ORDINANCE NO. 4202

AN ORDINANCE of the City Council of the City of Kent, Washington, amending various sections of Ch. 14.01 of the Kent City Code to adopt the 2015 editions of the International Building, Residential, Mechanical, Existing Building, Property Maintenance, and Energy Conservation Codes and the Uniform Plumbing Code; and to revise Section 14.08.020 to refer to the newly adopted codes.

RECITALS

A. In response to legislative amendments adopted by the State of Washington, the Kent City Council enacted Ordinance No. 4081 on May 21, 2013, which adopted the 2012 editions of the International Building, Residential, Existing Building, Mechanical, and Energy Conservation Codes, and the 2012 edition of the Uniform Plumbing Code. The state recently adopted the 2015 edition of these codes, which all take effect and apply to all cities in the state on July 1, 2016. Therefore, it is necessary to amend the Kent City Code to formally adopt the same.

B. On January 19, 2016, the Kent City Council enacted Ordinance No. 4186, which adopted the 2012 edition of the International Property Maintenance Code. The International Code Council recently

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published the 2015 edition of the International Property Maintenance Code, which takes effect and applies to all cities in the state that have previously adopted the International Property Maintenance Code, on July 1, 2016. Therefore, it is necessary to amend the Kent City Code to formally adopt the same.

C. In addition to adopting the 2015 code editions and Washington State Amendments, this ordinance also makes other housekeeping amendments, including adding references to the International Property Maintenance Code and deleting references to the Uniform Code for the Abatement of Dangerous Buildings in Section 14.08.020 of the Kent City Code.

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

ORDINANCE

SECTION 1. - Amendment. Chapter 14.01 of the Kent City Code, entitled “Building Codes,” is amended as follows:

Chapter 14.01
BUILDING CODES

Sec. 14.01.010 Building codes – Adopted. In accordance with Chapter 19.27 RCW, the following codes (collectively, 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

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("WAC"), and as further amended in this chapter, are adopted by reference:


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

Sec. 14.01.020 Code conflicts. To the extent allowed by RCW 19.27.040, if a conflict exists between the provisions of the state building codes adopted by the Washington State Building Code Council and the provisions of this chapter, the Kent City Code provisions shall govern.

Sec. 14.01.030 Amendments to the International Building Code. The following local amendments to the International Building Code, including all amendments enacted by the state of Washington, are hereby adopted and incorporated into the International Building Code:

A. General – Building code appendices adopted. Section 101 of the International Building Code, entitled “General,” is amended by adding the following new subsection 101.5:

Sec. 101.5. Building code appendices adopted. Appendices C, E and J to the International Building Code are hereby adopted; however, the public works director shall have the authority to enforce and interpret Appendix J and, accordingly, all references to the “building official”
in Appendix J shall be substituted with the words “public works director.”

B. Duties and powers of building official – Lot lines and setback lines. Section 104 of the International Building Code, entitled “Duties and Powers of Building Official,” is amended by adding the following new subsection 104.12:

Sec. 104.12. Lot lines and setback lines. Notwithstanding the authority of the building official to administer and enforce the building code, the building official shall have no duty to verify or establish lot lines or setback lines. No such duty is created by this code, and none shall be implied.

C. Permits – Expiration of project permit application. Section 105 of the International Building Code, entitled “Permits,” is amended by substituting subsection 105.3.2 with the following:

Sec. 105.3.2. Expiration of project permit application. Project permit applications that are subject to Ch. 12.01 KCC or that require SEPA review are subject to the deadlines established by that code chapter or by SEPA. All other project permit applications shall expire by limitation if no permit is issued 180 days after the determination that a fully complete project permit application, as defined in KCC 14.11.020, has been submitted, unless that application has been pursued in good faith as determined solely in the building official’s discretion. The building official may extend the time for action on the permit application for one or more periods, each period not exceeding 90 days, upon written request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. If an application has expired, plans and other data previously submitted for review may thereafter be returned to the applicant or destroyed. In order to renew
action on an expired application, the applicant shall resubmit plans and pay a new review fee at the rates in effect at the time of resubmission.

D. Board of appeals. Section 113 of the International Building Code, entitled "Board of Appeals," is amended by substituting Section 113 with the following:

Sec. 113. 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 KCC 14.01.100.

E. Additional height increases. Section 504 of the International Building Code, entitled "Height," is amended by adding the following new subsection 504.5:

Sec. 504.5. Additional height increases. For Group B or Group R, Divisions 1 and 2 Occupancies, the permitted increase of one story allowed by subsection 504.2 may be increased to two stories when all of the conditions enumerated below are met. The increase provided in Section 504.3, as amended by WAC 51-50, shall not be added to this increase.

1. An automatic fire sprinkler system complying with Section 903.3.1.1 is installed throughout with the installation of quick response sprinkler heads in all areas where the use of these heads is allowed.

2. Vertical exit enclosures are constructed as smokeproof enclosures or pressurized stair enclosures in accordance with Section 909.20 and Section 909.11.
3. Standby power is supplied for light, emergency, and any exit enclosure pressurization systems used, as provided in Sections 403.4.7, 403.4.8 and 909.20.6.2, and the adopted edition of the National Electrical Code. Connection ahead of service disconnect means shall be permitted for standby power.

4. Walls separating dwelling units or sleeping units, and corridor walls in Group R, Divisions 1 and 2 Occupancies shall be constructed as 1-hour fire partitions as provided in Section 708. Reduction of the fire-resistance rating is not permitted.

5. All exterior walls, including those with a fire separation distance of more than five feet, shall be of not less than 1-hour fire-resistance rated construction on the interior and the exterior of the wall.

6. Structural observation is provided during construction in accordance with Sections 202, 1702 and 1704.5.

7. An emergency voice/alarm communication system complying with subsections 907.5.2.2 through 907.5.2.2.5 is installed.

8. Approved supervised indicating control valves shall be provided at the point of connection to the automatic fire sprinkler system riser on each floor.

9. Structures meeting the requirements of this subsection shall have an automatic sprinkler zone per floor. All zones must report independently.

Sec. 14.01.035 Amendments to the International Existing Building Code. The following local amendments to the International Existing Building Code, including all amendments enacted by the state of
Washington, are hereby adopted and incorporated into the International Existing Building Code:

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

B. Duties and powers of building official – Lot lines and setback lines. Section 104 of the International Existing Building Code, entitled “Duties and Powers of Code Official,” is amended by adding the following new subsection 104.12:

Sec. 104.12. Lot lines and setback lines. Notwithstanding the authority of the building official to administer and enforce the building code, the building official shall have no duty to verify or establish lot lines or setback lines. No such duty is created by this code, and none shall be implied.

C. Permits – Expiration of project permit application. Section 105 of the International Existing Building Code, entitled “Permits,” is amended by substituting subsection 105.3.2 with the following:

Sec. 105.3.2. Expiration of project permit application. Project permit applications that are subject to Ch. 12.01 KCC or that require SEPA review are subject to the deadlines established by that code chapter or by SEPA. All other project permit applications shall expire by limitation if no permit is issued 180 days after the determination that a fully complete project permit application, as defined in KCC 14.11.020, has been submitted, unless that application has been pursued in good faith as determined solely in the building official’s discretion. The building official may extend the time for action on the permit application for one or more periods, each period

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not exceeding 90 days, upon written request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. If an application has expired, plans and other data previously submitted for review may thereafter be returned to the applicant or destroyed. In order to renew action on an expired application, the applicant shall resubmit plans and pay a new review fee at the rates in effect at the time of resubmission.

D. Certificate of occupancy - Altered area use and occupancy classification change. Section 110 of the International Existing Building Code, entitled “Certificate of Occupancy,” is amended by substituting subsection 110.1 with the following:

Sec. 110.1. Altered area use and occupancy classification change. No altered area of a building and no relocated building shall be used or occupied, and no change in the existing occupancy classification of a building or portion thereof shall be made until the building official has issued a certificate of occupancy therefor as provided herein, except that no certificate of occupancy is required for detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories above grade plane in height with a separate means of egress and their accessory structures subject to the provisions of the International Residential Code. 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.

E. Board of appeals. Section 112 of the International Existing Building Code, entitled “Board of Appeals,” is amended by substituting Section 112 with the following:

Sec. 112. 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 KCC 14.01.100.

F. General. Section 1401 of the International Existing Building Code,
entitled “General,” is amended by substituting subsection 1401.2 with the
following:

Sec. 1401.2. Applicability. Structures existing prior to
May 17, 1954, in which there is work involving additions,
alterations or changes of occupancy shall be made to
conform to the requirements of this chapter or the
provisions of Chapters 5 through 13. The provisions of
Sections 1401.2.1 through 1401.2.5 shall apply to
existing occupancies that will continue to be, or are
proposed to be, in Groups A, B, E, F, I-2, M, R and S.
These provisions shall not apply to buildings with
occupancies in Group H or I-1, I-3 or I-4.

Sec. 14.01.040 Amendments to the International Residential
Code. The following local amendments to the International Residential
Code, including all amendments enacted by the state of Washington, are
hereby adopted and incorporated into the International Residential Code:

A. Duties and powers of building official – Lot lines and setback lines.
Section R104 of the International Residential Code, entitled “Duties and
Powers of Building Official,” is amended by adding the following new
subsection R104.12:

Sec. R104.12. Lot lines and setback lines.
Notwithstanding the authority of the building official to
administer and enforce the building code, the building
official shall have no duty to verify or establish lot lines or setback lines. No such duty is created by this code, and none shall be implied.

B. Permits – Substantially improved or substantially damaged existing buildings in areas prone to flooding. Section R105 of the International Residential Code, entitled “Permits,” is amended by substituting subsection R105.3.1.1 with the following:

Sec. R105.3.1.1. Substantially improved or substantially damaged existing buildings in areas prone to flooding. The building official may require that all applications for reconstruction, rehabilitation, addition, or other improvement of existing buildings or structures located in an area prone to flooding be submitted in accordance with Ch. 14.09 KCC.

C. Permits – Expiration of project permit application. Section R105 of the International Residential Code, entitled “Permits,” is amended by substituting subsection R105.3.2 with the following:

Sec. R105.3.2. Expiration of project permit application. Project permit applications that are subject to Ch. 12.01 KCC or that require SEPA review are subject to the deadlines established by that code chapter or by SEPA. All other project permit applications shall expire by limitation if no permit is issued 180 days after the determination that a fully complete project permit application, as defined in KCC 14.11.020, has been submitted, unless that application has been pursued in good faith as determined solely in the building official’s discretion. The building official may extend the time for action on the permit application for one or more periods, each period not exceeding 90 days, upon written request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. If an application has expired, plans and other data
previously submitted for review may thereafter be returned to the applicant or destroyed. In order to renew action on an expired application, the applicant shall resubmit plans and pay a new review fee at the rates in effect at the time of resubmission.

D. Fees – Building permit valuations. Section R108 of the International Residential Code, entitled “Fees,” is amended by substituting subsection R108.3 with the following:

Sec. R108.3. Building permit valuations. The permit applicant shall provide an estimated permit value at time of application. Permit valuations shall include total value of the work, including materials and labor, for which the permit is being issued. (The work would include, for example and without limitation, electrical, gas, mechanical, and plumbing equipment and other permanent systems.) If the building official decides that the permit valuation is underestimated, the permit application shall be denied, unless the applicant can show detailed estimates to meet the approval of the building official. Final building permit valuation shall be set by the building official.

E. Certificate of occupancy. Section R110 of the International Residential Code, entitled “Certificate of Occupancy,” is hereby repealed.

F. Board of appeals. Section R112 of the International Residential Code, entitled “Board of Appeals,” is amended by substituting Section R112 with the following:

Sec. R112. 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. Any appeal to an order, decision, or determination of the public works director with respect to work within a flood hazard area shall be made in accordance with Ch. 14.09 KCC.

**Sec. 14.01.050 Amendments to the Uniform Plumbing Code.**
The following local amendments to the Uniform Plumbing Code, including all amendments enacted by the state of Washington, are hereby adopted and incorporated into the Uniform Plumbing Code:

A. Organization and enforcement – Penalties. Section 102 of the Uniform Plumbing Code, entitled “Organization and Enforcement,” is amended by substituting subsection 102.5 with the following:

Sec. 102.5. Penalties. Any person who violates a provision of this code or fails to comply with any of its requirements or who erects, installs, alters, or repairs plumbing work in violation of: (a) the approved construction documents, (b) a directive of the building code 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.

B. Organization and enforcement – Board of appeals. Section 102 of the Uniform Plumbing Code, entitled “Organization and Enforcement,” is amended by substituting subsection 102.3 with the following:

Sec. 102.3. 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.

C. Permits and Inspections – Expiration of project permit application. Section 103 of the Uniform Plumbing Code, entitled “Permits and Inspections,” is amended by substituting subsection 103.4.2 with the following:

Sec. 103.4.2. Expiration of project permit application. Project permit applications that are subject to Ch. 12.01 KCC or that require SEPA review are subject to the deadlines established by that code chapter or by SEPA. All other project permit applications shall expire by limitation if no permit is issued 180 days after the determination that a fully complete project permit application, as defined in KCC 14.11.020, has been submitted, unless that application has been pursued in good faith as determined solely in the building official’s discretion. The building official may extend the time for action on the permit application for one or more periods, each period not exceeding 90 days, upon written request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. If an application has expired, plans and other data previously submitted for review may thereafter be returned to the applicant or destroyed by the building official. In order to renew action on an expired application, the applicant shall resubmit plans and pay a new review fee at the rates in effect at the time of resubmission.

D. Plumbing permit fees. Table 103.4 of the Uniform Plumbing Code, entitled “Plumbing Permit Fees,” is amended by substituting Table 103.4 with the following:
Table 103.4. Plumbing Permit Fees. Plumbing permit fees and related fees shall be as established by resolution of the city council, in accordance with 14.01.090 KCC.

**Sec. 14.01.060 Amendments to the International Mechanical Code.** The following local amendments to the International Mechanical Code, including all amendments enacted by the state of Washington, are hereby adopted and incorporated into the International Mechanical Code:

A. Permits – Expiration of project permit application. Section 106 of the International Mechanical Code, entitled "Permits," is amended by substituting subsection 106.3.3 with the following:

Sec. 106.3.3. Expiration of project permit application. Project permit applications that are subject to Ch. 12.01 KCC or that require SEPA review are subject to the deadlines established by that code chapter or by SEPA. All other project permit applications shall expire by limitation if no permit is issued 180 days after the determination that a fully complete project permit application, as defined in KCC 14.11.020, has been submitted, unless that application has been pursued in good faith as determined solely in the building official's discretion. The building official may extend the time for action on the permit application for one or more periods, each period not exceeding 90 days, upon written request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. If an application has expired, plans and other data previously submitted for review may thereafter be returned to the applicant or destroyed by the building official. In order to renew action on an expired application, the applicant shall resubmit plans and pay a new review fee at the rates in effect at the time of resubmission.
B. Violations – Penalties. Section 108 of the International Mechanical Code, entitled “Violations,” is amended by substituting subsection 108.4 with the following:

Sec. 108.4. Violation penalties. Any person who violates a provision of this code or fails to comply with any of its requirements or who erects, installs, alters, or repairs mechanical work in violation of: (a) the approved construction documents, (b) a directive of the building code 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.

C. Means of appeal – Board of appeals. Section 109 of the International Mechanical Code, entitled “Means of Appeal,” is amended by substituting Section 109 with the following:

Sec. 109. 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.

Sec. 14.01.070 Amendments to the Uniform Housing Code. The following local amendments to the Uniform Housing Code 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. These occupancies in existing buildings may be continued as provided in IBC § 102.6 or IRC § R102.7, as may be applicable, except for structures 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, Chapter 34, and IRC § R102.7, as may be applicable.

C. Repealer. Section 202 of Chapter 2 and Chapters 11 through 16 of the Uniform Housing Code are hereby repealed.

D. 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.

E. 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 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 Chs. 14.08 and 1.04 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 107 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 § 109 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 §§ 110 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.

J. 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 with respect to other buildings on the same property as required by Chs. 5, 6 and 7 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 68°F (20°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 Ch. 10 and 12-24 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 §§ R314 and R315, as may be applicable.

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 the building official determines to be an unsafe building in accordance with IBC § 116, 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 is declared to be a substandard building.

Sec. 14.01.080 Amendments to the Uniform Code for the Abatement of Dangerous Buildings.

Repealed by Ord. No. 4186.
Sec. 14.01.085 Amendments to the International Energy Conservation Code. The following local amendments to the International Energy Conservation Code, including all amendments enacted by the state of Washington, are hereby adopted and incorporated into the International Energy Conservation Code:

A. Compliance required, violations, penalties. Section C101.5, entitled “Compliance,” is hereby amended by adding the following new subsection C101.5.1:

Sec. C101.5.1. Unlawful acts and penalties. It shall be unlawful for any person, firm or corporation to erect, construct, alter, extend, move 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 this code. 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 Chapters 14.08 and 1.04 KCC or as otherwise provided by law.

B. Compliance required, violations, penalties. Section R101.5, entitled “Compliance,” is hereby amended by adding the following new subsection R101.5.1:

Sec. R101.5.1. Unlawful acts and penalties. It shall be unlawful for any person, firm or corporation to erect, construct, alter, extend, move 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 this code. 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 Chapters 14.08 and 1.04 KCC or as otherwise provided by law.

C. Appeals. Section C109, entitled “Board of Appeals,” is hereby amended by substituting Section C109 with the following:

Sec. C109. 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 KCC 14.01.100.

D. Appeals. Section R109, entitled “Board of Appeals,” is hereby amended by substituting Section R109 with the following:

Sec. R109. 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 KCC 14.01.100.

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.

Sec. 14.01.090 Building codes – Fees. The city council shall, by resolution, establish the fees to be assessed to implement and operate the codes adopted in this chapter.

Sec. 14.01.100 Appeals.

A. Appeals to the hearing examiner.

1. Jurisdiction. The city hearings examiner has been designated as the board of appeals and shall have jurisdiction over all matters concerning the application of the building codes cited in this chapter. The
city hearings examiner, however, shall have no authority relative to 
interpretation of the administrative provisions of these codes, nor shall the 
city hearings examiner be empowered to waive requirements of these 
building codes.

2. Filing. Appeals shall be filed with the hearings examiner by 
5:00 p.m. of the fourteenth calendar day following the date of the order, 
determination, or decision being appealed. When the last day of the appeal 
period so computed is a Saturday, Sunday, or city holiday, the period shall 
runt until 5:00 p.m. on the next business day. The appeal shall be 
accompanied by payment of the filing fee. Specific objections to the 
building official’s decision and the relief sought shall be stated in the 
written appeal.

3. Standing. Standing to bring an appeal under this chapter is 
limited to the following persons:

a. The applicant and the owner of property to which the 
permit decision is directed.

b. Another person aggrieved or adversely affected by the 
order, determination, or decision, or who would be aggrieved or adversely 
affected by a reversal or modification of the order, determination, or 
decision. A person is aggrieved or adversely affected within the meaning of 
this section only when all of the following conditions are present:

i. The order, determination, or decision has 
prejudiced or is likely to prejudice that person;
ii. A judgment in favor of that person would substantially eliminate or redress the prejudice to that person caused or likely to be caused by the order, determination, or decision; and

iii. The appellant has exhausted his or her administrative remedies to the extent required by law.

B. Appeals to superior court. Appeals to the hearings examiner shall be made pursuant to Chapter 2.32 KCC. The decision of the hearings examiner shall be final and conclusive unless, within twenty-one (21) calendar days of the hearings examiner’s decision, an appeal is filed with the King County superior court. When the last day of the appeal period so computed is a Saturday, Sunday, or city holiday, the period shall run until the next business day.

**SECTION 2. - Amendment.** Section 14.08.020 of the Kent City Code, entitled "Definitions," is amended as follows:

**Sec. 14.08.020 Definitions.** The definitions contained in KCC 1.04.020 shall also apply to this chapter. In addition, the following words, terms, and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

1. Building codes means and includes the International Building Code, the International Existing Building Code, the International Residential Code, the International Mechanical Code, the International Fire Code, the International Energy Conservation Code, the International Property...
Maintenance Code, the Uniform Plumbing Code, and the Uniform Housing Code, and the Uniform Code for Abatement of Dangerous Buildings, as now or hereafter adopted, amended, or supplemented pursuant to this title, the Revised Code of Washington, and/or the Washington Administrative Code.

2. Building official means the building official of the city or any person authorized by the building official to enforce the building codes.

3. Premises means a plot of ground, whether occupied by a structure or not.

**SECTION 3. – Severability.** If any one or more section, subsection, or sentence of this ordinance is 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. – 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, as provided by law.

Suzette Cooke
SUZETTE COOKE, MAYOR

International Building, Residential, Mechanical, Existing Building, Energy Conservation, and Property Maintenance Codes and Uniform Plumbing Code – 2016 Update
PASSED: 17th day of May, 2016.
APPROVED: 17th day of May, 2016.
PUBLISHED: 20th day of May, 2016.

I hereby certify that this is a true copy of Ordinance No. 4202 passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent as hereon indicated.

RONALD F. MOORE, CITY CLÉRK

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