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Chapter 15.04 BUILDING CODE

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15.04.010 Title:

This title is known as and may be referred to as the “City of Cle Elum Building Code”.

15.04.020 Purpose:

The purpose of the code and regulations adopted in this title is to provide minimum standards to safeguard life, health, property and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location and maintenance of buildings and structures within the City of Cle Elum. It is not the purpose or intent to create or designate any particular class or group of persons to be especially protected or benefited, nor is it intended to create any special relationship with any individual.

15.04.030 Adoption of Codes by Reference and Amendments to Referenced Codes:

The City of Cle Elum hereby adopts the following codes, as amended by the Washington State Building Code Council pursuant to RCW 19.27 and as amended by this chapter for the purpose of establishing rules and regulations for the construction, alteration, removal, demolition, equipment, use and occupancy, location and maintenance of buildings and structures.

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1. **The 2009 International Building Code (IBC)** published by the International Code Council, Inc. as adopted and amended by the Washington State Building Code Council in Chapter 51-50 WAC, and may subsequently be amended by this chapter, is hereby adopted with the following appendices and amendments:

Appendices:

Appendix C: Agricultural Buildings

Appendix H: Signs

Appendix I: Patio Covers

Amendments

- A. Amend Section 105.2 Work Exempt from Permit. Building: 1) By adding the following, “is not closer than 6-feet to any other structure and all required building, zoning and critical area requirements are met”.
 - B. Amend Section 105.2 Work Exempt from Permit. Building: 6) by adding the words “platforms” and “decks” to modify permit exemptions.
2. **The 2009 International Residential Code (IRC)** published by the International Code Council, Inc. as adopted and amended by the Washington State Building Code Council in Chapter 51-51 WAC, and as may subsequently be amended by this chapter, is hereby adopted with the following appendices and amendments:

Appendices:

Appendix G: Swimming Pools, Spas and Hot Tubs

Appendix H: Patio Covers

Amendments

- A. Amend Section 105.2 Work Exempt from Permit. Building: 1) By substituting “120” for “200” in the square feet of floor area exempt from building permits and adding the following, “is not closer than 6-feet to any other structure and all required building, zoning and critical area requirements are met”.
- B. Amend Section 105.2 Work Exempt from Permit. Building: 5) by adding the words “platforms” and “decks” not more than 30 inches above adjacent grade and not over any basement or story below and is not part of an accessible route.” to modify permit exemptions.

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3. **The 2009 International Mechanical Code (IMC)** published by the International Code Council, Inc. except that the standards for liquefied petroleum gas installations shall be NFPA 58 (Liquefied Petroleum Gas Code) and ANSI Z223.1/NFPA 54 (National Fuel Gas Code), as adopted and amended by the Washington State Building Code Council in Chapter 51-52 WAC, and as may subsequently be amended by this chapter, is hereby adopted.

4. **The 2009 International Fire Code (IFC)** published by the International Code Council, Inc. including those standards of the National Fire Protection Association specifically referenced in the International Fire Code: PROVIDED, that, notwithstanding any wording in this code, participants in religious ceremonies shall not be precluded from carrying hand-held candles, as adopted and amended by the Washington State Building Code Council in Chapter 51-54 WAC, and as may subsequently be amended by this chapter, is hereby adopted with the following Appendices:

Appendices

Appendix B: Fire Flow for Buildings

Appendix C: Fire Hydrant Locations and Distribution

Appendix D: Fire Apparatus Access Roads

5. **The 2009 Uniform Plumbing Code (UPC)** except as provided in RCW 19.27.170, the Uniform Plumbing Code and Uniform Plumbing Code Standards, published by the International Association of Plumbing and Mechanical Officials: PROVIDED, that any provisions of such code affecting sewers or fuel gas piping are not adopted. The UPC, as adopted and amended by the Washington State Building Code Council in Chapters 51-56 and 51-57 WAC, and as may subsequently be amended by this chapter, is hereby adopted with the following Appendices:

Appendices

Appendix A: Recommended Rules for Sizing the Water Supply System

Appendix B: Explanatory Notes on Combination Waste and Vent Systems

Appendix I: Installation Standards

In case of conflict among the codes enumerated in subsections 1, 2, 3, 4 and 5 of this section, the first named code shall govern over those following.

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- 6. **The Washington State Energy Code** as adopted by the Washington State Building Code Council in Chapter 51-11 WAC is hereby adopted.
- 7. **The 2009 International Property Maintenance Code (IPMC)** as published by the International Code Council, Inc. is hereby adopted.

15.04.040 Design Requirements:

- 1. **Conflict between Codes:** Whenever there is a conflict between a Referenced Code in Section 15.04.030 of this code and the General Requirements contained in Section 15.04.040 of this code, the General Requirements shall apply.

2. Climatic and Geographic Design Criteria:

GROUND SNOW LOAD	WIND SPEED (Gust)	SEISMIC DESIGN CATEGORY	SUBJECT TO DAMAGE FROM			WINTER DESIGN TEMP.	ICE SHIELD UNDERLAYMENT REQUIRED	FLOOD HAZARDS	AIR FREEZING INDEX	MEAN ANNUAL TEMP.
			Weathering	Frost line depth	Termite					
115	85 mph	IRC: D ₀ IBC: S _s =0.65 S ₁ =0.23	Severe	24"	Slight To Moderate	2°	YES	Date Entered Into NFIP: 3/3/1975 Date of Current FIRM Maps Adopted: 5/5/1981	1500	50

- 3. **Professional Preparation of Plans:** The City of Cle Elum shall require a Washington State licensed design professional, licensed under the provisions of RCW 18.08, WAC 308-12 (for Architects) or RCW 18.43 (for Engineers) to stamp, prepare or oversee the preparation of plans and calculations for buildings or structures when ANY of the following criteria are met but is not limited to the following:

- A. The following are required to be professionally designed for structural integrity (lateral & gravity), Life Safety and Architectural Barriers (accessibility).
 - a) A building of any occupancy over 4,000 square feet.
Exception: Residential structures
 - b) Buildings containing five or more residential dwelling units.
- B. The following are required to be professionally designed for structural integrity (lateral & gravity) only.
 - a) All steel, concrete, masonry and timber framed structures.
 - b) All log buildings and structures. This includes any log or beam style trusses used in stick framed buildings.

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Exception: *One-story log buildings with a single ridged stick-framed roof with no valleys or trussed roof may be accepted without a professional structural design.*

- c) All other structures within the City of Cle Elum.

Exception: *One-story buildings with a single ridged stick-framed roof with no valleys or trussed roof may be accepted without a professional structural design.*

- d) All pre-manufactured metal structures. These structures are primarily used as carports and require a building permit when over 120 square feet. All plans and specifications must be engineered by a Washington State licensed engineer and plans must state the snow load and wind load capacities. Plans must also include details on the tie-down or foundation systems.

15.04.050 Pole Buildings:

The following section shall govern all pole style structures.

1. **Design Requirements:** All pole style structures shall follow the requirements of section 15.04.040 'Design Requirements' with the following additions:
 - A. The City of Cle Elum shall require a Washington State licensed design professional, licensed under the provisions of RCW 18.08, WAC 308-12 (for Architects) or RCW 18.43 (for Engineers) to stamp, prepare or oversee the preparation of plans and calculations for pole structures when:
 - a) The eave height exceeds 12-feet.
 - b) The minimum embedment depth listed below cannot be met.
 - c) The backfill requirements listed below cannot be met.
 - d) The use of the building or structure is for habitable space.
 - e) The structure is over 1-story.
 - f) The occupant load based on the IBC is greater than or equal to 10.

2. **Post Embedment Requirements:** Posts must be embedded into the ground a distance 1/3 the height of the eave. The minimum post embedment is 3-feet.

Example: A 12-foot eave height building would require the posts be embedded into the ground 4-feet. An 8-foot eave height building would require the posts be embedded 3-feet.

Post holes are required to be 6-inches deeper than the post embedment length to allow for concrete footing under the posts. Post hole diameters will be sized to directly support $\frac{3}{4}$ of the gravity load.

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3. **Backfill Requirements:** The backfill requirements for all posts holes shall be concrete. All native material taken out for the excavation of the post hole shall be replaced with concrete.

15.04.060 Contractor Registration:

No permit shall be issued for work which is to be done by any contractor required to be registered under Chapter 18.27 RCW without verification that such contractor is currently registered as required by law. All contractors shall have a city business license as required under Chapter 5.02 CEMC.

15.04.070 Fees:

1. All City of Cle Elum permit fees shall be established by resolution.
2. Investigation Fees: Work without a Permit
 - a. Whenever any work for which a permit is required by this code has been commenced without first obtaining said permit, a special investigation shall be made before a permit may be issued for such work.
 - b. An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the Building Permit Fee. This fee is an additional, punitive fee and shall not apply to the Permit Fees that may subsequently be issued. Payment of the investigative fee does not vest the illegal work with any legitimacy, nor does it establish any right to a Permit for continued development of that project. If the work done remains illegal for 90 days after service of the Stop Work Order, it shall be considered hazardous.
 - c. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this code nor from any penalty prescribed by law.
3. Fee Refunds

The building official may authorize the refunding of:

 - a. 100% of any fee erroneously paid or collected.
 - b. Up to 80% of the permit fee paid when no work has been done under a permit issued in accordance with this code.

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- c. Up to 80% of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan reviewing is done.

The building official shall not authorize refunding of any fee paid except on written application filed by the original permittee not later than 180 days after the date of fee payment.

15.04.080 Permits:

1. Except as specified in section 15.04.030 above (work exempt from permit), no building or structure shall be erected, placed, 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 City of Cle Elum.
2. All permits shall expire by limitation and be declared void if any one of the following apply:
 - a. Work is not started within 180 days of obtaining a permit.
 - b. Work is abandoned for 180 days or more after beginning work.
 - c. An inspection has not been performed and approved by the City of Cle Elum for over one year.

The building official may extend the time for action by the applicant for a period not exceeding 180 days on request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. If a permit has expired, an applicant may renew the permit for one-half the permit fee(s) plus issuance fees and less plan review fees, provided no changes have been made or will be made to the original construction documents for such work, and provided further that the permit was reviewed under the current adopted codes. If there are changes to the original construction documents or if the permit is renewed under a different code, a plan review fee will be charged at the current rate.

15.04.090 Enforcement:

1. Violation. It is unlawful for any person, firm or corporation to violate any provision of this chapter, or any code adopted herein, or to erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, occupy or maintain any building or structure within the city, or to use any land contrary to, or in violation of, any of the provisions of the chapter, or any code adopted herein.
2. Penalty for Violations. See CEMC Chapter 8.60 (Code Enforcement).

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3. Severability. The penalties provided in this section are intended to be in addition to, and not to supersede, any penalties provided in any of the codes adopted in CEMC 15.04.030. In the event of a conflict between the penalty provisions of this section and the penalty provisions in any of the codes, this section shall control.

15.04.100 Liability:

The express intent of the City of Cle Elum is that the responsibility for compliance with the provisions of this chapter shall rest with the permit applicant and their agents.

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