ORDINANCE NO. 4170

AN ORDINANCE of the City Council of the City of Kent, Washington, amending Title 14 of the Kent City Code to adopt the 2012 edition of the International Property Maintenance Code to regulate and govern the conditions and maintenance of all property, buildings, and structures and to provide standards for utilities, facilities, and other physical things and conditions essential to ensure that structures are safe, sanitary, and fit for occupation and use.

RECITALS

A. As set forth in Title 14 of the Kent City Code, the City Council enacted Ordinance No. 4081 on May 21, 2013, which adopted the 2012 edition of the International Building Code.

B. Section 101.4.4 of the International Building Code adopts the International Property Maintenance Code in a limited capacity, only to the extent the International Property Maintenance Code is referenced within the International Building Code.

C. It is necessary to adopt the International Property Maintenance Code in its entirety, with local amendments, to ensure that all

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property, buildings and structures within the City of Kent are safe, sanitary and fit for occupation and use.

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

ORDINANCE

SECTION 1. - Amendment. Section 14.01.010 of the Kent City Code, entitled “Building Codes – Adopted,” is amended as follows:

Sec. 14.01.010. Building Codes – Adopted. In accordance with Chapter 19.27 RCW, the following codes (collective, the “building codes”) together with any additions, deletions, and exceptions currently enacted or as may be amended from time to time by the state of Washington through its Building Code Council pursuant to the Washington Administrative Code (“WAC”), and as further amended in this chapter, are adopted by reference:


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One (1) copy of each of these codes is on file with the city’s building official.

SECTION 2. - New Section. Chapter 14.01 of the Kent City Code is amended to add a new section 14.01.087, entitled “Amendments to the International Property Maintenance Code,” as follows:

Sec. 14.01.087. Amendments to the International Property Maintenance Code. The following local amendments to the International
Property Maintenance Code are adopted and incorporated into the International Property Maintenance Code:

A. All references to the “code official” in the International Property Maintenance Code shall be substituted with the words “building official.”

B. Fees. Section 103.5 of the International Property Maintenance Code, entitled “Fees,” is amended by substituting Section 103.5 with the following:

Sec. 103.5. Fees shall be assessed as set forth in Section 14.01.090 of the Kent City Code.

C. Violations. Section 106 of the International Property Maintenance Code, entitled “Violations,” is amended by substituting Section 106 with the following:

Sec. 106. Violations.

106.1. Unlawful acts. It shall be unlawful for any person, firm, or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, occupy or maintain any building or structure or cause or permit the same to be done in violation of this code.

106.2. 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 Chs. 14.08 and 1.04 KCC or as otherwise provided by law.
D. Notices and Orders. Section 107 of the International Property Maintenance Code, entitled "Notices and Orders," is amended by substituting Section 107 with the following:

Sec. 107. Notices of Violation. Whenever the building official or his designee determines that there has been a violation of this code or has grounds to believe that a violation has occurred, the code enforcement officer may issue a notice to any person responsible for the violation, pursuant to Chapter 1.04 of the Kent City Code.

E. Board of appeals. Section 111 of the International Property Maintenance Code, entitled "Means of Appeal," is amended by substituting Section 111 with the following:

Sec. 111. 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.

F. Failure to comply. Section 112.4 of the International Property Maintenance Code, entitled "Failure to Comply," is amended by substituting Section 112.4 with the following:

Sec. 112.4. Failure to Comply. Any failure to comply with a stop work or stop use order shall constitute a misdemeanor, punishable by imprisonment in jail for a maximum term fixed...
by the court of not more than ninety (90) days, or by a fine in an amount fixed by the court of not more than one thousand dollars ($1,000), or by both such imprisonment and fine, pursuant to KCC 1.04.090, 1.04.100, and 1.04.110.

G. *Rubbish and Garbage.* Section 308 of the International Property Maintenance Code, entitled "Rubbish and Garbage," is deleted in its entirety.

H. *Electrical Facilities.* Section 604 of the International Property Maintenance Code, entitled "Electrical Facilities," is deleted in its entirety.

I. *Electrical Equipment.* Section 605 of the International Property Maintenance Code, entitled "Electrical Equipment," is deleted in its entirety.

J. *Elevators, Escalators and Dumbwaiters.* Section 606 of the International Property Maintenance Code, entitled "Elevators, Escalators and Dumbwaiters," is deleted in its entirety.

**SECTION 3.** - *Severability.* If any one or more section, subsection, or sentence of this ordinance is held to be unconstitutional or invalid, that decision shall not affect the validity of the remaining portion of this ordinance and the same shall maintain its full force and effect.

**SECTION 4.** - *Corrections by City Clerk or Code Reviser.* Upon approval of the city attorney, the city clerk and the code reviser are authorized to make necessary corrections to this ordinance, including the correction of clerical errors; ordinance, section or subsection numbering;
or references to other local, state or federal laws, codes, rules, or regulations.

**SECTION 5. – Effective Date.** This ordinance shall take effect and be in force thirty (30) days from and after its passage and publication as provided by law.

Suzette Cooke, Mayor

ATTEST:

Ronald F. Moore, MMC
RONALD F. MOORE, CITY CLERK

APPROVED AS TO FORM:

TOM BRUBAKER, CITY ATTORNEY
APPROVED: 6th day of October, 2015.
PUBLISHED: 9th day of October, 2015.

I hereby certify that this is a true copy of Ordinance No. 4170 passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent as hereon indicated.

[Signature]
RONALD F. MOORE, CITY CLERK

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