

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO
KIRKLAND MUNICIPAL CODE (KMC) TITLE 21, KIRKLAND
BUILDING CODE.

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

Section 1. KMC Section 21.04.010 is hereby amended as follows:

21.04.010 Copies of codes on file.

Pursuant to state law (RCW Chapter 19.27 and RCW Chapter 19.27A) the Kirkland Building Code is the Washington State Building Code as modified in this title. The Washington State Building Code is composed of the following elements; and the city shall at all times keep on file with the city clerk, for reference by the general public, not less than three copies of the codes and resolutions, or parts thereof, as herein adopted by reference, together with the amendments and supplements thereto herein made a part of this title:

- (1) Uniform Building Code and Standards, issued by the International Conference of Building Officials, 1994 1997 Edition;
- (2) Uniform Housing Code, issued by the International Conference of Building Officials, 1994 7 Edition;
- (3) Uniform Sign Code, issued by the International Conference of Building Officials, 1994 1997 Edition;
- (4) Uniform Plumbing Code, issued by the International Association of Plumbing and Mechanical Officials, 1994 1997 Edition;
- (5) Uniform Mechanical Code, issued by the International Conference of Building Officials, 1994 1997 Edition;
- (6) Uniform Code for the Abatement of Dangerous Buildings, issued by the International Conference of Building Officials, 1994 1997 Edition;
- (7) Uniform Fire Code and Standards, issued by the International Fire Code Institute, 1994 1997 Edition;
- (8) All amendments, supplements, modifications, exclusions, exemptions and additions to the codes identified in subparagraphs (1) through (7) above adopted by the Washington State Building Code Council and published in Title 51, Washington Administrative Code, including, but not by way of limitation, WAC Chapters 51-11, 51-13, 51-26, 51-32 42, 51-34 44, 51-45, 51-46, 51-47 and 51-30 40; provided, that Section 1006.3 1003.3.3.3 of WAC 51-30 40 - 1006 1003 is not adopted.

The copies of codes on file may be placed by the city clerk in the custody of the office of the building official in order to make them more readily available to inspection and use by the general public.

Section 2. The following sections of KMC chapter 21.08 are hereby amended as follows:

21.08.010 Building code adopted.

The Uniform Building Code and Standards, issued by the International Conference of Building Officials, ~~1994~~ 1997 Edition, together with amendments and/or additions thereto, is adopted in its entirety. Further, the following Appendix chapters are specifically adopted as part of the Kirkland Building Code: Appendix Chapter Nos. A3, Division II (Agricultural Buildings), A15 (Reroofing), A31, Division II (Membrane Structures), A31, Division III (Patio Covers), A33 (Excavating and Grading).

21.08.017 UBC Section 105.1 amended.

Section 105.1 of the UBC is amended to read:

105.1(a) General. In order to hear and decide appeals of orders, decision, or determinations made by the Building Official relative to the application and interpretation of this code, there is hereby created a board of appeals consisting of five members who are qualified by experience and training to pass upon matters pertaining to building construction. The Building Official shall be an ex officio member and shall act as Secretary of the board but shall have no vote on any matter before the board. The other Board of Appeals members shall be appointed by the City Manager, and shall serve for not more than two four-year terms or until their successor is appointed and qualified. The Board shall adopt reasonable rules of procedure for conducting its business, and shall render all decisions and findings in writing to the appellant with a duplicate copy to the Building Official.

(b) Reconsideration. Within 7 days after the issuance of the Board's decision, a party to the appeal may request reconsideration by the Board. The request for reconsideration shall identify the specific reasons in fact or law why the Board should grant reconsideration. The Board secretary and all parties must be served with the request for reconsideration not later than 7 days after the date of the Board's written decision on the appeal.

(c) Corrections. The Board, on its own initiative, may issue a revised written decision at any time within the time limits applicable to court review.

(d) Court Review. The decision of the Board shall be final, subject to review by a court of competent jurisdiction. Unless otherwise specifically provided by law, a court action for judicial review must be filed within 10 days after the date of the Board's written decision, or within 10 days after the date of the Board's decision on reconsideration, if applicable.

21.08.030 UBC Section 106.3.3 amended.

Section 106.3.3 of the Uniform Building Code is amended and supplemented by the addition of a new paragraph to read:

Section 107.2.1. Permit Fees: The fee for each permit shall be as set forth in Table 1-A.

Landsurface modification (grading) permits shall expire 18 months from the date of issue and building permits for R-3 and U occupancies shall expire one (1) year from the date of issue. Building permits and Landsurface modification permits may be renewed for one-half (1/2) of the original permit fee for the first permit issued for such work.

21.08.120 UBC Section 1701.2 amended.

Section 1701.2 of the Uniform Building Code is hereby amended to read:

Special Inspector: The Special Inspector shall be WABO certified registered, or shall be a qualified person who shall demonstrate competency to the satisfaction of the Building Official, for inspection of the particular type of construction or operation requiring special inspection.

21.08.225 UBC Section 5703 Substructure.

1. Draft Stops. Draft stops shall be installed in all substructures constructed of combustible materials, exclusive of piling and pile bracing. They shall be placed not over one hundred feet (100') apart measured along the main axis of the pier or wharf. They shall fit tightly around all joists, beams, etc. and extend from the underside of the deck to low water with a maximum required depth of 6 feet.

EXCEPTION: Private docks which serve a single family dwelling unit.

Scope

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

2. Automatic Sprinklers. Automatic sprinklers shall be installed under the substructure of every overwater structure in accordance with the requirements of Chapter 39 9.

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

1. Combustible substructures having no superstructures of 120 square feet or less in area.

2. Noncombustible substructures with or without superstructures.

3. Substructures resulting from walkways or finger piers when width does not exceed 10 feet.

3. Dry Standpipes. When a distance of travel to fire apparatus access exceeds two hundred fifty (250) feet, an approved minimum four (4) inch dry standpipe with two and one half (2-1/2) inch outlets at a maximum of one hundred (100) feet on center shall be provided. There shall be a Siamese connection at the shore end and direct access for Fire Department pumping apparatus shall be provided. Standards for installation to be set by the Director of Fire Services.

Section 3. KMC Chapter 21.08 is hereby further amended by the addition of the following new sections:

21.08.018 UBC Section 106 amended.

106.1 Permits Required. Except as specified in Section 106.2, no building or structure regulated by this code shall be erected, constructed, enlarged, altered, repaired, moved, improved, removed, converted or demolished unless a separate permit for each building or structure has first been obtained from the building official.

106.2 Work Exempt from Permit. A building permit shall not be required for the following:

1. One-story detached accessory buildings used as tool and storage sheds, playhouses, and similar uses, provided the floor area does not exceed 120 square feet (11.15m²).
 2. Fences not over 6 feet (1829 mm) high.
 3. Oil derricks.
 4. Movable cases, counters and partitions not over 5 feet 9 inches (1753 mm) high.
 5. Retaining walls that are not over 4 feet (1219 mm) 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.
 6. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons (18,927 L) and the ratio of height to diameter or width does not exceed 2:1.
 7. Platform, walks and driveways not more than 30 inches (762 mm) above grade and not over any basement or story below.
 8. Painting, papering and similar finish work.
 9. Temporary motion picture, television and theater stage sets and scenery.
 10. Window awnings supported by an exterior wall of Group R, Division 3, and Group U Occupancies when projecting not more than 54 inches (1372 mm).
 11. Prefabricated swimming pools accessory to a Group R, Division 3 Occupancy in which the pool walls are entirely above the adjacent grade and if the capacity does not exceed 5,000 gallons (18,927 L).
 12. School, park or private playground equipment including playhouses and tree houses.
 13. Installation of the following types of antennas:
 - A. Satellite earth station antennas 6-1/2 feet (2 m) or less in diameter in zones other than residential zones;
 - B. Satellite earth station antennas 3-1/4 feet (1 m) or less in diameter in residential zones;

and

 - C. Video programming service antennas 3-1/4 feet (1 m) or less in diameter or diagonal dimension, regardless of zone.
- Unless otherwise exempted, separate plumbing, electrical and mechanical permits will be required for the above-exempted items.

Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction.

21.08.032 UBC Section 106.3.4.2 amended

Deferred submittals. For the purposes of this section, deferred submittals are defined as those portions of the design that are not submitted at the time of the application and that are to be submitted to the building official within a specified period. Examples of submittals that may qualify for deferral include mechanical plans (for speculative buildings), post-tension drawings, and truss drawings.

Deferral of any submittal items shall have prior approval of the building official. The architect or engineer of record shall list the deferred submittals on the plans and shall submit the deferred submittal documents for review by the building official.

Submittal documents for deferred submittal items shall be submitted to the architect or engineer of record who shall review them and forward them to the building official with a notation indicating that the deferred submittal documents have been reviewed and that they have been found to be in general conformance with the design of the building. The deferred submittal items shall not be installed until their design and submittal documents have been approved by the building official.

Section 4. KMC Chapter 21.08 is hereby further amended by the repeal of Section 21.08.045, the effect of which section has expired.

Section 5. KMC Chapter 21.12, the Housing Code, is hereby amended by the repeal of Section 21.12.020 (which has been replaced) and the revision of Section 21.12.010 to read as follows:

21.12.010 Housing code adopted.

The Uniform Housing Code issued by the International Conference of Building Officials, ~~1994~~ 1997 Edition, together with amendments and/or additions thereto, is adopted in its entirety by this reference as the housing code for the city.

Section 6. KMC Section 21.16.010 is hereby amended as follows:

21.16.010 Sign code adopted.

The Sign Code issued by the International Conference of Building Officials, ~~1994~~ 1997 Edition ("USC"), together with amendments and/or additions thereto, is adopted in its entirety by this reference as the sign code for the city.

Section 7. The following Sections of KMC Chapter 21.20, the Plumbing Code, are hereby amended to read as follows:

21.20.010 Plumbing code adopted.

The Uniform Plumbing Code, issued by the International Association of Plumbing and Mechanical Officials, ~~1994~~ 1997 Edition, together with amendments and/or additions thereto, is adopted in part as listed herein by this reference as part of the plumbing code for the city. The following listed chapters are adopted:

~~Chapter 1-Definitions~~ Administration

~~Chapter 2-Materials and Alternates~~ Definitions

~~Chapter 3-General Regulations~~

~~Chapter 4-Drainage Systems~~ Plumbing Fixtures and Fixture Fittings

~~Chapter 5-Vents and Venting~~ Water Heater (except provisions relating to combustion air of fuel fired equipment)

~~Chapter 6-Indirect and Special Wastes~~ Water Supply and Distribution

~~Chapter 7-Traps and Interceptors~~ Sanitary Drainage

~~Chapter 8-Joints and Connections~~ Indirect Wastes

~~Chapter 9-Plumbing Fixtures~~ Vents

~~Chapter 10-Water Distribution~~ Traps and Interceptors

~~Chapter 13-Water Heaters and Vents~~ Medical Gas Systems

Provided, that notwithstanding any wording in this code, nothing in this code shall apply to the venting and combustion air of fuel fired appliances as found in chapter 5 and those portions of the Code addressing building sewers. ~~installation of any gas piping, or vents for water heaters.~~

21.20.039 Fees.

(a) Permit Fees: The fees for each permit shall be as set forth in Table No. ~~3-A~~ 1-1

(b) Plan Review Fees: When a plan or other data is required to be submitted by ~~subsection (b) of Section 30.2~~ 103.2.2, a plan review fee shall be paid at the time of submitting plans and specifications for review. The plan review fees for plumbing work shall be equal to sixty-five percent of the total permit fee as set forth in Table No. ~~3-A~~ 1-1. When plans are incomplete or changed so as to require additional review, a fee shall be charged at the rate shown in Table No. ~~3-A~~ 1-1.

(c) Expiration of Plan Review. Applications for which no permit is issued within one hundred eighty days following the date of application shall expire by limitation and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the administrative authority. The administrative authority may exceed the time for action by the applicant for a period not to exceed one hundred eighty days upon request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. No application shall be extended more than once. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new plan review fee.

(d) Investigation Fees: Work Without a Permit.

(1) Whenever any work for which a permit is required by this code has been commenced without first obtaining said permit, a special

investigation shall be made before a permit may be issued for such work.

(2) An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee that would be required by this code if a permit were to be issued. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this code, nor from any penalty prescribed by law.

(e) Fee Refunds.

(1) The administrative authority may authorize the refunding of any fee paid hereunder which was erroneously paid or collected;

(2) The administrative authority may authorize the refunding of not more than eighty percent of the permit fee paid when no work has been done under a permit issued in accordance with this code;

(3) The administrative authority may authorize the refunding of not more than eighty percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review effort has been expended.

The administrative authority shall not authorize the refunding of any fee paid except upon written application filed by the applicant or permittee not later than one hundred eighty days after the date of fee payment.

Table No. 3-A 1-1 PERMIT ISSUANCE For issuing each permit

1. (when not a part of a building permit) \$20.00

2. For issuing each permit (when part of a building permit) N/C

UNIT SCHEDULE (in addition to Items 1 and 2 above)

1. For each plumbing fixture on one trap or a set of fixtures on one trap (including water, drainage piping and backflow protection therefor) 7.00

2. Rainwater systems-per drain (inside building) 7.00

3. For each heater and/or vent 7.00

4. For each industrial waste pre-treatment interceptor including its trap and vent, excepting kitchen-type greater grease interceptors functioning as fixture traps 7.00

5. For each installation, alteration or repair of water piping and/or water treating equipment, each 7.00

6. For each repair or alteration of drainage or vent piping, each fixture 7.00

7. For each lawn sprinkler system on any one meter including backflow protection devices therefor 7.00

8. For atmospheric-type vacuum breakers not included in above item:

2 inch diameter and smaller

7.00

over 2 inch diameter

15.00

9. For repiping domestic water lines within existing structures:

Single Family 20.00

Multifamily 20.00/unit

10. For each medical gas piping system serving one to five inlet(s)/outlet(s) for a specific gas

\$50.00

11. For each additional medical gas inlet(s)/outlet(s)

\$ 5.00

OTHER INSPECTIONS AND FEES

1. Inspections outside of normal business hours

30.00/hour

2. Reinspection fees

30.00

3. Inspections for which no fee is specifically indicated

30.00

4. Additional plan review required by changes, additions or revisions to approved plans (minimum charge one half-hour)

60.00/hour

21.20.240 Adoption of state regulations.

Rules and regulations of the Washington State Department of Health regarding public water supplies, entitled "Cross Connection Control Regulation in Washington State" WAC 246-290-490, and the American Water Works Association, Pacific Northwest Section's Fifth Sixth Edition of "Accepted Procedure and Practice in Cross-Connection Manual" as they presently exist and as they may, from time to time, be amended in the future, are hereby adopted by this reference as if set forth in full.

Section 8. The following sections of KMC Chapter 21.20, the Plumbing Code, are hereby repealed since they have been replaced: 21.20.030; 21.20.032; 21.20.033; 21.20.034; 21.20.035; 21.20.036; 21.20.038; and 21.20.100.

Section 9. The following sections of KMC Chapter 21.24, the Uniform Mechanical Code, are hereby amended to read as follows:

21.24.010 Mechanical code adopted.

The Uniform Mechanical Code, issued by the International Conference of Building Officials, ~~1994~~ 1997 Edition, together with amendments and/or additions thereto hereafter made, is adopted in its entirety by this reference as a part of the mechanical code for the city, including Appendix B, Chapter 13 relating to gas fuel piping.

21.24.020 UMC Table No. 1-A amended-Mechanical permit fees.

Table 1-A of the Uniform Mechanical Code is amended to read as follows:

Permit Issuance

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

Unit Fee Schedule

1. For the installation or relocation of each forced-air or gravity-type furnace or burner, including ducts and vents attached to such appliance, up to and including 100,000 Btu/h 9.00
2. For the installation or relocation of each forced-air or gravity-type furnace or burner, including ducts and vents attached to such appliance over 100,000 Btu/h 11.00
3. For the installation or relocation of each floor furnace, including vent 9.00
4. For the installation or relocation of each suspended heater, recessed wall heater or floor-mounted unit heater 9.00
5. For the installation, relocation or replacement of each appliance vent installed and not included in an appliance permit 4.50
6. For the repair of, alteration of, or addition to each heating appliance, refrigeration unit, cooling unit, absorption unit, or each heating, cooling, absorption, or evaporative cooling system, including installation of controls regulated by this code 9.00
7. For the installation or relocation of each boiler or compressor to and including three horsepower, or each absorption system to and including 100,000 Btu/h 9.00
8. For the installation or relocation of each boiler or compressor over three horsepower to and including 15 horsepower, or each absorption system over 100,000 Btu/h to and including 500,000 Btu/h 16.50
9. For the installation or relocation of each boiler or compressor over 15 horsepower to and including 30 horsepower, or each absorption system over 500,000 Btu/h to and including 1,000,000 Btu/h 22.50
10. For the installation or relocation of each boiler or compressor over 30 horsepower to and including 50 horsepower, or for each absorption system over 1,000,000 Btu/h to and including 1,750,000 Btu/h 33.50
11. For the installation or relocation of each boiler or refrigeration compressor over 50 horsepower, or each absorption system over 1,750,000 Btu/h 56.00
12. For each air-handling unit to and including 10,000 cubic feet per minute, including ducts attached thereto 6.50
13. For each air-handling unit over 10,000 cfm 11.00
14. For each evaporative cooler other than portable type 6.50

15. For each ventilation fan connected to a single duct 4.50
16. For each ventilation system which is not a portion of any heating or air-conditioning system authorized by a permit 6.50
17. For the installation of each hood which is served by mechanical exhaust, including the ducts for such hood 6.50
18. For the installation or relocation of each domestic-type incinerator 11.00
19. For the installation or relocation of each commercial or industrial-type incinerator 45.00
20. For each appliance or piece of equipment regulated by this code but not classed other appliance categories, or for which no other fee is listed in this code 6.50
21. ~~When Appendix B, Chapter 13 is applicable (see Section 103), permit fees for fuel-gas piping shall be as follows per lineal foot:~~
- Less than 100' 5.00
- 101' to 300' 10.00
- Over 300' per each 100'-over 5.00
22. For the installation of or relocation of each:
- Oil storage tank, including vent and flammable or combustible liquid tank, or LP gas tank \$50.00
23. Conversion burner 9.00
24. Gas log lighter 6.50
25. Spa heater 6.50
26. Gas range 3.00
27. Gas BBQ 3.00
28. Gas or electric dryer 6.50
29. Wood burning stove, insert masonry fireplace, or factory-built "Zero Clearance" fireplace 10.00
- Other Inspections and Fees:
1. Inspections outside of normal business hours, per hour (minimum charge-two hours) 30.00
2. Reinspection fees assessed under provisions of Section 116.6, per inspection 30.00
3. Inspection for which no fee is specifically indicated, per hour (minimum charge-one-half hour) 30.00
4. Additional plan review required by changes, additions or revisions to plans or to plans for which an initial review has been completed (minimum charge-one-half hour) 30.00

Section 10. KMC Chapter 21.28, the Uniform Code for the Abatement of Dangerous Buildings is hereby amended by the repeal of Section 21.28.020, which has been replaced, and by the amendment of Section 21.28.010 to read as follows:

21.28.010 Adoption.

The Uniform Code for the Abatement of Dangerous Buildings issued by the International Conference of Building Officials, ~~1994~~ 1997 Edition, together with amendments and/or additions thereto, is

adopted in its entirety by this reference as the dangerous building code for the city.

Section 11. The following sections of KMC Chapter 21.32, the Uniform Fire Code, are hereby amended to read as follows:

21.32.010 Fire code adopted.

The Uniform Fire Code, issued by the International Fire Code Institute, International Conference of Building Officials and the Western Fire Chiefs Association, 1994- 1997 Edition, together with amendments and/or additions thereto, is adopted in its entirety including Appendix Chapter Nos. II B (Protection of Flammable or Combustible Liquids in Tanks in Locations that may be Flooded) and II F (Protected Aboveground Tanks for Motor Vehicle Fuel-Dispensing Stations Outside Buildings) and Appendix II J (Storage of Flammable and Combustible Liquids in Tanks Located Within Below-Grade Vaults) by this reference as part of the fire code for the city.

21.32.060 Open burning prohibited-UFC Section ~~41.203~~ 1102.3 and UFC Section 105.8.o.1 deleted.

Open burning is prohibited year round within the City of Kirkland.

Exception: Recreational fires as defined in the UFC Section 219, not contained in an incinerator, outdoor fireplace, barbecue grill or barbecue pit and with a total fuel area of three feet or less in diameter and two feet or less in height for pleasure, religious, ceremonial, cooking or similar purposes. A permit is not required.

Section 12. KMC Chapter 21.32 is further amended by the repeal of Section 21.32.140, which has been replaced, and by the addition of new sections to read as follows:

21.32.160 UFC Section 105.8 amended. Permit Required. Underground Combustible Liquid Tank.

The City of Kirkland will not require a permit for the abandonment or removal of underground storage tanks previously used to store fuel oil for residential heating. It is up to the property owner to make the decision on how to proceed with abatement.

21.32.170 UFC Section 5201.1 Scope.

WAC 51-44-5200 Article 52--Motor vehicle fuel-dispensing stations-- provides an exception where Class II or III liquids may be transferred from tank vehicles into fuel tanks of motor vehicles, when approved by the chief. The City of Kirkland does not permit the operation of fleet fueling, also known as wet hosing or wet fueling. Case by case review of sites may allow for granting a temporary permit under special conditions.

Section 13. The following sections of KMC Chapter 21.33, Fire Extinguishing Systems, are hereby amended to read as follows:

21.33.030 Scope.

(a) General.

(1) The provisions of this chapter shall apply to new buildings and to existing buildings that are expanded beyond the limits set forth in this chapter. All fire-extinguishing systems required by this chapter shall be installed in accordance with the requirements of this chapter.

(2) Fire hose threads used for connection to fire-extinguishing systems by the fire department shall be National Standard Hose Threads (NST).

(3) In buildings used for high-piled combustible storage, fire protection shall be in accordance with Article 81, Uniform Fire Code, ~~1994~~ 1997 Edition.

(4) The occupancy classifications used in this chapter are the same as those used in the building code adopted by reference in this title.

(b) Approvals. All fire-extinguishing systems including automatic sprinkler systems, combined systems, and special automatic extinguishing systems shall be approved and shall be subject to such periodic tests as may be required by the fire chief. The location of all fire department hose connections shall be approved by the fire chief. The connection to a public water supply and cross-connection control shall be approved by the appropriate water purveyor.

21.33.060 Automatic fire-extinguishing systems.

(a) Where Required. An automatic fire-extinguishing system shall be installed in all structures as set forth in this section and Section 1003.2.1 through Section 1003.2.8 of the ~~1994~~ 1997 Uniform Fire Code and ~~1994~~ 1997 Uniform Building Code Sections 904.2.1 through 904.2.8 as amended and adopted by the State of Washington. For the purposes of this section an area separation or occupancy separation wall shall not constitute a separation between two structures.

EXCEPTIONS:

(1) One area separation wall without openings therein may be utilized in duplexes, apartment houses and condominiums; provided, that the total area of the combined structures does not exceed twelve thousand square feet.

(2) One area separation wall may be utilized in office buildings; provided, that openings are limited to one fire-rated, side-hinged, automatic closing door per floor, and one duct equipped with a combination fire/smoke damper; and further provided, that the total area of the combined structures does not exceed twelve thousand square feet. If openings are provided, they must be located within a corridor. No other openings are permitted in the area separation wall.

(b) All Occupancies. An automatic sprinkler system shall be installed in the following buildings or structures:

(1) In all buildings where the aggregate area of all floor and basements is greater than six thousand square feet except as

otherwise specified in this chapter. See Section 21.33.060 Exception No. 2 for allowable increases in office buildings.

EXCEPTION: Open-air grandstands and bleachers without combustible members and which include no used space beneath;

(2) In all buildings four or more stories in height. For the purpose of this section, a story shall be defined as that portion of a building included between the upper surface of any floor and the surface of the next floor or roof above;

(3) When it is determined by the fire chief that access for fire department or fire flow is not adequate;

(4) Throughout every residential building ~~single-family dwelling or duplex~~ where the aggregate area of all floors and basements is greater than seven thousand square feet. See Section 21.33.060 Exception No. 1 for allowable increases;

~~(5) Throughout every apartment house where the aggregate area of all floors and basements is greater than seven thousand square feet or containing more than six dwelling units and every hotel three or more stories in height or containing twenty or more guest rooms and in congregate residences three or more stories in height and having an occupant load of fifty or more. Residential sprinkler heads shall be used in the dwelling unit and guest room portions of the building. See Section 21.33.060 Exception No. 1 for allowable increases.~~

~~For the purposes of this section condominiums shall be treated as apartments.~~

~~For the purpose of this section, the floor area of basements or first stories of Type I construction which are separated from the building above with a three-hour occupancy separation and utilized exclusively for the parking and storage of private or pleasure type motor vehicles shall be excluded in the total area; provided the area below the three-hour occupancy separation does not exceed six thousand square feet. This area shall not be limited if fully sprinklered;~~

~~(6)(5)~~ In Group E-1 occupancies as required by WAC 51-24-10507 ~~(e) 51-40-0904.2.4.1;~~

~~(7)(6)~~ All buildings or structures supported by piers or piling which extend over water.

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

~~(8)(7)~~ Structures utilized exclusively as agricultural buildings of Type I or II construction where the aggregate area of all floors and basements is greater than twelve thousand square feet which shall include the following uses:

- a. Storage of livestock and poultry,
- b. Riding arenas without viewing stands,
- c. Horticultural structures such as greenhouses;

~~(9)(8)~~ Other buildings and/or structures as specified in rules promulgated by the fire chief.

21.33.080 Permissible sprinkler omissions.

Subject to the approval of the fire chief, sprinklers may be omitted in rooms or areas as indicated in Section 1003.4 of the Uniform Fire Code, 4994 1997 Edition.

21.33.085 Existing buildings.

Existing buildings that would be required to install an automatic sprinkler system, if new, shall comply with this section when an addition is made to the building, or when the value of all alterations or repairs within any twenty-four-month period exceeds fifty percent of either the assessed valuation of such existing building, based on King County assessed valuation, or the value of the existing building as determined by the most current building standards as published by the International Conference of Building Officials, whichever is greater.

For the purpose of this subsection, existing buildings which utilize Section 21.33.060 Exception Nos. 1 or 2 shall not be considered as additions.

For the purposes of this subsection, the cost of such alteration or repair shall be as determined by the building official.

Any existing building required to install an automatic sprinkler system under the provisions of this section shall install such system throughout the entire building.

EXCEPTION:

Areas of existing buildings may be increased by up to twenty-five percent, not to exceed the areas permitted in Section 21.33.060(b)(1), (4), (5) or (7) (8) in additional square feet.

Existing buildings with a total area less than that specified in Section 21.33.060(b)(1), (4), (5) or (7) (8) may be increased up to the areas specified in Section 21.33.060(b)(1), (4), (5) or (7) (8) and twenty-five percent in additional area.

This exception shall be used one time only and acknowledgment of its use shall be recorded to run with the property title prior to permit issuance.

Section 14. KMC Chapter 21.40, Swimming Pools, is hereby amended by the addition of a new Section 21.40.005 and by the amendment of Section 21.40.020 to read as shown below:

21.40.005 Swimming Pool - defined

Any structure intended for swimming or recreational bathing that contains water over 18 inches deep. This includes in-ground, aboveground and on-ground swimming pools; hot tubs; portable and nonportable spas; and fixed-in-place wading pools.

21.40.020 Fence exceptions-Inaccessibility.

The requirements of this chapter relating to a fence or other solid structure surrounding a swimming pool on all sides may be waived when: ~~to the extent that the~~

1. Topographical features of the land upon which the pool is constructed or is proposed to be constructed are such as to make the land inaccessible and unapproachable from any portion thereof which is unfenced and unenclosed.

2. Hot tubs or spas are provided with a solid lockable cover when serving a single family residence or an individual unit of a multi-family residence.

Section 15. The following sections of KMC Chapter 21.44, Moving Buildings, are hereby amended to read as follows:

21.44.050 Permit-Application-Deposits and fees.

(a) Every applicant before being granted a permit shall pay an application filing fee of ten dollars.

(b) 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 twenty-five 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.

(c) An application hereunder shall be accompanied by the following:

(1) A cash deposit or corporate surety bond in the sum of ~~one~~ 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;

(2) A public liability insurance policy providing ~~one~~ two hundred fifty thousand 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; and

(3) A cash deposit or a corporate surety performance bond in the sum of five hundred 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 hundred 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.

21.44.060 Permit-Conditions for granting.

As a condition of securing the permit for a Class I or II move:

- (1) The permittee shall furnish the city with a set of plans and specifications for the completed building to include a plot plan prepared by a registered engineer or land surveyor from the state of Washington showing in detail the placement of the proposed structure upon the lot within the city; and
- (2) The permittee shall, prior to making application for such permit or within ten days after making such application cause all of the interior or exterior walls, ceiling or flooring to be removed to such extent as may be necessary to permit the building official to examine the materials and type of construction of such building to ascertain whether it will comply with the existing building code and other applicable ordinances in the city; and
- ~~(3) The permittee shall obtain certified statements of inspection and present to the building official from the Seattle-King County department of public health relating to plumbing, and the Department of Labor and Industries, Electrical Inspection Division, state of Washington, relating to electrical, to certify that such electrical and plumbing facilities of the building meet the minimum applicable code requirements. Such statements of inspection shall be presented to the building official within the ten day period referenced in subsection (2) above. All buildings involved in a Class I or II move shall meet all minimum standards for plumbing and electrical facilities or shall be improved to such code standards prior to a permit being issued by the city.~~

Section 16. Section 21.70.115 of the Electric Code is hereby amended to read as follows:

21.70.115 Ground fault circuit interrupter (GFCI) protection for personnel.

All one hundred twenty-five-volt single-phase, fifteen- and twenty-ampere receptacles installed outside of buildings and or within six feet of a sink, other fixed water sources or other areas used or intended to be used under wet or damp conditions shall have GFCI protection.

Exception: A single receptacle or a duplex receptacle for two appliances located within dedicated space for each appliance that in normal use is not easily moved from one place to another, and that is cord- and plug-connected in accordance with National Electrical Code Section 400-7(a)(6), (a)(7), or (a)(8).

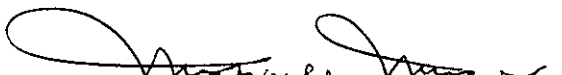
Section 17. If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance, or the application of the provision to other persons or circumstances is not affected.

Section 18. This ordinance shall be in force and effect July 1, 1998, which is more than five days after its passage by the Kirkland


City Council and publication pursuant to Section 1.08.107, Kirkland Municipal Code in the summary form attached to the original of this ordinance and by this reference approved by the City Council

Passed by majority vote of the Kirkland City Council in regular, open meeting this 19th day of May, 1998.


Signed in authentication thereof this 19th day of May, 1998.


MAYOR

Attest:


Deputy City Clerk

Approved as to Form:


City Attorney

ord/97bldg

PUBLICATION SUMMARY
OF ORDINANCE NO. 3635

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO KIRKLAND MUNICIPAL CODE (KMC) TITLE 21, THE KIRKLAND BUILDING CODE.

SECTION 1. Amends KMC Section 21.04.010, including amendments to make the 1997 editions of various uniform codes part of the Kirkland Building Code.

SECTIONS 2 - 4. Amend KMC Chapter 21.08 by: repealing a section which has expired; adding new sections relating to when a permit is required; and revising Sections 21.08.010, 21.08.017, 21.08.030, 21.08.120, and 21.08.225.

SECTION 5. Updates KMC Chapter 21.12 due to adoption of the 1997 codes.

SECTION 6. Updates KMC Section 21.16.010.

SECTIONS 7 - 8. Make changes to KMC Chapter 21.20 to update it in conjunction with adoption of the 1997 Uniform Plumbing Code.

SECTION 9. Makes changes to KMC Chapter 21.24 to update it consistent with adoption of the 1997 Uniform Mechanical Code.

SECTION 10. Makes changes to KMC Chapter 21.28 to update it consistent with adoption of the 1997 Uniform Code for the Abatement of Dangerous Buildings.

SECTIONS 11 - 12. Makes changes to KMC Chapter 21.32 due to adoption of the 1997 Uniform Fire Code and also to address fuel tanks.

SECTION 13. Amends KMC Chapter 21.33 consistent with adopting the 1997 Uniform Codes.

SECTION 14. Amends KMC Chapter 21.40 by adding a definition of swimming pool and by adding an exception relating to hot tubs.

SECTION 15. Amends KMC Chapter 21.44 by deleting some requirements relating to moving buildings and increasing insurance and security requirements for a moving buildings permit.

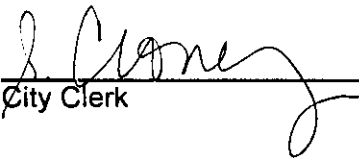
SECTION 16. Amends KMC Section 21.70.115.

SECTION 17. Provides a severability clause.

SECTION 18. Establishes the effective date as July 1, 1998 and 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 regular meeting on the 19th day of May, 1998.

I certify that the foregoing is a summary of Ordinance 3635 approved by the Kirkland City Council for summary publication.


Deputy City Clerk

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