

## **Title 14**

### **BUILDINGS AND CONSTRUCTION\***

#### **Chapters:**

- 14.04 Uniform Codes**
- 14.08 Satellite Receiving Antenna**
- 14.10 *Repealed***
- 14.14 Public Works Standards**
- 14.16 *Repealed***
- 14.26 Permits for Street Construction**
- 14.30 Debris on City Rights-of-Way**
- 14.34 *Deleted***
- 14.38 *Repealed***
- 14.42 *Repealed***

\*Construction standards, as adopted by Ord. 970, are on file in the city clerk's office.

Prior legislation: Ords. 122, 130, 250, 313, 335, 336, 338, 339, 375, 376, 378, 400, 417, 481, 517, 594, 641, 662, 675, 676, 677, 686, 695, 700, 750, 764, 776, 835, 847 and 924.



**Chapter 14.04****UNIFORM CODES\***

## Sections:

- 14.04.010 Short title.
- 14.04.020 Adoption of international codes.
- 14.04.030 *Repealed.*
- 14.04.040 Penalty for violation.
- 14.04.050 Conflicting provisions.

\*Prior legislation: Ord. 970.

**14.04.010 Short title.**

This title shall be known as the building code of the city of Stanwood. (Ord. 1154 § 1, 2004; Ord. 1048, 1998).

**14.04.020 Adoption of international codes.**

The following international codes, one copy of each of which has been filed or is on file with the city community development department for inspection by the public, which have been adopted with amendments by the State Building Code Council pursuant to Chapter 19.27 RCW are herewith adopted by reference as though fully set forth in this chapter:

(1) International Building Code, published by the International Code Conference, 2006 Edition, together with Washington State amendments as set forth in Chapter 51-50 WAC. Exclusions in the 2006 IBC: Sections 101.4.1 and 101.4.7.

(2) International Residential Code, published by the International Code Conference, 2006 Edition with Appendix G, together with Washington State amendments as set forth in Chapter 51-51 WAC.

(3) International Existing Building Code, published by the International Code Conference, 2006 Edition.

(4) International Mechanical Code, published by the International Code Conference, 2006 Edition, together with Washington State amendments as set forth in Chapter 51-52 WAC.

(5) Uniform Plumbing Code, published by the International Association of Plumbing and Mechanical Officials, IAPMO, 2006 Edition, together with Washington State amendments

as set forth in Chapter 51-56 WAC. The Uniform Plumbing Code Installation Standards, (Appendix I), 2006 Edition, with Washington State amendments as set forth in Chapter 51-57 WAC.

(6) International Fire Code, published by the International Code Conference, 2006 Edition, together with Washington State amendments as set forth in Chapter 51-54 WAC with Appendix D.

(7) International Property Maintenance Code, published by the International Code Council, 2006 Edition.

(8) Washington State Energy Code, published by the Washington State Building Code Council, 2006 Edition, together with Washington State amendments as set forth in Chapter 51-11 WAC.

(9) Washington State Ventilation and Indoor Air Quality Code, 2006 Edition, together with Washington State amendments as set forth in Chapter 51-13 WAC.

(10) International Fuel Gas Code, published by the International Code Conference, 2006 Edition, together with Washington State amendments as set forth in Chapter 51-52 WAC. (Ord. 1214 § 1, 2007; Ord. 1154 § 1, 2004; Ord. 1048, 1998).

**14.04.030 Schedule of fees.**

*Repealed by Ord. 1171.* (Ord. 1154 § 1, 2004; Ord. 1048, 1998).

**14.04.040 Penalty for violation.**

Violation of this chapter shall constitute a Class B infraction as defined in SMC 13.01.045(1) and subject the violator to enforcement as set forth therein. (Ord. 1154 § 1, 2004; Ord. 1112 § 2, 2001; Ord. 1048, 1998).

**14.04.050 Conflicting provisions.**

If any term, provision, condition or other portion of the codes set forth in SMC 14.04.020 is held to be inoperative, invalid, or unenforceable, the remainder of the code or the application of the terms or provisions to persons or circumstances other than those to which it is held invalid or unenforceable shall not be affected and shall continue in full force

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and effect. If there are conflicting terms, provisions, or conditions between the codes set forth in SMC 14.04.020 and any other section of the Stanwood Municipal Code, the more restrictive requirements shall prevail. (Ord. 1154 § 1, 2004; Ord. 1048, 1998).

## Chapter 14.08

### SATELLITE RECEIVING ANTENNA

#### Sections:

- 14.08.010 Definition.
- 14.08.020 Permit – Application and fee.
- 14.08.030 General requirements.
- 14.08.040 Residential zones.
- 14.08.060 Nonresidential zones.
- 14.08.070 Existing antennas – Grandfathered.
- 14.08.080 Small satellite antennas.
- 14.08.090 Penalty for violation.
- 14.08.100 Severability clause.

#### **14.08.010 Definition.**

“Satellite receiving antenna” is any parabolic or spherical antenna which receives television or other signals from orbiting satellites or other devices. The height of a ground-mounted antenna shall be the total maximum to which it is capable of being raised and shall be measured from the highest point of the finished grade adjacent to the structure. The height of a roof-mounted antenna where permitted shall be the total maximum to which it is capable of being raised and shall be measured from the highest point of the finished grade of the roof adjacent to the structure. A satellite antenna shall be considered as an accessory structure when it is not part of a public utility. (Ord. 970 § 1, 1996).

#### **14.08.020 Permit – Application and fee.**

(1) Permit Required. No person, firm or corporation shall erect a satellite receiving antenna in the city without first obtaining a permit, and no installation or erection shall commence before such permit is issued in accordance with the provisions of this chapter.

(2) Application for Permit and Plans. Any person who desires to construct or erect a satellite shall apply to the building official for the permit described above. A part owner, occupant or renter shall have the written permission of the owner of the lot, premises or parcel of land within the city on which such construction or erected satellite receiving antenna is proposed.

(a) The building official shall issue such permit provided the applicant submits a written application upon forms provided by the city of Stanwood along with a plot plan of the property, or parcel of land showing the exact location of the proposed satellite receiving antenna and all other buildings on the subject property; a description of the kind of satellite receiving antenna proposed; plans showing specifications and elevations of the proposed satellite receiving antenna; and sufficient details to show the method of assembly and construction.

(b) The application shall indicate the owner or owners of the subject property, the occupant of the subject premises and the contractor or other person who shall be permitted to construct or erect the proposed satellite earth station.

(3) Permit Fee. The fee required for a satellite receiving antenna permit as listed in SMC 3.30.075. (Ord. 970 § 1, 1996).

#### **14.08.030 General requirements.**

(1) All satellite receiving antennas shall comply with FCC regulations.

(2) The construction and installation of a satellite receiving antenna shall conform to applicable building code and electrical code regulations and requirements.

(3) Electromagnetic Interference. Each satellite receiving antenna shall be filtered and/or shielded so as to prevent the emission of radio frequency energy that would cause any harmful interference with the radio and/or television broadcasting or reception on adjacent properties. In the event that harmful interference is caused subsequent to the granting of a building permit, the owner of the dish antenna shall promptly take steps to eliminate the harmful interference in accordance with all applicable regulations.

(4) Each satellite receiving antenna shall serve only the building located upon the lot on which said satellite receiving antenna is constructed pursuant to this chapter.

(5) Satellite receiving antennas shall be constructed of noncombustible and corrosive-resistant material.

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(6) Satellite receiving antennas shall be constructed and erected in a secure and a wind-resistant manner. The antenna shall be wind-resistant and comply with all requirements of the adopted Uniform Building Code.

(7) The satellite receiving antenna must be adequately grounded for protection against lightning. (Ord. 970 § 1, 1996).

**14.08.040 Residential zones.**

A satellite receiving antenna may be located in any residential zone; provided, that the same:

- (1) Shall be neutral in color and bear no advertising emblem or information other than the name of the manufacturer in letters not to exceed two inches in height;
- (2) Shall be compatible with the appearance and character of the neighborhood;
- (3) Shall be limited to one per lot;
- (4) Shall not exceed 10 feet in diameter;
- (5) Shall not be roof-mounted;
- (6) Shall be located only in a rear yard a minimum of 20 feet from any lot line. (Ord. 970 § 1, 1996).

**14.08.060 Nonresidential zones.**

A satellite receiving antenna may be located in any nonresidential zone district; provided that it:

- (1) Shall be neutral in color and bear no advertising emblem or information other than the name of the manufacturer in letters not to exceed two inches in height;
- (2) Shall be compatible with the appearance of the neighborhood;
- (3) Shall be limited to one per lot or per building, whichever is less;
- (4) Shall not exceed 12 feet in diameter;
- (5) If roof-mounted, shall be to a maximum height of 35 feet above the grade at the building wall and shall have a certification from a structural engineer regarding the location stating that the structure is capable of handling the antenna and that said antenna does not provide any additional stress which the structure cannot bear;
- (6) If not located directly on the ground, shall not be constructed any closer to the ground than 10 feet and shall not be visible

between ground level and 10 feet above ground level from any street adjoining the lot.

(7) Ground-Mounted – Not To Be Located Between a Building and a Front Lot Line. The full impact of satellite receiving antennas shall be reduced by screening. If the subject lot adjoins a residential district, all antennas shall be placed a minimum of 20 feet from any lot line and effectively screened by a fence, wall, or dense screening hedge to a maximum height of six feet. Said fence, wall or hedge shall be located on or near the lot line bounding the residential district and shall otherwise comply with the applicable zoning requirements governing its location. (Ord. 970 § 1, 1996).

**14.08.070 Existing antennas – Grandfathered.**

Satellite antennas legally in existence at the time of the passage of the ordinance codified in this chapter shall be considered “grandfathered”. (Ord. 970 § 1, 1996).

**14.08.080 Small satellite antennas.**

Requirements of this chapter shall not apply to antennas with a diameter of three feet or less. (Ord. 970 § 1, 1996).

**14.08.090 Penalty for violation.**

Any person, firm or corporation violating any of the terms and provisions of this chapter shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall receive fine of \$1,000 and/or 90 days in jail. Each day such violation exists shall be deemed a separate offense and shall be punishable as such hereunder. (Ord. 970 § 1, 1996).

**14.08.100 Severability clause.**

It is hereby declared to be the intention of the city council that the sections, paragraphs, sentences, clauses and phrases of this chapter are severable, and if any phrase, clause, sentence, paragraph or section of this chapter shall be declared unconstitutional by the judgment of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this chapter, since the same would have been enacted by the city

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council without the incorporation in this chapter of any such unconstitutional phrase, clause, sentence, paragraph or section. (Ord. 970 § 1, 1996).

**Chapter 14.10**

**CELLULAR AND RADIO  
TOWERS/ANTENNAS**

(Repealed by Ord. 1052)

**Chapter 14.14**

**PUBLIC WORKS STANDARDS**

Sections:

14.14.010 Adopted.

**14.14.010 Adopted.**

The city of Stanwood construction development guidelines are hereby adopted for regulating the construction, maintenance and operation of all public works/planning projects within the city. (Ord. 970 § 1, 1996).

**Chapter 14.16**

**UNIFORM FIRE CODE**

(Repealed by Ord. 1053)

**Chapter 14.26**

**PERMITS FOR STREET  
CONSTRUCTION**

Sections:

- 14.26.010 Permits.
- 14.26.020 Applications.
- 14.26.030 Fees.
- 14.26.040 Bond required.
- 14.26.050 Indemnity.
- 14.26.060 Standards for issuance of permits.
- 14.26.070 Standards of construction.
- 14.26.080 Administration.
- 14.26.090 Appeal.
- 14.26.100 Affected adjacent property.
- 14.26.110 Other similar laws unaffected.
- 14.26.120 Form of surety bond.

**14.26.010 Permits.**

No person shall commence, continue or allow the continuance of any construction, reconstruction, repair, alteration, grading, cutting upon or over, or drilling, and/or boring under or through, any sidewalk, curb, driveway, alley or street, or any approach or connection onto any public street or alley in the city, without first obtaining a permit from the city as provided in this chapter. (Ord. 970 § 1, 1996).

**14.26.020 Applications.**

The application for such a permit shall be on forms provided by the public works department to any applicant, and shall contain such information as shall be reasonably necessary to enable the department to determine whether or not a permit should issue under this chapter. (Ord. 970 § 1, 1996).

**14.26.030 Fees.**

The fee shall be as provided in SMC 3.30.075, which shall be paid to the public works department. Upon payment of such fee, the public works director shall then proceed to act upon the application. (Ord. 970 § 1, 1996).

**14.26.040 Bond required.**

In cases where the estimated cost of the project properly allocable to that portion of the project situated upon the public right-of-way

shall exceed \$100.00, the public works director shall require a maintenance and construction bond to be filed with the application for a permit under this chapter in an amount equal to one-half of the estimated cost of the project and conditioned that such work shall be done in accordance with the city's standards for municipal construction, and guaranteeing the maintenance of the same for a period of two years. (Ord. 970 § 1, 1996).

**14.26.050 Indemnity.**

The public works director shall have the authority to require the applicant for a permit hereunder to file a bond conditioned to protect and save harmless the city from all claims or damages or injury to other persons by reason of such alteration or work; or, in the alternative, the applicant may provide satisfactory evidence of adequate liability and insurance in the amount of \$100,000 and \$300,000 for personal injury or death, and \$50,000 for property damage. (Ord. 970 § 1, 1996).

**14.26.060 Standards for issuance of permits.**

The city shall issue a permit when the public works department has determined:

(1) The plans for the proposed project provide sufficient detail to estimate the general costs and nature of the project showing it to be in the public interest; and

(2) The work will be accomplished according to the standards and specifications of the city for public works construction guidelines; and

(3) The project will not unreasonably interfere with vehicular and pedestrian traffic, the demand and necessity for parking spaces, and reasonable means of ingress and for affected properties; and

(4) The health, welfare and safety of the public will not unreasonably be impaired. (Ord. 970 § 1, 1996).

**14.26.070 Standards of construction.**

Construction standards shall be as provided for in the city of Stanwood construction development guidelines adopted in Chapter 14.14 SMC. (Ord. 970 § 1, 1996).

**14.26.080 Administration.**

The public works director or his/her delegate is charged with the administration of this chapter, including the issuance of permits, inspection of work undertaken thereunder, and approval or disapproval thereof. (Ord. 970 § 1, 1996).

**14.26.090 Appeal.**

Any person deeming himself aggrieved by any action of the public works director under any part of this chapter shall be entitled to appeal such determination to the city council within a period of 30 days upon giving notice of such appeal to the department so that the same may be regularly noted for hearing at a regular city council meeting. (Ord. 970 § 1, 1996).

**14.26.100 Affected adjacent property.**

Where the use, convenience and necessity of the public require, the public works department shall have the authority to order the owners or agents in charge of property adjacent to which curb-cuts are maintained to alter the curb-cut in such manner as he shall find reasonably necessary under the circumstances. The notice required by this section shall require completion by permittee within 30 days of the notice, be in writing, and be served upon permittee as required by law. (Ord. 970 § 1, 1996).

**14.26.110 Other similar laws unaffected.**

Compliance with this chapter shall not excuse full compliance with the provisions of SMC 12.08.100 and 12.08.290, concerning excavation and restoration of streets in connection with installation of sewers. (Ord. 970 § 1, 1996).

**14.26.120 Form of surety bond.**

In cases where a bond is required of any applicant in lieu of the surety bond required, an applicant may file with the public works department a cash deposit, or other negotiable security in form and substance approved by the city attorney, to guarantee the performance by applicant of his/her obligations to the city. (Ord. 970 § 1, 1996).

**Chapter 14.30**

**DEBRIS ON CITY RIGHTS-OF-WAY**

Sections:

- 14.30.010 Daily removal of deposits from rights-of-way and other municipally owned improvements.
- 14.30.020 Stop work order – Penalty for failure to comply.
- 14.30.030 Violation – Penalty.
- 14.30.040 Severability.

**14.30.010 Daily removal of deposits from rights-of-way and other municipally owned improvements.**

Any person, firm, or corporation making any deposits of dirt, mud, rock, debris or other material of any nature on the public rights-of-way and any other municipally owned improvements shall clean up said deposits in a timely manner during the course of and at the end of each day’s operation. Adequate equipment shall be available during each day of operation to ensure quick and timely removal of any such deposits. The equipment available shall include a power broom or other means approved by the public works director or his/her designee. The right-of-way surfaces and all catch basins, culverts or other municipally owned improvements affected by the deposits shall be cleaned. (Ord. 970 § 1, 1996).

**14.30.020 Stop work order – Penalty for failure to comply.**

In the event any person, firm or corporation fails to comply with the provisions of SMC 14.30.010, the public works director or his/her designee may cause a notice of violation to be delivered to a person of suitable age at the job site and may order all work to cease until authorized by the public works director or his/her designee to proceed. Work shall not resume until so authorized by the public works department. (Ord. 970 § 1, 1996).

**14.30.030 Violation – Penalty.**

Violation of any of the terms of this chapter may be punished by imposition of a fine of

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\$1,000 and/or 90 days in jail for each offense, or not more than six months in jail for each offense, or both, as determined by the municipal court. Each day the violation occurs shall be a separate offense. (Ord. 970 § 1, 1996).

**14.30.040 Severability.**

If any portion of this chapter is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this chapter. (Ord. 970 § 1, 1996).

**Chapter 14.34**

**TEMPORARY STRUCTURES\***

(Deleted by Ord. 1110)

\*Code reviser's note: For provisions on temporary structures, see SMC 17.100.080, Temporary uses.

**Chapter 14.38**

**ENERGY CODE**

(Repealed by Ord. 1053)

**Chapter 14.42**

**LEASES OF CITY RIGHTS-OF-WAY**

(Repealed by Ord. 1009)