

ORDINANCE NO. O2024-001

AN ORDINANCE of the City Council of the City of Tumwater, Washington related to buildings and construction and amending Title 15, Buildings and Construction, of the Tumwater Municipal Code as more particularly described herein.

WHEREAS, the adoption, implementation, and enforcement of effective building, structural, and life safety codes are important to ensure the safety, health, and well-being of Tumwater citizens; and

WHEREAS, the effective use of construction codes in large part accounts for the minimal loss of life from fire, earthquakes, wind, and other natural disasters in Tumwater and communities throughout the United States; and

WHEREAS, the knowledge and technology used to site and construct safe buildings is constantly changing and improving, requiring periodic construction code updates; and

WHEREAS, the City of Tumwater is required to adopt the State of Washington International Codes and the Uniform Plumbing Code as amended by the State Building Code Council pursuant to RCW 19.27.031; and

WHEREAS, pursuant to RCW 19.27.060, Tumwater may amend the state adopted codes so long as the amendments shall not result in a code that is less than the minimum performance standard and objectives contained in the State Building Code; and

WHEREAS, the General Government Committee held a briefing on the proposed ordinance on May 8, 2024; and

WHEREAS, the City Council discussed the proposed ordinance in a work session on XXXX, 2024 and considered the proposed ordinance on XXXX, 2024; and

WHEREAS, the City Council finds that the provisions of this ordinance are in the best interest of and protect the health, safety, and welfare of the residents of the City.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF TUMWATER, STATE OF WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. Section 15.01.010, Purpose, of the Tumwater Municipal Code is hereby amended to read as follows:

15.01.010 Purpose.

A. The purpose of the codes and regulations adopted in this title is to provide for and promote the health, safety and welfare of the general public, and not to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefited by the terms of these codes and regulations.

B. The building code of the city of Tumwater, as it shall be referred to herein, shall include but not be limited to those certain documents, being marked and designated as the International Building Code, International Existing Building Code, International Residential Code, International Mechanical Code, International Fire Code, International Property Maintenance Code, 2021~~2018~~ Editions, including the appendix chapters noted herein, the ICC G1-2010 Guideline for Replicable Buildings as published by the International Code Council, the Uniform Plumbing Code, 2021~~2018~~ Edition, including the appendix chapters noted herein, as published by the International Association of Plumbing and Mechanical Officials, and the Washington State Energy Code, 2021~~2018~~ Edition, published by the Washington State Building Code Council. The above-referenced documents as amended by the State Building Code Council are hereby adopted as the building codes of the city of Tumwater, in the state of Washington, for regulating and governing the conditions and maintenance of all property, buildings and structures, by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures as herein provided; providing for the issuance of permits and collection of fees thereof; and each and all of the regulations, provisions, penalties, conditions and terms of said building code are hereby referred to, adopted and made a part hereof, as if fully set out in this title, with the additions, insertions, deletions and changes, if any, prescribed in the following sections of this title.

(Ord. O2021-005, Amended, 03/02/2021; Ord. O2016-031, Amended, 12/06/2016; Ord. O2013-008, Amended, 06/18/2013; Ord. O2010-017, Added, 12/21/2010)

Section 2. Chapter 15.04, International Building Code, of the Tumwater Municipal Code is hereby amended to read as follows:

15.04.010 International Building Code adopted.

There is adopted, and by this reference made a part of this chapter as though fully set forth herein at length, that certain code known as the International Building Code, 2021~~2018~~ Edition, as amended by Chapter 51-50 WAC, which includes adoption of and amendments to the International Existing Building Code, 2021~~2018~~ Edition, and ICC/ANSI A117.1-2017, including Appendix Chapters E, Supplementary accessibility requirements; G, Flood resistant construction; H, Signs; I, Patio Covers; and J, Grading, therein, as the building code and standards

of the city of Tumwater; provided, Sections 105.3.2, 105.5, 109.2, 109.6, 113 and Appendix H, Sections H108, H109, H110 and H112 of the International Building Code are not adopted and that those sections of the International Building Code set forth in TMC 15.04.015 are amended to read as follows.

(Ord. O2021-005, Amended, 03/02/2021; Ord. O2016-031, Amended, 12/06/2016; Ord. O2013-008, Amended, 06/18/2013; Ord. O2010-017, Amended, 12/21/2010; Ord. O99-035, Amended, 12/07/1999; Ord. O96-027, Amended, 10/15/1996; Ord. O95-025, Amended, 10/17/1995; Ord. 1350, Amended, 12/01/1992; Ord. 1256, Amended, 09/04/1990; Ord. 1209, Added, 02/06/1990)

15.04.015 Amendments.

The following sections of the International Building Code as adopted by TMC 15.04.010 are amended to read as follows:

- A. Section 101.1. These regulations shall be known as the building code of the city of Tumwater, Washington, hereinafter referred to as the “building code” or “this code.”
- B. Section 101.4.3, Plumbing. The provisions of the Uniform Plumbing Code as adopted by TMC Chapter 15.12 shall apply to the installation, alteration, repair and replacement of plumbing systems, including equipment, appliances, fixtures, fittings and appurtenances, and where connected to a water or sewage system and all aspects of a medical gas system.
- C. Section 101.4.6, Energy. The provisions of the International Energy Conservation Code adopted by TMC Chapter 15.20 shall apply to all matters governing the design and construction of buildings for energy efficiency.
- D. Section 105.2 shall be amended to read as follows:
 - 1. Item 1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area is not greater than 200 square feet (18.58 m²). Placed min. (5) five feet from each other on the same lot or to any lot line.
 - 2. Item 2. Fences not over 7 feet (2134 mm) high. Fences not over eight foot high used for agriculture purposes that are of a common deer fence design as described in TMC 18.46.030.
- E. Section 109.3 shall be amended to read as follows:

Section 109.3 shall have a new sentence added to the end of the paragraph as follows:

The value for commonly built structures shall be determined by using the valuation table adopted by the Building Official by policy.
- F. Section 202 Definitions, Approved Agency, shall be amended to read as follows:

1. Approved Agency. An established and WABO registered agency that is regularly engaged in conducting tests or furnishing inspection services, where such agency has been approved by the building official.
2. Special Inspector. A WABO registered person employed or retained by an approved agency and approved by the building official as having competence necessary to inspect a particular type of construction requiring special inspection.

G. Section 903.2, Automatic fire-extinguishing systems, shall be amended to read as follows:

Section 903.2 Where Required. Approved automatic sprinkler systems in new buildings and structures shall be provided in all buildings and locations described in Sections 903.1 through 903.2.12.

Additional Sprinkler Requirements. There are additional sprinkler requirements in all structures or buildings where the gross square footage, basements included, exceeds 7,500 square feet, or in all structures or buildings more than three stories in height (unless other sections of this code are more restrictive). The area and height increases specified in IBC Sections 504, 506, and 507 shall be permitted. For the purposes of this section, portions of buildings separated by a four-hour (4) area separation wall(s), constructed without openings and provided with a thirty-inch-high parapet may be considered as separate buildings, except that the entire gross floor area of all floors will be used to determine fire sprinkler requirements.

In addition, in all buildings, including single family residences, where the fire perimeter access or access roadways for fire apparatus cannot be provided due to design and/or location, fire sprinkler systems may be required.

H. Section 1703.1, Approved Agency, shall be amended to read as follows:

Approved Agency. An established and WABO registered agency regularly engaged in conducting tests or furnishing inspection services, and which also meets the applicable requirements specified in Sections 1702.1.1 through 1703.1.3, when the agency has been approved by the Building Official.

I. Section 1704, Special Inspections, shall be amended as follows:

1704.2.4 Report requirement. Approved agencies shall keep records of special inspections and tests. The approved agency shall submit reports of special inspections and tests to the building official, for review electronically within 48 hours of completing the inspection, and to the registered design professional in responsible charge. Reports shall indicate that work inspected or tested was or was not completed in conformance to approved construction documents. Discrepancies shall be brought to the immediate attention of the contractor for correction. If they are not corrected, the discrepancies shall be brought to the attention of the building official and to the registered design

professional in responsible charge prior to the completion of that phase of the work. A final report documenting required special inspections and tests, and correction of any discrepancies noted in the inspections or tests, shall be submitted at a point in time agreed upon prior to the start of work by the owner or the owner's authorized agent to the building official.

(Ord. O2016-031, Amended, 12/06/2016; amended during 07/13 supplement; O2010-029, Amended, 06/07/2011; Ord. O2010-017, Added, 12/21/2010)

Section 3. Chapter 15.06, International Residential Code, of the Tumwater Municipal Code is hereby amended to read as follows:

15.06.010 Residential code adopted.

There is adopted, and by this reference made a part of this chapter as though fully set forth herein at length, that certain code known as the International Residential Code, ~~2021~~~~2018~~ Edition, as amended by Chapter 51-51 WAC, including Appendix Chapters H, Patio Covers, K, Sound Transmission, Q, Tiny homes and T, Solar-ready provisions, as the residential building code and standards of the city of Tumwater; provided, that Sections R105.3.2, R105.5, R108.2, R108.5, R108.6, R112, and Appendix T103.2 through T103.56 are not adopted; and further provided, those sections of the International Residential Code set forth in TMC 15.06.015 are amended as set forth below.

(Ord. O2021-005, Amended, 03/02/2021; Ord. O2016-031, Amended, 12/06/2016; Ord. O2013-008, Amended, 06/18/2013; Ord. O2010-017, Added, 12/21/2010)

15.06.015 Amendments.

The following sections of the International Residential Code as adopted in TMC 15.06.010 are amended to read as follows:

A. Section R101.1 shall be amended to read as follows:

Section R101.1. Title. These provisions shall be known as the Residential Code for One and Two Family Dwellings of the City of Tumwater, and shall be cited as such and will be referred to herein as the "residential code" or "this code."

B. Section R105.2 shall be amended to read as follows:

Item 1. One story detached accessory structure used as tool and storage sheds, playhouses and similar uses, provided the floor is not greater than 200 square feet (18.58m²). Placed min. 5 five feet from each other on the same lot or to any lot line.

Item 2. Fences not over 7 feet (2134 mm) high. Fences not over 8 foot high used for agriculture purposes that are of a common "deer fence" design as described in TMC 18.46.030.

C. Section R108.3 shall be amended to read as follows:

Section R108.3 shall have a new sentence added to the end of the paragraph as follows:

The value for commonly built structures shall be determined by using the valuation table adopted by the Building Official by policy.

D. Table R301.2 (1) shall be amended to read as follows:

Table R301.2 (1), Climatic and Geographic Design Criteria, to be filled in as follows:

Roof Snow Load – 25 psi

Wind Speed (MPH) – 110

Seismic Design Category – D1

Weathering – Moderate

Frost Line Depth (inches) – 12

Termite – slight to moderate

Winter Design Temperature (degrees) – 17

Ice Barrier Underlayment Required – no

Flood Hazard – The most current Flood Insurance Rate Maps issued by FEMA

Air Freezing Index – 170

Mean Annual Temperature – 51° F

(Ord. O2016-031, Amended, 12/06/2016; Ord. O2010-029, Amended, 06/07/2011; Ord. O2010-017, Added, 12/21/2010)

Section 4. Section 15.08.010, Mechanical code adopted, of the Tumwater Municipal Code is hereby amended to read as follows:

15.08.010 Mechanical code adopted.

There is adopted, and by this reference made a part of this chapter as though fully set forth herein at length, that certain code known as the International Mechanical Code, ~~2021~~2018 Edition, as amended by Chapter 51-52 WAC, which includes adoption of and amendments to the ~~2021~~2018 International Fuel Gas Code, the ~~2021~~2015 National Fuel Gas Code (NFPA 54) and the ~~2020~~2014 Liquefied Petroleum Gas Code (NFPA 58), and including Appendix Chapter A, published by the International Code Council, as the mechanical code of the city; provided, that Sections 106.3.3, 106.4.3, 106.4.4, 106.5, 106.5.1, 106.5.2 and 109 are not adopted.

(Ord. O2021-005, Amended, 03/02/2021; Ord. O2016-031, Amended, 12/06/2016; Ord. O2013-008, Amended, 06/18/2013; Ord. O2010-017, Amended, 12/21/2010; Ord. O99-036, Amended, 12/07/1999)

Section 5. Section 15.12.010, Uniform Plumbing Code adopted, of the Tumwater Municipal Code is hereby amended to read as follows:

15.12.010 Uniform Plumbing Code adopted.

There is adopted, and by this reference made a part of this chapter as though fully set forth herein at length, that certain code known as the Uniform Plumbing Code, ~~2021~~~~2018~~ Edition, published by the International Association of Plumbing and Mechanical Officials, as amended by Chapters 51-56 and 51-77 WAC, including Appendix Chapters A, B, ~~and I, and M~~ as amended; provided, that WAC 51-56-003 “those portions of the Code addressing building sewers,” not adopted by Chapters 51-56 and 51-77 WAC, is adopted; and further provided, that Uniform Plumbing Code Sections 104.3.2, 104.3.3, 104.4.3, 104.4.4, 104.5, and 107.0 are not adopted.

(Ord. O2021-005, Amended, 03/02/2021; Ord. O2016-031, Amended, 12/06/2016; Ord. O2013-008, Amended, 06/18/2013; Ord. O2010-017, Amended, 12/21/2010; Ord. O99-037, Amended, 12/07/1999)

Section 6. Chapter 15.16, International Fire Code, of the Tumwater Municipal Code is hereby amended to read as follows:

15.16.010 Fire code adopted.

There is adopted, and by this reference made a part of this chapter as though fully set forth herein at length, that certain code known as the International Fire Code, ~~2021~~~~2018~~ Edition, as amended by Chapter 51-54A WAC, including the standards referenced in the International Fire Code; provided, that Sections 105.2.3, 105.3.1, 105.3.2; Sections 503.1.1, Buildings and facilities; 503.1.2, Additional access; 503.1.3, High piled storage; 503.2, Specifications; 503.3, Marking; and 503.4, Obstruction of fire apparatus access roads; and 503.4.1 Traffic calming devices, not adopted in Chapter 51-54A WAC, are adopted; and further, the exceptions to 507.3, Fire flow, and Section 113 are not adopted. Finally, such adoption shall include Appendix B, Fire-Flow Requirements for Buildings; Appendix C, Fire Hydrant Locations and Distribution; Appendix D, Fire Apparatus Access Road, except for D103.1, D103.4, D103.6.1 and D103.6.2; Appendix E, Hazard Categories; Appendix F, Hazard Ranking; and Appendix G, Cryogenic Fluids – Weight and Volume Equivalents; Appendix H, Hazardous Materials Management Plan (HMMP) and Hazardous Materials Inventory Statement (HMIS) Instructions, and that those sections of the International Fire Code set forth in TMC 15.16.015 are amended to read as follows.

(Ord. O2021-005, Amended, 03/02/2021; Ord. O2016-031, Amended, 12/06/2016; Ord. O2013-008, Amended, 06/18/2013; Ord. O2010-017, Amended, 12/21/2010; Ord. O99-038, Amended, 12/07/1999)

15.16.015 Amendments.

A. Section 101.1, Title. These regulations shall be known as the fire code of the city of Tumwater, hereinafter referred to as the “fire code” or “this code.”

B. Section 105.1.1 shall be amended to read as follows:

105.1.1. Permits required. Permits required by this code shall be obtained from the Building Official. Applications and construction permits shall be obtained at the Tumwater Community Development Department. A fee for each permit shall be paid in accordance with the fee schedule established by resolution of the Tumwater City Council. Issued permits shall be kept on premises designated therein at all times and shall be readily available for inspection by the inspector.

C. Section 503.2.3 shall be amended to read as follows:

Section 503.2.3. Surface. Fire apparatus access roads shall be paved asphalt or concrete and designed to meet the City of Tumwater Development Guide residential street design standards. Fire access roads shall be maintained by the property owner to support the imposed loads of fire apparatus. Alternate surfaces such as turfstone or grasscrete may be used for construction of fire lanes on private property when approved by the Building Official and the Fire Chief.

D. Section 901.4.7 shall be amended to read as follows:

Section 901.4.7 **Pump and riser room size.** Where provided, fire pump rooms and *automatic sprinkler system* riser rooms shall be placed on the exterior wall of buildings, designed with adequate space for all equipment necessary for the installation, as defined by the manufacturer, with sufficient working space around the stationary equipment. Clearances around equipment to elements of permanent construction, including other installed equipment and appliances, shall be sufficient to allow inspection, service, repair or replacement without removing such elements of permanent construction or disabling the function of a required *fire-resistance-rated* assembly. Fire pump rooms shall be separated from all other areas of the building per 913.2.1. Other than one and two family Dwellings, *Automatic sprinkler system* riser rooms shall be separated from all other areas of the building with min. 1 hour fire barrier in accordance with section 707 or 711 or both in type IV & V construction. Provide doors and unobstructed passage-ways large enough to allow removal of the largest piece of equipment or Min.36 inches x 80 inches.

E. Section 901.4.7.1 shall be amended to read as follows:

Section 9.1.4.7.1 **Access.** Automatic sprinkler system risers, fire pumps and controllers shall be provided with ready access by the means of an approved exterior door. Where located in a fire pump room or automatic sprinkler system riser room, the door shall be permitted to be locked provided the key is available at all times.

FD. Section 903.2 shall be amended to read as follows:

Section 903.2. Where Required. Approved automatic sprinkler systems in new buildings and structures shall be provided in all buildings and locations described in Sections 903.2.1 through 903.2.12.

Additional Sprinkler Requirements. There are additional sprinkler requirements in all structures or buildings where the gross square footage, basements included, exceeds 7,500 square feet, or in all structures or buildings more than three stories in height (unless other sections of this code are more restrictive). The area and height increases specified in IBC Sections 504, 506, and 507 shall be permitted. For the purposes of this section, portions of buildings separated by a four-hour (4) area separation wall(s), constructed without openings and provided with a thirty-inch-high parapet may be considered as separate buildings, except that the entire gross floor area of all floors will be used to determine fire sprinkler requirements.

In addition, in all buildings, including single family residences, where the fire perimeter access or access roadways for fire apparatus cannot be provided due to design and/or location, fire sprinkler systems may be required.

GE. Section 907.2 shall be amended to read as follows:

1. Section 907.2. Where Required – new buildings and structures. An approved automatic fire alarm system installed in accordance with the provisions of this code and NFPA 72 shall be provided in new buildings and structures in accordance with Sections 907.2.1 through 907.2.23 and provide occupant notification in accordance with Section 907.5, unless other requirements are provided by another section of this code.

2. Manual fire alarm boxes shall be provided at all exit door locations to initiate a fire alarm signal for fire alarm systems employing automatic fire detectors or water-flow detection devices.

3. Wherever the term “manual fire alarm system” is used in this code it shall be replaced with “automatic fire alarm system.” All automatic fire alarm systems shall be addressable systems. In addition, all occupancies regardless of use hereafter constructed which contain 7,500 square feet or greater gross floor area, or are greater than two stories in height shall have an approved automatic fire alarm system installed throughout. For the purpose of this section, area separation walls shall not define separate buildings.

HF. A new Section 907.12 shall be added to read as follows:

907.12. Problematic systems and systems out of service.

1. 907.12.1. In the event of a temporary failure of fire alarm equipment or circuitry, the Fire Chief may order all emergency response actions discontinued until repairs can be made.
2. 907.12.2. False alarms. In each instance involving more than one false alarm that occurs from any one properly maintained fire alarm system, within any twelve month period, a penalty fee established by resolution of the Tumwater City Council may be charged against the owners or persons responsible for the system. The Fire Chief shall also notify the responsible party in writing that they will be held responsible for the cost of responding to false alarms if they continue to occur. The cost to respond shall be based on the fee schedule established by resolution of the Tumwater City Council.
3. 907.12.3. Improperly maintained or unaccepted fire alarm systems. The Fire Chief may bill the responsible party for the cost of responding to false alarms in fire alarm systems that are not properly maintained according to this code and NFPA Standard 72 or have not been accepted by the Community Development Department. The cost to respond shall be based on the fee schedule established by resolution of the City Council.

I. Appendix B Table B105.2 shall be amended to read as follow:

TABLE B105.2
REQUIRED FIRE-FLOW FOR BUILDINGS OTHER THAN ONE- AND
TWO-FAMILY DWELLINGS, GROUP R-3 AND R-4 BUILDINGS AND
TOWNHOUSES

<u>AUTOMATIC SPRINKLER SYSTEM(Design Standard)</u>	<u>MINIMUM FIRE- FLOW(gallons per minute)</u>	<u>FLOW DURATION(hours)</u>
<u>No automatic sprinkler system</u>	<u>Value in Table B105.1(2)</u>	<u>Duration in Table B105.1(2)</u>
<u>Section 903.3.1.1 of the International Fire Code</u>	<u>2550% of the value in Table B105.1(2)</u>	<u>Duration in Table B105.1(2) at the reduced flow rate</u>
<u>Section 903.3.1.2 of the International Fire Code</u>	<u>2550% of the value in Table B105.1(2)</u>	<u>Duration in Table B105.1(2) at the reduced flow rate</u>

For SI: 1 gallon per minute = 3.785 L/m.

- a. The reduced fire-flow shall be not less than 1,000 gallons per minute.
- b. The reduced fire-flow shall be not less than 1,500 gallons per minute.
- c. The reduced fire-flow of 50% may be less when approved by fire official.

JG. Appendix D shall be amended to read as follows:

1. D102.1 Access and loading. Facilities, buildings or portions of buildings hereafter constructed shall be accessible to the fire department apparatus by the way of an approved fire apparatus access road with an asphalt, or concrete surface capable of supporting the imposed load of the fire apparatus weighing at least 75,000 pounds. Alternate surfaces such as turfstone or

grasscrete may be used for construction of fire lanes on private property when approved by the Building Official and the Fire Chief.

(Ord. O2021-005, Amended, 03/02/2021; Ord. O2016-031, Amended, 12/06/2016; Ord. O2013-008, Amended, 06/18/2013; Ord. O2010-017, Added, 12/21/2010)

Section 7. Section 15.18.010, Property maintenance code adopted, of the Tumwater Municipal Code is hereby amended to read as follows:

15.18.010 Property maintenance code adopted.

There is adopted, and by this reference made a part of this chapter as though fully set forth herein at length, that certain code known as the International Property Maintenance Code, 2021~~2015~~ Edition; provided, that Sections 103.5, 107.1, 107.2, 107.3, 111 and 304.14 are not adopted; and further provided, those sections of the International Property Maintenance Code set forth in TMC 15.18.015 are amended as set forth below.

(Ord. O2016-031, Amended, 12/06/2016; Ord. O2010-017, Added, 12/21/2010)

Section 8. Section 15.20.010, Energy code adopted, of the Tumwater Municipal Code is hereby amended to read as follows:

15.20.010 Energy code adopted.

There is adopted, and by this reference made a part of this chapter as though fully set forth herein at length, that certain code known as the International Energy Conservation Code, 2021~~2018~~ Edition, as amended by Chapters 51-11R and 51-11C WAC

(Ord. O2021-005, Amended, 03/02/2021; Ord. O2016-031, Amended, 12/06/2016; Ord. O2013-008, Amended, 06/18/2013; Ord. O2010-017, Amended, 12/21/2010; Ord. 1321, Added, 03/03/1992)

Section 9. Corrections. The City Clerk and codifiers of this ordinance are authorized to make necessary corrections to this ordinance including, but not limited to, the correction of scrivener/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 10. Ratification. Any act consistent with the authority and prior to the effective date of this ordinance is hereby ratified and affirmed.

Section 11. Severability. The provisions of this ordinance are declared separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section, or portion of this ordinance or the invalidity of the application thereof to any person or circumstance, shall not affect the validity of the remainder of the ordinance, or the validity of its application to other persons or circumstances.

Section 12. Effective Date. This ordinance shall become effective thirty (30) days after passage, approval, and publication as provided by law.

ADOPTED this _____ day of _____, 2024.

CITY OF TUMWATER

Debbie Sullivan, Mayor

ATTEST:

Melody Valiant, City Clerk

APPROVED AS TO FORM:

Karen Kirkpatrick, City Attorney

Published:_____

Effective Date:_____