

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO MODIFICATIONS TO TITLE 21 OF THE KIRKLAND MUNICIPAL CODE REGARDING BUILDING AND CONSTRUCTION.

The City Council of the City of Kirkland do ordain as follows:

Section 1. Kirkland Municipal Code Section 21.04.010 is hereby amended to read as follows:

21.04.010 Copies of codes on file.

(a) Pursuant to state law (Chapters 19.27 and 19.27A RCW), 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) International Building Code, issued by the International Code Council, Inc., ~~2003~~ 2006 Edition;
- (2) International Residential Code, issued by the International Code Council, Inc., ~~2003~~ 2006 Edition;
- (3) International Mechanical Code, issued by the International Code Council, Inc., ~~2003~~ 2006 Edition;
- (4) International Fire Code, issued by the International Code Council, Inc., ~~2003~~ 2006 Edition;
- (5) Uniform Plumbing Code, issued by the International Association of Plumbing and Mechanical Officials, ~~2003~~ 2006 Edition;
- (6) National Fuel Gas Code (NFPA 54), issued by the National Fire Protection Association, ~~2002~~ 2006 Edition;
- (7) Liquefied Petroleum Gas Code (NFPA 58), issued by the National Fire Protection Association, ~~2001~~ 2004 Edition;
- (8) International Fuel Gas Code, issued by the International Code Council, Inc., ~~2003~~ 2006 Edition;
- (9) Uniform Housing Code, issued by the International Conference of Building Officials, 1997 Edition;
- (10) Uniform Code for the Abatement of Dangerous Buildings, issued by the International Conference of Building Officials, 1997 Edition;
- (11) National Electrical Code, issued by the National Fire Protection Association, 2005 Edition;
- (12) All amendments, supplements, modifications, exclusions, exemptions and additions to the codes identified in subsections (a)(1) through (8) of this section adopted by the Washington State Building Code Council and published in WAC Title 51, including, but not by way of limitation, Chapters 51-11, 51-13, 51-50, 51-51, 51-52, 51-54, 51-56 and 51-57 WAC.

(b) 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. Kirkland Municipal Code Chapter 21.06 is hereby amended to read as follows:

Chapter 21.06

CONSTRUCTION ADMINISTRATIVE CODE

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Article I. ~~Section 101~~ General**21.06.010 Title.**

These regulations shall be known as the construction administrative code of the city of Kirkland, hereinafter referred to as "this code chapter."

21.06.015 Purpose. The purpose of this chapter is to provide for the administration, organization and enforcement of the technical codes adopted by the city.

21.06.020 Scope.

(a) This code 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 code shall apply to the administration of the technical codes as adopted by the state of Washington and as listed:

- (1) ~~2003~~ 2006 International Building Code—Chapter 51-50 WAC;
- (2) ~~2003~~ 2006 International Residential Code—Chapter 51-51 WAC;
- (3) ~~2003~~ 2006 International Mechanical Code—Chapter 51-52 WAC;
- (4) ~~2002~~ 2006 National Fuel Gas Code (NFPA 54)—Chapter 51-52 WAC;
- (5) 2005 National Electrical Code;
- (6) ~~2001~~ 2004 Liquefied Petroleum Gas Code (NFPA 58)—Chapter 51-52 WAC;

(7) ~~2003~~ 2006 International Fuel Gas Code—Chapter 51-52 WAC;

(8) ~~2003~~ 2006 Uniform Plumbing Code—Chapters 51-56 and 51-57 WAC.

~~(b) The provisions of this code shall not apply to work located primarily in a public way, public utility towers and poles and hydraulic flood control structures; however, this shall not apply to electrical work.~~

~~(c) The provisions of this code shall not apply to 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.~~

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 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 building" means a building erected prior to the adoption of this code, or one for which a legal building permit has been issued and ~~approved~~ finalized.

(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, firefighting, 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) "Dangerous building code" means the 1997 Uniform Code for the Abatement of Dangerous Buildings promulgated by the International Council of Building Officials as adopted by the jurisdiction.

(6) "Energy code" means the Washington State Energy Code promulgated by the Washington State Building Code Council as adopted by the city.

(7) "Housing code" means the 1997 Uniform Housing Code promulgated by the International Council of Building Officials as adopted by the city.

(8) "IBC" means the latest edition of the International Building Code promulgated by the International Code Council as adopted by the city.

(9) "IMC" means the latest edition of the International Mechanical 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) "NEC" means the latest edition of the National Electrical Code promulgated by the National Fire Protection Association as adopted by the city.

(12) "Occupancy" means the purpose for which a building, or part thereof, is used or intended to be used.

(13) "Shall," as used in this chapter, is mandatory.

(14) "Technical codes" are the codes, appendices and referenced code standards adopted by the jurisdiction.

(15) "UPC" means the latest edition of the Uniform Plumbing Code promulgated by the ~~International Conference of Building Officials~~ International Association of Plumbing and Mechanical Officials as adopted by this jurisdiction.

(16) "Valuation" or "value," ~~as applied to a building or building service equipment, means and shall be the estimated cost to replace the building and its building service equipment in kind, based on current replacement costs. It shall also include the contractor's overhead and profit,~~ used in computing the plan review and permit (inspection) fees, means the total value of all construction work, including labor and materials, 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.

(17) "VIAQ" means the Washington State Ventilation and Indoor Air Quality Code promulgated by the Washington State Building Code Council, as adopted by the jurisdiction.

21.06.030 Appendices.

Provisions in the appendices of the technical codes shall not apply unless specifically adopted.

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 structural strength, means of egress facilities, stability, sanitation, adequate light and ventilation, energy conservation, and safety to life and property from fire and other hazards attributed to the built environment and to provide safety to firefighters and emergency responders during emergency operations.

21.06.040 Referenced codes.

The codes listed in Sections 21.06.045 through 21.06.085 and referenced elsewhere in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference.

21.06.045 International Building Code.

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 shall comply with the International Residential Code.

21.06.050 International Residential Code.

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 and multiple single-family dwellings (townhouses) not more than three stories in height with separate means of egress and their accessory structures.

21.06.055 Mechanical.

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.

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.

21.06.060 Liquid propane gas.

The provisions of the National Fuel Gas Code and Liquid Petroleum Gas Code (NFPA 54 and 58) shall apply to the installation of all materials and equipment utilizing liquid propane gas.

21.06.065 Natural gas.

The provisions of the International Fuel Gas Code shall apply to the installation of all materials and equipment utilizing natural gas except those regulated by the International Residential Code.

21.06.070 Plumbing.

The provisions of the 2003 Uniform Plumbing Code shall apply to the erection, installation, alteration, repair, relocation, and replacement, addition to, use or maintenance of plumbing and medical gas systems within the City, including equipment, appliances, fixtures, fittings and appurtenances, and where connected to a water or sewage system and all aspects of a medical gas system.

21.06.075 Energy.

The provisions of the Washington State Energy Code shall apply to all matters governing the design and construction of buildings for energy efficiency.

21.06.080 Ventilation and indoor air quality.

The provisions of the Washington State Ventilation and Indoor Air Quality Code shall apply to all matters governing the design and construction of buildings for ventilation and indoor air quality.

21.06.085 Electrical.

The provisions of the 2005 National Electrical Code (NEC) shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto.

Article II. ~~Section 102~~ Applicability**21.06.090 General.**

Where, in any specific case, different sections of this code specify different materials, methods of construction or other requirements, the most restrictive shall govern except that the hierarchy of the codes named in Chapter 19.27 RCW shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

21.06.095 Other laws.

The provisions of this code shall not be deemed to nullify any provisions of local, state or federal law.

21.06.100 Application of references.

References to chapter or section numbers, or to provisions not specifically identified by number, shall be construed to refer to such chapter, section or provision of this code.

21.06.105 Referenced codes and standards.

The codes and standards referenced in ~~this~~ the technical codes shall be considered part of the requirements of ~~this~~ those codes to the prescribed extent of each such reference. Where differences occur between provisions of ~~this~~ the technical codes and referenced codes and standards, the provisions of ~~this~~ the technical codes shall apply.

21.06.110 Partial invalidity.

In the event that any part or provision of this code or a technical code is held to be illegal or void, this shall not have the effect of making void or illegal any of the other parts or provisions.

21.06.115 Existing structures.

The legal occupancy of any structure existing on the date of adoption of ~~this~~ the technical codes shall be permitted to continue without change, except as is specifically covered in this code, the *International Fire Code*, or as is deemed necessary by the building official or fire official for the general safety and welfare of the occupants and the public.

Article III. ~~Section 103~~ Building Department**21.06.120 Creation of enforcement agency.**

The building department is hereby created and the official in charge thereof shall be known as the building official.

21.06.125 Appointment.

The building official shall be appointed by the chief appointing authority of the jurisdiction.

21.06.130 Deputies.

In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the appointing authority, the building official shall have the authority to appoint a deputy building official, the related technical officers, inspectors, plan examiners and other employees. Such employees shall have powers as delegated by the building official.

Article IV. Section 104 Duties and Powers of Building Official**21.06.135 General.**

The building official is hereby authorized and directed to enforce the provisions of this chapter and the technical codes. The building official shall have the authority to render interpretations of this chapter and the technical codes and to adopt policies and procedures in order to clarify the application of their provisions. Such interpretations, policies and procedures shall be in compliance with the intent and purpose of this chapter and the technical codes. Such policies and procedures shall not have the effect of waiving requirements specifically provided.

21.06.140 Applications and permits.

The building official shall receive applications, review construction documents and issue permits for the erection, alteration, demolition and moving of buildings, structures and building service equipment, inspect the premises for which such permits have been issued and enforce compliance with the provisions of chapter and the technical codes.

21.06.145 Notices and orders.

The building official shall issue all necessary notices or orders to ensure compliance with this chapter and the technical codes.

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.

21.06.155 Identification.

The building official shall carry proper identification when inspecting structures or premises in the performance of duties under this chapter and the technical codes.

21.06.160 Right of entry.

Where it is necessary to make an inspection to enforce the provisions of this chapter and the technical codes, or where the building official has reasonable cause to believe that there exists in a structure or upon a premises a condition which is contrary to or in violation of this chapter and the technical codes which makes the structure or premises unsafe, dangerous or hazardous, the building official is authorized to enter the structure or premises at reasonable times to inspect or to

perform the duties imposed by this chapter and the technical codes; provided, that if such structure or premises be occupied that credentials be presented to the occupant and entry requested. If such structure or premises is unoccupied, the building official shall first make a reasonable effort to locate the owner or other person having charge or control of the structure or premises and request entry. If entry is refused, the building official shall have recourse to the remedies provided by law to secure entry.

21.06.165 Department records.

The building official shall keep official records of applications received, permits and certificates issued, fees collected, reports of inspections, and notices and orders issued. Such records shall be retained in the official records for the period required for retention of public records.

21.06.170 Liability.

The building official or employee charged with the enforcement of this chapter and the technical codes, while acting for the jurisdiction in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered liable personally and is hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties. Any suit instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by legal representative of the jurisdiction until the final termination of the proceedings. The building official or any subordinate shall not be liable for cost in any action, suit or proceeding that is instituted in pursuance of the provisions of this code and the technical codes.

21.06.175 Approved materials and equipment.

Materials, equipment and devices approved by the building official shall be constructed and installed in accordance with such approval.

21.06.180 Used materials and equipment.

The use of used materials and building service equipment is permitted when approved by the *building official*.

21.06.185 Modifications.

Wherever there are practical difficulties involved in carrying out the provisions of this chapter and the technical codes, the building official shall have the authority to grant modifications for individual cases, upon application of the owner or owner's representative, provided the building official shall first find that special individual reason makes the strict letter of ~~this~~ the code impractical and the modification is in compliance with the intent and purpose of this chapter and the technical codes and that such modification does not lessen health, accessibility, life and fire safety, or structural requirements. The details of action granting modifications shall be recorded and entered in the files of the department. The building official is authorized to charge an additional fee to evaluate any proposed modification under the provisions of this section.

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. An alternative material, design or method of construction 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, at least the equivalent of that prescribed in the technical codes in quality, strength, effectiveness, fire resistance, durability and safety. The building official is authorized to charge an additional fee to evaluate any proposed alternate under the provisions of this section.

21.06.195 Research reports.

Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in technical codes, shall consist of valid research reports from approved sources.

21.06.200 Tests.

Whenever there is insufficient evidence of compliance with the provisions of this chapter and the technical codes, or evidence that a material or method does not conform to the requirements of the technical codes, or in order to substantiate claims for alternative materials or methods, the building official shall have the authority to require tests as evidence of compliance to be made at no expense to the jurisdiction. Test methods shall be as specified in technical codes or by other recognized test standards. In the absence of recognized and accepted test methods, the building official shall approve the testing procedures. Tests shall be performed by an approved agency. Reports of such tests shall be retained by the building official for the period required for retention of public records.

Article V. ~~Section 105~~ Permits**21.06.205 Required.**

Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code or one of the technical codes, or to cause any such work to be done, shall first make application to the building official and obtain the required permit, ~~a~~ A separate permit is required for each building or structure.

Exception: when deemed appropriate by the building official, accessory buildings and structures may be included under the permit of the main building or structure.

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(A).
 - (C) NEC, Class 3 circuits powered by a Class 3 power supply as defined in NEC 725.41(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.

21.06.215 Work exempt from permit.

Exemptions from 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~~ the technical codes or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following:

- (1) Building.
 - (A) One-story detached accessory structures used as tool and storage sheds, tree-supported play structures, playhouses and similar uses, provided the floor area does not exceed ~~two~~ one hundred ~~and twenty~~ square feet (~~11.15 square meters~~).
 - (B) Fences not over six feet (~~one thousand eight hundred twenty nine millimeters~~) high.
 - (C) Oil derricks.
 - (D) Retaining walls which are not over four feet (~~one thousand two hundred nineteen millimeters~~) 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 (~~eighteen thousand nine hundred twenty five liters~~) and the ratio of height to diameter or width does not exceed two to one.
 - ~~(F) Sidewalks, decks and driveways not more than thirty inches (seven hundred sixty two millimeters) above grade and not over any basement or story below and which are not part of an accessible route or means of egress.~~
 - (F) Sidewalks and driveways associated with residential buildings constructed under the provisions of the IRC.
 - (G) Decks, associated platforms and steps accessory to residential buildings constructed under the provisions of the IRC which are not more than 30 inches above adjacent grade and not over any basement or story below.

- ~~(G)~~-(H) In-kind re-roofing of one- and two-family dwellings, provided the roof sheathing is not removed or replaced.
- ~~(H)~~-(I) Painting, nonstructural wood or vinyl siding, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
- ~~(I)~~-(J) Temporary motion picture, television and theater stage sets and scenery.
- ~~(J)~~-(K) Prefabricated swimming pools accessory to a one- and two-family dwelling, which are less than twenty-four inches ~~(six hundred ten millimeters)~~ deep, do not exceed five thousand gallons ~~(eighteen thousand nine hundred twenty five liters)~~ and are installed entirely above ground.
- ~~(K)~~-(L) Shade cloth structures constructed for nursery or agricultural purposes and not including service systems.
- ~~(L)~~-(M) Swings, slides and other similar playground equipment.
- ~~(M)~~-(N) Window awnings supported by an exterior wall of one- and two-family dwellings which do not project more than fifty-four inches ~~(one thousand three hundred seventy two millimeters)~~ from the exterior wall and do not require additional support.
- (O) Like for like replacement of windows in an IRC structure.
- ~~(N)~~-(P) Non-fixed and movable cases, counters and partitions not over five feet, nine inches ~~(one thousand seven hundred fifty three millimeters)~~ in height.
- ~~(O)~~-(Q) Satellite earth station antennas six and one-half feet ~~(two meters)~~ or less in diameter or diagonal in zones other than residential zones.
- ~~(P)~~-(R) Satellite earth station antennas three and one-quarter feet ~~(one meter)~~ or less in diameter in residential zones.
- ~~(Q)~~-(S) Video programming service antennas three and one-quarter feet ~~(one meter)~~ or less in diameter or diagonal dimension, regardless of zone.
- (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) Telecommunications Systems—outlet installations within individual dwelling units;
- ~~(i) Telecommunications outlet installations within the individual dwelling units of group R-1 and R-2 occupancies as defined by the building code;~~
- ~~(ii) All telecommunications installations within R-3 and R-4 occupancies as defined in the building code;~~

~~(iii) The installation or replacement of cord and plug connected telecommunications equipment or for patch cord and jumper cross-connected equipment;~~

(J) Listed wireless security systems where power is supplied by a listed Class 2 plug-in transformer installed in within dwelling units ~~R-3 and R-4 occupancies~~;

(K) 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;

(L) Portable generators rated at four thousand watts or less;

(M) Travel trailers;

(N) Like-in-kind replacement of a: contactor, relay, timer, starter, circuit board, 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 code.

(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 ~~(4.54 kg)~~ or less of refrigerant and actuated by motors of one horsepower ~~(seven hundred forty six W)~~ 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 procured and inspection made as provided in this code.

(B) The clearing of stoppages.

(C) Reinstallation or replacement of prefabricated fixtures that do not involve or require the replacement or rearrangement of valves or pipes.

21.06.220 Emergency repairs.

Where equipment replacements and equipment repairs must be performed in an emergency situation, the permit application shall be submitted within the next working business day to the building official.

21.06.225 Repairs.

Application or notice to the building official is not required for ordinary repairs to structures. Such repairs shall not include the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or load-bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the egress requirements; nor shall ordinary repairs include addition to, alteration of, replacement or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electric wiring or mechanical or other work affecting public health or general safety.

21.06.230 Application for permit.

~~To obtain a permit, the applicant shall first file a complete application therefor in writing on a form furnished by the building department for that purpose. Such application shall:~~

- ~~(1) Identify and describe the work to be covered by the permit for which application is made.~~
- ~~(2) Describe the land on which the proposed work is to be done by legal description, street address or similar description that will readily identify and definitely locate the proposed building or work.~~
- ~~(3) Indicate the use and occupancy for which the proposed work is intended.~~
- ~~(4) Be accompanied by construction documents and other information as required in Sections 21.06.270 through 21.06.355.~~
- ~~(5) State the valuation of the proposed work.~~
- ~~(6) Be signed by the applicant, or the applicant's authorized agent.~~
- ~~(7) As much information as is required to provide an accurate environmental disclosure pursuant to Title 24 of this code.~~
- ~~(8) Give such other data and information as required by the building official.~~

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 building department for that purpose. Such application shall include:

- (A) A description of the work to be covered by the permit for which application is made.
 - (B) The use and occupancy for which the proposed work is intended.
 - (C) A legal description of the property upon which the project is located.
 - (D) The street address of the property.
 - (E) The tax parcel number.
 - (F) The property owner's name, address, and phone number.
 - (G) The prime contractor's business name, address, phone number, current state contractor registration number.
 - (H) The valuation of the proposed work.
 - (I) Proof of a potable water supply for buildings requiring potable water.
 - (J) 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.
- (K) For projects valued at over \$5,000, either:
 - (1) The name, address and phone number of the office of the lender administering the interim construction financing, if any; or

(2) 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.

21.06.235 Complete application.

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

~~(b) The requirements for a fully complete building permit application include compliance with Section 21.06.230 and RCW 19.27.097 (which relates to water supply); provided, that for any construction project costing more than five thousand dollars the following shall also be required: (1) The legal description, or the tax parcel number assigned pursuant to RCW 84.40.160, and the street address if available, and may include any other identification of the construction site by the prime contractor;~~

~~(2) The property owner's name, address, and phone number;~~

~~(3) The prime contractor's business name, address, phone number, current state contractor registration number; and~~

~~(4) 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 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 as soon as the applicant can reasonably obtain such information.~~

~~(C) The requirements for a fully complete building permit application include a consent statement of the property owner to confirm dedication of rights-of-way which abut the subject property, if any are shown as such on city, county or plat maps, and to verify the designation of public road easements as rights-of-way.~~

21.06.240 Action on application.

(A) The building official shall examine or cause to be examined applications for permits and amendments thereto within a reasonable time after filing. If the application or the construction documents do not conform to the requirements of pertinent laws, the building official shall reject such application in writing, stating the reasons therefor. If the building official is satisfied that the

proposed work conforms to the requirements of this code and laws and ordinances applicable thereto, the building official shall issue a permit therefor as soon as practicable.

(B) Revisions to the submittal documents, not requested by the City, may be accepted by the City, however the revisions may result in additional fees being assessed. Substantial revisions may require a new permit application be submitted as determined by the building official.

21.06.245 Time limitation of application.

~~(a) Applications for which no permit is issued within one year 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 in accordance with state law by the building official. The building official may extend the time for action by the applicant for a period not exceeding one hundred eighty days.~~

~~(b) Applications may be canceled for inactivity if an applicant fails to respond to the department's written request for revisions, corrections, actions or additional information within ninety days of the date of request. The building official may extend the response period beyond ninety days if within the original ninety-day time period the applicant provides and subsequently adheres to an approved schedule with specific target dates for submitting the full revisions, corrections or other information needed by the department.~~

~~(c) The building official may extend the life of an application if any of the following conditions exist:~~

~~(1) Compliance with the State Environmental Policy Act is in progress; or~~

~~(2) Any other city review is in progress; provided, the applicant has submitted a complete response to city requests or the building official determines that unique or unusual circumstances exist that warrant additional time for such response, and the building official determines that the review is proceeding in a timely manner toward final city decision; or~~

~~(3) Litigation against the city or applicant is in progress, the outcome of which may affect the validity or the provisions of any permit issued pursuant to such application.~~

An application for a permit for any proposed work shall expire 18 months after the date of filing.

21.06.250 Validity of permit.

The issuance or granting of a permit shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or of any other ordinance of the jurisdiction. Permits presuming to give authority to violate or cancel the provisions of this code or other ordinances of the jurisdiction shall not be valid. The issuance of a permit based on construction documents and other data shall not prevent the building official from requiring the correction of errors in the construction documents and other data. The building official is also authorized to prevent occupancy or use of a structure where in violation of this code or of any other ordinances of this jurisdiction.

21.06.255 Permit Expiration.

~~(a) Every permit issued shall expire one year from the date of issuance. The building official is authorized to approve a request for an extended expiration date where a construction schedule is provided by the applicant and approved prior to permit issuance.~~

~~(b) Every permit which has been expired for less than one year may be renewed for a period of one year for an additional fee as long as no changes have been made to the originally approved plans.~~

~~For permits that have been expired for longer than one year, a new permit must be obtained and full new fees paid. No permit shall be renewed more than once.~~

~~(c) Electrical, mechanical and plumbing permits shall expire at the same time as the associated building permit except that if no associated building permit is issued, the electrical, mechanical and/or plumbing permit shall expire one hundred eighty days from issuance.~~

(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.

(B) Every LSM permit and every building permit and its associated ancillary permits issued for a commercial, educational, institutional, multi-family, public, industrial or similar structure shall expire if the work authorized on the site by such permit is not started within 180 days of the date of issuance, or if the work authorized is suspended or abandoned for a period of 180 days after the work has been started. The building official shall determine if work has been suspended or abandoned by evaluating significant progress made over any 180 day period.

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

(E) The building official may grant a 30 day extension of time for permits when only the final inspection is remaining and all other work has been approved.

21.06.260 Suspension or revocation.

The building official is authorized to suspend or revoke a permit issued under the provisions of this code wherever the permit is issued in error or on the basis of incorrect, inaccurate or incomplete information, or in violation of any ordinance or regulation or any of the provisions of this code.

21.06.265 Placement of permit.

The building permit or copy shall be kept on the site of the work until the completion of the project.

Article VI. Section 106 Construction Documents

21.06.270 Submittal Construction documents.

Construction documents, statement of special inspection and structural observation programs, and other data shall be submitted in one or more sets with each application for a permit. The construction documents shall be prepared by a registered design professional where required by the state of Washington. Where special conditions exist, the building official is authorized to require additional construction documents to be prepared by a registered design professional.

Exception: The building official is authorized to waive the submission of construction documents and other data ~~not required to be prepared by a registered design professional~~ if it is found that the nature of the work applied for is such that review of construction documents is not necessary to obtain compliance with this code.

21.06.275 Information on construction documents.

Construction documents shall be dimensioned and drawn upon suitable material. Electronic media documents are permitted to be submitted when approved by the building official. Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work

proposed and show in detail that it will conform to the provisions of this code and relevant laws, ordinances, rules and regulations, as determined by the building official.

21.06.280 Fire protection system shop drawings.

Shop drawings for the fire protection system(s) shall be submitted to indicate conformance with this code and the construction documents and shall be approved prior to the start of system installation. Shop drawings shall contain all information as required by the referenced installation standards in Chapter 9 of the IBC. Shop drawings shall be prepared by a certified individual as required by the state of Washington.

21.06.285 Means of egress.

The construction documents shall show in sufficient detail the location, construction, size and character of all portions of the means of egress in compliance with the provisions of this code. In occupancies within the scope of the International Building Code, the construction documents shall designate the number of occupants to be accommodated on every floor, and in all rooms and spaces.

21.06.290 Exterior wall envelope.

Construction documents for all buildings shall describe the exterior wall envelope in sufficient detail to determine compliance with this code. The construction documents shall provide details of the exterior wall envelope as required, including flashing, intersections with dissimilar materials, corners, end details, control joints, intersections at roof, eaves or parapets, means of drainage, water-resistive membrane and details around openings. The construction documents shall include manufacturer's installation instructions that provide supporting documentation that the proposed penetration and opening details described in the construction documents maintain the weather resistance of the exterior wall envelope. The supporting documentation shall fully describe the exterior wall system which was tested, where applicable, as well as the test procedure used. Exception: Subject to the approval of the building official, one- and two-family dwellings, and private garages may be exempt from the detailing requirements of this section.

21.06.295 Site plan.

The construction documents submitted with the application for permit shall be accompanied by a site plan showing to scale the size and location of new construction and existing structures on the site, significant trees, distances from lot lines, the established street grades and the proposed finished grades and, as applicable, flood hazard areas, floodways, and design flood elevations; and it shall be drawn in accordance with an accurate boundary line survey. In the case of demolition, the site plan shall show construction to be demolished and the location and size of existing structures and construction that are to remain on the site or plot. The building official is authorized to waive or modify the requirement for a site plan when the application for permit is for alteration or repair or when otherwise warranted.

21.06.300 ~~Electrical plans and specifications~~ construction documents.

(A) Plan review is a part of the electrical inspection process; its primary purpose is to determine that electrical loads, conductors, and equipment are calculated and sized according to the proper

NEC article or section, the classification of hazardous locations, and proper design of emergency and legally required standby systems. ~~Two sets of plans and specifications~~ construction documents shall be submitted with each application for an electrical permit for the following installations:

(1) Installations of services or feeders rated four hundred amperes or over.

Exception: ~~Plans and specifications~~ Construction documents shall not be required for one- and two-family dwellings.

(2) Installations of switches or circuit breakers rated four hundred amperes or over.

Exception: Plans and specifications shall not be required for one- and two-family dwellings.

(3) Any proposed installation which cannot be adequately described in the application form.

(4) Installation of ~~emergency electrical~~ generators greater than 4,000 watts.

Exception: ~~Plans and specifications shall not be required for one- and two-family dwellings.~~

(5) All educational, institutional, and health care or personal care occupancies classified or defined in ~~WAC 296-46B-010(14)~~ WAC 296-46B-901 (13).

~~(A) All commercial generator installations.~~

~~(B)~~ (6) All electrical installations in hazardous areas as defined by the currently adopted National Electrical Code.

21.06.315 General.

~~(B)~~ Construction documents shall be drawn to a clearly indicated and commonly accepted scale of not less than one-eighth inch to one foot, upon suitable material. Plans shall indicate the nature and extent of the work proposed and shall show in detail that the installation will conform to the provisions of this code. All electrical work shall be readily distinguishable from other mechanical work. If plans are incomplete, unintelligible or indefinite, the building official may reject or refuse to examine such plans or may require the plans to be prepared by a licensed electrical engineer, even though a plan examination fee has been paid.

21.06.305 Classification and definition.

~~(C)~~ Classification and definition of educational, institutional, health or personal care and licensed day care occupancies shall be as defined in ~~WAC 296-46B-010(14)~~ WAC 296-46B-901 (13) and is hereby adopted as part of this code.

21.06.310 Electrical engineer.

~~(D)~~ All electrical plans for the following installations shall be prepared by, or under the direction of, an ~~consulting~~ electrical engineer registered under Chapter 18.43 RCW, and Chapters 180-29, 246B-320, and 388-97 WAC. All electrical plans must bear the engineer's stamp and signature.

(1) All educational facilities, hospitals and nursing homes;

(2) All services or feeders rated one thousand six hundred amperes or larger;

(3) All installations identified in the National Electrical Code requiring engineering supervision;

(4) As required by the building official for installations which by their nature are complex, hazardous or pose unique design problems.

21.06.315 General.

~~Plans shall be drawn to a clearly indicated and commonly accepted scale of not less than one-eighth inch to one foot upon substantial paper such as blueprint quality or standard drafting paper. Plans shall indicate the nature and extent of the work proposed and shall show in detail that the installation will conform to the provisions of this code. All electrical work shall be readily distinguishable from other mechanical work. If plans are incomplete, unintelligible or indefinite, the building official may reject or refuse to examine such plans or may require the plans to be prepared by a licensed electrical engineer, even though a plan examination fee has been paid.~~

21.06.320 Required information.

~~(E) Plans and specifications~~ Construction documents shall include the following information:

- (1) The proposed use or occupancy of the various portions of the building or rooms in which the installation is to be made;
- (2) A complete riser diagram;
- (3) The calculated load schedule and demand factor selected for each branch circuit, feeder, sub-feeder, main feeder and service;
- (4) Panel and branch circuit schedules showing individual branch circuit loads, total demand load and connected load;
- (5) Fault current calculations and listed interrupting rating for each service and/or feeder;
- (6) A key to all symbols used;
- (7) Letters and numbers designating mains, feeders, branch circuits and distribution panels;
- (8) Wattage, number of sockets and type of lighting fixture;
- (9) Wattage and purpose of all other outlets;
- (10) Voltage at which the equipment will operate;
- (11) Identification of wire sizes, insulation type, conduit type and sizes;
- (12) Other information as may be required by the plans examiner.

21.06.325 Examination of documents.

~~The building official shall examine or cause to be examined the accompanying construction documents and shall ascertain by such examinations whether the construction indicated and described is in accordance with the requirements of this code and other pertinent laws or ordinances.~~

21.06.330 Use of consultants.

Whenever review of a building permit application requires retention by the jurisdiction for professional consulting services, the applicant ~~shall~~ may be required to reimburse the jurisdiction the cost of such professional consulting services. This fee shall be in addition to the normal plan review and building permit fees. The jurisdiction may require the applicant to deposit an amount with the jurisdiction estimated in the discretion of the building official to be sufficient to cover anticipated costs to retaining professional consultant services and to ensure reimbursement for such costs.

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 ~~"Approved, Subject to Field Inspection."~~ "Reviewed By" or other similar words. One set of construction documents so reviewed shall be retained by the building official. The other set shall be returned to the applicant, shall be kept at the site of work and shall be ~~open to~~ available for inspection by the building official or a duly authorized representative.

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 this 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.~~

21.06.345 Design professional in responsible charge—General.

When it is required that documents be prepared by a qualified registered design professional, the building official shall be authorized to require the owner to engage and designate on the building permit application a registered design professional who shall act as the registered design professional in responsible charge. If the circumstances require, the owner shall designate a substitute registered design professional in responsible charge who shall perform the duties required of the original registered design professional in responsible charge. The building official shall be notified in writing by the owner if the registered design professional in responsible charge is changed or is unable to continue to perform the duties. The registered design professional in responsible charge shall be responsible for reviewing and coordinating submittal documents prepared by others, including phased and deferred submittal items, for compatibility with the design of the building. Where structural observation is required by ~~Section 1709~~ Chapter 17 of the IBC, the inspection program shall name the individual or firms who are to perform structural observation and describe the stages of construction at which structural observation is to occur ~~(see also duties specified in Section 1704 of the IBC).~~

21.06.350 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. Deferral of any submittal items shall have the prior approval of the building official. The registered design professional in responsible charge shall list the deferred submittals on the construction documents for review by the building official. Documents for deferred submittal items shall be submitted to the registered design professional in responsible charge who shall review them and forward them to the building official with a notation indicating that the deferred submittal documents have been reviewed and been found to be in general conformance to the design of the building. The deferred submittal items shall not be installed until the design and submittal documents have been approved by the building official. The building official is authorized to charge an additional plan review fee to evaluate deferred submittals under the provisions of this section.

21.06.355 Amended construction documents.

Work shall be installed in accordance with the approved construction documents, and any changes made during construction that are not in compliance with the approved construction documents shall be resubmitted for approval as an amended set of construction documents. The building official may authorize minor ~~filed~~ field changes subject to the approval of the field inspector. Substantial changes may require a new permit be applied for and obtained as determined by the building official.

21.06.360 Retention of construction documents.

One set of approved construction documents shall be retained by the building official for a period of not less than one hundred eighty days from date of completion of the permitted work, or as required by state or local laws.

Article VII. ~~Section 107~~ Temporary Structures and Uses**21.06.365 General.**

The building official is authorized to issue a permit for temporary structures and temporary uses. Such permits shall be limited as to time of service, but shall not be permitted for more than one hundred eighty days. The building official is authorized to grant extensions for demonstrated cause.

21.06.370 Electrical.

(a) If the building official finds that the safety of life and property will not be jeopardized, permits may be issued for temporary electrical installations for use during the construction of buildings or for carnivals, conventions, festivals, fairs, the holding of religious services, temporary lighting of streets, or other approved uses. Permission to use such temporary installation shall not be granted for a ~~greater~~ length of time greater than ~~forty-five~~ ninety days, except that a permit for a temporary installation to be used for constructing of a building may be issued for the period of construction. Should such temporary lighting be over the street area, the proper authorization for such use of the street must first be obtained.

(b) All such temporary installations shall be made in accordance with the requirements of this code; provided, that the building official may permit deviations which will not permit hazards to life or property; and further provided, that whenever such hazards are deemed by the building official to exist, the building official may at once rescind or cancel the permit covering such installation and disconnect, or order the disconnection of all energy to such equipment.

21.06.375 Conformance.

Temporary structures and uses shall conform to the structural strength, fire safety, means of egress, accessibility, light, ventilation and sanitary requirements of this code as necessary to ensure the public health, safety and general welfare.

21.06.380 Termination of approval.

The building official is authorized to terminate such permit for a temporary structure or use and to order the temporary structure or use to be discontinued.

Article VIII. ~~Section 108~~ Fees

21.06.385 Payment of fees.

The fee for each permit shall be as set forth in Chapter 21.74, as now or hereafter amended. A permit shall not be valid until the fees have been paid, nor shall an amendment to a permit be released until the additional fee, if any, has been paid.

21.06.390 Schedule of permit fees.

On buildings, grading, structures, signs, electrical, gas, mechanical, and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the schedule as established by the Kirkland city council.

21.06.395 Plan review fees.

When submittal documents are required by ~~Section 106 of this code~~ (Article VI of this chapter), a plan review fee shall be paid at the time of submitting the submittal documents for plan review. The building official may have the option to charge a deposit, in lieu of the full plan review fee if the full amount is not known at the time. Any plan review deposit shall be applied toward the total plan review fee owed. The actual permit inspection fees and related plan review fee shall be determined upon completion of the plan review and the balance owing shall be paid at the time of permit issuance. The plan review fee shall be a separate fee from the permit fees specified in this section and are in addition to the permit fees. When submittal documents are incomplete or changed so as to require additional plan review or when the project involves deferred submittal items as defined in ~~Section 106~~ (Article VI of this chapter), an additional plan review fee shall be charged at the rate shown in Chapter 21.74 established by the Kirkland city council.

21.06.400 Building permit valuations.

The applicant for a permit shall provide an estimated permit value at time of application. The determination of value or valuation under any of the provisions of this code shall be made by the building official.

21.06.405 Work commencing before permit issuance.

Any person who commences any work on a building, structure, gas, mechanical, electrical or plumbing system before obtaining the necessary permits, unless installed under Section 21.06.220, shall be subject to a special investigation fee established by the building official that shall be in addition to the required permit fees.

21.06.410 Related fees.

The payment of the fee for the construction, alteration, removal or demolition for work done in connection to or concurrently with the work authorized by a building permit shall not relieve the applicant or holder of the permit from the payment of other fees that are prescribed by law.

21.06.415 Refunds.

The building official may authorize refunding of not more than eighty percent of the inspection fee paid when no work has been done under a permit issued in accordance with this code. The building official may authorize 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 reviewing is done. The building official shall not authorize a refunding of any fee paid except on written application filed by the original permittee not later than one hundred eighty days after the date of application.

Article IX. Section 109 Inspections**21.06.420 General.**

Construction or work for which a permit is required shall be subject to inspection by the building official and such construction or work shall remain accessible and exposed for inspection purposes until approved. Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the jurisdiction shall not be valid. It shall be the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purposes. Neither the building official nor the jurisdiction shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

21.06.425 Preliminary inspections.

Before issuing a permit, the building official is authorized to examine or cause to be examined buildings, structures and sites for which an application has been filed.

21.06.430 Manufacturer's installation instructions.

Manufacturer's installation instructions, as required by this code, shall be available on the job site at the time of inspection.

21.06.435 Required inspections.

The building official, upon notification, shall make the inspections set forth in Sections 21.06.440 through ~~21.06.495~~ 21.06.515.

21.06.440 Footing and foundation inspection.

Footing and foundation inspections shall be made after excavations for footings are complete and any required reinforcing steel is in place. For concrete foundations, any required forms shall be in place prior to inspection. ~~Materials for the foundation shall be on the job, except, where concrete is ready-mixed in accordance with ASTM C 94, the concrete need not be on the job.~~

21.06.445 Concrete slab and under-floor inspection.

Concrete slab and under-floor inspections shall be made after in-slab or under-floor reinforcing steel and building service equipment, conduit, slab insulation, piping accessories and other

ancillary equipment items are in place, but before any concrete is placed or floor sheathing installed, including the sub floor.

21.06.450 Lowest floor elevation.

In flood hazard areas, upon placement of the lowest floor, including the basement, and prior to further vertical construction, the elevation certification required in IBC Section 1612.5 or IRC Section ~~R323~~ R324 shall be submitted to the building official.

21.06.455 Exterior wall sheathing inspection.

Exterior wall sheathing shall be inspected after all wall framing is complete, strapping and nailing is properly installed but prior to being covered.

21.06.460 Roof sheathing inspection.

The roof sheathing shall be inspected after all roof framing is complete. No roof coverings shall be installed until inspections are made and approved.

21.06.465 IMC/UPC/GAS/NEC rough in inspection.

Rough in mechanical, gas piping, plumbing and electrical shall be inspected when the rough in work is complete and if required, under test. No connections to primary utilities shall be made until the rough in work is inspected and approved.

21.06.470 Frame inspection.

Framing inspections shall be made after the roof deck or sheathing, all framing, fire blocking and bracing are in place and pipes, chimneys and vents to be concealed are complete and the rough electrical, plumbing, fire suppression piping, heating wires, pipes and ducts are approved.

21.06.475 Flashing and exterior weather barrier inspection.

Flashing and exterior weather barrier inspections shall be made after flashing and weather barrier materials have been installed, but prior to any of the work being covered. Subject to the approval of the building official, periodic inspections may be made during the course of construction.

21.06.480 Lath inspection and gypsum board inspection.

Lath and gypsum board inspections shall be made after lathing and gypsum board, interior and exterior, is in place, but before any plastering is applied or gypsum board joints and fasteners are taped and finished.

Exception: Gypsum board that is not part of a fire-resistance-rated assembly or a shear assembly.

21.06.485 Fire-resistant penetrations.

Protection of joints and penetrations in fire-resistance-rated assemblies shall not be concealed from view until inspected and approved.

21.06.490 Energy efficiency inspection.

(a) Envelope.

(1) Wall Insulation Inspection. To be made after all wall insulation and air vapor retarder sheet or film materials are in place, but before any wall covering is placed.

(2) Glazing Inspection. To be made after glazing materials are installed in the building.

(3) Exterior Roofing Insulation. To be made after the installation of the roof insulation, but before concealment.

(4) Slab/Floor Insulation. To be made after the installation of the slab/floor insulation, but before concealment.

(b) Mechanical.

(1) Mechanical Equipment Efficiency and Economizer. To be made after all equipment and controls required by this code are installed and prior to the concealment of such equipment or controls.

(2) Mechanical Pipe and Duct Insulation. To be made after all pipe, fire suppression piping and duct insulation is in place, but before concealment.

(c) Lighting and Motors.

(1) Lighting Equipment and Controls. To be made after the installation of all lighting equipment and controls required by this code, but before concealment of the lighting equipment.

(2) Motor Inspections. To be made after installation of all equipment covered by this code, but before concealment.

21.06.495 Electrical.

(a) The installation, alteration or extension of any electrical system, fixtures or components for which a permit is required by this code shall be subject to inspection by the building official and such electrical systems, fixtures and components shall remain accessible and exposed for inspection purposes until approved by the building official. It shall be the duty of the permit applicant to cause the electrical systems to remain accessible and exposed for inspection purposes. The city shall not be liable for expense entailed in the removal or replacement of material required to permit inspection. When the installation of an electrical system is complete, an additional and final inspection shall be made. Electrical systems and equipment regulated by the National Electrical Code shall not be connected to the energy source until authorized by the building official.

(b) The building official may require special inspection of equipment or wiring methods where the installation requires special training, equipment, expertise, or knowledge. Where such special inspection is required, it shall be performed by an independent third party acceptable to the building official. The special inspection person/agency shall be designated and approved prior to beginning the installation of wiring or equipment. A written report from the designated special inspection agency indicating that the installation conforms to the appropriate codes and standards shall be received by the building official prior to that installation being approved. All costs for such testing and reporting shall be the responsibility of the permit holder.

(c) Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of the National Electrical Code or of other ordinances of the city. Inspections presuming to give authority to violate or cancel the provisions of the National Electrical Code or other ordinances of the city shall not be valid.

21.06.500 Reinspection.

The building official may require a structure or portions of work to be reinspected. A reinspection fee may be assessed for each inspection or reinspection when such portion of work for which the inspection was requested is not complete; or when previous corrections called for are not made; or when the approved plans and permit are not on site in a conspicuous or preapproved location; or when the building is not accessible. In instances where reinspection fees have been assessed, no additional inspection of the work shall be provided by the city until the required fees are paid.

21.06.505 Other inspections.

In addition to the inspections specified above, the building official is authorized to make or require other inspections of any construction work to ascertain compliance with the provisions of this code and other laws that are enforced by the ~~department of building~~ safety department.

21.06.510 Special inspections.

In addition to the inspections specified above, the building official is authorized to make or require special inspections for any type of work related to the technical codes by an approved agency at no cost to the jurisdiction.

21.06.515 Final inspection.

The final inspection shall be made after all work required by the building permit is completed.

21.06.520 Inspection agencies.

The building official is authorized to accept reports of approved inspection agencies, provided such agencies satisfy the requirements as to qualifications and reliability.

21.06.525 Inspection requests.

It shall be the duty of the permit holder or their duly authorized agent to notify the building official when work is ready for inspection. It shall be the duty of the permit holder to provide access to and means for inspections of such work that is required by this code.

21.06.530 Approval required.

Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the building official. The building official, upon notification, shall make the requested inspections and shall either indicate the portion of the construction that is satisfactory as completed, or notify the permit holder or his or her agent wherein the same fails to comply with this code. Any portions that do not comply shall be corrected and such portion shall not be covered or concealed until authorized by the building official.

Article X. ~~Section 110~~ Certificate of Occupancy**21.06.535 Use and occupancy.**

No building or structure shall be used or occupied, and no change in the existing occupancy classification of a building or structure or portion thereof shall be made until the building official

has issued a certificate of occupancy therefore as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction.

21.06.540 Certificate issued.

After the building official inspects the building or structure and finds no violations of the provisions of this code or other laws that are enforced by the ~~department of building~~ department safety, the building official shall issue a certificate of occupancy that contains the following:

- (1) The building permit number.
- (2) The address of the structure.
- (3) The name and address of the owner.
- (4) A description of that portion of the structure for which the certificate is issued.
- (5) A statement that the described portion of the structure has been inspected for compliance with the requirements of this code for the occupancy and division of occupancy and the use for which the proposed occupancy is classified.
- (6) The name of the building official.
- (7) The edition of the code under which the permit was issued.
- (8) The use and occupancy.
- (9) The type of construction.
- (10) The design occupant load where applicable.
- (11) If an automatic sprinkler system is provided, and whether the sprinkler system is required and for what reason.
- (12) Any special stipulations and conditions of the building permit.

Exception:

For single family dwellings and type 'U' occupancies, the sign off on the building permit inspection record by the city inspector shall serve as the certificate of occupancy.

21.06.545 Phased occupancy.

The building official is authorized to issue a phased certificate of occupancy before the completion of the entire work covered by the permit; provided, that such portion or portions shall be occupied safely. The building official is authorized to require, in addition to the completion of life safety building components, any or all accessibility components.

21.06.550 Revocation.

The building official is authorized to, in writing, suspend or revoke a certificate of occupancy ~~or completion~~ issued under the provisions of this code wherever the certificate is issued in error, or on the basis of incorrect information supplied, or where it is determined that the building or structure or portion thereof is in violation of any ordinance or regulation or any of the provisions of this code.

Article XI. ~~Section 111~~ Service Utilities

21.06.555 Connection of service utilities.

No person shall make connections from a utility, source of energy, fuel or power to any building or system that is regulated by this code for which a permit is required, until ~~released~~ approval is given by the building official.

21.06.560 Temporary connection.

The building official shall have the authority to authorize the temporary connection of the building or system to the utility source of energy, fuel or power.

21.06.565 Authority to disconnect service utilities.

The building official shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code and the codes referenced in case of emergency where necessary to eliminate an immediate hazard to life or property, or when such utility connection has been made without the required approval. The building official shall notify the serving utility, and wherever possible the owner and occupant of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnecting, the owner or occupant of the building, structure or service system shall be notified in writing, as soon as practical thereafter.

Article XII. Section 112 Appeals**21.06.570 Appeals to hearing examiner.**

Appeals of orders, decisions and determinations of the building official shall be heard and decided by the city of Kirkland hearing examiner. To the extent the codes adopted by reference in this title refer to a "board of appeals" or a "building board of appeals," those references shall be deemed to refer to the city of Kirkland hearing examiner.

21.06.572 Limitations on appeals.

An appeal under this chapter shall be based on a claim that this code or the technical codes have been incorrectly interpreted, that the provisions of this code or the technical codes do not apply or that an equally good or better form of construction, method of protection or safety is proposed.

21.06.574 When to appeal and appeal fee.

An appellant shall file a written appeal of the order, decision or determination of the building official with the Kirkland fire and building department within thirty days of the date of the decision of the building official. ~~The written appeal shall include a clear reference to the matter being appealed and a statement of the specific elements of the building official's order, decision or determination disputed by the appellant.~~ There shall not be an appeal fee for appeals of stop work orders or code enforcement orders. For all other matters, the appeal fee shall be one hundred twenty-five dollars and shall accompany the written appeal. Failure to timely file the appeal or pay the appeal fee shall result in dismissal of the appeal.

21.06.576 Contents of notice of appeal.

The appeal shall contain a clear reference to the matter being appealed and a statement of the specific elements of the building official's order, decision or determination disputed by the appellant.

21.06.578 Notice of the appeal hearing.

(a) The building official shall prepare a notice of the appeal hearing containing the following:

- (1) The file number and a brief description of the matter being appealed;
- (2) A statement of the scope of the appeal including a summary of the elements of the building official's order, decision or determination that are contested in the appeal;
- (3) The time and place of the hearing on appeal before the hearing examiner; and
- (4) A statement of who may participate in the appeal.

(b) At least fourteen days before the hearing on the appeal, the building official shall send a copy of the notice of appeal hearing to each person who has appealed the building official's order, decision or determination.

21.06.580 Participation in the appeal.

Only those ~~persons~~ parties who have appealed the building official's order, decision or determination may participate in the appeal. Appellants may participate in either or both of the following ways:

- (1) By submitting written comments or testimony to the hearing examiner prior to the commencement of the hearing; or
- (2) By appearing in person, or through a representative, at the hearing. The hearing examiner may reasonably limit the extent of oral testimony or oral argument to facilitate the orderly and timely conduct of the hearing.

21.06.582 Scope of appeal.

The appeal will be an open record appeal hearing. The scope of the appeal is limited to the specific elements of the building official's order, decision or determination disputed by the appellant and the hearing examiner shall only consider comments, testimony and arguments on these specific elements.

21.06.584 Record of appeal hearing.

The city shall make an electronic sound recording of the hearing.

21.06.586 Decision on the appeal.

The hearing examiner shall consider all information and material within the scope of the appeal submitted by persons entitled to participate in the appeal. Based on the hearing examiner's findings and conclusions, the hearing examiner may affirm, reverse or modify the order, decision or determination being appealed. The hearing examiner shall issue his or her decision within fifteen days of the appeal hearing. Within four business days after it is issued, the hearing examiner's decision shall be mailed to the applicant and to each person who has requested notice of the decision. The decision by the hearing examiner is the final decision of the city.

21.06.588 Judicial review.

Any judicial appeal of the hearing examiner's decision shall be reviewed in King County superior court pursuant to Chapter 36.70C RCW, the Land Use Petition Act ("LUPA"). The land use petition must be filed within twenty-one calendar days of the issuance of the hearing examiner's decision.

Article XIII. ~~Section 113~~ Violations**21.06.590 Unlawful acts.**

It shall be unlawful for any person, firm or corporation to erect, construct, alter, extend, repair, move, remove, demolish or occupy any building, structure or equipment regulated by this code, or cause same to be done, in conflict with or in violation of any of the provisions of this chapter or the technical codes.

21.06.595 Notice of violation.

The building official is authorized to serve a notice of violation or order on the person responsible for the erection, construction, alteration, extension, repair, moving, removal, demolition or occupancy of a building or structure in violation of the provisions of this chapter or the technical codes, or in violation of a permit or certificate issued under the provisions of this code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

21.06.600 Prosecution of violation.

If the notice of violation is not complied with in the time prescribed by such notice, the building official is authorized to request the legal counsel of the jurisdiction to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the building or structure in violation of the provisions of this chapter or the technical codes or of the order or direction made pursuant thereto.

21.06.605 Violation penalties.

Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this chapter or the technical codes, shall be subject to penalties as prescribed by law.

Article XIV. ~~Section 114~~ Stop Work Order**21.06.610 Authority.**

Whenever the building official finds any work being performed in a manner either contrary to the provisions of this code, any of the technical codes or other pertinent laws or ordinances ~~implemented through the enforcement of this code~~, the building official is authorized to issue a stop work order.

21.06.615 Issuance.

The stop work order shall be in writing and shall be given to the owner of the property involved, or to the owner's agent, or to the person doing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order, and the conditions under which the cited work will be permitted to resume.

21.06.620 Investigation fee.

The building official is authorized to assess a special investigation fee for the issuance of a stop work order.

21.06.625 Unlawful continuance.

Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties as prescribed by law.

Article XV. ~~Section 115~~ Unsafe Structures and Equipment**21.06.630 Unsafe structures and equipment.**

Structures or existing equipment that are or hereafter become unsafe, unsanitary or deficient because of inadequate means of egress facilities, inadequate light and ventilation, or which constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or that involve illegal or improper occupancy or inadequate maintenance, shall be deemed an unsafe condition. Unsafe structures shall be taken down and removed or made safe, as the building official deems necessary and as provided for in the 1997 Edition of the Uniform Code for the Abatement of Dangerous Buildings or the 1997 Edition of the Uniform Housing Code. A vacant structure that is not secured against entry shall be deemed unsafe.

Section 3. Kirkland Municipal Code Chapter 21.08 is hereby amended to read as follows:

Chapter 21.08**INTERNATIONAL BUILDING CODE****Sections:**

21.08.010 International Building Code adopted.

~~21.08.015 IBC Section 403.9 amended.~~

21.08.020 IBC Section 403.10.2 amended.

21.08.025 IBC Section 403.15 amended.

21.08.030 IBC Section 405.9.1 amended.

21.08.035 IBC Section 501.2 amended.

21.08.040 IBC Section 707.2 Exception 2.1 amended.

~~21.08.045 IBC Section 707.14.1 amended.~~

~~21.08.050 IBC Section 1605.3.1.1 amended.~~

21.08.055 IBC Section 1608.1 amended.

21.08.060 IBC Section 1704.12 amended.

~~21.08.065 IBC Section Table 2306.4.1 amended.~~

~~21.08.070 Repealed.~~

~~21.08.075 IBC Chapter 31 amended.~~

~~21.08.077 IBC Chapter 32 amended.~~

~~21.08.080 Conflict with the Kirkland Zoning Code.~~

~~21.08.085 Permit required amended.~~

~~21.08.090 Exemptions.~~

~~21.08.095 International Building Code Section H102 amended.~~

~~21.08.100 International Building Code Appendix Section H116 amended.~~

~~21.08.105 IBC Section J102 amended.~~

~~21.08.110 IBC Section J103 amended.~~

~~21.08.115 IBC Appendix Section J103.3 added.~~

21.08.010 International Building Code adopted.

The ~~2003~~ 2006 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. Further, ~~the following~~ Appendix chapters J (Grading) and Appendix M (Existing Buildings) are specifically adopted as part of the Kirkland Building Code: ~~Appendix Chapter Nos. H, (Signs), and J (Grading).~~

~~21.08.015 IBC Section 403.9 amended.~~

~~Section 403.9 of the IBC is amended to read:~~

~~403.9 Elevators: Elevator operation and installation shall be in accordance with Chapter 30 and WAC 51-50-3001, 3002, 3003, 3004, 3005, and 3006. Elevators on all floors shall open into elevator lobbies that are separated from the remainder of the building, including corridors and other means of egress, by walls extending from the floor to the underside of the fire-resistance-rated floor or roof above. Such walls shall not be of less than one-hour fire-resistance-rated construction as required for a fire partition in accordance with Section 708. Openings through such walls shall conform to Section 715.~~

~~Exceptions:~~

- ~~1. In office buildings, separations are not required from a street-floor elevator lobby provided the entire street floor is equipped with an automatic sprinkler system in accordance with Section 903.3.1.1.~~
- ~~2. Elevators not required to be located in a shaft in accordance with Section 707.2.~~
- ~~3. Elevator lobbies are not required when elevators are located within an atrium complying with the provisions of Section 404.~~
- ~~4. In fully sprinklered office buildings, corridors may lead through enclosed elevator lobbies if all areas of the building have access to at least one required means of egress without passing through the elevator lobby.~~
- ~~5. In fully sprinklered buildings where elevator and stair shafts are pressurized in accordance with Section 909, elevator lobbies need not be provided. The pressurized stair shafts shall comply with the standards for elevator shaft pressurization in WAC 51-50-0909 Section 909.6.3.~~

21.08.020 IBC Section 403.10.2 amended.

Section 403.10.2 of the IBC is amended to read:

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

1. Power and lighting for the fire command center required by Section 403.8;
2. Electrically powered fire pumps;
3. Ventilation and automatic fire detection equipment for smokeproof enclosures;
4. Smoke control systems.

Standby power shall be provided for elevators in accordance with Section 3003.

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.

21.08.025 IBC Section 403.15 amended.

Section 403.15 of the IBC is amended and supplemented by the addition of a new section to read:

403.15 Smoke control. A smoke control system meeting the requirements of Section 909 shall be provided in buildings that exceed ten stories, or contain a use requiring defend-in-place firefighting operations in which occupants of some area cannot readily evacuate that area. This includes portions of facilities housing functions essential to continuity of public safety operations, and Group I and LC Occupancies where in the judgment of the Building Official and Fire Code Official, occupants having limited capacity for self-preservation are located on floors more than 75' above the lowest level of Fire Department vehicle access. A smoke control system for a defend-in-place use may be a performance-based design to protect that use without providing smoke control throughout the entire building, but shall otherwise comply with Section 909.

Exception: Smoke control may be omitted when approved by the Building Official and Fire Code Official.

21.08.030 IBC Section 405.9.1 amended.

Section 405.9.1 IBC is amended to read:

405.9.1 Standby Power. A standby power system complying with Section 2702 shall be provided for standby power loads specified in Section 405.9.1.

Fuel-fired emergency generator sets and associated fuel storage, including optional generator sets, located more than 30 feet below the lowest level of exit discharge requires the approval of the Fire Code Official.

21.08.035 IBC Section 501.2 amended.

Section 501.2 of the International Building Code is hereby amended to read:

501.2 Premises Identification. Approved numbers or addresses shall be provided for new buildings in such a position as to be clearly visible and legible from the street or roadway fronting the property. Letters or numbers shall be a minimum 4 inches (76 mm) in height and stroke of minimum 0.5 inch (12.7 mm) of a contrasting color to the background itself.

21.08.040 IBC Section 707.2 Exception 2.1 amended.

Section 707.2 Exception 2.1 of the International Building Code is hereby amended to read:

2.1. Where the area of the floor opening between stories does not exceed twice the horizontal projected area of the escalator or stairway and the opening is protected by a draft curtain and closely spaced sprinklers in accordance with NFPA 13. This application is limited to openings that do not connect more than four stories in buildings not required to have smoke control systems. In buildings that are required to have smoke control systems, escalators are limited to openings that do not connect more than four stories and non-egress stairs are limited to openings that do not atmospherically connect more than two stories.

21.08.045 IBC Section 707.14.1 amended.

Section 707.14.1 of the International Building Code is hereby amended to read:

~~707.14.1 Elevator Lobby. Elevators opening into a fire resistance-rated corridor as required by Section 1016.1 shall be provided with an elevator lobby at each floor containing such a corridor. The lobby shall separate the elevators from the corridor by fire partitions and the required opening protection. Elevator lobbies shall have at least one means of egress complying with Chapter 10 and other provisions within this code.~~

Exceptions:

- ~~1. In office buildings, separations are not required from a street floor elevator lobby provided the entire street floor is equipped with an automatic sprinkler system in accordance with Section 903.3.1.1.~~
- ~~2. Elevators not required to be located in a shaft in accordance with Section 707.2.~~
- ~~3. Where additional doors are provided in accordance with Section 3002.6. Such doors shall be tested in accordance with UL 1784 without an artificial bottom seal.~~
- ~~4. In other than Group I-3, and buildings more than four stories above the lowest level of fire department vehicle access, lobby separation is not required where the building, including the lobby and corridors leading to the lobby, is protected by an automatic sprinkler system installed throughout in accordance with Section 903.3.1.1 or 903.3.1.2.~~
- ~~5. See Section 403.9 for high rise elevator lobbies.~~

21.08.050 IBC Section 1605.3.1.1 amended.

Section 1605.3.1.1 of the International Building Code is hereby amended to read:

~~1605.3.1.1 Load Reduction. It is permitted to multiply the combined effect of two or more variable loads by 0.75 and add to the effect of dead load. The combined load used in design shall not be less than the sum of the effects of dead load and any one of the variable loads.~~

~~Increases in allowable stresses specified in the appropriate materials section of this code or referenced standard shall not be used with the load combinations of Section 1605.3.1 except that a duration of load increase shall be permitted in accordance with Chapter 23.~~

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.

21.08.060 IBC Section 1704.12 amended.

Section 1704.12 of the International Building Code is hereby amended to read:

1704.12 Exterior insulation and finish system (EIFS). All exterior insulation finish systems (EIFS) shall be certified by the manufacturer as having been installed per the manufacturer's installation recommendations or other agency approved by the building official.

Exception: Special inspections shall not be required for EIFS application installed over masonry or concrete walls.

21.08.065 IBC Section Table 2306.4.1 amended.

~~Footnote "1" to Table 2306.4.1 of the International Building Code is hereby amended to read:~~

~~In Seismic Design Category D, E or F, where shear design values exceed 490 pounds per lineal foot (LRFD) or 350 pounds per lineal foot (ASD) all framing members receiving edge nailing from abutting panels shall not be less than a single 3-inch nominal member or thicker or two 2-inch nominal members fastened together in accordance with Section 2307.1 (LRFD) or Section 2306.1 (ASD) to transfer the design shear value between the framing members. Plywood joint and sill plate nailing shall be staggered in all cases. See Section 2305.3.10 for sill plate side and anchorage requirements.~~

21.08.070 IBC Section 3102.2 amended.

Repealed by Ord. 4004.

21.08.075 IBC Chapter 31 amended.

Chapter 31 of the IBC is amended and supplemented with the addition of a new Section 3110 to read as follows:

Section 3110 OVERWATER STRUCTURES, PIERS, WHARVES, AND BUILDINGS

IBC 3110.1—General. Overwater structures, piers, wharves and buildings shall comply with the requirements of this section and other applicable sections of this code.

IBC 3110.2—Definitions.

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

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

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

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

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

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

IBC Section 3110.3—Structures over water.

No portion of any building or other structure supported by piers or piling and extending over water shall be more than two hundred fifty feet from an improved public street or alley giving access thereto for fire engines and other firefighting equipment; provided, however, that the foregoing limitation shall not apply to any one-story structure used solely for the moorage of boats and:

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

IBC Section 3110.4—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.

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 9.

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

- a. Combustible substructures having superstructures of 120 square feet or less in area.
- b. Noncombustible substructures with or without superstructures.
- c. 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.

Exception: Piers serving no more than one single-family dwelling.

~~21.08.077 IBC Chapter 32 amended.~~

~~Chapter 32 of the IBC is amended to read as follows:~~

~~3202.3 Encroachments 8 feet or more above grade.~~

~~Encroachments 8 feet (2,438 mm) or more above grade shall comply with Sections 3202.3.1 through 3202.3.3.~~

~~3202.3.3 Pedestrian walkways.~~

~~The installation of a pedestrian walkway over a public right-of-way shall be subject to the approval of the local authority having jurisdiction. The vertical clearance from the public right-of-way to the lowest part of a pedestrian walkway shall be 15 feet (4,572 mm) minimum.~~

~~21.08.080 Conflict with the Kirkland Zoning Code.~~

~~If any provision of the IBC Appendix Chapter H is in conflict with any provision of the Kirkland Zoning Code, the applicable provisions of the Kirkland Zoning Code shall govern.~~

21.08.085 Permit required amended.

Section H101 of the IBC is amended and supplemented to read:

~~H101 Permit Required. A sign shall not hereafter be erected, re-erected, constructed, altered or maintained, except as provided by this code and after a permit has been issued by the building official. A separate permit shall be required for a sign or signs for each business entity, and a separate permit shall be required for each group of signs on a single supporting structure.~~

21.08.090 Exemptions.

Section H101.2 of the IBC is amended and supplemented to read:

~~H101.2 Signs exempt from permits. A permit is not required for the following signs. These exemptions shall not be construed as relieving the owner of the sign from the responsibility for its erection, maintenance and compliance with the provisions of this code or other laws or ordinances regulating signs.~~

- ~~(1) Changing of the advertising copy or message on a painted or printed sign only. Except for theater marquees and similar signs specifically designed for the use of replaceable copy, electric signs shall not be included in this exception; and~~
- ~~(2) Painting, repainting or cleaning of an advertising structure or changing the copy or message thereon shall not be considered an erection or alteration which requires a sign permit unless a structural change is made.~~

21.08.095 International Building Code Section H102 amended.

Section H102 of the International Building Code is amended to establish the following definition for "blade sign":

~~BLADE SIGN is a sign located below a marquee or awning and attached to a wall, marquee, or awning with the exposed face of the sign in a plane perpendicular to the plane of the building wall and with a total surface area of less than 4 feet.~~

21.08.100 International Building Code Appendix Section H116 amended.

Appendix Chapter H of the International Building Code is amended by the addition of a new section:

~~Section H116—BLADE SIGNS~~

~~Section H116.1—General~~

~~Section H116.1 General. Blade signs shall be constructed of noncombustible materials, except as specified in Section H107.~~

~~Section H116.2—Design~~

~~Section H116.2 Design. Blade signs shall be designed in accordance with the requirements specified in Section H105, except where modified by Section H116.~~

~~Section H116.3—Protection and Clearance~~

~~Section H116.3.1 Protection. Blade signs may project over public property not further than the projection of the marquee or awning, but not closer than 2 feet from the curb line.~~

~~Section H116.3.2 Clearance. Blade signs shall maintain a minimum clearance of 7 feet above the level of the sidewalk or grade immediately below, provided that any blade sign with a clearance of less than 8 feet shall be suspended from a support above 8 feet of clearance in a manner that~~

~~allows the blade sign to swing freely if struck. Further, blade signs with a clearance of less than 8 feet shall not exceed a weight of 25 pounds.~~

21.08.105 IBC Section J102 amended.

Section J102 of the International Building Code is amended and supplemented by the addition of the following definition:

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

21.08.110 IBC Section J103 amended.

Section J103 of the International Building Code is amended and supplemented to read:

Section J103. PERMITS REQUIRED. Except as exempted in Section J103.2, no land surface modification shall be performed without first having obtained a permit from the building official.

Section J103.2. Exemptions. A land surface modification permit shall not be required for the following:

1. Land surface modification performed in the normal course of maintaining existing landscaping on a lot associated with an existing building or buildings, provided such work does not modify any drainage course and does not involve more than 50 cubic yards of material in any 12 month period.
2. Any excavation below finished grade for basements and footings of a building, retaining wall or other structure authorized by a valid Building Permit. This shall not exempt any fill made with the material from such excavation when the material is removed from the lot or any fill material which is placed on the lot.
3. Cemetery graves.
4. Fill deposited on previously approved disposal sites under the control of other City Administrative Departments.
5. Excavations for wells or tunnels, or utilities or other work supervised by the City of Kirkland.
6. Mining, quarrying, excavating, processing, stockpiling of rock, sand, gravel, aggregate or clay where a permit has been issued by the State of Washington, Department of Natural Resources.
7. Exploratory excavations under the direction of soil engineers or engineering geologists.
8. Normal maintenance and repair of the facilities of a common carrier by rail in interstate commerce within its existing right-of-way.
9. Excavations for utility service connections to serve existing and/or new structures.
10. Correction of drainage problems when supervised by the Department of Public Works; and the installation of approved preliminary plat and short plat improvements as permitted by Section J103.3.

Exemption from the 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 this chapter or any other laws or ordinances of this jurisdiction.

21.08.115 IBC Appendix Section J103.3 added.

Appendix Section J103.3 of the International Building Code is amended by the addition of a new subsection:

Section J103.3. Permit Issuance. No land surface modification or grading permit shall be issued in the following circumstances:

1. Prior to the approval of a preliminary plat or short plat.

Exception: After the approval of a preliminary plat or short plat, a land surface modification or grading permit may be issued for land surface modification or grading work to be done within rights-of-way, utility easements or access easements as designated on the approved preliminary plat drawings. A limited amount of grading may be permitted and stockpiling of materials on individual lots with the concurrence of the departments that normally review development permit applications. Permits to be issued for activities covered by this subparagraph shall be issued by the department of public works who shall with respect to such activities, have full authority to administer and enforce the provisions of Appendix Chapter J of the International Building Code as herein amended and supplemented.

2. Prior to the issuance of a building permit.

Exception: After the receipt of a complete application for a building permit, a land surface modification or grading permit may be issued only for the minimum land surface modification or grading necessary to locate structures or other associated improvements designated on the submitted building permit plans.

3. In areas served by inadequate water, sewer, storm drainage or transportation systems as determined by the Public Works Department.

Exception: When such action proposes the improvement of any deficient system to minimum city standards and at the expense of the private sponsor and such improvements are associated with the issuance of a valid building permit.

4. Prior to the approval specified in Section 115.75, Kirkland Zoning Code, where no Building Permit is required.

5. Prior to the approval of a preliminary Planned Unit Development.

Exception: After the approval of a preliminary Planned Unit Development, a Land Surface Modification or Grading Permit may be issued for land surface modification or grading work to be done within rights-of-way, utility easements, access easements or other major components of the internal vehicular circulation system so designated in the approved Preliminary Planned Unit Development.

Section 4. Kirkland Municipal Code Chapter 21.10 is hereby amended to read as follows:

Chapter 21.10**INTERNATIONAL RESIDENTIAL CODE****Sections:**

21.10.010 International Residential Code adopted.

21.10.020 IRC Table R301.2(1) amended.

21.10.010 International Residential Code adopted.

The 2003 2006 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 Appendix Chapter G "Swimming Pools, Spas and Hot Tubs".

21.10.020 IRC Table R301.2(1) amended.

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

Climatic and Geographic Design Criteria IRC Table R301.2(1)

<u>Roof and Ground Snow Load</u>	<u>Wind Speed: (mph)</u>	<u>Seismic Design Category</u>	<u>Subject To Damage From</u>			<u>Winter Design Temp^d</u>	<u>Ice Barrier Under- layment Required</u>	<u>Flood Hazards</u>	<u>Air Freezing Index</u>	<u>Mean Annual Temp</u>
			<u>Weathering^a</u>	<u>Frost Line Depth^b</u>	<u>Termite</u>					
<u>25</u>	<u>85</u>	<u>D2</u>	<u>Moderate</u>	<u>12"</u>	<u>Slight to Moderate</u>	<u>27</u>	<u>No</u>	<u>Per Kirkland Municipal Code 21.56</u>	<u>113</u>	<u>52.8</u>

- 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)]. 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 the columns of 97 1/2-percent values for winter from Appendix D of the *International Plumbing Code*. Deviations from the Appendix D 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 currently effective FIRM and FBFM, or other flood hazard map adopted by the community, as may be 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%) value on the National Climatic Data Center data table "Air Freezing Index- USA Method (Base 32°Fahrenheit)" 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°Fahrenheit)" at www.ncdc.noaa.gov/fpsf.html.

Section 5. Kirkland Municipal Code Section 21.16.010 is hereby amended to read as follows:

21.16.010 International Mechanical Code adopted.

The ~~2003~~ 2006 Edition of the International Mechanical Code, as adopted by the State Building Code Council in Chapter 51-42 52 WAC, as published by the International Code Council, excluding Chapter 1, "Administration," is adopted.

Section 6. Kirkland Municipal Code Chapter 21.20 is hereby amended to read as follows:

Chapter 21.20

INTERNATIONAL FIRE CODE

Sections:

21.20.010 International Fire Code adopted.

21.20.015 IFC Section 102.6 amended.

21.20.020 IFC Section 104.10.1 amended.

21.20.025 IFC Section 104.11.2 amended.

21.20.030 IFC Section 105.7.56 amended.

21.20.035 IFC Section 108 amended.

21.20.037 IFC Section 109.3 amended.

21.20.040 IFC Section 202 amended.

~~21.20.045 IFC Section 308.3.1.2 added~~

21.20.050 IFC Section 308.3.7 amended.

21.20.055 IFC Section 314.4 amended.

21.20.060 IFC Section 508.5 amended.

21.20.065 IFC Section 511 added.

21.20.070 IFC Section 602 amended.

~~21.20.075 IFC Section 803.1 amended~~

21.20.080 IFC Section 901.7 amended.

21.20.085 Repealed

21.20.090 IFC Section 903.4 amended.

~~**21.20.095 IFC Section 905.3 amended**~~

~~**21.20.100 IFC Section 905.8 amended**~~

21.20.105 IFC Section 906.1 amended.

21.20.110 IFC Section 907.15 amended.

21.20.115 IFC Section 1404.5 amended.

21.20.010 International Fire Code adopted.

The ~~2003~~ 2006 Edition of the International Fire Code, as adopted by the State Building Code Council in Chapter 51-54 WAC as published by the International Code Council, is adopted together with the following amendments. Further, the following Appendix chapters are specifically adopted as part of the Kirkland Fire Code: Appendix Chapter B (Fire Flow Requirements for Buildings) and Appendix Chapter C (Fire Hydrant Locations and Distribution).

FPN: WAC 51-44-0500 identifies that fire apparatus access roads shall be provided and maintained in accordance with locally adopted street, road, and access standards and further Sections 501.1.1 through 503.4 are not adopted. The city of Kirkland has established criteria for fire apparatus access roads in Operating Policy #6 which is available on the Internet and at City Hall.

21.20.015 IFC Section 102.6 amended.

Section 102.6 of the International Fire Code is amended to read as follows:

102.6 Referenced codes and standards. The codes and standards referenced in this code shall be those that are listed in Chapter 45. Such codes and standards shall be considered part of the requirements of this code to the prescribed extent of each such reference as determined or modified by the fire code official. Where differences occur between the provisions of this code and the referenced standards, the provisions of this code shall apply.

21.20.020 IFC Section 104.10.1 amended.

Section 104.10.1 of the International Fire Code is amended to read as follows:

104.10.1 Assistance from other agencies. Police and other enforcement agencies shall have authority to render necessary assistance in the investigation of fires or the enforcement of this code as requested by the fire code official.

21.20.025 IFC Section 104.11.2 amended.

Section 104.11.2 of the International Fire Code is amended to read as follows:

104.11.2 Obstructing operations. No person shall obstruct the operations of the fire department in connection with extinguishment, investigation, or control of any fire, or actions relative to other emergencies, or disobey any lawful command of the fire chief or officer of the fire department in charge of the emergency, or any part thereof, or any lawful order of a police officer assisting the fire department.

21.20.030 IFC Section 105.7.56 amended.

Section 105.7.5.56 of the International Fire Code is amended to read as follows:

Section 105.7.5.6 Flammable and combustible liquids.

A construction permit is required:

1. To repair or modify a pipeline for the transportation of flammable or combustible liquids.
2. To install, construct or alter tank vehicles, equipment, tanks, plants, terminals, wells, fuel-dispensing stations, refineries, distilleries and similar facilities where flammable and combustible liquids are produced, processed, transported, stored, dispensed or used.
3. To install, alter, remove, abandon or otherwise dispose of a flammable or combustible liquid tank.

Exception: A permit is not required for the abandonment or removal of underground storage tanks previously used to store fuel oil for residential heating. It is the property owner's responsibility to make the decision on how to proceed with abatement.

21.20.035 IFC Section 108 amended.

Section 108 of the International Fire Code is amended to read as follows:

Section 108. Appeals. Whenever the Fire Chief disapproves an application or refuses to grant a permit, or when it is claimed that the provisions of the International Fire Code do not apply or that the true intent and meaning of the Code have been misconstrued or wrongly interpreted, the applicant may appeal the decision of the Fire Chief to the City of Kirkland Hearing Examiner, within thirty days from the date of the decision appealed.

21.20.037 IFC Section 109.3 amended.

Section 109.3 of the International Fire Code is amended to read as follows:

Section 109.3. Violation penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than \$1,000 dollars or by imprisonment not exceeding 90 days, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

21.20.040 IFC Section 202 amended.

Section 202 of the International Fire Code is amended by the addition of a definition to read as follows:

ICC Electrical Code. Means the most recent edition of the National Electrical Code 2002 Edition as adopted and amended by the City of Kirkland.

21.20.045 IFC Section 308.3.1.2 added.

~~Section 308.3.1.2 of the International Fire Code is added to read as follows:~~

~~308.3.1.2. Flaming Food and Beverages Preparation;~~

~~308.3.1.2.1. General. The preparation of flaming foods or beverages in places of assembly and drinking establishments shall be in accordance with Section 308.3.1.2.~~

~~308.3.1.2.2. Dispensing. Flammable or combustible liquids used in the preparation of flaming foods or beverages shall be dispensed from one of the following:~~

- ~~1. A 1-ounce (29.6 ml) container, or~~
- ~~2. A container not exceeding 1 quart (946.5 ml) capacity with a controlled-pouring device that will limit the flow to a 1-ounce (29.6 ml) serving.~~

~~308.3.1.2.3. Containers not in use. Containers shall be secured to prevent spillage when not in use.~~

~~308.3.1.2.4. Serving of flaming food. The serving of flaming foods or beverages shall be done in a safe manner and shall not create high flames. The pouring, ladling or spooning of liquids is restricted to a maximum height of 8 inches (203 mm) above the receiving receptacle.~~

~~308.3.1.2.5. Location. Flaming foods or beverages shall be prepared only in the immediate vicinity of the table being served. They shall not be transported or carried while burning.~~

~~308.3.1.2.6. Fire protection. The person preparing the flaming foods or beverages shall have a wet cloth immediately available for use in smothering the flames in the event of an emergency.~~

21.20.050 IFC Section 308.3.7 amended.

Section 308.3.7 of the International Fire Code is amended to read as follows:

Section 308.3.7 Group A occupancies. Open-flame devices shall not be used in a Group A occupancy.

Exceptions:

1. Open-flame devices are allowed to be used in the following situations, provided approved precautions are taken to prevent ignition of a combustible material or injury to occupants:
 - 1.1. Where necessary for ceremonial or religious purposes in accordance with Section 308.3.5.
 - 1.2. On stages and platforms as a necessary part of a performance in accordance with Section 308.3.6.
 - 1.3. Where candles on tables are securely supported on substantial noncombustible bases and the candle flames are protected.
2. Heat-producing equipment complying with Chapter 6 and the International Mechanical Code.
3. Gas lights are allowed to be used provided adequate precautions satisfactory to the fire code official are taken to prevent ignition of combustible materials.
4. Except where approved by the fire code official (see also 308.3.1.2)

21.20.055 IFC Section 314.4 amended.

Section 314.4 of the International Fire Code is amended to read as follows:

Section 314.4. Vehicles. Liquid- or gas-fueled vehicles, fueled equipment, boats or other motorcraft shall not be located indoors except as follows:

1. Batteries are disconnected.
2. Fuel in fuel tanks does not exceed one-quarter tank or 5 gallons (19 L) (whichever is least).
3. Fuel tanks and fill openings are closed and sealed to prevent tampering.
4. Vehicles, boats or other motorcraft equipment are not fueled or defueled within the building.

21.20.060 IFC Section 508.5 amended.

Section 508.5 of the International Fire Code is amended to read as follows:

508.5 Fire hydrant systems.

Fire hydrant systems shall comply with Sections 508.5.1 through 508.5.6.

508.5.1 Where required.

Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 150 feet from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the fire code official.

Exceptions:

1. For Group R-3 and Group U occupancies, the distance requirement shall be 300 feet (183 m).
2. For Group R-3 and Group U occupancies equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2, the distance requirement shall be 600 feet (183 m).

21.20.065 IFC Section 511 added.

A Section 511 of the International Fire Code is added to read as follows:

Section 511. Emergency Radio Coverage in Buildings

511.1 Building Radio Coverage. Except as otherwise provided no person shall maintain, own, erect, or construct, any building or structure or any part thereof, or cause the same to be done which fails to support adequate radio coverage for City emergency services workers, including but not limited to firefighters and police officers.

Exceptions:

1. This section shall not apply to single family residential buildings; any building constructed of wood frame; any building thirty-five (35) feet high or less; as long as none of the aforementioned buildings make primary use of metal or concrete construction or contain below grade storage or parking areas. For purposes of this section, parking structures are included in the definition of building, and stair shafts are included in the definition of all parts of a building, but elevators may be excluded.
2. Buildings constructed prior to the implementation of this section shall not be required to comply with public safety radio coverage provisions of this section. However, should exempted structures undergo renovation, restoration, or significant modification to the original structure, exemption from the provisions of this Ordinance shall not apply.

511.1.1 Adequate Radio Coverage. A minimum signal strength of three (3) micro volts available in all areas of the building when transmitted from the Regional 800 MHz. Radio System. For purposes of this section 90% building coverage is considered to be all areas of the building.

511.1.2 Minimum Signal Strength. A minimum signal strength of one-half (.5) micro volts received by the Regional 800 MHz. Radio System when transmitted from any area of the building.

511.1.3 Frequency Range. The frequency range which must be supported shall be 806 MHz. to 824 MHz. and 851 MHz. to 869 MHz. in all areas of the building. Measurements in-buildings for the purpose of this ordinance shall be to a portable radio with a half-wave antenna, worn on the

belt. The City's Radio System Manager may designate alternate methods of measuring the signal level, which satisfy appropriate levels of public safety grade coverage.

511.1.4 Testing and Proof of Compliance. Each owner shall submit at least one field test:

1. Prior to occupancy of any newly constructed building.
2. Whenever structural changes occur including additions to buildings that would materially change the original field performance tests.
3. Annually.
4. When repairs or alterations are made to amplification systems.

The performance test shall demonstrate that adequate radio coverage is available in all required areas of the building. At the conclusion of the testing a report shall be submitted to the Fire Code Official which shall verify compliance with Section 511.1 and must include a floor plan identifying the signal strength at various locations of the building. The testing shall be conducted by a consultant approved by the Fire Code Official and shall be done without expense to the City of Kirkland.

511.2 Annual Test. Each owner shall submit on an annual basis to the Fire Code Official required test data demonstrating that adequate radio coverage level is available and maintained in all required areas of the building, or that the installed amplification system functions properly. The annual submittal shall ensure that no structural changes have occurred to the building that would materially change the original field tests.

511.3 Amplification Systems Allowed. Buildings and structures which cannot support the required level of radio coverage shall be equipped with a radiating cable system and/or an internal multiple antenna system with FCC type accepted bidirectional 800 MHz amplifiers, or systems otherwise approved by the City Radio System Manager in order to achieve the required adequate radio coverage. The installed system or systems shall be capable of operating on an independent battery system for a period of at least twelve (12) hours without external power input. The battery system shall automatically charge in the presence of external power input.

511.3.1 Approval Prior to Installation. No amplification system capable of operating on frequencies used by the Regional 800 MHz. Radio System shall be installed without prior coordination and approval of the radio system licensee (The Eastside Public Safety Communications Agency) and any such system must comply any standards adopted by the King County Regional Communications Board.

511.4 Field Testing. Police and Fire Personnel shall at any time have the right to enter onto the property to conduct its own field-testing to be certain that the required level of radio coverage is present.

21.20.070 IFC Section 602 amended.

Section 602 of the International Fire Code is amended to read as follows:

Section 602. Power Tap. A listed device for indoor use consisting of an attachment plug on one end of a flexible cord and two or more receptacles on the opposite end, and has overcurrent protection.

21.20.075 IFC Section 803.1 amended.

Section 803.1 of the International Fire Code is amended to read as follows:

~~Section 803.1. General requirements. The provisions of Sections 803.1.1 through 803.1.3 shall be applicable to all occupancies covered by Sections 803.2 through 803.7.~~

~~803.1.1 Explosive and highly flammable materials. Furnishings or decorations of an explosive or highly flammable character shall not be used.~~

~~803.1.2 Fire-retardant coatings. Fire-retardant coatings shall be maintained so as to retain the effectiveness of the treatment under service conditions encountered in actual use.~~

~~803.1.3 Obstructions. Furnishings or other objects shall not be placed to obstruct exits, access thereto, egress therefrom or visibility thereof.~~

~~803.1.4 Atrium Furnishings~~

~~803.1.4.1 Potential heat. Potential heat of combustibles furnishings and decorative materials within atria shall not exceed 8,000 btu per pound (20,934 J/g) when located with an area that is more than 20 feet (6,096 mm) below ceiling level sprinklers.~~

~~803.1.4.2 Decorative materials. Decorative material in atria shall be noncombustible, flame resistive or treated with a flame retardant.~~

21.20.080 IFC Section 901.7 amended.

Section 901.7 of the International Fire Code is amended to read as follows:

Section 901.7. 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, the building shall either be evacuated or an approved fire watch shall be provided for all occupants left unprotected by the shut down until the fire protection system has been returned to service. Where utilized, fire watches shall be provided with at least one approved means for notification of the fire department and their only duty shall be to perform constant patrols of the protected premises and keep watch for fires.

~~21.20.085 IFC Section 903.2.1.2 amended.~~

~~Repealed by Ord. 4004~~

21.20.090 IFC Section 903.4 amended.

Section 903.4 of the International Fire Code is amended to read as follows:

Section 903.4.2 Alarms. Approved audible and visible alarm notification appliances shall be provided for every automatic sprinkler system in accordance with Section 907 and throughout areas designated by the Fire Code Official. Sprinkler water-flow alarm devices shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Alarm devices shall be provided on the exterior of the building in an approved location. Where a fire alarm system is installed, actuation of the automatic sprinkler system shall actuate the building fire alarm system.

Exception: With approval of the Fire Code Official, interior audible and visible alarm notification appliances may be omitted for approved residential sprinkler systems in 1 or 2 dwelling units if not otherwise specifically required.

Section 903.4.3 Floor control valves. Approved supervised indicating control valves shall be provided at the point of connection to the riser on each floor.

Exception: When approved by the Fire Code Official in NFPA 13D and NFPA 13R systems.

21.20.095 IFC Section 905.3 amended.

~~Section 905.3 of the International Fire Code is amended by the addition of a new section to read as follows:~~

~~Section 905.3.7. High-Rise Building Standpipes. Standpipe risers shall be combination standpipe/sprinkler risers using a minimum pipe size of 6 inches. Two 2-1/2 inch hose connections shall be provided on every intermediate floor level landing in every required stairway. Where pressure reduction valves (prv) are required, each hose connection shall be provided with its own prv. The system shall be designed to provide a minimum flow of 300 gpm at a minimum pressure of 150 psi (maximum 200 psi) at each standpipe connection, in addition to the flow and pressure requirements contained in NFPA 14.~~

21.20.100 IFC Section 905.8 amended.

~~Section 905.8 of the International Fire Code is amended to read as follows:~~

~~Section 905.8. Dry Standpipes. When approved by the Fire Code Official, dry standpipes may be installed in other than high-rise buildings.~~

21.20.105 IFC Section 906.1 amended.

Section 906.1 of the International Fire Code is amended to read as follows:

Section 906.1. Where required. Portable fire extinguishers shall be installed in the following locations.

1. In all Group A, B, E, F, H, I, M, R-1, R-2, R-4 and S occupancies.
2. Within 30 feet (9,144 mm) of commercial cooking equipment.
3. In areas where flammable or combustible liquids are stored, used or dispensed.
4. On each floor of structures under construction, except Group R-3 occupancies, in accordance with Section 1415.1.
5. Where required by the sections indicated in Table 906.1.
6. Special-hazard areas, including but not limited to laboratories, computer rooms and generator rooms, where required by the fire code official.

21.20.110 IFC Section 907.15 amended.

Section 907.15 of the International Fire Code is amended to read as follows:

Section 907.15. Monitoring. All required fire alarm systems in new and existing buildings shall be monitored and supervised by a local central station, acceptable to the fire chief, or a proprietary or remote station and shall have a local alarm which will give an audible signal. As of July 1, 1997, all buildings with existing systems must meet the standards of this section, if not specifically required to do so earlier.

Exception: Supervisory service is not required for:

1. Single- and multiple-station smoke alarms required by Section 907.2.10.
2. Automatic sprinkler systems in one- and two-family dwellings.

21.20.115 IFC Section 1404.5 amended.

Section 1405.5 of the International Fire Code is amended to read as follows:

Section 1404.5. Fire watch. When required by the fire code official for building construction or demolition that is hazardous in nature, qualified personnel shall be provided to serve as an on-site

fire watch. Fire watch personnel shall be provided with at least one approved means for notification of the fire department and their sole duty shall be to perform constant patrols and watch for the occurrence of fire.

Section 7. Kirkland Municipal Code Chapter 21.24 is hereby amended to read as follows:

Chapter 21.24

UNIFORM PLUMBING CODE

Sections:

21.24.010 Uniform Plumbing Code adopted.

21.24.020 UPC Section 1101.11.2.2.2 amended.

21.24.010 Uniform Plumbing Code adopted.

The ~~2003~~ 2006 Edition of the Uniform Plumbing Code, as adopted by the State Building Code Council in Chapter 51-56 and 51-57 WAC, as published by the ~~International Code Council~~ 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," I "Installation Standards," H "Grease Interceptors," and L "Alternate Plumbing Systems" excluding Sections ~~L5 through and L7~~ L6 of Appendix L and "Private Lawn Sprinkler Head" from Table ~~6-4~~ 6-5.

21.24.020 UPC Section 1101.11.2.2.2 amended.

Section 1101.11.2.2.2 of the UPC is amended to read:

1101.11.2.2.2 Combined System. The secondary roof drains shall connect to the vertical piping of the primary storm drainage conductor downstream of any 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 1106.0 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 8. Kirkland Municipal Code Section 21.28.010 is hereby amended to read as follows:

21.28.010 National Fuel Gas Code (NFPA 54) adopted.

The ~~2002~~ 2006 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 9. Kirkland Municipal Code Section 21.32.010 is hereby amended to read as follows:

21.32.010 Liquefied Petroleum Gas Code (NFPA 58) adopted.

The ~~2001~~ 2004 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 10. Kirkland Municipal Code Chapter 21.33 is hereby amended to read as follows:

Chapter 21.33**FIRE-EXTINGUISHING SYSTEMS****Sections:****21.33.010 Purpose.****21.33.015 Intent.****21.33.020 Scope.****21.33.025 Appeals.****21.33.030 Definitions.****21.33.035 Standards.****21.33.040 Automatic fire-extinguishing systems.****21.33.045 Permissible sprinkler omissions.****21.33.050 Existing buildings.****21.33.055 Operating policies.****21.33.010 Purpose.**

The purpose of this chapter is to promote the general public health, safety and welfare by establishing the maximum fire compartment area within unsprinklered buildings and regulating the installation of automatic fire-extinguishing systems. This chapter is not intended to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefitted by the terms of this chapter.

21.33.015 Intent.

It is the intent of this chapter to require installation of fire-extinguishing systems so as to protect against safety hazards. These requirements are reasonably related to the hazard posed. Notwithstanding any chapter, ordinance, legislation or other provisions concerning local requirements for fire-extinguishing systems, this chapter shall determine the requirements for fire-extinguishing systems within the city.

21.33.020 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 Chapter 23, of the currently adopted edition of the International Fire Code, 2003 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.

21.33.025 Appeals.

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.

21.33.030 Definitions.

For the purpose of this chapter certain terms are defined as follows:

(1) "Automatic fire-extinguishing system" is an approved system of devices and equipment which automatically detects a fire and discharges an approved fire-extinguishing agent onto or in the area of a fire.

(2) "Combined system" is a system of water piping which serves two-and-one-half-inch hose outlets for use by the fire department and also supplies water for fire sprinklers.

(3) "Fire department hose connection" is a connection through which the fire department can pump water.

(4) "Floor area, gross" shall be defined as the floor area whether above or below grade within the inside perimeter of the exterior walls of the building under consideration, exclusive of vent shafts and courts, without deduction for corridors, stairways, closets, the thickness of the interior walls, columns or other features. The floor area of a building, or portion thereof, not provided with surrounding exterior walls shall be the usable area under the horizontal projection of the roof or floor above. The gross floor area shall not include shafts with no openings or interior courts. Gross floor area shall also not include limited access areas such as vented crawl spaces and attics.

21.33.035 Standards.

(a) Fire-extinguishing systems shall comply with IFC Standards ~~Nos. 903.3.1.1, 903.3.1.2 or 903.3.1.3 as adopted by the fire code for the city.~~ as described in Chapter 9 of the currently adopted edition of the International Fire Code

(b) Exceptions.

(1) Automatic fire-extinguishing systems not covered by IFC Standards ~~Nos. 903.3.1.1, 903.3.1.2 or 903.3.1.3~~ as described in Chapter 9 of the currently adopted edition of the International Fire Code shall be approved and installed in accordance with the fire code.

(2) Automatic sprinkler systems may be connected to the domestic water supply main when approved by the fire chief; provided, the domestic water supply system is of adequate pressure, capacity and sizing for the combined domestic and sprinkler requirements. In such case the connection shall be made between the public water main or meter and the building shutoff valve, and there shall not be intervening valves or connections.

(3) The fire department connection may be omitted when approved by the fire chief.

21.33.040 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 ~~Sections 903.2.1 through 903.2.13 of the 2003~~ as described in Chapter 9 of the currently adopted editions of both the International Fire Code and 2003 the International Building Code Sections 903.2.1 through 903.2.13 as amended and adopted by the state of Washington. For the purposes of this section, fire barriers and fire walls of any type do not constitute separate buildings.

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

(1) In all newly constructed buildings with a gross floor area of five thousand or greater square feet, regardless of type or use, as well as zero lot line townhouses with an aggregate area of all connected townhouses five thousand square feet or greater;

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

(3) In Group E occupancies as required by WAC 51-50-0903;

(4) 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;

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

21.33.045 Permissible sprinkler omissions.

Subject to the approval of the fire chief, sprinklers may be omitted in rooms or areas as ~~indicated in Section 903.3.1.1.1 of~~ described in Chapter 9 of the currently adopted edition of the International Fire Code, 2003 Edition.

21.33.050 Existing buildings.

(a) 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.

(b) Any existing building required to install an automatic sprinkler system under the provisions of this section shall install such system throughout the entire building. Subject to the approval of the fire chief, a phasing plan of up to five years is permitted.

(c) Exceptions.

(1) Areas of existing buildings may be increased by up to twenty-five percent, not to exceed five thousand square feet.

(2) Existing buildings with a total area less than five thousand square feet may be increased up to five thousand square feet 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.

21.33.055 Operating policies.

The fire chief shall develop and publish operating policies for the installation of automatic fire-extinguishing systems. The operating policies shall indicate the type and configuration of systems based on, but not limited to, occupancy type, location and water availability. The operating policies

shall be developed from nationally recognized standards and local conditions. No less than three copies shall be available for public inspection and review in the fire department office. The fire chief may offer the operating policies for sale at a reasonable cost to cover printing and handling.

Section 11. Kirkland Municipal Code Section 21.37.010 is hereby amended to read as follows:

21.37.010 Washington State Energy Code adopted.

The Washington State Energy Code, as adopted by the State Building Code Council in Chapter 51-11 WAC and hereafter amended, is adopted.

Section 12. Kirkland Municipal Code Section 21.38.010 is hereby amended to read as follows:

21.38.010 Washington State Ventilation and Indoor Air Quality Code adopted.

The Washington State Ventilation and Indoor Air Quality Code, as adopted by the State Building Code Council in Chapter 51-13 WAC and hereafter amended, is adopted.

Section 13. Kirkland Municipal Code Chapter 21.40 is hereby repealed.


Section 14. 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 15. This ordinance shall take effect and be in force on July 1, 2007, and after its passage by the Kirkland City Council and publication pursuant to Section 1.08.017, Kirkland Municipal Code in the summary form attached to the original of this ordinance and by this reference approved by the City Council.

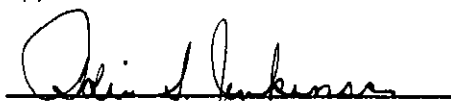
Passed by majority vote of the Kirkland City Council in open meeting this 5th day of June, 2007.


MAYOR

Attest:


City Clerk

Approved as to Form:


City Attorney

PUBLICATION SUMMARY
OF ORDINANCE NO. 4099

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO MODIFICATIONS TO TITLE 21 OF THE KIRKLAND MUNICIPAL CODE REGARDING BUILDING AND CONSTRUCTION.

SECTION 1. Amends Section 21.04.010 of the Kirkland Municipal Code by updating the referenced technical codes to their most recently adopted edition.

SECTION 2. Amends Chapter 21.06 of the Kirkland Municipal Code regarding the Construction Administrative Code.

SECTION 3. Amends Chapter 21.08 of the Kirkland Municipal Code regarding adoption of the 2006 International Building Code.

SECTION 4. Amends Chapter 21.10 of the Kirkland Municipal Code regarding adoption of the International Residential Code.

SECTION 5. Amends Chapter 21.16.010 of the Kirkland Municipal Code regarding adoption of the International Mechanical Code.

SECTION 6. Amends Chapter 21.20 of the Kirkland Municipal Code regarding adoption of the International Fire Code.

SECTION 7. Amends Chapter 21.24 of the Kirkland Municipal Code regarding adoption of the Uniform Plumbing Code.

SECTION 8. Amends Section 21.28.010 of the Kirkland Municipal Code regarding adoption of the National Fuel Gas Code.

SECTION 9. Amends Section 21.32.010 of the Kirkland Municipal Code regarding adoption of the Liquidified Petroleum gas Code.

SECTION 10. Amends Chapter 21.33 of the Kirkland Municipal Code regarding the installation of Fire Extinguishing Systems.

SECTION 11. Amends Section 21.37.010 of the Kirkland Municipal Code regarding adoption of the Washington State Energy Code.

SECTION 12. Amends Section 21.38.010 of the Kirkland Municipal Code regarding adoption of the Washington State Ventilation and Indoor Quality Code.

SECTION 13. Repeals Section 21.40 of the Kirkland Municipal Code.

SECTION 14. Provides a severability clause for the ordinance.

SECTION 15. Authorizes publication of the ordinance by summary, which summary is approved by the City Council pursuant to Section 1.08.017 Kirkland Municipal Code and establishes the effective date as July 1, 2007.

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 5th day of June, 2007.

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

Heidi Anderson
City Clerk