. Kirkland Municipal Code Section 21.28.010 is amended to read as follows:

21.28.010 National Fuel Gas Code (NFPA 54) adopted.

The ~~2015~~ 2018 Edition of the National Fuel Gas Code, as adopted by the State Building Code Council in Chapter 51-52 WAC, as published by NFPA, is adopted.

Section 35. Kirkland Municipal Code Section 21.32.010 is amended to read as follows:

21.32.010 Liquefied Petroleum Gas Code (NFPA 58) adopted.

The ~~2014~~ 2017 Edition of the Liquefied Petroleum Gas Code, as adopted by the State Building Code Council in Chapter 51-52 WAC, as published by NFPA, is adopted.

Section 36. Kirkland Municipal Code Section 21.33.025 is amended to read as follows:

21.33.025 Appeals amended.

Section 21.33.025 is amended to read as follows:

~~Appeals from any ruling made under this chapter may be made to the city of Kirkland hearing examiner. Procedural rules concerning appeals shall be as provided in Chapter 21.06 21.20.109.~~

Appeals of any ruling, orders, decisions and/or determinations made by the city under this chapter that do not constitute enforcement actions shall be heard and decided by the city of Kirkland hearing examiner in

conformance with KMC 21.20.030(S). Enforcement actions shall be brought pursuant to the provisions of Chapter 1.12 KMC.

Section 37. Kirkland Municipal Code Section 21.36.010 is amended to read as follows:

21.36.010 International Fuel Gas Code adopted.

The ~~2015~~ 2018 Edition of the International Fuel Gas Code, as adopted by the State Building Code Council in Chapter 51-52 WAC, as published by the International Code Council, excluding Chapter 1, "Administration," is adopted.

Section 38. Kirkland Municipal Code Section 21.41.105 is amended to read as follows:

21.41.105 Approval.

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

(b) Alternative Materials, Design and Methods of Construction and Equipment. The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code; provided, that any such alternative has been approved. An alternative material, design or method of construction shall be approved where the code official finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, ~~at least~~ not less than the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability and safety. Where the alternative material, design or method of construction is not approved, the code official shall respond in writing, stating the reasons why the alternative was not approved.

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

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

(2) Test Reports. Reports of tests shall be retained by the code official for the period required for retention of public records.
(d) Used Material and Equipment. The use of used materials that meet the requirements of this code for new materials is permitted. Materials, equipment and devices shall not be reused unless such elements are in good repair or have been reconditioned and tested where necessary, placed in good and proper working condition and approved by the code official.
(e) Approved Materials and Equipment. Materials, equipment and devices approved by the code official shall be constructed and installed in accordance with such approval.
(f) Research Reports. Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in this code, shall consist of valid research reports from approved sources.

Section 39. Kirkland Municipal Code Section 21.41.202 is amended to read as follows:

21.41.202 General definitions.
"Anchored" means secured in a manner that provides positive connection.
"Approved" means acceptable to the code official.
"Basement" means that portion of a building which is partly or completely below grade.
"Bathroom" means a room containing plumbing fixtures including a bathtub or shower.
"Bedroom" means any room or space used or intended to be used for sleeping purposes in either a dwelling or sleeping unit.
"Code official" means the official who is charged with the administration and enforcement of this code or portion of this code, or any duly authorized representative. The code official may be a representative of the planning and building department, the public works department or the fire department.
"Condemn" means to adjudge unfit for occupancy.
"Cost of such demolition or emergency repairs" means the actual costs of the demolition or repair of the structure less revenues obtained if salvage was conducted prior to demolition or repair. Costs shall include, but not be limited to, expenses incurred or necessitated related to demolition or emergency repairs, such as asbestos survey and abatement if necessary; costs of inspectors, testing agencies or experts retained relative to the demolition or emergency repairs; costs of testing; surveys for other materials that are controlled or regulated from being dumped in a landfill; title searches; mailing(s); postings; recording; and attorney fees expended for recovering of the cost of emergency repairs or to obtain or enforce an order of demolition made by a code official, the governing body or board of appeals.

"Detached" means when a structural element is physically disconnected from another and that connection is necessary to provide a positive connection.
"Deterioration" means to weaken, disintegrate, corrode, rust or decay and lose effectiveness.
"Dwelling unit" means a single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.
"Easement" means that portion of land or property reserved for present or future use by a person or agency other than the legal fee owner(s) of the property. The easement shall be permitted to be for use under, on or above said lot or lots.
"Equipment support" means those structural members or assemblies of members or manufactured elements, including braces, frames, lugs, snuggers, hangers or saddles, that transmit gravity load, lateral load and operating load between the equipment and the structure.
"Exterior property" means the open space on the premises and on adjoining property under the control of owners or operators of such premises.
"Garbage" means the animal or vegetable waste resulting from the handling, preparation, cooking and consumption of food.
"Graffiti" means unauthorized markings, visible from premises open to the public, that have been placed upon any property through the use of paint, ink, dye or any other substance capable of marking property.
"Guard" means a building component or a system of building components located at or near the open sides of elevated walking surfaces that minimizes the possibility of a fall from the walking surface to a lower level.
"Habitable space" means space in a structure for living, sleeping, eating or cooking. Bathrooms, toilet rooms, closets, halls, storage or utility spaces, and similar areas are not considered habitable spaces.
"Historic building" means any building or structure that is listed in the State or National Register of Historic Places; designated as a historic property under local or state designation law or survey; certified as a contributing resource within a National Register listed or locally designated historic district; or with an opinion or certification that the property is eligible to be listed on the National or State Register of Historic Places either individually or as a contributing building to a historic district by the State Historic Preservation Officer or the Keeper of the National Register of Historic Places.
"Housekeeping unit" means a room or group of rooms forming a single habitable space equipped and intended to be used for living, sleeping, cooking and eating which does not contain, within such a unit, a toilet, lavatory and bathtub or shower.
"Imminent danger" means a condition which could cause serious or life-threatening injury or death at any time.
"Infestation" means the presence, within or contiguous to a structure or premises, of insects, rats, vermin or other pests.

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

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

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

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

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

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

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

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

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

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

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

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

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

"Public way" means any street, alley or ~~similar~~ other parcel of land that: is open to the outside air; leads to a street; has been ~~essentially unobstructed from the ground to the sky, which is~~ deeded, dedicated or otherwise permanently appropriated to the public for public use~~.~~ ; and has a clear width and height of not less than 10 feet.

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

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

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

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

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

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

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

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

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

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

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

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

Section 40. Kirkland Municipal Code Section 21.41.505 is amended to read as follows:

21.41.505 Water system.

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

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

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

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

(e) Non-potable water reuse systems. Non-potable water reuse systems and rainwater collection and conveyance systems shall be maintained in a safe and sanitary condition. Where such systems are not properly maintained, the systems shall be repaired to provide for safe and sanitary conditions, or the system shall be abandoned in accordance with Section 505.5.1.

(1) Abandonment of systems. Where a non-potable water reuse system or a rainwater collection and distribution system is not maintained or the owner ceases use of the system, the system shall be abandoned in accordance with Section 1301.10 of the 2018 International Plumbing Code.

Section 41. Kirkland Municipal Code Section 21.41.603 is amended to read as follows:

21.41.603 Mechanical equipment.

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

(b) Removal of Combustion Products. Fuel-burning equipment and appliances shall be connected to an approved chimney or vent.
Exception: Fuel-burning equipment and appliances that are labeled for unvented operation.
(c) Clearances. Required clearances to combustible materials shall be maintained.
(d) Safety Controls. Safety controls for fuel-burning equipment shall be maintained in effective operation.
(e) Combustion Air. A supply of air for complete combustion of the fuel and for ventilation of the space containing the fuel-burning equipment shall be provided for the fuel-burning equipment.
(f) Energy Conservation Devices. Devices intended to reduce fuel consumption by attachment to a fuel-burning appliance, to the fuel supply line thereto, or to the vent outlet or vent piping therefrom, shall not be installed unless labeled for such purpose and the installation is specifically approved.

Section 42. Kirkland Municipal Code Section 21.41.703 is amended to read as follows:

21.41.703 Fire-resistance ratings.

~~(a) Fire-Resistance-Rated Assemblies. The required fire-resistance-rating of fire-resistance-rated walls, fire stops, shaft enclosures, partitions and floors shall be maintained.~~
~~(b) Opening Protectives. Required opening protectives shall be maintained in an operative condition. All fire and smokestop doors shall be maintained in operable condition. Fire doors and smoke barrier doors shall not be blocked or obstructed or otherwise made inoperable.~~
(a) Fire-resistance-rated assemblies. The provisions of this chapter shall govern maintenance of the materials, systems and assemblies used for structural fire resistance and fire-resistance-rated construction separation of adjacent spaces to safeguard against the spread of fire and smoke within a building and the spread of fire to or from buildings.
(b) Unsafe conditions. Where any components are not maintained and do not function as intended or do not have the fire resistance required by the code under which the building was constructed or altered, such components or portions thereof shall be deemed unsafe conditions in accordance with Section 111.1.1 of the International Fire Code. Components or portions thereof determined to be unsafe shall be repaired or replaced to conform to that code under which the building was constructed or altered. Where the condition of components is such that any building, structure or portion thereof presents an imminent danger to the occupants of the building, structure or portion thereof, the fire code official shall act in accordance with Section 111.2 of the International Fire Code.
(c) Maintenance. The required fire-resistance rating of fire-resistance-rated construction, including walls, firestops, shaft enclosures, partitions, smoke barriers, floors, fire-resistive coatings and sprayed

fire-resistant materials applied to structural members and joint systems, shall be maintained. Such elements shall be visually inspected annually by the owner and repaired, restored or replaced where damaged, altered, breached or penetrated. Records of inspections and repairs shall be maintained. Where concealed, such elements shall not be required to be visually inspected by the owner unless the concealed space is accessible by the removal or movement of a panel, access door, ceiling tile or entry to the space. Openings made therein for the passage of pipes, electrical conduit, wires, ducts, air transfer and any other reason shall be protected with approved methods capable of resisting the passage of smoke and fire. Openings through fire-resistance-rated assemblies shall be protected by self- or automatic-closing doors of approved construction meeting the fire protection requirements for the assembly.

(1) Fire blocking and draft stopping. Required fire blocking and draft stopping in combustible concealed spaces shall be maintained to provide continuity and integrity of the construction.

(2) Smoke barriers and smoke partitions. Required smoke barriers and smoke partitions shall be maintained to prevent the passage of smoke. Openings protected with approved smoke barrier doors or smoke dampers shall be maintained in accordance with NFPA 105.

(3) Fire walls, fire barriers, and fire partitions. Required fire walls, fire barriers and fire partitions shall be maintained to prevent the passage of fire. Openings protected with approved doors or fire dampers shall be maintained in accordance with NFPA 80.

(d) Opening protectives. Opening protectives shall be maintained in an operative condition in accordance with NFPA 80. The application of field-applied labels associated with the maintenance of opening protectives shall follow the requirements of the approved third-party certification organization accredited for listing the opening protective. Fire doors and smoke barrier doors shall not be blocked or obstructed, or otherwise made inoperable. Fusible links shall be replaced whenever fused or damaged. Fire door assemblies shall not be modified.

(1) Signs. Where required by the code official, a sign shall be permanently displayed on or near each fire door in letters not less than 1 inch (25 mm) high to read as follows:

1. For doors designed to be kept normally open: FIRE DOOR – DO NOT BLOCK.
2. For doors designed to be kept normally closed: FIRE DOOR – KEEP CLOSED.

(2) Hold-open devices and closers. Hold-open devices and automatic door closers shall be maintained. During the period that such a device is out of service for repairs, the door it operates shall remain in the closed position.

(3) Door operation. Swinging fire doors shall close from the full-open position and latch automatically. The door closer shall exert enough force to close and latch the door from any partially open position.

(e) Ceilings. The hanging and displaying of salable goods and other decorative materials from acoustical ceiling systems that are part of a fire-resistance-rated horizontal assembly shall be prohibited.

(f) 703.6 Testing. Horizontal and vertical sliding and rolling fire doors shall be inspected and tested annually to confirm operation and full closure. Records of inspections and testing shall be maintained.

(g) 703.7 Vertical shafts. Interior vertical shafts, including stairways, elevator hoistways and service and utility shafts, which connect two or more stories of a building shall be enclosed or protected as required in Chapter 11 of the International Fire Code. New floor openings in existing buildings shall comply with the International Building Code.

(h) 703.8 Opening protective closers. Where openings are required to be protected, opening protectives shall be maintained self-closing or automatic closing by smoke detection. Existing fusible-link-type automatic door-closing devices shall be replaced if the fusible link rating exceeds 135°F (57°C).

Section 43. Kirkland Municipal Code Section 21.41.704 is amended to read as follows:

21.41.704 Fire protection systems.

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

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

~~(2) Fire Department Connection. Where the fire department connection is not visible to approaching fire apparatus, the fire department connection shall be indicated by an approved sign mounted on the street front or on the side of the building. Such sign shall have the letters "FDC" not less than six inches (one hundred fifty two millimeters) high and words in letters not less than two inches (fifty one millimeters) high or an arrow to indicate the location. Such signs shall be subject to the approval of the fire code official.~~

~~(b) Single and Multiple Station Smoke Alarms. Single and multiple station smoke alarms shall be installed in existing Group I 1 and R occupancies in accordance with subsections (b)(1) through (3) of this section.~~

~~(1) Where Required. Existing Group I 1 and R occupancies shall be provided with single station smoke alarms in accordance with subsections (b)(1)(A) through (D) of this section. Interconnection and power sources shall be in accordance with subsections (b)(2) and (3) of this section.~~

~~Exceptions:~~

~~(i) Where the code that was in effect at the time of construction required smoke alarms and smoke alarms complying with those requirements are already provided.~~
~~(ii) Where smoke alarms have been installed in occupancies and dwellings that were not required to have them at the time of construction, additional smoke alarms shall not be required; provided, that the existing smoke alarms comply with requirements that were in effect at the time of installation.~~
~~(iii) Where smoke detectors connected to a fire alarm system have been installed as a substitute for smoke alarms.~~
~~(A) Group R-1. Single- or multiple-station smoke alarms shall be installed in all of the following locations in Group R-1:~~
~~(i) In sleeping areas.~~
~~(ii) In every room in the path of the means of egress from the sleeping area to the door leading from the sleeping unit.~~
~~(iii) In each story within the sleeping unit, including basements. For sleeping units with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level; provided, that the lower level is less than one full story below the upper level.~~
~~(B) Groups R-2, R-3, R-4 and I-1. Single- or multiple-station smoke alarms shall be installed and maintained in Groups R-2, R-3, R-4 and I-1 regardless of occupant load at all of the following locations:~~
~~(i) On the ceiling or wall outside of each separate sleeping area in the immediate vicinity of bedrooms.~~
~~(ii) In each room used for sleeping purposes.~~
~~(iii) In each story within a dwelling unit, including basements but not including crawl spaces and uninhabitable attics. In dwellings or dwelling units with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level; provided, that the lower level is less than one full story below the upper level.~~
~~(C) Installation Near Cooking Appliances. Smoke alarms shall not be installed in the following locations unless this would prevent placement of a smoke alarm in a location required by subsection (b)(1)(A) or (B) of this section:~~
~~(i) Ionization smoke alarms shall not be installed less than twenty feet (six thousand ninety-six meters) horizontally from a permanently installed cooking appliance.~~
~~(ii) Ionization smoke alarms with an alarm-silencing switch shall not be installed less than ten feet (three thousand forty-eight millimeters) horizontally from a permanently installed cooking appliance.~~
~~(iii) Photoelectric smoke alarms shall not be installed less than six feet (one thousand eight hundred twenty-nine millimeters) horizontally from a permanently installed cooking appliance.~~
~~(D) Installation Near Bathrooms. Smoke alarms shall be installed not less than three feet (nine hundred fourteen millimeters) horizontally from the door or opening of a bathroom that contains a bathtub or~~

~~shower unless this would prevent placement of a smoke alarm required by subsection (b)(1)(A) or (B) of this section.~~

~~(2) Interconnection. Where more than one smoke alarm is required to be installed within an individual dwelling or sleeping unit, the smoke alarms shall be interconnected in such a manner that the activation of one alarm will activate all of the alarms in the individual unit. Physical interconnection of smoke alarms shall not be required where listed wireless alarms are installed and all alarms sound upon activation of one alarm. The alarm shall be clearly audible in all bedrooms over background noise levels with all intervening doors closed.~~

~~Exceptions:~~

~~(i) Interconnection is not required in buildings that are not undergoing alterations, repairs or construction of any kind.~~

~~(ii) Smoke alarms in existing areas are not required to be interconnected where alterations or repairs do not result in the removal of interior wall or ceiling finishes exposing the structure, unless there is an attic, crawl space or basement available that could provide access for interconnection without the removal of interior finishes.~~

~~(3) Power Source. Single-station smoke alarms shall receive their primary power from the building wiring; provided, that such wiring is served from a commercial source and shall be equipped with a battery backup. Smoke alarms with integral strobes that are not equipped with battery backup shall be connected to an emergency electrical system. Smoke alarms shall emit a signal when the batteries are low. Wiring shall be permanent and without a disconnecting switch other than as required for overcurrent protection.~~

~~Exceptions:~~

~~(i) Smoke alarms are permitted to be solely battery operated in existing buildings where no construction is taking place.~~

~~(ii) Smoke alarms are permitted to be solely battery operated in buildings that are not served from a commercial power source.~~

~~(iii) Smoke alarms are permitted to be solely battery operated in existing areas of buildings undergoing alterations or repairs that do not result in the removal of interior walls or ceiling finishes exposing the structure, unless there is an attic, crawl space or basement available that could provide access for building wiring without the removal of interior finishes.~~

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

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

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

~~(iii) Activation of a smoke detector in a dwelling or sleeping unit shall not activate alarm notification appliances outside of the dwelling or~~

~~sleeping unit; provided, that a supervisory signal is generated and monitored in accordance with Section 907.6.5 of the International Fire Code.~~

A. Inspection, testing and maintenance. Fire detection, alarm and extinguishing systems, mechanical smoke exhaust systems, and smoke and heat vents shall be maintained in accordance with the International Fire Code in an operative condition at all times and shall be replaced or repaired where defective.

1. Installation. Fire protection systems shall be maintained in accordance with the original installation standards for that system. Required systems shall be extended, altered or augmented as necessary to maintain and continue protection where the building is altered or enlarged. Alterations to fire protection systems shall be done in accordance with applicable standards.

2. Required fire protection systems. Fire protection systems required by this code, the International Fire Code or the International Building Code shall be installed, repaired, operated, tested and maintained in accordance with this code. A fire protection system for which a design option, exception or reduction to the provisions of this code, the International Fire Code or the International Building Code has been granted shall be considered to be a required system.

3. Fire protection systems. Fire protection systems shall be inspected, maintained and tested in accordance with the following International Fire Code requirements.

(a) Automatic sprinkler systems, see Section 903.5.

(b) Automatic fire-extinguishing systems protecting commercial cooking systems, see Section 904.12.5.

(c) Automatic water mist extinguishing systems, see Section 904.11.

(d) Carbon dioxide extinguishing systems, see Section 904.8.

(e) Carbon monoxide alarms and carbon monoxide detection systems, see Section 915.6.

(f) Clean-agent extinguishing systems, see Section 904.10.

(g) Dry-chemical extinguishing systems, see Section 904.6.

(h) Fire alarm and fire detection systems, see Section 907.8.

(i) Fire department connections, see Sections 912.4 and 912.7.

(j) Fire pumps, see Section 913.5.

(k) Foam extinguishing systems, see Section 904.7.

(l) Halon extinguishing systems, see Section 904.9.

(m) Single- and multiple-station smoke alarms, see Section 907.10.

(n) Smoke and heat vents and mechanical smoke removal systems, see Section 910.5.

(o) Smoke control systems, see Section 909.20.

(p) Wet-chemical extinguishing systems, see Section 904.5.

B. Standards. Fire protection systems shall be inspected, tested and maintained in accordance with the referenced standards listed in Table 704.2 and as required in this section.

Table 704.2
FIRE PROTECTION SYSTEM MAINTENANCE STANDARDS

SYSTEM	STANDARD
Portable fire extinguishers	NFPA 10
Carbon dioxide fire-extinguishing system	NFPA 12
Halon 1301 fire-extinguishing systems	NFPA 12A
Dry-chemical extinguishing systems	NFPA 17
Wet-chemical extinguishing systems	NFPA 17A
Water-based fire protection systems	NFPA 25
Fire alarm systems	NFPA 72
Smoke and heat vents	NFPA 204
Water-mist systems	NFPA 750
Clean-agent extinguishing systems	NFPA 2001

1. Records. Records shall be maintained of all system inspections, tests and maintenance required by the referenced standards.

2. Records information. Initial records shall include the: name of the installation contractor; type of components installed; manufacturer of the components; location and number of components installed per floor; and manufacturers' operation and maintenance instruction manuals. Such records shall be maintained for the life of the installation.

C. Systems out of service. Where a required fire protection system is out of service, the fire department and the fire code official shall be notified immediately and, where required by the fire code official, either the building shall be evacuated or an approved fire watch shall be provided for all occupants left unprotected by the shutdown until the fire protection system has been returned to service. Where utilized, fire watches shall be provided with not less than one approved means for notification of the fire department and shall not have duties beyond performing constant patrols of the protected premises and keeping watch for fires. Actions shall be taken in accordance with Section 901 of the International Fire Code to bring the systems back in service.

1. Emergency impairments. Where unplanned impairments of fire protection systems occur, appropriate emergency action shall be taken to minimize potential injury and damage. The impairment coordinator shall implement the steps outlined in Section 901.7.4 of the International Fire Code.

D. Removal of or tampering with equipment. It shall be unlawful for any person to remove, tamper with or otherwise disturb any fire hydrant, fire detection and alarm system, fire suppression system or other fire appliance required by this code except for the purposes of extinguishing fire, training, recharging or making necessary repairs.

1. Removal of or tampering with appurtenances. Locks, gates, doors, barricades, chains, enclosures, signs, tags and seals that have been

installed by or at the direction of the fire code official shall not be removed, unlocked, destroyed or tampered with in any manner.

2. Removal of existing occupant-use hose lines. The fire code official is authorized to permit the removal of existing occupant-use hose lines where all of the following apply:

(a) The installation is not required by the International Fire Code or the International Building Code.

(b) The hose line would not be utilized by trained personnel or the fire department.

(c) The remaining outlets are compatible with local fire department fittings.

3. Termination of monitoring service. For fire alarm systems required to be monitored by the International Fire Code, notice shall be made to the fire code official whenever alarm monitoring services are terminated. Notice shall be made in writing by the provider of the monitoring service being terminated.

E. Fire department connection. Where the fire department connection is not visible to approaching fire apparatus, the fire department connection shall be indicated by an approved sign mounted on the street front or on the side of the building. Such sign shall have the letters "FDC" not less than 6 inches high and words in letters not less than 2 inches high or an arrow to indicate the location. Such signs shall be subject to the approval of the fire code official.

1. Fire department connection access. Ready access to fire department connections shall be maintained at all times and without obstruction by fences, bushes, trees, walls or any other fixed or movable object. Access to fire department connections shall be approved by the fire chief.

Exception: Fences, where provided with an access gate equipped with a sign complying with the legend requirements of Section 912.5 of the International Fire Code and a means of emergency operation. The gate and the means of emergency operation shall be approved by the fire chief and maintained operational at all times.

2. Clear space around connections. A working space of not less than 36 inches in width, 36 inches in depth and 78 inches in height shall be provided and maintained in front of and to the sides of wall-mounted fire department connections and around the circumference of free-standing fire department connections.

F. Single- and multiple-station smoke alarms. Single and multiple-station smoke alarms shall be installed in existing Group I-1 and R occupancies in accordance with Sections 12.30.704.F.1 through 2.30.704.F.3.

1. Where required. Existing Group I-1 and R occupancies shall be provided with single-station smoke alarms in accordance with Sections 12.30.704.F.1(a) through 12.30.704.F.1(d). Interconnection and power sources shall be in accordance with Sections 12.30.704.F.2 and 12.30.704.F.3.

Exceptions:

(1) Where the code that was in effect at the time of construction required smoke alarms and smoke alarms complying with those requirements are already provided.
(2) Where smoke alarms have been installed in occupancies and dwellings that were not required to have them at the time of construction, additional smoke alarms shall not be required provided that the existing smoke alarms comply with requirements that were in effect at the time of installation.
(3) Where smoke detectors connected to a fire alarm system have been installed as a substitute for
smoke alarms.
(a) Group R-1. Single or multiple-station smoke alarms shall be installed in all of the following locations in Group R-1:
(1) In sleeping areas.
(2) In every room in the path of the means of egress from the sleeping area to the door leading from the sleeping unit.
(3) In each story within the sleeping unit, including basements. For sleeping units with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level.
(b) Groups R-2, R-3, R-4 and I-1. Single or multiple-station smoke alarms shall be installed and maintained in Groups R-2, R-3, R-4 and I-1 regardless of occupant load at all of the following locations:
(1) On the ceiling or wall outside of each separate sleeping area in the immediate vicinity of bed-rooms.
(2) In each room used for sleeping purposes.
(3) In each story within a dwelling unit, including basements but not including crawl spaces and uninhabitable attics. In dwellings or dwelling units with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level.
(c) Installation near cooking appliances. Smoke alarms shall not be installed in the following
locations unless this would prevent placement of a smoke alarm in a location required by Section 704F1(a) or 704F1(b).
(1) Ionization smoke alarms shall not be installed less than 20 feet horizontally from a
permanently installed cooking appliance.
(2) Ionization smoke alarms with an alarm-silencing switch shall not be installed less than 10 feet horizontally from a permanently installed cooking appliance.
(3) Photoelectric smoke alarms shall not be installed less than 6 feet horizontally from a
permanently installed cooking appliance.
(d) Installation near bathrooms. Smoke alarms shall be installed not less than 3 feet horizontally from the door or opening of a bathroom that

contains a bathtub or shower unless this would prevent placement of a smoke alarm required by Section 12.30.704.F.1(a) or 12.30.704.F.1(b).
2. Interconnection. Where more than one smoke alarm is required to be installed within an individual dwelling or sleeping unit, the smoke alarms shall be interconnected in such a manner that the activation of one alarm will activate all of the alarms in the individual unit. Physical interconnection of smoke alarms shall not be required where listed wireless alarms are installed and all alarms sound upon activation of one alarm. The alarm shall be clearly audible in all bedrooms over background noise levels with all intervening doors closed.
Exceptions:
(1) Interconnection is not required in buildings that are not undergoing alterations, repairs or construction of any kind.
(2) Smoke alarms in existing areas are not required to be interconnected where alterations or repairs
do not result in the removal of interior wall or ceiling finishes exposing the structure, unless there is an attic, crawl space or basement available that could provide access for interconnection without the removal of interior finishes.
3. Power source. Single-station smoke alarms shall receive their primary power from the building wiring provided that such wiring is served from a commercial source and shall be equipped with a battery backup. Smoke alarms with integral strobes that are not equipped with battery backup shall be connected to an emergency electrical system. Smoke alarms shall emit a signal when the batteries are low. Wiring shall be permanent and without a disconnecting switch other than as required for overcurrent protection.
Exceptions:
(1) Smoke alarms are permitted to be solely battery operated in existing buildings where construction is not taking place.
(2) Smoke alarms are permitted to be solely battery operated in buildings that are not served from a commercial power source.
(3) Smoke alarms are permitted to be solely battery operated in existing areas of buildings undergoing alterations or repairs that do not result in the removal of interior walls or ceiling finishes exposing the structure, unless there is an attic, crawl space or basement available that could provide access for building wiring without the removal of interior finishes.
4. Smoke detection system. Smoke detectors listed in accordance with UL 268 and provided as part of the building's fire alarm system shall be an acceptable alternative to single and multiple-station smoke alarms and shall comply with the following:
(1) The fire alarm system shall comply with all applicable requirements in Section 907 of the International Fire Code.
(2) Activation of a smoke detector in a dwelling or sleeping unit shall initiate alarm notification in the dwelling or sleeping unit in accordance with Section 907.5.2 of the International Fire Code.

(3) Activation of a smoke detector in a dwelling or sleeping unit shall not activate alarm notification appliances outside of the dwelling or sleeping unit, provided that a supervisory signal is generated and monitored in accordance with Section 907.6.6 of the International Fire Code.

7. Single- and multiple-station smoke alarms. Single and multiple-station smoke alarms shall be tested and maintained in accordance with the manufacturer's instructions. Smoke alarms that do not function shall be replaced. Smoke alarms installed in one- and two-family dwellings shall be replaced not more than 10 years from the date of manufacture marked on the unit or shall be replaced if the date of manufacture cannot be determined.

Section 44. Kirkland Municipal Code Chapter 21.41 is amended to include a new section 21.41.705 to read as follows:

21.41.705 Carbon monoxide alarms and detection.

(a) General. Carbon monoxide alarms shall be installed in dwellings in accordance with Section 1103.9 of the International Fire Code, except that alarms in dwellings covered by the International Residential Code shall be installed in accordance with Section R315 of that code.

(b) Carbon monoxide alarms and detectors. Carbon monoxide alarms and carbon monoxide detection systems shall be maintained in accordance with NFPA 720. Carbon monoxide alarms and carbon monoxide detectors that become inoperable or begin producing end-of-life signals shall be replaced.

Section 45. Kirkland Municipal Code Section 21.44.030 is amended to read as follows:

21.44.030 Permit—Application—Deposits and fees.

(a) Every applicant before being granted a permit shall pay an application filing fee of one hundred dollars for Class I and II moves and seventy-five dollars for Class III and IV moves.

(b) In addition to the fee set forth in subsection (a) of this section, there shall be charged and collected a right-of-way inspection fee:

Dimensional Combinations	**Normal Business Hours**	**After Hours**
1	~~$55.20~~ 62.00	~~$81.05~~ 93.00
2	~~$110.40~~ 124.00	~~$162.08~~ 186.00
3 or more	~~$55.20~~ 62.00/hour	~~$81.05~~ 93.00/ hour

(c) For any application for a Class I or II move herein provided for there shall be charged and collected an inspection fee in the amount of one hundred thirty dollars if the building is situated between zero to ten miles of the city and if the building is situated at a distance in excess of ten miles from the city, an additional one dollar for each additional mile.
(d) An application hereunder shall be accompanied by the following:
(1) A cash deposit or corporate surety bond in the sum of ten thousand dollars or such greater amount as the building official determines necessary as indemnity for any damage which the city may sustain by reason of damage or injury to any highway, street or alley, sidewalk or other property of the city, which may be caused by or be incidental to the removal of any building over, along or across any street in the city and to indemnify the city against any claim of damages to persons or private property;
Exception: Not required for moves where dimensional combinations do not exceed two;
(2) A commercial/general liability insurance policy providing one million dollars or such greater amount as the building official determines necessary to satisfy any claim by private individuals, firms, or corporations arising out of, caused by, or incidental to the moving of any building over, along, or across any street in the city. This policy must identify the city of Kirkland as an additional insured; and
(3) A cash deposit or a corporate surety performance bond in the sum of five thousand dollars or such greater amount as the building official determines necessary conditioned upon the permittee, within six months from the date of the issuance of such permit (A) completing the construction, painting and finishing of the exterior of the building, and (B) faithfully complying with all requirements of this chapter, the building code, the zoning ordinance, the other ordinances then in effect within the city including but not limited to permittee completing such work within six months to the date of the issuance of such permit. In the event the provisions of this subsection are not complied with within the time specified, the sum of five thousand dollars shall be forfeited to the city as a penalty for the default, and this shall be in addition to any other penalties provided for failure to comply within the terms of this chapter.

Section 46. Kirkland Municipal Code Title 21 is amended by the addition of a new chapter 21.46 entitled "International Existing Building Code" to read as follows:

21.46.010 International Existing Building Code adopted.
The 2018 International Existing Building Code (IEBC) is included in the adoption of the International Building Code as provided by IBC Section 101.4.7 and amended in WAC 51-50-480000, including Appendix A, Guidelines for the Seismic Retrofit of Existing Buildings, excluding Chapter 1, Part 2 – Administration.

21.46.020 Copies on file.
The city shall at all times keep on file with the city clerk, for reference by the general public, not less than one copy of the International Existing Building Code.

21.46.030 Administration.
The administrative provisions for the enforcement of the International Existing Building Code are located in Chapter 21.06.

Section 47. Kirkland Municipal Code Section 21.48.010 is amended to read as follows:

21.48.010 International Swimming Pool and Spa Code adopted.
The ~~2015~~ 2018 Edition of the International Swimming Pool and Spa Code (ISPSC), as published by ICC, is adopted. Sections 103, Department of Building Safety; 104, Duties and Powers of the Code Official; 105, Permits; 106, Inspections; 107, Violations; 108, Means of Appeal; 303, Energy; and 304, Flood Hazard Areas; are not adopted.

Section 48. Kirkland Municipal Code Section 21.70.010 is amended to read as follows:

21.70.010 Washington Cities Electrical Code adopted.
The ~~September 15, 2017~~ 2020, Edition of the Washington Cities Electrical Code, Parts One and Three, as published by the Washington Association of Building Officials, is adopted and shall be known as the Kirkland Electrical Code.

Section 49. Kirkland Zoning Code Chapter 110, Section 110.10 is amended to read as follows:

110.10 General
The applicant shall comply with the provisions of this chapter if the applicant is granted a development permit unless:
1. The cost of the street improvements along the property frontage is greater than 20 percent of the cumulative building alterations in any 5-year period according to the following:
   a. Street improvement costs shall include, but not be limited to, roadway asphalt, storm drainage, curb and gutter, landscape strip, street trees, and concrete sidewalk.
   b. For properties with multiple street frontages, the average length of the combined multiple street frontages will be used for the purposes of determining whether street improvements are required. If street improvements are required, the cost of the improvements along any of the multiple street frontages shall not exceed 20 percent of the cumulative building alterations in any 5-year period.

c. For the purpose of this section, street improvement costs shall be evaluated based on the most current edition of the City of Kirkland Department of Public Works Improvement Evaluation Packet (including engineering and administration costs).

d. For the purpose of this section, building alteration costs shall be evaluated using the current Building Valuation Data ~~charts~~ Table published annually by the ~~International Conference of Building Officials (ICBO)~~ International Code Council (ICC) on file with the City Building Official. Any valuations not specified in that publication will be determined by the Building Official. Other site improvements such as driveways, sidewalks, utility lines, sheds, etc., will not be included in the valuation.

e. The City shall track the cumulative building alterations in a 5-year time period using historical Building Permit information.

2. The applicant or previous owner of the subject property installed improvements in the adjacent right-of-way as part of a subdivision or discretionary land use permit approved within four (4) years prior to the present development permit application.

Section 50. The City Council hereby declares that an emergency exists pursuant to RCW 35A.13.190 necessitating that this ordinance take effect immediately upon passage. Publication shall be 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 affirmative vote of at least 5 members of the Kirkland City Council in open meeting this 2 day of February, 2021.

Signed in authentication thereof this 2 day of February, 2021.

Penny Sweet, Mayor

Attest:

Kathi Anderson, City Clerk

Approved as to Form:

Kevin Raymond, City Attorney

Publication Date: 02/08/2021

PUBLICATION SUMMARY
OF ORDINANCE NO. 4751

AN ORDINANCE OF THE CITY OF KIRKLAND MAKING AMENDMENTS TO THE CITY'S BUILDING AND CONSTRUCTION CODES, AMENDING KIRKLAND MUNICIPAL CODE TITLE 21 AND KIRKLAND ZONING CODE CHAPTER 110.10; DECLARING AN EMERGENCY AND ESTABLISHING AN IMMEDIATE EFFECTIVE DATE.

SECTIONS 1 - 21. Amends and adds new sections to Chapter 21.06 of the Kirkland Municipal Code (KMC) relating to the Construction Administrative Code.

SECTIONS 22 - 26. Amends sections of Chapter 21.08 of the KMC relating to the International Building Code.

SECTIONS 27 - 29. Amends and adds new sections to Chapter 21.10 of the KMC relating to the International Residential Code.

SECTION 30. Amends Section 21.16.010 of the KMC relating to the International Mechanical Code.

SECTIONS 31 - 33. Amends sections of Chapter 21.24 of the KMC relating to the Uniform Plumbing Code.

SECTION 34. Amends Section 21.28.010 of the KMC relating to the National Fuel Gas Code.

SECTION 35. Amends Section 21.32.010 of the KMC relating to the Liquefied Petroleum Gas Code.

SECTION 36. Amends Section 21.33.025 of the KMC related to Appeals.

SECTION 37. Amends Section 21.36.010 of the KMC relating to the International Fuel Gas Code.

SECTIONS 38 - 44. Amends sections of Chapter 21.41 of the KMC relating to the Kirkland Property Maintenance Code.

SECTION 45. Amends Section 21.44.030 of the KMC related to Permit deposits and fees.

SECTION 46. Adds a new Chapter 21.46 to the KMC entitled "International Existing Building Code."

SECTION 47. Amends Section 21.48.010 of the KMC related to the International Swimming Pool and Spa Code.

SECTION 48. Amends Section 21.70.010 of the KMC related to the Washington Cities Electrical Code.

SECTION 49. Amends Kirkland Zoning Code Chapter 10, Section 110.10 related to Zoning.

SECTION 50. Establishes that an emergency exists pursuant to RCW 35A.13.190 necessitating that the ordinance take effect immediately upon passage. Authorizes publication of the ordinance by summary, which summary is approved by the City Council pursuant to Section 1.08.017 Kirkland Municipal Code.

The full text of this Ordinance will be mailed without charge to any person upon request made to the City Clerk for the City of Kirkland. The Ordinance was passed by the Kirkland City Council at its meeting on the 2 day of February, 2021.

I certify that the foregoing is a summary of Ordinance 4751 approved by the Kirkland City Council for summary publication.

Kathi Anderson

Kathi Anderson, City Clerk