Ordinance No. 3701
(Amending or Repealing Ordinances)

CFN=0205 – Building and Fire Codes
Passed – 8/3/2004
Uniform Housing Code and Uniform Code for the Abatement of Dangerous Buildings – Amendment (amending Secs. 14.01.070 & 14.01.080)

Amends Ords. 3415;3622;3690

Amended by Ord. 3839;3956
AN ORDINANCE of the City Council of the City of Kent, Washington, amending Kent City Code sections 14.01.070 and 14.01.080 to update the references from the Uniform Building Code to the International Building Code or the International Residential Code, as may be applicable.

RECITALS

A. On May 4, 2004, the City Council adopted Ordinance Nos. 3690 and 3691 which adopted the new international codes published by the International Code Council, Inc.—the International Building Code, the International Residential Code, the International Mechanical Code, and the International Fire Code.

B. In light of the adoption of the international codes, it is appropriate to amend the Kent City Code in order to update the references in the Uniform Housing Code and the Uniform Code for the Abatement of Dangerous Buildings to refer to the International Building Code or the International Residential Code, as may be applicable.

THE CITY COUNCIL OF THE CITY OF KENT, WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:
ORDINANCE

SECTION 1. – Amendment. Section 14.01.070 of the Kent City Code, entitled “Amendments to the Uniform Housing Code,” is amended as follows:

Sec. 14.01.070. Amendments to the Uniform Housing Code. The following local amendments to the Uniform Housing Code previously adopted in KCC 14.01.010 are hereby adopted as if fully set forth therein.

A. Scope. Section 103 of the Uniform Housing Code is amended by substituting Section 103 with the following:

Sec. 103. Scope. The provisions of this code shall apply to all buildings or portions thereof used, or designed, or intended to be used, for human habitation. Such occupancies in existing buildings may be continued as provided in IBC § 102.6 or IRC § R102.7, as may be applicable, except such structures as are found to be substandard as defined in this code.

Where any building or portion thereof is used or intended to be used as a combination apartment house-hotel, the provisions of this code shall apply to the separate portions as if they were separate buildings.

Rooming houses, congregate residences, or lodging houses shall comply with all the requirements of this code for dwellings.

B. Application to existing buildings and structures – Additions, alterations, or repairs. Subsection 104.1 of the Uniform Housing Code is amended by substituting Subsection 104.1 with the following:

Sec. 104.1 Additions, Alterations, or Repairs. For additions, alterations, or repairs, see IBC §§ 102.6 and 3403 or IRC § R102.7, as may be applicable.

Uniform Housing Code and Uniform Code for the 2 Abatement of Dangerous Buildings - Amendment
CA. Repealer. Section 202 of Chapter 2 and Chapters 11 through 16 of the Uniform Housing Code are hereby repealed.

DB. Board of appeals. Section 203 of the Uniform Housing Code, entitled “Board of appeals,” is amended by substituting Section 203 with the following:

Sec. 203 Board of appeals. The City of Kent hearings examiner is designated as the board of appeals in order to hear and decide appeals of orders, decisions, or determinations made by the building official relative to the suitability of alternate materials, design, and methods of construction and appeals of the reasonable application and interpretation of the building codes. Appeals shall be made as set forth in section 14.01.100 of the Kent City Code.

EG. Violations. Section 204 of the Uniform Housing Code, entitled “Violations,” is amended by substituting Section 204 with the following:

Sec. 204 Violations

204.1 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 the same to be done, in conflict with or in violation of any of the provisions of this code.

204.2 Violation penalties. Any person who violates a provision of this code, or fails to comply with any of its requirements, or who erects, constructs, alters or repairs a building or structure in violation of: (a) the approved construction documents, (b) a directive of the building official, or (c) a permit or certificate issued under the provisions of this code, shall be subject to penalties as set forth in Ch. 14.08 KCC or as otherwise provided by law.
F. **Permits and inspections – General.** Section 301 of the *Uniform Housing Code,* entitled “General,” is amended by substituting Section 301 with the following:

**Sec. 301. General.** No building or structure regulated by this code shall be erected, constructed, enlarged, altered, repaired, moved, improved, removed, converted, or demolished unless a separate permit for each building or structure has first been obtained from the building official in the manner and according to the applicable conditions prescribed in IBC §§ 105 and 106 or IRC §§ R105 and R106, as may be applicable.

G. **Permits and inspections – Fees.** Section 302 of the *Uniform Housing Code,* entitled “Fees,” is amended by substituting Section 302 with the following:

**Sec. 302. Fees.** When a building permit is required by Section 301 of this code, the appropriate fees shall be paid as specified in IBC § 108 or IRC § R108, as may be applicable.

H. **Permits and inspections – Inspection.** Section 303 of the *Uniform Housing Code,* entitled “Inspection,” is amended by substituting Section 303 with the following:

**Sec. 303. Inspection.** Buildings or structures within the scope of this code and all construction or work for which a permit is required shall be subject to inspection by the building official in accordance with and in the manner provided by this code and IBC §§ 109 and 1704 or IRC § R109, as may be applicable.

I. **Definitions – Building code.** Section 401 of the *Uniform Housing Code,* entitled “Definitions,” is amended by revising the definition of “building code” as follows:

**Sec. 401. Definitions.**

**BUILDING CODE** is the *International Building Code* ("IBC") or the *International Residential Code* ("IRC"), as
may be applicable, promulgated by the International Code Council, Inc., as adopted by this jurisdiction.

I. Definitions – Mechanical code. Section 401 of the Uniform Housing Code, entitled “Definitions,” is amended by revising the definition of “mechanical code” as follows:

Sec. 401. Definitions.

MECHANICAL CODE is the International Mechanical Code or the International Residential Code, promulgated by the International Code Council, Inc., as may be applicable and as adopted by this jurisdiction.

K. Space and occupancy standards – Location on property. Section 501 of the Uniform Housing Code, entitled “Location on Property,” is amended by substituting Section 501 with the following:

Sec. 501. Location on property. All buildings shall be located with respect to property lines and to other buildings on the same property as required by Chs. 5 and 6 IBC and IRC § R302, as may be applicable.

L. Light and Ventilation - Hallways. Subsection 504.4 of the Uniform Housing Code, entitled “Hallways,” is amended by substituting Subsection 504.4 with the following:

Sec. 504.4 Hallways. All public hallways, stairs, and other exitways shall be adequately lighted at all times in accordance with IBC § 1006 or IRC §§ R303 and R311, as may be applicable.

M. Sanitation – Water Closet Compartments. Subsection 505.5 of the Uniform Housing Code, entitled “Water closet compartments,” is amended by substituting Subsection 505.5 with the following:
**Sec. 505.5 Water Closet Compartments.** Walls and floors of water closet compartments, except in dwellings, shall be furnished in accordance with IBC § 1210. This provision is not applicable to those projects subject to the IRC.

N. **Heating and Ventilation – Heating.** Subsection 701.1 of the *Uniform Housing Code*, entitled “Heating,” is amended by substituting Subsection 701.1 with the following:

**Sec. 701.1 Heating.** Dwelling units, guest rooms, and congregate residences shall be provided with heating facilities capable of maintaining a room temperature of at least 70°F (21.1°C) at a point 3 feet (914 mm) above the floor in all habitable rooms. Such facilities shall be installed and maintained in a safe condition and in accordance with Ch. 21 IBC or Chs. 10-24 IRC, as may be applicable, the Mechanical Code, and all other applicable laws. Unvented fuel-burning heaters are not permitted. All heating devices or appliances shall be of an approved type.

O. **Exits - General.** Section 801 of the *Uniform Housing Code*, entitled “General,” is amended by substituting Section 801 with the following:

**Sec. 801. General.** Dwelling units or guest rooms shall have access directly to the outside or to a public corridor. All buildings or portions thereof shall be provided with exits, exitways, and appurtenances as required by Ch. 10 IBC or IRC § R311, as may be applicable.

P. **Fire protection - General.** Section 901 of the *Uniform Housing Code*, entitled “General,” is amended by substituting Section 901 with the following:

**Sec. 901. General.** All buildings or portions thereof shall be provided with the degree of fire-resistive construction as required by the building code for the appropriate occupancy, type of construction, and location on property, and shall be provided with the appropriate fire-extinguishing systems or equipment required by Ch. 9 IBC or IRC §R313, as may be
Q. Substandard Buildings - Definition - General. Subsection 1001.1 of the Uniform Housing Code, entitled "General," is amended by substituting Subsection 1001.1 with the following:

**Sec. 1001.1 General.** Any building or portion thereof that is determined to be an unsafe building in accordance with IBC § 115, or any building or portion thereof, including any dwelling unit, guest room or suite of rooms, or the premises on which the same is located, in which there exists any of the conditions referenced in this section to an extent that those conditions endanger the life, limb, health, property, safety, or welfare of the public or the occupants thereof, shall be deemed and hereby are declared to be substandard buildings.

**SECTION 2. - Amendment.** Section 14.01.080 of the Kent City Code, entitled "Amendments to the Uniform Code for the Abatement of Dangerous Buildings," is amended as follows:

**Sec. 14.01.080. Amendments to the Uniform Code for the Abatement of Dangerous Buildings.** The following local amendments to the Uniform Code for the Abatement of Dangerous Buildings previously adopted in KCC 14.01.010 are hereby adopted as if fully set forth therein.

A. Purpose and scope. Subsection 102.1 of the Uniform Code for the Abatement of Dangerous Buildings, entitled "Purpose," is amended by substituting Subsection 102.1 with the following:

**Sec. 102.1 Purpose.** It is the purpose of this code to provide a just, equitable, and practicable method, to be cumulative with and in addition to any other remedy provided by the International Building Code, International Residential Code, Uniform Housing Code, or otherwise available by law, whereby buildings or structures which from any cause
endanger the life, limb, health, morals, property, safety, or welfare of the general public or of their occupants may be required to be repaired, vacated, or demolished.

The purpose of this code is 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 this code.

B. Alterations, additions, and repairs. Section 103 of the Uniform Code for the Abatement of Dangerous Buildings, entitled “Alterations, additions, and repairs,” is amended by substituting Section 103 with the following:

Sec. 103. Alterations, additions, and repairs. All buildings or structures which are required to be repaired under the provisions of this code shall be subject to the provisions of IBC § 3403 or IRC § R102.7, as may be applicable.

CA. Abatement of dangerous buildings. Section 202 of the Uniform Code for the Abatement of Dangerous Buildings, entitled “Abatement of Dangerous Buildings,” is amended by substituting Section 202 with the following:

Sec. 202. Abatement of dangerous buildings. All buildings or portions thereof which are determined after inspection by the building official to be dangerous as defined in this code are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, demolition or removal.

DB. Violations. Section 203 of the Uniform Code for the Abatement of Dangerous Buildings, entitled “Violations,” is amended by substituting Section 203 with the following:

Sec. 203 Violations.

203.1 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 the same to be done, in conflict with or in violation of any of the provisions of this code.

203.2 Violation penalties. Any person who violates a provision of this code, or fails to comply with any of its requirements, or who erects, constructs, alters or repairs a building or structure in violation of: (a) the approved construction documents, (b) a directive of the building official, or (c) a permit or certificate issued under the provisions of this code, shall be subject to penalties as set forth in Ch. 14.08 KCC or as otherwise provided by law.

E. Inspection of Work. Section 204 of the Uniform Code for the Abatement of Dangerous Buildings, entitled “Application of the Code,” is amended by substituting Section 204 with the following:

Sec. 204 Inspection of Work. All buildings or structures within the scope of this code and all construction or work for which a permit is required shall be subject to inspection by the building official in accordance with and in the manner provided by this code and IBC §§ 109 and 1704 or IRC § R109, as may be applicable.

F. Board of Appeals. Section 205 of the Uniform Code for the Abatement of Dangerous Buildings, entitled “Board of Appeals,” is amended by substituting Section 205 with the following:

Sec. 205 Board of appeals. The City of Kent hearings examiner is designated as the board of appeals in order to hear and decide appeals of orders, decisions, or determinations made by the building official relative to the suitability of alternate materials, designs, and methods of construction and appeals of the reasonable application and interpretation of the building codes. Appeals shall be made as set forth in section 14.01.100 of the Kent City Code.
General - Definitions. Section 301 of the Uniform Code for the Abatement of Dangerous Buildings is amended as follows:

Sec. 301 General. For the purpose of this code, certain terms, phrases, words, and their derivatives shall be construed as specified in either this chapter or as specified in the building code or the housing code. Where terms are not defined, they shall have their ordinary accepted meanings within the context with which they are used. "Webster’s Third New International Dictionary of the English Language, Unabridged," copyright 1986, shall be construed 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. Building code is the International Building Code or the International Residential Code, as may be applicable, promulgated by the International Code Council, Inc., as adopted by this jurisdiction. Dangerous building is any building or structure deemed to be dangerous under the provision of section 302 of this code. Endangered as used in section 302 means negatively affected, to any degree, by any and all conditions, actions or omissions which, singularly or together, reduce or are likely to reduce or negatively impact the life or limb, health, property or safety of the public, including but not limited to, economy in the provision of public service, general welfare, economic viability, or security in the enjoyment of the community. Health officer as used in this code shall mean the building official or his or her designee. Housing code is the Uniform Housing Code promulgated by the International Conference of Building Officials, as adopted by this jurisdiction.

HD. Repealer. Chapters 4 through 9 of the Uniform Code for the Abatement of Dangerous Buildings are repealed.

SECTION 3. – Severability. If any one or more section, subsections, or sentences of this ordinance are held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this ordinance and the same shall remain in full force and effect.
SECTION 4. - Ratification. Any act consistent with the authority and prior to the effective date of this resolution is hereby ratified and affirmed.

SECTION 5. - Effective date. This Ordinance shall take effect and be in force thirty (30) days from and after its passage as provided by law.

JIM WHITE, MAYOR

ATTEST:

BRENDA JACOBER, CITY CLERK

APPROVED AS TO FORM:

TOM BRUBAKER, CITY ATTORNEY

PASSED: 3 day of August, 2004.

APPROVED: 3 day of August, 2004.


I hereby certify that this is a true copy of Ordinance No. 3701 passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent as herein indicated.

BRENDA JACOBER, CITY CLERK